

8 November 2018

Extraordinary Council

**Brentwood Local Development Plan: Pre-Submission
(Regulation 19)**

Report of: *Phil Drane, Director of Strategic Planning*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 The National Planning Policy Framework (NPPF) requires local planning authorities to produce a Local Plan for their area. Brentwood Borough Council is producing a new Local Plan and has reached Pre-Submission stage (Regulation 19). Once approved, the Plan must be published for public consultation. Once public consultation has concluded, the Council should submit the Plan to the Planning Inspectorate for examination on behalf of the Secretary of State (Regulation 22).
- 1.2 The Pre-Submission Local Plan includes a spatial strategy for how the borough should be managed up to 2033, both for growth that meets local development needs and for maintaining the “Borough of Villages” character. It includes overarching aims to meet local development needs, including housing and employment, by delivering transit-orientated growth that is sustainable, responding to the natural environment and enabling healthy communities.
- 1.3 The Pre-Submission Local Plan is supported by several appendices, part of the wider evidence base, which includes a Sustainability Appraisal (SA) and Infrastructure Delivery Plan (IDP). In addition, several technical studies have been published on the Council’s website to inform and provide further detail on a wide range of themes covered in the Plan.
- 1.4 As part of the plan-making process a revised Local Development Scheme (LDS) timetable has been prepared, taking account of the recent publication of the revised NPPF by Government and implications to the Brentwood Local Plan. Delivery of the Plan against the published timescales is monitored by the Ministry of Housing, Communities and Local Government.

2. Recommendation

2.1 That the Council approve:

- a) The Pre-Submission Local Plan (Appendix A), associated documentation related to Appendices B-G, and all other procedural and evidence documents, for Publication and public consultation under Regulation 19 of the Town and Country Planning (Local Plan) (England) Regulations 2012 (as amended), prior to submission to the Secretary of State.**
- b) The Pre-Submission Local Plan (Appendix A), associated documentation related to Appendices B-G, and all other procedural and evidence documents, for Submission to the Secretary of State under Regulation 22 of the Town and Country Planning (Local Plan) (England) Regulations 2012 (as amended), after public consultation provided that only non-material and minor amendments are required.**
- c) To Delegate authority to the Director of Strategic Planning, in consultation with the Chief Executive and Leader of the Council, to finalise and approve the Submission documents, as set out in b) above for submission to the Secretary of State, including to:**
 - i. Make non-material or minor amendments to the proposed Submission documents;**
 - ii. Undertake any further consultation required arising as a result of the Regulation 19 consultation;**
 - iii. Enter into Statements of Common Ground with relevant bodies before and during the Examination in Public; and**
 - iv. Make modifications to the Submission documents during, and as a result of, the Examination in Public as advised to be necessary by the appointed Planning Inspector.**

3. Introduction and Background

- 3.1 The National Planning Policy Framework (NPPF) requires local planning authorities to produce a Local Plan for their area (Chapter 3 “Plan-making”). Brentwood Borough Council is producing a new Local Development Plan (or ‘Local Plan’) and has undertaken various stages of public consultation as part of the plan-making process. The Local Plan sets out the long-term vision for how and where the Borough will develop over the next 15 years to meet local needs in line with our unique local character, our “Borough of Villages”.
- 3.2 Post amendments made to the national planning regulations and the introduction of a new planning system through publication of the NPPF in 2012, the Council has carried out work as part of Regulation 18 or the early stages of the plan-making process. This includes documents and public consultations on Preferred Options Local Plan in 2013; Strategic Growth Options in 2015; Draft Local Plan in 2016; and Preferred Site Allocations earlier in 2018. During this time the Council has engaged with statutory consultees and Duty to Cooperate bodies throughout as the Local Plan spatial strategy has evolved.
- 3.3 In January 2017 the Council’s expression of interest in response to the Government’s locally-led garden villages and towns scheme, was successfully selected as one of 14 garden villages nationwide (and three garden towns). Proposals for Dunton Hills Garden Village have since progressed through the plan-making process and the Council has successfully secured capacity funding from Government (through the Ministry for Housing, Communities and Local Government, and Homes England).
- 3.4 In November 2017 the Council received a letter from the Secretary of State for the Ministry of Housing, Communities and Local Government regarding the threat of Government intervention in the Brentwood plan-making process. The Council responded in January 2018 with details of the exceptional circumstances for why plan-making is particularly difficult in Brentwood, such as substantially increased (and changing) housing needs; 89% of the borough being within London’s Metropolitan Green Belt; and infrastructure capacity issues. In addition, progress made on strategic planning across South Essex displays the Council’s commitment to joint working so that wider aims for housing delivery and infrastructure investment can be achieved. In March 2018 the Secretary of State confirmed that the Council’s plan-making process would not be intervened, but that the Government would be monitoring progress. Officers remain in regular contact with Officials from the Ministry of

