



Hinckley & Bosworth
Borough Council

A Borough to be proud of

Site Allocations and Development Management Policies Development Plan Document

Pre-submission (Regulation 19) Proposed Modifications Consultation
Monday, 8 December 2014 – 17:00 Friday, 30 January 2015

GUIDANCE NOTES

The Site Allocations and Development Management Policies DPD is an important document as it allocates land to deliver the development requirements outlined in the Hinckley and Bosworth Core Strategy such as housing, employment, recreation, green spaces, community uses and leisure uses. In addition, it also includes development management policies which apply across the borough and which will be used when determining planning applications.

This is the final stage of consultation before the Development Plan Document in its entirety is subject to an independent public examination held by the Inspector appointed by the Secretary of State. The Inspector is required to consider whether the plan has been prepared in accordance with the relevant regulations and is 'sound'.

Legal compliance

For the Development Plan Document to be legally compliant, it needs to be determined whether:

- The Local Plan is identified in the current Local Development Scheme (LDS) and that the key stages have been followed.
- The community consultation has been carried out in accordance with the Council's Statement of Community Involvement (SCI).
- The Council has consulted the appropriate statutory consultees that it should consult.
- The Council has fulfilled its duty to co-operate with other local planning authorities, county councils and other bodies with statutory functions.
- The Local Plan complies with the Planning and Compulsory Purchase Act 2004 (as amended).
- The Local Plan complies with The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012
- An adequate Sustainability Appraisal Report (SA) is published to accompany the plan.

Further information on legal compliance can be found at:

Test of soundness

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) which states: "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 co-operate, 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:

- **Positively prepared** – the plan should be 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 has 12 principles through which it expects sustainable development can be achieved.

- **Justified** – the plan should be 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:
 - 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.
- **Effective** – the plan should be deliverable over its period and 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;
- 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. Any measures which the Council has included to make sure that targets are met should be clearly linked to an Annual Monitoring Report.

- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the National Planning Policy Framework.

Further information on the test of soundness can be found at

Have your say

The Borough Council would like your comments on the proposed modifications, in particular whether you consider, having regard to the proposed modifications, the plan is legally compliant and is 'sound'. All submissions should be received by **17:00 on Friday, 30 January 2015**.

If you would like to submit your views on the proposed modifications, you may do so by using this form and submitting it:

By post to:

Policy & Regeneration Team
Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road
Hinckley, Leicestershire
LE10 0FR

By email to:

planningpolicy@hinckley-bosworth.gov.uk

Complete and submit online at:

<http://www.hinckley-bosworth.gov.uk/siteallocations>

Data protection privacy notice

The personal data you have supplied to Hinckley & Bosworth Borough Council during this consultation period will be processed in accordance with the Data Protection Act 1998. Together with your comments, it will be used as part of the statutory plan making process and will be available for public inspection. Signatures, email addresses and telephone numbers will be removed before disclosure as a matter of course. We cannot provide anonymity or accept comments marked 'private or confidential' and comments that include offensive, racist, discriminatory, threatening and other non-relevant statements will be destroyed.