

Our ref:

Your ref:

Ask for: Cllr Tom Cunningham

Dial:

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Date: 31 July 2026

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The Rt Hon Angela Rayner MP
House of Commons
London
SW1A 0AA

Via Email: angela.rayner.mp@parliament.uk

Dear Angela Rayner,

Braintree District Council Request for Extension to Time for Submission of Local Plan

I am writing as the Leader of Braintree District Council to request an extension to the 31 December 2026 deadline for the submission of our emerging Local Plan under the 'legacy' plan-making system¹.

Braintree District Council has an excellent track record for plan-making and housing delivery. Our current Local Plan was adopted in February 2021 (Section 2 Plan) and is only just over 5 years old. A review of the Housing Delivery Test results will also demonstrate our track record for supporting the Government in addressing the housing crisis.

Since March 2024, the Council has been working to update its Local Plan under the legacy plan-making system. Consultation on our Draft Local Plan Preferred Options (Regulation 18) ended on 17 April 2026 and the Council is due to commence Publication of the final draft Plan (Regulation 19) in late September. Our emerging Plan includes provision to meet local housing need in full (with added flexibility) established through the standard method despite a significant increase to our housing requirement from 716 dwellings per annum in our adopted Local Plan to 1,132 in the draft updated Local Plan. This commitment to plan-making is further evidenced by the Council having secured additional consultancy resources to supplement the Planning Policy Team and support working at an accelerated pace to meet the deadline set by Government. Officers are liaising with the Planning Advisory Service to access additional support and an Advisory Meeting was held with the Planning Inspectorate on 14 July 2026.

¹ As stipulated by paragraph 4(4), Schedule 1 to The Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026 (SI 2026/169), made under s.97 and Sch.7 LURA 2023

Following the High Court order to Oxford City Council not to submit their plan to the Government for examination prior to the final determination of a judicial review claim or further order of the court², the Council has sought advice from Legal Counsel and the Planning Inspectorate as to whether the existing critical path we have in place is sufficiently robust. As this critical path does not include returning the plan to Full Council following the Regulation 19 consultation planned for September 2026, we have been advised that the programme presents risk to the Council in this new area of challenge which the Council needs to mitigate. As such we have made arrangements to incorporate a new Full Council meeting into the timetable in December 2026. It should be noted however that, in the absence of any flexibility within the existing timetable, it is necessary to schedule this meeting on 21 December 2026. This means that the plan will be submitted to the Planning Inspectorate directly before Christmas. Although the risk of submitting the plan so close to the holiday period has been highlighted by the Planning Inspector during their Advisory Meeting, the Council considers this to be unavoidable. We recognise however that this is sub-optimal for both Council Officers and the Planning Inspectorate placing staff under intense additional pressure to ensure that the Government's deadline is achieved.

As such, given the challenge of delivering a Local Plan in a compressed timetable, and taking into account the additional burden that is now required as a result of the High Court decision, I am writing to ask that the Secretary of State exercise her power under paragraph 4(5) of Schedule 1 to the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026 (SI 2026/169) to direct a later date for submission of the Braintree Local Plan for examination by 31 January 2027, which takes into account the additional work and associated time required to meet this new burden. This additional time would also ensure that the Council is able to properly consider the National development management policies planned to be included within the new National Planning Policy Framework once published in order that the Local Plan policies are aligned with National Planning Policy. This is important as any policy not in alignment with a new NPPF can render policies out of date very quickly and undermine faith in the plan-making system.

In conclusion, the Council respectfully requests that the government considers granting a short extension to the deadline in recognition of the new burden that has arisen from the Interim Injunction granted by the High Court in order that the Council can continue to develop a new Local Plan which supports the Government's commitment to deliver 1.5 million homes in the parliamentary period.

Yours sincerely,



² R (Friends of the Fields, Iffley) v Oxford City Council (Mould J, Administrative Court, 3 June 2026, unreported)

Councillor Tom Cunningham
Leader of Braintree District Council

cc. The Rt Hon Matthew Pennycook MP, Minister for Housing and Planning