

<b>Report title:</b> Brentwood Borough Draft Local Plan: Preferred Site Allocations – Regulation 18 Consultation Document, January 2018	
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<b>Date:</b> 22 <sup>nd</sup> February 2018	<b>For:</b> Decision
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<b>County Divisions affected:</b> All Divisions in Brentwood Borough	

## 1. Purpose of Report

- 1.1 To approve the proposed Essex County Council (ECC) formal response to the Brentwood Borough Draft Local Plan Preferred Site Allocations (Draft Plan) Regulation 18 Consultation Document, January 2018.

## 2. Recommendations

- 2.1 To agree to send to Brentwood Borough Council (BBC) the response to the consultation on the Draft Plan that is contained in Appendix 1 to this report.
- 2.2 To agree that ECC will continue to work with BBC through the duty to cooperate as it prepares its Pre-Submission Local Plan (Regulation 19) to refine and progress the evidence base to clearly address ECC's representations and ensure ECC is able to assist in the delivery of its key services and the provision of new infrastructure arising from the planned growth.

## 3. Summary of issue

### Background and planning policy context

- 3.1 BBC began preparation of their Development Plan in 2009 with a Core Strategy Issues and Options consultation, which sought views on four spatial options. This was followed by a Neighbourhood Consultation in 2011, which provided information on specific sites suggested to the Council for development. In 2013 there was a further consultation on the Preferred Options, which proposed a transport-led spatial strategy, and in 2015 BBC produced a Strategic Growth Options document for consultation, which continued to focus on the previous preferred spatial options, but within the context of meeting the full Objectively Assessed Housing Need (OAHN).
- 3.2 Within ECC's previous response to the consultation in 2015 (as set out in CMA ([FP/956/01/15](#)), considered that the consultation was a starting point for the development of a Local Plan for the Borough. It was acknowledged that significant evidence was still to be undertaken and published at the time of the consultation. This was considered necessary to enable the full consideration of all reasonable alternative growth options to take place and to inform a preferred spatial strategy. The ECC response highlighted the concern that the Strategic Growth Options had been prepared in advance of this evidence base (including

highway modelling) and until the evidence was in place and publicly available, it was not possible for ECC to support any of the Strategic Growth Options.

- 3.3 In 2015 BBC also undertook a separate 'standalone' Dunton Garden Suburb Concept consultation with Basildon Borough Council to jointly explore the concept of a new cross boundary Garden Suburb development located to the west of Laindon and east of West Horndon and A128. This consultation did not form part of the Local Plan preparation process for either authority.
- 3.4 ECC responded to this Dunton consultation (see CMA ([FP/957/01/15](#))). It was recommended that ECC withhold support for any potential cross boundary development at Dunton Garden Suburb until key pieces of evidence were publicly available for consideration. It was also acknowledged that significant additional work was required to progress BBC Local Plan from its broad spatial growth options (the Strategic Growth consultation document in 2015) to a preferred spatial strategy identifying the overall housing, employment and infrastructure requirements, and distribution throughout the borough.
- 3.5 In 2016 BBC consulted on a Draft Local Plan, which proposed a spatial strategy focusing growth on brownfield sites, and in key transport corridors (A12 – Brentwood and Shenfield, and A127 – Dunton Hills Garden Village and Brentwood Enterprise Park). BBC proposed to meet its OAHN of 7,240 additional dwellings and up to 5,000 jobs over the Plan period (2013-2033).
- 3.6 ECC responded to the Draft Local Plan consultation (see CMA [FP/406/02/16](#)). ECC re-iterated the need for the Local Plan to be supported by a proportionate evidence base and that all reasonable alternatives of a spatial strategy be considered, which was lacking. Further clarification was sought on a number of matters including:

#### Spatial Strategy –

- how the A127 Corridor provides more opportunities for growth than the A12 Corridor.
- identification of any cross border implications of the spatial strategy given ECC's role as highway, education, minerals and waste authority.
- identification of what infrastructure is necessary to deliver the spatial strategy, strategic and individual site allocations.

#### Housing –

- demonstrate that level of growth can be accommodated by the existing and new social and physical infrastructure.
- how Independent Living programme is to be delivered.
- joint working with ECC and partner local authorities to identify and deliver transit sites for Gypsy and Travellers.

#### Economic Growth –

- additional evidence required regarding the impact of the significant employment land allocation at Brentwood Enterprise Park on the strategic junction, local road network, and necessary mitigation measures, including sustainable transport measures given the location is not favourable to sustainable travel.

#### Highways –

- joint working should be established between all the relevant partners to identify necessary mitigation at relevant junctions, to consider the cumulative impact of growth within the borough, and to consider the wider planned growth on the local and strategic route network.

#### Education –

- continued work required by BBC with ECC to ensure education needs are appropriately and adequately assessed as the new Local Plan continues.
- further assessment of potential delivery and resource requirements for accommodating anticipated pupil growth to inform pre-submission plan and Infrastructure Delivery Plan (IDP).
- consider potential cross-boundary issues with Basildon arising from Dunton Hills Garden Village (DHGV).
- early years and childcare requirements should be included.

- 3.7 Throughout the above period of Plan preparation BBC have also been engaged in the progression of the Dunton Hills Garden Village (DHGV). This has included a number of master planning workshops, which ECC officers have played a role in.

