Guidance Notes to accompany Basildon Council's consultation on Regulation 19 Submission version of the Basildon Local Plan (2023-2043)

Introduction

The Basildon Borough Publication Local Plan 2023-2043, policy map and associated evidence base has been published by Basildon Borough Council in order for representations to be made on it before it is submitted for examination by a Planning Inspector.

Please carefully read this guidance before making your representation.

The Planning and Compulsory Purchase Act 2004, as amended, [PCPA] states that the purpose of the examination is to consider whether the plan complies with the relevant legal requirements, and is sound. The Inspector will consider all representations on the plan that are made within the six week period from **Midday Monday 10 August to Midnight Tuesday 22 September 2026.**

To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the plan. The Local Planning Authority (LPA) will therefore ensure that the names of those making representations can be made available (including publication on the LPA's website) and taken into account by the Inspector.

Anonymous comments will not be accepted.

Legal Compliance: If you are seeking to make representations on the way in which the Council prepared the Local Plan 2023 - 2043, it is likely your comments will relate to a matter of legal compliance.

Soundness: If it is the actual content on which you wish to make a comment or object, it is likely that your representation will relate to 'soundness', based on the tests of soundness: positively prepared; justified; effective and consistent with national policy.

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 Basildon Council proposes to bring forward for examination. Basildon Borough's Current LDS is available at: https://www.basildon.gov.uk/article/2012/Timetable-and-Consultation-Standards

- The process of community involvement for the plan in question should be in general accordance with the LPA's Statement of Community Involvement [SCI]. 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. Basildon Councils Statement of Community Involvement is available at: https://www.basildon.gov.uk/media/11701/Basildon-Council-Statement-of-Community-Involvement-Third-Revision-February-2023-Edition/pdf/Basildon_Council_-_Statement_of_Community_Involvement_-_Third_Revision_-_February_2023_Edition.pdf?m=1687341350977

- 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. Basildon Council's Integrated Impact Assessment including the Sustainability Appraisal is available at: https://www.basildon.gov.uk/article/9531/Evidence-Base

- 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].

Soundness

The tests of soundness are set out in the National Planning Policy Framework (NPPF). Plans are sound if they are:

- **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;

- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **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
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF and other statements of national 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 policy?
- 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?

General advice

If you wish to make a representation seeking a modification to a plan or part of a plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria set out in the NPPF and referenced above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues they identify.

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.

Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the plan have a right to be heard at the hearing session(s) if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.

Further information on the Examination Process is available from the Planning Inspectorate at: **https://www.gov.uk/government/publications/examining-local-plans-procedural-practice**

Guidance on making your representation

The technical and specific nature of the consultation means that the most effective way you can respond is by completing our dedicated survey. We will need to ask some specific questions, but there is also the opportunity to raise any broad or general questions or concerns about the Plan as part of our survey, too.

The consultation is published at https://basildon-lp-reg19.commonplace.is/

The consultation is open for from **Midday Monday 10 August, until midnight on Tuesday 22 September 2026**.

How to make representations:

The most efficient way of making representations is by using the consultation platform at: https://basildon-lp-reg19.commonplace.is/

Responding in other formats

A paper copy of the standard response form is available on our website at: https://www.basildon.gov.uk/media/13107/Regulation-19-Statement-of-Representation-Form/pdf/Basildon_Borough_Council_Statement_of_Representation_Form.pdf?m=1786359702707

The questions on the paper form are the same as the online form.

Please use a separate Part B form for each representation and ensure that one copy of Part A (Personal Details) is securely attached. Any additional paper used must clearly state which question it relates to.

If you require the response form, or the draft Plan, in another language or format including large print, Braille, audio or British Sign Language or require assistance in completing it please call 01268 533333 or localplan@basildon.gov.uk

Representations can also be made by:

- Email your representation form to: localplan@basildon.gov.uk
- Post your representation form to: **Planning Strategy and Implementation, Basildon Borough Council, St Martins Square, Basildon SS14 1DL**
- Hand delivery of the representation form to the **Reception at the Basildon Centre, St Martins Square** from 9am – 5pm Monday to Friday

Data protection

In line with General Data Protection Regulations, your details are stored on a secure system and are used only for the purposes of consultation for the Local Plan and associated documents.

Your response together with your name will be available to view publicly when we report on the outcome of the consultation. All other personal information, such as your telephone number, postal address and e-mail address will not be published. We may however be required to provide this information to the Planning Inspectorate to ensure that you can be contacted and take part in the examination if required.

You can read more about how we use your information https://www.basildon.gov.uk/privacy-strategic-planning

You can read more about how the Planning Inspectorate use your information is available https://www.gov.uk/government/publications/planning-inspectorate-privacy-notices