

# F3E Council's response to Q11 Duty to Cooperate Dunton Hills Garden Village – July 2020

## INSPECTORS' QUESTION 11

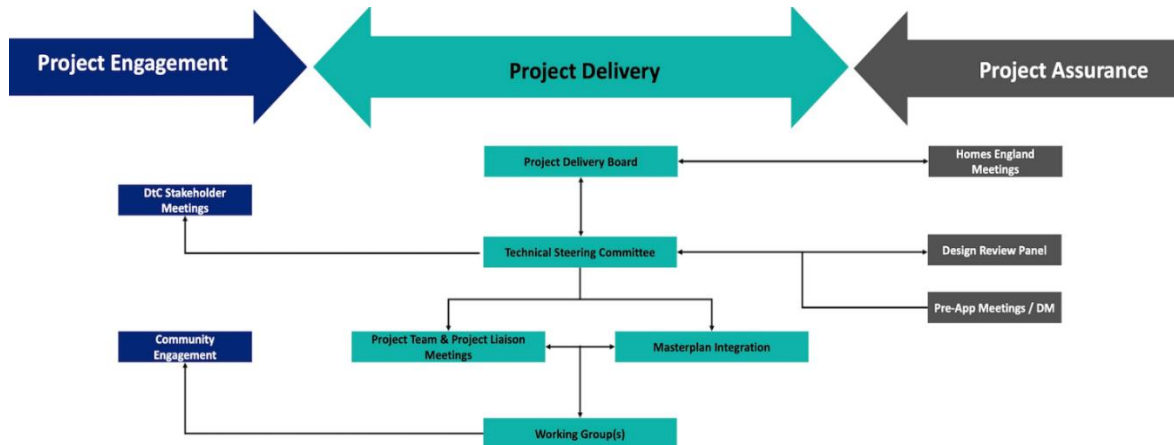
Whilst the Dunton Hills Garden Village is referred to in the DtC Statement, it is not identified as a separate strategic issue and there is limited detail on the discussions and outcomes that have occurred through cooperation with relevant authorities and other prescribed bodies on this issue. Can the Council please clarify how the proposed Garden Village has been considered as a strategic matter?

### 1. Strategic nature of DHGV

- 1.1 The strategic issues listed in the DtC Statement reflect recurring cross-cutting issues that had been raised during various stakeholder fora and correspondence/consultations. The issues are pertinent to development at all site allocations including the Strategic Allocations.
- 1.2 Dunton Hills Garden Village (DHGV) therefore wasn't highlighted as a separate strategic issue in as far as any meetings where discussions focused on arising strategic issues, also involved a discussion on how they were impacted as a result of development at all site allocations.
- 1.3 Unquestionably it has received strategic attention, not least because of the following reasons:
  - Its Garden Village status awarded in 2017 to help deliver Government's housing targets
  - Developer's keen interest in accelerating delivery
  - Homes England support in ensuring it is delivered efficiently and effectively within the plan period
  - Its location along the A127, being identified as a key growth corridor beyond Brentwood
- 1.4 As a result, BBC had treated it as a specific strategic matter by by engaging with relevant stakeholders and dedicating resources and putting in place the necessary governance arrangements to help meet Government's Garden Communities expectations. This raised the profile of DHGV as a strategic project within the council at senior levels. It also established various meetings and fora to focus discussion on arising cross-cutting issues specific to this proposed development. This enabled these issues to be addressed early on in the evolution of the proposed Garden Village plans as work progressed to develop a masterplan framework. The governance arrangements are elaborated below. Further detail will be provided in response to question 38.

## 2. Governance arrangements

2.1 The **governance arrangements** are illustrated in the diagramme below. This is accompanied by a document entitled “DHGV Governance Framework” which sets out the details.



**Figure 1 – Governance arrangements**

2.2 By establishing these communication channels, all relevant stakeholders had, and continue to have, an opportunity to feed into the evolution of the Garden Village masterplan framework. Overall the aim was, and is to ensure arising issues were identified early and mitigations addressed as part of the evolving masterplan and design principles. In summary, the purpose of each of the illustrated forums in as follows:

- **Brentwood Borough Council Senior Leadership Team (SLT), and Extended Leadership Team (ELT)** – Internal to Brentwood Borough Council and approve decisions that impact delivery of DHGV as a corporate project to the Council.
- **DHGV Project Delivery Board** – A key channel for corporate and member briefing on project progress which provides direction and validation of decision making in light of corporate and constituent directions. It includes executive, Councillors and Ward Members from Brentwood Borough Council, West Horndon Parish Council, CEG (DHGV land Promoter), Member and executive from Essex County Council and Homes England DHGV representative.
- **Technical Steering Group** – Drives forward delivery of DHGV addressing risks and issues, ensuring compliance with planning policy and helping to ‘unstick’ technical issues. It includes Brentwood Borough Council officers, CEG, Homes England officer (as Government funder), and Essex County Council officers.
- **Project Liaison (external) Meetings** – Involves developer(s) to coordinate the project, unstick issues and action tasks from the Steering Group and or Project Delivery Board to keep the project moving at pace in relation to the policy and application.
- **Working Groups** – resolves or inputs into key design and technical issues through various and relevant technical expert input. Occur on an as-needs basis to unblock issues.
- **Masterplan Integration Meetings** – resolves masterplan issues across all land ownership sites on DHGV to ensure a joint design quality outcome is achieved. Made up of landowners and Brentwood Borough Council officers.

- **Duty to Cooperate Meetings** - Communicate to key stakeholders key directions and progress of the project, held with neighbouring boroughs, Essex County Council, infrastructure providers, Thurrock Unitary Transport Authority and Highways England.
- **Community Engagement Meeting (Community Forum)** – Used to communicate and establish key design criteria with the community, in addition to progress updates of the programme. Forum involves, West Horndon Parish Council, other local Stakeholders, resident groups, other Local Community Organisations and Ward Councillors.
- **Pre- Application meetings** – Assures the masterplanning development and delivery process and compliance with policy, involving Brentwood Borough Council Development Management and CEG.
- **Homes England meetings** – Addresses strategic concerns raised through Project Delivery Board and Steering Group and ensures compliance with Garden Village principles in accordance with January 2017 announcement of Dunton Hills as a Garden Village. Involves officers from Homes England and Brentwood Borough Council.
- **Design Review Panels** – Reviews masterplan and design elements considered as part of the application process. Includes Brentwood Borough Council officers, DHGV Developers, Technical Design Panel experts and attendance by technical stakeholders. Strategic issues are discussed and drive the outcomes and direction of the comprehensive masterplan.

## STAKEHOLDERS ENGAGED IN DHGV

- 2.3 Table 1 below lists invited stakeholders to the various meetings and workshops. It should be noted that while all stakeholders were invited, not all chose to attend all workshops and/or meetings. However, all were sent summaries of the workshop and outcomes from the Design Reviews, giving them a further opportunity to respond.

**Table 1 – Stakeholders engaged in DHGV**

Statutory consultees
<ul style="list-style-type: none"> <li>• Homes England</li> <li>• Historic England</li> <li>• Environment Agency</li> <li>• Highways England</li> <li>• Sports England</li> <li>• Natural England</li> <li>• Golf England</li> <li>• Essex Wildlife Trust</li> </ul>
Neighbouring Authorities (and respective teams within each authority)
<ul style="list-style-type: none"> <li>• Essex County Council (ECC) <ul style="list-style-type: none"> <li>- Highways Authority and their respective TA Consultants (Ringway Jacobs)</li> <li>- Education Authority</li> <li>- Major Projects Team</li> <li>- Planning Team</li> </ul> </li> </ul>

<ul style="list-style-type: none"> <li>- Flood Risk Team</li> <li>- Wellbeing and Public Health</li> <li>• Thurrock Council <ul style="list-style-type: none"> <li>- Thurrock Unitary Transport Authority</li> <li>- Planning Strategic Services</li> <li>- Design and place making</li> </ul> </li> <li>• Basildon Borough Council</li> <li>• London Borough of Havering</li> <li>• Epping Forest District Council</li> <li>• Greater London Authority</li> <li>• West Horndon Parish Council</li> </ul>
<b>Utility stakeholders</b>
<ul style="list-style-type: none"> <li>• Anglian Water</li> <li>• Thames Water</li> <li>• Essex and Suffolk Water</li> <li>• National Grid</li> </ul>
<b>Other community groups</b>
<ul style="list-style-type: none"> <li>• West Horndon Neighbourhood Forum</li> <li>• Thames Chase Community Forest Trust</li> </ul>
<b>Transport stakeholders</b>
<ul style="list-style-type: none"> <li>• C2C Rail</li> <li>• Lower Thames Crossing</li> <li>• Network Rail</li> <li>• Transport for London</li> <li>• Office for Rail Regulation</li> <li>• First Group Bus</li> <li>• Brentwood Community Transport</li> <li>• Thurrock Unitary Transport Authority</li> </ul>
<b>Other stakeholders</b>
<ul style="list-style-type: none"> <li>• South East Local Enterprise Partnership SELEP</li> <li>• Essex County Fire and Rescue Service</li> <li>• Essex Policy</li> <li>• STP Strategic Estates Forum</li> <li>• Basildon and Brentwood Clinical Commissioning Group</li> <li>• South West Essex CCG</li> <li>• ECC Lead Public Health Advisor</li> <li>• Essex Bridleway Association</li> </ul>

