



## Newcastle-under-Lyme Borough Council

### Final Draft Local Plan (Regulation 19 Stage)

#### Representations Form Guidance Note (July 2024)

1. This guidance note has been prepared to assist representors in responding to the Final Draft Local Plan.
2. The consultation period is for 8 weeks from Monday 12<sup>th</sup> August until Monday 7 October 2024. All representations must be received in writing by Monday 7 October 2024. Only representations received within the consultation period are duly made and have a statutory right to be considered by the Inspector at a future examination of the Local Plan.
3. The Council has prepared a privacy notice, and this provides information as to how data will be treated for the purposes of the Local Plan. The privacy notice can be viewed here:- <https://www.newcastle-staffs.gov.uk/privacy-notice/planning-policy-privacy-notice>
4. The Final Draft Local Plan and supporting documents can be viewed on the Borough Council website - <https://www.newcastle-staffs.gov.uk/localplan>
5. Before a council can adopt a Local Plan, it must first publish a final draft version and invite representations (comments) on it. The Plan must then be submitted to the Secretary of State, with supporting documents and all representations received on the final draft.
6. The Secretary of State will appoint an independent Planning Inspector to conduct an Examination in Public. The Inspector's role is to consider whether the Plan is 'sound' and 'legally compliant' (including the Duty to Cooperate). In doing this they will consider any representations received on the final draft and hold a public hearing where the main matters and issues raised in the representations can be discussed in person.
7. Following the Examination, the Inspector will publish a report setting out whether the Plan is sound or unsound. We will consult on any proposed modifications recommended by the Inspector. If found to be sound, the council can adopt the Plan. Once adopted the Plan will replace the existing Core Strategy and Newcastle-under-Lyme Local Plan (adopted 2003) which currently make up the Development Plan for the Borough.
8. The scope of the examination is set by The Planning and Compulsory Purchase Act 2004 (PCPA) which states that the purpose of the examination is to consider whether the Plan complies with the relevant legal requirements, including the Duty to Cooperate, and is sound. The Planning Inspector will consider all representations made within the consultation period which runs until Monday 7<sup>th</sup> October 2024.
9. The tests of soundness are set out paragraph 35 of the National Planning Policy Framework, are as follows:
  - a. 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 areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.
  - b. Justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.

- c. 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.
  - d. Consistent with national policy - enabling the delivery of sustainable development in accordance with the policies in the Framework and other statements of national planning policy, where relevant.
10. If you wish to make a representation seeking a modification to the Plan or part of the Plan you should set out clearly in what way you consider the Plan or part of the Plan is legally non-compliant or unsound, having regard as appropriate to the soundness tests above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the Plan should be modified. You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the Plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues they identify
11. Where groups or individuals share a common view on the Plan, it would be very helpful if they would make a single representation which represents that view, rather than many separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised. Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation(s), or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the Plan have a right to be heard at the hearing (if they make a request). In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.
12. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process know who has made representations on the Plan.
13. Therefore, any representations you submit will be treated as public. We cannot accept anonymous representations; you must provide us with your name and contact details. The Council will publish names, organisations and the content of representations on its website. Other personal information including email and property address details will not be published or made available for public inspection. However, all representations including all submitted personal information will be provided to the Local Plan Examination Programme Officer, the Planning Inspectorate, and the person appointed by the Secretary of State to conduct the examination.
14. Representations are submitted on the basis that you consent to the use of your data including for the purpose of keeping you informed of Local Plan progress. Your contact details will be held on the Local Plan Consultation Database. Relevant notifications will be sent to you at appropriate stages. The Planning Inspectorate has published a Privacy Statement on how they manage personal information which can be accessed through the published procedural guide for Local Plan examinations, available at: <https://www.gov.uk/government/publications/examining-local-plans-procedural-practice>
15. Further guidance can also be found on the model representation form and guidance note for Local Plans which can be found here:- <https://www.gov.uk/government/publications/model-representation-form-for-local-plans/model-representation-letter-for-local-plans>