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| Date | 18 March 2019 |
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Dear Mr Drane,

**RE: BASILDON BOROUGH COUNCIL REPRESENTATION TO REGULATION 19
CONSULTATION ON BRENTWOOD BOROUGH LOCAL PLAN 2016-2036**

This letter serves as the approved response from Basildon Borough Council to the Brentwood Borough Council's Local Plan Regulation 19 public consultation.

Please be advised that for all of the consultation points below, the Council would like to attend the future oral hearings as part of the Plan's Examination in Public.

As a neighbouring authority, a Duty to Cooperate public body and a key partner in the Association of South Essex Local Authorities (ASELA), Basildon Borough Council has taken the opportunity to review and consider the potential implications for the Basildon Borough that may arise from Brentwood Borough Council's Local Plan and determine whether it considers it to be compliant with necessary legislation and whether it meets the tests of soundness.

1) Is the Brentwood Borough Local Plan 2016-2033 legally compliant?

The Council has reviewed the Brentwood Borough Local Plan 2016-2033 and supporting documents. It considers that whilst it disagrees with aspects of the Plan from a soundness perspective that it is however legally compliant.

2) Does the Brentwood Borough Local Plan 2016-2033 meet the tests of soundness?

The Council does not believe that the Brentwood Borough Local Plan 2016-2033 meets the tests of soundness in all of its policy areas. It therefore makes the following 1 representation in support of an aspect of the Plan and 17 representations where it considers the Local Plan is unsound and requires modifications to make it sound.

Supporting Representations

Consultation Point: Chapter 1

Soundness – Effectiveness & Compliance with National Policy

Paragraph 26 of the National Planning Policy Framework (NPPF) asserts that effective and on-going joint working between strategic policymaking authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, it considers that joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere. To demonstrate effective and on-going joint working, strategic policy-making authorities should

prepare and maintain one or more Statements of Common Ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these.

A major step forward for effective cooperation has been the Memorandum of Understanding that was signed between Basildon, Brentwood, Castle Point, Essex County, Rochford, Southend-on-Sea and Thurrock Councils to form the ASELA. This has ensured that there is now a more coordinated, collective working on a 'place vision' for the sub region, which recognises one of the key delivery tools will be a statutory Joint Strategic Plan (JSP). A Statement of Common Ground has also been agreed between the ASELA to ensure it is embedded into the Local Development Schemes of all the local planning authorities with resources committed to its preparation during 2019/2021. This will ensure it sets the foundations for planning at a broader spatial level, determining how growth and infrastructure can be better coordinated to positively influence place-making in South Essex and provide a more prosperous area for people to live, work, study and visit. The Statement of Common Ground recognises that the planning landscape of South Essex is not perfect and not all authorities can wait for the JSP to be completed before their Local Plans are advanced. It accepts that the JSP will have to be mindful, in particular of Basildon, Brentwood and Castle Point's and the reality that their Local Plans are already too advanced to be paused.

The Council has noted Brentwood Council's commitment in paragraph 1.13 to work as a member of ASELA on a process to develop a long-term growth ambition that would underpin strategic spatial, infrastructure and economic priorities across the wider sub-region. It is acknowledged that this is in accordance with the South Essex JSP Statement of Common Ground – June 2018; of which Basildon and Brentwood Borough Councils are one of the seven joint signatories.

Work on the JSP is at an early stage with Regulation 18 consultation due to take place during 2019, followed by Regulation 19 in 2020, with examination in public and adoption not expected to be until 2020/2021. It will cover a longer plan period extending to 2038; slightly longer than both the Basildon and Brentwood Local Plans. Paragraph 1.38 of the Brentwood Borough Local Plan references that its own allocations can contribute towards some of the delivery of early growth during the JSP plan-period; a position that is also applicable for the soon to be submitted Basildon Borough Local Plan 2014-2034. It is welcomed that the Brentwood Borough Local Plan has mirrored the intent of the Basildon Borough Local Plan in Paragraphs 1.35-1.38 that following the adoption of the JSP, it may be necessary to review the Plan, at least in part, to ensure any opportunities for additional growth and infrastructure provision in the Borough, that may otherwise be additionally identified in the JSP, can be realised. The Council fundamentally supports this policy approach as meeting the soundness tests of being a) effective and b) in accordance with national policy.

The Council considers this to be compatible to its own position and underpins the collective efforts to get an "effective mechanism" in place to address strategic, cross boundary matters in a more holistic and planned manner that has greater potential to realise positive outcomes to South Essex communities. Looking ahead, the Council embraces the opportunity presented by Brentwood Borough Council being part of the ASELA and the JSP, in order to tackle strategic, cross-boundary matters holistically to ensure sustainable growth solutions are achieved that benefit all communities.

Objecting Representations

Consultation Point: Whole Plan

Soundness – Effectiveness, Justified & Compliance with National Policy

Paragraph 26 of the National Planning Policy Framework (NPPF) asserts that effective and ongoing joint working between strategic policymaking authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. The Council, as a neighbouring Borough and Duty to Cooperate body, has reviewed and considered previous versions of the Local Plan and its preparatory documents and submitted relevant representations under Regulation 18 consultations. The Council formally wishes to express its disappointment that given fundamental

evidence has been 'in development', but not published during much of its preparation. It has been significantly difficult, therefore, to digest the Plan's rationale and approach as it has evolved. This includes the entire Green Belt Review, Housing and Economic Land Availability Assessment, Landscape Sensitivity and Capacity Study, Local Plan Viability Assessment and Transport Assessment which were not published until the month before Brentwood Council considered the Publication Local Plan in November 2018. It is accepted that not all evidence can be completed by each consultation stage and much may remain as a continual draft until Regulation 19, however it is considered this has created a lack of transparency during critical plan-making stages and contributed to the scale of representations from Basildon Council for its Regulation 19 response.

