

Local Development Framework Members Scrutiny Group (LDP MSG)

Terms of Reference 2017-2018

1. Purpose

The purpose of the Local Development Plan Members Scrutiny Group (LDP MSG) as agreed by the Policy, Projects and Resources Committee on the 19 September 2017 is to consider the draft Local Development Plan and associated documents before they are considered by Ordinary Council and/or Planning and Licensing Committee as appropriate.

The scrutiny group may request further work or information to be provided to them to clarify any implications or issues that may affect the Council.

2. Responsibilities

The key responsibilities of the Working Group will be to scrutinise validity of the plan-making process and evidence base in relation to the following:

- (i) Soundness tests (positively prepared; justified; effective; and consistent with national policy);
- (ii) Duty to co-operate; and
- (iii) Evidence (Housing and Gypsy & Traveller need, employment need, Green Belt assessment, etc) on the following themes, among others:
 - a) Housing;
 - b) Business;
 - c) Infrastructure (including highways);
 - d) Environment;
 - e) Historic environment;
 - f) Health and well-being; and
 - g) Viability and deliverability.

3. Accountability and Decision Making

The LDP MWG Scrutiny will report directly to the Corporate Projects Scrutiny Committee at key stages of planning policy document development (i.e. drafting, consultation, response, adoption).

4. Membership

The cross party working group will consist of five Members of the administration including the Chair, and three from the opposition parties.

5. Frequency

Meetings will be programmed to take place approximately monthly, with the option to call additional meetings to address specific issues as required.

6. Documentation and Confidentiality

Agenda and supporting documentation will be issued at least one working week before the meetings, unless this is not possible or items are to be tabled at the meeting due to confidentiality, in which case the Chair will advise Members of the Working Group beforehand.

Regular feedback and briefing to the Working Groups constituent members' political groups is the responsibility of member representatives and should be used as a way of ensuring wider ownership and support for the Plan documents as they are developed.

However, papers and discussions on the draft Local Development Plan and associated planning documents are considered confidential and whilst they should be discussed with other Members of the Council, the papers and discussion are not to be raised with anyone outside this remit.

7. Cross Party Working Group Membership

Cllr Bridge, Cllr Keeble, Cllr McCheyne, Cllr Mynott, Cllr Pound (Chair).

8. Support

The LDP MSG will be supported by the Planning Policy Team Leader and other officers as required.

Summary Notes and Actions

Meeting: LDP Scrutiny Members Working Group

Venue: Meeting Room 3, Seven Arches Road

Date: Tuesday 19 December 2017

Time: 18:00 – 20:00

Attendees:

Cllr Thomas Bridge, Cllr Roger Keeble, Cllr Phil Mynott, Cllr Roger McCheyne, Cllr Jan Pound, Stephen Hay, James Tindale (Lichfields), Jill Warren.

Apologies:

Phil Drane

Agenda

<u>No.</u>	<u>Item</u>
1.	Notes from previous meeting(s)
2.	Employment: Presentation from Lichfield
3.	AOB
4.	Date of Next Meeting (09/01/2018)

1. Notes from previous meeting(s)

- 1.1 There were no notes to review as this was the first LDP Members Scrutiny Group.
- 1.2 Members noted that there was confusion over the time and venue of this meeting of LDP Members Scrutiny Group. Officers agreed to make this clearer in future invites.

2. Employment: Presentation from Lichfields

2.1 Slide 2: Scope of Report.

- The study aims to define the Brentwood Functional Economic Market Area (FEMA), to update forecasts of future employment and new headline employment land requirements; to analyse the capacity of potential employment sites; to review local plan representations (consultation comments) and assess the demand and supply of employment land and floor space; and to review the emerging employment site allocations and the policy implications, informed by a commercial property market consultation.

2.2 Slide 3: Map of the Brentwood Functional Economic Market Area (FEMA).

- The Functional Economic Market Area (FEMA) is informed by the local Brentwood Commercial Property Market Area, Labour Market Area, Housing Market Area, and Retail Market Area, also illustrated on the map.
- Members noted that there is a London impact on the FEMA and that a future issue will be of employment for housing construction.
- The South Essex Functional Economic Market Area (FEMA) work is not yet available.

2.3 Slide 4: Past Employment Growth

- Members noted that the graph provided showed the % change in various employment sectors. It was suggested that absolute figures could be useful to illustrate the actual sizes of each sector and not just relative changes.
- Members queried what “specialist construction activities” were. This is structural engineers, and specialist such as plumbers, roofers and electricians.
- Members noted that there is a net growth in jobs of 13,300 in the borough in the last 20 years.
- This is not just a rise in population numbers but confirms that employment has risen faster than population in that period.

2.4 Slide 5: Differences between Economic Forecasts

- The report considers a number of different economic forecast models to get a broad picture of the borough. There is inherent bias in models, so the use of multiple ones gives a more even handed approach. Models that use macro economic assessment will show a large change due to factors such as Brexit, for example.

2.5 Slide 6: Gross Floorspace Requirements

- The use classes of B1c/B2 (manufacturing); B8 (distribution) and B1a/b (offices) were clarified and the four economic scenarios used to predict the Gross Floorspace requirements.
- The four scenarios indicate Brentwood has a total (i.e. across all B classes) net employment floorspace requirement of between 4,440sq.m and 7,510 sq.m over the Local Plan. The range reflects the overall scale of employment growth implied by the different scenarios and more specifically the mix of B-class sectors and, in turn, their floorspace requirements.

