

## Central Bedfordshire (North) Site Allocations DPD Draft Submission: publication of further information

The submission draft version of the Site Allocations DPD was published for consultation earlier this year and sets out the Council's chosen sites for allocating housing, employment uses and green space in the former Mid Bedfordshire Area. It also allocates the Key Employment sites and Important Open Space designations across the area.

Two further supporting documents are being published:

1. The Habitats Regulation Assessment Screening Report is being published for a six week period, starting from Monday 12<sup>th</sup> April 2010.
2. The Site Allocations Technical Document has been updated and is being republished for a four week period, starting from Monday 26<sup>th</sup> April 2010.

Electronic versions of these documents are available on the Site Allocations website [www.talktocentralbedfordshire.co.uk](http://www.talktocentralbedfordshire.co.uk) or on the LDF North Pages of the Council's website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk).

**All comments must be received by 5pm on Monday 24<sup>th</sup> May 2010.**

Return your comments by e-mail to [ldf@centralbedfordshire.gov.uk](mailto:ldf@centralbedfordshire.gov.uk) or by post to LDF(North) Team, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire SG17 5QT. If you are completing the form by hand please write as clearly as possible.

**Please read the Guidance Notes that come with this form before you complete it.**

### Your contact details

\*required information

*Title & Name:	
Organisation (if applicable):	
*Address:	
*Post code:	Telephone:
E-mail:	

### Your Agent's details

If you have appointed someone to act on your behalf please give their name and contact details.

Name:	
Organisation:	
Address:	
Post code:	Telephone:
E-mail:	

**Groups:** (see Guidance Notes) If you are representing a group, please supply the name of the group, the number of people and how the representation has been authorised.

Group:

Number of individuals:

Authorisation details:

**1: Which part of the document do you wish to make a representation on? (a separate form is needed for each representation)**

Paragraph/Policy

**Do you support, object or are you commenting on the paragraph/policy?**

- Support  
 Object  
 Comment

**2: Do you consider the document to be:**

*(Use two separate forms if you wish to answer 'no' to both)*

**Legally Compliant?**  Yes  No

**Sound?**  Yes  No

**3: Tests of Soundness**

If you have identified that you think the document is unsound in question 2, please identify why. The paragraph/policy is unsound because it is not:

- Justified (Founded on a robust and credible evidence base, and be the most appropriate strategy)  
 Effective (deliverable, flexible and able to be monitored)  
 Consistent with national policy (if not, there should be clear reasoning to justify the approach)

**4: Your comment**

Please give details of the reason(s) for either why you support the paragraph/policy, or why the paragraph is not legally compliant or is unsound. If you have ticked more than one box in question 3, give separate reasons. Please be as precise as possible. Continue on a separate sheet if necessary.

**5: Changes**

If you think the document is not legally compliant or is unsound please give details of what change(s) you consider are necessary, having regard to the test (s) that you have identified above and the guidance notes, to make the DPD legally compliant or sound. It will be very helpful if you could also put forward your suggested revised wording of any policy or text. Please be as precise as possible. Continue on a separate sheet if necessary.

**6: Examination**

If you are seeking a change, do you consider it necessary to appear in person at the oral part of the examination?

- No, I do not wish to appear in person                       Yes, I wish to appear in person

If you wish to appear in person at the oral part of the examination, please outline why you consider this to be necessary.

**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.**

Signature:	Date:
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NB: A signature is not required on forms returned electronically

## Guidance Notes

The representations on the Site Allocations DPD will be examined by a Planning Inspector. The purpose of the examination is to consider whether the document complies with the legal requirements and is 'sound'.

### Your contact details

Please be sure to fill in as much information as possible. The post code is particularly important and is required. A valid email address is also very useful as this enable us to send an email to you when we have accepted your comment. If you are an Agent acting on behalf of an individual or group please fill in their contact information here.

### Your Agents details

If you have someone who is acting for you please fill in their contact information here. If you are an Agent acting on behalf of an individual or group, please fill in your contact information here.

### Question 1

Please identify which part of the document you wish to make a comment about. Please be aware that if the Council considers your comments to be more applicable to a different part of the document your comment will be reassigned.