#### Ministerial Intervention

- 3.8 The Government requires local authorities to put in place Development Plans which provide certainty for the supply of housing land for a period up to 10 years and ideally for up to 15 years, together with proposals for economic growth, infrastructure development and other specific requirements such as the provision of sites for Gypsies and Travellers. The importance of having an up to date Development Plan for the future development and growth of a local authority's area was emphasised by the Government announcement that stated that they will intervene in Local Plan preparation, where a local authority has not produced a Local Plan by 2017.
- 3.9 The Secretary of State for Communities and Local Government, Mr Sajid Javid (SoS), published a Written Ministerial Statement on 16<sup>th</sup> November 2017 indicating the intention to intervene in plan-making in 15 Local Planning authorities including BBC. BBC had the opportunity to respond by 31 January 2018 and has set out the exceptional circumstances, which in their view, justify their failure to produce a Local Plan under the 2004 Act regime. The SoS will now take BBC's response into account before any final decision on intervention is taken. Meanwhile BBC continues to prepare its new Local Plan.

#### Draft Local Plan Preferred Site Allocations (this consultation)

- 3.10 BBC has prepared a Regulation 18 Local Plan (Draft Local Plan) Preferred Site Allocations document and is undertaking consultation from 29<sup>th</sup> January to 12<sup>th</sup> March 2018 inclusive. The next stage (known as the 'pre-submission' or 'publication' version' (regulation 19)) of the Draft Plan is intended to be published in the third quarter of 2018 (July-September). Submission to the Government is proposed in the fourth quarter of 2018 (October-December), for public examination in early 2019 and subsequent adoption in Summer 2019.

#### Content of the Plan –

- 3.11 BBC sets this as a ‘focused consultation’, which outlines the preferred housing, specialist accommodation and employment sites, as well as containing an updated vision, strategic objectives and spatial strategy from that consulted in 2016. It does not include any further information or updated planning policies to those consulted on 2016. BBC advises that these are to be included at the Regulation 19 version of the Plan.
- 3.12 Part One: Our Strategy for Growth sets out the vision, strategic objectives, spatial strategy, as well as evidence relating to housing and specialist accommodation (need and supply), infrastructure planning, employment land (need and supply), and employment site allocations.
- 3.13 Part Two: Preferred Site Allocations provides a pro-forma for each of the preferred sites, with an indication of the proposed use, net developable area, indicative dwelling yield (for housing sites), location and background information, site access, site opportunities and constraints, and delivery forecast.

#### Vision –

- 3.14 The Vision remains strongly aligned with that contained within the BBC 2016 Draft Local Plan, which sought to enable growth that meets the development needs of the borough, but maintains and enhances the unique local character – ‘a borough of villages’. The Vision now includes reference to DHGV.

#### Strategic Objectives –

- 3.15 The number of Strategic Objectives has increased from 13 to 23 since the 2016 Draft Local Plan to reflect consultation feedback, evolving evidence base and new national planning policy direction. The objectives are grouped into themes covering ‘Managing Growth’ (5), ‘Sustainable Communities’ (2), ‘Economic Prosperity’ (7), ‘Environmental Protection & Enhancement’ (3), ‘Quality of Life and Community Infrastructure’ (3), and ‘Transport and Movement’ (3), with an enhanced focus on growth ambitions around DHGV and ensuring community infrastructure and sustainable transport remain central to plan-making.

#### Spatial Strategy –

- 3.16 The Spatial Strategy continues to focus on supporting transport corridor-led growth, taking a sequential approach to the use of land prioritising the use of brownfield land first, and then considering growth in settlements relative to sustainability. The revised strategy has introduced a limited level of growth in the larger villages. The strategic housing growth strategy remains the same - to create sustainable urban extensions and a new DHGV settlement.

#### Housing and Specialist Accommodation – Need and Supply –

- 3.17 In respect of housing, the Objectively Assessed Housing Need (OAHN) for BBC has increased for the Plan period 2013-2033 from 7,240 (362 dwellings per annum (dpa)), to 7,600 (380 dpa).

- 3.18 Since the 2016 consultation BBC have assessed potential sites - reviewing a number of factors including planning status, developable areas, density calculations and net delivery rates, in order to provide potential yields (housing and employment).
- 3.19 The Draft Plan seeks to meet the OAHN within the Plan period of which 25% is already accounted for (the period 2013 up to 31<sup>st</sup> March 2018) through completions, planning permissions and windfalls. The remaining 75% will be achieved through new housing allocations, of which 23% of the allocations are within settlement boundaries, 22% are on non-strategic Green Belt sites, and 30% will be provided at DHGV. A breakdown of the provision is set out in the table below.

<b>Provision</b>	<b>Net Homes</b>	<b>% of Homes</b>
Completions 2012/14 – 2016/17	527	6.38
Extant Permissions (April 2017)	825	9.98
Forecast Forward – Additional Completions and Permissions (01/04/17 – 31/03/18)	250	3.03
Windfall Allowance (2020/21 – 2032/33) (including non-implementation discount)	507	6.14
Brownfield Land within Brentwood Urban Area / Settlement Boundary	1,152	13.94
Greenfield Land within Brentwood Urban Area / Settlement Boundary	95	1.15
Brownfield Land within settlement boundary – Other locations	580	7.02
Green Belt Land – Edge of Brentwood Urban Area	1,440	17.43
Green Belt Land – Edge of Ingatestone	218	2.64
Green Belt Land – Larger Villages	169	2.05
Strategic Allocation – Dunton Hills Garden Village	2,500	30.26
<b>Total</b>	<b>8,263</b>	<b>100</b>
<b>Allocation Total</b> (excludes completions, extant permissions, forecast forward & windfall)	<b>6,154</b>	<b>74.48</b>

