

# Notes & Actions

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**Meeting:** Local Development Plan Members Working Group  
**Venue:** Online via Microsoft Teams  
**Date:** Tuesday 16 June 2020  
**Time:** 15:30-17:40

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**Present:** Cllr Kerslake, Cllr Mynott, Cllr Bridge, Cllr McCheyne, Cllr Naylor, Cllr Keeble, Cllr Aspinell\*, Cllr Hossack\*

**Also Present:** Phil Drane (PD), Director of Planning and Economy  
Jonathan Quilter (JQ), Strategic Planning Manager  
Thom Hoang (TH), Senior Policy Planner  
Andrea Pearson (AP), Senior Policy Planner

**Apologies:** Cllr Sanders, Cllr Morrissey, Cllr Barrett\*

\* Group Leaders invited to working group meeting

## 1. Notes from last meeting

- a) Notes from last meeting (25/02/2020) were circulated for review.
- b) Cllr Bridge raised that para 3.6 redrawing of the “administrative” boundary should be changed to “electoral” boundary.

## 2. 2020/21 Terms of Reference

- a) Members agreed revised terms of reference for the working group in 2020/21, updated to reflect changes during 2019/20 such as Cllr Naylor joining the working group.

## 3. Local Plan Examination Update

- a) PD updated on the examination process. The letter expected from the appointed inspectors with initial questions had been received and published. It recognises the current COVID-19 pandemic and the potential need for that the Council to reprioritise services at any time thereby reducing the ability to respond to these questions in the usual expected timeframes. It seeks to agree timeframes with the Council and officers are currently considering how long it will take to respond to questions raised in the letter by theme.

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### **Members discussed Inspectors' question regarding a list of modifications:**

- b) PD provided context, the inspectors' are asking if additional modifications need to be made to the Plan beyond the Focussed Changes.
- c) Cllr Mynott asked if this was a standard question. PD responded that it is not unusual, but often depends on the inspector as to when this issue is raised.

### **Members discussed Inspectors' questions regarding Duty to Cooperate:**

- d) PD provided context. Inspectors requested meeting notes to append the information set out in the Duty to Cooperate Statement. Noted that this is a priority but may be time consuming. The team is confident that issues such as Dunton Hills Garden Village (DHGV) have been thoroughly discussed with stakeholders and this is ongoing to resolve issues.
- e) Cllr McCheyne asked if developers promoting other sites were likely to object to DHGV? PD responded that it is likely, although rather than suggest an alternative site to DHGV most representations from developers tended to argue that additional development was required (I.e. their site and reasons why, such as delivery timeframes etc).
- f) Cllr Mynott asked whether Topic Papers were to bring together evidence to make it easier to follow or set out new evidence? PD responded that whilst they should bring information together in the first instance, they do sometimes introduce new information. It often depends on the inspector.
- g) Cllr Bridge said it was important to show how development at DHGV was to be delivered in the plan-period and beyond. PD agreed, noting other recent examinations where the importance of viability evidence and development trajectories had been highlighted.
- h) Cllr Kerslake asked if any of the questions were surprising? PD responded that there were not many surprises, but some questions would be challenging. The team had been expecting certain questions and so were already underway with Topic Papers. It was noted that it will be critical to provide the right level of information according to what the inspectors have asked.

### **Members discussed Inspectors' questions regarding spatial strategy and the Sustainability Appraisal**

- i) PD provided context, the inspectors focus on understanding how the Council has made decisions on development locations.
- j) Cllr Mynott spoke on para 15, raising significant issues and seeking evidence. Is this the case of the Inspectors asking to be navigated to relevant evidence or is it due to the lack of evidence? PD provided context as to how the inspectors will be assessing the evidence, that they will be looking only at what has been presented to them and not necessarily the wider context. For instance, representations from Thurrock raised issues regarding their view that development is more appropriate in the central corridor than the southern corridor, and so the inspectors are likely to pick up on this

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and ask for clarification. It seems this will be best to respond in a Topic Paper providing context and pointing towards evidence on sustainability.

- k) Cllr McCheyne raised the issue of development in Blackmore and whether the inspectors might query why there is no development proposed in other villages like Doddinghurst? Cllr Keeble noted that Blackmore village was sustainable with its present population and that villages such as Stondon Massey would welcome development to promote community cohesion. PD responded that those questions had not been raised yet but may later come, that it will often depend on whether a specific issue has been raised in representations.

### **Members discussed Inspectors' questions re legal compliance**

- l) PD advised that the team felt answers on legal compliance could be provided quickly.
- m) It was noted that due to Covid-19, there is have been changes to Regulations regarding consultation requirements (hard copies of consultation documents being put on deposit), which requires some amendments to the adopted Statement of Community Involvement (SCI). This is to be brought to Planning and Licensing Committee in July.
- n) Cllr Naylor asked if the legal team had assisted with legal compliance or whether because this was being asked that this had been missed. PD responded that the set of questions on legal compliance was a normal process point to double check our view on compliance before the inspector reviews the legal tests.

### **Members discussed Inspectors' questions re South Essex Joint Strategic Plan**

- o) PD set out that a response would be required to update the inspector on the South Essex Joint Strategic Plan (JSP) being prepared as part of our partnership in the Association of South Essex Local Authorities (ASELA). Due to Basildon Council also being at examination and because of the reliance on the JSP that their plan has, the team will be working with Basildon colleagues to answer this question and provide a consistent view across both examinations.

