



# Consultation on Potential Main Modifications to the Local Plan 2016-33

September 2021

## REPRESENTATION FORM

This form should be used to make representations on the Main Modifications to the Brentwood Local Plan 2016-2033 submission version as contained within the Schedule of Potential Main Modifications and accompanying updated Sustainability Appraisal and Habitats Regulations Assessment.

The Schedule of Potential Main Modifications and all required supporting documents can be accessed via the Local Plan website at <http://www.brentwood.gov.uk/local-plan-examination>

Please note this form has two sections:

Section A – Personal information

Section B – Your representation

Please ensure you complete **both** parts of the form.

Where possible, we would prefer responses are provided using our Local Plan online consultation portal. This is the quickest and easiest way to make representations. To respond in this way, please follow this link: <https://brentwood.oc2.uk/>

Comments will be considered by the independent Planning Inspectors undertaking the examination.

**All responses must be received by 5pm Thursday 11 November 2021**

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 MM Consultation 2021, Planning Policy Team, Brentwood Borough Council, Town Hall, Brentwood, Essex CM15 8AY

### 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.

**Guidance Note on Legal Compliance**

The Inspectors have assessed whether the Plan meets the legal requirements under section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended (PCPA), which includes whether the Local Planning Authority has complied with the Duty to Cooperate (section 33 of the PCPA) when preparing the Plan, before moving on to test the Plan for soundness.

In relation to this consultation, comments regarding legal compliance should only be submitted where they relate to the potential Main Modifications.

**Guidance Note on Soundness**

Local Plans are required to be assessed against the tests of soundness. If you are objecting to a potential Main Modification, Question 3 of the representation form asks you to identify which of the below tests of soundness you consider the modification fails to address (soundness is explained in National Planning Policy Framework (NPPF 2021) paragraph 35).

**Positively prepared** - The Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - The Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.

**Consistent with national policy** - The Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

The preparation of the Local Plan has had regard to all policies in the NPPF. However, insofar as your comments relate to the Main Modifications, you may take the view that the Local Plan:

- a) Fails to address a requirement of the NPPF; in this case you should explain what else it needs to include. Please note that the Local Plan does not need to repeat national policies; or
- b) Departs from national planning policies without good local reasons. In this case, please explain why.

Please keep in mind the information provided above to assist with correctly completing your comment form.

Section A: Personal Details	
Title	Mr
First Name	Mike
Last Name	Taylor
Job Title (if applicable)	Director
Organisation (if applicable)	Chilmark Consulting Ltd On behalf of: <b>U+I Group Plc</b>
Address	Cambridge House Henry Street Bath
Post Code	BA1 1BT
Telephone Number	[REDACTED]
Email Address	

Do you wish to be notified when the Brentwood Local Plan 2016-2033 is adopted by the Council?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
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## 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	U+I Group Plc
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Question 1: Which **Main Modification and/or supporting document** does your representation relate to?

Each Main Modification within the Schedule has a reference number. This can be found in the first column i.e. MM1, MM2

Any representations on a supporting document should clearly state which paragraphs of the document it relates to and, as far as possible, your comments should be linked to specific Main Modifications. You should avoid lengthy comments on the supporting documents themselves.

Representations on the Policies Map must be linked to specific modifications in that they reflect a change required as a result of a Main Modification.

Schedule of Potential Main Modifications	MM no.	<input type="text" value="10"/>
Sustainability Appraisal	para(s)	<input type="text"/>
Habitat Regulations Assessment	para(s)	<input type="text"/>
Policies Map or other supporting documents	Please specify	<input type="text"/>

Question 2: Do you consider this **Main Modification and/or supporting document**:

Legally Compliant?

YES

NO

Sound?

YES

NO

Question 3: If you consider the **Main Modification and/or supporting document** unsound, please indicate which of the soundness test(s) does it fail (please mark all that apply):

Not positively prepared

Not justified

Not effective

Not consistent with national planning policy

Question 4: Please provide details of either:

- Why you consider the **Main Modification and/or supporting document** to be sound or legally compliant; or
- Why you consider the **Main Modification and/or supporting document** to be unsound or is not legally compliant.

