

Basildon Borough Local Plan 2014-2034

Statement of Common Ground

Organisations: Basildon Borough Council and Chelmsford City Council

Date: March 2019

1. Introduction

- 1.1. This Statement of Common Ground identifies areas of agreement between Basildon Borough Council (BBC) and Chelmsford City Council (CCC) in relation to the Basildon Borough Revised Publication Local Plan and supporting evidence base. There are no outstanding areas of disagreement.
- 1.2. This statement has been prepared to assist the examination of the Basildon Borough Local Plan. Chelmsford City Council made representations to the Regulation 19 Revised Publication Local Plan published for consultation on the 1 November 2018. The following table sets out the relevant representation numbers:

| Chapter and Policy | RPLP No. |
|---------------------------|----------------------|
| Whole Plan | RPLP/1645 |
| Chapter 2 | RPLP/1639 |
| Chapter 5 | RPLP/1640 |
| Chapter 6 SD1 | RPLP/1641; RPLP/1642 |
| Chapter 9 T2/T6 | RPLP/1644 |
| Chapter 11 H3 | RPLP/1643 |

- 1.3. A Plan has been provided at Appendix 1 which shows the locations and administrative areas covered by the statement. Chelmsford City Council is an adjoining local authority located to the north of Basildon Borough Council's administrative area.
- 1.4. BBC has fully engaged with CCC on the development of each Council's respective Local Plans from the outset. In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, CCC has been formally consulted at every stage of consultation on the Local Plan together with its accompanying Sustainability Appraisal (SA) and the Habitat Regulations Assessment (HRA). CCC has made representations to each stage of consultation on the Local Plan. The Duty to Co-operate Compliance Statement 2019 outlines in detail the engagement activities and outcomes together with the joint evidence base studies undertaken during the plans preparation and any protocols agreed which benefit strategic and cross-boundary plan-making.

Areas of Agreement

- 1. That BBC has worked collaboratively with CCC to ensure that all cross-boundary strategic issues have been properly considered and where appropriate reflected in the Basildon Borough Local Plan 2014-2034 and effective and on-going joint working has and will continue to be undertaken.**

Housing Requirement

- 1.5. The Basildon Borough Local Plan has been informed by the South Essex Strategic Housing Market Assessment (2016) and Addendum (2017). The Addendum used the 2014-based CLG Household Projections to calculate the full objective assessment need for housing in Basildon Borough as 972 to 986 homes per annum, resulting in a need for between 19,440 and 19,720 homes between 2014 and 2034. The overall housing need for South Essex was around 4,000 homes per annum. This was prepared in accordance with the Planning Practice Guidance that underpinned the NPPF2012.
- 1.6. The Basildon Borough Local Plan will however be examined against the NPPF2019, which requires housing need to be calculated in accordance with the standard methodology set out in the current Planning Practice Guidance. This expects the use of the 2014-based CLG Household Projections as the baseline position, adjusted to address affordability, with the adjustment capped at 40%. The standard methodology results in an identified OAN for Basildon of 1,077 homes per annum. This is however calculated only for the remaining period of the plan 2018 to 2034, resulting in a need for 17,232 homes.
- 1.7. The Basildon Borough Revised Publication Local Plan identifies supply for around 17, 791 homes. This comprises urban capacity, site allocations, limited infilling capacity in the borough's Green Belt settlements in accordance with policy GB4, a windfall allowance beyond 2023, and completions between 2014 and 2018. Against, the OAN identified in the SHMA Addendum 2017 this supply is around 2,000 homes short. There were 2,247 completions between 2014 and 2018. When applying the standard methodology these should not be included in the supply figure. This reduces the supply to 15,544. Against the standard methodology calculation using the 2014-based CLG Household Projections the supply is around 1,800 homes short. There is therefore an unmet housing need arising in Basildon Borough of between 1,800 and 2,000 homes depending on the methodology used for the OAN calculation.
- 1.8. The Basildon Borough Revised Publication Local Plan also identifies delivery challenges with regard to the housing supply taking into account infrastructure and environmental constraints, and also applying realistic build out rates to sites within the current extent of the Green Belt, which due to the level of objection to the principle of development in the Green Belt cannot be considered available until the plan is adopted. Consequently, the Basildon Borough Local Plan is only able to commit to delivering around 15,465 homes within the period to 2034. Whilst this is expressed as a minimum level of delivery within policy SD1, delivery at this level would result in a higher unmet need of up to 4,000 homes.