### **Members discussed Inspectors' questions re Green Belt**

- p) PD set out that over time there had been changes to development need requirements through national policy and so through different iterations of the LDP process there has been a number of revisions to Green Belt evidence. It was accepted that as a result the story of how Green Belt evidence has informed the strategy may not be clear and so the need for a topic paper on this issue was anticipated.
- q) Cllr Mynott asked whether it was a case of lacking evidence or that evidence was not easy to follow? PD responded to advise that it is more the latter, and likely due to the where a full Green Belt Review was not undertaken from the start of the process because at the start of the process the development need that the plan was trying to meet did not require substantial use of Green Belt land. Therefore, the evidence is in place over time, but it may not have been undertaken in the same order as might be expected if the development needs had been the same at the start and end of the process.

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## **Members discussed Inspectors' questions re Housing**

- r) PD set out that the inspectors specifically requested a topic paper regarding housing, mainly due to the complexity of explaining how housing needs will be met. In February 2019 the Regulation 19 consultation was published at a time that the requirement was to meet needs in line with Objectively Assessed Housing Needs. That position changed afterwards to require needs to be met in line with the standard method calculation, resulting in a higher housing need. This was anticipated and so a higher housing target was set out in the plan to meet the same figure required by the standard method. However, the explanation text within the plan about how needs are being met needs to be updated. The housing figure will not change, but the explanation about how this number has been calculated in line with up-to-date requirements is needed.

## **Members discussed Inspectors' questions re Affordable Housing**

- s) PD outlined the question raised regarding a difference in the local policy for affordable housing provision (on sites of 11 and above) compared with national guidance (10 or above). This was an issue that required further consideration before a response is issued.
- t) Cllr Mynott asked if there would be an opportunity to set designated rural areas to address affordable housing shortage in rural locations. PD responded that the team would look at this to see if this could be something that could be incorporated in the process.

## **Members discussed Inspectors' questions re Gypsies and Travellers, Housing Standards, Employment, and Retail**

- u) PD combined various questions asked on the above subjects. Examination notes would be provided on each to cover the issues raised. It may be necessary to collate employment into a topic paper, this will be considered.
- v) Cllr Mynott raised that the justification for losing some existing employment land in town centre locations was an issue that the Liberal Democrat group has raised in the past, and so this is still outstanding. PD responded that the narrative on this issue has been explained in previous consultation documents and focuses on the need for regeneration of sites to mixed-uses in town centre areas considered to be more sustainable, and to deal with historic HGV issues through urban areas including neighbouring residents etc. We will wait to see how the inspectors consider the issue.
- w) Cllr Hossack raised that the inspectors had not requested a topic paper on employment land, that it was clear where they felt a topic paper was required. It is important that we do not spend time on something that is not required, engagement with the inspectors to clarify what is needed would identify how to prioritise time responding. PD agreed and set out that this view had also been expressed by the Council's barrister. It will be important not to over-answer the questions and open

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other issues that may require further work, but instead provide focussed responses. Officers will continue to work with our barrister.

### **Members discussed Inspectors' questions re Transport infrastructure**

- x) PD introduced the item in the context of ongoing work with Essex County Council (ECC) and Highways England regarding the LDP Transport Assessment.
- y) Cllr McCheyne asked for an update on M25 junction 29 and the Lower Thames Crossing scheme. PD reminded members that the Lower Thames Crossing proposal at junction 29 severed the existing access to Brentwood Enterprise Park, which was a specific issue for delivery of the proposed employment land but did help with traffic flows from the A127 westbound onto the M25 southbound, benefitting the borough and wider transport network. The access arrangement is being worked on with ECC and Highways England, a new proposal to access the employment land from the B186 has been proposed and is being discussed with ECC.
- z) Cllr Hossack noted the difference in number of comments regarding transport infrastructure from the inspectors compared with ECC. PD noted that this was likely due to the detail that ECC had focussed on and that our response to the inspectors regarding the updating of the Transport Assessment would aim to join together the ongoing work with ECC and the inspector's questions.

### **Members discussed Inspectors' questions re Air Quality Management Areas**

- aa) PD provided some context on the specific item raised in relation to air quality – information about Air Quality Management Areas (AQMA). There was some discussion about the wider context of air quality being a key issue in the Basildon Local Plan examination around the A127.
- bb) Cllr Mynott asked if all sites proposed in Brentwood Town Centre will have impacts on AQMAs and stated that this issue had not been addressed enough. Information on AQMA impacts could not be found in the transport section of the LDP. PD responded that this issue had been addressed in the Sustainability Appraisal regarding each of the site allocations impact on air quality, and an overview provided in the Infrastructure Delivery Plan (IDP). There was a discussion about where AQMA locations could be viewed. Officers advised that maps of AQMA locations were available on the Council's website and that a link would be shared. See: <http://www.brentwood.gov.uk/index.php?cid=399> and [https://uk-air.defra.gov.uk/aqma/local-authorities?la\\_id=33](https://uk-air.defra.gov.uk/aqma/local-authorities?la_id=33)

### **Members discussed Inspectors' questions re Heritage, Open space, general matters**

- cc) PD provided context regarding work ongoing with Historic England to address their concerns through a Statement of Common Ground. The inspector has raised a question regarding the process of selecting sites and impact on the historic environment.
- dd) PD provided an overview of matters raised in relation to open space and other general matters.

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## Discussion regarding Timeframes

- ee) JQ outlined current thoughts about how quickly the team would be able to respond. This was likely to be issued in two phases with two deadlines, subject to agreement with the inspectors through the Programme Officer. An acknowledgement letter would be published setting out agreed timeframes.
- ff) The requirements of the formal examination process meant that correspondence with the inspectors would be published on the examination webpage of the Council's website: [www.brentwood.gov.uk/examination](http://www.brentwood.gov.uk/examination)

## 4. AOB

- a) No matters raised.
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