

## **NORTH NORTHAMPTONSHIRE JOINT CORE STRATEGY PRE-SUBMISSION PLAN JANUARY 2015**

### **GUIDANCE NOTE TO THE COMPLETION OF THE REPRESENTATION FORM FOR YOUR INFORMATION**

#### **1. Introduction**

1.1 The North Northamptonshire Joint Core Strategy Pre Submission Plan (hereafter referred to as the Plan) is published in order for representations to be made by the public and interested parties, prior to submission to the Secretary of State. The representations will be considered alongside the published Plan when submitted, which will be examined by a Planning Inspector. The Planning and Compulsory Purchase Act 2004<sup>1</sup> (as amended) (PCPA) states that the purpose of the examination is to consider whether the Plan complies with the legal requirements, the duty to co-operate and is sound.

#### **2. Legal Compliance and Duty to Co-operate**

2.1 The Inspector will first check that the Plan meets the legal requirements under s20 (5) (a) and the duty to co-operate under s20 (5)(c) of the PCPA before moving on to test for soundness.

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

- The Plan is required to be included in the current Local Development Scheme (LDS) and refer to the key stages which should have been followed. The LDS is effectively a programme of work set out by the North Northamptonshire Joint Planning Unit on behalf of the Joint Committee (as the Plan making authority), confirming the Local Plans it proposes to produce. It identifies the key stages in the production of any Plans which it proposes to bring forward for independent examination. The latest version of the LDS is on the website of the North Northamptonshire Joint Planning Unit, and is available at its main office, located in part of the buildings occupied by East Northamptonshire Council, Cedar Drive, Thrapston, Northants NN14 4 LZ. The Plan is included in this LDS and therefore this element of the legislation has been complied with.
- The process of community involvement for the Plan is obliged to be in general accordance with the Statement of Community Involvement (SCI) which has been adopted by the North Northamptonshire Joint Committee, and by each of the Partner Councils: the Boroughs of Corby, Kettering and Wellingborough and East Northamptonshire Council. The SCI sets out their strategy for involving the community in the preparation and revision of Plans and the consideration of planning applications. It can be confirmed that the Joint Planning Unit has complied with the requirements set out in the SCI.
- The Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012 (the Regulations)<sup>2</sup>. On publication, the Joint Planning Unit

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<sup>1</sup> View at <http://www.legislation.gov.uk/ukpga/2004/5/contents>

<sup>2</sup> View at <http://www.legislation.gov.uk/uksi/2012/767/contents/made>

(and the Partner Councils) must publish the documents prescribed in the Regulations, and make them available at its principal offices of these organisations, and on their websites. The Joint Planning Unit on behalf of the Joint Committee as the Plan making authority, must also notify the Local Plan bodies (as set out in the Regulations) and any persons who have requested to be notified. It can be confirmed that the Joint Planning Unit has complied with these requirements.

- The Joint Planning Unit on behalf of the Joint Committee as the Plan making authority, is required to provide a Sustainability Appraisal Report when it publishes the Joint Core Strategy. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors. It can be confirmed that the Joint Planning Unit has complied with these requirements.
- The Joint Core Strategy must have regard to any Sustainable Community Strategy (SCS) for its area (i.e. county and district). The SCS is subject to consultation but not to an independent examination. It can be confirmed that the Joint Planning Unit has complied with this requirement.

2.3 You should consider the following before making a representation on compliance with the duty to co-operate:

- The duty to co-operate came into force on 15 November 2011 and any plan submitted for examination on or after this date will be examined for compliance. The Joint Planning Unit on behalf of the Plan making authority, will be expected to provide evidence of how they have complied with any requirements arising from the duty. It can be confirmed that the Joint Planning Unit has complied with this duty to co-operate.
- The PCPA establishes that non-compliance with the duty to co-operate cannot be rectified after the submission of the Plan. Therefore the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the Plan.

### 3. Soundness

3.1 Soundness is explained in paragraph 182 of the National Planning Policy Framework (NPPF). For the Joint Core Strategy to be found sound, the Inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy. Set out below are the four separate Tests of Soundness which relate to these different aspects. To each of the four Tests, we have allocated a cap answered No to Question 4(2a) of the Representation Form, the Form at Question 4(2b) is asking you to indicate which of the Tests you consider that the Plan fails to meet. You will therefore have to indicate either any of A, B, C or D by considering the following:-

- **A Positively prepared**

This means that the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

- ***B Justified***

The Plan should be the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence.

- ***C Effective***

The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.

- ***D Consistent with national policy***

The Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

3.2 If you think the content of the Joint Core Strategy is not sound because it does not include a policy where it should do, 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. If so it does not need to be included?
- Is what you are concerned with covered by any other policies in the Plan on which you are seeking to make representations or in any other 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?

#### **4. General advice**

4.1 If you wish to make a representation seeking a modification to a Plan or part of a Plan you should make clear in what way the Plan or part of the Plan is not sound having regard to the legal compliance, duty to cooperate and the four requirements set out above. You should try to support your representation by evidence showing why the Plan should be modified. It will be helpful if you also say precisely how you think the Plan should be modified. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made at publication. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

4.2 Where there are groups who share a common view on how they wish to see a Plan modified, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

4.3 Please return the completed Representation form to the North Northamptonshire Joint Planning Unit (JPU) **by 5.00pm on Monday 9<sup>th</sup> March 2015**. A Word version of the Representation Form can be downloaded from the JPU website [www.nnjpu.org.uk](http://www.nnjpu.org.uk) and then can be sent to [consultation@nnjpu.org.uk](mailto:consultation@nnjpu.org.uk) before the expiry of the deadline. Please note that

this is our preferred method of response, but if you wish, you can send completed forms to us by post at the following address:-

North Northamptonshire Joint Planning Unit  
c/o East Northamptonshire Council  
Cedar Drive  
Thrapston  
Northants NN14 4LZ

Please do not send duplicates at this stage. Note that copies of all comments submitted (including your name, but not the contact details of private individuals) will be made available for the public to read and therefore cannot be treated as confidential. All comments you wish to make, should be made using the Representation Form to help ensure the Joint Planning Unit has all the information needed to process your response to our Joint Core Strategy. Please type or print clearly in black or blue ink.

It is important that a separate form is used for each representation you make. If you use additional sheets, please mark them clearly with your name and organisation

In accordance with the Data Protection Act 1998, your details will be retained on our database, and the database for the examination of the North Northamptonshire Joint Core Strategy.

Please contact the North Northamptonshire Joint Planning Unit if you have any queries or require assistance in completing the Representation Form, via e-mail to [consultation@nnjpu.org.uk](mailto:consultation@nnjpu.org.uk) or via telephone on 01832 742358

Thank you for taking the time to read this Guidance Note