- 1.9. To address this issue, the Basildon Borough Revised Local Plan commits within policy SD1 to bringing forward a Joint Strategic Plan (JSP) for South Essex. It further commits itself to a review if the JSP identifies new opportunities for further growth and infrastructure in Basildon Borough. In addition to this policy SD2 identifies two broad locations within Basildon Borough for potential housing growth in the future, once proposals for improvements to the A127 have been developed through the JSP. At this time, the options available for bringing sustainable development forward in these locations is dependent on knowing what land needs to be retained for these transport improvements.
- 1.10. At this time, it is anticipated that any unmet need arising from Basildon Borough will therefore be addressed within the South Essex Housing Market Area, either through the South Essex JSP or through the allocation of sites within the broad locations as part of the first review of the Basildon Borough Local Plan. There is no expectation at this time that Chelmsford City Council, which forms part of a different Housing Market Area, will meet any of Basildon Borough's unmet housing needs. This is consistent with the Essex Planning Officers' Association (EPOA) Unmet Housing Needs Protocol 2017 which anticipates opportunities to address unmet housing needs will be exhausted within the broader Housing Market Area first before exploring opportunities in neighbouring Housing Market Areas.
- 1.11. The Revised Publication Local Plan does not however specifically reference the EPOA Unmet Housing Needs Protocol 2017. In their representation (RPLP/1641) CCC seeks for specific reference to be included within the Basildon Borough Local Plan to this protocol to provide additional clarity as to how unmet need will be met. It is agreed that this will provide necessary clarity and a minor modification is proposed to paragraph 6.5 of the Local Plan as follows:

| Modification No. | Policy/ Para No. | Page No. | Proposed Modification | Reason for Modification |
|------------------|------------------|----------|--|---|
| OM6.1 | Para 6.5 | 20 | <p>INSERT AFTER PARAGRAPH 6.5</p> <p><u>The JSP therefore provides an effective mechanism for addressing any unmet needs arising from authorities in the South Essex Housing Market Area. The EPOA Unmet Housing Need Protocol and the separate EPOA Unmet Gypsy, Traveller and Travelling Showpeople Needs Protocol both expect appropriate opportunities to address development needs to be exhausted at a local, then at a housing market area level, before seeking support from authorities in neighbouring housing market areas. By looking to the JSP to provide the effective mechanism for unmet needs, Basildon is therefore complying with the EPOA unmet need protocols. Given the Joint Strategic Plan is still in development and covers two</u></p> | <p>Clarification which addresses concerns raised by Chelmsford City Council in representation RPLP/1641</p> |

| | | | | |
|--|--|--|---|--|
| | | | <p><u>housing market areas (South Essex and Brentwood), there is therefore no expectation with regard to neighbouring housing market areas to accommodate any unmet need arising through this plan.</u></p> | |
|--|--|--|---|--|

Areas of Agreement

2. **The Basildon Revised Publication Local Plan does not allocate sufficient sites to meet the full OAN for housing at this time. However, it commits to working with its neighbours in the South Essex and Brentwood Housing Market Area to prepare a Joint Strategic Plan which may identify opportunities for this unmet need to be addressed. The plan also identifies two broad locations which will be brought forward as part of the plan’s first review, once proposals to improve capacity on the A127 have been identified. There is therefore no expectation of BBC, within the Revised Publication Local Plan or otherwise, that CCC will meet any of Basildon Borough’s unmet housing need.**
3. **That the Councils have a protocol in place for managing future unmet housing need from adjoining authorities. The protocol was developed and agreed by the Essex Planning Officers’ Association (EPOA) in September 2017 to establish a mechanism for the consideration of unmet housing need across the Essex authorities. This protocol sets out the methodology by which each local planning authority, in partnership with their HMAs, should agree their full objectively assessed housing number and if there is an unmet housing need, the process to follow to request an adjoining HMA take the unmet need. At the request of CCC, a modification has been made to the supporting text of the Basildon Borough Local Plan to make clear that this protocol will be applied (modification no. OM6.1)**

