



**Newcastle-under-Lyme
Local Plan 2020-2040
Main Modifications
Representation Form**



Name of the Local Plan to which this representation relates:

Newcastle-under-Lyme Borough Local Plan 2020-2040

This form can be submitted via email to planningpolicy@newcastle-staffs.gov.uk or by post to Planning Policy, Newcastle-under-Lyme Borough Council, Castle House, Barracks Road, Newcastle-under-Lyme, ST5 1BL, by no later than 17 December 2025

This form has two parts –

Part A – Personal Details: need only be completed once.

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

Part A

1. Personal Details*

Title

First Name

Last Name

Job Title
(where relevant)

Organisation
(where relevant)

Address Line 1

Line 2

Line 3

Line 4

Post Code

Telephone Number

E-mail Address
(where relevant)

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. Name of the Document to which this representation relates?

Please tick as appropriate

Schedule of Proposed Main Modifications

Schedule of Proposed Modifications to the Submitted Local Plan Policies Maps

Main Modifications Sustainability Appraisal / Habitats Regulations Assessment

4. To which Proposed Modification does this representation relate?

**Please use the Schedule of Proposed Main Modifications/Schedule of Proposed Modifications to the Submitted Local Plan Policies Maps to assist with completing this section*

MM Reference

Page

Chapter, Appendix Number or Map Inset

Policy/ Paragraph

5. Do you consider the Proposed Modification is:

Please tick as appropriate

(1) Legally compliant*

Yes

No

(2) Sound*

Yes

No

**Please use the attached guidance notes to assist with completing this section.*

6. Please give details of why you consider the Proposed Modification is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Proposed Modification, please also use this box to set out your comments.

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

7. Please set out the change(s) to the Proposed Modification you consider is necessary to make it legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in question 6 above.

You will need to say why each change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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

Please note: *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s).*

Data Protection

Please note that your representation(s) will be used in the plan process for the lifetime of the Local Plan, in accordance with the UK General Data Protection Regulation and the Council's Privacy Notice.

A copy of your representation(s) will be made available to the Planning Inspectorate and to the persons appointed by the Secretary of State to conduct the examination (i.e. the Inspectors) and your representation(s) will be 'made available' in line with the Regulations (The Town and Country Planning (Local Planning) (England) Regulations 2012 – Regulations 20, 22 and 35). This includes being made available for public inspection and publication on the Borough Council's website and therefore cannot be treated as confidential.

Newcastle-under-Lyme Borough Council's privacy notice can be viewed at <https://www.newcastle-staffs.gov.uk/data-protection-freedom-information-1>. All representations will be sent to the Planning Inspectors, the Planning Inspectorate privacy notices can be found at www.gov.uk/government/publications/planning-inspectorate-privacy-notices

Guidance Notes

Introduction

The Newcastle-under-Lyme Local Plan 2020-2040, Policies Maps and associated evidence documents have been submitted by the Local Planning Authority [LPA] for examination. As part of the Local Plan examination, proposed modifications have been identified that require consultation. 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, including the duty to co-operate, and is sound. The Inspector will consider all representations that are made within the consultation period set out by the LPA.

Please be aware that this consultation focuses specifically on the Schedule of Proposed Main Modifications, Schedule of Proposed Modifications to the Submitted Local Plan Policies Maps and Main Modifications Sustainability Appraisal and Habitats Regulations Assessment. In line with the examination process **only representations on these should be made** and not the Local Plan as a whole. Any comments made during previous Local Plan consultations have already been considered by the Inspectors and should not be resubmitted.

To ensure an effective and fair examination, it is important that the Inspector 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 Inspector.

Legal Compliance and Duty to Co-operate

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

The LPA is required to provide a Sustainability Appraisal [SA] report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. An SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.

The plan 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].

Section 33A of the PCPA requires the LPA to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the plan. The LPA will be expected to provide evidence of how they have complied with the duty. Non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore, the Inspectors have no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspectors cannot recommend adoption of the plan.

Soundness

The tests of soundness are set out in paragraph 35 of the National Planning Policy Framework (NPPF). Plans 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.

General Advice

If you wish to make a representation seeking a modification you should set out clearly in what way you consider the proposed modification is legally non-compliant or unsound, having regard as appropriate to the soundness criteria as set out above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the proposed modification should be changed. 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.