

# Guidance Note

## Helping you to make a representation on the Waveney Local Plan – Final Draft



Waveney Local Plan | Final Draft Plan | March 2018

This guidance note is to help you make a formal representation on the Waveney Local Plan Final Draft. All representations must be submitted by **5pm Thursday 24 May 2018**.

Any representations received after this date may not be considered. Only representations received within this period have a statutory right to be considered by the Inspector at the Examination.

### Introduction

The Local Plan is published in order for representations to be made prior to submission. The representations will be submitted to the Secretary of State for the Ministry of Housing, Communities and Local Government, who will appoint an independent Planning Inspector to conduct an Examination in Public.

### Legal Compliance and Duty to Co-operate

The Inspector will first check that the Local Plan meets the legal requirements and the duty to co-operate under section 20 of the Planning and Compulsory Purchase Act 2004. The following should be considered before making a representation on legal compliance:

- The Local Plan should be included in the current **Local Development Scheme (LDS)** and the key stages should have been followed. The LDS is a programme of work prepared by the Local Planning Authority for the production of its Local Plan. The Waveney Local Development Scheme (March 2016) is available on the Council's website <http://www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/Timetable-for-the-Local-Plan.pdf>

- The process of community involvement for the Local Plan should be in general accordance with the Local Planning Authority's **Statement of Community Involvement (SCI)**. The SCI sets out the Authority's strategy for involving the community in the preparation and revision of planning policy documents (including Local Plans) and the consideration of planning applications. The Waveney Statement of Community Involvement (September 2014) is available on the Council's website <http://www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/Statement-of-Community-Involvement/1Statement-of-Community-Involvement-September-2014.pdf>
  
- The Local Plan is required to comply with the **Town and Country Planning (Local Planning) (England) Regulations 2012**. On publication, the Local Planning Authority must publish the documents prescribed in the Regulations, and make them available at its principal office and in other appropriate locations, for example libraries within the plan area, and on its website. It also sets out who the Authority must consult on the preparation of the Plan and when. The Regulations can be viewed at <http://www.legislation.gov.uk/uksi/2012/767/contents/made>
  
- The Local Planning Authority is required to publish a **Sustainability Appraisal Report** when it publishes a Plan. 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 Sustainability Appraisal (March 2018) can be viewed on the Council's website [http://consult.waveney.gov.uk/gf2.ti/f/911330/35304197.1/PDF/-/Sustainability Appraisal Report Final Draft March 2018.pdf](http://consult.waveney.gov.uk/gf2.ti/f/911330/35304197.1/PDF/-/Sustainability%20Appraisal%20Report%20Final%20Draft%20March%202018.pdf)

The following should be considered 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. Local Planning Authorities and public bodies are required to engage constructively, actively and on an ongoing basis regarding strategic cross boundary matters. Local Planning Authorities are expected to provide evidence of how they have complied with any requirements arising from the duty. The Waveney Duty to Cooperate Statement (March 2018) can be viewed on the Council's website <http://www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/Final-Draft-Local-Plan/Duty-to-Cooperate-Statement.pdf>

## Soundness

To be considered sound, the Inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy. Soundness is explained in paragraph 182 of the National Planning Policy Framework (the Framework):

- **Positively prepared** - 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.
- **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 its period and based on effective joint working on cross-boundary strategic priorities.
- **Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies of the Framework.