Housing, Communities and Local Government. Discussions have indicated that further departures from the programme set out in the Revised Local Development Scheme (Appendix G) will not be viewed favourably and increase the likelihood of intervention.

- 3.5 On 24 July 2018 the Government published a revised NPPF, which provides a new national policy focus and transitional arrangements for the submission of Local Plans. This superseded the 2012 version and has informed preparation of the Brentwood Local Plan.
- 3.6 In progressing the Brentwood Local Plan, the Council has now reached Pre-Submission stage, or Regulation 19. Once approved the Plan must be published for public consultation. Once public consultation has concluded, the Council should submit the Plan to the Planning Inspectorate for examination on behalf of the Secretary of State, known as Regulation 22 stage. The recommendations of this report enable the Council to swiftly meet these requirements in line with the Revised Local Development Scheme timetable (Appendix G).

4. Issue, Options and Analysis of Options

Evidence

- 4.1 Issues and options, and the evolution of the Local Plan spatial strategy, can be seen across various consultation stages (Regulation 18) that have taken place, leading up to the Pre-Submission Local Plan (Appendix A). The spatial strategy has been informed by evidence available to view on the Council's website.
- 4.2 This includes technical studies on numerous subjects used to inform a variety of themes contained within the Plan, including (but not limited to) assessments on: housing needs; site suitability; economic needs; viability; transport and sustainable travel; environmental studies such as flood risk; Green Belt; landscape character; sports provision; and town centre uses. Several other assessments consider subjects such as health and wellbeing, which is a cross-cutting theme and priority through the Plan's policies.

Pre-Submission Local Plan (Appendix A)

- 4.3 The Pre-Submission Local Plan includes a spatial strategy for how the borough should be managed over the plan period (2016-2033), both for growth that meets local development needs and for maintaining the borough's local "Borough of Villages" character. The spatial strategy

includes an overarching vision and cross-cutting strategic objectives, along with the Plan's policies (both strategic and non-strategic).

4.4 The Pre-Submission Local Plan includes the following proposals:

a) Growth Strategy

- i. **Transit-orientated growth:** Focusing growth in our two transit corridors – the 'Central Brentwood Growth Corridor', with the A12, 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. These form key connectivity axes and growth in these areas will sustainably maximise the benefits of transport infrastructure. While some investment to improve the transport network will be inevitable, this growth strategy ensures economies of scale are reached, with the critical mass of development making it more viable for such investment to occur.
- ii. **Developing Naturally and Sustainably:** Development must be mindful of the ecological sensitivity and disruption to ecosystem services. For this reason, development should take a 'design & build with nature' approach. This will not only plan for resilient and smart infrastructure but also create living environments conducive to human health.
- iii. **Healthy Communities:** Development should balance diverse employment opportunities for all - adapting to a changing economic context - with vibrant hubs of economic and social-cultural activity to provide attractive, connected, walkable, lively and stimulating destinations with necessary facilities, recreation opportunities and services required to sustain healthy communities.

b) Housing and Specialist Housing Need

- i. **Objectively Assessed Need:** Since the first NPPF was published in 2012, local planning authorities have been required to plan for their Objectively Assessed Housing Need, involving a set of calculations informed by evidence and involving wider housing market areas. Objectively Assessed Need for the Borough is 380 homes a year, which over the plan period (2016-2033) is 6,460 new homes. In addition to this, it is good practice to apply an uplift to allow for flexibility in the plan period, where sites may not come forward as planned. A 20% uplift results in provision for 456 homes per year, which over the plan period is 7,752 new homes. In addition, Objectively Assessed Need requires consideration of the backlog of need from previous

years, which has been applied since the introduction of the NPPF in 2012.