- 3.20 The Strategic Housing Market Assessment (SHMA) Part 2 indicates that the plan needs to provide for 424 bed spaces in Registered Care facilities over the Plan period. The consultation document indicates that such provision is likely to be accommodated on the larger housing allocation sites.
- 3.21 Updated information regarding the provision of Gypsy and Traveller accommodation is taken from the 2017 Gypsy and Traveller Accommodation Assessment (GTAA). This indicates that 78 pitches are required over the Plan period.
- 3.22 The document takes a sequential approach to the allocation of such accommodation where 7 pitches are indicated to be provided through existing temporary sites, 13 from the regularisation of unauthorised sites, with the remaining 58 pitches to be accommodated on the larger housing allocation sites.
- 3.23 The GTAA did not indicate the requirement for any Travelling Showpeople accommodation in the borough.

## Infrastructure Planning –

- 3.24 In relation to primary and secondary education requirements BBC has undertaken its own initial assessment looking at the preferred sites, using some ECC data and assumptions. The consultation document highlights some high pressure and shortages in capacity. BBC acknowledges that ECC is the responsible authority for ensuring sufficient school places are available and that work is required with ECC and other partners to finalise a list of solutions to address any pupil place shortage.
- 3.25 DHGV has been specifically excluded from the currently provided education calculations. BBC has estimated pupil yields for both primary and secondary education but acknowledges that this does not take into account potential yield from Basildon and Thurrock, given the close proximity to their administrative boundaries. As a result the consultation document indicates that different options are being explored for DHGV through a master planning process and the exact minimum scale requirement still needs to be defined. As a result BBC states it will continue to work with ECC and other stakeholders to clarify such matters.
- 3.26 With regard to special educational needs (SEN), BBC has undertaken its own initial assessment on the potential required provision for the Borough as a whole as a result of the preferred sites. This assessment has identified a requirement for a sixth form function. The consultation document considers that the provision should be built into the layout and master planning for the proposed housing site at Priests Lane.
- 3.27 In respect of healthcare the consultation document references evidence from Public Health England, NHS England and the Basildon and Brentwood CCG. It also references the current strategic focus for health infrastructure provision as set by the Basildon and Brentwood Clinical Commissioning Group (BBCCG).
- 3.28 BBC are still exploring opportunities to enhance the range and scale of facilities offered through Brentwood Community Hospital, and the delivery of new integrated health facilities at DHGV. West Horndon surgery is also highlighted as needing to move to larger premises, which could be linked to the redevelopment of West Horndon Industrial Estate.

## Employment Land – Need and Supply and Allocations –

- 3.29 The consultation document references the Economic Futures Report 2013-2033 – Final Draft Report as its evidence base for employment requirements. This uses four scenarios for forecasting jobs, which are converted into net floorspace requirements. All four scenarios forecast an increase in employment land requirement, ranging from 33.73ha to 45.93ha.
- 3.30 Since the 2016 Local Plan consultation, BBC have assessed the potential sites, reviewing a number of factors including planning status, scale, capacity, and deliverability in order to provide potential yields. It has also changed the site threshold, to only include sites over 0.25ha gross area.

- 3.31 As a result the site yield has increased on two sites including the Brentwood Enterprise Park (BEP), and three small new strategically located sites have been included.
- 3.32 The Draft Plan seeks to meet the employment land requirements within the Plan period. It should be noted that over half (54.5%) of new employment allocations are at the proposed BEP. A breakdown of employment land provision is set out in the tables below.

New Employment Land Allocations

Site Reference	Site Name	Area (ha)	% of new allocation
101a	Brentwood Enterprise Park (M25 Junction 29 works)	25.85	54.55
079c	Land adjacent to Ingatestone by-pass (part bounded by Roman Road)	2.06	4.35
112d & e	Childerditch Industrial Estate (integrating 112D)	5.87	12.39
101c	Codham Hall (New extension)	0.61	1.29
187	Land at East Horndon Hall	5.50	11.61
158	North of A1023	2.00	11.61
200	Dunton Hills Garden Village Strategic Allocation	5.50	4.22
<b>Total</b>		47.39	100

Existing Employment Sites Not Previously Allocated

Site Reference	Site Name	Area (ha)	% of new allocation
101b	Brentwood Enterprise Park (land at Codham Hall)	9.01	n/a
108	The Old Pump Works, Great Warley Street	0.79	n/a
111	Upminster Trading Park	2.60	n/a
228	Peri Site, Warley Street, Great Warley	5.36	n/a
112d & e	Childerditch Industrial Estate	3.52	n/a
321	McColls Headquarters, Ongar Road	1.60	n/a
<b>Total</b>		22.88	n/a

Existing Allocated Employment Land

Site Reference	Site Name	Area (ha)	% of new allocation
112	Childerditch Industrial Estate	11.25	n/a
113	Hallsford Bridge Industrial Estate	3.41	n/a
114	Hubert Road Industrial Estate	3.78	n/a
045	Hutton Industrial Estate	10.48	n/a
115	Brook Street Employment Area	1.25	n/a
116	Warley Business Park (excl. Regus)	2.50	n/a
117	Ford Offices, Eagle Way, Warley	2.00	n/a
118	BT Offices, London Road, Brentwood	3.50	n/a
119	Canon Offices, London Road, Brentwood	0.45	n/a
020, 021 & 152	West Horndon Industrial Estate	2.00	n/a
121	Mellon House, Berkley House and 1-28 Moores Place, Brentwood	0.35 (est.)	n/a
<b>Total</b>		40.97	n/a

Preferred Site Allocations –

- 3.33 There are 31 pro-forma in Part 2 of the consultation document covering 39 housing sites and 5 pro-forma covering 8 employment sites. Each pro-forma

contains an Ordnance Survey extract, and specific details relating to the site, including site name and reference, proposed use or alternative uses, gross and net developable areas, location and background information, site access, site opportunities and constraints, indicative dwelling yield for housing sites, and delivery forecasts.

