

F3F Council’s response to Q12 Duty to Cooperate comments received – July 2020

Inspectors’ Question 12

In order to ensure that all relevant matters have been identified, can the Council summarise all comments received on duty to cooperate as part of the Regulation 19 consultation and provide a Council response to these please?

Table 1 – Summary of DtC comments received

Summary of comments received on DtC as part of the Regulation 19 consultations	Respondents	Council’s response	Council’s Current Position
Support			
A major step forward for effective cooperation has been the Memorandum of Understanding that was signed between Basildon, Brentwood, Castle Point, Essex County, Rochford, Southend-on-Sea and Thurrock Councils to form the ASELA. The Council has noted Brentwood Council's commitment in paragraph 1.13 to work as a member of ASELA on a process to develop a long-term growth ambition. The Council fundamentally supports this policy	Basildon Borough Council	Support of the commitment within ASELA is noted	Brentwood Borough Council has continued to effectively engage with the South Essex authorities who form ASELA.

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<p>approach as meeting the soundness tests of being a) effective and b) in accordance with national policy.</p>			
<p>BBC and CCC have engaged on strategic cross boundary matters. A Protocol for dealing with unmet housing needs requests has also been agreed between Essex Local Planning Authorities through the Essex Planning Officers' Association which has resulted in an effective joint mechanism being put in place. Furthermore, both Councils have also been involved in a joint the Gypsy, Traveller & Traveller Showpeople Accommodation Assessment with relevant other Essex Local Planning Authorities. CCC consider that the Duty to Co-operate has been fulfilled and will continue to work collaboratively where appropriate with BBC through the Duty to Co-operate.</p>	Chelmsford City Council	Support of plan and continued collaborative working noted	Brentwood Borough Council have continued to effectively engage on strategic planning matters with Chelmsford City Council.
<p>The Council acknowledges that Brentwood Borough Council is a fellow member of the Association of South Essex Local Authorities (ASELA) and, as a result, is committed to the preparation of a South Essex Joint Strategic Plan (JSP).</p>	Rochford District Council	Support noted	Brentwood Borough Council has continued to effectively engage with the South Essex authorities who form ASELA.
<p>Evident that BBC has engaged with neighbouring authorities regarding cross-boundary matters as well as meeting housing need,</p>	Croudace Strategic Ltd	Support noted	

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<p>Strongly welcome the positive engagement we have had from the council's officers on this issue to date.</p> <p>Trenitalia UK is currently developing an Outline Business Case for the Department for Transport for an investment in ETCS Level 2. As the ASELA are undertaking a joint approach to strategic planning and are considering an application to central government for a Growth Deal, we urge the Council to support the inclusion of our scheme in this strategy, and identify funding sources across the region that can be used to contribute to the capital and net operating costs of the proposal.</p>	<p>C2C rail</p>	<p>To note the ASELA strategic approach and C2C rail needs. The projection is noted and will be considered within IDP and plan.</p>	
<p>Objections</p>			
<p>Duty to cooperate requirements have not been fully complied with in particular with regard to development of the evidence base and the lack of proper response and agreed outputs by Brentwood Council for evidence and a response on Dunton Hills Garden Village (DHGV).</p> <p>There has been ongoing engagement with Brentwood Council under the Duty to Cooperate since the 2016 draft consultation Local Plan, through workshop, correspondence, meetings, and officers meeting. At these DTC meetings, Thurrock Officers have reiterated the objection to the Brentwood spatial strategy, Dunton Garden village and suggested that alternative options are</p>	<p>Thurrock Borough Council</p>	<p>Noted. The Council has been and will continue working with neighbouring planning authorities within the Duty to Cooperate process to consider the wider impact of proposed development.</p>	<p>Thurrock Borough Council has responded to each of the Brentwood Borough Council’s Local Plan consultation since its commencement in 2013. Thurrock Borough Council indicated in both 2013 and 2014 their inability to take any of Brentwood Borough Council unmet housing need, thus leading Brentwood to explore development options to meet its own housing need. As illustrated within Thurrock’s consultation response, there have been ongoing engagement between the two authorities throughout the plan making process. Particular issues have been raised by Thurrock Borough Council in regards to the proposed Spatial Strategy and allocation of Dunton Hills Garden Village.</p>