During 2017/2018, officers from Basildon, Thurrock and Essex County Councils, facilitated by an officer from Rochford District Council, jointly sought to understand and address with Brentwood Borough Council how the Brentwood Borough Local Plan, in particular the Dunton Hills Garden Village (DHGV) strategic allocation, could impact on neighbouring authority areas, particularly in terms of infrastructure and service provision. Meetings were held, and correspondence exchanged, in an effort to seek solutions and resolutions to previous Regulation 18 objections/ observations from all three Councils. The intention was to appreciate the evidenced rationale for identifying the DHGV strategic allocation and ensuring neighbouring authorities could engage more effectively to identify and manage cross-boundary impacts. Despite this engagement, it is considered that not all information and assurances sought from Brentwood Borough Council have been provided and this brings into question the soundness of the rationale and choices made in the Brentwood Borough Local Plan.

As such, all of Basildon Council's previous responses to Regulation 18 consultations are enclosed as supplementary evidence to the Regulation 19 consultation; affirming that many of the comments made in respects this consultation response have been raised previously, but remain unanswered or inadequately addressed. It is uncertain how the Plan has been informed by this previous input. It is considered that this is not a justified approach and has resulted in a Plan which is less effective at tackling strategic, cross-boundary issues.

Consultation Point: SP02: Managing Growth, Paragraphs 4.15-4.16 and Appendix 1

Soundness – Effectiveness, Justified & Compliance with National Policy

It is acknowledged that Brentwood Borough Council commissioned David Coultie Associates (DCA) in 2013 to undertake a Strategic Housing Market Assessment (SHMA) and define its Housing Market Area (HMA). This concluded that Brentwood Borough's administrative area was a self-contained HMA. This is different to the Basildon Borough, which is a sub-area (with Castle Point) of the much larger South Essex HMA, which also incorporates Rochford, Southend on Sea and Thurrock. The Brentwood SHMA, which was most recently updated in November 2018, forms part of the evidence base for identifying the Objectively Assessed Need (OAN) for housing in Brentwood Borough. However, NPPF/2019 (published after the Publication Local Plan was approved by Brentwood Borough Council in November 2018, in February 2019) now requires housing needs to be calculated in accordance with the Standard Methodology set out in national Planning Practice Guidance.

Basildon Borough Council has acknowledged that this has seen the OAN for Brentwood Borough change three times over the course of the last year as follows:

- In January 2018, the Brentwood SHMA January 2018 identified an OAN for Brentwood of 380. This was calculated using the SHMA Planning Practice Guidance that underpinned the NPPF/2012;
- In July 2018, NPPF/2018 was launched introducing the standard methodology for calculating objectively assessed housing need. The standard methodology requires the use of the most recently published household projections as the starting point. At that time, the 2014-based CLG Household Projections formed that starting point resulting in an OAN for Brentwood of 452 homes per annum; and

- In September 2018, 2016-based ONS Household Projections were published, revising the starting point for the standard method calculation. For Brentwood Borough, these projections showed a reduced rate of household growth going forward, resulting in a reduced housing requirement for Brentwood of 350 homes per annum.

It has been noted by Basildon Council that the Brentwood Borough Local Plan uses this latest 2016 projection to define the minimum OAN target.

The reduced rate of household growth in the 2016-based ONS Household Projections was highlighted as a nation-wide issue driving down the OAN calculations in around two-thirds of authorities, although not Basildon. This resulted in the standard methodology only identifying around 215,000 homes per annum supply for England against a national policy target of 300,000 homes per annum. Consequently, in October 2018 MHCLG launched a consultation on technical changes to the standard methodology, seeking for authorities to continue using the 2014-based CLG Household Projections in the interim. On the 19 February 2019, the Government's response to this consultation was published indicating that the Government will be making clear in national Planning Practice Guidance that the 2016-based ONS Household Projections **should not be used** for the standard methodology calculation, and the 2014-based CLG Household Projections should be used instead.

The Brentwood Local Plan therefore, which makes provision for 456 homes per annum does meet just over its full OAN for housing, having regard to the standard methodology calculation of need based on the 2014 CLG Household Projections (452 homes per annum), as explained in required by Planning Practice Guidance (Paragraph: 004 Reference ID: 2a-004-20190220 and Paragraph: 005 Reference ID: 2a-005-20190220) that has been adjusted following the Government's response to the technical consultation.

The Brentwood Local Plan, however, as drafted and approved by Brentwood Council in November 2018, sets out in Paragraphs 4.15-4.16 that the housing target for Brentwood is set at *350 homes per annum* and it proposes an annual housing supply buffer of 20% taking total supply of *456 homes per annum*. This was considered at the time as offering additional flexibility throughout the plan period. This is now not the case as the 2016-based ONS Household Projections must be discounted, as above, with the baseline reverting to the 2014-based projections. This results in a Plan which will now have an insignificant flexibility in its land supply; a component which was considered justified and fundamental to the Plan's strategy when it was approved in November 2018.