### Policy objectives

3.34 ECC aims to ensure that local policies and related strategies provide the greatest benefit to deliver a buoyant economy for the existing and future population that lives, works, visits and invests in Essex. As a result ECC is keen to understand, inform, support and help refine the formulation of the development strategy and policies delivered by Local Planning Authorities. Involvement is necessary and beneficial because of ECC's roles as:

- a. a key partner within Greater Essex and South Essex councils, promoting economic development, regeneration, infrastructure delivery and new development throughout the county;
- b. provider and commissioner of a wide range of local government services throughout the county;
- c. the strategic highway and transport authority, including responsibility for the delivery of the Essex Local Transport Plan; Local Education Authority; Minerals and Waste Planning Authority; Lead Local Flood Authority; and lead advisors on public health and adult social care in relation to the securing the right housing mix which takes account of the housing needs of older people, and;
- d. as infrastructure funding partner, that seeks to ensure that the development allocations proposed are realistic and do not place an unnecessary (or unacceptable) cost burden on the public purse, and specifically ECC's Capital Programme.

3.35 ECC's response will ensure the following ECC policy objectives are reflected in BBC's emerging Draft Plan:

- [Essex Vision for Priorities 2017/21](#)
- [Essex Organisation Strategy, 2017 – 2021](#)
- [Economic Plan for Essex \(2014\)](#)
- [A127 Corridor for Growth - An Economic Plan 2014](#)
- [Essex Children and Young People's Strategic Plan 2016 Onwards \(2016\)](#)
- [Essex Early Years and Childcare Strategy 2015-2018](#)
- [Commissioning school places in Essex 2017-2022](#)
- [Essex County Council Local and Neighbourhood Planners' Guide to School Organisation](#)
- [ECC Independent-Living-Programme-Position-Statement October 2016](#)
- [ECC Developers' Guide to Infrastructure Contributions \(2016\)](#)
- [Essex Minerals Local Plan Adopted 2014](#)
- [Essex and Southend-on-Sea Waste Local Plan Adopted 2017](#)
- [ECC Sustainable Urban Drainage Design Guide 2016](#)
- [Greater Essex Growth & Infrastructure Framework \(2016\)](#)
- [Superfast Essex Broadband](#)
- [EPOA's Essex Design Guide 2018](#)



## Next stage

- 3.36 Public consultation on the Draft Plan concludes on 12<sup>th</sup> March 2018. BBC will review all consultation responses, consider the implications of forthcoming evidence and will then prepare and consult on a 'Pre Submission' version of the Local Plan. This consultation is scheduled to take place in the third quarter of 2018 (July-September). Submission to the Government is proposed in the fourth quarter of 2018 (October-December), for public examination in early 2019 and subsequent adoption in Summer 2019. ECC can make further representations at the pre-submission stage and in the meantime ECC and BBC officers' continue to engage actively, constructively and on an on-going basis to inform the preparation of the new Brentwood Local Plan, and ensure ECC interests are appropriately reflected.

## **4. Options**

- 4.1 The full proposed ECC response to the BBC Draft Local Plan Preferred Site Allocations consultation is set out in Appendix 1 to this report, and is summarised below. It is recommended that these comments form ECC's written representation on the consultation. There are no defined consultation questions, or specific draft policies.
- 4.2 Duty to Cooperate. It is recommended that ECC draws BBC's attention to our response on the Draft Local Plan 2016 consultation (attached as Appendix 2 to this report), and advise BBC that its content is still relevant to the current consultation. BBC will need to ensure that all of the matters raised in the 2016 response continue to be addressed (summarised in paragraph 3.6 of this report) as the Draft Plan progresses through to pre-submission (Regulation 19), together with those raised as part of this consultation.
- 4.3 In accordance with the provisions of the Localism Act 2011, ECC offers to contribute cooperatively with BBC in the preparation of its emerging Local Plan through to examination. It is noted from Appendix E (Brentwood Local Plan Evidence Base Update) attached to the agenda report on the Draft Plan presented to BBC's Ordinary Council in January 2018, that there are still gaps in the evidence base to support the BBC Local Plan, and a number of the evidence based documents currently available are considered out of date. Such evidence should cover all the relevant components of the proposed Local Plan, including highway modelling and a full assessment of education requirements. In progressing the Local Plan, BBC will need to instigate significant partnership working with ECC and Highways England (HE) to review and progress the transport modelling, including the identification of necessary mitigation measures on the strategic (M25/A12/A127 Corridor), local and wider highway network. It is essential that this is addressed before the pre-submission document is produced.
- 4.4 An IDP will need to be prepared to support the pre-submission Local Plan, to identify the infrastructure required, and how and when it will be funded and delivered. As a provider of key services and subject to statutory responsibilities, for example highways and education, ECC is keen to assist BBC in the preparation of the IDP.

