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| **Hertsmere Local Plan** For office use onlyReference No:Date received:Elstree Way Corridor Area Action Plan – Main Modifications and revised Sustaianability Appraisal |

**Representations can be made using this form:**

**Please return to Programme Officer – Helen Wilson by Wednesday 29th April 2015**

**By email:** progofficer@aol.com

**By post:** 32 Pennyford Close, Brockhill, Redditch Worcestershire B97 6TW

This form has two parts:

**Part A** – Personal details (only needed once)

**Part B** – Your representation(s). Please complete a separate sheet for **every** representation you wish to make, remembering to insert your name or organisation’s name.

**Please read the guidance notes before completing this form**.

**PART A**

|  |  |  |
| --- | --- | --- |
|  | **1. Personal details** | **2. Agent details (if applicable)** |
| Title |  |  |
| First name |  |  |
| Last name |  |  |
| Job title (where relevant) |  |  |
| Organisation (where relevant) |  |  |
| Address |  |  |
| Post Code |  |  |
| Telephone number |  |  |
| Email address |  |  |

If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2

Please note that all respondents must complete their personal details as it is not possible for representations to be considered anonymously. Respondents should also note that representations are not confidential and that they will be published, although the addresses and contact details of representations from individuals will be removed. **PART B**

For office use only

Ref No:

support:

object:

Observation:

**Please use a separate sheet for each representation**

**Name or organisation**

**3. To which Main Modification (‘MM’) or part of the Sustainability Appraisal does this representation relate?**

**4. Do you consider the Main Modification to be:**

(1) Legally Compliant **Yes**  **No**

(2) Sound **Yes**  **No**

*If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.*

**5. Do you consider the Main Modification to be unsound because it is not:**

(1) Justified

(2) Effective

 (3) Consistent with national policy

**6. Please give details of why you consider the Proposed Main Modifications is not legally compliant or is unsound in light of the modifications proposed. Please be as precise as possible. If you wish to support Proposed Modifications please also use the box below to set out your comments.**

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 (continue on a separate sheet if necessary)

|  |  |  |  |
| --- | --- | --- | --- |
| **Signature** |  | **Date** |  |

**If you wish to be informed of subsequent stages in the preparation of this document, please tick here**

## GUIDANCE NOTES

## Introduction

These guidance notes have been produced to assist anyone who wishes to make a representation on the proposed Main Modifications to the Elstree Way Corridor Area Action Plan submission document and the revised Sustainability Appraisal, which was subject to a period of public consultation between 17th February 2014 and 31st March 2014. The Area Action Plan was then subject to a public hearing session between 21st October 2014 and 23rd October 2014.

In determining the soundness of the EWCAAP, the Inspector will consider all previous representations including those made at the hearing sessions. All representations must relate to the proposed Main Modifications only. The general expectation is that issues raised on the consultation of the proposed Main Modifications will be considered through the written representation process and further hearing sessions will only be scheduled exceptionally. Any comments that were made during the earlier consultation on the MMs held between 03 December 2015 to 21 January 2015 will be taken into account and there is no need to make further comment if the representor is satisfied that the SA addendum report does not make any difference to the comments that he/she has already made.

## Soundness

Soundness is explained fully in the National Planning Policy Framework[[1]](#footnote-1), in paragraph 182. The Inspector has to be satisfied that the Area Action Plan has been positively prepared, is justified, effective and consistent with national policy. To be sound the Area Action Plan should be:

**Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

* 1. If you are seeking to make representations on the way in which the Local Planning Authority (LPA) has prepared the published Area Action Plan it is likely that your comments or objections will relate to a matter of legal compliance.
	2. 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.

Please note that all respondents must complete their personal details as it is not possible for representations to be considered anonymously. Respondents should also note that representations are not confidential and that they will be published, , although the addresses and contact details of representations from individuals will be removed.

## Legal Compliance

The Inspector will first check that the Area Action Plan 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 representation on a legal compliance:

* The Area Action Plan should be within the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by the Council, setting out the documents it proposes to produce over a set period. It sets out the key stages in the production of any documents the Council propose to bring forward for independent examination. The LDS is published on the Council’s website and available at their main offices.
* The process of community involvement for the Area Action Plan should be in general accordance with the Council’s Statement of Community Involvement (SCI). The SCI is a document that sets out the Council’s strategy for involving the community in the preparation and revision of planning documents and the consideration of planning applications.
* The Area Action Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012[[2]](#footnote-2). On publication, the Council must publish the documents prescribed in the regulations, and make them available at their principal offices and on their website. The Council notify statutory consultees and any persons who have requested to be notified.
* The Council is required to publish a Sustainability Appraisal Report when they publish the Area Action Plan. 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 Area Action Plan should have regard to national policy.

## General advice

Representations are only valid if your name and address are supplied. Agents should please state the full name or organisation of who they are representing.

If you wish to make a representation seeking a change to a proposed Main Modification you should make clear in what way the Main Modification is not sound having regard to the legal compliance check and four tests set out above.

You should try to support your representation with evidence showing why the Main Modification should be changed. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change. Further submissions will only be at the request of the Inspector.

Where there are groups who share a common view on the Main Modification, 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.

1. View the National Planning Policy Framework online at <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf> [↑](#footnote-ref-1)
2. View the Planning Regulations online at <http://www.legislation.gov.uk/uksi/2012/767/contents/made> [↑](#footnote-ref-2)