Gypsy and Traveller Needs

- 1.12 The evidence of the need for pitches to accommodate the needs of Gypsies, Travellers and Travelling Showpeople within Basildon Borough is identified through the Basildon Borough Gypsy, Traveller and Travelling Showpeople Local Needs Accommodation Assessment (BBLNAA) completed in January 2018. The method used for this assessment aligns with that used for the Essex Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment 2018, and the findings are integrated into the Essex wide study.
- 1.13 The BBLNAA identifies a specific need for 47 additional pitches for those gypsies and travellers that meet the definition in the Planning Policy for Traveller Sites (PPTS). There is also a need for a further 6 pitches to address the needs arising from growth in the population of gypsies and travellers whose status in relation to the PPTS is unknown. This represents 10% of growth arising from the ‘unknown’ population. It also identifies a need for 3 plots to meet the need of the Travelling Showpeople population.
- 1.14 The Basildon Borough Revised Publication Local Plan makes provision for the Travelling Showpeople population, and also makes provision for the majority of the Gypsy and Traveller population. However, at this time it acknowledges that there is an unmet need of nine pitches for Gypsies and Travellers. This need arises towards the end of the plan period.

1.15 Paragraph 11.46 indicates that given some of the existing population exists within neighbourhood planning areas, some of this unmet need will be met through Neighbourhood Plans. It also indicates that BBC will continue to work with neighbouring authorities to identify a strategic approach to meeting the needs of Gypsies, Travellers and Travelling Showpeople. CCC in their representation RPLP/1643 seek reference to be included to the EPOA Unmet Gypsy, Travelling and Travelling Showpeople Accommodation Needs Protocol 2018 in respect of this engagement which expects opportunities in the local area, and then Housing Market Area to be exhausted before opportunities are explored in neighbouring Housing Market Areas. It is agreed that this will provide clarity and a minor modification is proposed to paragraph 11.46 of the Local Plan as follows:

| Modification No. | Policy/ Para No. | Page No. | Proposed Modification | Reason for Modification |
|------------------|------------------|----------|---|--|
| OM11.2 | 11.46 | 108 | The Council will therefore work closely with the neighbourhood area, where the community includes Gypsy and Travellers to ensure that growth arising from within these area is accommodated within their Neighbourhood Plans. The Council will also continue to work with neighbouring authorities, <u>having regard to the EPOA Unmet Gypsy, Traveller and Travelling Showpeople Accommodation Needs Protocol</u> , to identify a strategic approach to meeting the needs of Gypsies, Travellers and Travelling Showpeople in accordance with the requirements of national policy. | Clarification which addresses concerns raised by Chelmsford City Council in representation RPLP/1643 |

Areas of Agreement

4. **The Basildon Revised Publication Local Plan does not allocate sufficient sites to meet the full requirement for Gypsy and Traveller Sites at this time. However, it commits to working with those bringing forward Neighbourhood Plans to address unmet needs arising in their areas. It also commits to working with neighbouring authorities to identify a strategic approach to meeting the needs of the Gypsy and Traveller population. There is however no expectation within the Basildon Borough Revised Publication Local Plan that BBC expects CCC to meet its unmet needs.**
5. **That the Councils have a protocol in place for managing future unmet Gypsy, Traveller and Travelling Showpeople Accommodation Needs from adjoining authorities. The protocol was developed and agreed by the Essex Planning Officers' Association (EPOA) in December 2018 to establish a mechanism for the consideration of unmet need across the Essex authorities. This protocol sets out the methodology by which each local planning authority, in partnership with their HMAs, should agree their full objectively assessed need and if there is an unmet**

need the process to follow to request an adjoining HMA take the unmet need. At the request of CCC, a modification has been made to the supporting text of the Local Plan to make clear that this protocol will be applied (modification no. OM11.2)