- 4.5 It is recommended that ECC welcomes reference to BBC working jointly in South Essex to secure infrastructure investment and consider wider growth opportunities. More detailed reference should be made to this work, including the Memorandum of Understanding that has been signed by the South Essex Authorities to work together on strategic cross boundary matters, the establishment of the Association of South Essex Local Authorities (ASELA), the work that has taken place on a South Essex 2050 Ambition, and the work underway to progress a South Essex Joint Strategic/Spatial Plan.
- 4.6 Strategic Objectives. It is recommended that ECC welcomes the inclusion of a clear set of strategic objectives, which are consistent with national planning guidance. However concern is raised about the increased number of objectives from the Draft Local Plan 2016 (13) to the current consultation (23), and whether this reflects strategic priorities for the Borough, or whether it is providing more detail which should be reserved for the policies within the Local Plan.
- 4.7 Spatial Strategy (covering housing and employment). It is recommended that ECC acknowledges BBC's work that seeks to meet housing needs in full over the plan period (7,600/380 dpa) and supports the 20 year Plan period (2013 – 2033).
- 4.8 However, it is recommended that ECC continues to seek clarification on a number of issues in relation to the proposed spatial strategy (as was raised in the ECC response to the Draft Plan 2016 consultation) as follows:
- how the A127 Corridor provides more opportunities for growth than the A12 Corridor;
  - identification of any cross border implications of the spatial strategy given ECC's role as highway, education, minerals and waste, and lead local flood authority, and public health responsibilities;
  - identification of what infrastructure is necessary to deliver the spatial strategy for both strategic and individual site allocations; and
  - a full assessment of the highway and transportation implications of the proposed spatial strategy, both in terms of the impacts of the individual preferred site allocations, and cumulatively.
- 4.9 It is therefore recommended that ECC withholds support until the appropriate highway modelling has been undertaken, to assess both the site specific and cumulative impacts of such developments on the local, and wider highway network (see commentary below).
- 4.10 Transport and Highways. It is recommended that ECC reiterate to BBC that further transport and highway modelling work needs to clearly illustrate the local and cumulative impact on the local and strategic transport network, to demonstrate that the proposed spatial strategy is the most appropriate, and to identify any mitigation measures which would be required.
- 4.11 The 'Brentwood Borough Local Plan Development Options – Highway Modelling' was published in draft form as part of the 2016 consultation. ECC reviewed the Report in 2016, and provided a significant comments and concerns to BBC, and highlighted that there were still areas of the methodology that would benefit from further clarification, and aspects of the modelling that would need to be revisited. To date this work is still outstanding. Any further modelling work will need to consider a number of matters including:

- Rebuilding of forecast matrices to account for revisions made to development numbers contained in the Local Plan
  - Recalculation of trip rates to also account for sustainable travel
  - Consideration of background growth to incorporate fuel efficiency and income growth factors
  - Validation of base model outputs to observed conditions
  - Sensitivity testing of forecast model assignment
  - Determine how the model can be improved to provide a more accurate assessment of cross-boundary impacts
  - Remodelling of all junctions currently in scope of assessment, accounting for uneven lane usage, peak hour demand profiles and the impact of pedestrian movements
- 4.12 It is recommended that the impacts of the preferred route of the Lower Thames Crossing (LTC) also need to be assessed and factored in to the further modelling in support of the Draft Plan, as it is considered it would have an impact / and opportunities on the Brentwood borough, as well as the wider transport network across South Essex and beyond.
- 4.13 ECC as the Highway Authority need to be engaged on the further modelling work, to be satisfied with the approach, assumptions and outcomes, in order to provide support to BBC in the plan preparation process and at examination. As previously requested ECC require BBC to incorporate a review process, at the end of each stage, into the transport modelling programme. It should also be noted that the infrastructure section of the consultation document contains no information on highway and transportation matters. ECC is clear that further modelling work needs to illustrate the local and cumulative impact on the local and strategic transport network, to demonstrate that the proposed spatial strategy is the most appropriate, and to identify any infrastructure and/or mitigation measures which would be required.
- 4.14 It is recommended that ECC should acknowledge that BBC has begun work to address the outstanding issues, and ECC are engaging with BBC and their transport consultants to progress this. However, until this appropriate highway modelling has been undertaken, and ECC has reviewed and confirmed satisfaction of the work, it is recommended that ECC continues to withhold support for the Draft Plan.
- 4.15 Employment. It is recommended that ECC welcomes and supports the ambition for economic growth in Brentwood Borough, seeking to deliver the upper range of employment land requirements, and notes the additional evidence base produced since the Draft Local Plan (2016) consultation, including the Economic Futures 2013-2033 (November 2017), and the Brentwood Economic Strategy (2017-2020). It is recommended that ECC also acknowledges the ambition to develop new key strategic employment sites but this needs to be set within the wider context of Brentwood's Spatial Strategy, and the need for any locations to be consistent with the criteria to seek to ensure future developments are located in accessible locations to reduce the need to travel. It is therefore recommended that ECC withholds support until the appropriate highway modelling has been undertaken, to assess both the site specific and cumulative impacts of such developments on the local, and wider highway network.