- ii. **Standard Method (2017):** In 2017 the Government published a Standard Method for calculating housing need, which was proposed to supersede the calculation of Objectively Assessed Need and housing market areas. The calculation is based on household projections published by the Office for National Statistics and includes an uplift for areas considered to need more affordable housing on the basis of high house prices, like Brentwood Borough. The Standard Method (2017) need for the Borough was 454 homes a year, which over the plan period is 7,718 new homes. The standard method is calculated from the current year and does not contain backlog of need.
- iii. **Standard Method (2018):** In July 2018 the Government published the revised NPPF, which confirmed that the Standard Method should be used to determine local housing need. In September 2018 the Office of National Statistics published a new household projection base (2016), which amended results of the calculation for local authorities. The Standard Method (2018) resulted in a reduction of need for the Borough, to 350 homes a year, which over the plan period is 5,950 new homes. Importantly, before the household projections were published, the Chief Planner for England advised in his Planning Update Newsletter (September 2018) that the Government was aware of the likelihood of significant reduction in the minimum number of homes to be delivered across England and as such, indicated that once the extent of this reduction is known, the method may be adjusted to increase requirements again. Therefore, any reduction in need based on using the current Standard Method is expected to be short-lived, and the Council is therefore advised to note the new figures, but not seek any amendment to the Pre-Submission Local Plan in respect of them.
- iv. **Pre-Submission Local Plan housing provision:** Considering the above context, the Plan continues to provide for housing growth at 380 new homes per year, more than the latest Standard Method need figure (2018), consistent with the current Objectively Assessed Need, and when a 20% uplift is applied this is consistent with the previous Standard Method need figure (2017). This is considered to be a pragmatic approach that recognises the Council's responsibility to provide for local needs with a high degree of certainty for delivery of new homes. The approach to provide a buffer is supported by national guidance and protects the Plan through examination should the Standard Method need figure increase above 380 homes a year.

- v. **Affordable housing:** The Plan proposes that 35% affordable housing be provided on all sites with 11 or more units. This maintains the percentage in the Brentwood Replacement Local Plan (2005) but reduces the threshold. The policy is in line with national guidance, is deemed to be viable by evidence, and will result in the borough meeting its affordable housing needs (subject to total housing provision being delivered).
- vi. **Provision for Gypsies & Travellers:** The Council has a duty to identify land to meet the local needs of Gypsies, Travellers and Travelling Showpeople. National policy seeks to ensure fair and equal treatment for Travellers. Evidence sets out the Borough's need as 13 pitches. Policy proposes to meet this need by regularising 8 existing unauthorised pitches (Oaktree Farm (Greenacres), Chelmsford Road, Blackmore; and Hunters Green, Albyns Lane, Navestock), and providing 5 new pitches as part of Dunton Hills Garden Village. No current need has been identified in the Borough for accommodation for Travelling Showpeople. However, any need that arises over the life of the Plan is addressed using a criteria-based policy.

c) Site Allocations

- i. **Selection of sites:** Led by the spatial strategy and its objectives for maintaining the borough's character, this includes selection of sites according to a transit-corridor approach and settlement hierarchy, ensuring sustainable choices are made about the most appropriate places to grow.
- ii. **Sequential approach:** This is informed by the settlement hierarchy and prioritises the redevelopment of all available brownfield locations first. Beyond this, options are taken in appropriate locations in urban areas that are greenfield. This is to protect the Green Belt, in line with national policy and guidance. Given the lack of brownfield and sites in urban areas to meet local housing and employment needs, some Green Belt is proposed to be developed where land can be contained and form urban extensions to the Brentwood urban area, and larger villages like Ingatestone. In addition, modest extensions to villages in the north of the borough are proposed to maintain thriving communities where land is considered available and suitable. Finally, the Plan proposes a strategy to create a new garden village at Dunton Hills, providing self-contained development of a size that can deliver local facilities without reliance on existing services at capacity; invest in transport infrastructure improvements in a meaningful way; and deliver a significant quantity of new homes to contribute to overall need. Delivery of a new garden village is consistent with the spatial

strategy to maintain the 'borough of villages' character and protects the Green Belt from more piecemeal release.

