

Report to Planning Services Scrutiny Standing Panel

**Date of meeting: 10th September
2013**

Portfolio: Planning and Economic Development

**Subject: Brentwood Borough Local Plan Preferred
Options Consultation**

Officer contact for further information: Ian White (x4066)

Committee Secretary: Mark Jenkins (x4607)



Recommendations/Decisions Required:

That the following comments are sent to Brentwood Borough Council as a response to this consultation:

- (1) Epping Forest Council is not convinced that Brentwood Council has adequately justified its position that it is unable to make full provision for its objectively assessed housing needs – at the very least, it should undertake a comprehensive Green Belt boundary review and identify and assess in detail potential mitigation measures;
- (2) The Preferred Options document makes no reference to joint working as encouraged by para 179 of the National Planning Policy Framework. Consequently there is no indication of how Brentwood intends to try to make provision for the outstanding number (2,100) of new dwellings outside the Borough boundary;
- (3) Experience elsewhere has already shown that there is a greater risk of the Local Plan being challenged on soundness grounds, as it has not been “positively prepared” in accordance with para 182 of the National Planning Policy Framework;
- (4) Because of the lack of justification and (a) the need to meet its own objectively assessed housing figure; (b) significant environmental and infrastructure constraints; and (c) being in a different Housing Market Area, Epping Forest Council is not in a position to make any provision for Brentwood’s unmet housing needs;
- (5) Provision for the travelling community in the Navestock/Stapleford Abbots area should be jointly monitored, taking into account the relative isolation of the area from local services and facilities. Further provision in the West Horndon area, as part of a mixed-use development, is noted;
- (6) To note (a) the proposed jobs growth figure of 5,400 between 2015 and 2030 and to advise that the stated annual growth figure of 285 will not reach the target – the correct figure should be 360; and (b) the allocation of an additional 31ha as employment land including a substantial site at J29 of the M25 (Brentwood Enterprise Park);
- (7) To suggest that the Submission version of the Plan should contain a more detailed analysis of the implications of Crossrail, including the prospects for housing provision on any sites that may become available for redevelopment;
- (8) That the procedure agreed at Overview and Scrutiny Committee on 24th January 2011 (minute 70) is used to ensure that the Panel’s recommendations meet the consultation deadline.

Report:

1. This consultation runs from 24th July to 2nd October 2013. Brentwood Council intends to

submit the Plan early next year for Examination in Public with a view to adoption before the end of 2014. The Plan will cover the period 2015 to 2030. While some of the issues in the consultation give rise to concern, comments at this stage are intended to be constructive criticism. The Submission version of the Plan will also be subject to public consultation, and that will be the opportunity for this Council to register formal objection, particularly on the grounds of soundness, if there is still a need to do so.

2. The Plan includes eleven strategic objectives and the main intentions are to (i) direct new development to the existing urban areas of Brentwood, Shenfield and West Horndon; (ii) ensure growth is capable of being accommodated by existing or proposed infrastructure, services and facilities; and (iii) safeguard the Green Belt and protect and enhance valuable landscapes and the natural and historic environment. Limited development, including infilling where appropriate, will take place in other villages at a level commensurate with available services and facilities, and which maintains local amenity and distinctiveness.

3. Brentwood held a "Duty to Co-operate workshop" at the end of July which included an initial presentation of the Preferred Options consultation document. The workshop was attended by officers and Members of Brentwood Council, and officers from Basildon, Chelmsford, Epping Forest and Thurrock Councils, and the London Borough of Havering.

4. From this Council's perspective, the key issues in the consultation document are (a) provision for housing in the light of objectively assessed needs in Brentwood Borough; (b) provision for the travelling community; (c) provision for employment growth; and (d) the implications of Crossrail.