When this new position is viewed alongside the variable housing target, it is considered this could cause the plan to be less effective and justified. The initial housing target of 310 homes per annum between 2016 and 2023, should, according to the Plan, increase to 584 homes per annum beyond 2023. It is noted that this increase is substantially reliant on the new Dunton Hills Garden Village (DHGV) in the Southern Brentwood Growth Corridor, which according to the Housing Trajectory set out in Appendix 1 is expected to commence housing delivery in 2023/24, within the first five years of the Plan. That scheme is expected to deliver at the initial ambitious rate of 100 homes per annum upwards from thereon, reaching 300 homes per annum by 2026. These are considered to be overly optimistic delivery assumptions for such a large scale Green Belt allocation, which whilst mostly in a single land ownership that could facilitate delivery, still requires for the boundaries of the Green Belt to be amended on adoption of the Plan (assuming it is found lawful and sound), detailed masterplanning, essential infrastructure programming on-site and off-site to ensure sustainable development can be achieved. It is not clear from any published evidence how such a delivery rate has been formulated having acknowledged these issues and therefore this is challenged in terms that it is not justified.

Summary: As a result in the change to the NPPF, the Plan also now has very little flexibility within its land supply should anything happen to cause delivery of homes to become delayed during the plan period; which was a fundamental principle to the Plan's strategy approved in November 2018. There is an unjustified over-reliance on DHGV in the Southern Brentwood Growth Corridor to

contribute towards supply at an accelerated rate. The Council therefore objects to Policy SP02, 4.15-4.16 and Appendix 1

Modification: 1) The Local Plan must be adjusted to incorporate previously discounted development sites, particularly in the Central Brentwood Growth Corridor to restore the flexibility in site supply across a broader range of spatial locations, thereby improving the Plan's effectiveness and deliverability. 2) The methodology to the Local Plan's Housing Trajectory needs to be published and open for comment and challenge of its assumptions.

Consultation Point: PC02 and PC03

Soundness – Effectiveness, Justified & Compliance with National Policy

Paragraph 80 of the NPPF establishes that planning policies should help create the conditions in which businesses can invest, expand and adapt. The Council notes the new employment land requirements and job growth needs evidence undertaken by Lichfields in 2018. It is considered the amount of new employment land being provided is broadly sufficient to ensure that the Brentwood Borough meets its overall forecast employment land needs, including forecast new needs and losses from allocations and structural change.

It is considered however that the policy makes the assumption that there are no capacity issues for existing infrastructure, or any needs for supporting infrastructure to be provided and it is considered that this lack of clarity will make the policy ineffective, unjustified and will counteract creating conditions to support business growth which the NPPF seeks. As the Local Plan does with its housing target in Policy SP02 and Appendix 1, PC02 and PC03 should therefore incorporate additional provisions to manage the release and expansion of the locations within the Southern Brentwood Growth Corridor, supported by an Employment Land Trajectory in a new Appendix, to make it more effective, justified and consistent with national policy. The Council therefore objects to Policy PC02 and PC03.

Modifications: PC02 and PC03 should be amended to incorporate a staggered delivery target for new employment land, supported by a new Employment Land Trajectory within the Plan's Appendices, to coordinate the phased release of new and expanded employment land to ensure it can be linked to specific and necessary upgrades to supporting infrastructure. This will minimise the impact growth will have on existing highway routes in particular, which could otherwise impact on cross-boundary issues within the wider South Essex economic corridor.

Specialist Accommodation

Consultation Point: HP07

Soundness - Effectiveness

The Council has noted that the Brentwood Gypsy and Traveller Local Needs Accommodation Assessment 2018 (GTAA) assessed the need for Gypsy and Traveller pitches in Brentwood Borough for the period 2016 to 2033 as being 13 pitches. It acknowledges that there were no Travelling Showpeople identified as living in the Brentwood Borough, so there are no current or future accommodation needs for this community.

The evidence is noted as identifying a requirement of 11 additional Gypsy and Traveller pitches (5 total current need and 6 total future need) to be developed between the period 2016 to 2033 and makes a further 10% allowance for Gypsy and Traveller households whose travelling status was recorded as being "unknown", increasing the need to 12 pitches. It is acknowledged that since the completion of the evidence, one Gypsy and Traveller pitch has been lost through an approved change of use application and to replace this lost pitch, the Plan has added an additional pitch to its target, meaning the total requirement of Gypsy and Traveller pitches is 13 pitches.

Whilst it is noted that Brentwood Council proposes to meet this need through the incorporation of

a minimum 5 Gypsy and Traveller pitches as part of the Dunton Hills Garden Village allocation and through the regularisation of 8 existing pitches elsewhere in the Brentwood Borough. This however implies that 8 pitches will contribute towards meeting current need and only 5 pitches towards future need, when 6 are in fact required. The Council therefore objects to Policy HP07.

Modification: The GTAA identified the need for an additional pitch to meet future needs and therefore whilst the Policy HP07 quotes a minimum of 5 new pitches to be provided within its minimum target, the Plan could be more effective by setting 6 pitches as the target.

Consultation Point: Paragraphs 6.52-6.62

Soundness – Positively Prepared & Effectiveness.

The Council is concerned that there is no acknowledgement in the supporting text to the Brentwood Local Plan as to how it will address any unmet needs arising from Greater Essex authorities for the provision of accommodation for Gypsies, Travellers & Travelling Showpeople should it arise. The Plan should therefore recognise and support the principle of this approach going forward, to ensure that there will be a technical approach in place to support any neighbouring authorities with any potential unmet Gypsy, Traveller and Travelling Showpeople need. This will ensure that the same process is applied throughout Essex therefore making the plan more positively prepared and effective for Gypsy, Traveller and Travelling Showpeople communities. The Council therefore objects to Paragraphs 6.52-6.62.

Modification: The Essex Planning Officers' Association Protocol for Unmet Gypsy, Traveller and Travelling Showpeople Needs 2018 has been developed collaboratively across Essex under the Duty to Cooperate, including with Brentwood Borough Council. It should be referenced in the supporting text to Policy HP07 – within Paragraphs 6.52-6.62. This will help ensure that the Plan recognises and supports the principle of this approach going forward, underling the technical approach in place to support how any requests from neighbouring authorities with any potential unmet Gypsy, Traveller and Travelling will be considered in the future and then addressed as necessary through the Plan review process.

