



# Brentwood Pre-Submission Local Plan (Regulation 19)

January 2019

## COMMENT FORM

From Tuesday 05 February to Tuesday 19 March 2019 we are consulting on the next stage of the Brentwood Local Plan: Pre-Submission Local Plan (Regulation 19). You can view and comment on the consultation document online at:  
**[www.brentwood.gov.uk/localplan](http://www.brentwood.gov.uk/localplan)**

Alternatively, please use this form to share your views on the contents of the document.

All responses should be received by 5PM Tuesday 19 March 2019.

Please return forms either by attaching completed forms by email to **[planning.policy@brentwood.gov.uk](mailto:planning.policy@brentwood.gov.uk)** or alternatively by post to Planning Policy Team, Brentwood Borough Council, Town Hall, Brentwood, Essex CM15 8AY.

### **How to complete the representation form:**

This form consists of two sections – Section A: Personal Information, and Section B: Your Representation. Please note that your representation cannot be accepted without completing information identified in Section A.

The Local Plan Pre-Submission (Regulation 19) consultation consists of more formal and technical questions focused on the four Tests of Soundness and whether the Local Plan is compliant with relevant legislation. Comments are to be focused on three core areas – is the Plan positively prepared (referred to as ‘soundness’), does the Council adhere to the Duty to Cooperate, and is the Plan legally compliant (addressed by question 3 of this comment form). These terms are defined below:

- a) **Soundness:** Local Planning Authorities must prepare a Local Plan based on relevant and appropriate evidence base. They are required to publish these documents on their website. The evidence used to develop the Brentwood Local Plan can be found on the Council’s website under Evidence Base.
- b) **Duty to Cooperate:** Throughout the plan-making process discussions have taken place with various statutory consultees and neighbouring authorities. A summary of these meetings can be found within the Duty to Cooperate Statement, published as part of the Regulation 19 consultation. This is a live

document and will be updated prior to being submitted to the Secretary of State.

- c) **Legally Compliant:** Local Planning Authorities must prepare a Local Plan which adheres to the requirements as set out in the National Planning Policy Framework (NPPF), planning practice guidance, and other relevant planning regulations & legislation.

Question 4 of this comment form asks for further information on your opinion of the Plans 'soundness'. According to the National Planning Policy Framework (NPPF) para 35, Local Plans are examined to assess whether they have been prepared in accordance with legal and procedural requirements and whether they are sound. Plans are 'sound' if they are:

- a) **Positively prepared** – providing a strategy which as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and consistent with achieving sustainable development
- b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

Please keep in mind the information provided above to assist with correctly completing your comment form. For additional information on what the difference is between a Regulation 18 and Regulation 19 Local Plan consultation, please view the FAQ's published on-line [www.brentwood.gov.uk/localplan](http://www.brentwood.gov.uk/localplan)

#### **Data Protection**

All personal information that you provide will be used solely for the purpose of the Local Plan consultation. Please note whilst all addresses will be treated as confidential, comments will not be confidential. Each comment and the name of the person who made the comment will be featured on the Council's website.

By submitting this form, you are agreeing to the above conditions.

**Section A: Personal Details**

Title	Mr
First Name	Ian
Last Name	Butt
Job Title (if applicable)	Head of Place and Policy
Organisation (if applicable)	Castle Point Borough Council
Address	Council Offices Kiln Road Thundersley
Post Code	SS7 1TF
Telephone Number	01268 882310
Email Address	ibutt@castlepoint.gov.uk

## Section B: Your Representation

Please complete a separate sheet for each representation that you wish to make. You must complete 'Part A – Personal Details' for your representation to be accepted.

Representations cannot be treated as confidential and will be published on our Consultation Portal. Any representations that are considered libelous, racist, abusive or offensive will not be accepted. All representations made will only be attributed to your name. We will not publish any contact details, signatures or other sensitive information.

Full Name	Ian Butt
-----------	----------

Question 1: Please indicate which consultation document this representation relates to?

The Local Plan

Sustainability Appraisal

Habitat Regulations Assessment

Question 2: Please indicate which section of the indicated document identified above that you are commenting on (where applicable please clearly state the section / heading or paragraph number).

