



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	Mr
First Name	Jon
Last Name	Nicholls
Job Title (if applicable)	
Organisation (if applicable)	c/o Sworders
Address	Hadham Hall Little Hadham Ware Hertfordshire
Post Code	SG11 2EB
Telephone Number	01279 771188
Email Address	Rachel.bryan@sworders.com

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	Rachel Bryan
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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).

Local Housing Need - Paragraphs 4.11 – 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

Housing Need

In October 2018, the Government consulted on technical changes to its proposed Standard Methodology to calculate housing need based not on the 2016 household projections published by the Office for National Statistics, but on the 2014 household projections published by the Department for Communities and Local Government (DCLG). These revised projections result in a housing figure for the Borough of 456 dwellings per annum.

In February 2019, the Government published a summary of the responses to its October 2018 technical consultation and its view on the way forward, in which it confirmed that its proposed approach provided the most appropriate approach ‘for providing stability and certainty to the planning system in the short term’ and that Local Planning Authorities should not use the 2016 household projections, which resulted in lower housing numbers, as a reason to justify lower housing need.

The Plan states that the Borough’s annual housing requirement is still 380 homes per annum, based on the findings of the Strategic Housing Market Assessment (2016). However, paragraph 4.16 of the Plan sets out the intention to make provision for an additional housing supply buffer, which provides a 20% uplift to the annual housing figure of 380 units, resulting in provision of 456 dwellings per annum, resulting in a requirement for 7,752 dwellings from 2016 – 2033. This is the same figure as required by the Government’s Standard Methodology for Calculating Housing Need.

However, Brentwood Borough Council was recently identified in the publication of the Government’s Housing Delivery Test as an authority which has delivered less than 85% of its housing requirement, and therefore has to add a 20% buffer to its housing land supply figure.

We therefore object to the housing requirement set out in the Plan on the basis that it is insufficient to meet the Borough’s needs. Paragraph 59 of the *NPPF* requires local planning authorities to boost significantly the supply of housing. It expects evidence to be used to ensure that the Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the other policies set out in the *NPPF*. The Plan does not do this; it only makes provision for the OAN and does not provide for the additional 20% buffer, as required under the Housing Delivery Test.

It cannot be positively prepared to meet objectively assessed requirements and therefore cannot be considered sound.

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.

The Plan should be updated to make provision for the Borough's objectively assessed need, to take account of the figure in the Government's Standard Methodology for Calculating Housing Need, with an additional 20% buffer to reflect the Housing Delivery Test.

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.

To set out why the Plan is not making adequate provision for new housing.

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.