



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

# Site Allocations and Development Management Policies Development Plan Document

**Main Modifications Consultation**  
**Friday, 5 February 2016 – 5pm Friday, 18 March 2016**

## GUIDANCE NOTES

### **Legal compliance**

For the Main Modifications to be legally compliant, it needs to be determined whether:

- 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 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

### **Test of soundness**

Those seeking changes should demonstrate why the Main Modification 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
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence. This means that the AAP should be based on a robust and credible evidence base
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the National Planning Policy Framework

### **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.