

# Greater Norwich Development Partnership

## Joint Core Strategy for Broadland, Norwich and South Norfolk Schedule of Focussed Changes Representation Form

Ref:

(For official use only)

[Please read the attached guidance notes carefully before completing this response form]

### Joint Core Strategy for Broadland, Norwich and South Norfolk: Schedule of Focussed Changes

Please return to the Greater Norwich Development Partnership by 5pm on **Monday 30 August 2010**

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make

#### Part A

##### 1. Personal Details\*

*\*If an agent is appointed, please complete only the Title and Name boxes in column 1 below, but complete the full contact details of the agent in column 2.*

##### 2. Agent's Details (if applicable)

Title	<input type="text" value="MR."/>	<input type="text"/>
First Name	<input type="text" value="D. E."/>	<input type="text"/>
Last Name	<input type="text" value="ELLET."/>	<input type="text"/>
Job Title (where relevant)	<input type="text"/>	<input type="text"/>
Organisation (where relevant)	<input type="text"/>	<input type="text"/>
Address Line 1	<input type="text" value="REDACTED"/>	<input type="text"/>
Line 2	<input type="text" value="POSTO. CH"/>	<input type="text"/>
Line 3	<input type="text" value="NORWICH."/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text" value="REDACTED"/>	<input type="text"/>
Telephone Number	<input type="text" value="REDACTED"/>	<input type="text"/>
E-mail Address (where relevant)	<input type="text" value="D.E."/>	<input type="text"/>

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## Part B – Please use a separate sheet for each representation

Name of Organisation:

3. To which part of the Joint Core Strategy: Schedule of Focussed Changes, does your representation relate?

(please tick one box only, if you wish to comment on more than one please use a separate sheet)

FC 1 ☐

FC 2 ☐

FC 3 ☐

FC 4 ☐

FC 5 ☐

FC 6 ☐

FC 7 ☐

FC 8 ☐

FC 9 ☐

FC 10 ☐

Sustainability  
Appraisal ☐

Affordable  
Housing Study ☐

4. Taking into account the Focussed Change or supporting document you selected above do you consider the Joint Core Strategy for Broadland, Norwich and South Norfolk is :

(please tick)

4. (1) Legally compliant

Yes ☒

No ☐

4. (2) Sound\*

Yes ☒

No ☐

\* 'Sound' may be considered in this context within its ordinary meaning of 'fit for purpose', 'showing good judgement' and 'able to be trusted' and within the context of fulfilling the expectations of legislation.

If you have entered **No** to 4.(2) please continue to Q5. In all other circumstances please go to Q6.

5. If you consider the Joint Core Strategy for Broadland, Norwich and South Norfolk is **unsound**, do you consider this because it is **not**:

(please tick)

(1) Justified

☐

(2) Effective

☐

(3) Consistent with National Policy

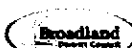
☐

Please see the guidance notes in the Annex to this Representation form for an explanation of these Tests of Soundness

6. If you consider the Joint Core Strategy for Broadland, Norwich and South Norfolk is not legally compliant or is unsound please give details here **referring to the focussed change you identified at Question 3**

If you wish to support the legal compliance or soundness of the Development Plan Document, please also use this box to set out your comments.

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Norfolk County Council

(Continue on a separate sheet /expand box if necessary)

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation.*

7. Do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

No.

Yes, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

*Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

Signature:

Date:

5-9-10.

# Guidance Notes to Accompany the Representation Form for Development Plan Documents

## 1. Introduction

1.1 The Joint Core Strategy: Schedule of Focussed Changes is published in order for representations to be made prior to submission to the Inspector. The representations will be considered by the appointed Planning Inspectors alongside the submitted Joint Core Strategy for Broadland, Norwich and South Norfolk. The Planning and Compulsory Purchase Act 2004 (as amended)<sup>1</sup> (the 2004 Act) states that the purpose of the examination is to consider whether the DPD complies with the legal requirements and is 'sound'.

- If you are seeking to make representations on the **way** in which LPA has prepared the submitted DPD it is likely that your comments or objections will relate to a matter of **legal compliance**.
- If it is the **actual content** on which you wish to comment or object it is likely it will relate to whether the DPD is **justified, effective or consistent with national policy**.

## 2. Legal Compliance

2.1 The Inspector will first check that the DPD meets the legal requirements under s20(5)(a) of the 2004 Act before moving on to test for soundness.

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

- The DPD in question should be within the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the Local Development Documents it proposes to produce over a 3 year period. It will set out the key stages in the production of any DPDs which the LPA propose to bring forward for independent examination. If the DPD 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 their main offices.
- The process of community involvement for the DPD in question should be in general accordance with the LPA's Statement of Community Involvement (where one exists). The Statement of Community Involvement (SCI) is a document which sets out a LPA's strategy for involving the community in the preparation and revision of Local Development Documents (including DPDs) and the consideration of

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<sup>1</sup> View the 2004 Act at: [http://www.opsi.gov.uk/acts/acts2004/ukpga\\_20040005\\_en\\_1](http://www.opsi.gov.uk/acts/acts2004/ukpga_20040005_en_1)

View the amending 2008 Act at:

[http://www.opsi.gov.uk/acts/acts2008/pdf/ukpga\\_20080029\\_en.pdf](http://www.opsi.gov.uk/acts/acts2008/pdf/ukpga_20080029_en.pdf)

planning applications.

