



Ministry of Housing,
Communities &
Local Government

Rt Hon Matthew Pennycook MP
Minister of State for Housing and Planning
2 Marsham Street
London
SW1P 4DF

Cllr Andy Barnes
Leader of Basildon Borough Council
The Basildon Centre
St. Martin's Square
Basildon
SS14 1DL

21 July 2026

Dear Cllr Barnes,

I am writing to you regarding the emerging Basildon Borough Council Local Plan ('the Plan').

This government was elected on a manifesto that included a clear commitment to build 1.5 million new homes in this Parliament, and all areas are required to play their part. In order to deliver the homes and growth the country needs, we expect all local planning authorities to make every effort to get up-to-date local plans in place as soon as possible. It is therefore of serious concern to me that the Council has stated its opposition to the standard method and to progressing a plan that meets housing need in full.

As you know, the benefits of an up-to-date local plan are significant. Local plans are the best way for communities to shape decisions about how to deliver the housing and wider development their areas need. They enable local areas to set their strategy for future growth and their approach to protecting and enhancing the environment, and they provide the certainty and confidence required to bring development forward across the country. In the absence of an up-to-date plan, there is a high likelihood that development will come forward on a piecemeal and speculative basis, with reduced public engagement and fewer guarantees that it will make the most of an area's potential.

I note and appreciate your wish to protect green spaces in your Borough and to ensure that development is supported by appropriate infrastructure and public services. I would simply point out that getting an up-to-date local plan in place is the most effective means of protecting green spaces and the Green Belt from speculative development and identifying the infrastructure needed to support growth and how it will be funded and delivered.

For all these reasons, it is disappointing that the previous Conservative Council administration failed to adopt a plan when they had the opportunity to do so in 2022. That plan would have provided a framework for managing growth, securing infrastructure investment, and protecting the Borough from speculative development.

As you know, the Council is not progressing in accordance with its Local Development Scheme (LDS), published in October 2025, which schedules Regulation 19 consultation for Winter 2025/26 and submission of the plan in Spring 2026. Having missed both milestones, the Council is now at least five months behind schedule, and it appears you are not intending to take the Regulation 19 plan for Full Council consideration until at least September 2026.

Given the limited time remaining before the 31 December 2026 deadline for plans to be submitted under the current plan-making system, this level of delay places the Council's prospects of

meeting that deadline in serious jeopardy. It raises the likelihood that plan preparation would need to restart under the new plan-making system, further delaying adoption of a local plan and potentially leaving the Council as the only authority in the country never to have adopted a local plan under the Planning and Compulsory Purchase Act 2004 ('the 2004 Act').

In light of these circumstances, I have considered the options available to me under the 2004 Act, including exercising the Secretary of State's powers of intervention. Section 27 of the 2004 Act provides the Secretary of State with broad default intervention powers where they believe a local planning authority is failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of its Local Plan.

I consider the Council's failure to progress a local plan under the legacy plan-making system, alongside its missed milestones and continued slippage against the timetable in its LDS, to be clear evidence of a failure to do something necessary in connection with the preparation of the plan. The resulting delays place the Council's prospects of submitting a plan for examination by December 2026 in serious jeopardy. Taken together, I consider that this meets the statutory test for intervention.

I have also considered the criteria laid out in the Planning Practice Guidance (PPG), which states that intervention under s.27 of the 2004 Act "should have regard to plan progress and local development needs":

- **Plan Progress:** The last Basildon Local Plan was adopted in 1998 with alterations in 1999. The Council has yet to adopt a plan under the 2004 Act. It is now one of only five authorities without an adopted plan under the 2004 Act, and the only authority in this group that has not submitted its current emerging plan for examination. The existing plan is over 27 years old and the policies it contains are likely to be significantly out of date and the Council is already at least five months behind the schedule set in the most recent Local Development Scheme (LDS). The continued absence of an up-to-date local plan leaves the Council vulnerable to piecemeal and speculative development, with reduced public engagement and fewer guarantees that it will make the most of the area's potential.
- **Development needs:** The Council has consistently delivered below the target set by the standard method. The latest Housing Delivery Test (HDT) score of 35% in 2023 places the Council among the poorest performers nationally and engages the presumption in favour of sustainable development. The Council is currently unable to demonstrate a five-year housing land supply, with the most recently published figure standing at just 1.96 years. In 2025 the affordability ratio in the area was 9.66. This is significantly higher than the national average for England highlighting that Basildon is considerably less affordable than the country as a whole. All of this is unlikely to improve without the prompt adoption of an up-to-date local plan.

Taking the above into account, I consider that the intervention criteria are met, and that intervention is justified.

Pursuant to the powers in s.27(2)(b) of the 2004 Act I am directing the Council as follows:

1. **Commence a Regulation 19 consultation on the emerging plan that was published for consideration by Cabinet on 23 July and to do so by no later than 10 August 2026 for a minimum period of 6 weeks;**
2. **Submit the emerging plan consulted on under the above direction by no later than 31 December 2026 with any proposed minor modifications necessary after full consideration of representations received at consultation. Should proposed**

modifications be more significant this should be set out to the Secretary of State, allowing them to consider whether further action is necessary;

3. Not to take any step to withdraw the plan and report monthly (from the date of this letter) to my officials on the progress of the plan;

4. Progress the plan up to the end of the examination process.

Pursuant to s.27(8) of the 2004 Act, the Secretary of State has issued directions under s.27(2) in order to ensure that the plan is afforded the best possible opportunity to be adopted under the legacy plan-making system.

Local planning authorities are required to publish and maintain a Local Development Scheme (LDS), as set out in s.15(1) of the 2004 Act and s.15(4) of the 2004 Act provides that the Secretary of State may direct the local planning authority to make such amendments to the scheme as they think appropriate for the purpose of ensuring full and effective coverage (both geographically and with regard to subject matter) of the authority's area by the development plan documents (taken as a whole) for that area.

The existing plan is over 27 years old and the policies it contains are likely to be significantly out of date, so I consider that such a direction is needed to ensure full and effective coverage (both geographically and with regard to subject matter) of the authority's area by the development plan documents (taken as a whole) for that area.

So, per s.15(4) of the 2004 Act, I am also directing the Council to:

5. Publish on your website a revised Local Development Scheme by no later than 10 August to include the following milestones:

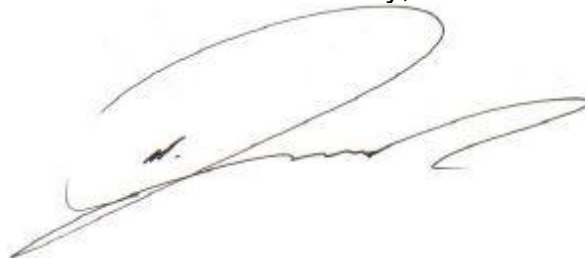
- Regulation 19 consultation to commence by no later than 10 August 2026
- Submission of the plan for examination by no later than 31 December 2026.

The above directions will remain in force until withdrawn by the Secretary of State. Should you fail to comply with the directions in this letter or fail to make sufficient progress towards meeting the 31 December local plan submission deadline I will consider taking further action.

Notwithstanding this direction I would like to give you an opportunity to set out by 4 August any exceptional circumstances which in your view suggest that intervention is not appropriate in this case. To be clear, this neither alters nor removes the direction set out in this letter.

My officials will maintain ongoing engagement with your officers and will be in touch shortly to discuss next steps.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Pennycook', with a large, sweeping loop at the end.

RT HON MATTHEW PENNYCOOK MP
Minister of State for Housing and Planning