- 4.16 It is recommended that ECC raises concerns over the allocation of 57% of the new employment land on one site, Brentwood Enterprise Park (BEP). The Economic Forecast Report highlights concerns with regard to the considerable reliance on the BEP employment allocation. It is recommended that BBC further consider the phasing and deliverability of the site, to ensure a readily available supply of employment land across the short, medium and long term.
- 4.17 Furthermore it is recommended ECC draws BBC's attention to the 'red line' boundary for the LTC major road scheme, which seeks to incorporate a significant part of the BEP employment allocation. Whilst it is acknowledged that one of the aims of the LTC is to be a key driver for economic activity, and if such a scheme is not to impact on the planned deliverability of the BEP, clarification is sought in respect of the deliverability of the full allocation over the Plan period, particularly given the need for the site to come forward in the short, medium and long term.
- 4.18 The location of the BEP is not favourable to sustainable transport measures and at present there is limited evidence regarding any potential connectivity of the proposed development via sustainable transport measures. Additional clarification will be required regarding opportunities for such measures, and the output of any impact on the strategic junction, local road network, and potential mitigation requirements. The potential impact on the above would also depend on the mix of B1, B2 and B8 uses proposed on the site.
- 4.19 Infrastructure. ECC consider it essential that all sites are assessed together as part of plan preparation to identify which sites or strategic locations are the most suitable and deliverable for a particular use. It is imperative that the costs of providing infrastructure as a direct result of development proposals, particularly those related to early years and childcare, primary and secondary schools, and highways, for which ECC has a statutory responsibility, are included in the viability assessment from the outset, to ensure provision is guaranteed. It is recommended that ECC seeks clarity from BBC on how this process has been undertaken.
- 4.20 ECC would draw BBC's attention to the ECC Full Council Motion in October 2014, reaffirmed in July 2017, which states that *'Essex County Council will not support Local (Development) Plans unless adequate resources are identified from developers, local councils and/or Government grants to ensure that sufficient infrastructure, including roads, schools, medical facilities, parking, sewerage and drainage, is provided in a timely manner and in a way that balances the needs to promote economic growth and provide housing for residents whilst protecting their quality of life'*. In accordance with this Motion, it is recommended that ECC continues to withhold support for the Draft Plan, until the appropriate work in relation to ensuring the provision of all suitable infrastructure has been undertaken, and ECC has reviewed and confirmed its satisfaction with the work.
- 4.21 ECC consider the phasing of development and funding of infrastructure will be crucial for effective delivery and this will need to be reflected in the evidence base as Local Plan preparation progresses. Currently ECC consider that this is unclear.

- 4.22 As noted under the Duty to Cooperate response above, BBC will need to prepare an IDP to support the Local Plan, and identify required infrastructure. ECC will assist BBC in the preparation of the IDP, and welcomes the opportunity for engagement. However, as stated above, until this appropriate work has been undertaken, and ECC has reviewed and confirmed satisfaction of the work, it is recommended that ECC continues to withhold support for the Draft Plan.
- 4.23 Green Belt. It is recommended that ECC acknowledges the sensitive nature of the Borough and the need to balance growth with retaining local character. BBC will need to be satisfied that it has identified its preferred spatial strategy, which includes significant Green Belt release, based on a range of proportionate evidence. In so doing, BBC will need to demonstrate that it has considered all reasonable locations for future growth against the relevant criteria, and demonstrate that the most appropriate sites have been identified for allocation.
- 4.24 Specialist Accommodation – Registered Care. It is recommended that ECC acknowledges BBC is seeking to meet its identified needs for registered care provision (424 spaces between 2013 and 2033), as identified in the SHMA. However ECC seeks clarification on the suitability of the proposed sites for the provision of specific registered care accommodation (424 spaces across four large preferred housing allocation sites), as well as information on any additional infrastructure requirements such accommodation may require. ECC Public Health advise that the social care team at ECC should be engaged on this matter as well as the relevant CCG to ensure GP provision is available to support these specialist homes.
- 4.25 Furthermore, it is recommended that ECC seeks clarification on whether the location of such accommodation, on four large housing sites, has implications for the overall housing capacity of the preferred housing sites. This should also be considered in combination with the location of the required Gypsy and Traveller pitches, which are proposed on three of the four same large housing sites (see comments below).
- 4.26 Gypsy and Traveller Accommodation. It is recommended that ECC acknowledges BBC is seeking to meet its identified need (78 pitches between 2016 and 2033), as identified in the 2017 draft GTAA. However, ECC seeks clarification on the suitability of the proposed sites for the provision of specific Gypsy and Traveller accommodation (58 pitches across 4 large preferred housing allocation sites), as well as information on any additional infrastructure requirements such accommodation may require.
- 4.27 It is recommended that ECC also seeks clarification on whether the location of such accommodation, on four large housing sites, has implications for the overall housing capacity of the preferred housing sites. This should also be considered in combination with the location of the required registered care facilities, which are proposed on three of the four same large housing sites (see comments above).
- 4.28 It is recommended that BBC reference the transit recommendations as set out in the published GTAA (2018) (an update to the 2017 draft GTAA), which recognises and seeks to address the strategic cross boundary matters at a larger 'Greater Essex' level, incorporating data from other local authorities, the Essex

Countywide Traveller Unit and other sources. There is a need for further investigation and analysis to provide a more robust appraisal of current and future transit needs to be undertaken.