5. Provision for housing Paragraphs 14 and 47 of the National Planning Policy Framework (NPPF:2012) state that Local Plans should meet the full objectively assessed needs for market and affordable housing unless adverse impacts would significantly and demonstrably outweigh the benefits, or specific policies in the Framework (eg land designated as Green Belt) indicate that development should be restricted. Work undertaken by consultants identified the objectively assessed housing need to be 5,600 dwellings in the period 2015 to 2030. The Preferred Options document makes provision for only 3,500 new houses over that period, stating that this level of growth "has been informed by a comprehensive analysis of site and location constraints and opportunities." Provision above this level (which is 2,100 below the objectively assessed needs figure) is considered to (i) significantly worsen existing traffic congestion problems; (ii) require sites to be developed in landscape sensitive locations; (iii) be difficult to service with necessary infrastructure; and (iv) have a generally urbanising effect through widespread loss of Green Belt, affecting the identity and setting of Brentwood Town and neighbouring settlements, and the Borough's rural character.

6. This issue was the subject of much discussion at the July workshop. Brentwood officers explained that the priorities for local residents were to preserve the Green Belt and maintain the existing character of the Borough. Officers also considered that the existing transport infrastructure deficit (particularly congestion around J28 of the M25), and the Special Landscape Area designation in the north of the Borough represented severe constraints on accommodating objectively assessed needs. In these circumstances the Borough Council had decided that it would not be appropriate to undertake a comprehensive Green Belt review, as part of the Local Plan process, and that it would instead seek to establish whether neighbouring authorities would be able to meet the residual need.

7. Officers from the other authorities attending the workshop advised that (a) the Borough Council had, by proposing to provide significantly less housing than the objectively assessed figure, placed itself in a weak position in terms of its Plan being found "sound" at Examination in Public; (b) it had not justified the reasons for not meeting the figure and, in particular, it should undertake a comprehensive Green Belt review to ensure that its evidence base was complete and robust; (c) Brentwood's constraints are no more severe than those faced by neighbouring authorities, including Epping Forest District; and (d) more work should

be undertaken on potential mitigation measures.

8. There is little to add to these conclusions. Para 179 of the NPPF advises that local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual Local Plans. Such joint working should enable authorities to meet development requirements which cannot be wholly met within their own areas. They should also seek to meet housing needs in their housing market area (see below). The Preferred Options document does not address this approach, and this can only add to the weakness of Brentwood's position in the run up to Examination in Public. No mention is made of joint working, and there is no indication of how Brentwood will seek options or provisions outside the Borough to meet the substantial shortfall in provision – ie 2,100 new houses.

9. Para 159 of the NPPF states that local planning authorities should prepare a Strategic Housing Market Assessment (SHMA) to assess their full housing needs – working with neighbouring authorities where housing market areas cross administrative boundaries. The original SHMA for the London Arc East area, published in 2010, included both Brentwood and Epping Forest Councils (along with four other local authorities). Brentwood subsequently joined the Heart of Essex housing market area (which includes Chelmsford and Maldon), while this Council remains in the London Arc East area, along with East Herts, Harlow and Uttlesford. In a recent joint publication from the Local Government Association (LGA) and the Planning Advisory Service (PAS) – “Ten key principles for owning your housing number – finding your objectively assessed needs” (July 2013), the advice on page 10 states “If you decide on a (housing) figure which is less than your requirement you will have to address any unmet requirement by approaching other authorities within your housing market area.” If Brentwood therefore continues with its approach that it is unable to meet its objectively assessed housing needs, it should look to reach agreement with Chelmsford and Maldon Councils about additional provision in these two Council areas.

10. Provision for the travelling community Authorised sites within the Borough currently provide for about 30 pitches, although two thirds of these only have temporary permission, ie only 10 pitches have permanent permission. Brentwood has identified a need for an additional 24 permanent pitches up to 2021, and a further 10 up to 2030, bringing the total number of permanent pitches to 44. These figures are based on a 3% annual compound increase, an approach that was used in the (now revoked) East of England Plan. The Borough Council is aware that the Essex-wide Gypsy and Traveller Accommodation Assessment (GTAA) is currently being updated, and that the figures may therefore change.

