



The Rt Hon Sajid Javid MP
Secretary of State for Ministry of Housing,
Communities and Local Government
House of Commons
London
SW1A 0AA

31 January 2018

BY EMAIL

Dear Sajid

DELIVERY OF BRENTWOOD BOROUGH LOCAL DEVELOPMENT PLAN

Further to my letter of 21 November 2017 (attached, Appendix A), I write to set out in more detail the steps we are taking to progress the Brentwood Local Plan as quickly and robustly as possible, following further discussions between my officers and your officials.

Brentwood Borough Council is absolutely committed to producing a new Local Plan that meets local development needs in full. This letter provides additional evidence of that through the **progress** we are making to accelerate plan-making and how we are approaching the **challenges** that we face. It also explains how we are working closely with neighbouring authorities in South Essex to strengthen our collaboration across the whole area in the future.

Progress that we have made

Approval of Consultation Document

Before receiving your letter dated 16 November 2017, the Council had approved a detailed paper on the Brentwood Local Plan that included publication of several technical studies and a resolution to re-consult, taking account of legal advice regarding the need to undertake a further Regulation 18 stage. This decision to consult included a view about the forward programme. Since receiving your letter, we have made considerable progress by completing the Regulation 18 document, gaining Council approval to consult, and beginning consultation on 29 January 2018. We are on track and meeting the deadlines I set out to you in my letter dated 21 November 2017.

This consultation document makes tough decisions about proposals for growth to meet our development needs in full. It includes a thorough assessment of alternative growth options. These difficult and often unpopular decisions are part of planning for the long-term, a task we believe we are best placed to undertake given the evidence base collected and the strategy we are progressing to meet development needs whilst maintaining our unique local character. Intervention risks undoing the progress we have made devising a

locally-led strategy to grow in an area heavily constrained by Green Belt and infrastructure capacity issues.

In addition, we're working with three local Parish Councils to develop neighbourhood plans for their areas. This collaborative works requires a robust Local Plan with a locally-led strategy to provide a clear framework. This work is well underway, but neighbourhood plans in the borough are not being delayed by Local Plan progress.

Approval of Local Development Scheme

A revised Local Development Scheme was approved by the Council on 17 January 2018, agreeing the timeframes I set out to you in my letter dated 16 November 2017. This has been published on our website as required by the Planning and Compulsory Purchase Act 2004 and mentioned in your letter. Your officials have been informed about the revised timetable and this now informs discussion with the Planning Inspectorate about setting up meetings prior to Local Plan submission & examination.

Our approved timeframes are:

- a) 29 January 2018 – Final round of Regulation 18 consultation commenced;
- b) 12 March 2018 – Regulation 18 consultation will close;
- c) March-June 2018 – Feedback will be considered with final proposals and supporting evidence compiled;
- d) By 28 July 2018 – We will approve and publish the Plan for pre-submission views (Regulation 19);
- e) By 31 October 2018 – We will submit the Plan for examination in public.

This is an accelerated programme and takes into account constraints such as the pre-election period when we will utilise that time to consider representations. We are on the final-lap of what has been a long hard race to ensure the future of the borough is clearly communicated through an adopted Local Plan. Examination will commence this year. We do not believe that bringing in a team outside this process through intervention would be able to deliver a Plan any faster than we will and with the same commitment to a locally-led process.

Challenges and how we are approaching these

My letter dated 21 November 2017 set out our key challenges, namely the Borough being wholly within the Green Belt and local housing development needs (including historic build rates and repeated revision of objectively assessed needs). Notwithstanding these complex and interrelated challenges, we are making progress to resolve issues through the plan-making process, as I set out below:

Green Belt

The most significant constraint we face is that the borough is wholly within London's Metropolitan Green Belt: 89% of our total borough area is designated Green Belt - the second highest percentage by area in the East of England (after Epping Forest). All our neighbouring authorities are also within the Green Belt, facing similar constraints.

Compounding this challenge of land availability is our lack of brownfield sites to meet local development needs. We have undertaken detailed analysis of available land and net developable areas of brownfield sites, published as part of our current consultation. When combining all available brownfield land for redevelopment in the borough, plus an allowance for smaller sites (windfall) and previous years' housing completions within the plan period, we meet 48% of our overall housing need. That leaves us with 52% still to find (plus additional land to provide flexibility uplift in the plan period). As such we have had to take difficult decisions to consider Green Belt release in sustainable locations.

These constraints on land availability are the underlying factors driving poor affordability locally. The Government's recent consultation on a proposed standard method for calculating housing need reflects the affordability challenges we face, proposing a further uplift in need. However, with no additional land available to meet such need other than releasing Green Belt, my firm view is that direct Government intervention will not solve this problem sooner than the locally-led approach that the Council is progressing.

