

**19th September 2017**

**Policy, Projects & Resources Committee**

**Corporate Projects**

**Report of:** *Philip Ruck Head of Paid Service*

**Wards Affected:** *All*

**This report is:** *Public*

**1. Executive Summary**

- 1.1 Members will be aware of the key Corporate Projects that have been reported regularly to the appropriate committee of the council.
- 1.2 At Annual Council it was agreed that the introduction of the Corporate Projects Scrutiny Committee would focus and scrutinise these key projects to ensure transparency, delivery and lessons learnt.
- 1.3 Following the meeting of the Policy, Performance & Resources Committee on the 20<sup>th</sup> June 2017 it is now intended that the Town Centre Redevelopment and the Local Development Plan will be considered and in accordance with the scope and timelines as set out in Appendix A.

**2. Recommendations**

- 2.1 **That Members agree the list of Corporate Projects, as set out in 1.3 of this report, are put forward to the Corporate Projects Scrutiny Committee for consideration.**
- 2.2 **That Members agree the scope and timelines for the Town Centre Redevelopment and the Local Development Plan as set out in Appendix A.**
- 2.3 **That the Corporate Projects Scrutiny Committee are requested to consider the Corporate Projects as set in Appendix A and report back to the appropriate committee.**

### **3. Introduction and Background**

- 3.1 The key corporate projects have previously been reported to the appropriate committee on their progress of the projects to date and upcoming actions.
- 3.2 The projects as set out in Appendix A are required to be scrutinised to ensure they meet the needs and objectives of the Corporate Plan.
- 3.3 The projects will have interdependencies with other council projects and strategies that could have an effect on proposed timelines. In addition proposed timelines may alter as a results of options and decisions are taken.

#### **LOCAL DEVELOPMENT PLAN (LDP)**

- 3.4 The Corporate Projects Scrutiny Committee is asked to scrutinise preparation of the LDP according to the scope set out in Appendix A. Given the LDP is a complex document dealing with wide-ranging issues the scope has been set to focus on specific themes relating to LDP preparation, as informed by the context provided in the following paragraphs. This scope does not include approval or agreement of any actual sites.
- 3.5 The starting point for assessing legal requirements for the plan-making process is the National Planning Policy Framework (NPPF) and its requirements for soundness, as set out in paragraphs 14, 17 and 47, as well as paragraphs 150 - 182. Further sources of advice include other guidance and legislation that is explained on websites such as the Planning Portal, Planning Inspectorate and Planning Advisory Service (PAS).
- 3.6 The key tests for soundness are set out in the NPPF: the Plan must be positively prepared; justified; effective; and consistent with national policy (paragraph 182):
  - a) **Positively prepared** - the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

- b) **Justified** - the Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- c) **Effective** - the Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- d) **Consistent with national policy** - the Plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

- 3.7 An essential pre-requisite for the plan is to demonstrate that the Duty to Cooperate has been met. Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Plan will not be able to proceed further in examination.
- 3.8 The duty to cooperate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Plan preparation in the context of strategic cross boundary matters.
- 3.9 The duty to cooperate is not a duty to agree. However, local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.
- 3.10 It is essential that the Plan is supported by robust evidence, which can comprise of a range of technical studies and other documents. The NPPF (paragraph 158) sets out that each local planning authority should ensure that their Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals. National guidance sets out that evidence should be appropriate and proportionate, informing the Plan and shaping its development.
- 3.11 Evidence is required to inform specific issues relevant to the local area and its policies, but the NPPF sets out requirements to evidence the following selected themes (among others) (paragraphs 158-177):

- a) Housing;
- b) Business;
- c) Infrastructure;
- d) Environment;
- e) Historic environment;
- f) Health and well-being; and
- g) Viability and deliverability.

## **TOWN CENTRE REDEVELOPMENT**

- 3.12 Brentwood Town Centre is adapting to changing market demands. Council owned sites, such as William Hunter Way car park, provide an opportunity for redevelopment but it is vital that any development meets a range of local needs (retail/leisure, car parking, enhanced public realm, housing, for example). It is also important that new development across the Town Centre, including sites outside Council ownership, is planned cohesively and contributes positively to the area, and that proposals are deliverable and sustainable.
- 3.13 In 2016 the Council moved to understand more about redevelopment opportunities and progress these by beginning work on "Design Plan" for Brentwood Town Centre. Urban design specialists Levitt Bernstein were appointed along with a wider project team of experts in retail market viability, transport & movement, and heritage. This work takes an overarching strategic view of the Town Centre and considers development options on specific sites - how they relate to each other and the area. This work is very near completion and publication. It forms the strategic guide for more detailed work and moving forward with development schemes, namely:
- a) Brentwood Town Centre Design Guide; and
  - b) Development (Design) Briefs.
- 3.14 The Brentwood Town Centre Design Guide will provide specific planning policy guidance on the design of buildings and spaces. It will inform decisions on development proposals and form part of the Council's development plan, once adopted as a Supplementary Planning Document (SPD) or similar. Preparing planning policy that can be given the necessary weight in decision-taking requires the Council to undertake public consultation in line with relevant legislation. A consultation period is proposed to take place in the autumn and consideration of the representations received will need to be undertaken to ensure the document responds to relevant points raised.

- 3.15 The Corporate Projects Scrutiny Committee is asked to scrutinise the consideration of these representations so that the document can then be reissued and adopted by the Council. This will be a valuable tool to assist the Planning Development Management Team in decision-taking on Town Centre proposals and help shape our strategic planning aims of enhancing Brentwood.
- 3.16 Alongside this, development briefs will be prepared on selected Council owned sites, such as William Hunter Way. This process is interlinked with the Council's asset review work currently ongoing, the next stage of which is set out at Item No. 9 Once a clear route forward is agreed on this project the process of preparing development plans can be progressed.
- 3.17 The Brentwood Town Centre Design Plan and Design Guide are central to the Council's Local Development Plan objectives and so there is a degree of overlap in terms of how change can be managed and delivered.

#### **4. Reasons for Recommendation**

- 4.1 To ensure that the Corporate Plan 2016-2019 is supported by projects that deliver the necessary change.

#### **5. Consultation**

- 5.1 Not appropriate at this stage

#### **6. References to Corporate Plan**

- 6.1 A Modern Council transforming its services to improve efficiencies and economies through new ways of working.

#### **7. Implications**

##### **Financial Implications**

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- 7.1 These will be fully evaluated as part of the business case process

##### **Legal Implications**

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- 7.2 The legal implications in respect of service level agreements etc. will need to be considered in detail should this option be progressed.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

7.3 These will all be addressed should the option be progressed.

## **8. Background Papers**

8.1 None at this stage

## **9. Appendices to this report**

Appendix A

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