

Local Plan Sub-Committee – 16th July 2020

Statement / Question by Mr Matthew O'Connell

I am speaking as a Braintree resident who has participated in the Local Plan examination. A year ago my wife spoke at the Local Plan Committee on my behalf and highlighted that the new evidence was not fit to be submitted due in particular to issues with viability and the rapid transit proposals, points which I then contributed in detail on in January at the examination.

I have written to Cllr Spray over the last week to express grave concerns that officers are responding to the Inspector's critical question on OAN without any scrutiny - from councillors or the public - at the Local Plan Committee. While we have exchanged cordial messages on the topic, this situation has remained unchanged.

There is the clear possibility for a reduction in Braintree's OAN as a result of the 2018 based ONS figures and the examination under 2012 NPPF. While the headline reduction from 13k to 7k in the ONS would not necessarily be replicated in full in the reduced OAN, it is indisputable that a significant reduction is possible. I would make the very clear point - and will do so to the examination if required - that it is also the only legally sound approach given the way this plan is structured. Further plan reviews under new rules and calculations could be considered at a high level in the setting of the buffer (indeed that would largely have achieved itself through the proposed Section 2 allocations) but at the same time a Plan review in 5 years time is sufficiently far off and abstract that only modest weight can be given to its relevance at the present time.

This reduction would mean the Section 2 examination would carry little or no risk of not succeeding and would kick any discussion of the need for a new call to sites - with the corresponding delay - into the long grass. At the same time it would be a huge mitigant for issues with the 5yr housing supply post plan adoption, something which Cllr Butland and others have regularly cited as Braintree's primary day to day challenge on housing.

Furthermore it would - obviously - reduce the urban sprawl which all parties rightly refer to. It doesn't matter what one's view on location or housing form is: building for 70-80% above the statistical need is wrong - wrong in a legal soundness context, wrong from a habitat destruction perspective and wrong in the context of BDC's declared climate emergency.

The interests of BDC and the other NEAs are likely not aligned here such that the submission to the Inspector is more sensitive and more demanding of Councillor and public scrutiny. Indeed, there is a very strong argument that the options for the local plan cannot be considered appropriately or with an open mind without this point being taken into account.

There is no real timing issue here - certainly the Inspector indicated flexibility and the priority should be getting a key point right.

Nor is the apparent technical expertise of officers a mitigant. The topic is simply not that complicated and, while noting that they will have put a lot of hard work into the Local Plan, these officers are nevertheless the same ones who told the Local Plan Committee previously that the revised evidence was fit for purpose. How can they be trusted to get this right without appropriate scrutiny?

Finally the fact that the public will be able to comment on this point to the Inspector is simply not good enough as a reason for no scrutiny. Such formal representations should be affectively a "last resort" if meaningful public interaction at a stage prior to the submission of the respective information has not achieved any common ground. After all, this is also in the Council's best interests as the more adversarial a Local Plan topic becomes, the more the Council loses control of the point. Here it seems that we are simply back in the territory of Council vs. Public rather than anything more constructive, which was certainly my hope post the examination in public and the inspector's conclusions.

I would at the very least urge the Council to ask for a brief extension to the OAN submission such that the matter can be scrutinised at the July Full Council meeting as the proposed submission from officers will definitely be ready on that timeline.

My statement stands for itself but I will leave you with this simple question: how can officers and councillors justify this absolutely key aspect of the local plan not receiving such scrutiny?