

Scott Logan
Managing Director
Basildon Borough Council
By email only

Ask for: Matthew Thomas
Ext: [REDACTED]

Direct Dial: [REDACTED]

Email: [REDACTED]

My Ref: BAS/DTC/050318

Date: 5 March 2018

Dear Scott,

Basildon Borough Local Plan 2014-2034: Duty to Cooperate Unmet Housing Needs

Thank you for your letter dated 20 February 2018, which further clarifies Basildon Borough Councils position with regard to potential unmet need within the borough up to 2034.

Rochford District Council is part of the Association of South Essex Local Authorities (ASELA) and has signed a Memorandum of Understanding to this effect on 10 January 2018. Under the Duty to Co-operate the South Essex authorities are working together to address a number of strategic, cross boundary issues. We would, therefore, advise that Basildon Borough Council commits to an early review of its plan, if adopted, and continues to work closely with its neighbours to help to address any potential unmet need across South Essex through joint partnership working.

Thank you

Yours sincerely



Matthew Thomas
Assistant Director – Planning & Regeneration Services

Matthew Winslow
Interim Head of Regeneration & Economic
Development
Strategic Planning & Housing Strategy
Basildon Borough Council
The Basildon Centre St Martin's Square
BASILDON
Essex
SS14 1DL

Date: 8th March 2018
Our Reference: SAR/PP/BBC
Your Reference:

By e-mail to: [REDACTED]

Dear Matthew,

BASILDON BOROUGH COUNCIL
LOCAL PLAN 2014-2034: DUTY TO COOPERATE UNMET HOUSING NEEDS

Thank you for your letter of 20th February 2018 addressed to David Marchant, the Chief Executive, setting out the current position regarding Basildon Borough Council's Local Plan, and in particular requesting that Castle Point Borough Council give consideration to assisting Basildon in meeting some or all of its unmet housing needs.

I am also grateful to you for providing a personal briefing on these issues to Councillor Riley, the Leader of the Council, David Marchant, the Chief Executive and I on Thursday 22nd February 2018.

Careful consideration has now been given to the information provided in your letter, and to the presentation which you gave. It is clear from your work that considerable efforts have been made by Basildon Borough Council to try to meet its housing needs within the Borough using a variety of techniques, including but not limited to, increasing housing supply from urban sites, exploring the development of strategic sites which will require the realignment of the Green Belt, reviewing density and design controls, and regeneration of town centres to incorporate more residential development. I also note that further work is planned with partners on infrastructure delivery, development briefs and Permissions in Principle. I commend all of these approaches which have been, or are to be taken.

However I understand that notwithstanding this thorough approach, the Basildon Plan will still be unable to meet housing needs in full.

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This is a familiar situation for Castle Point Borough Council, which faced a similar dilemma when publishing its Local Plan in 2016. At that time the Council was unable to meet its housing needs whilst at the same time observing other important national planning policy objectives.

As you will recall, the Planning Inspector examining the Castle Point New Local Plan observed at that time that, since there was no mechanism in place for the distribution of unmet housing need in South Essex, the “duty to co-operate” had not been met, and the Plan could not proceed.

Since then, both our Councils have been actively supporting the creation of Association of South Essex Local Authorities (ASELA) and its aspiration to prepare a Joint Strategic Plan for South Essex. A key role for such a plan will be to act as the mechanism for the determination of housing needs for South Essex and its distribution across the area.

Accordingly, until work on the Joint Strategic Plan is fully underway, and a Statement of Common Ground agreed across South Essex, I consider that it would be premature for your request to be taken forward; I therefore regret that, at this time Castle Point Borough Council is unable to assist Basildon Council in meeting its unmet housing needs.

Nonetheless I consider that it remains in the best interests of both Basildon and Castle Point Borough Councils to continue with the strong and effective joint working relationships formed under ASELA in order to bring forward the Joint Strategic Plan as quickly as possible.

Thank you for the opportunity to reflect on the current position with the Basildon Local Plan, and I hope that you will be able to take these comments into account.

