

12 April 2016

Planning and Licensing Committee

Response to Basildon Borough Council Draft Local Plan

Report of: *Phil Drane – Planning Policy Team Leader*

Wards Affected: *All Wards*

This report is: *Public*

1. Executive Summary

- 1.1 This report seeks Members agreement on a formal response to the Basildon Borough Council Draft Local Plan consultation (January 2016). A response was submitted in March to comply with the consultation deadline, subject to the approval of the Council's Planning & Licensing Committee.
- 1.2 The Council's response sets out general support for the Draft Local Plan's strategic objectives and vision. However, an objection is made on the basis that Basildon Borough Council fail to identify suitable and available locations for both housing and Gypsy, Traveller and Showpeople need within Basildon Borough.
- 1.3 Both Councils have a "duty to cooperate" on planning issues that cross administrative boundaries, particularly strategic priorities. These priorities include housing and Gypsy, Traveller and Showpeople site provision. Further work between the Councils is needed to address these issues.

2. Recommendation

- 2.1 To approve the response to the Basildon Draft Local Plan 2014-2034 (January 2016), as set out in Appendix A.**
- 2.2 To support on-going Duty to Cooperate work at Officer and Member level in line with the requirements of the National Planning Policy Framework.**

3. Introduction and Background

- 3.1 Basildon Borough Council held a public consultation on a Draft Local Plan for eight weeks between 28 January and 24 March 2016. The Basildon Draft Local Plan is an early stage development plan (Regulation 18) which details strategic overview of development, site specific proposals and the planning policies that manage development within Basildon Borough. In time this will replace the current Basildon District Plan (1998).
- 3.2 Brentwood Borough Council is duty bound to co-operate with neighbouring authorities on preparation of their Local Plans. The Council's response has been limited to comments on high level strategic issues that impact directly on Brentwood Borough.

4. Issue, Options and Analysis of Options

- 4.1 The National Planning Policy Framework requires each Local Planning Authority to produce a Local Plan. This should set out strategic priorities for the area and plan positively for development and infrastructure needs in line with national policy and guidance.
- 4.2 This includes strategic policies to deliver:
- homes and jobs needed in the area;
 - provision of retail, leisure, and other commercial development;
 - provision of infrastructure for transport, telecommunications, water supply, waste water, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - provision of health, security, community and cultural infrastructure and other local facilities; and
 - climate change mitigation and adaption, conservation and enhancement of the natural and historic environment, including landscape.
- 4.3 The Basildon Draft Local Plan aims to:
- be based on co-operation with neighbouring authorities, public, voluntary and private sector organisations;
 - indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map;
 - allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate;

- identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation;
- identify land where development would be inappropriate, for instance because of its environmental or historic significance; and
- contain a clear strategy for enhancing the natural, built and historic environment, and supporting Nature Improvement Areas where they have been identified.

4.4 The Basildon Draft Local Plan intends to set out a comprehensive approach which incorporates the spatial strategy for Basildon Borough with strategic policies and 139 detailed planning policies, including the allocation of land.

4.5 The needs of Gypsies, Travellers, and Travelling Showpeople is now addressed by policies within the Basildon Draft Local Plan and not as a separate document as previously proposed.

4.6 As well as published evidence base, the Basildon Draft Local Plan is accompanied by four key supporting documents:

- sustainability appraisal;
- habitat regulations assessment;
- service impact assessment (often known as an equalities impact assessment); and
- infrastructure delivery plan.

4.7 The Basildon Draft Local Plan has been drawn up to cover the period 2014 to 2034.

5. Reasons for Recommendation

5.1 Basildon Council has proposed to meet some of Basildon Borough's unmet housing and Traveller need within Brentwood Borough, without the sound procedural discussion that this requires.

5.2 89% of Brentwood Borough's total land area is designated as Green Belt, which severely restricts options for new development. In order to meet the identified objectively assessed needs of Brentwood Borough the Council is proposing limited release of Green Belt, potentially reducing Green Belt coverage in the Borough (Brentwood Draft Local Plan, January 2016). This is in order to meet local needs locally, despite Green Belt and infrastructure constraints. Adding the unmet needs of Basildon Borough is unreasonable and unjustified.

- 5.3 Brentwood Borough is constrained, restricting suitable and available sites for new homes, pitches or transit site provision. For this reason Brentwood Borough Council is unable to accommodate the unmet needs of surrounding districts and object to the Basildon Draft Local Plan on this premise.
- 5.4 The Brentwood Draft Local Plan proposed a new strategic site to provide a new self sustaining community at Dunton Hills. The Basildon Draft Local Plan has proposed an extension to West Basildon, which would include new homes, a residential care/nursing home, Gypsy and Travellers pitches and park homes sites for non-travelling Gypsies and Travellers as well as employment land. The relationship between these two nearby proposals will require further dialogue.
- 5.5 The dialogue between Basildon Borough Council and Brentwood Borough Council has been limited beyond the initial Memorandum of Understanding for Dunton Garden Suburb.
- 5.6 In meeting the required Duty to Cooperate, Basildon Borough Council has acknowledged matters that require ongoing cooperation, including:
- “Providing the right housing types and tenures to support sustainable development including sustainable economic growth within the South Essex Strategic Housing Market Area.”
 - “The unmet accommodation needs of Gypsies, Travellers and Travelling Showpeople.”
 - “Joint working with local authorities to the west of Basildon to consider the provision of a cross boundary 'garden suburb' in the area around Dunton.”
- 5.7 To move forward with proposals contained in both draft plans further dialogue will be necessary. Brentwood Borough Council consider that the reinstatement of engagement on strategic matters with Basildon Borough Council is a priority in line with the Duty to Cooperate, particularly on issues pertinent to proposed development in the wider Dunton area.

6. Consultation

- 6.1 The Basildon Draft Local Plan was available for public consultation between 28 January and 24 March 2016.
- 6.2 Officers responded to the consultation in March in order to meet the deadline. This response was submitted subject to the approval of Members at the next available Planning & Licensing Committee.

7. References to Vision for Brentwood 2016-19

- 7.1 The new Basildon Local Plan will have a close relationship with the emerging Brentwood Local Development Plan, the production of which is a key priority in the Council's Corporate Plan (Planning and Licensing).

8. Implications

Financial Implications

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- 8.1 None directly arising from this report.

Legal Implications

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- 8.2 The Council is required through the Duty to Cooperate to engage with the plan-making process of neighbouring local planning authorities. The duty requires the Council to engage constructively, actively and on an ongoing basis. The Council should engage in further dialogue with Basildon Borough Council to resolve differences before a Local Plan is submitted for examination in public. The Local Plan will be examined by an independent inspector whose role is assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements and whether it is sound.

9. Background Papers

- 9.1 Basildon Borough Council Draft Local Plan 2014-2034 (January 2016)
- 9.2 Brentwood Borough Council Draft Local Plan 2013-2033 (January 2016)

10. Appendices to this report

Appendix A: Brentwood Borough Council Response to the Basildon Draft Local Plan Consultation (March 2016)

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