11. The approach proposed by the consultation document is firstly to allocate for permanent use a number of existing temporary sites (for 20 pitches), and then to guide future provision through identifying a broad location (West Horndon) to be planned in an integrated way as part of a mixed-use development. This could total about 14 pitches, depending on the outcome of the review of the GTAA. Three of the sites currently with temporary permission (totalling nine pitches) are in the Navestock area, and potentially quite close to the boundary with Epping Forest District (Horsemanside, Mill Lane and Curtis Mill Lane). In this district, permission has been granted (partly on appeal) for 4 pitches comprising 7 caravans in the Horsemanside area. This area is quite isolated in terms of access to local services and facilities, and it will be appropriate for Brentwood and this Council to monitor provision in this part of the Green Belt.

12. Provision for employment growth In contrast to the provision made for housing, Brentwood has opted for the highest option for job growth (5,400 jobs in 15 years), compared with the figures of 3,700 and 4,800 jobs from the draft Regional Spatial Strategy (RSS) and a dwelling constrained projection. The preferred target takes account of planned investment or intelligence, and applying growth rates to individual employment sectors. The Plan anticipates a growth of office-based sectors, a reduction in manufacturing losses and further constraints on the warehousing sector. There is an error in Policy S3 (Job Growth and

Employment Land) in the consultation document. This lists an annual average new job provision figure of 285 (to reach the 5,400 target by 2030). This in fact would only result in 4,275 new jobs over 15 years, so the annual rate needs to be increased to 360.

13. The total amount of additional employment land needed is estimated to be 22.35ha (based on identified need plus loss of existing sites (to housing) and minus existing vacant or underused employment land available for development). The Preferred Options document actually suggests a provision of 31ha, nearly 9ha larger than the estimated need, and this is based on the potential capacity of an M25 works site at J 29 (Brentwood Enterprise Park), although more detailed work needs to be carried out to ascertain its true potential – information on this site has come from an exchange of e-mails with a Brentwood officer. It is not explicit in the consultation document.

14. The implications of Crossrail The Plan appears to be quite circumspect about the potential economic and other benefits of this major infrastructure project. Para 3.60 mentions improvements to the public realm around Brentwood and Shenfield stations, and the provision of a “Park and Walk” facility in Shenfield, “potentially leaving existing car parks around Shenfield station available for redevelopment.” In the absence of more detailed information, and particularly given the significant shortfall in housing provision compared with its objectively assessed needs, the Plan would benefit from a more detailed analysis of the potential outcomes of this significant new rail link.

Reason for decision: The Preferred Options version of Brentwood’s Local Plan does raise some concerns and in particular the stated inability to make full provision for objectively assessed housing needs. As it stands, the Plan seems likely to fail soundness tests at Examination in Public. This response is therefore intended as constructive criticism to draw attention to issues which Brentwood Council should address in preparing the Submission version of the Plan.

Options considered and rejected:

Not to respond to the consultation – this would be inappropriate as adequate provision for new housing, including the travelling community, is a key cross-boundary issue.

Consultation undertaken:

Within the Forward Planning section.

Resource implications:

Budget provision: From existing resources

Personnel: From existing resources

Land: A separate approach by letter from Brentwood’s Council Leader indicates that Brentwood expects adjoining authorities to make provision for the surplus housing identified in its objectively assessed needs.

Relevant statutory powers:

Planning and Compulsory Purchase Act 2004

Localism Act 2011

Town and Country Planning (Local Planning) Regulations 2012

National Planning Policy Framework 2012

Planning Policy for Traveller Sites 2012

Background papers:

National Planning Policy Framework (CLG: 2012)

Brentwood Borough Council – Local Plan 2015-2030 Preferred Options for Consultation (July 2013)

Environmental/Human Rights Act/Crime and Disorder Act Implications:

Key Decision reference: (if required) N/A