Consultation Point: Paragraphs 6.52-6.62

Soundness – Effectiveness and consistent with national policy.

Paragraph 9 of the Planning Policy for Traveller Sites (PPTS) establishes that "...local planning authorities should set pitch targets...which address the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities." There is also no mention however in the Brentwood Local Plan of the strategic and cross-boundary matter of Transit Sites, for which there is a study underway during 2019/2020 by the Essex Planning Officers' Association on behalf of all Greater Essex local planning authorities, including Brentwood Borough. Whilst it has not yet been possible to robustly assess the need for transit sites in Essex due to data inconsistencies across Greater Essex, changes have been made to the unauthorised encampment data collection process and an update to Essex Gypsy, Traveller and Travelling Showpeople Local Needs Accommodation Assessment will follow during 2019/2020 to determine whether any transit sites are needed in Greater Essex to help manage development pressures.

Whilst this cannot be included within Policy HE07 due to uncertainty, given that it is a current strategic matter for the Duty to Cooperate, with work in train to seek a resolution, it is considered more effective, for the Plan as a whole, to indicate how any such needs identified in future updates to the GTAA will be dealt with to make it more effective and consistent with the PPTS. The Council therefore objects to Paragraphs 6.52-6.62.

Modification: The Council considers the Local Plan would be more effective and more consistent with the PPTS if the strategic, cross-boundary issue of transit sites, covered by the Duty to

Cooperate were to be supported by a new paragraph explaining the context behind the issue and that it will be addressed as part of its first review.

Consultation Point: PC08 and Figure 7.7

Soundness – Justified & Effective

The Council notes that Nathaniel Litchfield & Partners prepared a Retail and Commercial Leisure Study (RCLS14) for Brentwood Council in 2014. The study identifies that Brentwood Town Centre as the main shopping centre in Brentwood Borough, with Shenfield, Ingatestone and Warley Hill providing smaller scale District Centres offering more local services, whilst smaller communities are supported by a number of village shops/local parades. The relationship between Brentwood Town Centre and larger competing centres including Basildon Town Centre is also noted, which is consistent with the Council's own evidence set out in the South Essex Retail Study 2017.

It is also acknowledged however that the Local Plan's settlement hierarchy proposes that DHGV Village and West Horndon will incorporate District Centres, similar in scale and role to Shenfield and Ingatestone. Figure 7.7 suggests this will apply to just DHGV, but caveats that this may change as a result of masterplanning or new evidence. Whilst the Council accepts that some form of local centre provision that could provide local shopping, community facilities and healthcare facilities would be a sustainable approach to the planning of any new community, helping to reduce the need to travel to larger centres to meet community needs, the positioning of the Garden Village needs to consider how it could impact on other centres and facilities in the locality, including those *outside* the Brentwood Borough, which may be closer and higher-order than other Brentwood Borough alternatives.

The Council cannot determine from any of Brentwood's published evidence as to what assessments have been carried out to determine the likely impact of installing new District Centres in West Hordon or DHGV on Basildon Borough's Laindon Town Centre. Assuming a central location within the site, DHGV District Centre would be around 2km to its west and West Hordon is only one stop by rail. Laindon Town Centre is the Basildon Borough's smallest town centre, which is currently undergoing a multi-million pound regeneration by Swan Housing Association to redevelop it into a new mixed use commercial and residential development called Laindon Place. It already provides a health centre, community centre, police station and library, which are all set to remain.

It is not considered acceptable as set out in footnote 10 to Figure 7.7 that the "the designation of the DHGV service centre(s) as a District Shopping Centre and/or Local Centre(s) and any subsequent Primary Shopping Area could be altered further by the South Brentwood Masterplan as this should remain a function of policy and not be delegated. The Council therefore objects to Policy PC08 and Figure 7.7.

Modification: Footnote 10 of Figure 7.7 should be amended to remove reference to the South Brentwood Masterplan as the role and order of the designated centre should be established by policy only. The Plan should have been informed by evidence which has tested cross-boundary impacts of installing new District Centres in close proximity to nearby centres including Laindon Town Centre and what measures will be taken in policy to limit any impact. If this evidence does not exist, the District Centre should be removed from DHGV, retaining some local centre provision to ensure DHGV can be sustainable and to enable the Plan to be effective and justified.

Consultation Point: Chapter 3, Chapter 6, Chapter 7 and Sustainability Appraisal

Soundness – Justified and consistent with national policy.

Paragraph 16 of the NPPF advises amongst other things that Plans should be prepared with the objective of contributing to the achievement of sustainable development. The Local Plan's Spatial Strategy is termed "Transit-orientated Growth", concentrating growth in the Local Plan in two transit corridors running through the borough. The 'Central Brentwood Growth Corridor', with the

A12, the Great Eastern Main Line to London Liverpool Street Station, and the Elizabeth Line; and the 'Southern Brentwood Growth Corridor', with the A127 and the London, Tilbury and Southend Railway to London Fenchurch Street Station.

The Local Plan states that the site selection process for the housing allocations has been based upon the Spatial Strategy, and a sequential approach to selecting sites for development. It is accepted that this approach is intended to maximise brownfield redevelopment opportunities and support growth within compatible locations.

The Council acknowledges that Brentwood Borough Council has now published much of its previously missing evidence as set out in previous Regulation 18 representations. The Council is not satisfied that the Plan has been adequately informed by its evidence, and it questions whether the Spatial Strategy reached is therefore justified and consistent with national policy.

