



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

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 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.

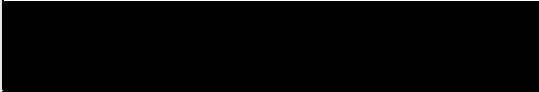
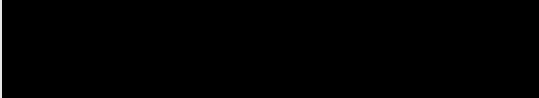
Please keep in mind the information provided above to assist with correctly completing your comment form. For additional information on what the difference is between a Regulation 18 and Regulation 19 Local Plan consultation, please view the FAQ's published on-line www.brentwood.gov.uk/localplan

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	Mrs
First Name	Pauline
Last Name	Roberts
Job Title (if applicable)	Planning Director
Organisation (if applicable)	Lichfields on behalf of CEG Land Promotions Limited (CEG)
Address	14 Regent's Wharf All Saints Street London
Post Code	N1 9RL
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	Lichfields for CEG
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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).

These representations relate to Chapter 4. Managing Growth.

Within our response to question no. 5 below, reference is made to specific pages, paragraphs and/or policies.

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

Policy SP01, Sustainable Development (page 46 - 47)

Criterion B and C of Policy SP01 unnecessarily repeats the NPPF and could be removed.

Criterion D(i) should be amended to reflect multiple heritage assets and conservation areas.

Local Housing Need (page 48 – 50)

Since the Regulation 19 Local Plan was published, the Ministry of Housing, Communities and Local Government has confirmed its position on the standard method for calculating housing need (19 February 2019) which is of relevant to this Plan. In response, the Council will need to update explanatory text in Chapter 4 of the Local Plan to reflect the use of 2014 rather than 2016 household projections.

The Planning Practice Guidance makes clear that the standard method formula is used to identify the minimum number of new homes to be planned for and does not in itself establish a housing requirement figure. The Council's housing requirement figure is set out in the Plan at 456 dpa and this figure is in excess, albeit only slightly, of the standard method figure (452 dpa) using the 2014 projections and is sufficient. The requirements of national policy are met and the plan is sound.

The Council states that in including its 'annual housing supply buffer' on top of the 350 dpa (derived from use the standard method calculation using the 2016 projections) it serves to safeguard against any potential uplift to the standard method, this now having materialised. This was a sensible contingency. Considering this buffer has now effectively absorbed within the updated standard method figure the Council is requested to confirm if its purpose has now been served and it intends to submit the plan to examination with the housing requirement as currently stated.

CEG supports the Council's reliance on a stepped trajectory which, in accordance with the Planning Practice Guidance (paragraph 34, Ref. ID: 3-034-20180913), is appropriate in circumstances where: there is to be a significant change in the level of housing requirement between the adopted and emerging Local Plans, as is the case here; and, recognising that many sites will not be available for development until the adoption of the plan, reflecting the high proportion of designated Green Belt in the Borough.

CEG is committed to bringing forward the provision of new homes on Dunton Hills Garden Village (DHGV) as early as possible in the Plan period and is working closely with the Council and Homes England to achieve this.

Policy SP02, Managing Growth (page 50) & Figure 4.2 (page 51)

A modification to Policy SP02(A) and Figure 4.2 is proposed in our response to question no. 6 to acknowledge that housing provision should represent a 'minimum' for consistency with national policy and guidance, and Local Plan Policy R01.

Policy SP05, Construction Management (page 58)

Policy SP05 requires developers to take a considered approach to construction management and seeks to manage construction activity to minimise local disturbance. CEG supports this policy and will bring forward the development at DHGV in this way. Criterion B might usefully clarify that this refers to other major 'committed' development.

Policy SP06, Effective Delivery of Development (page 60)

Policy SP06 requires development proposals for large allocation sites to be developed in partnership with the Council, infrastructure providers and relevant organisations through a masterplanning approach. This may include an independent Design Review Panel process, which is an approach supported by the NPPF (paragraph 129). CEG supports this policy and is bringing forward the development of DHGV in this manner, with an independent Design Review Panel process and working in partnership with the Council and other relevant organisations as necessary.

A footnote might usefully clarify what constitutes large complex allocation sites as far as the Council is concerned.

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.

Policy SP01 Sustainable Development (page 46 - 47)

Criterion B and C of Policy SP01 unnecessarily repeats the NPPF and could be removed.

Criterion D(i) should be amended to reflect multiple heritage assets and conservation areas as follows:

"i. preserves, and where appropriate, enhances heritage assets and conservation areas;"

Policy SP02, Managing Growth (page 50) & Figure 4.2 (page 51)

A modification to Policy SP02(A) and Figure 4.2 is proposed to reflect that housing provision reflects a 'minimum'. This also ensures consistency with national policy and guidance, and Local Plan Policy R01.

To ensure that the plan is positively prepared and consistent with the NPPF criterion A should be updated to reflect that *“provision should be made for a minimum of 7,752 new residential dwellings...”*.

CEG supports the inclusion of Figure 4.2 to explain how housing provision will occur. The column entitled 'Net homes' should either be retitled 'Minimum net homes' and/or a footnote should be included relating to DHGV to the effect that 2,700 is the minimum to be provided, consistent with the wording of Local Plan Policy R01.

Policy SP05, Construction Management (page 58)

Criterion B might usefully clarify that this refers to "... other major **'committed'** development..."

Policy SP06, Effective Delivery of Development (page 60)

A footnote might usefully clarify what constitutes large complex allocation sites, as referenced in criterion A, as far as the Council is concerned.

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.

CEG is a major stakeholder in Local Plan. It is the main developer behind the DHGV proposal which is a Strategic Allocation that will provide for a significant proportion of the housing need identified over the plan period. CEG wishes to participate in discussions at the Examination in relation to housing need.

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.