

## Soundness Self-Assessment Checklist (March 2014)

*This note was prepared by AMEC and URS on behalf of the Planning Advisory Service. It aims to help local authorities prepare their plans in advance of an examination, taking into account the requirements of the National Planning Policy Framework. A separate checklist looks at legal compliance.*

**In summary – the key requirements of plan preparation are:**

- Has the plan been positively prepared i.e. based on a strategy which seeks to meet objectively assessed requirements?
- Is the plan justified?
- Is it based on robust and credible evidence?
- Is it the most appropriate strategy when considered against the alternatives?
- Is the document effective?
- Is it deliverable?
- Is it flexible?
- Will it be able to be monitored?
- Is it consistent with national policy?

### **The Tests of Soundness at Examination**

The starting point for the examination is the assumption that the Council has submitted what it considers to be a sound plan. Those seeking changes should demonstrate why the plan is unsound by reference to one or more of the soundness criteria.

The tests of soundness are set out in the National Planning Policy Framework (NPPF) (para 182): “The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is ‘sound’ “, namely that it is:

#### **1. Positively Prepared: based on a strategy which seeks to meet objectively assessed development and infrastructure requirements**

This means that the Development Plan Document (DPD) should be 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. The NPPF, together with the Marine Policy Statement (MPS) set out principles through which the Government expects sustainable development can be achieved.

#### **2. Justified: the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence**

This means that the DPD should be based on a robust and credible evidence base involving:

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- Research/fact finding: the choices made in the plan are backed up by facts.
- Evidence of participation of the local community and others having a stake in the area; and

The DPD should also provide the most appropriate strategy when considered against reasonable alternatives. These alternatives should be realistic and subject to sustainability appraisal. The DPD should show how the policies and proposals help to ensure that the social, environmental, economic and resource use objectives of sustainability will be achieved.

### **3. Effective: deliverable over its period based on effective joint working on cross-boundary strategic priorities**

This means the DPD should be deliverable, requiring evidence of:

- Sound infrastructure delivery planning;
- Having no regulatory or national planning barriers to delivery;
- Delivery partners who are signed up to it; and
- Coherence with the strategies of neighbouring authorities, including neighbouring marine planning authorities.
- The DPD should be flexible and able to be monitored.

The DPD should indicate who is to be responsible for making sure that the policies and proposals happen and when they will happen. The plan should be flexible to deal with changing circumstances, which may involve minor changes to respond to the outcome of the monitoring process or more significant changes to respond to problems such as lack of funding for major infrastructure proposals. Although it is important that policies are flexible, the DPD should make clear that major changes may require a formal review including public consultation. Any measures which the Council has included to make sure that targets are met should be clearly linked to an Annual Monitoring Report.

### **4. Consistent with national policy: enabling the delivery of sustainable development**

The demonstration of this is a 'lead' policy on sustainable development which specifies how decisions are to be made against the sustainability criterion (see the Planning Portal for a model policy [www.planningportal.gov.uk](http://www.planningportal.gov.uk)). If you are not using this model policy, the Council will need to provide clear and convincing reasons to justify its approach.

The following table sets out the requirements associated with these four tests of soundness. Suggestions for evidence which could be used to support these requirements are set out, although these have to be viewed in the context of the plan being prepared. Please don't assume that you have got to provide all of these, they are just suggestions of what could be relevant.

In addition, the Legal Compliance checklist (a separate document, see [www.pas.gov.uk](http://www.pas.gov.uk)) should be completed to ensure that this aspect is covered.

The Duty to Co-operate will also be assessed as part of the examination process.

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<p><b>Positively Prepared:</b> 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.</p>		
<p><i>Vision and Objectives</i></p> <p>Has the LPA clearly identified what the issues are that the DPD is seeking to address? Have priorities been set so that it is clear what the DPD is seeking to achieve?</p> <p>Does the DPD contain clear vision(s) and objectives which are specific to the place? Is there a direct relationship between the identified issues, the vision(s) and the objectives?</p> <p>Is it clear how the policies will meet the objectives? Are there any obvious gaps in the policies, having regard to the objectives of the DPD?</p> <p>Have reasonable alternatives to the quantum of development and overall spatial strategy been considered?</p> <p>Are the policies internally consistent?</p> <p>Are there realistic timescales related to the objectives?</p> <p>Does the DPD explain how its key policy objectives will be achieved?</p>	<ul style="list-style-type: none"> <li>• Sections of the DPD and other documents which set out (where applicable) the vision, strategic objectives, key outcomes expected, spatial portrait and issues to be addressed.</li> <li>• Relevant sections of the DPD which explain how policies derive from the objectives and are designed to meet them.</li> <li>• The strategic objectives of the DPD, and the commentary in the DPD of how they derive from the spatial portrait and vision, and how the objectives are consistent with one another.</li> <li>• Sections of the DPD which address delivery, the means of delivery and the timescales for key developments through evidenced infrastructure delivery planning.</li> <li>• Confirmation from the relevant agencies that they support the objectives and the identified means of delivery.</li> <li>• Information in the local development scheme, or provided separately, about the scope and content (actual and intended) of each DPD showing how they combine to provide a coherent policy structure.</li> </ul>	<p><i>The vision and objectives are set out in the Local Plan Part 1 (LP1). The document sets out the vision and objectives in Chapter 3 [C. 25]</i></p> <p><i>This DPD is consistent with the vision, objectives and policies in the LP1.</i></p> <p><i>The Local Development Scheme [C. 33] provides the scope and content of each DPD.</i></p>
<p><i>The presumption in favour of sustainable development (NPPF paras 6-17)</i></p> <p>Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for</p>	<ul style="list-style-type: none"> <li>• An evidence base which establishes the development needs of the plan area (see Justified below) and includes a flexible approach to delivery (see 'Section 3 Effective', below).</li> <li>• An audit trail showing how and why the quantum of development, preferred overall strategy and plan area</li> </ul>	<p><i>LP1 policy S4 sets out the housing and employment needs of the District and the requirement for 600 dwellings in the Local Plan Part 2 (LP2).</i></p>

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<p>achieving sustainable development in different areas.</p> <p>Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:</p> <p>—any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or</p> <p>—specific policies in this Framework indicate development should be restricted.</p>	<p>distribution of development were arrived at.</p> <ul style="list-style-type: none"> <li>Evidence of responding to opportunities for achieving sustainable development in different areas (for example, the marine area)</li> </ul>	<p><i>The LP2 proposes housing allocations to deliver the required 600 dwellings which offers greater flexibility to the housing needs of the District being met. There are no employment allocations within LP2.</i></p> <p><i>The development proposed is considered to be sustainable and all policies have been assessed through the Sustainability Appraisal [E.1 to E.7].</i></p>
<p>Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.</p>	<ul style="list-style-type: none"> <li>A policy or policies which reflect the principles of the presumption in favour of sustainable development (see <a href="http://www.planningportal.gov.uk">model policy at www.planningportal.gov.uk</a>)</li> </ul>	<p><i>LP1 policy S2 covers the presumption in favour of sustainable development.</i></p>
<p><i>Objectively assessed needs</i></p> <p>The economic, social and environmental needs of the authority area addressed and clearly presented in a fashion which makes effective use of land and specifically promotes mixed use development, and take account of cross-boundary and strategic issues.</p> <p>Note: Meeting these needs should be subject to the caveats specified in Paragraph 14 of the NPPF (see above).</p>	<ul style="list-style-type: none"> <li>Background evidence papers demonstrating requirements based on population forecasts, employment projections and community needs.</li> <li>Technical papers demonstrating how the aspirations and objectives of the DPD are related to the evidence, and how these are to be met, including from consultation and associated with the Duty to Co-operate.</li> </ul>	<p><i>Considered through the adopted LP1 which took account of the Housing Market Area in which the District sits together with Derby City and Amber Valley and objectively assessed needs were considered at that level.</i></p>