Policy SP02: Managing Growth

Question 3: Do you consider the Local Plan is:

Sound?

YES

NO

Legally Compliant?

YES

NO

Compliant with the Duty to Cooperate?

YES

NO

Question 4: If you consider the Local Plan unsound, please indicate your reasons below (please tick all that apply):

The Local Plan has not been positively prepared

The Local Plan is not justified

The Local Plan is not effective

The Local Plan is not consistent with national planning policy

Question 5: Please provide details of either:

- Why you consider the Plan to be sound, legally compliant, or adheres to the Duty to Cooperate; or
- Why you consider that the Local Plan is unsound, is not legally compliant, or fails to comply with the Duty to Cooperate

### 1. Legal Compliance

Brentwood Borough Council (BBC) has worked closely with Castle Point Borough Council (CPBC) through the production of the emerging Pre-Submission Local Plan (PSLP).

In January 2018 a Memorandum of understanding was signed by Brentwood, Castle Point, Essex County, Rochford, Southend-on-Sea and Thurrock to form the Association of South Essex Local Authorities (ASELA). The Council has worked closely with BBC and other South Essex authorities to produce joint evidence base documents and through the emerging Joint Strategic Plan for South Essex (JSP).

From CPBC's perspective, the production of the PSLP has included joint working which meets the requirements of the Duty to Cooperate. There is no reason for the Council to question the legal compliance of the PSLP.

### 2. Test of Soundness

#### 2.1 Positively Prepared

To be positively prepared, the PSLP should seek to meet the areas objectively assessed needs (OAN).

The PSLP makes provision for 7,752 new residential dwellings to be built over the plan period. The housing target is in excess of the level of need calculated through the Standard Method within the Planning Practice Guidance, and is based on recommendations in the SHMA which seeks to meet objectively assessed housing needs in the Borough. CPBC supports this approach.

It is acknowledged that BBC has undertaken extensive work to identify suitable sites, review the urban land capacity, seek additional land capacity through windfall, town centre and brownfield sites, review urban densities, seek to limit the loss of the Green Belt, and consider the practical realities of phasing development alongside infrastructure delivery. CPBC commends the approach taken by BBC in seeking to deliver high housing requirements in an area with significant environmental, Green Belt and infrastructure challenges. In relation to Policy SP02, CPBP has no reason to believe that the PSLP has not been prepared positively.

2.2 Justified and effective

The PSLP provides for an uplift in the amount of homes that will be delivered over the Plan period. The PSLP identifies that the majority of homes will be delivered after the first five years of the plan period. Where the majority of allocations within the Plan are on Green Belt sites, it is acknowledged that these sites will require longer lead in times before new dwellings can be delivered. The PSLP has therefore set out a phased rate of housing delivery which they consider to be realistic and deliverable, allocating a higher level of development later in the Plan period. CPBC has no reason to believe that the approach to housing delivery within the PSLP is not justified and effective.

2.3 Consistent with national planning policy

The PSLP will be assessed against the requirements of the 2018 National Planning Policy Framework (NPPF). Based on an assessment of some of the key elements of the PSLP, CPBC has no reason to believe that the Plan is inconsistent with national planning policy.

Question 6: Please set out what modification(s) you consider necessary to make the Local Plan sound or legally compliant, having regard to the matters that you identified above.

You will need to say why this modification will make the Local Plan sound or legally compliant. Please be as accurate as possible.

From CPBC's perspective, the production of the PSLP has included joint working which meets the requirements of the Duty to Cooperate. CPBC has not identified any reasons why the PSLP should not be considered positively prepared, justified, effective, and consistent with national planning policy.

Question 7: If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the Examination in Public (EiP)?

NO, I do not wish to participate in the oral part of the EiP

YES, I wish to participate in the oral part of the EiP

Question 8: If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary.

Please continue on a separate sheet if necessary.

Please note that the Inspector (not the Council) will determine the most appropriate procedure to hear those who have indicated that they wish to participate in the oral part of the Examination.