



## **Amendments to the Proposed Submission Adur Local Plan (2016)**

### **Guidance Notes on the Completion of the Representation Form**

***You are advised to read this guidance note before completing the  
Representation Form***

“Amendments to the Proposed Submission Adur Local Plan (2016)” are hereby published for a period of six weeks, pursuant to the requirements of Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Representations are invited as to its soundness and legal compliance only, prior to the submission of the Local Plan to the Secretary of State.

Representations at this stage are only permitted on whether the amendments to the Plan are sound or legally compliant. These representations will be considered by an independent Planning Inspector alongside the submitted Plan at a Public Examination. This guidance note has been prepared to help explain how representations should be made. You may find it helpful to read this alongside the representation form.

*Representations should relate only to the Amendments. Please note that if you previously made representations on the Proposed Submission Adur Local Plan 2014 there is no need to resubmit them during this publication period unless you wish to alter or withdraw your representation in the light of the amendments proposed. Representations made on the Proposed Submission Adur Local Plan 2014, as well as those made on the Amendments to the Proposed Submission Adur Local Plan (2016) will be provided to the Inspector appointed to carry out the Examination.*

*Representations should be made using the representation form.*

### **Part A of the form relates to the respondent's details.**

Representations are only valid if your name and address are supplied. Agents should please state the full name or organisation of who they are representing. Please note that you only need to fill in Part A once if you have several representations.

If you are part of a group that shares a common view, it would be helpful for that

group to send a single representation rather than multiple copies stating the same point. Please indicate how many people are represented and how it has been authorised (e.g. by means of a list with contact details for each person or by a committee vote).

## **Part B of the Form relates to your actual representation**

Respondents should use the representation form to ensure relevant information is provided, for example in identifying which parts of the Plan the representation relates to. A new form should be used for each issue raised.

Please be aware that your representation cannot be treated as confidential. As well as being sent to the Secretary of State, copies of all representations will be made available on the Council's website. Therefore, anyone will be able to view all representations made, attributable to your name and organisation (if applicable). Contact details (address, telephone number and email address) will be removed from copies of representations published electronically.

The purpose of the Examination, as detailed in the Planning and Compulsory Purchase Act 2004, is to determine whether the Local Plan is 'legally compliant' and 'sound'. If you are making a representation about:

- How the Local Plan was prepared in relation to the Duty to Co-operate, or legal and procedural grounds, this would mean that your concern is whether the Local Plan is legally compliant; or
- If you do not think the content of the Local Plan is 'positively prepared', 'justified', 'effective' or 'consistent with national policy' then the concern is with the soundness of the Local Plan

These terms are explained in more detail below.

## **Legal Compliance**

If you are seeking to make representations on the way in which the Council has prepared the Plan, your comments or objections may relate to a matter of legal compliance. The Inspector shall consider whether the Local Plan meets the legal requirements under section 20(5) (a) and (c) of the Planning and Compulsory Purchase Act 2004 before considering the test for soundness.

You should consider the following before making a representation on legal compliance. Preparation of the Local Plan should be in accordance with:

**Local Development Scheme:** This is a programme of work prepared by the Council which outlines the key stages and timetable involved in producing the Council's Local Development Documents, including the Local Plan

| [www.adur-worthing.gov.uk/adur-ldf/local-development-scheme](http://www.adur-worthing.gov.uk/adur-ldf/local-development-scheme)

**Statement of Community Involvement:** The process of community involvement for the Local Plan should be in accordance with the Council's Statement of Community

Involvement, which sets out the Council's strategy for involving the community in the preparation and revision of Local Development Documents (including the Local Plan) as well as planning applications.

[www.adur-worthing.gov.uk/media/media,105544,en.pdf](http://www.adur-worthing.gov.uk/media/media,105544,en.pdf)

**Town and Country Planning (Local Planning) (England) Regulations 2012:**

These regulations relate to the preparation of Local Plans and other Development Plan Documents. The Regulations prescribe how the Local Plan shall be published and made available at principal offices and on the website.

[www.legislation.gov.uk/ukxi/2012/767/made](http://www.legislation.gov.uk/ukxi/2012/767/made)

**Sustainability Appraisal:** This document is a mechanism for considering and communicating the likely effects of the Local Plan and alternatives, to avoid and mitigate adverse effects and maximise the positives. Sustainability Appraisal of the Local Plan is a legal requirement stemming from the EU Strategic Environmental Assessment (SEA) Directive.

[www.adur-worthing.gov.uk/adur-local-plan-2016](http://www.adur-worthing.gov.uk/adur-local-plan-2016)

**Sustainable Community Strategy:**

The Local Plan must consider the Sustainable Community Strategy for its area – in this case, '*waves ahead*'.

[www.wavesahead.org.uk/our-strategy](http://www.wavesahead.org.uk/our-strategy)

**Duty to Co-operate:**

The Plan must also comply with the Duty to Co-operate. This is a requirement of the Planning and Compulsory Purchase Act 2004 that was amended by the Localism Act 2011, which seeks to ensure that local planning authorities, and other specified public bodies engage constructively and actively on an ongoing basis to take account of cross-boundary issues. The Council has prepared a statement to explain how it considers these strategic issues have been addressed and how the duty has been fulfilled: [www.adur-worthing.gov.uk/adur-local-plan-2016](http://www.adur-worthing.gov.uk/adur-local-plan-2016)

## Soundness

These 'Tests of Soundness' are set out in the National Planning Policy Framework:

**Positively prepared:** The plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet needs 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 the plan period and based on effective joint working with neighbouring authorities 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 National Planning Policy Framework.

If you think the Plan is not sound because it has omitted an essential policy, you should consider the following questions before making your representation:

- i. Is the issue already covered by any national planning policy? If so, it does not need to be included.
- ii. Is the issue covered by any other policies in the Plan or in any other plan? If so, there is no need to repeat existing policies.
- iii. If the policy is not covered elsewhere, in what way is the Plan unsound?
- iv. If the Plan is unsound without the policy, what should the policy say?

## **General Advice**

If you wish to make a representation seeking a change to the Plan or part of the document, you should explain why the document is not sound with regards to the legal compliance check and/or the four tests of 'soundness' as set out above.

You should try to support your representation with evidence showing why the Plan should be changed. It will be helpful if you could say how you think the Plan should be changed. Representations should include all the information, evidence and supporting information necessary to justify the representation and any suggested changes.

There will not normally be a subsequent opportunity to make further submissions based on the original representations at this stage. After this stage, further submissions will only be at the request of the Planning Inspector, based on the matters and issues identified for examination.

Representations should be provided in writing. This can be done by completing and submitting the standard response form using the following methods:

**Email address for representations:** [adurplanningpolicy@adur-worthing.gov.uk](mailto:adurplanningpolicy@adur-worthing.gov.uk)

**Post to:** Planning Policy Team, Adur and Worthing Councils, Town Hall, Chapel Road, Worthing BN11 1BR.

**Or may be handed in at:**

- Shoreham Centre, 2 Pond Road, Shoreham-by-Sea, BN43 5WU or
- Portland House, 44 Richmond Road, Worthing, BN11 1HS

***Representations must be received by midnight on 11<sup>th</sup> May 2016***  
***Late representations cannot be considered.***

*Sending your representation electronically will help save paper and time.*

For more information **visit:** [www.adur-worthing.gov.uk/adur-local-plan-2016](http://www.adur-worthing.gov.uk/adur-local-plan-2016)

**Email address for queries:** [planning.policy@adur-worthing.gov.uk](mailto:planning.policy@adur-worthing.gov.uk)  
**or telephone:** 01273-263000 and ask for Adur Planning Policy.