

Local Plan Part 2 - Publication Guidance Notes on Making Representations

What is the Publication (Regulation 19) Representations Stage?

The Local Plan Part 2 Publication is published in order for representations to be made prior to its submission to the Secretary of State for examination.

It is the opportunity for those who are satisfied or dissatisfied with the Local Plan Part 2 to make formal representations. These will be considered alongside the Local Plan Part 2 when it is examined by an Inspector appointed by the Secretary of State.

These guidance notes have been designed to help anyone who wishes to make a formal representation(s) on the Local Plan Part 2.

Making Representations

Representations must be submitted to Blackpool Council during the formal consultation period between Friday 19th February and 5pm on Friday 2nd April 2021.

- The Council will not accept representations received after the deadline.
- The Council cannot accept anonymous representations.

It is strongly recommended by the Planning Inspectorate that you use the form provided by the Council to help ensure that your representations relate to the issues of legal compliance or soundness, and to assist the procedures relating to the examination process.

You are requested to submit your representations electronically. This can be done by using the Representation Form on the Council's Local Plan Part 2 webpage and sending it to planning.strategy@blackpool.gov.uk or posting it to Planning Department, Blackpool Council, PO Box 17, Corporation Street, Blackpool FY1 1LZ.

Respondents should note that representations are not confidential and that they will be published on the Council's website and made available for public inspection. Personal information, e.g. addresses, telephone numbers and email addresses on representations from individuals will be redacted.

What should representations relate to?

The purpose of the examination is to consider whether the Local Plan Part 2 is legally compliant, satisfies the Duty to Co-operate and meets the tests of soundness.

Representations received on the Local Plan Part 2 **must** address these matters. They are explained in more detail overleaf, but as a general rule:

1. If the representation relates to the way in which the Council has prepared the Local Plan Part 2, it is likely to relate to a matter of legal compliance or the Duty to Co-operate.
2. If the representation relates to the contents of the Local Plan Part 2, it is likely to relate to its soundness.

Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and any suggested modification to the Local Plan Part 2. Further submissions will only be accepted at the request of the Inspector.

Please note that any representations submitted on previous draft versions of the Local Plan Part 2 cannot be considered as part of this current consultation.

How to fill in the Representation Form

There are four parts to the Representation Form:

Part A: Contact Information

You should provide all your contact details in full, including that of any Agent you are using to represent you. This is used to identify who made the representation(s) and so that you can be contacted subsequently, as necessary.

The Council cannot accept anonymous representations.

You should also tick whether you would like to be notified of subsequent stages of the Local Plan Part 2.

Part B: Local Plan Part 2 Representation

This is where you need to make your comments on the legal compliance or soundness of the Local Plan Part 2.

It is important that you use a separate Part B form for each representation made. Please include your name and organisation (if applicable) at the top of each Part B form that you use. If you use additional sheets, please ensure that your name and organisation are included and it is clear to which question each sheet relates.

You are advised to keep your comments clear and concise for the benefit of the Inspector.

There are 11 questions total. Depending on the nature of your representation you may not need to answer every question. In all cases please ensure you sign the declaration in Part D of the Representation Form.

Question 1

Please state which part of the Local Plan Part 2 your representation relates to.

Questions 2 to 8

Please state whether each representation relates to legal compliance, the Duty to Co-operate, or soundness and your reasons for this.

(i) Legal Compliance

The Inspector will first check that the Local Plan Part 2 meets the legal requirements under the Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011, regarding the Duty to Co-operate, before moving on to consider the tests of soundness. You should consider the following points before making a representation on legal compliance.

- The Local Plan Part 2 should be included in the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work that sets out the Development Plan Documents (DPDs) it proposes to produce over a given period. It sets out the key stages in the production of any DPD which the Council proposes to bring forward for independent examination. If the DPD is not in the current LDS it should not have been published for representations.

- The process of community involvement in the preparation of the Local Plan Part 2 should be in general accordance with the Council’s Statement of Community Involvement (SCI). The SCI is a document which sets out the Council’s strategy for involving the community in the preparation of planning policy documents.
- The Local Plan Part 2 should comply with the relevant Acts and Regulations; in particular the Town and Country Planning (Local Planning) (England) Regulations 2012.
- On publication, the Council must publish the documents prescribed in the Regulations on their website. The Council will also place local advertisements and notify the specific consultation bodies (as identified in the Regulations) and previous consultees.
- The Council is required to produce a Sustainability Appraisal Report and Habitats Regulations Assessment when they publish a DPD. This should identify the process by which the Sustainability Appraisal and Habitats Regulations Assessment have been carried out, and the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors. A Habitats Regulations Assessment is a tool for appraising the likely effects of the Local Plan Part 2 on European (Natura 2000) Sites.
- The Local Plan Part 2 should have regard to national policy specifically the National Planning Policy Framework (NPPF).

(ii) Duty to Co-operate

The Local Plan Part 2 should meet the legal requirements under the Duty to Co-operate introduced by the Localism Act 2011. Local authorities have a Duty to Co-operate on planning issues that cross administrative boundaries, particularly those of a strategic nature such as the provision of homes, jobs, retail and commercial development, infrastructure, health, leisure and community facilities.

It should be noted that any non-compliance with the Duty to Co-operate is incapable of being resolved through modification at the Examination.

(iii) Soundness

Soundness is explained fully in the National Planning Policy Framework (see paragraphs 35 and 36). The Inspector has to be satisfied that the Local Plan Part 2 is positively prepared, justified, effective and consistent with national policy.

If you wish to comment on more than one of the four matters of soundness in relation to a specific aspect of the Local Plan Part 2, please complete a separate Part B sheet for each one.

You should consider the following points before making a representation on the tests of soundness. These are based on guidance produced by the Planning Inspectorate.

Positively prepared – the Local Plan Part 2 should be prepared based on 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 areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.

Justified – the Local Plan Part 2 should be 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;

Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.

These tests of soundness will be applied to the Local Plan Part 2 in a proportionate way, taking into account the extent to which they are consistent with the adopted Local Plan Part 1: Core Strategy (2016).

If you wish to make a representation seeking a modification to the Local Plan Part 2 you should make it clear why you think it is unsound, having regard to the four tests set out above. You should support your representation by evidence showing why the Local Plan Part 2 should be modified, including your suggested wording to modify the Local Plan Part 2 in order to make it sound.

Question 9

If you support a policy or other aspects of the Local Plan Part 2, you should express your support so that the Inspector has the full picture of opinion. You should state why this particular aspect of the Local Plan Part 2 is sound.

Part C: Sustainability Appraisal Representation

Question 10

This provides you with the opportunity to comment on the Sustainability Appraisal. Please refer to the relevant paragraph when making your comment.

Part D: Examination in Public

Question 11

Please indicate whether you wish to participate in the Examination. The Examination will involve a series of Hearing sessions on matters which will be identified by the Inspector. The Hearings will be chaired by the Inspector and will focus on the legal compliance and soundness of the Local Plan Part 2.

Please note that the Inspector will decide who should be invited to speak at the Hearing sessions, not the Council, and the Inspector will decide the topics to be covered in each Hearing session, based on the issues raised by the representations received at this Publication consultation stage. All representations will be considered fully by the Inspector regardless of whether or not they are heard at an Examination Hearing.

Further Information

Further guidance on the preparation, publication and examination of Development Plans is provided in the National Planning Policy Framework (NPPF), which can be found at [here](#).

Alternatively, you can contact Blackpool Council's Planning Strategy Team by email at: planning.strategy@blackpool.gov.uk or by phone on 01253 476239.