The Council has noted the two Growth Corridors. It has reflected however that there are fundamental distinctions between them, which do not appear to have influenced site selection choices in a justified way. The Central Brentwood Growth Corridor is the location of nationally and regionally managed and maintained infrastructure – the A12 & M25 (Highways England) and Elizabeth Line (maintained by Network Rail and operated by Transport for London) and East Anglia Line (maintained by Network Rail and operated by Abellio East Anglia), which helps to put this investment into use through the growth locations. The South Brentwood Growth Corridor, whilst at its far west includes the M25, the remainder of the corridor consists the A127 (maintained by Essex County Council) and Essex Thameside Line (maintained by Network Rail and operated by c2c). It is not considered they offer comparable choices in terms of the capacity of these transport connections and the Central Brentwood Growth Corridor, by the presence of nationally and regionally maintained infrastructure.

In reviewing the appropriateness of the Spatial Strategy, an important element of the Plan's Sustainability Appraisal involves appraising 'reasonable alternatives' to inform development of the Plan. Four reasonable site alternatives in the Central Brentwood Corridor have been disregarded (AECOM Sustainability Appraisal - Table 5.2), despite having few constraints and being able to tap into the potential for movement capacity offered by this superior corridor. This is considered to be in conflict with sustainable development when sites which have significant constraints to development or delivery have been included within the Plan, at the expense of sites which have fewer constraints. This raises fundamental concerns about the Plan's spatial distribution of growth and whether it has made the most of the capacity in this alternative corridor, before embarking on a new standalone settlement at DHGV in the Southern Brentwood Growth Corridor. The Council has noted that four sites on Table 5.2 of the Sustainability Appraisal have the potential to deliver 2,200 homes through extensions to villages, thereby questioning the need for a new settlement of the scale envisaged to deal with growth in the plan-period, which it considers means the Spatial Strategy is unjustified. The Council therefore objects to Chapter 3, the Sustainability Appraisal and land use allocations in Chapter 6 and 7.

Modification: Using the Sustainability Appraisal and other evidence, the Plan should select sites within the Central Brentwood Growth Corridor that provide opportunity for extensions to towns and villages that can encourage more sustainable travel choices and take advantage of the superior infrastructure available. This should help encourage commuting behaviour to shift away from private car use and therefore make this location a more sustainable and viable option to concentrate growth. Chapter 3 should be modified as a result along with all land use allocations in Chapter 6 and Chapter 7.

Consultation Point: Sustainability Appraisal

Soundness – Justified and consistent with national policy.

Paragraph 16 of the NPPF advises amongst other things that Plans should be prepared with the objective of contribution to the achievement of sustainable development. The Council challenges whether the Sustainability Appraisal has informed the choices made in the Spatial Strategy as

required by national policy, given it states that there was an early intention by Brentwood Council to deliver at least one new large-scale strategic site, which could be judged as artificially limiting the exploration of other plausible and deliverable urban/ village extensions. It is considered that Brentwood Council's lack of a Housing and Economic Land Availability Assessment (HELAA) between 2011 and 2018 has negatively impacted upon previous Regulation 18 drafts, which could have evolved differently having been informed by such evidence, demonstrating that other suitable, available and deliverable site options were present. This is unjustified, not consistent with the Plan's Strategic Objective SO1 and not in accordance with the NPPF. The Council therefore objects to the Sustainability Appraisal.

Modification: The Sustainability Appraisal should be reviewed to test an alternative strategy which does not include the artificial assumption that at least one new large scale strategic site should be incorporated into the Local Plan and then it should be amended accordingly. The Plan should then be reviewed informed by the outcome.

Consultation Point: BE11 and Paragraphs 5.106

The Council has reviewed the Brentwood Borough Infrastructure Delivery Plan (IDP) accompanying the Local Plan. It is acknowledged that this is intended to be a 'live' working document, much the same as the Basildon Borough IDP.

Paragraph 5.105 acknowledges that in respects of the South Brentwood Growth Corridor "...the provision of sustainable transport in this area is poor". The Council considers that it is surprising therefore that there are no specific highway mitigation measures provided in the Plan, just a statement that "the Council will work proactively with developers, key stakeholder and service providers to implement...new measures which would seek to mitigate transport impacts of sites on the highway infrastructure...". Whilst it is acknowledged within the Plan of the joint working being undertaken by ASELA, and the A127 Task Force for the Route Management Strategies and Joint Strategic Plan, both of which are supported by Basildon Council. The Council does however consider that highway modelling should have been tested to determine impact in development locations in Brentwood Borough, so it can be clear in policy terms how negative impacts are being mitigated and therefore prove that the Plan's spatial choices are reasonable in sustainability terms. It is questionable whether it can be adequately demonstrated by the Brentwood Local Plan that the allocations chosen, represent the most sustainable option *without* identifying and testing the viability of specific highway mitigation measures that will be necessary to make them deliverable and sustainable. Without this work, Brentwood Borough could find its ability to unlock the capacity to deliver new communities and homes, particularly at an accelerated pace as suggested in Appendix 1, becomes hindered by a lack of infrastructure capacity and outline solutions to overcome them. It is not considered that Policy BE11 is therefore effective at delivering the Plan's Strategic Objectives.