### Landowners (and/or their representatives)

- Mr A. Patchett / Mr P. Dunn
- Bellway Homes / Crest Nicholson
- CEG
- Mr I. Low / Savills
- Timmermans Nursery

### 3. Key issues arising specific to DHGV and how they were addressed

3.1 Key issues arising on DHGV that have occurred through cooperation included the following topics:

- Transport Infrastructure
- Green Blue Infrastructure and landscape matters
- Heritage
- Housing and Design
- Education and other community infrastructure
- Infrastructure (including renewable energy)

3.2 These were identified and discussed through a number of channels as follows:

#### **Design Council Workshop – Setting the Principles for a Garden Village at Dunton Hills**

3.3 These topics were identified early on in 2017 at a workshop driven by the Design Council who were appointed to undertake an independent review of the key site constraints and opportunities. The topics recurred through the various consultations as well.

#### **Design Workshops – Evolving the Masterplan Framework**

3.4 In early 2019, as the masterplan framework was developed further, further design workshops were set up to discuss these key topics and work through the key issues with stakeholders. The design workshops served a number of purposes:

- To ensure any proposed development meets the garden communities criteria
- To critically review the evolving masterplan framework being developed by the Master Developer
- To ensure the concerns regarding the impacts on neighbouring authorities were evaluated and addressed by the masterplan work.

#### **Design Review – Testing the Evolving Masterplan Framework**

3.5 Having established the design principles at these early workshops, the Master Developer proposed further iterations of the masterplan framework. This was then subjected to a formal independent review by a Design Review Panel. Design South East were appointed to coordinate the independent review of the evolving masterplan framework. It was particularly important to BBC that this process was in place to abate the concerns raised by stakeholders, particularly Essex County Council, Basildon and Thurrock Council, on the possible impacts on DHGV.

3.6 The Design Review process enabled constructive discussions to take place between all stakeholders, addressing arising matters and the key their concerns. The aim was to ensure that the evolving masterplan and the design principles being developed were robust, sustainable and deliverable.

3.7 In the latter half of 2019, three Design Review Panel (DRP) sessions were held. Their purpose was to independently review the masterplan framework proposals put forward by the

Master Developer and address key concerns raised by all stakeholders. Stakeholders were invited to each of the DRP sessions. Each DRP session addressed the issues raised in the previous DRP.

- 3.8 The DRP process was key in helping to define the broad principles and these were broadly accepted by the stakeholders. However, it was clear that by the third DRP, while the thinking behind how the settlement could work to address the key issues was broadly resolved, a number of outstanding intricate and complex issues remained. It was decided that the way to progress and refine the evolving masterplan framework was to engage in two further pieces of work:
- Developing the DHGV Supplementary Planning Document (SPD). This work is still ongoing and is due to complete around September 2020, with adoption in December 2020, subject to the Local Plan examination. It will detail the design codes and detailed masterplan principles for the proposed development of the Garden Village in accordance with the Local Plan.
  - South Brentwood Growth Corridor work to look at the A127 and transport impacts more broadly. This work is ongoing to agree transport outcome for the A127 with landowners, neighbouring authorities, Highways England and Essex County Council. This has focussed on growth at Dunton Hills Garden Village and cross-boundary impacts. The vision document for the A127 was published as part of the draft Local Plan submission.

#### **Supplementary Planning Document – detailing the design principles**

- 3.9 Further workshops and meetings were held in May 2020 to address specific concerns and gather feedback on detailed masterplan themes which addressed: Integrated Strategies (linking the Framework Masterplan Document to the Supplementary Planning Document), Transport, Landscape and Ecology, Housing and Sustainability. All concerns are being fed into the development of the SPD. Brentwood Borough Council are currently asking for feedback from the wider community about how they would like to see Dunton Hills Garden Village come forward in the future which will also inform how the SPD is progressed.
- 3.10 Generally all stakeholders are on board with the general principles of preparing the Supplementary Planning Document and its purpose to ensure a comprehensive planning framework is adopted for Dunton Hills Garden Village. Key issues are elaborated in specific Statements of Common Ground (SoCG) with each of the key DHGV stakeholders. The Council's response to Inspectors' question 7 (examination document F3A) provides an update on the Council's progress in establishing joint positions with relevant authorities and public bodies via Statements of Common Grounds or Memoranda of Understanding, to resolve outstanding matters relating to identified strategic issues.
- 3.11 The next section discusses the key issues and outcomes that have been key to the evolution of the masterplan framework and the current SPD work. For a more detailed analysis of all meetings and outcomes, please refer to the Council's response to Inspectors' question 9 (examination document F3C) which provides a list of meetings that took place, as well as meeting notes and summaries of much wider strategic matters discussed.

## 4. Discussions and outcomes

- 4.1 A couple of high level issues have been raised in relation to DHGV, particularly through representations, which have either since been resolved, or are ongoing and are being taken forward through subsequent work (namely the SPD), and/or being addressed by SoCG with the respective organisations. A summary is presented in table 2 below, and is further elaborated in Council's response to Inspectors' question 7, 8 and 9 (examination documents F3A, F3B and F3C).

**Table 2 - Discussions and outcomes**

Issue / raised by	Discussion and outcome
<p>Loss of Golf Course Provision – Sports England</p>	<p>Issue around the loss of golf course raised.</p> <p>BBC responded by undertaking a Golf Course Needs Assessment (see evidence document C5).</p> <p>The assessment demonstrated that there is a sufficient level of 18-hole golf facilities in the area, but that there would be a loss of 9-hole para 3 golf. The Council has been working with Golf England and are currently undertaking a feasibility assessment to determine what mitigation measures can be put in place at Hartswood Golf Course to off-set this loss. England Golf are also assisting the Council in developing a business plan for Hartswood Course. Sport England and the Council have discussed the objections and have agree a way forward to resolve them. A Statement of Common Ground is in the process of being prepared and agreed.</p>
<p>Impact on Heritage Assets – Historic England</p>	<p>Historic England wish to see a more detailed Heritage Impact Assessment and potentially additional characterisation and archaeological investigations to be undertaken for the proposed development.</p> <p>Brentwood Borough Council is in the process of undertaking a heritage impact assessment for the Dunton Hills Garden Village proposal which will inform or amend the relevant policies set out in the draft Local Plan and any subsequent design documents.</p> <p>Subject to the outcomes of the completed assessment, it is also proposed that modifications</p>



Issue / raised by	Discussion and outcome
	<p>be made to policies relating to Dunton Hills Garden Village prior to any development taking place. This will require that a Heritage Impact Assessment is prepared for Dunton Hills Garden Village as part of the emerging masterplanning work (also a mandatory requirement under the Dunton Hills Garden Village policies).</p> <p>Since the submission of their representations Historic England have been involved with and taken part in a number of workshops for Dunton Hills Garden Village, whereby their comments have been recorded and imbedded into the emerging framework masterplan document. This document will set out mandatory principles that any development of the Dunton Hills Garden Village allocation site must comply with and will, amongst other things, provide a holistic approach to heritage considerations as part of a comprehensive policy framework.</p> <p>Historic England continue to be involved with the detailed design process to ensure that the proposed design solutions incorporate and address the impact issues as and when they are identified. The draft Masterplan Framework and SPD is due for comment in Autumn 2020, when Historic England and others will be invited to comment. Brentwood Borough Council is confident that the Heritage Impact Assessment and the subsequent detailed policy work will demonstrate how development can come forward without causing harm to the setting of the heritage assets. Workshop discussions have concluded that there is an opportunity to make the heritage asset the centre-piece of the development.</p> <p>The Council met with Historic England in May 2020 to discuss the contents of the Statement of Common Ground, including outstanding issues relating to Dunton Hills Garden Village. This meeting resulted in Brentwood Borough Council providing a summary of historic considerations that have been made since March 2018, in addition to the recently commissioned Heritage Impact Assessment. The Council is continuing to discuss this matter with Historic England and the</p>

Issue / raised by	Discussion and outcome
	<p>conclusions of this work will be referred to in an updated Statement of Common Ground and detailed in the Dunton Hills Garden Village Topic Paper Response (to be submitted on 28 August 2020).</p> <p>BBC is confident that the subsequent SPD will deal appropriately with this in detail and that the development can come forward without causing harm to the setting of the heritage asset.</p>

- 4.2 A number of representations didn't focus on any one issue, but gave general reasons to object to DHGV. This included West Horndon Parish Council and Basildon Borough Council. The issues raised have now largely been resolved through engagement on the evolving masterplan framework, Engagement with these organisations is continuing with the SPD as well as in drawing up SoCG.
- 4.3 Thurrock Unitary Authority continue to largely object based on historic reasoning as set out in the Councils response to question 8 (examination document F3B). Thurrock Council have been engaged through several workshops on Dunton Hills Garden Village, including design review panels, design workshops and more recently detailed design workshops. Workshops covered strategic issues including Green and Blue Infrastructure, Heritage, Housing and Gypsy and Travellers Sites, Transport and Travel, employment and retail, stewardship and design. Thurrock did not attend all workshops, but have had the opportunity to respond to the outcomes of those workshops. The complexities of the issues raised by Thurrock (and the Council's response to the issues) will be set out in the DHGV Topic Paper, in preparation.
- 4.4 Table 3 below summarises the key issues which were raised as part of the evolving masterplan design work through the DRP. It is important to note that the Design Review Panel gives independent and constructive expert advice as a basis upon which to foster dialogue and collaboration between the Master Developer, the authority and the wider stakeholders, with the ultimate aim of ensuring the quality of the development is maximised and that key issues are addressed through constructive dialog. The DRP process succeeded in narrowing down the key issues and focused on the supplementary work needed in order to establish the detailed design matters, which will be addressed through the SPD.

**Table 3 – Masterplan key issues raised through Design Review Panel**

Date held	Key issues arising
5 June 2019	<p>Landscape and Green/Blue Infrastructure</p> <ul style="list-style-type: none"> <li>- Need to evolve the landscape strategy by showing a more intricate link between the landscape features and the Green/Blue infrastructure design response.</li> </ul> <p>Connectivity and Movement</p> <ul style="list-style-type: none"> <li>- More work to better define the hierarchy of vehicular and transport modal movements within the site and beyond to ensure it is not a car-dominated development.</li> <li>- Need to prioritise sustainable movement to West Horndon station</li> <li>- To address the Eastern access of the site and access and connections to the A128 needing to be defined.</li> </ul> <p>Character and Density</p> <ul style="list-style-type: none"> <li>- To define the rationale for higher density in certain parts.</li> </ul> <p>Infrastructure</p> <ul style="list-style-type: none"> <li>- To further articulate an integrated energy strategy.</li> </ul>
17 July 2019	<p>Landscape and Green/Blue Infrastructure</p> <ul style="list-style-type: none"> <li>- Landscape proposals addressed previous concerns, being more obvious how the landscape is to be used effectively to both shield and define the settings for neighbourhoods and was possible to see were the diverse spaces with ecological variety fitted into the GI network. The proposal built on inherent qualities of the landscape, therefore reinforcing the existing condition. However, more detail needed to demonstrate how biodiversity would be supported through positive ecological interventions.</li> </ul> <p>Connectivity and Movement</p> <ul style="list-style-type: none"> <li>- Previous concerns addressed through provision of 3 connections on the east and west of the site, and better articulated north-south pedestrian and cycle links. However, while broadly the movement options were commended, more work required to articulate the predicted vehicular movement and parking.</li> </ul>

Date held	Key issues arising
	<p>Character and Density / Urban Design</p> <ul style="list-style-type: none"> <li>- Need to refine the urban design proposal especially in understanding the key focal points of the market square, village green, school areas.</li> </ul>
9 October 2019	<p>Character and Density / Urban Design</p> <ul style="list-style-type: none"> <li>- General issues related to detailing of the design principles remained outstanding.</li> </ul> <p>Heritage</p> <ul style="list-style-type: none"> <li>- Further principles to be established in how the farmstead as a central heritage feature, is incorporated into the historic heart of the village.</li> </ul> <p>Connectivity and Movement</p> <ul style="list-style-type: none"> <li>- While some elements, such as the mobility strategy was applauded, other areas specific to sustainable transport and parking requiring further analysis.</li> </ul> <p>Infrastructure</p> <ul style="list-style-type: none"> <li>- Additional commitments needed with regards to sustainable construction and energy, water and wastes strategies, to align the overall approach and ensure adherence to the strategic aims and priorities of the relevant authorities.</li> </ul>

## SUMMARY OF DISCUSSIONS AND OUTCOMES OF OUTSTANDING ISSUES

- 4.5 All further discussions and outcomes are being fed into the SPD development process, currently underway. It is important to note that it is not believed that any of the outstanding issues, at the time of writing, are insurmountable and it is a matter of further refining the detail within the SPD.
- 4.6 It is also further noted that the intention is that the SPD will be flexible enough to accommodate future change, but be strong enough to ensure key design principles are adhered to.
- 4.7 The table 4 below summarises the concerns of ECC and how they are being taken forward by the SPD work.