- 4.29 Education. BBC acknowledge that sufficient work has yet to be undertaken to accurately assess the impact of growth on education infrastructure. It is critical that this takes place as the pre-submission plan (Regulation 19) is prepared. A full scenario test identifying the location of and likely unit mix of all allocation sites and permitted development is needed. BBC will need to provide ECC with this information in line with section 3.4 of our 'Planners' Guide to School Organisation'. Only once ECC has received this information and completed the assessment, can a realistic IDP for education be prepared and agreed. Discussions with ECC are therefore vitally important to ensure that this growth is planned, phased, properly funded and delivered in an efficient and coherent manner.
- 4.30 It is recommended that ECC seek to ensure that its School Organisation team is included in the continued dialogue relating to the master planning of DHGV. The first new primary school site should be a minimum of 2.9ha and made available as early as possible within the development of DHGV. If 4,000 homes are built longer term, then the preferred model will be three primary schools, with a minimum of 2.1ha sites sufficient for each of the latter two. Fewer larger schools would not be congruent with the Garden Suburb aim of sustainable travel patterns.
- 4.31 It is recommended that ECC advise BBC that a school that will grow to 6fe is the smallest that can be supported on the DHGV site and would require 7.9ha of suitable land. The growth within the Plan period should make this viable if the school is planned to meet some wider demand. The type of school has yet to be determined, and this model may not fit with the spatial distribution of primary school places that will be required elsewhere in the borough. The school's role in meeting wider demand and the potential need for future expansion must be agreed with ECC prior to the commencement of any master planning work. If the garden village is to grow to circa 4,000 dwellings a minimum of a 10ha secondary school site should be reserved within the DHGV area. ECC is very supportive of a joined up Basildon/Thurrock approach to the identification of education needs in relation to DHGV and adjacent developments in these other local authority areas.
- 4.32 Special Education Needs. BBC seeks to support further SEN development in the form of sixth form facilities at one of the two SEN schools located within the borough. It is recommended that BCC provide ECC with all the relevant information in order that ECC can undertake a further assessment of the potential delivery and resource requirements, for accommodating anticipated SEN requirements, to inform the pre-submission Plan, and its supporting IDP.
- 4.33 Early Years and Childcare (EYCC). It is recommended that an assessment of EYCC requirements take place and those requirements be included in appropriate policy and site allocations (both housing and employment) where growth generates need. The consultation document makes no reference to the requirements for EYCC provision arising from the planned growth in the Plan period. Only once ECC has received this information and completed an

assessment can a realistic IDP for EYCC be prepared and agreed. Discussions with ECC are therefore vitally important to ensure that this growth is planned, phased, properly funded and delivered in an efficient and coherent manner.

- 4.34 Post 16 education provision. It is recommended that BBC have consideration to the full range of opportunities for the provision of such education, including apprenticeships, in the plan making process. There is now a Government requirement for students to stay in a form of education and training until they are at least 18 years old. The consultation document makes no reference to such provision.
- 4.35 Public Health. It is recommended that BBC should be advised that Public Health is the responsibility of ECC, in addition to the roles of the CCG; that ECC is supportive of the general objectives around health within the Draft Plan, but consider that these could be greatly enhanced (reference to health and well-being, and the encouragement of healthy active lifestyles should be included); and that a Health Impact Assessment should be undertaken to inform the preparation of the Draft Plan.
- 4.36 Minerals. It is recommended that appropriate reference and assessment of mineral issues be undertaken. There are deposits of sand and gravel within the Borough which are subject to 'Policy S8 Safeguarding Mineral Resources' of the Essex Minerals Local Plan. It is essential that the preferred site allocations included in the Draft Plan are considered in respect of their mineral safeguarding implications. A Geographic Information System map layer of the preferred sites should be provided to ECC's Minerals and Waste team as soon as possible to enable this assessment to take place.
- 4.37 Waste. It is recommended that reference is made in appropriate policies to enable the provision of waste management facilities in employment areas, by referring to 'any associated employment generating sui generis uses', given that the Waste Local Plan does not allocate any strategic waste management allocations in the Borough. These Areas of Search are existing industrial estates at Childerditch Industrial Estate and West Horndon. This would ensure compliance with the Essex and Southend-on-Sea Waste Local Plan.
- 4.38 Flooding. It is recommended that BBC update its evidence base. BBC should note that both the Strategic Flood Risk Assessment and Water Cycle Studies (WCS) for Brentwood are now out of date. As a minimum ECC recommends the production of an addendum to the report to consider the impact these changes would have on the proposed sites within the Draft Plan. This should be followed up by a more detailed review of the document.
- 4.39 Similarly, ECC recommends that a review of the WCS is undertaken to ensure that issues relating to water supply and demand as well as the processing of waste water are fully considered as part of the local plan process.
- 4.40 ECC advise that the Surface Water Management Plans (SWMPs) are being reviewed and an addendum to the SWMPs will be published shortly. The review of the SWMP has taken place following updates to the criteria used to assess properties at risk of flooding. Key changes to the SWMP include revised Critical Drainage Areas and some changes to flood extents. As a result ECC

recommends that any changes arising from the review will need to be taken into account and inform the preparation of the pre-submission plan.