- The DPD should comply with the Town and County Planning (Local Development) (England Regulations) 2004 (as amended)<sup>2</sup>. On publication, the LPA must publish the documents prescribed in the regulations, and make them available at their principal offices and their website. The LPA must also place local advertisements and notify the DPD bodies (as set out in the regulations) and any persons who have requested to be notified.
- The LPA is required to provide a Sustainability Appraisal Report when they publish a DPD. 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.
- The DPD should have regard to national policy and conform generally to the Regional Spatial Strategy (RSS). The RSS sets out the region's policies in relation to the development and use of land and forms part of the development plan for LPAs. In London it is called the Spatial Development Strategy.
- The DPD must have regard to any Sustainable Community Strategy (SCS) for its area (i.e. county and district). The SCS is usually prepared by the Local Strategic Partnership which is representative of a range of interests in the LPA's area. The SCS is subject to consultation but not to an independent examination.

### **3. Soundness**

- 3.1 Soundness is explained fully in Planning Policy Statement 12: Local Spatial Planning in paragraphs 4.36 – 4.47, 4.51 and 5.52 and the boxed text<sup>3</sup>. The Inspector has to be satisfied that the DPD is justified, effective and consistent with national policy. To be sound a DPD should be:

- **Justified**

This means that the DPD should be founded on a robust and credible evidence base involving:

- Evidence of participation of the local community and others having a stake in the area

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<sup>2</sup> View the 2004 Regulations at: <http://www.opsi.gov.uk/si/si2004/20042204.htm>  
View the 2008 amending Regulations at:  
[http://www.opsi.gov.uk/si/si2008/pdf/ukSI\\_20081371\\_en.pdf](http://www.opsi.gov.uk/si/si2008/pdf/ukSI_20081371_en.pdf)

View the 2009 amending Regulations at:  
[http://www.opsi.gov.uk/si/si2009/pdf/ukSI\\_20090401\\_en.pdf](http://www.opsi.gov.uk/si/si2009/pdf/ukSI_20090401_en.pdf)  
<sup>3</sup> View at <http://www.communities.gov.uk/publications/planningandbuilding/pps12lsp>

- Research/fact finding: the choices made in the plan are backed up by facts

The DPD should also provide the most appropriate strategy when considered against reasonable alternatives. These alternatives should be realistic and subject to sustainability appraisal. The DPD should show how the policies and proposals help to ensure that the social, environmental, economic and resource use objectives of sustainability will be achieved.

#### • **Effective**

This means the DPD should be deliverable, embracing:

- Sound infrastructure delivery planning
- Having no regulatory or national planning barriers to delivery
- Delivery partners who are signed up to it
- Coherence with the strategies of neighbouring authorities

The DPD should also be flexible and able to be monitored.

The DPD should indicate who is to be responsible for making sure that the policies and proposals happen and when they will happen. The plan should be flexible to deal with changing circumstances, which may involve minor changes to respond to the outcome of the monitoring process or more significant changes to respond to problems such as lack of funding for major infrastructure proposals. Although it is important that policies are flexible, the DPD should make clear that major changes may require a formal review including public consultation.

Any measures which the LPA has included to make sure that targets are met should be clearly linked to an Annual Monitoring Report. This report must be produced each year by all local authorities and will show whether the DPD needs amendment.

#### • **Consistent with national policy**

The DPD should be consistent with national policy. Where there is a departure, LPAs must provide clear and convincing reasoning to justify their approach. Conversely, you may feel the LPA should include a policy or policies which would depart from national or regional policy to some degree in order to meet a clearly identified and fully justified local need, but they have not done so. In this instance it will be important for you to say in your representations what the local circumstances are that justify a different policy approach to that in national or regional policy and support your assertion with evidence.

3.2 If you think the content of a DPD 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 any national planning policy or in the Regional Spatial Strategy (or the Spatial Development Strategy in London)? If so it does not need to be included.
- Is what you are concerned with covered by any other policies in the DPD on which you are seeking to make representations or in any other DPD in the LPA's Local Development Framework (LDF). There is no need for repetition between documents in the LDF.
- If the policy is not covered elsewhere, in what way is the DPD unsound without the policy?
- If the DPD is unsound without the policy, what should the policy say?

#### **4. General Advice**

- 4.1 If you wish to make a representation seeking a change to a DPD or part of a DPD you should make clear in what way the DPD or part of the DPD is not sound having regard to the legal compliance check and three tests set out above. You should try to support your representation by evidence showing why the DPD should be changed. It will be helpful if you also say precisely how you think the DPD should be changed. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, 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 DPD changed, 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 Further detailed guidance on the preparation, publication and examination of DPDs is provided in *Planning Policy Statement 12: Local Spatial Planning* and in *The Plan Making Manual*<sup>4</sup>

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<sup>4</sup> View at <http://www.pas.gov.uk/pas/core/page.do?pageId=51391>

