



**BRENTWOOD**  
BOROUGH COUNCIL

# 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	Richard
Last Name	Hatter
Job Title (if applicable)	Strategic Planning Manager
Organisation (if applicable)	Thurrock Council
Address	Strategic Planning Policy Civic Offices, New Rd Grays, Essex
Post Code	RM17 6SL
Telephone Number	
Email Address	

## 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	Mr Richard Hatter
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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).

Housing Need – Chapter 4 – paragraphs 4.11 to 4.21

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

The Pre-Submission Brentwood Local Plan (Regulation 19) fails to take into account the latest Government approach (as published in February 2019) to housing need assessment and use of the appropriate household and demographic data and is therefore considered unsound. The baseline housing target in the pre-submission plan of 350 dwellings per annum is now considered inappropriate and out of date. The upper end flexible target of 456 dwellings per annum is now just above the baseline requirement of 452pa as set out in the standard methodology approach.

It is noted that the previous Preferred Site Allocations consultation of 2018 had been based on the then January 2018 Strategic Housing Market Assessment of Objectively Assessed Housing Need providing a figure of 380 dwellings per annum and 7600 dwellings over the plan period 2013-2033. The OAHN figure was based upon a demographic derived need of 280 dpa uplifted by 30% to take account of market signals and 6% contingency figures to allow for possibility of increase due to new official population and housing projections. There is no employment uplift to these figures. The objectively assessed need was therefore using an approach set out in Planning Practice that related to the NPPF of 2012. The Government had published in September 2017 draft options for a standard methodology. The draft target for Brentwood using this methodology and based upon the 2014 CLG Household Projections was 454 dwellings.

Due to the uncertainty regarding the proposed Government options for assessment of need and pending new demographic projections Brentwood Council plan housing target numbers slightly above the then assessed objectively assessed housing need to allow some degree of flexibility and to make a contingency. Furthermore it is noted that the Council considered that there was potential to accommodate the housing numbers proposed by the Government proposed standardised methodology at Dunton Hills Garden Village. Thurrock Council had sought further clarification as to the actual level of housing requirement and provision that will be included in the local plan and that this can be accommodated within the Brentwood Borough boundary.

The revised NPPF and Guidance of July 2018 stated the standard methodology should be used for calculating objectively assessed need and use of the most recently published household projections. At the time the 2014 CLG based Household Projection formed the starting point with a OAN figure of 452 homes per annum.

In September 2018, ONS published 2016–based Household Projections. Using the standard methodology these projections show a reduced rate of household growth resulting in a reduced housing requirement for Brentwood of 350 dwellings per annum. It is this figure that have been used to assess the OAN for Brentwood in the revised SHMA of November 2018 and incorporated as the baseline housing target figure in the Pre-Submission Brentwood Local Plan (Regulation 19). The Pre-Submission Plan includes a higher figure of 456 dwellings per annum as an upper range to provide flexibility and act as a contingency figure. The total housing provision in the Brentwood local plan is 7,752 dwellings between 2016-2033 (456 dwellings per annum).

However in February 2019 the Government published a revised NPPF, Planning Guidance and response to its consultation on assessing need. It has made clear that the 2016-based household projections should not be used for the standard methodology calculation and the 2014 CLG household projections used instead.

Therefore the Brentwood Pre-Submission Local Plan (Regulation 19) in making an upper provision for up to 456 homes per annum just meets the OAN for housing in the plan period having regard to the current standard methodology. However the baseline housing target of 350 dwellings is now based upon a methodology that does not comply with Government Policy. This calls into question the soundness of the plan but also means the plan no longer provides for a contingency above the OAN and no buffer requirement to meet any failure of the thresholds of the housing delivery test.

The Government’s recently published Housing Delivery Test figure for Brentwood indicate that it is required to provide a 20% buffer. As the Housing requirement for Brentwood is now based upon the higher standard methodology figure of 452 dwellings per annum. It is unclear whether Brentwood is able to meet these figures for its five year supply as the Pre-submission plan housing trajectory was assuming 310 dwellings in the early period of the plan.

Please continue on a separate sheet if necessary

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.

- It is considered that the Brentwood Local Plan will need to be re-assessed in light of the implications of the Government requirement to use the standard methodology with CLG 2014-based household projections.
- The plan will need to be revised make provision for a higher housing target and provision for additional housing sites to provide a contingency buffer.
- In light of the revised housing baseline figures the SA will need to be reviewed to take account of this requirement.
- Technical evidence and the IDP will need to be reviewed and where necessary amended to take account of revised housing target.
- The South Essex Authorities are considering the commissioning of additional elements of evidence base to support the preparation of the joint strategic planning including a further review of the South Essex SHMA that would incorporate the outcome of changes to projections and methodology referred to above. It is considered that as a partner in the joint working that Brentwood Council should include any review of its OAHN in the South Essex review SHMA.

Please continue on a separate sheet if necessary



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.

Due to the significance of the representations submitted by Thurrock Council it is requested that it attends the oral part of the examination

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.