- 4.41 Infrastructure Policy. It is recommended that BBC include a specific overarching section 106 and CIL policy to ensure a consistent approach and framework for the delivery of relevant infrastructure from developers. Reference should also be made to the adopted ECC Developers' Guide to Infrastructure Contributions (2016) in relation to the level of contributions required from new development for the provision of essential infrastructure by ECC.
- 4.42 Site Allocations. It is recommended that area/site specific policies are included in the pre-submission plan for preferred housing and employment sites, including DHGV. This would provide a clear picture of where development is to be focused and enable specific policy requirements to be outlined. This would cover infrastructure such as the need to provide land for a new school/EYCC facility, highway/access requirements, flooding and surface water mitigation, and other community infrastructure requirements such as health services, as well as housing mix.
- 4.43 There are some specific comments which it is recommended should also be raised in relation to a number of the preferred sites, details of which are set out in the response at Appendix 1.
- 4.44 Sustainability Appraisal (SA). It is recommended that ECC acknowledges that the Interim SA Report identifies a good range of both high level and more focused options for exploration, with a clear narrative throughout as to what constitutes a 'reasonable alternative'. However, the findings of the Interim SA in regard to the 'preferred allocations' are high level and limited to the identification of general cumulative impacts over a broad area. Further cumulative impacts could be identified at a more local level, which could serve to further assist BBC in both the site selection of small sites in an area, and also the development of site specific policies at the Regulation 19 stage.
- 4.45 It should be clear that a comprehensive audit trail of alternatives has been considered and been subject to SA throughout the plan-making process, including detailing the reasons for rejecting and progressing alternatives at each stage. The SA should be amended to ensure that in addition, the cumulative assessment of the 'givens', for the purposes of satisfying the requirements of SA, should be presented, alongside their cumulative impacts to inform the strategy proposed.
- 4.46 It is recommended that ECC draws BBC's attention to a number of the conclusions on the Draft Plan in Chapter 10 of the Interim SA. It is clear that a significant amount of work is still to be undertaken to address concerns and uncertainties, and ECC seeks clarification that these matters will be addressed as part of the preparation of the pre-submission plan.
- 4.47 Habitat Regulation Assessment (HRA). It is recommended that ECC welcomes the draft HRA screening report and the references to co-operating with other Essex Local Planning Authorities (LPAs) on a strategic mitigation scheme for recreational disturbance (RAMS) to deliver measures to avoid adverse impacts



on site integrity on European sites. The emerging RAMS is being co-ordinated by ECC for the 11 Essex LPAs needing to provide mitigation measures.

- 4.48 It is further recommended that ECC advises that BCC should carry out assessments in relation to the preferred site allocations, including DHGV, to establish if they contain Priority habitats and species which could meet the criteria for new Local Wildlife Sites.
- 4.49 General Comments. It is recommended that a number of general comments to support consistency and clarity are provided for the consideration of BBC as it finalises its new Local Plan.

## **5. Issues for consideration**

### **Financial implications:**

- 5.1 There are no direct financial implications in respect of ECC's response to the consultation.

### **Legal implications:**

- 5.2 The duty to co-operate is contained in the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011. It requires Local Planning Authorities to ensure that local planning lead strategic planning effectively through their Local Plans addressing social, environmental and economic issues that can only be addressed by effectively working with other authorities beyond their own administrative boundaries.
- 5.3 Guidance issued on 6 March 2014 stresses that close cooperation between Borough Councils and County Councils in two tier areas will be critical to ensure that both tiers are effective when planning for strategic matters.
- 5.4 Although a Local Plan may be found unsound on Examination if the duty to co-operate has not been properly undertaken, the duty does not require us to reach agreement. ECC is properly carrying out its functions in submitting comments on specific issues of concern or objection at this stage.

## **6. Equality and Diversity implications**

- 6.1 The Public Sector Equality Duty applies to ECC when it makes decisions. The duty requires us to have regard to the need to:
- a. Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
  - b. Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - c. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief,

gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

- 6.3 BBC has the responsibility for preparing an equality impact assessment for the Local Plan. BBC will need to undertake an Equality Impact Assessment as part of their statutory duties to demonstrate that the Draft Local Plan will not have a disproportionately adverse impact on any people with a particular characteristic. To date no such EqIA has been published.

## 7. List of appendices

- 7.1 Appendix 1 – full draft ECC response to the Brentwood Borough Draft Local Plan Preferred Site Allocations – Regulation 18 Consultation Document, January 2018.

### List of Background papers

- 7.2 The following documents have been used to inform the ECC response.

- National Planning Policy Framework (2012)
- Planning Policy Guidance (2014)
- BBC Draft Local Plan Preferred Site Allocations Regulation 18 (January 2018)
- BBC Draft Local Plan Interim Sustainability Appraisal (SA) (January 2018)
- BBC Draft Local Plan Interim SA Non-Technical Summary (January 2018)
- BBC Habitats Regulations Assessment of Draft Local Plan (January 2018)

<b>I approve the above recommendations set out above for the reasons set out in the report.</b>	12 March 2018
<b>Cllr Sue Lissimore, Cabinet Member for Housing, Property and Planning</b>	

### In consultation with:

Role	Date
<b>Executive Director for Corporate and Customer Services (S151 Officer)</b>  Nicole Wood Director for Financial Services on behalf of <b>Margaret Lee</b>	7 March 2018
<b>Monitoring Officer</b>  Kim Cole, Deputy Monitoring Officer, on behalf of <b>Paul Turner, Director Legal and Assurance</b>	9 March 2018
<b>Executive Director, Economy, Localities and Public Health</b>  Graham Thomas Head of Planning, on behalf of <b>Dominic Collins, Director of Economic Growth and Localities</b>	26 February 2018