Yours sincerely

[Redacted signature]

Steve Rogers

Local Plan & Regeneration Adviser

[Redacted] (Direct line)

[Redacted]

Scott Logan
Managing Director
Basildon Borough Council
The Basildon Centre
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Dear Scott

THURROCK RESPONSE TO BASILDON BOROUGH LOCAL PLAN 2014-2034: DUTY TO COOPERATE UNMET HOUSING NEEDS

I acknowledge receipt of your letter dated 20 February 2018 that includes a formal request from Basildon Borough Council to Thurrock Council to consider whether any unmet housing need identified from Basildon Borough during its Local Plan period can be met by Thurrock and other authorities in the housing market area and to determine whether that need could be met by 2034. It is noted that this request has been made by Basildon Council as part of the preparation of the Basildon Local Plan and under the requirements of the Duty to Cooperate. Thurrock Borough Council has carefully considered the Basildon request and this letter should be regarded as the Thurrock Borough Council's formal response on this matter.

It is recognised that the issue of Basildon Council being unable to meet its identified Objectively Assessed Need (OAN) during the period of its proposed Local Plan (2014-34) has been subject to earlier briefings by Basildon officers to the other South Essex Authorities including Thurrock. The issue of unmet need was also included in the recent Basildon Borough Local Plan Duty to Cooperate meeting held on 15 February 2018 which was attended by the Thurrock planning Portfolio Holder.

It is noted that Basildon Council has accepted an identified Objectively Assessed Housing Need of between 19,491 to 19,771 dwellings. These figures are derived from the recommended OAN range contained in the 2017 Addendum to the South Essex Strategic Market Assessment (SHMA) and adjusted to take account of pitch provision arising from Gypsies and Travellers whose household no longer meet the planning definition and are therefore planned alongside other housing needs.

Thurrock Council is led to understand that at this stage of its plan preparation that Basildon Council cannot meet all of its housing OAN within its own boundary and during the Local Plan period of 2014-2034, the facts being as follows:

- Basildon Council has so far identified a capacity of urban and Green Belt sites for 18,180 dwellings;

- Basildon Council considers that taking into account land supply and delivery constraints that only 15,000 dwellings could be delivered during the plan period;
- Basildon Council proposes a staggered delivery target to reflect constraints in supply and this only achieves delivery of the lower end of the accepted OAN range (of the 2017 Addendum to the South Essex SHMA) from 2027 onwards.
- The lower level of delivery prior to 2027 will leave an unmet need during the plan period of around 4,500-4,700 dwellings.

Thurrock Council expresses its concern that Basildon Council has only been able to identify the delivery of 15,000 dwellings over the plan period 2014-34. Further clarification is also sought regarding the overall capacity figure of the 18,180 dwellings capacity identified in your letter. It would appear that with the 1906 dwellings already built during 2014-2017 (as identified in your 2017 Annual Monitoring Report) and the identified capacity of 18,180 dwellings, that Basildon has a housing capacity slightly over its accepted OAN target. Therefore, subject to any buffer provision, Basildon has identified sufficient housing land capacity overall but the fundamental issue is one of the lack of housing delivery and a potential undersupply of housing during the plan period.

As you will be aware, the Government has published its draft standard methodology for OAN and this provides Basildon with a figure of 1024 dwellings per annum. At this stage this is only a draft figure and may be subject to change (and the final version of the Government's OAN methodology may not be published before submission of the Basildon Local Plan). However if the standard methodology contains an OAN figure similar or higher to the draft version this would indicate that Basildon may not have sufficient overall sites identified to meet such housing need even with sites currently phased beyond the plan period.

Your letter highlights that Basildon Council is undertaking a series of mitigation measures that have been proposed to seek to increase the delivery of homes across the borough. Thurrock Council supports this approach but also suggest that further review of the site capacity and assumptions regarding delivery are undertaken to assess the potential of bringing further housing supply forward and in particular the 3,000 dwellings identified in the capacity but assumed so far not to be deliverable during the plan period.