It is noted that Paragraph 5.106-5.107 acknowledges the Lower Thames Crossing and the outline concept of its preferred route and that it is not expected to have a direct impact on Brentwood Borough in terms of land safeguarding. It is however suggested that the Plan also acknowledges that following the engagement of authorities in Essex, including Basildon Borough Council, Highways England has accepted that its impact modelling was deficient in determining how driver behaviour in South Essex and further afield could alter when the scheme opens. This is particularly an issue for this Plan, as it includes land allocations in West Horndon and the DHGV along the A127 corridor, which will be within a reasonable proximity to the Lower Thames Crossing and could therefore be impacted by it. It should be recognised that Highways England are now taking steps to incorporate growth proposals set out in Local Plans in the vicinity to address this point and identify any measures needed to the scheme or nearby routes to mitigate any adverse impacts. The Council therefore objects to Policy BE11 and Paragraphs 5.106.

Modification: 1) BE11 and the land allocations should have been informed by highway modelling that tests highway mitigation solutions to mitigate impact caused by development. This work should be repeated and the Plan amended in light of its findings.

2) Paragraph 5.106 should be amended to include reference that local authorities have secured additional testing within the Lower Thames Crossing modelling being undertaken by Highways England to determine the extent of local impacts on the road network arising from Local Plan growth.

Consultation Point: R01 & HP01

Soundness - Justified

The DHGV is within close proximity of the administrative boundaries with Basildon & Thurrock Boroughs and it is considered that there may be implications for the future geographical extent of both the Brentwood and South Essex Housing Market Areas as the housing markets evolve.

Furthermore, the policy requirements of the Plan are informed by data collected from Brentwood Borough, or its population; the significant majority of which is located away from this area to the north. Consequently, there is a difference in what might be delivered in DHGV compared to what could be delivered just slightly to the east in Basildon Borough; which might distort the housing markets as they adjust to the new development taking place around the boundary. The following table has been prepared using Figure 6.1 from the Plan and the South Essex Strategic Housing Market Assessment that has informed the Basildon Borough Local Plan 2014-2034 and it is considered both these SHMA’s should instead be used to inform the housing mix policy for DHGV. The Council therefore objects to Policy R01 and HP01.

| House Size | Basildon % Requirement | Brentwood % Requirement |
|--------------------|------------------------|-------------------------|
| One Bedroom | 14% | 3.8% |
| Two Bedrooms | 26% | 35.8% |
| Three Bedrooms | 40% | 30.2% |
| Four Bedrooms plus | 20% | 30.2% |

Modification: It is considered the stark contrast between the house size requirements for Basildon and Brentwood in DHGV, which is on a boundary location, means it needs to have taken into account the South Essex SHMA in determining the housing mix for DHGV so that it can better sit within the landscape of the strategic context of South Essex, which is not reflective of the wider Brentwood Borough HMA. Policy HP01 and R01 should be amended in light of this.

Consultation Point: R01(D)(h)

Soundness – Justified and consistent with national policy.

The Council has noted that Policy R01(D)(h) has set a target to retain 50% of the strategic allocation for green and blue infrastructure. Given the location is over 259ha, it is agreed that this helps enshrine the Garden Community values within the policies which will guide the masterplan and the site’s development. However, the Council questions whether this is intended to be a permanent resource, given it also determines that a further 2,300 homes could be brought forward in the strategic location after 2033; taking its indicative total to around 4,000 homes. It is considered that if it is not explained clearly in any published evidence, as to whether any of the retained space for green and blue infrastructure would need to be used to meet this higher development scale after 2033. The Council's understanding of this, is frustrated by a lack of published evidence on DHGV, which would enable Basildon Borough to effectively understand the nature, extent and potential implications (positive or negative) of its proposals for DHGV. This would make the policy more justified and compliant with national policy. The Council therefore objects to Policy R01(D)(h).

Modification: Clarify within R01 and its supporting text whether the Green Infrastructure proposed to amount to 50% of the land area is a permanent resource or whether the projected growth in the area beyond the plan-period would need to utilise any of the green infrastructure for growth. If the latter, the percentage should be adjusted accordingly.

Consultation Point: SP02, R01 and Paragraph 8.83-8.84

Soundness - Justified

The Council welcomes the publication of the Brentwood Borough Green Belt Study 2018. It is acknowledged that this comprises two parts; Part 1 is a full Green Belt assessment parcelling up the Green Belt and Part 2 as a separate site assessment of individual sites promoted through the Housing and Economic Land Availability Assessment (HELAA). This is a similar format to the Basildon Borough Green Belt Study.

For Part 1, a scale of high – low was used to assess the contribution 70 separate parcels made to the Green Belt. The DHGV parcel (17) score “Moderate – High”. It was one of 21 parcels to score “Moderate – High”. 19 parcels scored “High”. The remainder scored lower.

In respect of the tests, Parcel 17 was assessed as follows:

- Purpose 1 – to check unrestricted sprawl of large built up areas: Not contained i.e. development would constitute urban sprawl (red)
- Purpose 2 – to prevent neighbouring towns merging into one another: Important countryside gap between settlements (amber)
- Purpose 3 – to assist in safeguarding the countryside from encroachment: Functional countryside (red)
- Purpose 4 – to preserve the setting and special character of historic towns: Limited relationship with a historic town. (green)

The Council does not consider it to be clear however, from the published methodology, as to why having scored highly in relation to the Purpose 1 and Purpose 3, as to why this parcel is assessed as making a “moderate to high” contribution to Green Belt purposes, when there are other parcels which make high contributions towards two of the purposes have been assessed as making a “high” contribution towards Green Belt purposes; and are therefore valued to a greater degree as serving towards the purpose of Green Belt.

In respects of Part 2 assessment, the DHGV allocation (Site 200) was assessed alongside other HELAA sites. A total of 92 sites were assessed. The DHGV site assessment matches the entire Parcel 17 assessed in Part 1. Five sites were assessed as making a “high” contribution towards Green Belt purposes. A further 18 sites were assessed as making a “moderate to high contribution”. Site 200 – ‘Entire land east of A128, south of A127’ was assessed as making a “moderate to high” contribution. The remaining 69 sites were assessed as making a less significant contribution to Green Belt purposes.