Please see the attached representation submission

Please continue on a separate sheet if necessary

Question 5: Please set out what change(s) you consider necessary to make the **Main Modification and/or supporting document** sound or legally compliant, having regard to the matters that you identified above.

You will need to say why this change will make the Submission Version of the Local Plan sound or legally compliant. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as accurate as possible.

Please see the attached representation submission

Please continue on a separate sheet if necessary

## **Brentwood Local Plan Examination: Schedule of Potential Main Modifications**

### **MM10 – New Policy MG06: Local Plan Review**

**For and on behalf of: U+I Group Plc**

**November 2021**

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#### **Introduction**

1. This submission to the Brentwood Borough Local Plan Examination is for and on behalf of U+I Group Plc.
2. It is concerned with the Consultation on the Schedule of Potential Main Modifications (September 2021) and particularly with **MM10** (at pages 29 - 31 of the Schedule of Potential Main Modifications) concerning the proposed new policy **MG06: Local Plan Review**.
3. U+I Group Plc has acquired the land interest and position taken formerly by LaSalle Land Limited Partnership (LLLLP) with respect to the Brentwood Borough Local Plan (BBLP) submitted for Examination by Brentwood Borough Council (BBC).

#### **Overview**

4. Potential Main Modification **MM10** is concerned with the insertion of a new policy into the Plan setting out the basis for an early, partial review of the Local Plan.
5. The context within which a Plan Review is now contemplated by virtue of **MM10** is in the context of the Borough Council's failure to prepare and adopt a new Local Plan since the existing Plan was adopted more than sixteen years ago (August 2005). This has resulted in a policy and housing allocations vacuum that fails to support new sustainable development resulting in a significant housing shortfall in recent years.
6. U+I Group Plc has previously commented on the possibility of an immediate Plan Review (see Hearing Statement on Matter 1, November 2020) and has concluded



that, although far from an ideal situation, an immediate review of the Local Plan is required in order to address the manifest deficiencies of the current Plan.

7. To be effective the immediate Plan Review will need to inter alia:
  - commence immediately following adoption of the current Plan;
  - carefully scope the extent of matters and issues for review with a clear focus on dealing with future housing needs and supply;
  - have an emphasis and focus on sites for housing that are suitable, achievable and available within the first five years of the Plan Review period;
  - include a focused review of the Green Belt emphasising the most sustainable development locations including sites around Brentwood Town;
  - allocate new housing land and sites, including around Brentwood Town, to ensure the Borough's identified local housing needs are met in full and with appropriate supply 'headroom' to offer flexibility and account for the timing of delivery over the new Plan's period; and
  - be undertaken in the context of, and in order to align with, the emerging Joint South Essex Plan that is being advanced separately by BBC with adjoining local authorities.
8. **MM10** seeks to have the Plan Review submitted for Examination within 28 months. U+I Group Plc consider that, given the pressing housing delivery issues and concerns raised as to the soundness of the current Local Plan's approach to housing needs and supply, it is imperative that this timescale is shortened as far as possible.
9. The Plan Review should be **submitted for Examination within 18 months** of adoption of the current Plan. This is ample time to undertake and complete the necessary evidence base studies and investigations as the issues to be considered and tested are already well understood. It also represents a positive commitment from the Borough Council to resolve the critical matters that the current Plan appears unable to address.

## Conclusion

10. U+I Group Plc concludes that **MM10** is now an appropriate modification in the situation that the current Local Plan's housing land supply deficiencies are unlikely to be resolved at present.
  
11. **MM10** is therefore acceptable with the proviso that the Local Plan Inspectors' ensure that the commitment to the immediate Plan Review is effectively 'hard wired' into the policy. The supporting justification text must therefore also include a specific and detailed timetable (also reflected in a separate new Local Development Schedule) for the preparation of the Plan Review.