It is noted that on the 13th March 2018 the Basildon Council Infrastructure and Growth Committee are to review sites that have been omitted from the Local Plan to reconsider whether any could be made suitable through mitigation measures and included in the plan. Thurrock Council would wish to be satisfied that any review of the list of sites in Basildon has been exhausted in order to ensure overall housing capacity and delivery has been increased during the plan period.

The current development plan for Thurrock is the Core Strategy and Policies for Management of Development Local Plan (the Core strategy) which was adopted in December 2011 and the Focused Review of the Core Strategy adopted in January 2015 and which replaced a number of policies and paragraphs of supporting text.

The Council took the decision in February 2014 to commence work on a new local plan and during February to March 2016 undertook an Issues and Options Stage 1 (Regulation 18) consultation. The local plan is still at an early stage of preparation and the Council is currently preparing a Stage 2 Issues and Options Regulation 18 consultation document. The Thurrock Local plan is proposed to cover the period up to at least 2037.

To provide evidence to support the next stages of plan preparation a range of technical studies have been produced or are nearing completion including a number that have been undertaken with the other South Essex authorities including Basildon. Thurrock Council is also commissioning a further tranche of studies in order to inform the next stages of the local plan. A number of these emerging studies will identify the development capacity and constraints to housing supply in Thurrock and these include a new Housing Land Availability Assessment and Urban Capacity Study. The interim conclusion from this ongoing work is that the Borough currently has a housing land supply capable of accommodating circa 6,400 homes which equates to a rolling five year land supply of 1 year. This figure falls significantly short of the land supply required to meet Thurrock's own housing targets let alone contribute in whole or in part in meeting any shortfalls in provision as identified by our neighbouring HMA authorities.

Thurrock currently has a recommended Housing OAN range of 1074 to 1381 dpa identified in the 2017 Addendum SHMA resulting in 24,700 to 32,000 dwellings between 2014 and 2037. This represents a sizeable uplift in the scale of housing need compared to previous plan requirements and the previous South Essex SHMA of 2016. The Council is seeking to accommodate its identified OAN within its own boundaries and this will present a significant challenge when balanced against other development and environmental considerations. At this stage it is not possible to provide a definitive view on the capacity of the urban area but the implications of accommodating such a high level OAN figure within the borough are that the Council will need to consider the release of Green Belt to meet housing needs. To this end, the Council has commissioned a number of technical studies including Green Belt, Landscape Character and Development Capacity Assessments to inform preparation of the Local Plan. As this work is ongoing it is not yet clear whether Thurrock has the capacity to meet the residual needs of any of the surrounding HMA authorities. Moreover, at this stage Thurrock cannot therefore be certain that it can accommodate its own OAN requirements and may need to request other to assist.

At this stage Thurrock Council is still assessing whether the Borough has the capacity to accommodate its own housing needs and the Council is not in a position to confirm that it could accommodate any of Basildon's unmet housing need and in particular make any provision to supply this need during the early period of the Basildon Local Plan. Thurrock Council has not fully delivered against its own housing targets in recent years and could not therefore be relied upon as a source of early housing supply for other local authorities.

If Basildon is unable to resolve the unmet housing need following its request to adjoining HMA authorities (and having explored all other reasonable alternatives options) then it is suggested that the Council should include provision within the Basildon Local Plan to commit to an early review of the plan. Such a review should further assess the housing need and capacity within Basildon and also to take into account of the outcomes of the close collaboration and joint working between South Essex authorities in preparing a Joint Strategic Planning Framework.

As you will be fully aware the South Essex authorities have been working together on strategic planning matters for a number of years and last year signed a Memorandum of Understanding setting out the principles and arrangements for strategic planning and duty to cooperate matters. This included the commitment to develop a South Essex Strategic Planning and Infrastructure Framework (SPIF). More recently the South Essex authorities together with Brentwood Borough Council and Essex County Council have developed the South Essex 2050 Vision and formed an Association to take this vision forward. This includes the intention to progress with joint working on

planning matters including the strategic planning framework and to be pilot of the Government's new Statement of Common Ground. This collaborative approach between authorities will need to consider the future distribution of housing across the Housing Market Area and possibly beyond.

