



Site Allocations Development Plan Document Regulation 19

Guidance Notes for making representations on the Submission Draft Site Allocations Development Plan Document

This guidance note has been prepared to assist anyone who wishes to make a formal representation to the Submission Draft Site Allocations Development Plan Document (DPD).

The District Council is seeking representations on the Submission Draft Site Allocations DPD, which supports the strategic framework for development in Mid Sussex until 2031. This is the final representation stage for the Site Allocations DPD before its submission for independent Examination by a Planning Inspector.

Who is producing the Plan?

The Site Allocations DPD has been produced by Mid Sussex District Council and will apply to the area of the District that is outside of the South Downs National Park (about 90% of Mid Sussex).

How long do I have to respond?

The Submission Draft Site Allocations DPD is subject to an 8-week consultation period between the 3rd August and midnight on the 28th September 2020.

How do I respond to the consultation?

The online form has been prepared following the guidelines and standard model form provided by the Planning Inspectorate. To enable the consultation responses to be processed efficiently, it would be helpful to submit a response using the online form, however, it is not necessary to do so. Consultation responses can also be submitted by post and by e-mail.

What is the objective of this consultation?

The Council must publish the version of the Site Allocations DPD that it intends to submit to the Planning Inspectorate for Examination. At this stage of consultation, the Council is seeking views on whether the Plan is legally compliant and meets the test of 'soundness' set out in the National Planning Policy Framework (NPPF). These are the broad areas that the Inspector will focus on in examining the Plan.

Who will deal with my comments?

Your comments will be considered by an independent planning inspector alongside the submitted Site Allocations DPD at a future Public Examination before deciding whether the Plan can be adopted by the Council. The purpose of the Examination is to determine whether the Site Allocations DPD is 'legally compliant' and 'sound'.

The District Council will summarise the main issues from the consultation for the Inspector. The Inspector will also receive copies of the representations submitted.

What information do I need to include?

You can support or object to the Site Allocations DPD, by answering yes or no to questions 4a and 4.

Representations need to include all the evidence and supporting information you think is necessary to justify your representation as there will not normally be another opportunity to make further comments.

If you wish to make a representation seeking a change to all or part of the Plan you should make clear in what way all or part of the Plan is not sound having regard to the legal requirements and the four soundness tests. You should support your representation with evidence showing why and how the Plan should be changed.

How do I know which part of the form to fill in?

If you are seeking to make representations on the way in which the Planning Authority has **prepared** the Site Allocations DPD it is likely that your comments or objections will relate to a matter of **legal requirements**.

If it is the **content** you are seeking to make representations on, it is likely it will relate to **soundness**.

Part A of the form – Information about you

Please ensure that you complete this section as it is not possible for representations to be considered anonymously by the appointed Inspector. Representations are not confidential and they will be made publicly available, although addresses, signatures and email addresses of representations from individuals will be removed. You only need to complete this part of the form once.

Where there are groups who share a common view on how they wish to see the Plan changed, it would be very helpful for those groups to send in a single representation, rather than a large number of identical representations. If you are responding as a group, please tell us who you are representing and how the representation has been authorised.

Part B of the form – Your Comments

You can specify the paragraph, policy or map that your comments relate to at question 3. Each separate representation you wish to make should be made on a separate copy of Part B of the response form. Comments supporting or objecting to the Plan should only relate to 'legal requirements' or 'soundness' as detailed below. The soundness test to which your comments relate should be clearly indicated on Part B of the response form in response to question 4 and, if appropriate, question 5.

Legal Requirements

The Planning Inspector will first check that the Plan meets the legal requirements of the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. If you are seeking to make representations on the way in which the authority has prepared the published Plan, it is likely that your comments will relate to a matter of legal compliance. You should consider whether the Council has done the following:

- Completed the key stages set out in the Council's adopted Local Development Scheme. The Local Development Scheme is effectively a programme of work prepared by the Council setting out the documents it proposes to produce. The Local Development Scheme is available on the [Consultation & Monitoring](#) page of the Council's website;
- Ensured compliance with the Council's [Statement of Community Involvement](#). This Statement sets out how the Council will involve the community in preparing planning documents;
- Ensured consistency with the [National Planning Policy Framework](#) and [Town and County Planning \(Local Development\) \(England\) Regulations 2012](#) in terms of public participation in the preparation of the document (Regulation 18) and publication of the document (Regulation 19);

- Met legal requirements under the Duty to Co-operate with other local authorities and bodies when preparing plans under section 110 of the [Localism Act 2011](#);
- Undertaken and published a Sustainability Appraisal Report identifying the process by which the Sustainability Appraisal has been carried out, and the information used to inform the process and the outcomes (representations can also be made on the Sustainability Appraisal Report, which is being published alongside the Site Allocations DPD).

Soundness

If your representation relates to the content of the Plan, it is likely that your comments address the soundness of the Plan. To be considered 'sound' the Plan must be **positively prepared, justified, effective** and **consistent with national policy**. These four aspects are known as the tests of soundness and are explained below:

Positively prepared – the overall strategy of the Plan should seek to meet the housing and employment needs of the area over the period up to 2031, in accordance with the Mid Sussex District Plan.

Justified – when considered against the reasonable alternatives the Plan should allocate the most appropriate sites in accordance with the District Plan strategy. The strategy of the Plan and these reasonable alternatives should be considered as part of a Sustainability Appraisal.

Effective – the Plan should show how the vision, objectives and strategy will be delivered and who is responsible. This means it must be compatible with the strategies of other neighbouring Councils and flexible to deal with changing circumstances. Targets within the Plan will be monitored in the Authority Monitoring Reports produced at least annually.

Consistent with national policy – the Plan should enable the delivery of sustainable development and when a departure from national policy is made there should be local evidence to justify why.

For further information on the plan making process and tests of soundness please see the [National Planning Policy Framework](#) (paragraph 15 - 34 general background and paragraph 35 tests of soundness).