The DHGV site was assessed as follows:

- Purpose 1 – to check unrestricted sprawl of large built up areas: Not contained i.e. development would constitute urban sprawl (red)
- Purpose 2 – to prevent neighbouring towns merging into one another: Would result in significant separation reduction (amber)
- Purpose 3 – to assist in safeguarding the countryside from encroachment: Functional countryside (red)
- Purpose 4 – to preserve the setting and special character of historic towns: Limited relationship with historic town (green)

The outcomes of Part 2 are considered to be consistent with Part 1. However, it is not clear from the methodology as to why given the site scored highly in relation to Purpose 1 and Purpose 3,

this parcel is then assessed as only making a “moderate to high” contribution to Green Belt purposes, when it could potentially have been assessed as making a “high” contribution for those reasons.

The Council recognise that there is now, no longer an issue with missing evidence in this regard, which it had repeatedly raised in previous Regulation 18 consultation responses. However, the Council considers that the issue now is one of how the Green Belt evidence has informed the Plan. It is not clear how the policy judgements arrived at have considered that development in this strategic gap, which helps prevent settlement coalescence can be adequately mitigated. The Council does not believe that when accounting for this evidence that the Plan has reached a justified position in respects of whether the Green Belt evidence has informed the Local Plan policies, to the degree which the proposals in the DHGV area are set out. The Council therefore objects to Policy SP02, R01 and Paragraphs 8.83-8.84.

Modification: The Plan should demonstrate in more detail, through a tool such as a Topic Paper, how its site selection choices have been informed by the Green Belt Study 2018 and should any inconsistencies occurs the Plan’s land use allocations and justification should be changed.

Consultation Point: Paragraph 9.36 and R01(II)

Soundness – Justified & Effective

Brentwood Council will be aware from joint Duty to Cooperate meetings with elected members and officers that during 2017, efforts were made by both Basildon and Brentwood Councils to determine whether a West Basildon urban extension could be delivered in the Basildon Borough Local Plan, alongside DHGV, whilst maintaining a sense of visual separation between both developments. To this end, a joint Dunton Area Landscape Corridor Design Options Study was commissioned by both Councils, which I have enclosed as evidence against this representation, to consider how both Council’s Green Belt and land management policies, either side of the boundary, could be coordinated in this location going forward. This was to also help determine whether it was possible for DHGV to co-exist with development in West Basildon without causing harm to heritage and environmental assets within Basildon Borough.

The Council has noted that the Plan does now includes specific references that the joint borough boundary needs a degree of landscape and Green Belt treatment to maintain a visual separation with the edge of Basildon Borough, but it does not elaborate as to how this will be achieved. The Council therefore finds its disappointing that this joint study does not form part of the referenced and published evidence base for the Plan, nor do the outcomes from this work appear to have informed Policy R01(II) as sought through the earlier Duty to Cooperate engagement. The Council therefore objects to Policy R01(II) and Paragraph 9.36.

Modification: The measures set out in the Joint Dunton Area Landscape Corridor Design Options 2017 should be acknowledged in Paragraph 9.36 and incorporated into Policy 9.36 to make it more justified and effective at mitigating the impact the development would otherwise have on the Basildon Borough. This would lead to an effective policy outcome identified as being necessary during Duty to Cooperate engagement to manage this cross-boundary issue. It is considered that as a matter of principle, this would help address the Council’s previous Regulation 18 objections as to how the boundary would be treated and how the new community could exist side by side the existing smaller settlement of Dunton Waylets in the Basildon Borough.

Consultation Point: SP04 and R01(I)

Soundness – Effectiveness, Justified & Compliance with National Policy

It is noted that the Plan assumes that all commuters will use West Horndon railway station and other areas in Brentwood Borough to access a means of travelling to other places. It fails however to investigate the possible impacts on Basildon Borough’s road and rail infrastructure, as a

neighbouring authority, arising from commuters or other road users choosing to access facilities within the Basildon Borough instead.

The Transport Assessment (PBA, 2018) discusses measures to ensure more effective bus access to and from West Horndon Station – serving an area including the new DHGV, as well as other employment sites within South Brentwood Growth Corridor. It is noted however that the need for new connections into Basildon Borough in terms of walking, cycling, public transport or road do not appear to be mentioned as being necessary to make it sustainable.

The Brentwood Borough IDP states that a new multi-modal interchange will be created at West Horndon Station. This will serve the DHGV, Childerditch, West Horndon and Enterprise Development sites. It also mentions the possibility that this could serve any future northern Thurrock developments. The Plan states that, the proposed DHGV settlement's transport mitigation measures will include potential dedicated bus route(s) connecting the development with West Horndon station and improvements at West Horndon station for vehicular, segregated cycle and public transport access from surrounding developments, as well as cycle storage and a bus interchange facility. The Council is therefore confused that in seeking to mitigate DHGV's impacts on the surrounding areas there is no mention of any impact being evaluated as spilling over into Basildon Borough and needing its own mitigation.