It is acknowledged that Basildon's collaboration in the South Essex 2050 vision and commitment to joint planning do not in themselves fulfil its obligations under the Duty to Cooperate to have addressed the issue of unmet housing need. Furthermore the South Essex 2050 work and joint working by South Essex authorities on a strategic planning framework is at an early stage and cannot be used to inform the current Basildon Local Plan at this stage. However the outcome from this joint work can inform later reviews.

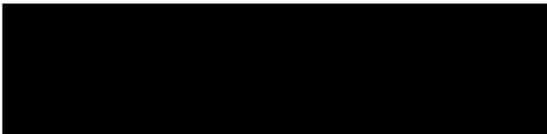
In summary, whilst Thurrock Council consider at this stage it is unable to meet any of Basildon's unmet housing need the Council is seeking further clarification on a number of matters and is willing to continue to constructively engage on this matter as part of the Duty to Cooperate arrangements for the Basildon Local Plan. These matters are:

- Does Basildon Council consider it has sufficient overall housing site capacity if delivery was not an issue or does it have an overall shortfall taking into account the need for a buffer contingency and or any potential higher level of need set in the Government standardised methodology?
- Feedback on the success of the mitigation measures in reducing the unmet need.
- Has the outcome of the review of omitted sites by Basildon Council on 13th March 2018 either reduced or resolved the level of unmet need?
- Are there any other types of unmet need that Basildon Council needs to formally request a response from Thurrock Council?

Both Councils will also continue to actively engaged in the South Essex 2050 Vision and emerging joint planning arrangement.

Thurrock Council also requests confirmation from Basildon Council as to whether there are any other identified unmet needs that would require a formal request under the requirements of the Duty to Cooperate.

Yours sincerely

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Lyn Carpenter
Chief Executive

Scott Logan
Managing Director
Basildon Borough Council

Dear Scott,

Response to letter dated 20 February 2018 – Basildon Borough Local Plan 2014-34: Duty to Cooperate Unmet Housing Needs

Thank you for your letter dated 20 February 2018 addressed to Alison Griffin, the Council's Chief Executive, concerning your authorities Local Plan.

In particular you ask Southend to consider whether it can accommodate Basildon's unmet housing need within Southend Borough.

As you are aware Government places great emphasis on local plans meeting objectively assessed needs in the housing market area, as far as is consistent with the policies set out in the National Planning Policy Framework. As set out in your letter you have indicated that the Basildon Local Plan will be approximately 4,500- 4,700 homes short of fulfilling Basildon's housing needs to 2034 and around 3,000 of this unmet need is related to infrastructure and delivery phasing.

In regard to your request on whether unmet housing needs deriving from Basildon could be met in Southend-on-Sea it is important to understand that Southend is a densely populated urban area with limited land availability. The Council is at a relatively early stage in preparing its own local plan. We have been successful in meeting the adopted Southend Core Strategy housing target as of March 2017 (325 homes per annum). However, initial evidence suggests that it is unlikely that all of the identified housing need (1,072 homes per annum - Strategic Housing Market Assessment Addendum 2017) for Southend can be accommodated within the administrative area. Therefore, I am unable to see how even a proportion of the unmet housing need identified for Basildon would be able to be met within Southend.

Southend Borough Council is committed to cooperating with the South Essex authorities and recognises the merits in preparing a Joint Strategic Plan to ensure strategic issues, including for housing, are planned effectively across South Essex.

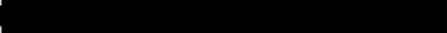
In this regard, given the unmet housing need identified in the draft Basildon Local Plan, Basildon Borough Council will need to remain committed to continued cooperation with the South Essex authorities and whether a Joint Strategic Plan may be able to accelerate infrastructure provision and housing delivery within Basildon and across the wider area. The Basildon Local Plan will need to include the necessary review mechanisms to allow the Borough Council to play a full and active role in such discussions and a future joint strategic plan.

I am sorry that I am unable at this time, to be more supportive of your request and wish you well in preparing your local plan.

Yours sincerely,



Andrew Lewis
Deputy Chief Executive (Place)

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E: 