- iii. **Housing and employment allocations:** Those sites proposed to be allocated in the Pre-Submission Local Plan are the same as those proposed in the Draft Local Plan Preferred Site Allocations (January 2018). Whilst the sites are maintained, fine-tuning has taken place in terms of the approximate development that sites are able to accommodate.
- iv. **Strategic sites:** These are considered to be those that can deliver around 500 homes or more, or significant new employment land. In most cases these are made up of more than one land ownership and so supporting high-level work has been undertaken to identify key considerations and the way in which landowners will need to work together with the Council to deliver sustainable development.
- v. **Site specific policies:** Each site allocation in the Plan has a specific policy to highlight key considerations and relevant infrastructure requirements.

d) Economic Needs and Allocations

- i. **Need and site availability:** Economic needs have remained consistent, as informed by evidence. However, the options for new employment land are limited.
- ii. **Employment land strategy:** The strategy to deliver new employment first looks to intensify, regularise and extend existing employment land. Dunton Hills Garden Village will provide opportunities for mixed-use development with employment opportunities embedded within the new community, and a specific employment land requirement to be met through development of land at East Horndon Hall, adjoining the Dunton Hills Garden Village boundary. This will provide some off-set for the loss of employment nearby due to the redevelopment of West Horndon industrial land.
- iii. **Brentwood Enterprise Park:** This strategic employment site takes the opportunity to allocate brownfield land in the Green Belt at M25 junction 29 (Brentwood Enterprise Park). This site will provide for most of the borough's employment need and is well located to the strategic highway network, providing a significant business advantage and responding to market needs. A sustainable transport strategy has been developed as part of Transport Assessment evidence to consider how sites in the South Brentwood Growth Corridor can be better linked via walking/cycling and public transport links.
- iv. **Lower Thames Crossing:** The recent publication of Lower Thames Crossing consultation (October-December 2018) shows

proposals at M25 junction 29 that require further discussion and an assessment of options for access arrangements to Brentwood Enterprise Park. A response to the latest Lower Thames Crossing proposals will be prepared and considered by the Council for approval in December 2018.

- e) **Strategic Policies:** These cross-cutting policies implement the Council's strategy for sustainable growth throughout all types of development in the borough. They set out how sustainable development is to be achieved, where development is best placed to ensure accessible and sustainable growth, and what development proposals must respond to. The revised NPPF now requires there to be definition between strategic and non-strategic policies, which are broadly considered to be Development Management policies.
- f) **Development Management Policies:** These policies provide the tools for an effective Development Management service in Brentwood for future years, setting out requirements that planning applications need to respond to. In addition to the subjects mentioned above, these include: housing standards; green & blue infrastructure; climate change; design & place making; heritage; retail & commercial leisure; community infrastructure; Green Belt & rural development; and natural environment.
- g) **Policies Map:** This is the map that accompanies the Local Plan and presents current development policies in map form. For Pre-Submission stage, a list is provided in the Plan of the designations that will change or be removed from the current Brentwood Replacement Local Plan Proposals Map (2005). This includes development allocations by mapping individual sites.

Sustainability Appraisal (Appendix B)

- 4.5 The Pre-Submission Local Plan is informed by several supporting documents (Appendices B-E), that are proposed submission documents, along with the Plan, according to the Regulations. One of these is the Sustainability Appraisal (SA), which includes a Strategic Environmental Assessment (SEA) (Appendix B). The SA is a systematic process that must be carried out during the preparation of a Local Plan to promote sustainable development, by assessing proposals against reasonable alternatives to help achieve relevant environmental, economic and social objectives. The SEA ensures that potential environmental effects are given full consideration alongside social and economic issues.
- 4.6 The scope of the SA is reflected in the list of sustainability topics and objectives that provide the framework for appraisal, such as air quality; biodiversity; climate change mitigation; community and wellbeing;

economy and employment; flooding; heritage; housing; landscape; soils; waste; and water. This follows SA work that has been undertaken at each of the previous Local Plan consultation stages.

- 4.7 Part one of the SA Report explains how work was undertaken to develop and appraise a range of alternative approaches to site allocation, or 'spatial strategy alternatives', to inform the Pre-Submission Local Plan. Part one:
- a) Explains the process of establishing the reasonable spatial strategy alternatives;
 - b) Presents the outcomes of appraising the reasonable spatial strategy alternatives; and
 - c) Explains the reasons for establishing the preferred spatial strategy option, in light of the appraisal.
- 4.8 Chapter 5 of the main report explains how reasonable alternatives were established after the process of evidence gathering and refining options. Following appraisal, a need is identified for plan-makers to make decisions regarding how best to balance competing objectives, and in turn decide which option best represents sustainable development overall. This then informs the establishment of the preferred option; the spatial strategy presented in the Pre-Submission Local Plan.
- 4.9 Part 2 of the SA Report sets out the appraisal findings at this stage by presenting an appraisal of the Preferred Allocations. Appraisal findings are presented as a series of narratives under the 'SA framework' headings, followed by an overall conclusion. Part 3 sets out the next stages by discussing plan finalisation and monitoring.

Habitats Regulation Assessment (Appendix C)

- 4.10 Another proposed submission document is the Habitats Regulation Assessment (HRA). The HRA responds to the requirement for policies, plans or projects with potential to affect designated European sites to undergo assessment under the European Habitats Directive. Whilst there are no European designated habitats within Brentwood Borough, Epping Forest Special Area of Conservation (SAC) is nearby along with other wider environmental considerations, such as the Recreational disturbance Avoidance Migration Strategy (RAMS) work being undertaken in partnership with other Essex boroughs and Natural England in response to the recreational impact on internationally important coastal biodiversity areas.

- 4.11 Conclusions from the HRA make a number of recommendations that have been reflected in policy, such as the need to reflect that development should not be permitted where an adverse effect on the integrity of a European site will result (wildlife and nature conservation); and the need to make specific reference to the interim strategic guidance set out by Natural England in their letter regarding Essex coastal site recreational pressure (RAMS).

Infrastructure Delivery Plan (Appendix F)

- 4.12 The Pre-Submission Local Plan is informed by an Infrastructure Delivery Plan (IDP). The IDP sets out the capacity and opportunities for key infrastructure such as schools, healthcare and transport to inform the growth required through the plan-making process. This is a living document, published online in website form to allow for regular updates over time. For the purposes of Regulation 19, a document version has been created (Appendix F).

- 4.13 A summary of the IDP priorities include:

a) Transport & Movement (Chapter 3)

- i. In the Brentwood urban area, consideration of School Clear Zone restrictions for AM/PM peaks; delivery of park & ride/stride facilities or drop-off/pick-up points for children to and from school; and car-light development and encouragement of electric vehicles/charging.
- ii. To reduce vehicle emissions and future proof infrastructure across the Borough, encouragement of electric vehicle charging points and delivery of other IT infrastructure; consideration of the role of large freight vehicles in central areas during AM/PM peaks; and a review of the air quality management area (AQMA) action plan.
- iii. For public realm improvements, delivery of public wayfinding system (i.e. Legible London); prioritise Brentwood Town Centre improvements linked to new development; and support improvements at Brentwood and Shenfield railway stations.
- iv. Requirements for improvements to walking and cycling infrastructure within new developments, and analysis of wider cycling network.
- v. To improve public transport provision, feasibility study into bus service improvements linked to new development; and the creation of innovations for community transport, car hire/clubs and similar provision for cycling hire/clubs.

- vi. In the Southern Growth Corridor (A127), public realm improvements at West Horndon village centre; a strategic cycle route connecting major development to West Horndon railway station; new bus route infrastructure; and a new West Horndon transport interchange.
 - vii. For Dunton Hills Garden Village, specific consideration of pedestrian/cycle connectivity across A127 & A128; walkways and cycleways across the development; cycle-hub and charging points; and pedestrian focused public realm.
- b) Energy (Chapter 4):** Opportunities to explore the delivery of renewable energy infrastructure, including district or localised heating schemes at strategic sites (Dunton Hills Garden Village, Brentwood Enterprise Park, West Horndon industrial land, land North of Shenfield, and Ford HQ/Warley Depot).
- c) Water & Drainage (Chapter 5)**
- i. Sewage network upgrade in Ingatestone;
 - ii. Surface Water Flood risk mitigation across a wide range of sites; and
 - iii. Hydrology modelling and layout design for potential flooding at Officer's Meadow and Dunton Hills Garden Village.
- d) Waste (Chapter 6)**
- i. Warley Depot relocation, rebuild or alternative service delivery needs to be resolved;
 - ii. Encourage the introduction of underground refuse and recycling facilities; and
 - iii. Community composting.
- e) Broadband and Mobile Communications (Chapter 7)**
- i. Establish a wider range of fibre optic cabling infrastructure options;
 - ii. Encourage Fibre to the Home infrastructure delivery on new sites (FTTH); and
 - iii. Need to upgrade mobile communications infrastructure for further advancements in 5G and mobile tech.
- f) Education (Chapter 8)**
- i. New 2fe primary school with pre-school as part of land North of Shenfield allocation;
 - ii. Forecast need for three new 2fe primary schools at Dunton Hills Garden Village;
 - iii. Forecast need for 6fe secondary school at Dunton Hills Garden Village; and
 - iv. Significant investment need for early years provision across the Borough.
- g) Community & Social (Chapter 9)**

- i. New multipurpose community building at Dunton Hills Garden Village;
 - ii. Community investment chest for Dunton Hills Garden Village with supporting organisational structure;
 - iii. Maximise current community assets across the Borough; and
 - iv. Establish list of rural priorities.
- h) Health (Chapter 10)**
- i. Identified need for investment in GP health infrastructure across the Borough;
 - ii. New health centre / practice at Dunton Hills Garden Village, subject to option analysis on possible options for integration with other nearby services and facilities; and
 - iii. Potential for funding towards Basildon Hospital expansion.
- i) Heritage (Chapter 11):** Support for local heritage projects, signage and interpretation as part of redevelopment proposals.
- j) Sport (Chapter 12)**
- i. Need for 3G multi-sport play pitches;
 - ii. Multiple play pitch / sports facility upgrades; and
 - iii. Feasibility work supported on potential strategic sport investment sites (i.e. King Georges and Brentwood Centre).
- k) Emergency Services (Chapter 13):** Potential flexible drop-in / surgery space within multi-agency facilities.
- l) Green Infrastructure (Chapter 14)**
- i. Continue to protect Local Wildlife Sites and ancient woodland;
 - ii. Identified range of improvements for parks and churchyards;
 - iii. New allotment space required as part of strategic growth sites; and
 - iv. Monitor and manage numbers to key green infrastructure assets.

Local Development Scheme (Appendix G)

- 4.14 The Local Development Scheme provides information on the preparation of key documents that will comprise the Borough's development plan. Most importantly it provides a timetable for anticipated stages of the plan-making process.
- 4.15 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) requires local planning authorities to prepare and maintain a Local Development Scheme. Planning Practice Guidance sets out that Local Development Schemes must be made available publicly and kept up-to-date so that local communities and interested parties can keep track of progress.

- 4.16 The revised timetable set out in Appendix G provides timescales and key milestones for preparation of the Local Plan, and other related documents. This has been revised following the Government's publication of the revised NPPF in July 2018 and the need for more time to consider implications in the Local Plan.
- 4.17 Delivery of the Plan against the published timescales set out in the Local Development Scheme is monitored by the Ministry of Housing, Communities and Local Government.

5. Reasons for Recommendation

- 5.1 In progressing the Brentwood Local Plan, the Council has now reached Pre-Submission stage, or Regulation 19. According to National Planning Practice Guidance this plan should be the document that the local authority considers ready for examination. This Plan must be published for public consultation so that representations can be made in response to it, together with other "proposed submission documents" (Appendices B-E), before it can be submitted to the Planning Inspectorate for examination. This provides a formal opportunity for the local community and other interests to consider the Local Plan, which the local planning authority would like to adopt. Specific publication requirements are set out at regulations 17, 19 and 35 (and 21) of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Pre-Submission document is set out in Appendix A, along with other proposed submission documents set out in Appendices B-G.
- 5.2 Once public consultation has concluded and representations on the Pre-Submission Local Plan have been received, the Council should submit the Plan and any proposed changes considered appropriate along with supporting documents to the Planning Inspectorate for examination on behalf of the Secretary of State. This is Regulation 22 stage. A Statement of Representations Procedure should also be published alongside the submission version of the Plan. Submitted documents should include those made available at the Pre-Submission or Publication stage (Regulation 19), updated as necessary, including details of who was consulted when preparing the Plan (at Regulation 18 stage) and how the main issues raised have been addressed. The Council must also include details of the representations made following Pre-Submission and a summary of the main issues raised.
- 5.3 The Council could resolve to make minor, non-material amendments to the Pre-Submission Local Plan. If these changes are minor in nature (i.e. do not result in any material changes to the Local Plan's policies), the

