

GUIDANCE NOTES

SUBMISSION DRAFT LOCAL PLAN REVIEW (2043) REGULATION 19

INTRODUCTION

A Local Plan is an important document which guides decisions on planning applications. It provides the Council with an opportunity to guide growth within the Braintree District.

The current adopted Local Plan is over 5 years old and planned to deliver 716 homes a year. National Government has set a new mandatory target requiring the Council to deliver around 1,333 homes per year which means that our existing plan is out of date. This makes it easier for developers to obtain planning permission on a site which is not allocated for development. An up-to-date Local Plan will help address this challenge so that we can retain control of where we would like to see growth and protect the places where growth would not be sustainable.

Braintree District Council has published its Submission Draft Local Plan Review (2043) for public consultation. This has been drafted and approved by the Council following an earlier round of consultation called the Issues and Options Consultation in 2025, and a Regulation 18 Consultation in early 2026.

The Submission Draft Local Plan Review (2043) is published in order for representations to be made under Regulation 19 of the Town and Country Planning (Local Planning) Regulations 2012.

The Local Plan Review document can be seen alongside a required Sustainability Appraisal (SA) incorporating a Strategic Environmental Assessment in full on the Council's website:

www.braintree.gov.uk/localplanreg19

Copies are also available to view at the Council's main office at Causeway House in Braintree and at libraries across the District during normal opening hours. Supporting documents and evidence base prepared in support of the document are also available on the website at www.braintree.gov.uk

If you have any questions about the Submission Draft Local Plan Review, please contact the Planning Policy Team by emailing planningpolicy@braintree.gov.uk or by calling **01376 552525** and asking for Planning Policy.



GUIDANCE NOTE ON MAKING A REPRESENTATION

This note is intended explain what is meant by soundness and legal compliance and to help respondents make their points clear for the planning inspector.

This is particularly important for those who are submitting responses outside of our online survey such as via email or letter.

WHAT IS SOUNDNESS?

The tests of soundness are set out in the National Planning Policy Framework (NPPF). 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 authorities is accommodated where it is practical to do so and is 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
- d. consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this framework and other statements of national planning policy, where relevant.

If you think the content of the plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

WHAT IS LEGAL COMPLIANCE?

You should consider the following before making a representation on legal compliance:

- The plan should be included in the LPA’s current Local Development Scheme [LDS] and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for examination. If the plan is not in the current LDS it should not have been published for representations. The LDS should be on the LPA’s website and available at its main offices.
- The process of community involvement for the plan in question should be in general accordance with the LPA’s Statement of Community Involvement [SCI] (where one exists). The SCI sets out the LPA’s strategy for involving the community in the preparation and revision of plans and the consideration of planning applications.

- The LPA is required to provide a Sustainability Appraisal [SA] report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- The plan should comply with all other relevant requirements of the PCPA and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended [the Regulations].

HOW SHOULD I WRITE MY REPRESENTATION?

Although any and all comments can be submitted, the planning inspector will be interested in representations relating to the soundness and legal compliance of the Local Plan.

When you're preparing your written comments, it is important to consider which of the specific tests of soundness, and/or which of the legal compliance requirements, you think your comment relates to.

It will also help the planning inspector to know what specific policy you're commenting on, so think about using headings or different sections to make that clear.

The planning inspector will also be interested in what changes you think are needed to make the policy you're commenting on sound or legally compliant.

Our online survey form on our consultation portal and web form is designed to help with this, but if you're writing an email or letter, you should set out:

- which specific policy you want to provide comments on
- how your comments relate to the tests of soundness and legal compliance
- what changes you think are needed to address the issues you are raising. If you wish to comment on more than one policy, we suggest using this structure for each of your comments.

Setting out your comments in a format like this will help the planning inspector understand your views, how they relate to the tests and consider whether to recommend changes to the Local Plan based on your comments.

If you wish to provide supporting documentation as part of your response, it will help to make clear within your comments how this relates to the specific issues you are raising.

HOW TO SUBMIT A GROUP REPRESENTATION

Where groups or individuals share a common view on the plan, it would be very helpful if they would make a single representation which represents that view, rather than a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.'

SUBMITTING YOUR REPRESENTATION

To ensure your views are considered, all representations must be received by the council no later than **5pm on Friday 6 November 2026**.

Please note that representations received after the deadline will be marked as late and may not be considered by the planning inspector.

If you are submitting a representation on behalf of an organisation, or acting as an agent on the behalf of a landowner or developer, make sure to state this clearly.