Laindon railway station, with three platforms and starter trains has greater commutable capacity than West Horndon and could become an alternative choice for residents within DHGV, despite a lack of new connections hampering their ability to make that choice easily without driving, via the A127. Whilst the Plan seeks to make provision for a new interchange at West Horndon to capture these movements more locally, should commuters still seek to use alternative stations including those outside of the Brentwood Borough such as Laindon, this will lead to increase demands on those stations' facilities, particularly parking, as well as the routes to get to them. Policy SP04 does set out the approach required by Paragraph 34 of the NPPF, but it does not explicitly mention that it has accounted for the spatial context of DHGV and the existing spatial form of the Brentwood Borough, where its higher-order settlements are further to the north. It does not state that it will support the possibility of developer contributions being used to mitigate this impact outside the Brentwood Borough in higher-order settlements which are closer than Brentwood Borough's own settlements, but outside the Brentwood Borough. This is considered to disregard how new residents living in the DHGV could behave in the future in seeking to access services and how this impact will therefore be adequately mitigated.

It seems that it an effort for the new DHGV to be self-sustaining, as set out in Paragraph 9.14, it has meant the Plan remains unclear, as to how it will relate to its neighbouring areas, particularly in terms of access and connectivity. This is considered a core sustainability principle for new developments and whether in exercising that choice, its residents will use what is to be provided within Brentwood Borough remains to be seen. They could use alternative routes (namely the A127 and West Mayne into Laindon) to access different facilities already available in closer higher order settlements outside Brentwood Borough. Considering that there are existing services that are already shared between the Borough's residents, e.g. schools, it is considered essential for a more practical and pragmatic approach to be adopted should the DHGV be permitted, including the policy reality that until such a time as the critical mass for new homes is established on-site, it is more likely that Basildon Borough's facilities in Laindon will be picking up the demands of new users arising from the neighbouring Brentwood Borough in the short-medium term.

There is no evidence presented by Brentwood Borough Council which indicates that DHGV's growth demands have been evaluated, *in combination*, with the projected demands arising from the Basildon Borough Local Plan. The Plan should not assume that such growth can just be absorbed by the nearby infrastructure and services in Basildon Borough and investment through developer contributions will be necessary. The infrastructure in the Basildon Borough has been evaluated for its capacity, its ability to grow and the scale of investment necessary to accommodate the growth in the Basildon Borough Local Plan to enable the Basildon growth to occur and there has not been enough information published during Regulation 18 (as set out in previous

representations) to be able to incorporate any testing of Brentwood's growth in as well. The Council therefore objects to Policy SP04 and R01(II).

Modification: The Plan should be modified to recognise that some impacts are likely to be cross-boundary and additional provisions should be incorporated into SP04 and R01(I) that will support using S106/CIL arising from development in Brentwood Borough to be used for investment outside the Brentwood Borough, where it can be proven that there is reasonable likelihood of a direct or residual impacts otherwise being caused that need to be mitigated. This will make the Plan more effective, justified and in accordance with national policy.

Consultation Point: R01(I) and Appendix 1

Soundness – Justified & Effective

The Council notes the housing trajectory included within the Plan at Appendix 1. With regards to DHGV it is assumed that delivery will commence in 2022/23 (within the next five years) at a rate of 100 homes per annum, climbing to 300 homes per annum by 2026/27. As set out in earlier representations in respects of housing supply, this seems overly optimistic given that the allocation is currently within the extent of the Green Belt, requires masterplanning and will need to go through a planning application and elements of the condition discharge process before development on site can even commence. Development commencement on-site meanwhile, will be reliant on essential utility and infrastructure provision. No evidence is provided alongside the Plan, or within the associated Housing and Economic Land Availability Assessment (HELAA), as to how the housing trajectory in general has been developed. Furthermore, there is no specific evidence published setting out the evidence base, or any form of a development framework/ masterplan for the DHGV that explains how the proposed accelerated rate of delivery will be possible to achieve.

The Council considers that the speed and level of growth in this boundary location may have implications for Basildon Borough's own housing market and risks the ability for it to be able to deliver housing at the rates necessary for its own housing trajectory. Early residents of the DHGV will rely on some services and facilities outside the village to meet their initial needs, unless these facilities were all to be front-loaded and wait for the population to gradually build up to make full use of them. As an example, the DHGV will require new primary and secondary school provision. However, whilst the Brentwood IDP shows the primary provision in particular being delivered early, it is understood to not be economically viable to operate a school with low pupil numbers, and it may be the case that the village grows for a number of years with these pupils travelling to other schools in the locality (principally within the Basildon Borough), whilst operational primary and then secondary education provision is secured and the village becomes more self-sufficient. The Council therefore objects to Policy R01(I) and Appendix 1.

Modification: The Council therefore seeks for evidence to be provided demonstrating the realistic delivery trajectory for DHGV so that the potential short-medium term pressures on services and facilities in nearby settlements can be assessed, understood and planned for by service providers and neighbouring authorities. This will help ensure adequate mitigation provisions can be put in place to reduce any potential negative impacts on Basildon Borough residents living nearby. This will make the Plan justified and effective.

Consultation Point: R01(II)

Soundness - Effectiveness

Notwithstanding that the Council objects to many of the fundamental soundness principles of the DHGV, the Council would like to seek assurances written into Policy R01(II) that it will be invited by Brentwood Borough Council to become more involved in the detailed design and delivery of the new village. This will ensure that the strategic and cross-boundary impacts covered by the Duty to Cooperate and raised during the Council's response to the Plan at Regulation 18 and 19 stages are managed effectively during the development's implementation stages (assuming it is

considered sound), alongside the Basildon Borough Local Plan's own implementation. The Council therefore objects to Policy R01(II).

Modification: The Council would like a criterion added into Policy R01(II) under a new heading "Collaborative Approach" that will make it a requirement for neighbouring authorities to be engaged during the detailed design stages of DHGV to ensure strategic and cross boundary impacts are managed effectively during implementation.

This concludes the Council's representation.

Yours faithfully,



Christine Lyons
Head of Planning