Jobs and Employment

- 1.12. Evidence base studies have informed the job numbers and amount of land for employment use for the Basildon Borough Revised Publication Local Plan. The Local Plan seeks to deliver at least 20,000 new jobs during the Plan period, and has identified 92ha of employment land supply in order to secure this. This level of land provision exceeds the need identified in evidence (the South Essex Economic Development Needs Assessment 2018), and addresses a request from the Greater London Authority for willing partners to deliver displaced demands for employment land arising from London.
- 1.13. Employment growth will primarily be delivered through the re-use and logical extensions of the A127 Enterprise Corridor, with some additional growth secured in town centres and in smaller employment areas within Billericay and Wickford.
- 1.14. The requirement for all new employment is outlined in Strategic Policies SD1 – A Strategic Approach to Sustainable Development and SD2 – Settlement Hierarchy and the Distribution of Growth. Detailed policies in relation to employment are meanwhile set out in Policies E1 to E11.
- 1.15. BBC has met its objectively assessed need for employment through its Plan policies, and has also entered into discussions with the GLA to assist in supporting displaced industrial development from the London area. There are no outstanding requests for BBC to meet the employment needs of any neighbouring authorities.

Areas of Agreement

- **BBC is accommodating its employment needs within its boundaries resulting in no unmet need.**

Infrastructure Delivery

- 1.16. The Infrastructure Delivery Plan (IDP) (2018) is the key evidence base document setting out details of the infrastructure identified by BBC and other service providers as being needed to support the delivery of new development across the Borough up to 2034. It is a 'living document' intended to be updated regularly as the plan is delivered.
- 1.17. Other evidence base studies to support the Local Plan include:
 - Basildon Council – Part 1 Draft Local Plan Transport and Highway Impact Assessment (2017)
 - Basildon Council – Part 2 Publication Local Plan Transport and Highway Impact Assessment (March 2018)
 - Basildon Council – Part 2 Addendum Publication Local Plan Transport and Highway Impact Assessment (August 2018)

- Basildon Local Plan and CIL Viability Update Study (February 2018) and Addendum (September 2018)
- 1.18. BBC is still developing its Community Infrastructure Levy, having consulted on the Preliminary Draft Charging Schedule at the same time as the Regulation 19 consultation for the Revised Publication Local Plan. The Local Plan and CIL Viability Study will therefore be kept under review as the Local Plan is progressed towards adoption, and the CIL is revised in light of consultation responses.
- 1.19. In terms of securing infrastructure through the implementation of the Local Plan, Policy SD1 establishes as a strategic principle the alignment growth with services and infrastructure provision. Transport infrastructure requirements are outlined in Chapter 9 – Promoting Sustainable Transport. Community infrastructure requirements are outlined in Chapter 13 – Promoting Healthy Communities. Detailed requirements ensuring infrastructure delivery is aligned with development are set out in Chapter 18: Implementation.

Areas of Agreement

- **BBC has consulted on the IDP during the Revised Publication Local Plan consultation. Service providers have worked alongside BBC to advise on the impact the Local Plan growth would have upon their services and facilities. As a result, the requirements for services, facilities and appropriate mitigation measures to support the Local Plan growth have been assessed and agreed with all partners.**

Retail

- 1.20. The Local Plan seeks to regenerate Basildon Town Centre as a sub-regional centre. It also seeks to regenerate Laindon, Pitsea and Wickford Town Centres as district centres. The enhancement of Billericay Town Centre as a district centre. Retail matters for the Local Plan are underpinned by the Basildon Retail and Commercial Leisure Capacity Study 2015, and updated by the South Essex Retail Study 2017.
- 1.21. Based on evidence, the Local Plan includes proposals for 2,500sqm for comparison goods, and 700sqm for convenience goods in the period to 2021, and a further 21,600sqm for comparison goods and 4,200sqm for convenience good to the end of the plan period. Provision will also be made for 9,300sqm of commercial leisure provision. A sequential approach which directs development to town centre locations through mixed use regeneration is the preferred strategy as set out in Chapter 8 of the Revised Publication Local Plan.