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<p>investigated including potential development at West Horndon and in the A12 Corridor. Thurrock Council considers that there are key strategic issues and cross-boundary matters of importance in relation to the preparation of the Brentwood Local Plan that remain outstanding and should be addressed.</p> <p>Thurrock Council has also engaged with Brentwood on the preparation of the new Thurrock Local Plan. In recognition of the Thurrock concern about Dunton Hills Garden Village and due to its location close to and adjoining the boundaries between the two authorities Thurrock Council requests further engagement on this development and considerations of alternative options along the A127 Corridor and elsewhere.</p> <p>Thurrock Council along with Basildon Borough Council and Essex County Council had submitted a joint report to Brentwood in September 2018 highlighting concerns to Brentwood Council regarding the Dunton Hills Garden Village proposal. No response on the matters set out in the document has been received from Brentwood Council.</p> <p>It is recognised that Brentwood Council has engaged more effectively on collaboration and joint working on strategic matters through membership of the Association of South Essex Councils</p>			<p>In 2017 discussion took place between Brentwood and Thurrock Council's on the Thurrock plan-making process and growth options being considered through a study led by David Lock Associates. The implications of growth in the West Horndon area were considered according to constraints and land availability. Brentwood asked permission to extend the scope of the work into Brentwood Borough, which Thurrock Council denied due to a perceived conflict of interest.</p> <p>There have been several workshops undertaken on the Dunton Hills Garden Village including Design, Green and Blue Infrastructure, Heritage, Housing and Gypsy and Travellers Sites, Transport and Travel, Employment and Retail, and Stewardship (details outlined in the Council response to question 9).</p> <p>In 2018 Brentwood Borough Council confidentially shared a working draft Topic Paper on Dunton Hills Garden Village with Thurrock Borough Council, Basildon Borough Council, and Essex County Council. Thurrock, Basildon, and Essex County Council responded with joint comments on the draft Topic Paper.</p> <p>Informal discussions have taken place through the ASELA Central Corridor group (A127 corridor and South Brentwood Growth Corridor), including Thurrock Council, Basildon Council, and Essex County Council. This has focussed on growth at Dunton Hills Garden Village. Despite ongoing discussions regarding Dunton Hills Garden Village, Thurrock Borough Council requested Brentwood Borough Council to formally</p>

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<p>(ASELA) and in the preparation of a South Essex Joint Strategic Plan (JSP).</p> <p>The Duty to Cooperate Position Statement published as part of the Pre-submission consultation does not include sufficient information about the key issues regarding cross-boundary matters between authorities.</p>			<p>reply to the joint comments sent on the working draft Dunton Hills Garden Village Topic Paper from 2018. Brentwood Borough Council have since provided a formal response to Thurrock's comments this year.</p> <p>Brentwood Borough Council are in the process of drafting a Statement of Common Ground with Thurrock Borough Council.</p> <p>Brentwood Borough Council has continued to effectively engage with the South Essex authorities who form ASELA and the development of the JSP.</p> <p>The Council acknowledges that the original DtC Statement was high level in nature however a significant amount of work has been done since submission to illustrate how the Council has engaged effectively throughout the Local Plan process since commencing work in 2013.</p>
<p>Basildon's failure to allocate sufficient sites to meet housing needs will impact the other ASELA partners (e.g. increased unmet needs in the region). This should be addressed as a matter of urgency through Brentwood and Basildon's Duty to Cooperate Statements of Common Ground.</p>	<p>Bellway Homes and Crest Nicholson [8351]</p>	<p>Noted. The Council has been and will continue working with neighbouring planning authorities within the Duty to Cooperate process to consider the wider impact of proposed development.</p>	<p>Brentwood Borough Council has had ongoing engagement with Basildon Borough Council. It has been agreed that Basildon's unmet housing need will be addressed through the development of the South Essex Joint Strategic Plan.</p>
<p>Very little has changed in the Reg 19 Plan in light of representations made by any parties. These outstanding representations still represent matters</p>	<p>West Horndon Parish Council</p>	<p>Noted</p>	<p>West Horndon Parish Council has been actively involved in the various Dunton Hills Garden Village workshops and detailed design discussions. Brentwood Borough Council feel that majority of the</p>

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that require addressing for the Reg 19 Plan to be considered to be sound.			issues raised by West Horndon Parish Council have been addressed through this ongoing engagement. The Council is in the process of drafting a Statement of Common Ground with West Horndon Parish Council.