

**10 December 2014**

**Ordinary Council**

**Dunton Garden Suburb Consultation**

*Report of:* Gordon Glenday, Head of Planning

*Wards Affected:* Herongate, Ingrave & West Horndon

*This report is:* Public

**1. Executive Summary**

- 1.1 The Council signed a Memorandum of Understanding (MoU) with Basildon Borough Council following approval by Planning & Development Committee on 4 November 2014. The MoU commits both Councils to prepare a joint consultation document to seek views on the concept of development to the east of West Horndon (in Brentwood Borough) and west of Laindon (in Basildon Borough); hereafter known as Dunton Garden Suburb.
- 1.2 The Dunton Garden Suburb consultation document (**Appendix A**) sets out the context, challenges, constraints and aspirations which both Councils have discussed through the duty to cooperate. It does not currently constitute part of the emerging Brentwood Local Development Plan, instead providing an opportunity for both Councils to consult on an 'initial concept' to then determine whether it should be taken any further.
- 1.3 Commentary on the Sustainability Appraisal and Habitats Regulations Assessment (**Appendix B**) has been prepared to provide an initial, high level assessment of the likely effects of development.
- 1.4 The consultation will take place for a period of six weeks, from 6 January until 17 February 2015. A consultation strategy (**Appendix C**) has been prepared that sets out how both Councils will advertise the consultation and seek to engage of local communities and stakeholders.

**2. Recommendation**

- 2.1 To approve the Dunton Garden Suburb consultation document for a six week joint public consultation with Basildon Borough Council.**

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

- 3.1 Section 110 of the Localism Act 2011 amended and Section 33a of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities and other public bodies to cooperate on strategic planning matters. This in turn is supported by policy and guidance expectations in the National Planning Policy Framework (NPPF) and Planning Practice Guidance.
- 3.2 The NPPF requires Local Planning Authorities to produce Local Plans for their area. Plans should meet the objectively assessed needs of the area and demonstrate joint working with neighbouring authorities on planning issues that cross administrative boundaries.
- 3.3 Brentwood Borough Council's most recent Local Plan consultation received representations suggesting that the area to the south of the A127 and east of the A128 be considered as an alternative growth location, up to the administrative boundary with Basildon Borough. Basildon Borough Council's most recent Local Plan consultation proposed land west of Laindon as a strategic growth location, up to the administrative boundary with Brentwood Borough.
- 3.4 In light of this and following advice from the national Planning Advisory Service (PAS), emerging best practice from other LPAs discharging the Duty to Cooperate elsewhere in England, and emerging case law, both Brentwood and Basildon Councils considered that the most appropriate way to jointly investigate the potential development location further was to enter into a Memorandum of Understanding (MoU).
- 3.5 The MoU was approved by Brentwood Borough Council at the meeting of Planning & Development Committee on 4 November 2014. Basildon Borough Council signed the MoU and delegated day to day responsibility to their Cabinet Portfolio Holder for Planning and Regeneration.
- 3.6 The MoU establishes the key principles that both authorities will work to and sets out that the Councils will prepare a joint consultation document to seek their respective local communities' and key stakeholder views on the concept of development in a location to the east of West Horndon in Brentwood Borough and west of Laindon in Basildon Borough.

### **4. Issue, Options and Analysis of Options**

- 4.1 As part of Draft Local Plan consultation both Councils are demonstrating delivery of new development within their urban areas and some small

urban fringe sites in the short to medium term. However, the potential larger location of land east of West Horndon in Brentwood Borough and land west of Laindon in Basildon Borough has the potential to offer land supply solutions for the longer term across both boroughs.

- 4.2 The Dunton Garden Suburb consultation document (**Appendix A**) sets out the strategic context of the area including its proximity to other towns and villages, as well as the national transportation network, the A127, the c2c railway line and its connections at its London Fenchurch Street terminus and the easterly London Airports. It sets out what the land is currently used for and puts into context the proximity to established service provision within Brentwood Borough including town centres, primary and secondary schools, hospitals, leisure facilities and country parks.
- 4.3 The document presents the main constraints and considerations that need to be taken into account, including topography, location of floodplains, drainage areas, public rights of way, listed buildings, pylons, ancient woodland, local wildlife sites, country parks and surrounding land uses.
- 4.4 Finally, the consultation document sets out the potential principles of the Dunton Garden Suburb:
- 4,000-6,000 new homes of different sizes, some for sale, some for rent, including new affordable housing and self build plots;
  - Job opportunities and apprenticeships through new commercial and industrial land;
  - New Gypsy and Traveller pitches;
  - Integration into the existing community by investing in Laindon Town Centre's regeneration;
  - Possibility of a new railway station and other integrated transport improvements;
  - New local cultural, social and community facilities in walkable neighbourhoods;
  - Generous green space, including space set aside for new biodiversity reserves, the retention of a belt of countryside to the east to accommodate floodplain of the existing Eastlands Spring, maintain the gap that stops West Horndon and Laindon settlements merging into one another and connect the Thorndon Country Park in Brentwood Borough with the Langdon Hills Country Park in Basildon Borough; and
  - Options for community ownership and long term stewardship arrangements.