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Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<b>NPPF Principles: Delivering sustainable development</b>		
<b>1. Building a strong, competitive economy (paras 18-22)</b>		
Set out a clear economic vision and strategy for the area which positively and proactively encourages sustainable economic growth (21),	<ul style="list-style-type: none"> <li>Articulation of a clear economic vision and strategy for the plan area linked to the Economic Strategy, LEP Strategy and marine policy documents where appropriate.</li> </ul>	<p><i>LP1 chapter 6 and the policies included within it consider the economic strategy for the area.</i></p> <p><i>A specific policy in LP2 (BNE12: Former Power Station Land) considers the re-use of two former power station sites within the District for economic and energy related uses.</i></p>
Recognise and seek to address potential barriers to investment, including poor environment or any lack of infrastructure, services or housing (21)	<ul style="list-style-type: none"> <li>A criteria-based policy which meets identified needs and is positive and flexible in planning for specialist sectors, regeneration, infrastructure provision, environmental enhancement.</li> <li>An up-to-date assessment of the deliverability of allocated employment sites, to meet local needs, (taking into account that LPAs should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of an allocated site being used for that purpose) para (22)</li> </ul>	<p><i>Infrastructure Delivery Plan for the LP1.</i></p> <p><i>The LP2 policy RTL2: Swadlincote Town Centre Potential Redevelopment Sites considers sites where they have been potential barriers to development which will look to be addressed through allocation within the Local Plan. A recent up to date Town Centre study has been undertaken [E.44 &amp; E.45]</i></p>
<b>2. Ensuring the vitality of town centres (paras 23-37)</b>		
Policies should be positive, promote competitive town centre environments, and set out policies for the management and growth of	<ul style="list-style-type: none"> <li>The Plan and its policies may include such matters as: definition of networks and hierarchies; defining town centres; encouragement of residential development on appropriate sites; allocation of appropriate edge of centre sites where suitable and viable town</li> </ul>	<p><i>Policy RTL1: Retail Hierarchy proposes a hierarchy of retail centres across the District in order to encourage</i></p>

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centres over the plan period (23)	centre sites are not available; consideration of retail and leisure proposals which cannot be accommodated in or adjacent to town centres.	<i>development in the right locations to ensure viability and vitality of existing centres.</i>
Allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community services and residential development needed in town centres (23)	<ul style="list-style-type: none"> <li>• An assessment of the need to expand (the) town centre(s), considering the needs of town centre uses.</li> <li>• Primary and secondary shopping frontages identified and allocated.</li> </ul>	<i>The LP2 policy RTL2: Swadlincote Town Centre Potential Redevelopment Sites considers bringing forward sites where there have been potential barriers to development which look to be addressed through allocation within the Local Plan. A recent up to date Town Centre study has been undertaken [E.44 &amp; E.45]</i>
<b>3. Supporting a prosperous rural economy (para 28)</b>		
Support sustainable economic growth in rural areas. Planning strategies should promote a strong rural economy by taking a positive approach to new development. (28)	<ul style="list-style-type: none"> <li>• Where relevant include a policy or policies which support the sustainable growth of rural businesses; promote the development and diversification of agricultural businesses; support sustainable rural tourism and leisure developments, and support local services and facilities.</li> </ul>	<p><i>The LP1 policy E7: Rural Development considers the promotion of economic growth in rural areas.</i></p> <p><i>Within LP2, the policy H25: Rural Workers' Dwellings allows for residential development where justified and allows for rural growth. Policy BNE6 allows for the growth of agricultural buildings to help sustain farming which is a large part of the economy in South Derbyshire.</i></p>
<b>4. Promoting sustainable transport (paras 29-41)</b>		
Facilitate sustainable development whilst contributing to wider sustainability and health	<ul style="list-style-type: none"> <li>• Joint working with adjoining authorities, transport providers and Government Agencies on infrastructure provision in order to</li> </ul>	<i>Strategic policy S6 in LP1 considers Sustainable Access which is further</i>

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<p>objectives. (29)</p> <p>Balance the transport system in favour of sustainable transport modes and give people a real choice about how they travel whilst recognising that different policies will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. (29)</p> <p>Encourage solutions which support reductions in greenhouse gas emissions and congestion (29) including supporting a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport. (30)</p> <p>Local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development. (31)</p> <p>Opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure. (32)</p> <p>Ensure that developments which generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised (34)</p> <p>Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. (35)</p>	<p>support sustainable economic growth with particular regard to the facilities referred to in paragraph 31.</p> <ul style="list-style-type: none"> <li>• Policies encouraging development which facilitates the use of sustainable modes of transport and a range of transport choices where appropriate, particularly the criteria in paragraph 35.</li> <li>• A spatial strategy and policy which seeks to reduce the need to travel through balancing housing and employment provision.</li> <li>• Policy for major developments which promotes a mix of uses and access to key facilities by sustainable transport modes.</li> <li>• If local (car parking) standards have been prepared, are they justified and necessary? (39)</li> <li>• Identification and protection of sites and routes where infrastructure could be developed to widen transport choice linked to the Local Transport Plan.</li> </ul>	<p><i>supplemented by policy INF2: Sustainable Transport in LP1.</i></p> <p><i>A considerable amount of HMA work was undertaken to consider the impacts of growth on the transport network which was thoroughly tested through both the South Derbyshire and Derby City examination process.</i></p> <p><i>Work has continued with the County Council regarding the transport impact of the proposed housing site allocations within LP2, though due to the size of the sites and the overall quantum, the County have not proposed any further work is required other than that that would be required as part of the policy INF2, a transport assessment at the point of application.</i></p>

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<p>Policies should aim for a balance of land uses so that people can be encouraged to minimize journey lengths for employment, shopping, leisure, education and other activities. (37)</p> <p>For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties. (38)</p> <p>The setting of car parking standards including provision for town centres. (39-40)</p> <p>Local planning authorities should identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice. (41)</p>		
<p><b>5. Supporting high quality communications infrastructure (paras 42-46)</b></p>		
<p>Support the expansion of the electronic communications networks, including telecommunications’ masts and high speed broadband. (43)</p> <p>Local planning authorities should not impose a ban on new telecommunications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of telecommunications development or insist on minimum distances between new telecommunications development and existing</p>	<ul style="list-style-type: none"> <li>• Policy supporting the expansion of electronic communications networks, including telecommunications and high speed broadband, noting the caveats in para 44.</li> </ul>	<p><i>Policy INF11: Telecommunications in LP2 sets out the necessary evidence in order to consider an application for permission. This policy recognises the importance of telecommunications while seeking to balance this with preserving landscape and buildings where appropriate.</i></p>

