



**BRENTWOOD
BOROUGH COUNCIL**

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 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	Ms
First Name	Rachel
Last Name	Clements
Job Title (if applicable)	Associate Director
Organisation (if applicable)	Lichfields on behalf of CEG Land Promotions Limited (CEG)
Address	The Minster Building 21 Mincing Lane London
Post Code	EC3R 7AG
Telephone Number	
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	Rachel Clements
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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="51"/>
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.

These representations are made on behalf of CEG. CEG is the principal promoter of the proposed development at Dunton Hills Garden Village; for which an Outline application was recently submitted on behalf of CEG and the landowner.

Reviewing the changes to Policy BE16 (formerly HP19), the proposed wording in relation to non-designated heritage assets is not consistent with Paragraph 203 of the NPPF. Currently, the wording directly weighs harm/loss versus public benefit which goes beyond the policy test for non-designated heritage assets and has not been justified.

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.

(Proposed amendments in red)

“3. Non-Designated Heritage Assets

Development proposals that affect non-designated heritage assets and their settings, including protected lanes, should seek to preserve and wherever possible enhance the asset and its setting. When considering proposals which are likely to cause harm to such an asset consideration will be given to:

- i. the significance of the asset and its setting; and*
- ii. ~~the extent to which~~ the scale of harm or loss has been minimized.; and*
- iii. ~~the extent to which the benefits of the proposal outweigh the harm”~~*

- To accord with Paragraph 203 of the NPPF (2021) and to be justified.