- 4.5 Following the outcome of the consultation, both Councils will report the findings of the consultation back to their respective decision making committees and determine if the proposal should be taken forward as part of their statutory plan-making responsibilities.
- 4.6 The Dunton Garden Suburb does not legally require a Sustainability Appraisal (SA) or Habitats Regulations Assessment (HRA). However, both Councils have acknowledged in the MoU that, following the analysis and consideration of the consultation responses, they may determine to bring forward the joint proposal in their respective Local Development Plans subject to additional evidence, evaluation and testing as required by the NPPF and the statutory plan making process; and an updated MoU. Noting this potential future relationship, it has been considered prudent to carry out initial commentary on the SA and HRA.
- 4.7 The SA and HRA Commentary (**Appendix B**) provides an initial, high level assessment of the likely effects of the Dunton Garden Suburb being developed against a variety of social, economic and environmental objectives and baseline conditions.

## **5. Reasons for Recommendation**

- 5.1 Both Councils have a duty to cooperate on planning issues that cross administrative boundaries. The NPPF sets out the expectation that joint working on areas of common interest be diligently undertaken for the mutual benefit of neighbouring authorities.
- 5.2 The Councils deem it necessary to undertake public consultation in order to thoroughly consider and appraise a garden suburb to the east of West Horndon in Brentwood and to the west of Laindon in Basildon, to assist in delivering housing land supply in the long term and inform future Local Development Plan preparation.

## **6. Consultation**

- 6.1 The recommendation for approval will allow for a six week public consultation asking for views on the potential for Dunton Garden Suburb.
- 6.2 The consultation period will commence on Tuesday 6 January 2015 and finish at 5pm on Tuesday 17 February 2015. A Consultation Strategy (**Appendix C**) has been prepared by both Councils, which establishes the joint consultation arrangements to be followed.

- 6.3 This consultation period is in line with the adopted Brentwood Statement of Community Involvement (SCI), and Basildon SCI.

## **7. References to Corporate Plan**

- 7.1 The joint consultation will inform preparation of the Brentwood Local Development Plan, a key priority in the Council's Corporate Plan as part of 'A Prosperous Borough'.
- 7.2 Consideration and appraisal of this proposal through public consultation will enable continued preparation of the Plan in order that it stands the best chance of being found 'sound' at Examination in Public.

## **8. Implications**

### **Financial Implications**

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- 8.1 It was agreed within the MoU that both Councils share the cost and expenses arising in respect of the project between them. Costs will be apportioned between the Councils in the ratio Brentwood Borough Council 50% : Basildon Borough Council 50%.
- 8.2 Basildon Borough Council will manage finances on behalf of both Councils. Brentwood Borough Council will arrange for transfer of their apportionment in appropriate instalments to Basildon Borough Council. These are likely to be, but not exhaustive to:
- Any joint cost accrued to prepare the consultation document;
  - Any joint cost accrued publicising the consultation;
  - Any joint cost accrued analysing the results and publishing the outcome.
- 8.3 Brentwood Borough Council's share of the costs will be provided for within the existing Planning Policy budget. These are anticipated to be no more than £5,000.

### **Legal Implications**

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- 8.4 This is a consultation proposed to be hosted by Basildon Council with the costs being shared. It is in the public interest to avoid cost duplication and the format of the response forms to the concurrent consultations is being devised so that consultees do not have to repeat the same point which

they wish to apply equally to the Strategic Growth Options Consultation. There are no other specific legal implications which arise at this stage.

### **Other Implications**

- 8.5 Both Councils will commit to issuing joint press releases and attending joint press conferences, where appropriate, to ensure communities are updated.
- 8.6 Both Councils will keep Thurrock Borough Council, as a neighbouring authority, and Essex County Council, as the highways, minerals and waste, social and educational authority informed on strategic issues.
- 8.7 The Dunton Garden Suburb consultation document should be considered alongside further proposed Brentwood LDP consultation, namely the Strategic Growth Options consultation document.
- 8.8 As a result of this consultation, and to update the Local Development Plan timetable in light of changes since 2013, it will be necessary to update the Council's Local Development Scheme (LDS).

### **9. Background Papers**

- 9.1 Memorandum Of Understanding for the Development of the Consultation Document Relating to the Potential Development to the West of Laindon in Basildon and East of West Horndon in Brentwood (signed 4 November 2014)

### **10. Appendices to this report**

- Appendix A - Dunton Garden Suburb Consultation Document
- Appendix B - Sustainability Appraisal and Habitats Regulations Assessment Commentary
- Appendix C - Dunton Garden Suburb Consultation Strategy

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