Guidance Note for Completing the Local Plan Representation Form
(to be read alongside the response form)

This note explains how to provide comments on the 19 Pre-Submission Draft document, which for ease of reference is identified as the "Local Plan" in this guidance and the Representation Form.

The Council have previously held Regulation 18 consultations which provided an opportunity for general comments to the draft Local Plan. These comments have been considered and have influenced the current Local Plan Regulation 19 Pre-Submission Draft which is the focus of this consultation.

The current consultation will be held over a six week period, from Friday, 28 February until Firday, 11 April 2025, providing an opportunity for any person or group to submit a representation on the Local Plan.

Responses submitted at this stage of the process will be considered during the Examination in Public by an independent Planning Inspector appointed by the Secretary of State. Statements of Representation must focus on issues which underpin the Examination, i.e., whether the plan is:

- legally compliant;
- sound; and
- that the duty to cooperate has been met.

For example:

- If your response relates to the way the Local Plan has been prepared, it is likely to relate to whether it is legal.
- If your response relates to the content of the Local Plan and the strategy it adopts, it is likely to relate to whether it is sound.
- If your response relates to the way in which South Gloucestershire Council has worked with other authorities, it is likely to relate to the duty to co-operate.

The Inspector will consider all representations on the plan that are made within the period of this consultation.

This guidance is designed to be read when completing the Representation Form to ensure that responses are made in a way which means they are considered correctly by the Inspector at Examination.

Legal Compliance and Duty to Co-operate

You should consider the following before making a representation on compliance with the duty to co-operate:

- Section 33A of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority 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 Local Planning Authority 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 Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector cannot recommend adoption of the plan.

Soundness

The tests of soundness are set out in paragraph 36 of the National Planning Policy Framework (NPPF). Plans are sound if they are:

Commented [DF1]: Need to check if still this paragraph

Commented [PS2R1]: Para 36 in 12.12.24 update. Amended

- **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.

If you think the content of the plan is not sound because it does not include a policy on 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 in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

Deadline

All completed Representation Forms must be received by Friday, 11 April.

Any responses received after this deadline will not be considered. Comments received either anonymously or not made in writing will not be accepted.

Comments received during previous consultations have been summarised in the Engagement Report (add in link) which will be submitted to the Planning Inspector.

Completing the Response Form

Your response should cover succinctly all the information and evidence to support/justify your representation and any suggested changes.

There will not normally be a subsequent opportunity to make further representations based on submissions made at the Regulation 19 stage.

After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues they identify for Examination.

Group responses

If you are part of a group with a common view, you should submit a single representation outlining the groups concerns, rather than submitting a large number of individual comments repeating the same points.

Make clear how many people your group is representing and how it has been authorised.

Part A - Personal/Agent Details

Please complete all your contact details unless you are using an agent to represent you. This is used to identify who has made the comment(s), so it is important you complete this fully.

If you are using an agent, please:

a) complete the Title, Name and Organisation and

b) complete the agent's details in full.

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. South Gloucestershire Council will therefore ensure that the names of those making representations can be made available (including publication on the South Gloucestershire Council's website) and taken into account by the Inspector.

Part B- The Representations

- **Question 3:**

Please state which Policy number, Policy criteria or Paragraph number your representation relates to. If your representation relates to the Policies Map or to some other aspect of the Local Plan, please tick the relevant box.

- **Question 4:**

In relation to the part of the Local Plan identified in Question 3, please set out whether you consider the specified section to be sound, legally compliant or complies with duty to co-operate by ticking the relevant box.

If you consider the Local Plan is unsound, not legally compliant or fails to comply with duty to co-operate please set out why (in Question 5) with any alternative suggested changes to make it legally compliant (in Question 6).

Please Note: Representations made in relation to compliance with the duty to co-operate relates to thesurrounding Local Planning Authorities, County Councils, and the prescribed bodies (as defined in the Town and Country Planning (Local Planning) (England) Regulations 2012) including the Environment Agency, Historic England, Natural England, the Civil Aviation Authority, the Integrated Care Board, the National Health Service Commissioning Board, The Office of Rail Regulation (Office of Rail and Road) the National Highways. The Council should also have regard to the Local Enterprise Partnership and Local Nature Partnerships.

Commented [JB3]: This should be National Highways

Commented [PS4R3]: amended

- **Question 7:**

Please state whether you wish to present your representation in person to the Planning Inspector during the Examination, if you answer yes, please explain (in Question 8) why you consider this necessary. The Examination will involve a series of Hearing sessions chaired by the Inspector part way through the Examination period and it is here that individuals will be invited to verbally contribute to the discussion and debate on the legal compliance and soundness of the Local Plan.

It is likely that the majority of representations will be considered using the written representations submitted at this Pre-submission stage, which carry equal weight to those heard in person by the Inspector.

It is the Inspector will decide who will be invited to speak at the Hearing sessions, not the Council, and the Inspector will decide the topics to be covered in each Hearing session, based on the issues raised by the written representations at this Pre-submission stage.

- **Question 8:**

Request for Further Notification

Please tick the relevant boxes if you wish to be kept informed of the progress of the Local Plan.

If you need any assistance in completing the Representation Form or further information/ advice, please contact the Planning Policy Team Planningpolicy@southglos.gov.uk