

Bassetlaw Local Plan 2020 – 2038: Main Modifications

Guidance Note for Representation

Information on how to submit representations, how to view the consultation documents, and the time period within which representations can be made, can be found in the Statement of Representations Procedure. This can be viewed on the Council's website at: <https://www.bassetlaw.gov.uk/main-modifications>

The following note provides guidance on the matters you should consider when completing a representation and is adapted from guidance produced by the Planning Inspectorate.

Introduction

A Schedule of Main Modifications to the Local Plan has been published in order for representations to be made. The Planning and Compulsory Purchase Act 2004, as amended, [PCPA] states that the purpose of the examination is to consider whether the plan complies with the relevant legal requirements and is sound. The Main Modifications to the plan are those deemed by the Local Plan Planning Inspectors to be necessary to make the Local Plan legally compliant and sound.

The Council is only inviting representations on the Main Modifications. This consultation does not provide an opportunity to re-open matters that were addressed or could have been addressed during the Local Plan Hearings. It is not necessary to re-submit previous representations. These have already been considered by the Inspectors during the examination process.

All representations on the Main Modifications that are made within the period set by the LPA will be considered by the Inspectors, without prejudice to the Inspectors Report.

To ensure an effective and fair examination, it is important that the Inspectors and all other participants in the examination process are able to know who has made representations on the plan. The LPA will therefore ensure that the names of those making representations can be made available (including publication on the LPA's website) and taken into account by the Inspectors. If you are seeking to make representations on the way in which the Council has prepared the Main Modifications 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 Main Modifications are justified, effective or consistent with national policy and therefore sound.

Legal Compliance

The Inspectors have assessed whether the Local Plan meets the legal requirements and soundness under section 20 (5) of the PCPA. In relation to the current public consultation, comments regarding legal compliance should only be submitted where they relate to the Main Modifications.

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

- The process of Community Involvement for the plan in question should be in general accordance with the Council's Statement of Community Involvement [SCI]. The SCI sets out the Council's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications.
- The Council is required to provide a Sustainability Appraisal and Habitats Regulations Assessment for the Main Modifications. 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 and Habitats Regulations Assessment are tools for assessing the extent to which the Main Modifications will help to achieve relevant social, environmental, and economic objectives.
- The Main Modifications should comply with all other relevant requirements of the PCPA and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended [the Regulations].

Soundness

Soundness is explained in paragraph 35 of the National Planning Policy Framework (NPPF). The Main Modifications are 'sound' if they are:

Positively Prepared

providing a strategy which, as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development.

Justified

an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

Effective

deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

Consistent with National Policy

Enabling the delivery of sustainable development in accordance with the policies in the NPPF and other statements of national planning policy, where relevant.

If you think a Main Modification(s) is not sound because it does not address a particular issue, 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?

- Is the issue with which you are concerned already covered by another policy and/or Main Modification in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the Main Modification?
- If the plan is unsound without the Main Modification, what should the Main Modification say?

General Advice

If you wish to make a representation seeking a change to the Main Modifications you should clearly set out in what way you consider the Main Modification is legally non-compliant or unsound, having regard to the soundness criteria set out above. You should try to support your representation by evidence. It will be helpful if you also say how the Main Modification should be changed.

Representations should cover succinctly all the evidence and supporting information necessary to support the representation and the suggested change.

Where there are groups or individuals who share a common view on a Main Modification, it would be very helpful to send a single representation which represents that view, rather than a large number of individuals sending separate representations which repeat the same point. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

Please note that all representations received in response to this consultation will be passed on to the Planning Inspectors and are required to be published on the Council's website once the consultation has closed. Your representations and name/name of your organisation will be published, but other personal information will remain confidential. Your data and comments will be shared with other relevant agencies involved in the preparation of the local plan. Anonymous responses will not be considered.

We also reserve the right to withhold from publication any/parts of representations not considered suitable for public view for reasons including offensive or personal content.