



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.

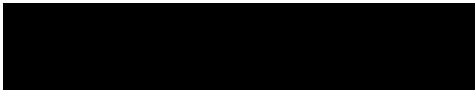

Please keep in mind the information provided above to assist with correctly completing your comment form. For additional information on what the difference is between a Regulation 18 and Regulation 19 Local Plan consultation, please view the FAQ's published on-line www.brentwood.gov.uk/localplan

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 |
|-----------|--------------------|

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 7, Prosperous Communities.

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 PC08, Retail Hierarchy of Designated Centres (page 187)

CEG supports the Council in its promotion of the designated centres, although it is suggested that reference is made to existing and proposed designated centres, considering the fact the District Shopping Centre at Dunton Hills Garden Village (DHGV) doesn't yet exist.

CEG notes that Policy R01 which deals with the DHGV Strategic Allocation proposes a District Shopping Centre with additional Local Centres in line with Policy PC08. Policy R01 deals with the specific requirements of DHGV. Policy PC08 refers to the Designated Centres set out in Figure 7.7 but this only refers to the District Shopping Centre at DHGV and not the Local Centres. To ensure consistency and to ensure the Plan is positively prepared the list of Local Centres in Figure 7.7 should include reference to local centres at DHGV.

The explanatory text which follows Figure 7.7 refers to DHGV (paragraph 7.54 iv) and also needs to be brought into line with Policy R01. It should refer to the 'provision of', rather than the 'potential for', a District Shopping Centre; and that the Local Centres are additional to, rather than potentially instead of, the District Shopping Centre.

The last sentence of paragraph 7.54 iv) is also confusing and creates further inconsistency. It indicates that the designation of these centres will be informed further by the South Brentwood Growth Corridor Masterplan and further retail evidence and considered as part of a future Local Plan review.

The Local Plan should either designate existing centres and propose new ones, which when they are built are designated as existing centres as part of a Local Plan review; or designate existing and proposed centres which appears to be the approach the Council is adopting here. In the latter scenario it is reasonable to defer the designation of the Primary Shopping Area to a later review once the centres are built. Whatever approach is adopted the way the District Shopping Centre and Local Centres are presented should be consistent with Policy R01.

CEG supports the recognition of the potential for use of upper floors for residential use in Designated Centres. This encouragement could be extended further to a more general statement of support for such uses in criterion C.

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 PC08: Retail Hierarchy of Designated Centres

For consistency with Policy R01 the following modification is proposed:

- A. The Council will promote the ~~continued~~ roles and functions of the **existing and proposed** Designated Centres to positively contribute towards their viability, vitality, character and structure....

Figure. 7.7: Brentwood - Designated Centres on the Retail Hierarchy

DHGV should be added to the list of Local Centres.

The centres at DHGV should be denoted as 'proposed' or a footnote added to clarify this.

Footnote no. 10 should be amended to state the Primary Shopping Areas will be designated in a Local Plan review.

Paragraph 7.54 iv. should be redrafted to ensure consistency with Policy R01 and Policy PC08.

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 will provide for a significant proportion of the housing need identified over the plan period, along with provision of associated district and local centre provision.

In light of this, CEG wishes to be represented at the oral examination on matters relating to Chapter 7 of the Local Plan on designated centres. CEG also wishes to offer its assistance more generally regarding the planning and delivery of DHGV.

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.