Table 4 – Essex County Council engagement with SPD

Discussion Points	Key Outcomes
<p><b>Education</b></p> <ul style="list-style-type: none"> <li>- Reservations over the placement of the school and incomplete land compliance study.</li> </ul>	<ul style="list-style-type: none"> <li>- The SPD work will continue to look at options to address the concerns about its placement in relation to how it connects with other nearby facilities as well as ensuring it does not front onto a main road.</li> </ul>
<p><b>Transport and Mobility</b></p> <ul style="list-style-type: none"> <li>- Still too much focus on vehicular movement, rather than more sustainable modes of transport.</li> <li>- More detail on how the eastern link towards Basildon will work is required.</li> </ul>	<ul style="list-style-type: none"> <li>- The SPD is re-emphasising the walking and cycling priorities and how connectivity to the A128 will work, as well as bus connectivity.</li> <li>- The SPD will look at the layout of the dwellings to ensure the connectivity links can work.</li> <li>- Parking will be further elaborated.</li> </ul>
<p><b>Employment Provision</b></p> <ul style="list-style-type: none"> <li>- The outstanding issues centre on delivery time frames, the amount of dedicated employment land and how it will link to East Horndon Hall employment area.</li> </ul>	<ul style="list-style-type: none"> <li>- Explore the types of employment that will work in the different locations across the site to integrate a mix of uses in all neighbourhoods.</li> <li>- Employment types to be addressed through SPD design principles including how it connects to surrounding land and East Horndon Hall.</li> </ul>
<p><b>Housing</b></p> <ul style="list-style-type: none"> <li>- Outstanding issues relate to design matters, in terms of how lifetime homes, specialist housing, quality and design standards are to be delivered.</li> </ul>	<ul style="list-style-type: none"> <li>- Issues to be addressed through SPD design principles, linking back to the Essex Design Guide.</li> </ul>
<p><b>Flooding &amp; Sustainable Drainage</b></p> <ul style="list-style-type: none"> <li>- Concern that not enough detail is provided in relation to future climate change scenarios, and this is</li> </ul>	

Discussion Points	Key Outcomes
<p>important given the topography of the site.</p>	<ul style="list-style-type: none"> <li>- SPD to address how SUDS is integrated and how water efficiency comes through on the site.</li> </ul>
<p><b>Noise</b></p> <ul style="list-style-type: none"> <li>- Note the necessary screening on the A127/8 but could have visual impact.</li> </ul>	<ul style="list-style-type: none"> <li>- SPD to detail the design considerations for the noise bund.</li> </ul>
<p><b>Utilities</b></p> <ul style="list-style-type: none"> <li>- More details required to ensure the seamless integration of waste collection and how that will tie in with the transport strategy.</li> <li>- Want to see more forward thinking and innovation in terms of energy supply.</li> </ul>	<ul style="list-style-type: none"> <li>- SPD will drill down and look at outstanding matters.</li> </ul>

## 5. Further information and cross references

- 5.1 Please note, for further details on Duty to Cooperate please also refer to the Council's response to Inspectors' question 7, 8 and 9 (examination documents F3A, F3B and F3C).
- 5.2 The Council's response to Inspectors' question 7 (examination document F3A) provides an update on the Council's progress in establishing joint positions with relevant authorities and public bodies via Statements of Common Grounds or Memorandums of Understanding, to resolve outstanding matters relating to identified strategic issues.
- 5.3 The Council's response to Inspectors' question 8 (examination document F3B) details how each organisation was involved in identifying wider strategic matters.
- 5.4 The Council's response to Inspectors' question 9 (examination document F3C) provides a list of meetings that took place, as well as meeting notes and summaries of strategic matters discussed.
- 5.5 The following documents also list further elaborate on the discussions and outcomes that have occurred through cooperation with relevant authorities and stakeholders on key issues as they specifically related to DHGV:
- DHGV Governance Framework
  - Design Review 1 - DSE summary report 13<sup>th</sup> June 2019
  - Design Review 2 – DSE summary report 29<sup>th</sup> July 2019
  - Design Review 3 - DSE summary report 24<sup>th</sup> October 2019
  - SPD workshops 1-5 – HTA summary report 20<sup>th</sup> June 2020