In response to your request that the Council justify the failure of not producing a Local Plan, our adopted Green Belt policies remain consistent with national policy and guidance. Green Belt policy has not changed and for development proposals in the Green Belt any authority's lack of housing supply cannot overcome Green Belt designation, as set out in national guidance.

Historic Building Rates

We also face a significant challenge in turning planning permissions into new homes delivered. Our recently published monitoring evidence (December 2017) shows an increasing number of new homes permitted by the Council year-on-year compared with a stagnant building completion rate. Since 2013/14 the number of new homes permitted by the Council but not yet completed has increased from 376 to 917 in 2016/17. In that same period the average number of houses completed is 132 per year.

This means that whilst we are increasing potential housing supply the market is not increasing housing delivery. The Council is doing all we can to ensure the homes we need are permitted and will do so, maintaining our local character. However, we need to ensure that the market and development industry are responsive in rising to the challenge. I would welcome the opportunity to work with Homes England to explore what more we can do in partnership with you to encourage the right market conditions and accelerate delivery.

Need for additional Regulation 18 consultation

Since I first wrote to you, we have undertaken further work, after considering legal advice, to assess the process we should follow to produce a sound, legally robust plan in the shortest possible period. As stewards of taxpayers' money it is vital not only that we move forward as quickly as possible but that we do so in a way that minimises the risk of costly legal challenge.

In particular we have tested whether an adequate body of work is in place to move directly to publication / pre-submission stage (Regulation 19). Many changes have become apparent since our Draft Plan was published in January 2016, specifically housing supply, strategic options for housing growth, and to a more limited extent employment provision.

Underlying the strategic options and the spatial decisions for the location of major housing growth in a borough highly constrained by Green Belt (and where, to realise the objectively assessed housing need, Green Belt releases will be required), the Green Belt assessment evidence being carried out to inform the alternative spatial options is an important new element to the process.

Having regard to the way in which the Courts have treated compliance with due process over recent years, our legal advice is that it would be prudent to have a focused consultation on the above matters along with publication of the Green Belt assessment evidence and an updated sustainability appraisal. My Council's judgement is that these are necessary steps to move forward in a sound, legally robust way.

We are now out to public consultation responding to these challenges. This stage of the plan-making process is necessary and valuable because:

- a) It provides a sound basis for consultation in the public interest and an opportunity for potential objectors to raise their concerns, thus alerting us to possible reasons for challenge;
- b) It helps avoid any argument that consultation is inadequate given the absence of a Green Belt review at earlier stages and a sustainability appraisal that did not address the full range of reasonable alternatives and their implications; and
- c) It is a crucial element in the discharge of the Council's duty to cooperate, particularly given the spatial and Green Belt issues.

Dunton Hills Garden Village

The decision of your Ministry to designate Dunton Hills Garden Village as one of only 14 garden settlements nationally reflected the work of my officers who made a clear case as to why we were best placed to deliver a new garden village – because this approach fits perfectly with our local character – we are a borough of villages. We were thrilled to receive this support and have been working with Homes England to progress the scheme.

We're making swift progress, with work ongoing on a number of workstreams including:

- a) Plans to accelerate housing growth – The current Brentwood Local Plan consultation document sets out plans for additional growth at Dunton Hills in the plan-period, achieving more homes faster. We are working with the land promoter to research alternative methods of construction, such as modular homes, self-build and phasing options, as well as providing key local infrastructure up front (all-through school), which evidence shows increases home sales thereby giving confidence to housebuilders to accelerate construction. This could increase the currently expected 2,500 homes up to 3,500 homes over the plan period. The site itself could also have further capacity beyond the plan-period (2033 and beyond).
- b) Excellence in education – We are working with local primary and secondary schools to include a range of site related issues into the curriculum (landscape and ecological studies now, place-making in future years). Site visits with teachers are taking place next month after launching the project with schools in late 2017. Pupils will first visit the site this summer and then a programme of visits will be in place for future years work. In addition, an academic study is being launched by the

University of Birmingham with Dunton Hills as a case study regarding the role of play for young people. Anglia Ruskin University will also be using the site and its listed farm buildings for both undergraduate and masters courses, with students going on site next month and presentations for final grades this spring. This garden village will be for the next generation and so we are committed to ensuring children and young people shape the place that it becomes.

Delivery of a new garden community at Dunton Hills is critical to the Brentwood Local Plan process. Development at Dunton Hills provides for a minimum of over 30% of our total housing needs, with the next closest contributor being the culmination of several urban extensions contributing 17%. This amount is increased with accelerated growth.

We are also utilising the grant funding provided by your Ministry and Homes England, providing necessary resource to deliver the new community. A project manager to drive delivery and further project assistance are to be recruited within the next month.

We believe that intervention in the Brentwood Local Plan process would lose the progress that we have made by having to reconsider the current resource and expertise working on the garden village project, thereby delivering growth on site slower than what we're able to achieve.

Duty to Cooperate and South Essex 2050

In addition to efforts with partners to satisfy the duty to cooperate, we have been working closely with our partners in South Essex, as I set out in my first letter. The South Essex 2050 project is an important strategic partnership for the Borough as the area of Brentwood identified for significant growth, including Dunton Hills Garden Village, sits within the transport corridor that includes the A127 and London Fenchurch Street railway line – our major connection to the rest of South Essex.

This month I signed a Memorandum of Understanding, along with other Leaders and Chief Executives of South Essex authorities, committing us to joint working with a structure to make decisions and get moving. We have agreed to work together across district boundaries to realise our full economic and social potential and plan on a joint basis for new infrastructure, homes and jobs. This includes a new Statement of Common Ground, which we have offered to pilot with your Ministry.

I attach a letter signed by leaders of all South Essex authorities setting out our commitment to a joint approach to strategic plan-making and next steps (enclosed, Appendix B). I am concerned that intervention in Brentwood, or the other two South Essex authorities identified, would add further delays to plan-making in the area as new co-operation arrangements would need to be formed.

Alongside this joint work, we remain committed to delivering a Brentwood Local Plan that identifies ways in which we will meet the growth needs for our borough, consistent with the vision to maintain our unique borough of villages character. Producing the Plan within this innovative commitment to joint working means that we are well placed to solve the duty to cooperate issues that have plagued the area in recent years.

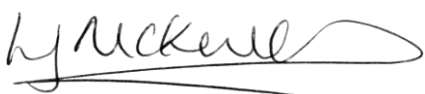
Conclusion – Why is it different this time?

1. We have undertaken the hard work of identifying sites to meet our full development needs, informed by a significant amount of evidence and assessment, taking those difficult and unpopular decisions and identifying flexibility for uplift in case of another increase in objectively assessed need in future.
2. Accelerated growth at Dunton Hills allows us the opportunity to deal with two key aims shared by Government and the Council – getting a Local Plan in place and bringing forward more housing sooner.
3. We are delivering on the promises I made in my first letter to you – we're now consulting on a vital stage of the Brentwood Local Plan and are taking the necessary steps outlined in this letter to meet our targets moving forward.

I firmly believe that Brentwood Borough Council is best placed to deliver a Local Plan for Brentwood quicker and requiring less public-money than government intervention would be able to achieve. Your letter has endorsed our view of the importance of having a locally-led plan in place as quickly as possible, and we commit to doing so in a sound and legally robust way. We have already responded to the issues set out in your letter with clear actions and decisions to move the Brentwood Local Plan forward. I have the support of Alex Burghart MP that a Local Plan for Brentwood is best delivered by the Council. We will of course continue to discuss progress with your officials to deliver the right Plan for Brentwood's future.

I trust that this response is helpful. Please do contact me should you require any further information or wish to discuss the Brentwood plan-making process.

Yours sincerely



Cllr Louise McKinlay
BA (Hons) MSc
Leader of Brentwood Borough Council

Enclosed: Appendix A, Cllr Louise McKinlay response to Secretary of State regarding delivery of Brentwood Borough Council Local Development Plan, 21 November 2017

Appendix B, Association of South Essex Local Authorities response to Secretary of State regarding South Essex 2050, 29 January 2018



The Rt Hon Sajid Javid MP
Secretary of State for Communities and
Local Government
House of Commons
London
SW1A 0AA

21st November 2017

BY EMAIL

Dear Sajid

Delivery of Brentwood Borough Council Local Development Plan

In response to your letter concerning the above and dated 16 November 2017, I write to clarify the position regarding details of the challenges faced, the progress that has been made to date, ongoing Duty to Co-operate, activity and a formal timeline for completion of the Local Development Plan in Brentwood.

I would begin by confirming that Brentwood Borough Council remains committed to producing a Local Development Plan, which meets the housing needs of the area and continues to work towards submission of the Plan, next year. The challenges faced in delivering this are significant for an authority like Brentwood.

Challenges

1. Green Belt

We welcome the Government's approach to the protected status of the Green Belt. We also support efforts to solve the national housing crisis. However, for a borough like Brentwood, where 89% of land lies within London's Metropolitan Green Belt, reconciling these two themes is particularly challenging.

Developing all available brownfield sites and taking into account already uncompleted permitted development, only meets half of our overall housing needs. This means that the Council has to make difficult decisions about the role of Green Belt and areas suitable to develop. With our neighbouring authorities in similar positions, this highlights the difficulties accommodating such high housing needs.

Notwithstanding this challenge, the Council recognises the expectation that Brentwood will meet its OAN and has been working hard to deliver this. We are developing a plan that meets the assessed increased number from June 2017 and we are creating a narrative around maintaining our existing local character whilst releasing part of the Green Belt to meet development needs. Our current proposals will still see 88% of the green belt protected.

2. Historic building rates

The number of new homes permitted by the Council but not yet completed has been increasing year on year and is now at the highest levels in several years. During this time, the levels of housing completions that the development industry has delivered has remained at similar levels; well below our development needs. This suggests a limitation in the ability to deliver the housing numbers that falls outside of land availability and local authority permissions. The Council is doing all it can to bring new homes forward and has set out a clear plan to deliver future housing needs in line with our local character.

3. Impact of repeated revision of OAN and question of calculation standardisation

In the past 10-years Brentwood's housing requirement has increased almost three times over, impacting on delivery of the Plan. At the same time, the borough's Green Belt coverage has remained the same, along with limited scope to increase local infrastructure capacity. This makes for a challenging environment in which to meet housing needs and other development requirements to ensure our local economy continues to thrive and that proper and sustainable communities, rather than just housing estates are delivered.

Progress to Date / Key Milestones

1. Sites identified for draft plan and Regulation 18 consultation carried out. (Feb 2016)
2. Successful submission of Dunton Hills Garden Village as an official Garden Village and inclusion in government scheme. (Summer 2016)
3. Following increase in OAN numbers, legal advice received to carry out further Regulation 18 consultation. (Summer 2017)
4. Approval to move to final Regulation 18 consultation. (November 2017)

Duty to Co-operate

In addition to ongoing dialogue at both member and officer level, I would also like to take this opportunity to outline the work we have been carrying out with five other South Essex councils to address the challenges common across the region, which exemplify the importance of the duty to co-operate requirements. Coming together with a vision for what South Essex should be in 2050, the Council has made a joint commitment to effective strategic planning across the area to deliver growth and new infrastructure. This includes potential to be a pilot for the Government's recently announced Statement of Common Ground. As we collectively face huge development needs and physical constraints that make these challenging to meet, we are working together to achieve infrastructure delivery and are thinking about the place, which goes beyond just the administrative boundaries. Brentwood Borough Council is committed to this as we support growth in South East Essex, defining this part of the county as a place to live, work and invest. The way that the Brentwood Local Plan needs to consider and relate to this work is vital and our officers are working hard to do so in the knowledge that a new plan is urgently needed for publication and in accordance with the timeline as follows:

Timeline for Submission

Jan 2018 - Final round of Reg 18 consultation commences;

March 2018 - Reg 18 consultation closes;

April / May / June - feedback considered and final plan proposals and supporting evidence, compiled;

Summer 2018 - Council set to approve Reg 19 consultation;

Oct 2018 - submission of LDP to Inspector.

The will of the Council is clear: to ensure that a plan, which meets our OAN (as of June 2017) is in place so that development is properly planned rather than the result of speculative applications. The thorough process by which we are collating evidence in a constantly changing context, and the specific set of physical circumstances Brentwood Borough finds itself in, provide answers as to why plan-making is taking time.

Brentwood is working hard to deliver what is required of the borough, in order to build much needed homes with job and business opportunities alongside. Our plans propose to meet our challenging development needs. We are doing so whilst fully taking into account proper process; understanding the level of objection to new homes that exists from local residents; and interest from the development industry about site locations with the threat of legal challenge.

Good progress has been made in delivering a strategy to meet development needs whilst retaining our unique local character, including delivery of a brand-new garden village. The Council has welcomed and been grateful for the support shown by your department under the garden villages programme, for which Brentwood Borough has one of only 14 designated garden settlements nationally; Dunton Hills Garden Village. This shows the progress we have made in devising our strategy to deliver a new settlement in keeping with our local village character. Work has been continuing to ensure that the garden village distinction actually means what it should in Brentwood and that this is not just another housing development. We are also working to identify ways in which housing delivery can be accelerated at Dunton Hills, along with an increased number of dwellings included for this site, supported by land for employment opportunities.

I understand the need for additional housing and employment opportunities and support the drive to deliver a plan. I welcome continued dialogue and co-operation with our partners, including DCLG as we move ahead to submission in 2018 whilst ensuring that we are preparing for developing Brentwood for deliverable and sustainable growth.

Yours sincerely



Louise McKinlay
Leader of Brentwood Borough Council

Association of South Essex Local Authorities

ASELA Secretariat
c/o Alison Griffin, Chief Executive
Southend Borough Council
Civic Centre
Victoria Avenue
Southend on Sea
Essex SS2 6ER

01702 215101

29 January 2018

The Rt Hon Sajid Javid MP
Secretary of State for Housing, Communities & Local Government
Ministry of Housing, Communities & Local Government
4th Floor, Fry Building
2 Marsham Street
LONDON
SW1P 4DF

By email to: sajid.javid@communities.gsi.gov.uk

Dear Secretary of State

South Essex 2050

We understand that you are considering what action you may take in relation to the local plan process of three authorities namely Brentwood, Basildon and Castle Point in South Essex. To help inform your thinking, we are writing to you as the leaders of all the local authorities in South Essex setting out what we are doing to strengthen our collaboration across this economic and housing market corridor. We are working together to set out a new strategic approach to housing and planning which allows us collectively to deliver in full the homes and economic growth our area needs.

Local circumstances have made delivery of Local Plans in these three areas challenging with all authorities having to consider the Metropolitan Green Belt restraints on development.

Recognising the need to deliver housing in a sustainable way that will create strong communities across South Essex, we have come together to bring certainty to the adoption of local plans and most importantly are working to address the needs around new infrastructure that will support the much needed housing and economic development opportunities. Earlier this month we established the Association of South Essex Local Authorities (ASELA), which brings together all our authorities to progress our strategic long term ambitions for our region.

Basildon Council
BASILDON • BILLERICAY • WICKFORD



castlepoint
benfleet | canvey | hadleigh | thundersley

Essex County Council

Rochford
District Council

**southend
onsea**
BOROUGH COUNCIL

thurrock.gov.uk

Critically, in forming the Association we have agreed to work together collectively across district borders to seek to realise our full economic and social potential and plan on a joint basis for new infrastructure, homes and jobs. A copy of the Memorandum of Understanding setting out our collective commitment to this work is attached.

We also attach to this letter a clear timetable for delivery of a joint infrastructure and spatial plan and the new Statement of Common Ground, which we have offered to pilot with your Ministry. This sets out our commitment that all of our local plans will be delivered in a joined up approach, with an emphasis on the provision of necessary infrastructure to support the expanding and new communities. Your department has previously discussed the importance of this and made reference to its relevance for new towns and new village and town developments, a position that we very much support.

Our focus is on ensuring the delivery of more than 90,000 homes over the next 20 years across South Essex in the shortest possible time with the necessary infrastructure. We recognise and accept that there will be some areas that will find full delivery of their plans more difficult than others. We are committed to working together to help address this and will co-operate across the region, recognising that the opportunities and challenges are not confined within single municipal boundaries.





Through ASELA we are committed to progress these matters collectively in the interests of South Essex as a whole, whilst respecting local priorities. The joint spatial plan will provide a strong framework to build on and deliver the sound individual local plans and provide the future strategic context for them. Individual authorities are taking immediate steps to progress their local plans and those three authorities at risk of intervention have set out to you individual responses which we fully support. Additionally within South Essex we will use the joint strategic plan to set the future strategic context for our local plans as part of the national requirement for a 5 year review of housing needs in the region. This will deliver our ambition of creating growth for our communities across the region, as we seek to develop a strong and robust South Essex economy.

We have a tremendous opportunity to work together across South Essex as a whole to deliver in full the homes we need. We want to do so in close partnership with Government. We are concerned that formal intervention in any one of the three authorities could disrupt the collective political progress we are making and would not make any faster progress towards getting sound local plans in place, slowing delivery of new homes.

Our plans are ambitious and we are keen to work in partnership with your Ministry to put in place the proposed framework. We intend to provide quarterly updates on the progress we are making in our shared objective of delivering new homes and communities within South Essex.

3.

Yours sincerely,

Cllr Gavin Callaghan		Leader of Basildon Borough Council
Cllr Louise McKinlay		Leader of Brentwood Borough Council
Cllr Colin Riley		Leader of Castle Point Borough Council
Cllr Kevin Bentley		Deputy Leader of Essex County Council
Cllr Terry Cutmore		Leader of Rochford District Council
Cllr John Lamb		Leader of Southend Borough Council
Cllr Robert Gledhill		Leader of Thurrock Council

enc