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development. (44)		
<b>6. Delivering a wide choice of high quality housing (paras 47-55)</b>		
Identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements; this should include an additional buffer of 5% or 20% (moved forward from later in the plan period) to ensure choice and competition in the market for land. 20% buffer applies where there has been persistent under delivery of housing(47)	<ul style="list-style-type: none"> <li>• Identification of:               <ul style="list-style-type: none"> <li>a) five years or more supply of specific deliverable sites; plus the buffer as appropriate</li> </ul> </li> <li>• Where this element of housing supply includes windfall sites, inclusion of 'compelling evidence' to justify their inclusion (48)</li> <li>• A SHLAA</li> </ul>	<p><i>The inclusion of non-strategic housing sites within LP2 is to satisfy the strategic housing policy, S4 of LP1 and offers further flexibility to the housing supply. The impact of including these sites has been considered through a supplementary paper [E .65] to the most recently published Housing Supply Paper [E .64].</i></p>
Identify a supply of developable sites or broad locations for years 6-10 and, where possible, years 11-15 (47).	<ul style="list-style-type: none"> <li>• Identification of a supply of developable sites or broad locations for: a) years 6-10; b) years 11-15</li> </ul>	<p><i>The District Council needs to deliver at least 12,618 dwellings over the period 2011 – 2028 of which just over 3,000 dwellings are for Derby City to help meet its needs, as the City cannot meet all its needs within the City boundary. The remaining unmet need of around 2,750 is to be delivered by Amber Valley Borough Council.</i></p>
Illustrate the expected rate of housing delivery through a trajectory; and set out a housing implementation strategy describing how a five year supply will be maintained. (47)	<ul style="list-style-type: none"> <li>• A housing trajectory</li> <li>• Monitoring of completions and permissions (47)</li> <li>• Updated and managed SHLAA. (47)</li> </ul>	<p><i>The SHLAA can be seen at: <a href="http://www.derbyshire.gov.uk/environment/planning/planning_policy/land_availability/derby_hma/districts/south_derbyshire/south_derbyshire/default.asp">http://www.derbyshire.gov.uk/environment/planning/planning_policy/land_availability/derby_hma/districts/south_derbyshire/south_derbyshire/default.asp</a> and is updated on a regular basis to include additional sites and remove those sites where development has commenced.</i></p>

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Set out the authority's approach to housing density to reflect local circumstances (47).	<ul style="list-style-type: none"> <li>• Policy on the density of development.</li> </ul>	<p><i>There is no specific policy on housing density but LP1 policy H20: Housing Balance makes clear that density will be an element for consideration on sites.</i></p>
Plan for a mix of housing based on current and future demographic and market trends, and needs of different groups (50) and caters for housing demand and the scale of housing supply to meet this demand. (para 159)	<ul style="list-style-type: none"> <li>• Policy on planning for a mix of housing (including self-build, and housing for older people</li> <li>• SHMA</li> <li>• Identification of the size, type, tenure and range of housing) required in particular locations, reflecting local demand. (50)</li> <li>• Evidence for housing provision based on up to date, objectively assessed needs. (50)</li> <li>• Policy on affordable housing and consideration for the need for on-site provision or if off-site provision or financial contributions are sought, where these can these be justified and to what extent do they contribute to the objective of creating mixed and balanced communities. (50)</li> </ul>	<p><i>Policies H20: Housing Balance and Policy H21: Affordable Housing of LP1 consider the mix of housing to be provided on housing sites and considers type and tenure.</i></p> <p><i>The SHMA was part of the evidence base for the LP1 examination.</i></p>
<p>In rural areas be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate (54).</p> <p>In rural areas housing should be located where it will enhance or maintain the vitality of rural communities.</p>	<ul style="list-style-type: none"> <li>• Consideration of allowing some market housing to facilitate the provision of significant additional affordable housing to meet local needs.</li> <li>• Consideration of the case for resisting inappropriate development of residential gardens. (This is discretionary)(para 53)</li> <li>• Examples of special circumstances to allow new isolated homes listed at para 55.</li> </ul>	<p><i>The Settlement Hierarchy policy H1 in LP1 considers the amount of growth that for each tier of the hierarchy is considered appropriate. For all tiers a quantum of exception or cross-subsidy dwellings would be allowed adjacent to a settlement boundary.</i></p> <p><i>Within LP2 Policy H24 allows for replacement dwellings in the Countryside and policy BNE5: Development in the Countryside would allow for development that was in accordance with the special</i></p>

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		<i>circumstances set out in paragraph 55 of the NPPF, should it not unduly impact on the surrounding area.</i>
<b>7. Requiring good design (paras 56-68)</b>		
Develop robust and comprehensive policies that set out the quality of development that will be expected for the area (58).	<ul style="list-style-type: none"> <li>Inclusion of policy or policies which seek to increase the quality of development through the principles set out at para 58 and approaches in paras 59-61, linked to the vision for the area and specific local issues</li> </ul>	<i>The Design Excellence Policy BNE1 within LP1 aims to increase the quality of the development and will be followed by an SPD to give examples and knowledge of how this can be done in line with the adopted policy.</i>
<b>8. Promoting healthy communities (paras 69-77)</b>		
Policies should aim to design places which: promote community interaction, including through mixed-use development; are safe and accessible environments; and are accessible developments (69).	<ul style="list-style-type: none"> <li>Inclusion of a policy or policies on inclusive communities.</li> <li>Promotion of opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments which bring together those who work, live and play in the vicinity; safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion; and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas. (69)</li> </ul>	<p><i>The promotion of Healthy Communities is made in several policies in LP1: BNE1: Design Excellence, INF6: Community Facilities, INF7: Green Infrastructure, INF8: The National Forest and INF9: Open Space, Sport and Recreation.</i></p> <p><i>This is continued into the LP2 through Policy BNE7: Trees, Woodland and Hedgerows and also BNE8: Local Green Space.</i></p>
Policies should plan positively for the provision and use of shared space, community facilities and other local services (70).	<ul style="list-style-type: none"> <li>Inclusion of a policy or policies addressing community facilities and local service.</li> <li>Positive planning for the provision and integration of community facilities and other local services to enhance the sustainability of communities and residential environments; safeguard against the</li> </ul>	<i>Policy INF6: Community Facilities of LP1 considers the requirement for community facility provision.</i>

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	unnecessary loss of valued facilities and services; ensure that established shops, facilities and services are able to develop and modernize; and ensure that housing is developed in suitable locations which offer a range of community facilities and good access to key services and infrastructure.	
Identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities; and set locally derived standards to provide these (73).	<ul style="list-style-type: none"> <li>• Identification of specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. (73)</li> <li>• A policy protecting existing open space, sports and recreational buildings and land from development, with specific exceptions. (74)</li> <li>• Protection and enhancement of rights of way and access. (75)</li> </ul>	<p><i>INF9: Open Space, Sport and Recreation of LP1 consider the needs within the District.</i></p> <p><i>Rights of way and access will be considered through a Greenways SPD.</i></p>
Enable local communities, through local and neighbourhood plans, to identify special protection green areas of particular importance to them – ‘Local Green Space’ (76-78).	<ul style="list-style-type: none"> <li>• Policy enabling the protection of Local Green Spaces. (Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period. The designation should only be used when it accords with the criteria in para 77). Policy for managing development within a local green space should be consistent with policy for Green Belts. (78)</li> </ul>	<p><i>A policy to enable the protection of Local Green Spaces has been included in LP2 as BNE8: Local Green Space. The allocation of the spaces has been removed to a separate DPD.</i></p>
<b>9. Protecting Green Belt land (paras 79-92)</b>		
<p>Local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land. (81)</p> <p>Local planning authorities with Green Belts in their area should establish Green Belt</p>	<ul style="list-style-type: none"> <li>• Where Green Belt policies are included, these should reflect the need to:               <ul style="list-style-type: none"> <li>○ Enhance the beneficial use of the Green Belt. (81)</li> <li>○ Accord with criteria on boundary setting, and the need for clarity on the status of safeguarded land, in particular. (85)</li> <li>○ Specify that inappropriate development should not be approved except in very special circumstances. (87)</li> <li>○ Specify the exceptions to inappropriate development (89-90)</li> </ul> </li> </ul>	<p><i>Green belt land was fully considered through strategic policy S8 of LP1.</i></p>

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<p>boundaries in their Local Plans which set the framework for Green Belt and settlement policy. (83)</p> <p>When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. (84)</p> <p>Boundaries should be set using ‘physical features likely to be permanent’ amongst other things (85)</p>	<ul style="list-style-type: none"> <li>○ Identify where very special circumstances might apply to renewable energy development. (91)</li> </ul>	
<p><b>10. Meeting the challenge of climate change, flooding and coastal change (paras 93-108)</b></p>		
<p>Adopt proactive strategies to mitigate and adapt to climate change taking full account of flood risk, coastal change and water supply and demand considerations. (94)</p>	<ul style="list-style-type: none"> <li>● Planning of new development in locations and ways which reduce greenhouse gas emissions.</li> <li>● Support for energy efficiency improvements to existing building.</li> <li>● Local requirements for a building’s sustainability which are consistent with the Government’s zero carbon buildings policy . (95))</li> </ul>	<p><i>Policies within LP1 consider this area: S2: Presumption in favour of Sustainable Development , S3: Environmental Performance,</i></p>
<p>Help increase the use and supply of renewable and low carbon energy through a strategy, policies maximising renewable and low carbon energy, and identification of key energy sources. (97)</p>	<ul style="list-style-type: none"> <li>● A strategy and policies to promote and maximise energy from renewable and low carbon sources,</li> <li>● Identification of suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources (see also NPPF footnote 17)</li> <li>● Identification of where development can draw its energy supply from decentralised, renewable or low carbon supply systems and for co-locating potential heat customers and suppliers. (97)</li> </ul>	<p><i>SD1: Amenity and Environmental Quality, SD6: Sustainable Energy and Power Generation</i></p>
<p>Minimise vulnerability to climate change and manage the risk of flooding (99)</p>	<ul style="list-style-type: none"> <li>● Account taken of the impacts of climate change. (99)</li> <li>● Allocate, and where necessary re-locate, development away from flood risk areas through a sequential test, based on a SFRA. (100)</li> </ul>	<p><i>SD2: Flood Risk in LP1 considers the risk of flooding.</i></p>

## Soundness Self-Assessment Checklist (March 2014)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
	<ul style="list-style-type: none"> <li>• Policies to manage risk, from a range of impacts, through suitable adaptation measures</li> </ul>	<i>The Sustainability Appraisal for LP2 [E.1 – E.7] considered flood risk as part of the assessment of a site when considering the non-strategic housing allocations.</i>
Take account of marine planning (105)	<ul style="list-style-type: none"> <li>• Ensure early and close co-operation on relevant economic, social and environmental policies with the Marine Management Organisation</li> <li>• Review the aims and objectives of the Marine Policy Statement, including local potential for marine-related economic development</li> <li>• Integrate as appropriate marine policy objectives into emerging policy</li> <li>• Support of integrated coastal management (ICM) in coastal areas in line with the requirements of the MPS</li> </ul>	NA
Manage risk from coastal change (106)	<ul style="list-style-type: none"> <li>• Identification of where the coast is likely to experience physical changes and identify Coastal Change Management Areas, and clarity on what development will be allowed in such areas.</li> <li>• Provision for development and infrastructure that needs to be re-located from such areas, based on SMPs and Marine Plans, where appropriate.</li> </ul>	NA
<b>11. Conserving and enhancing the natural environment (paras 109-125)</b>		
Protect valued landscapes (109)	<ul style="list-style-type: none"> <li>• A strategy and policy or policies to create, protect, enhance and manage networks of biodiversity and green infrastructure.</li> <li>• Policy which seeks to minimise the loss of higher quality agricultural land and give great weight to protecting the landscape and scenic beauty of National Parks, the Broads and AONBs.</li> </ul>	<p><i>The protection of landscape character and local distinctiveness is considered through Policy BNE4 in the LP1.</i></p> <p><i>The document Landscape Character of Derbyshire [OD .4] is included in the examination library for LP2 and was</i></p>

## Soundness Self-Assessment Checklist (March 2014)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		<i>used as part of the assessment of sites and comments were received from the County Council on this area also.</i>
Prevent unacceptable risks from pollution and land instability (109)	<ul style="list-style-type: none"> <li>Policy which seeks development which is appropriate for its location having regard to the effects of pollution on health, the natural environment or general amenity.</li> </ul>	<i>Policies SD1: Amenity and Environmental Quality, SD4: Contaminated Land and Mining Legacy Issues and also Policy SD5: Minerals Safeguarding, are all within LP1 and seek to prevent unacceptable risks from pollution and land instability.</i>
<p>Planning policies should minimise impacts on biodiversity and geodiversity (117)</p> <p>Planning policies should plan for biodiversity at a landscape-scale across local authority boundaries (117)</p>	<ul style="list-style-type: none"> <li>Identification and mapping of local ecological networks and geological conservation interests.</li> <li>Policies to promote the preservation, restoration and re-creation of priority habitats, ecological networks and the recovery of priority species</li> </ul>	<p><i>Consideration of Biodiversity is through LP1 Policy BNE3: Biodiversity.</i></p> <p><i>This area was also part of the Sustainability Appraisal assessments in the LP2 [E.1 – E.7]</i></p>
<b>12. Conserving and enhancing the historic environment (paras 126-141)</b>		
Include a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk (126)	<ul style="list-style-type: none"> <li>A strategy for the historic environment based on a clear understanding of the cultural assets in the plan area, including assets most at risk.</li> <li>A map/register of historic assets</li> <li>A policy or policies which promote new development that will make a positive contribution to character and distinctiveness. (126)</li> </ul>	<p><i>There is an overarching Conservation policy in LP1 which is BNE2:Heritage Assets which is supplemented by a further two policies within LP2 which considers Heritage (BNE10) more specifically and also a policy that considers Shop Fronts (BNE11) to help ensure the District's character is added to.</i></p> <p><i>The Conservation Areas and Historic</i></p>

## Soundness Self-Assessment Checklist (March 2014)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		<i>Park and Gardens are shown on the Policies Map [C. 5 – C.7]</i>
<b>13. Facilitating the sustainable use of minerals (paras 142-149)</b>		
<p>It is important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation (142)</p> <p>Minerals planning authorities should plan for a steady and adequate supply of industrial materials (146)</p>	<p>Account taken of the matters raised in relation to paragraph 143 and 145, including matters in relation to land in national / international designations; landbanks; the defining of Minerals Safeguarding Areas; wider matters relating to safeguarding; approaches if non-mineral development is necessary within Minerals Safeguarding Areas; the setting of environmental criteria; development of noise limits; reclamation of land; plan for a steady and adequate supply of aggregates. This could include evidence of co-operation with neighbouring and more distant authorities.</p>	<p><i>SD5: Minerals Safeguarding in LP1 considers this.</i></p>
<p><b>Justified:</b> <i>The plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.</i></p> <p><i>To be 'justified' a DPD needs to be:</i></p> <ul style="list-style-type: none"> <li>• <i>Founded on a robust and credible evidence base involving: research / fact finding demonstrating how the choices made in the plan are backed up by facts; and evidence of participation of the local community and others having a stake in the area.</i></li> <li>• <i>The most appropriate strategy when considered against reasonable alternatives.</i></li> </ul>		
<p><i>Participation</i></p> <p>Has the consultation process allowed for effective engagement of all interested parties?</p>	<p>The consultation statement. This should set out what consultation was undertaken, when, with whom and how it has influenced the plan. The statement should show that efforts have been made to consult hard to reach groups, key stakeholders etc. Reference SCI</p>	<p><i>Regulation 22 Consultation Statement [C.9]</i></p> <p><i>Regulation 22 Consultation Statement -Appendix A [C.10] sets out consultation documents for the first consultation, December 2015</i></p>

## Soundness Self-Assessment Checklist (March 2014)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		<p><i>to February 2016.</i></p> <p><i>Regulation 22 Consultation Statement -Appendix B [C.11] sets out consultation documents for the Draft consultation June to August 2016</i></p> <p><i>Regulation 22 Consultation Statement - Appendix C [C.12] sets out consultation documents for Regulation 19 consultation.</i></p>
<p><i>Research / fact finding</i></p> <p>Is the plan justified by a sound and credible evidence base? What are the sources of evidence? How up to date, and how convincing is it?</p> <p>What assumptions were made in preparing the DPD? Were they reasonable and justified?</p>	<ul style="list-style-type: none"> <li>• The studies, reports and technical papers that provide the evidence for the policies set out in the DPD, the date of preparation and who they were produced by.</li> </ul> <p>AND</p> <ul style="list-style-type: none"> <li>• Sections of the DPD (at various stages of development) and SA Report which illustrate how evidence supports the strategy, policies and proposals, including key assumptions.</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>• A very brief statement of how the main findings of consultation support the policies, with reference to: reports to the council on the issues raised during participation, covering both the front-loading and formulation phases; and any other information on community views and preferences.</li> </ul> <p>OR</p>	<p><i>The relevant studies/reports are set out in the examination library for the LP2 which can be viewed from:</i></p> <p><a href="http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/local_plan/local_plan_part2_examination/default.asp">http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/local_plan/local_plan_part2_examination/default.asp</a></p>

## Soundness Self-Assessment Checklist (March 2014)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
	<ul style="list-style-type: none"> <li>For each policy (or group of policies dealing with the same issue), a very brief statement of the evidence documents relied upon and how they support the policy (where this is not already clear in the reasoned justification in the DPD).</li> </ul>	
<p><i>Alternatives</i></p> <p>Can it be shown that the LPA's chosen approach is the most appropriate given the reasonable alternatives? Have the reasonable alternatives been considered and is there a clear audit trail showing how and why the preferred approach was arrived at? Where a balance had to be struck in taking decisions between competing alternatives, is it clear how and why the decisions were taken?</p> <p>Does the sustainability appraisal show how the different options perform and is it clear that sustainability considerations informed the content of the DPD from the start?</p>	<ul style="list-style-type: none"> <li>Reports and consultation documents produced in the early stages setting out how alternatives were developed and evaluated, and the reasons for selecting the preferred strategy, and reasons for rejecting the alternatives. This should include options covering not just the spatial strategy, but also the quantum of development, strategic policies and development management policies.</li> <li>An audit trail of how the evidence base, consultation and SA have influenced the plan.</li> <li>Sections of the SA Report showing the assessment of options and alternatives.</li> <li>Reports on how decisions on the inclusion of policy were made.</li> <li>Sections of the consultation document demonstrating how options were developed and appraised.</li> <li>Any other documentation showing how alternatives were developed and evaluated, including a report on how sustainability appraisal has influenced the choice of strategy and the content of policies.</li> </ul>	<p><i>The Sustainability Appraisal process was iterative and has included a re-appraisal of alternatives between Regulation 18 and Regulation 19 stages. Details are included in chapter 5 the Local Plan Part 2: Sustainability Appraisal: Main Report [E.1].</i></p> <p><i>Local Plan Part 2: Sustainability Appraisal – Non Technical Summary [E.2]</i></p> <p><i>Local Plan Part 2: Sustainability Appraisal – Technical Appendices [E.3 – E.7]</i></p>
<p><b>Effective:</b> <i>the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.</i></p> <p>To be 'effective' a DPD needs to:</p> <ul style="list-style-type: none"> <li>Be deliverable</li> </ul>		

## Soundness Self-Assessment Checklist (March 2014)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<ul style="list-style-type: none"> <li>• Demonstrate sound infrastructure delivery planning</li> <li>• Have no regulatory or national planning barriers to its delivery</li> <li>• Have delivery partners who are signed up to it</li> <li>• Be coherent with the strategies of neighbouring authorities</li> <li>• Demonstrate how the Duty to Co-operate has been fulfilled</li> <li>• Be flexible</li> <li>• Be able to be monitored</li> </ul>		
<p><i>Deliverable and Coherent</i></p> <ul style="list-style-type: none"> <li>• Is it clear how the policies will meet the Plan’s vision and objectives? Are there any obvious gaps in the policies, having regard to the objectives of the DPD?</li> <li>• Are the policies internally consistent?</li> <li>• Are there realistic timescales related to the objectives?</li> <li>• Does the DPD explain how its key policy objectives will be achieved?</li> </ul>	<ul style="list-style-type: none"> <li>• Sections of the DPD which address delivery, the means of delivery and the timescales for key developments and initiatives.</li> <li>• Confirmation from the relevant agencies that they support the objectives and the identified means of delivery, such as evidence that the plans and programmes of other bodies have been taken into account (e.g. Water Resources Management Plans and Marine Plans).</li> <li>• Information in the local development scheme, or provided separately, about the scope and content (actual and intended) of each DPD showing how they combine to provide a coherent policy structure.</li> <li>• Section in the DPD that shows the linkages between the objectives and the corresponding policies, and consistency between policies (such as through a matrix).</li> </ul>	<p><i>This DPD doesn’t have its own set of objectives but will deliver against the Part 1 objectives.</i></p> <p><i>There are no gaps in policies. This was considered by the Sustainability Appraisal through appraising all of the policies.</i></p>
<p><i>Infrastructure Delivery</i></p> <ul style="list-style-type: none"> <li>• Have the infrastructure implications of the policies clearly been identified?</li> <li>• Are the delivery mechanisms and timescales for implementation of the policies clearly identified?</li> <li>• Is it clear who is going to deliver the required infrastructure and does the timing of the</li> </ul>	<ul style="list-style-type: none"> <li>• A section or sections of the DPD where infrastructure needs are identified and the proposed solutions put forward.</li> <li>• A schedule setting out responsibilities for delivery, mechanisms and timescales, and related to a CIL schedule where appropriate.</li> <li>• Confirmation from infrastructure providers that they support the solutions proposed and the identified means and timescales for their delivery, or a plan for resolving issues.</li> <li>• Demonstrable plan-wide viability, particularly in relation to the</li> </ul>	<p><i>The Infrastructure required for LP1 sites is set out in the Infrastructure Delivery Plan.</i></p> <p><i>The LP2 requirements are very limited and site specific. The requirement for a new secondary school is set out in INF12: Provision of Secondary Education Facilities in terms of</i></p>

## Soundness Self-Assessment Checklist (March 2014)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
provision complement the timescale of the policies?	delivery of affordable housing and the role of a CIL schedule.	<i>suitable locations but the principle of a school was set out in the IDP as the requirement was known when considering LP1.</i>
<p><i>Co-ordinated Planning</i></p> <p>Does the DPD reflect the concept of spatial planning? Does it go beyond traditional land use planning by bringing together and integrating policies for the development and use of land with other policies and programmes from a variety of agencies / organisations that influence the nature of places and how they function?</p>	<ul style="list-style-type: none"> <li>• Sections of the DPD that reflect the plans or strategies of the local authority and other bodies</li> <li>• Policies which seek to pull together different policy objectives</li> <li>• Expressions of support/representations from bodies responsible for other strategies affecting the area</li> </ul>	<i>The Sustainability Appraisal considers impacts of a social, environmental and economic nature across all of the policies and site assessments.</i>
<p><i>Flexibility</i></p> <ul style="list-style-type: none"> <li>• Is the DPD flexible enough to respond to a variety of, or unexpected changes in, circumstances?</li> <li>• Does the DPD include the remedial actions that will be taken if the policies need adjustment?</li> </ul>	<ul style="list-style-type: none"> <li>• Sections of the DPD setting out the assumptions of the plan and identifying the circumstances when policies might need to be reviewed.</li> <li>• Sections of the annual monitoring report and sustainability appraisal report describing how the council will monitor:               <ol style="list-style-type: none"> <li>a. the effectiveness of policies and what evidence is being collected to undertake this</li> <li>b. changes affecting the baseline information and any information on trends on which the DPD is based</li> </ol> </li> <li>• Risk analysis of the strategy and policies to demonstrate robustness and how the plan could cope with changing circumstances</li> <li>• Sections within the DPD dealing with possible change areas and how they would be dealt with, including mechanisms for the rate of development to be increased or slowed and how that would impact on other aspects of the strategy and on infrastructure provision</li> <li>• Sections of the DPD identifying the key indicators of success of the</li> </ul>	<i>Pre-Submission Local Plan Part 2 Implementation and Monitoring Table [C.4]. These Indicators will be added to and monitored on an annual basis through the data collected for the Annual Monitoring Report [E.22 is the 2015/16 report which already monitors some of the Indicators to be used].</i>

## Soundness Self-Assessment Checklist (March 2014)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
	strategy, and the remedial actions which will be taken if adjustment is required.	
<p><i>Co-operation</i></p> <ul style="list-style-type: none"> <li>• Is there sufficient evidence to demonstrate that the Duty to Co-operate has been undertaken appropriately for the plan being examined?</li> <li>• Is it clear who is intended to implement each part of the DPD? Where the actions required are outside the direct control of the LPA, is there evidence that there is the necessary commitment from the relevant organisation to the implementation of the policies?</li> </ul>	<ul style="list-style-type: none"> <li>• A succinct Duty to Co-operate Statement which flows from the strategic issues that have been addressed jointly. A 'tick box' approach or a collection of correspondence is not sufficient, and it needs to be shown (where appropriate) if joint plan-making arrangements have been considered, what decisions were reached and why.</li> <li>• The Duty to Co-operate Statement could highlight: the sharing of ideas, evidence and pooling of resources; the practical policy outcomes of co-operation; how decisions were reached and why; and evidence of having effectively co-operated to plan for issues which need other organisations to deliver on, common objectives for elements of strategy and policy; a memorandum of understanding; aligned or joint core strategies and liaison with other consultees as appropriate.</li> </ul>	<p><i>Duty to Co-operate Compliance Statement – January 2017 [E.25] sets out the relationship between the District Council and the relevant bodies. It is not considered that there are any significant cross-boundary issues and strategic priorities of a body prescribed under Section 33A (1)(c) considered by this DPD, as these were considered through the Local Plan Part 1. The one issue which requires the County Council's attention is the allocation of a new site for a secondary school in the District.</i></p> <p><i>Derbyshire County Council has been involved in the evolution of the DPD through both formal responses and also meetings, discussions and information gathering.</i></p>
<p><i>Monitoring</i></p> <ul style="list-style-type: none"> <li>• Does the DPD contain targets, and milestones which relate to the delivery of the policies, (including housing trajectories where the DPD contains housing allocations)?</li> <li>• Is it clear how targets are to be measured (by when, how and by whom) and are these linked to the production of the annual monitoring report?</li> <li>• Is it clear how the significant effects identified</li> </ul>	<ul style="list-style-type: none"> <li>• Sections of the DPD setting out indicators, targets and milestones</li> <li>• Sections of the current annual monitoring report which report on indicators, targets, milestones and trajectories</li> <li>• Reference to any other reports or technical documents which contain information on the delivery of policies</li> <li>• Sections of the current annual monitoring report and the sustainability appraisal report setting out the framework for monitoring, including monitoring the effects of the DPD against the sustainability appraisal</li> </ul>	<p><i>Pre-Submission Local Plan Part 2 Implementation and Monitoring Table [C.4]. These Indicators will be added to and monitored on an annual basis through the data collected for the Annual Monitoring Report [E.22 is the 2015/16 report which already monitors some of the Indicators to be used].</i></p>

## Soundness Self-Assessment Checklist (March 2014)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<p>in the sustainability appraisal report will be taken forward in the ongoing monitoring of the implementation of the plan, through the annual monitoring report?</p>		<p><i>These targets will be monitoring alongside those set out for LP1.</i></p>
<p><b><i>Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.</i></b></p> <p>The DPD should not contradict or ignore national policy. Where there is a departure, there must be clear and convincing reasoning to justify the approach taken.</p>		
<ul style="list-style-type: none"> <li>• Does the DPD contain any policies or proposals which are not consistent with national policy and, if so, is there local justification?</li> <li>• Does the DPD contain policies that do not add anything to existing national guidance? If so, why have these been included?</li> </ul>	<ul style="list-style-type: none"> <li>• Sections of the DPD which explain where and how national policy has been elaborated upon and the reasons.</li> <li>• Studies forming evidence for the DPD or, where appropriate, other information which provides the rationale for departing from national policy.</li> <li>• Evidence provided from the sustainability appraisal (including reference to the sustainability report) and/or from the results of community involvement.</li> <li>• Where appropriate, evidence of consistency with national marine policy as articulated in the UK Marine Policy Statement</li> <li>• Reports or copies of correspondence as to how representations have been considered and dealt with.</li> </ul>	<p><i>The Council consider the DPD to be consistent with national policy.</i></p>

# Soundness Self-Assessment Checklist (March 2014)

## Planning policy for traveller sites

Planning Policy for Traveller Sites was published in 23 March 2012 and came into effect on 27 March 2012. Circular 01/06: Planning for Gypsy and Traveller Caravan Sites and Circular 04/07: Planning for Travelling Showpeople have been cancelled. Planning Policy for Traveller Sites should be read in conjunction with the National Planning Policy Framework, including the implementation policies of that document.

The government's aim in relation to planning for traveller sites is:

'To ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic life of travellers whilst respecting the interests of the settled community'.

Government's aims in respect of traveller sites are:

- That local planning authorities (LPAs) make their own assessment of need for the purposes of planning
- That LPAs work collaboratively, develop fair and effective strategies to meet need through the identification of land for sites
- Plan for sites over a reasonable timescale
- Plan-making should protect green belt land from inappropriate development
- Promote more private traveller site provision whilst recognising that there will always be those travellers who cannot provide their own sites
- Aim to reduce the number of unauthorised developments and encampments and make enforcement more effective.

In addition local planning authorities should:

- Include fair, realistic and inclusive policies
- Increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply
- Reduce tensions between settled and traveller communities in plan-making and decision-taking
- Enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure
- Have due regard to protection of local amenity and local environment

## Soundness Self-Assessment Checklist (March 2014)

Policy Expectations	Possible Evidence	Evidence Provided
<p><b>Policy A: Using evidence to plan positively and manage development (para 6)</b></p>		<p><i>LP1 Policy H22: Sites for Gypsies and Travellers and for Travelling Showpeople sets out a criteria-based policy against which to test applications that come forward.</i></p> <p><i>The allocation of sites will be considered through a separate DPD. A GTAA has been recently completed to allow the DPD to progress.</i></p>
<p>Early and effective community engagement with both settled and traveller communities.</p>	<ul style="list-style-type: none"> <li>• Early and effective engagement undertaken, including discussing travellers' accommodation needs with travellers themselves, their representative bodies and local support groups.</li> </ul>	
<p>Co-operate with travellers, their representative bodies and local support groups, other local authorities and relevant interest groups to prepare and maintain an up-to-date understanding of likely permanent and transit accommodation needs of their areas.</p>	<ul style="list-style-type: none"> <li>• Demonstration of a clear understanding of the needs of the traveller community over the lifespan of your development plan.</li> <li>• Collaborative working with neighbouring local planning authorities.</li> <li>• A robust evidence base to establish accommodation needs to inform the preparation of your local plan and make planning decisions.</li> </ul>	
<p><b>Policy B: Planning for traveller sites (paras 7-11)</b></p>		

## Soundness Self-Assessment Checklist (March 2014)

Policy Expectations	Possible Evidence	Evidence Provided
<p>Set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address the likely permanent and transit site accommodation needs of travellers in your area, working collaboratively with neighbouring LPAs.</p> <p>Set criteria to guide land supply allocations where there is identified need.</p> <p>Ensure that traveller sites are sustainable economically, socially and environmentally.</p>	<ul style="list-style-type: none"> <li>• Identification, and annual update, of a supply of specific, deliverable sites sufficient to provide 5 years worth of sites against locally set target. Identification of a supply of specific, developable sites or broad locations for growth for years 6-10, and, where possible, for years 11-15.</li> <li>• An assessment of the need for traveller sites, and where an unmet need has been demonstrated a supply of specific, deliverable sites been identified.</li> <li>• Policy which takes into account criteria a-h of para 11</li> </ul>	
<p><b>Policy C: Sites in rural areas and the countryside (para 12)</b></p>		
<p>When assessing the suitability of sites in rural or semi-rural settings LPAs should ensure that the scale of such sites do not dominate the nearest settled community.</p>		
<p><b>Policy D: Rural exception sites (para 13)</b></p>		
<p>If there is a lack of affordable land to meet local traveller needs, LPAs in rural areas, where viable and practical, should consider allocating and releasing sites solely for affordable travellers' sites.</p>	<ul style="list-style-type: none"> <li>• If a rural exception site policy is used, and if so clarity that such sites shall be used for affordable traveller sites in perpetuity.</li> </ul>	
<p><b>Policy E: Traveller sites in Green Belt (paras</b></p>		

## Soundness Self-Assessment Checklist (March 2014)

Policy Expectations	Possible Evidence	Evidence Provided
<b>14-15)</b>		
<p>Traveller sites (both permanent and temporary) in the Green Belt are inappropriate development.</p> <p>Exceptional limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site ... should be done only through the plan-making process.</p>	<ul style="list-style-type: none"> <li>Green Belt boundary revisions made in response to a specific identified need for a traveller site, undertaken through the plan making process.</li> </ul>	
<b>Policy F: Mixed planning use traveller sites (paras 16-18)</b>		
<p>Local planning authorities should consider, wherever possible, including traveller sites suitable for mixed residential and business uses, having regard to the safety and amenity of the occupants and neighbouring residents.</p>	<ul style="list-style-type: none"> <li>Consideration of the need for sites for mixed residential and business use (having regard to safety and amenity of the occupants and neighbouring residents), or separate sites in close proximity to one another.</li> <li>N.B. Mixed use should not be permitted on rural exception sites</li> </ul>	
<b>Policy G: Major development projects (para 19)</b>		
<p>Local planning authorities should work with the planning applicant and the affected traveller community to identify a site or sites suitable for relocation of the community if a major</p>	<ul style="list-style-type: none"> <li>Where a major development proposal requires the permanent or temporary relocation of a traveller site, the identification of a site or sites suitable for re-location of the community.</li> </ul>	

## Soundness Self-Assessment Checklist (March 2014)

Policy Expectations	Possible Evidence	Evidence Provided
development proposal requires the permanent or temporary relocation of a traveller site.		

## Soundness Self-Assessment Checklist

### Integration of marine and terrestrial planning

As the UK marine area and marine plan area boundaries extend up to the level of mean high water spring tides while terrestrial planning boundaries generally extend to mean low water spring tides (including estuaries), the marine plan area will physically overlap with that of some terrestrial plan. Local authorities with any tidal frontage, even if far inland and not conventionally regarded as coastal, must therefore take full account of the MMO, the MPS and marine plans under S.58 of the Marine and Coastal Access Act and the Duty to Co-operate in Section 110 of the Localism Act 2011. A full list of the local planning authorities whose areas overlap with the UK marine area appears in Appendix One.

Furthermore, the Duty to Co-Operate requires all local planning authorities, even if landlocked, to take account, where relevant, of the MMO's plans and activities when preparing their Local Plans. Finally, the NPPF requires LPAs to take the MPS into account under the tests of soundness (specifically, to test if an emerging DPD is consistent with national policy, which includes the MPS).

The Marine and Coastal Access Act 2009 (the Act) provided for the introduction of a marine planning system for England's inshore and offshore marine area, establishing the Secretary of State as the Marine Planning Authority for these areas. The Act also provided for the establishment of the Marine Management Organisation (MMO) and for the Secretary of State to delegate various planning functions. The planning functions including preparation and

## Soundness Self-Assessment Checklist (March 2014)

review were delegated to the MMO in 2010. The Act also provided for the adoption of the UK Marine Policy Statement (MPS). The MPS was adopted on 18 March 2011 and provides the policy framework for marine planning and for all decisions likely to affect the marine area.

There are eleven plan areas in English waters, for each of which a Marine Plan will be prepared by the MMO and adopted by the Secretary of State for the Environment, Food and Rural Affairs.

In practical terms, all activities undertaken in the marine area require land based infrastructure, without which our ability to benefit economically and socially from activities in the marine area would be extremely limited.

The UK Government's vision for the marine environment, as articulated in the MPS, is:

'clean, healthy, safe, productive and biologically diverse oceans and seas'.

In the absence of a marine plan prepared by the MMO and adopted by the Secretary of State the MPS is the relevant marine policy document. Where a marine plan has been adopted both the MPS and the Marine Plan are relevant marine policy documents for the marine plan area.

As articulated in the Marine and Coastal Act and the MPS, the Government aims for the MPS and marine planning systems to sit alongside and interact with existing planning regimes across the UK. Specifically, s.58 of the Marine and Coastal Access Act requires all<sup>1</sup> public bodies to:

- take authorisation or enforcement decisions that affect or might affect the UK marine area in accordance with the MPS and relevant Marine Plans, unless relevant considerations indicate otherwise
- state their reasons where authorisation or enforcement decisions are not taken in accordance with the MPS and relevant Marine Plans
- have regard to the MPS and relevant Marine Plans when taking decisions that affect or might affect the UK marine area which are not authorisation or enforcement decisions<sup>2</sup>

In addition, the MPS seeks integration of marine planning and the terrestrial planning system through:

- Consistency between marine and terrestrial policy documents and guidance

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<sup>1</sup> Like the Duty to Co-Operate, no distinction is made by the Marine and Coastal Access Act between public authorities with a tidal frontage and those without. Emphasis is placed on the likelihood of the decision being made affecting the marine area.

<sup>2</sup> For example, decisions about what representations they should make as a consultee or about what action they should carry out themselves.

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- Liaison between respective responsible authorities for terrestrial and marine planning, including in plan development, implementation and review stages
- Sharing the evidence base and data where relevant and appropriate so as to achieve consistency in the data used in plan making and decisions

These aims are further supported by footnote 36 in the NPPF.

## Soundness Self-Assessment Checklist (March 2014)

Policy Expectations	Possible Evidence	Evidence Provided
<b>Key requirements under the Duty to Co-Operate</b>		
Consistency between marine and terrestrial policy documents and guidance	<ul style="list-style-type: none"> <li>• Demonstration of consistency of aim between relevant local plan policies and marine policy documents (i.e. the MPS and any relevant adopted marine plans)</li> <li>• Proof of collaborative working with the MMO and that the MPS has been taken into account.</li> </ul>	
Liaison between respective authorities responsible for terrestrial and marine planning, including in plan development, implementation and review stages	<ul style="list-style-type: none"> <li>• Early and effective policy development engagement undertaken, including discussions with the MMO</li> <li>• Evidence of iteration of policies and plans as a result of engagement with the MMO</li> <li>• Evidence of engagement with the MMO in relation to monitoring, implementation and throughout the policy cycle</li> <li>• Support of integrated coastal management (ICM) in coastal areas in line with the requirements of the MPS</li> </ul>	
Sharing the evidence base and data where relevant and appropriate so as to achieve consistency in the data used in plan making and decisions	<ul style="list-style-type: none"> <li>• Evidence that the LPA has shared or provided relevant data to the MMO that can help inform Marine Plans or MPS review</li> <li>• Demonstration that local plan policy has been underpinned by data provided by the MMO or the MPS</li> <li>• Explicit cross-referencing in local plan to MPS, the MMO, their</li> </ul>	

## Soundness Self-Assessment Checklist (March 2014)

Policy Expectations	Possible Evidence	Evidence Provided
	roles, and relevant marine plans	
<b>Marine Policy Statement- Chapter 2: General Principles for Decision-Making<sup>3</sup></b>		
<b>Sections 2.1 -2.2: The UK vision for the marine environment</b>		
<p>The UK vision for the marine environment ('clean, healthy, safe, productive and biologically diverse oceans and seas')</p> <p>Achieving the vision through marine planning</p>	<ul style="list-style-type: none"> <li>Reference in DPD where appropriate to UK vision for the marine environment</li> <li>Contribution to the vision through local plan policies and supporting text</li> </ul>	
<b>Section 2.4: Considering benefits and adverse effects in marine planning</b>		
Consider benefits and adverse effects of plan policies	<ul style="list-style-type: none"> <li>Consideration of benefits and adverse effects of policy on the marine area as appropriate within the DPD's sustainability appraisal</li> </ul>	
<b>Section 2.5: Economic, social and environmental considerations</b>	<ul style="list-style-type: none"> <li></li> </ul>	
Contribute to the objectives of relevant	<ul style="list-style-type: none"> <li>Reference to relevant EU Directives in DPD and sustainability</li> </ul>	

<sup>3</sup> As the Marine Policy Statement was not targeted specifically at terrestrial planning authorities, some of its sections are, in practice, relevant to marine planning authorities only and/or there is already a comprehensive policy framework governing terrestrial development (e.g. energy infrastructure), Where this is considered to be the case, i.e. where it is considered likely that a terrestrial planning DPD would be found sound without referencing that section, the section in question has been omitted from this checklist.

## Soundness Self-Assessment Checklist (March 2014)

Policy Expectations	Possible Evidence	Evidence Provided
EU Directives (Marine Strategy Framework Directive and Water Framework Directive)	appraisal <ul style="list-style-type: none"> <li>• Consideration of contribution of DPD policies to the objectives of relevant EU Directives</li> </ul>	
<b>Marine Policy Statement- Chapter 3: Policy Objectives for Key Activities</b>		
<b>3.1 Marine Protected Areas</b>		
Incorporate identified areas and features of importance for nature conservation  Activities or developments that may result in adverse impacts on biodiversity should be designed or located to avoid such impacts	<ul style="list-style-type: none"> <li>• Identification of relevant areas and features of importance for nature conservation within relevant marine plan area(s)</li> <li>• Consideration of impacts of policy and/or terrestrial development on those areas and features of importance</li> <li>• Measures to mitigate, monitor and manage negative impacts on those areas and features of importance</li> </ul>	
<b>3.4 Ports and shipping</b>		
Take into account and seek to minimise any negative impacts on shipping activity, freedom of navigation and navigational safety  Protect the efficiency and resilience of continuing port operations	<ul style="list-style-type: none"> <li>• Evidence that policy with potential impact on ports and shipping minimises negative impacts on sector</li> <li>• Where relevant, evidence that economic, employment and transport policies are protective of ports and shipping sector</li> </ul>	
<b>3.8 Fisheries</b>		
Consider potential economic, social	<ul style="list-style-type: none"> <li>• Where relevant, evidence that other policies minimise negative</li> </ul>	

## Soundness Self-Assessment Checklist (March 2014)

Policy Expectations	Possible Evidence	Evidence Provided
and environmental impacts of other developments on fishing activity	impacts on fishing activity and/or aquaculture	
<b>3.9 Aquaculture</b>		
Consider the benefits of encouraging the development of efficient, competitive and sustainable aquaculture industries	<ul style="list-style-type: none"> <li>• Where relevant, evidence that the benefits of aquaculture industry development have been considered</li> </ul>	
<b>3.10 Surface water management and waste water treatment and disposal</b>		
Maximise opportunities for co-existence of waste water infrastructure with other activities in the marine environment	<ul style="list-style-type: none"> <li>• Reference to and consideration of the co-existence of waste water infrastructure with other marine activities, including the potential for waste water infrastructure to mitigate marine impacts through design or location</li> </ul>	
<b>3.11 Tourism and recreation</b>		
Consider the potential for tourism and recreation in the marine environment and the benefits this will bring to the economy and local communities	<ul style="list-style-type: none"> <li>• Where relevant, reference to marine tourism and recreation</li> <li>• Evidence that the potential for marine tourism and recreation has been recognised in plan-making</li> </ul>	

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### Appendix One

This is an alphabetical list of all local planning authorities in England whose area overlaps with the UK marine area.

Adur	City of Westminster	Havant	North Tyneside
Allerdale	Colchester	Havering	North York Moors National Park
Arun	Copeland	Horsham	Northumberland
Babergh	Cornwall	Hounslow	Norwich
Barking and Dagenham	County Durham	Huntingdonshire	Poole
Barrow-in-Furness	Dartford	Ipswich	Preston
Basildon	Doncaster	Isle of Wight	Purbeck
Bassetlaw	Dover	Isles of Scilly	Redcar and Cleveland
Bexley	East Cambridgeshire	Kensington and Chelsea	Richmond upon Thames
Blackpool	East Devon	King's Lynn and West Norfolk	Rochford
Boston	East Lindsey	Lake District National Park	Rother
Bournemouth	East Riding of Yorkshire	Lambeth	Scarborough
Broadland	Eastbourne	Lancaster	Sedgemoor
Broads Authority	Eastleigh	Lewes	Sefton
Canterbury	Exeter	Lewisham	Selby
Carlisle	Exmoor National Park	Liverpool	Shepway
Castle Point	Fareham	Maidstone	South Cambridgeshire
Chelmsford	Fenland	Maldon	South Downs National Park
Cheshire West and Chester	Fylde	Medway	South Gloucestershire
Chichester	Gateshead	Middlesbrough	South Hams
Chorley	Gloucester	New Forest	South Holland
Christchurch	Gosport	New Forest National Park	South Lakeland
City of London	Gravesham	Newark and Sherwood	South Norfolk
City of Brighton and Hove	Great Yarmouth	Newcastle upon Tyne	South Ribble
City of Bristol	Greenwich	Newham	South Somerset
City of Kingston upon Hull	Halton	North Devon	South Tyneside
City of Peterborough	Hambleton	North East Lincolnshire	Southend-on-Sea
City of Plymouth	Hammersmith and Fulham	North Lincolnshire	Southwark
City of Portsmouth	Hartlepool	North Norfolk	Stockton-on-Tees
City of Southampton	Hastings	North Somerset	

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Stroud  
Suffolk Coastal  
Sunderland  
Swale  
Taunton Deane  
Teignbridge  
Tendring  
Test Valley  
Thanet  
Thurrock  
Tonbridge and Malling  
Torbay  
Torrige  
Tower Hamlets  
Wandsworth  
Warrington  
Waveney  
Wealden  
West Devon  
West Dorset  
West Lancashire  
West Lindsey  
West Somerset  
Weymouth and Portland  
Winchester  
Wirral  
Worthing  
Wyre  
York