2.6 Slide 7: Gross Land Requirement

- Taking account of future market losses, a normal level of market vacancy and safety margin the range of floorspace increases to 33,310-106,380sqm. Applying appropriate plot ratios to the forecasts requirements results in gross employment land requirements of between 8.1 and 20.3ha.
- The standardised plot ratio of 0.4ha : 4,000 offices per hectare was used.
- Members asked how changes to ways of working such as hot desking will change figures. The densities used reflect these changes and are based upon recent empirical evidence as set out in the HCA Employment Density Guide . There is a five-year check of densities and the report reflects this change.

2.7 Slide 8: Demand Supply Balance

- The four scenarios are used to assess the demand/supply balance, giving the net surplus/deficit after considering new available locations.
- In all growth scenarios except from Scenario A, the 46.8ha of employment allocations and extant planning permissions could meet future need. However, when taking into the 23.6ha of employment land that could be lost over the Local Plan period, the Borough under Scenarios A and B results has a potential deficit in B1a/b floorspace to meet futures needs. In reality, replacing employment land on a like-for-like basis is unlikely and it may be possible to develop land in a more efficient manner, which could lower or eliminate the deficits.
- The future employment land and floorspace pipeline are estimated to have enough capacity to provide space for the total increase in jobs forecast in all four scenarios. However, under Scenario A, a deficit in capacity for B1a/b jobs could occur. The deficit is caused by a high number of prior approvals for converting B1a/b space to C3. Some of the prior approvals have not been implemented due to current market conditions; however, the potential impact on the Borough's office stock remains in effect.

2.8 Slide 9: Implications and Conclusions

- Five implications and conclusions are given by the report:
 1. The Borough has enough employment land allocated to meet future need except under Scenario A. The planned supply of allocations should remain flexible given past issues such as trouble delivering new office floorspace.
 2. Consideration should be given about when employment land allocations will be delivered as the non or late delivery of Brentwood Enterprise Park could leave a large gap in supply.

3. The Council may want to consider other sites for offices given the new allocations are all located a reasonable distance away from public transport nodes and high quality amenities.
4. Consideration could be given to gaining an Article 4 Direction to stop the conversion of offices to residential uses through permitted development rights.
5. The potential relocation of some industrial activities from London could generate additional demand and the need for additional site allocations as displaced firms from Brentwood and England compete against each other for premises.

3. Further Discussion

- The report forecasts an increase in office jobs.
- Members queried whether officers had drafted this report. It was confirmed that the report was written by an outside body and is an independent assessment. The GLA also carry out economic assessment work, including office supply and industrial land need.
- Members asked about the issue of office to residential conversion that didn't require planning permission (permission in principle). The area affected the most is the Brentwood urban area where applications have significantly increased. A policy solution is to introduce an **Article 4 Direction** in the location(s) where this is identified as an issue.
- Some members were concerned that this could be a risky process that could put the Council in a position where it could be sued for loss of earnings.
- Officers to clarify the process; what is required in the development of the business case for an Article 4 direction and the potential risk. Information to be brought back to the scrutiny group (see summary below).
- Members raised the issue of allocating employment sites in the town centre for a change to residential use as there is a need to consider other sites outside the town centre rather than relying on change from employment. Concern that this could move jobs away from the town centre and result in more residents travelling out of town to work. It was raised that the rationale behind this strategy is unclear.
- Members noted that the type, size and location for new employment development may need to be considered in greater detail. The impact of location, for example with offices needing suitable transport access, perhaps within or near to town centre facilities. The knock-on employment due to spending locally would also be noted.
- The extent of outward commuting by Brentwood residents was noted. Issues of who remained to use the borough facilities during office hours were noted.

- M25 Junction 29 with the altered route of the Lower Thames Crossing, might use the enterprise park as a works set down area. This is still being discussed by Highways England.
- Members discussed that the Council will need to ensure suitable regulation of the areas of use for B1c/B2 (manufacturing); B8 (distribution) to prevent negative impact on residents.
- The attraction of the borough due to good access, Crossrail, etc, was noted. Reference was made by Councillors for the need for improvement to the A127. Officers confirmed that ECC and districts are working together to lobby Government. Work by officers on the A127 corridor within Brentwood is ongoing, including moving away from car use to cycling, walking and bus use.
- Officers acknowledged that “future proof” planning is being considering with regard to broadband need, electric vehicle charging points and driverless cars.

3.1 Office to Residential Conversion Article 4 Area

- The Town and Country Planning (General Permitted Development) (England) Order 2015 (“GPDO 2015”) came into force 15 April 2015. This introduces new permitted development rights and changed the procedure for Article 4 Directions and gives planning authorities the power to remove specified development rights locally by making a direction under this Article.
- Previously the Secretary of State’s express approval was needed before an Article 4 Direction could come into force, but the GPDO 2015 allows planning authorities to make a **non-immediate** Article 4 Direction without the Secretary of State’s approval. This gives the Local Planning Authority the power to introduce an Article 4 area without financial risk as long as a prescribed process is followed, which includes a formal consultation, and a period of notice of the change is given. This process must be backed up by robust evidence, such as the Lichfield report.
- An extract on Article 4 from the National Planning Policy Guidance is attached.

4. AOB

4.1 Officers to email:

- Agenda and notes for future meetings.

5. Date of Next Meeting of LDP Members Scrutiny Group

- 5.1 09/01/2018 Meeting Room 2, Seven Arches Road (7PM), regarding housing evidence.