### Question 2

Please identify whether you think the document is legally compliant or whether it is sound or not.

- If you are seeking to make representations on the way in which the 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 which you wish to comment on or object to, this is likely to refer to a matter of soundness and will relate to whether the DPD is justified, effective or consistent with national policy.

If you think the document is not legally compliant and is unsound and therefore want to answer 'No' to both parts of this question, please fill in two separate forms. For more information about legal compliance please refer to paragraph 4.50 of PPS12.

### Notes about Legal Compliance

The Inspector will first check that the document meets the legal requirements under section 20(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 document in question should be within the current Local Development Scheme (Third Revision) and the key stages should have been followed. The Local Development Scheme(LDS) is effectively a programme of work prepared by the Council, setting out the documents to be produced. It sets out the key stages in the production of any documents the Council propose to bring forward for independent examination. The LDS is on the Council's website and available at the main offices or from the LDF Team.
- The process of community involvement for the document in question should be in general accordance with the Council's Statement of Community Involvement (SCI). The SCI is a document which sets out the Council's strategy for involving the community in the preparation and revision of documents for the Local Development Framework (LDF) and the consideration of planning applications.
- The document should comply with the Town and County Planning (Local Development) (England Regulations) 2004 (amended 2008). On submission, the Council must publish the documents prescribed in the regulations, and make them available at their principal offices and on their website. The Council 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 Council is required to submit a Sustainability Appraisal Report when they submit a document for examination. 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 document 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 local Councils.
- The document 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 Council's area. The SCS is subject to consultation but not to an independent examination.

### **Question 3**

If you think the document is unsound and have answered 'No' to Question 2, please identify which test of soundness you think the document fails. For more information about the tests of soundness please refer to paragraphs 4.36 to 4.38 and 4.44 to 4.47 of PPS12.

### **Notes about Soundness**

To be sound a document should be:

#### **Justified**

- This means that the document 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
  - Research/fact finding: the choices made in the plan are backed up by facts
- The document should also provide the most appropriate strategy when considered against reasonable alternatives. These alternatives should be realistic and subject to sustainability appraisal.
- The document 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 document 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 document should also be flexible and able to be monitored.
- The document should indicate who is to be responsible for making sure that the policies and proposals happen and when they will happen.
- The document 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 document should make clear that major changes may require a formal review including public consultation.
- Any measures which the Council 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 document needs amendment.

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

- The document should be consistent with national policy. Where there is a difference, Councils must provide clear and convincing reasoning to justify their approach. Conversely, you may feel the LPA should include a policy or policies which would be different to 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 which justify a different policy approach to that in national or regional policy and support your assertion with evidence.

- If you think the content of a document 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? If so it does not need to be included.
  - Is what you are concerned with covered by any other policies in the document on which you are seeking to make representations or in any other document in the Council's LDF. There is no need for repetition between documents in the LDF.
  - If the policy is not covered elsewhere, in what way is the document unsound without the policy?
  - If the document is unsound without the policy, what should the policy say?

#### **Question 4**

Please give details of your comment here. If your comment relates to the legal compliance of the document please make reference to the notes about legal compliance for question 2 above. If your comment relates to the soundness of the document please make reference to the notes about soundness above for question 3.

#### **Question 5**

If you think the document is not legally compliant or is unsound and you think the document could be changed to address this please give details. You should support your comment with evidence showing why the document should be changed. It will be helpful if you also say precisely how you think the document should be changed. Comments should cover succinctly all the information, evidence and supporting information necessary to support or justify the comment and the suggested change. You should not assume that there will be an opportunity to add further information, although the Inspector may request additional information from you, based on the matters and issues he/she identifies for examination.

#### **Question 6**

Please indicate whether you wish to appear in person at the oral part of the examination and why you consider it to be necessary. The Inspector will determine the most appropriate procedure to adopt to hear those who wish to attend for the oral part of the examination.

#### **General Notes**

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.

Further detailed guidance on the preparation, publication and examination of documents is provided in Planning Policy Statement 12: Local Spatial Planning ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)) and in The Plan Making Manual from the Planning Advisory Service ([www.pas.gov.uk](http://www.pas.gov.uk)).