Plan can proceed to Regulation 19 public consultation subject to these amendments. However, this could result in a minor delay to the beginning of public consultation, although this will not require amendments to the Revised Local Development Scheme (Appendix G) that the Government is using to monitor the Council's progress on the Local Plan.

- 5.4 The Council could resolve to make material amendments to the Pre-Submission Local Plan policies, including adding or deleting policies or amending proposals. These would not be able to proceed immediately to Publication (Regulation 19) or Submission (Regulation 22) without being subject to statutory processes, such as Sustainability Appraisal. Changes may require further engagement with statutory consultees or Duty to Cooperate bodies, following which, further changes may be necessary to the documents to take legal considerations into account. This would incur additional costs to the Council and time to reach Publication stage. This would require further amendment of the Local Development Scheme, which the Government is using to monitor the Council's progress on the Local Plan, increasing the risk of intervention.
- 5.5 Delegated authority for the Director of Strategic Planning, in consultation with the Chief Executive and Leader of the Council, is recommended to ensure non-material amendments can be made from the Publication stage through to Submission and Examination. This recommendation is considered to be the most efficient way of progressing the Plan to Submission, whilst ensuring Members remain in control of any main modifications, which would affect the policy content.
- 5.6 The Pre-Submission Local Plan has been prepared swiftly during 2018, taking account of the Government's threat of intervention and publication of the Revised NPPF. The Extraordinary Council version of the Pre-Submission Local Plan (Appendix A) may require minor formatting amendments and improvements to graphics before being issued for public consultation.

6. Consultation

- 6.1 The Local Plan has undergone a series of public consultations in past years, known as Regulation 18 stage. The Plan has now progressed to Pre-Submission or Publication stage (Regulation 19). According to statutory requirements a minimum period of six-weeks is required for public consultation. Public consultation at Regulation 19 stage requires representations to reference whether the Plan is considered to be "sound" according to the tests of soundness set out within the NPPF (paragraph 35). Following this the Council will collate representations for the

Submission of the Plan, so that the appointed Planning Inspector can consider the representations at Examination in Public.

- 6.2 If the Pre-Submission Local Plan is approved for public consultation, the soonest consultation can commence in early November will result in the end of the six-week period clashing with the Christmas holiday season. Therefore, it is proposed that public consultation be extended to an eight-week period to take account of this, ending in early-mid January 2019. This will allow sufficient time for the Submission process to begin post consultation, and for submission to occur within quarter 1 of 2019, in line with the revised Local Development Scheme (Appendix G). This will demonstrate to the Secretary of State that the Council is not intending to delay submission.
- 6.3 Consultation starting in mid-November, provided approval of the Pre-Submission Local Plan, will also allow for the Brentwood Town Centre Design Guide to be published alongside the Plan for public consultation. The Design Guide will provide further detail about expectations for quality in Brentwood Town Centre.
- 6.4 Methods of informing people about the consultation will be in line with the Council's Statement of Community Involvement (SCI). Those who have previously responded to Local Plan consultations will be notified through use of the Local Plan consultation database. In addition, use of the Council's business contact database will ensure local businesses are notified of the consultation.

7. References to Corporate Plan

- 7.1 The Local Development Plan is a key priority in the Council's 'Vision for Brentwood' Corporate Plan 2016-2019. The Plan is an important delivery vehicle for several cross-cutting priorities, informed by individual Council strategies.

8. Implications

Financial Implications

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- 8.1 The cost of carrying out Local Plan consultation at Publication stage, submitting the Plan and accompanying documentation, and running the Examination-in-Public, has been accounted for within the planning policy service budget of the medium-term financial plan. In addition to this,

earmarked reserves of received specific Grants have been utilised to aid and ensure the Plan is delivered within the specified timeframes.