Areas of Agreement

- **There are no areas of uncommon ground or unresolved strategic matters.**

Natural Environment

- 1.22. Basildon Borough has a wide range of designations which relate to the natural environment, including SSSI's, ancient woodlands and local wildlife designations. There are also areas of freshwater and tidal marshland and water courses. The undeveloped parts of BCC's area is

also substantially designated as Green Belt. Green Belt designation currently extends to 63% of the boroughs area.

- 1.23. The Local Plan specifically seeks to protect and enhance the natural environment including important ecological designations, the Green Belt and high quality landscapes, whilst delivering the growth required. This has been achieved through the undertaking of a Green Belt Review (2017), and the use of landscape evidence (Basildon Landscape Study 2015, and Outline Landscape Appraisals of Potential Strategic Sites 2017) and ecology evidence (Basildon Ecology Surveys 2016 and 2017) to identify appropriate development locations and any mitigation required.
- 1.24. The Local Plan will protect and enhance the networks of biodiversity and green infrastructure in line with the South Essex Green Grid Strategy, as set out in policy NE1, and supports the review and extension of this strategy across the whole South Essex area. The need to address climate change and minimise pollution is also set out within Chapters 15 and 16 of the Revised Publication Local Plan.
- 1.25. As a key cross-boundary strategic issue, policies NE1 and NE4 of the Revised Publication Local Plan also addresses the impacts of growth on the Essex Coast Natura 2000 sites by committing to the Essex Coast Recreation Avoidance and Mitigation Strategy (RAMS). Due to the in-combination impacts of plans across Essex, CCC are also a partner to the RAMS and have equally committed in their own plan to this strategy.

Areas of Agreement

- **Both BBC and CCC have committed, through their emerging Local Plans, to mitigating the in-combination effects of their respective plans on the Essex Coast Natura 2000 sites through the Essex Coast Recreation Avoidance and Mitigation Strategy (RAMS). A further nine authorities in Essex are also party to the RAMS and are gradually incorporating its requirements into their emerging Local Plans.**
- **There are no other areas of uncommon ground or unresolved strategic matters.**

Transport and Highways

- 1.26. Local Plan policies set out in Chapter 9 identify what and where new transport infrastructure is required. They have been informed by a robust evidence base prepared working in partnership with ECC as the Highway Authority to ensure projected development growth in Basildon is tested robustly and a strategy for mitigation is formulated.
- 1.27. A number of traffic modelling studies have been undertaken during the Local Plan preparation to assess the impact of emerging and preferred development options on the transport network.
- 1.28. The junction modelling report assesses the likely impacts of planned growth on the highway network in the Basildon Borough area. This has included a high-level analysis of cross boundary traffic flows on key highway links including B1007 in Stock, A130 to/from Chelmsford City Council, A127 (Brentwood BC, Southend UA, Rochford DC) and A13 (Thurrock UA, Southend UA, Castle Point DC).

- 1.29. The flows and percentage increases on the key strategic cross boundary routes as a result of Local Plan growth, show some significant increases in traffic along the A127 corridor towards Brentwood. The A130 to/from Chelmsford and A13 to/from Thurrock are likely to experience traffic increases of 10-15%.
- 1.30. The outcomes of the modelling work have been developed to support the Basildon Borough Local Plan. However, where data has been available from the Chelmsford City Council modelling on the A130 and B1007, in regard to forecast flows, this has been reflected in the Basildon Borough modelling. The potential disparity between the two models is explained due to the different forecast year, different days for traffic count data etc. which has not allowed for a direct comparison.
- 1.31. During the Revised Publication Local Plan consultation, CCC sought assurances that growth arising in both Billericay and Wickford will not have a negative impact on key transport connections between the authority areas, particularly in relation to Stock, and the A130 and A132 routes. To this end, they requested in their representation (RLP/1644) that additional words be included within the Basildon Borough Local Plan requiring transport assessments prepared for applications on relevant sites in Billericay and Wickford to consider the transport implications and mitigation measures necessary in the adjoining Chelmsford City area. BBC note that a reciprocal modification was proposed in respect of the Chelmsford City Local Plan at the pre-submission stage on request of Basildon Borough Council, and therefore it is appropriate for the Basildon Borough Local Plan to also include such text to capture such cross-boundary development impacts. The following minor modification is therefore proposed in this respect:

| Ref No. | Para/Policy No. | Page No. | Proposed Modification | Reason for Change |
|---------|--------------------|----------|--|--|
| OM9.29 | Policy T6 – Part 2 | 87 | The assessment/statement must demonstrate how the impacts of the development on the highway network will be mitigated to limit significant effects on highway and junction capacity in order to satisfy the requirements of the Highway Authority. <u>Where a site is located close to the borough boundary, or may have transport implications beyond the borough boundary by virtue of its scale, the Transport Assessment/Statement must consider the transport implications and mitigation measures (where appropriate) necessary in adjoining local planning authority areas.</u> | Clarification which addresses concerns raised by Chelmsford City Council in representation RPLP/1644 |

Areas of Agreement

- That BBC has worked with CCC to prepare evidence to identify and mitigate the impacts of the Local Plan on the highway and transport infrastructure.
- In order to ensure that the Local plan is clear that impacts of specific development proposals in Billericay and Wickford on the transport network in Chelmsford City Council’s area must be fully assessed and mitigated at the planning application stage, modifications requested by CCC have been agreed as appropriate by BBC and are incorporated into the schedule of minor modifications (Modification No. OM9.29)

Site Allocations

- 1.32. CCC has not raised specific objections with regard to site allocations in the Basildon Borough Local Plan, although the comments in respect of traffic impacts, dealt with above, do impact on some of the allocations in Billericay and Wickford. The modifications proposed in respect of the transport section above address this concern, and therefore there are no outstanding matters regarding site allocations.

Areas of Agreement

- **There are no areas of uncommon ground or unresolved strategic matters.**

Sustainability Appraisal (including SEA)

- 1.33. The Spatial Strategy and policies within the Revised Publication Local Plan are sound and supported by a comprehensive and robust evidence base.
- 1.34. Appropriate and robust SA/SEA has been undertaken throughout the preparation of the Local Plan in an iterative and consultative manner which has led to the Local Plan containing an appropriate and sustainable strategy.

Areas of Agreement

- **There are no areas of uncommon ground or unresolved strategic matters.**

2. Further Joint Working

It is agreed by BBC and CCC that:

- 2.1. Following the publication of the EPOA Gypsy and Traveller Accommodation Assessment Report, January 2018, an initial scoping exercise has been identified to be undertaken by EPOA to review transit site requirements across Essex. This is dependent on new survey data being collected in 2019.
- 2.2. Whilst the RAMS has been completed, there is a need for a SPD to be developed and for joint governance arrangements to be put in place to implement and deliver the action plan set out in the RAMS in order to deliver effective mitigation of housing growth in Essex on the Essex Coast Natura 2000 sites.

3. Areas of Uncommon Ground

- 3.1. There are no remaining areas of uncommon ground where an agreement has not been reached.

4. Additional Strategic Matter

4.1. There are no additional strategic matters which BBC or CCC are aware of which has not already been addressed by this Statement of Common Ground.

5. Monitoring

5.1. This statement will be maintained by BBC and updated as necessary.

5.2. BBC will continue to work with all CCC beyond the Local Plan adoption for the monitoring and implementation of the Local Plan.

6. Signatories:

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| Signature:  | Signature:  |
| Matthew Winslow Service Manager – Strategic Planning, Housing and Regeneration Strategy Basildon Borough Council | Jeremy Potter Spatial Planning Manager Chelmsford City Council |
| Date | Date 19.3.19 |

Appendix 1:

