

South Derbyshire District Council Proposed Submission Local Green Spaces Plan Response Form

This form is for making representations to the Proposed Submission Local Green Spaces Development Plan Document. This consultation offers an opportunity to comment on the Local Green Spaces Plan before it is submitted to the Planning Inspectorate for independent examination. An independent Inspector will be appointed to examine the Plan and will consider responses alongside the Plan.

Representations at this stage of the plan making process must be made on the grounds of legal compliance, the duty to cooperate and the soundness of the Plan.

Legal Compliance and Duty to Cooperate

To be legally compliant development plan documents have to be prepared in accordance with the Duty to Cooperate and legal and procedural requirements. This is set out by legislation and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

Test of Soundness

The National Planning Policy Framework 2018 (paragraph 35) sets out the following in regards to soundness:

- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs¹⁹; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) **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
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework.

If you wish to make representations seeking change to the Local Green Spaces Plan (or part of it) you should make clear what you want to be changed and why, and where possible state exactly how the Development Plan Document should be changed. Your representation should cover concisely all the information, evidence and supporting information necessary to support/justify the representation and suggested change. There will not normally be a subsequent opportunity to make further representation at publication stage.

After this stage, further submission will only be at the request of the Planning Inspector, based on the matters and issues he/she identifies for examination.

General Guidance

- All respondents need to complete Part A – Your Contact Details
- All respondents need to complete Part B. **Please complete separate forms for each representation you wish to make**
- **If you are part of a group that shares a common view**, it would be helpful for the group to send in a single representation, rather than multiple representation forms stating the same comment. Please indicate how many people are represented and how it has been authorised (e.g. by a list with contact details for each person).

Where do I send the completed forms?

You can email your completed response form to:

planning.policy@southderbyshire.gov.uk or you can print and post your completed form to: **Planning Policy Team, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH**

Completed forms must be received no later than **5pm on 19th March 2019**.

All of the consultation documents are available at:

www.southderbyshire.gov.uk/localgreenspaces

Please contact the Planning Policy Team on **planning.policy@southderbyshire.gov.uk** or by phoning 01283 595749 if you have any queries.

Part A – Your Contact Details

If you are an agent, please specify the name of the organisation that you are representing.

Name

Organisation

Address (Including Postcode)

Telephone Number

Email address

Part B – Your Representation

Please use a separate form for each representation you wish to make.

Q1) Name of the Development Plan Document (DPD) to which this representation relates:

Q2) To which part of the Development Plan Document does this representation relate?

Paragraph no.

Policy Reference

Q3) Do you consider the Development Plan Document is ...

3.1) Legally Compliant Yes No

3.2) Sound Yes No

3.3) Complies with the Yes No
duty to co-operate

Q4) If you consider the Development Plan Document to be unsound, do you consider this to be because it is not...

4.1) Positively Prepared

4.2) Justified

4.3) Effective

4.4) Consistent with National Policy

*(Please tick only **one** option; a separate form should be used if you wish to raise more than one concern).*

Q5) Please give details of why you consider the Development Plan Document is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Development Plan Document, please also use this box to make your comments.

(Continue on a separate sheet/expand box if necessary)

Q6) Please explain what change(s) you think should be made to the Development Plan Document to make it legally compliant and/or sound. You will need to say why this change will make the Development Plan Document legally compliant and/or sound. Any revised wording of the policy or text would be helpful. Please be as precise as possible.

(Continue on a separate sheet/expand box if necessary)

Please note your representation should cover concisely all the information, evidence and supporting information necessary to support/justify the representation and suggested change, as there will not normally be a subsequent opportunity to make further representation at publication stage.

After this stage, further submission will only be at the request of the Planning Inspector, based on the matters and issues he/she identifies for examination.

Q7) If your representation is seeking change, do you consider it necessary to participate at the oral part of the examination?

No I do not wish to participate at the oral examination

Yes I do wish to participate at the oral examination

If you select No, your representation(s) will still be considered by the Independent Planning Inspector by way of written representations.

Q8) If the answer to question 7 is yes, please explain why you consider it is necessary to participate at the oral part of the examination.

(Continue on a separate sheet/expand box if necessary)

Please note that the Planning Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the examination in public.

Q8a) Did you raise this matter at previous stages of the Plan process:

Yes

No

Q8b) If Yes, please specify at what stage:

Q9) I would like to be notified of the following events (please tick those that apply)

- I. That the Local Green Spaces Plan has been submitted to the Secretary of State for Examination

- II. That the person appointed to carry out the examination has published their report.

- III. That the Local Green Spaces Plan has been formally adopted by the Council