

South Norfolk Village Clusters Housing Allocations Plan (Regulation 19 Pre-submission Draft)

Representation Form Guidance Note

January 2023

South Norfolk Council has published its proposed Village Clusters Housing Allocations Plan, in accordance with Regulation 19 of the Town & Country Planning (Local Planning) (England) Regulations 2012. The document is now subject to a period whereby anyone may make a formal representation relating to its 'soundness' and/or its legal and procedural compliance. This period commences at **9.00am on Monday 23 January** and finishes at **5.00pm on Wednesday 8 March 2023**.

All representations must be received in writing or electronically by this deadline. Only representations received within the consultation period have a statutory right to be considered by the Inspector during the subsequent examination of the Local Plan.

The Village Clusters Housing Allocations Plan, all supporting documents, and further information can be found at www.southnorfolkandbroadland.gov.uk/vchap.

This guidance note is intended to assist you in completing the representation form. Please read the note thoroughly before completing the form.

Data Protection & Privacy

Please view the Council's [Privacy Statement](#) before submitting a representation, for details of how the Council will process, use and share the information you provide, for the purposes of developing the Village Clusters Housing Allocations Plan.

Any representation(s) made will subsequently be copied to the Planning Inspectorate and to the person appointed by the Secretary of State to conduct the examination (i.e. the Inspector). Representation details will also be made available online via South Norfolk Council's website, as set out in the Privacy Statement. Personal contact details for members of the public (other than names) will be redacted, as described within the Statement.

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. Therefore, any representations submitted will be treated as public and South Norfolk Council will not be able to accept anonymous representations.

The Planning Inspectorate has also published a [Privacy Statement](#) on how they manage personal information.

1. Introduction

- 1.1 The South Norfolk Village Cluster Housing Allocations Plan has been published by South Norfolk Council, as the local planning authority (LPA), in order for representations to be made on it before it is submitted for examination by a Planning Inspector. 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 on the plan that are made within the period set by South Norfolk Council.
- 1.2 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 Norfolk Council will therefore ensure that the names of those making representations can be made available (including publication on the Council's website) and taken into account by the Inspector.

2. Legal Compliance and Duty to Co-operate

- 2.1 You should consider the following before making a representation on legal compliance:
 - The Village Cluster Housing Allocation Plan has been included in the South Norfolk current Local Development Scheme [LDS]. The LDS is effectively a programme of work prepared by the LPA, setting out the plans it proposes to produce and the key stages that should be followed. South Norfolk Council's LDS is available on the Council's website: www.southnorfolkandbroadland.gov.uk/future-development and available at its main offices. You may wish to consider whether you think the plan has been produced in accordance with the Council's LDS.
 - The process of community involvement for Village Cluster Housing Allocation Plan should be in general accordance with the LPA's Statement of Community Involvement [SCI]. The SCI sets out the LPA's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications. South Norfolk Council's SCI can be found here: www.southnorfolkandbroadland.gov.uk/future-development. You may wish to consider whether you think the plan has been produced in accordance with the Council's SCI.
 - South Norfolk Council is required to provide a Sustainability Appraisal [SA] report when it publishes a plan such as the Village Cluster Housing Allocations 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. 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 SA prepared by South Norfolk Council to accompany the Village Cluster Housing Allocations Plan has been published as part of supporting document alongside the Consultation.

- The Village Cluster Housing Allocations Plan should also comply with all other relevant requirements of the PCPA and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended [the Regulations].

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

- Section 33A of the PCPA requires South Norfolk Council 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. South Norfolk Council is expected to provide evidence of how it 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.

3. Soundness

3.1 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.

3.2 If you think the content of the Village Cluster Housing Allocation 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?

4. General advice

- 4.1 If you wish to make a representation seeking a modification to a plan or part of a 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 criteria highlighted 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.
- 4.2 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 he or she identifies.
- 4.3 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 a large number of 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.
- 4.4 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, 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 session(s), if they so 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.