- 8.2 The Council's Infrastructure Delivery Plan (Appendix F) sets out the infrastructure costs of delivering the Plan. This identifies approximate costs for infrastructure investment where required because of new development, to be funded by new development. Any funding gaps will require alternative revenue to be found which could involve the Council. This is a living document and so will be updated regularly through the plan-making process. There is not a requirement for all the funding for the Plan to be identified at the time of inception and so this should not delay the Pre-Submission consultation.

Legal Implications

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- 8.3 This is a necessary consultation within the statutory requirements and the Council's adopted Statement of Community Involvement.
- 8.4 The Local Plan has been prepared in accordance with the primary planning acts, namely the Town and Country Planning Act 1990 (as amended), the Planning and Compulsory Purchase Act 2004 (as amended) and other supporting legislation. It has been informed by the National Planning Policy Framework (NPPF) and other relevant national planning policy. Detailed regulations in relation to plan-making are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). It is a requirement of the Acts and the associated Regulations for the Local Plan to be prepared in accordance with the timetable established in the statutory Local Development Scheme, and subject to an examination into its soundness.
- 8.5 The NPPF sets out national policy in relation to what constitutes sustainable development, plan-making, and the tests of soundness that the Planning Inspector will consider when examining the Local Plan. The NPPF provides a transition date for plans submitted before or after 24 January 2018. Plans submitted on or before this date will be examined against the tests of soundness and policy requirements of the NPPF 2012. For plans submitted after this date, the examination will occur against the tests of soundness and policy requirements of the Revised NPPF 2018.

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

- 8.6 The Plan is accompanied by a Health Impact Assessment (HIA) (Appendix D). An HIA is undertaken to identify the potential health

consequences of a proposal on a specific population and/or community; maximise the positive health benefits; and minimise potential adverse effects on health and inequalities. The HIA demonstrates at a local level the impacts that development can have on health and wellbeing, and where there are opportunities to enhance health gains and mitigate against negative impacts. The HIA has informed the Pre-Submission Local Plan and led to the recommendation that the process be further embedded to the Brentwood planning process. The HIA is a live document and regular updates will be made as required.

- 8.7 The Plan is accompanied by an Equality Impact Assessment (EqIA) (Appendix E). This assessment is a process designed to ensure that a policy, project or scheme does not discriminate against any disadvantaged or vulnerable people. The Plan's policies have been assessed accordingly. The EqIA is a live document and regular updates will be made as required.
- 8.8 The Plan proposes to allocate development sites across the Borough, including sites owned by the Council. Proposals in the Local Plan have taken account of the Council's Asset Development Project to identify a joint venture partner to bring forward future development on Council owned land. Future development proposals will need to comply with the Plan, once adopted, and take account of emerging policy from Pre-Submission stage through to the examination process.
- 8.9 The Plan is a key delivery vehicle for the Council's corporate objectives and strategies. Council strategies that have been considered in the preparation of the Plan include, but are not limited to, the Leisure Strategy, Housing Strategy, Economic Strategy, and Parking Strategy. Reviews of these strategies will need to consider the Local Plan's strategic objectives and policies.
- 9. Background Papers** (include their location and identify whether any are exempt or protected by copyright)
 - 9.1 Previous stages of the Local Plan, including consultation documents and supporting work, can be viewed on the Council's website at <http://www.brentwood.gov.uk/index.php?cid=1650> (Planning and Building Control / Local Development Plan / Work So Far).
 - 9.2 All published evidence for the Local Plan can be viewed on the Council's website at <http://www.brentwood.gov.uk/index.php?cid=966> (Planning and Building Control / Local Development Plan / Evidence Base).

10. Appendices to this report

- Appendix A: Pre-Submission Brentwood Local Plan (Regulation 19), October 2018 (Extraordinary Council version)
- Appendix B: Sustainability Appraisal, October 2018
- Appendix C: Habitats Regulations Assessment, October 2018
- Appendix D: Health Impact Assessment, October 2018 (living document)
- Appendix E: Equality Impact Assessment, October 2018 (living document)
- Appendix F: Infrastructure Delivery Plan, October 2018 (living document)
- Appendix G: Revised Local Development Scheme (October 2018)

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