

The Local Plan process, and how to get involved

Introduction

Local authorities are required to produce a Local Plan. If they don't decisions on planning applications can become more difficult, and more may be decided by inspectors. Government policy will also be used instead as the default option.

The Local Plan should set out priorities and policies for development in relation to housing, business, infrastructure (such as transport, waste and telecoms), health, security, community facilities and services, and the environment. It should **set out what the opportunities are for development in the area, and say what will and will not be permitted and where.**

Why is it important?

Local Plans are the first consideration in deciding development proposals. The law makes it clear that decisions should be made in accordance with the policies and proposals within the Local Plan unless other strong planning reasons or 'material considerations' indicate otherwise.

During the development of the Local Plan the environmental, economic and social needs of the area must be considered in a 'Sustainability Appraisal' to meet EU law. The appraisal is useful as it provides a key part of the evidence that backs up the plan and addresses the likely impact of its proposals. Local Plans must also be consistent with Government policies set out in the National Planning Policy Framework, including four 'tests' a plan has to meet.

How is a Local Plan prepared?

Generally speaking, preparation of a Local Plan follows these stages:

1 Evidence gathering and public participation

Studies on key planning issues will be prepared and work on the Sustainability Appraisal will start. Members of the public, businesses and other interested parties are consulted by the local authority. You can give a view on issues in your area by telling the local authority what the local needs are and which buildings or sites should be changed or protected.

2 Pre-submission publication stage

After taking into account early consultation responses and the findings of the Sustainability Appraisal, the local authority will publish its plan for a six week consultation period before it is submitted to the Government. A Sustainability Appraisal report will also be issued for consultation.

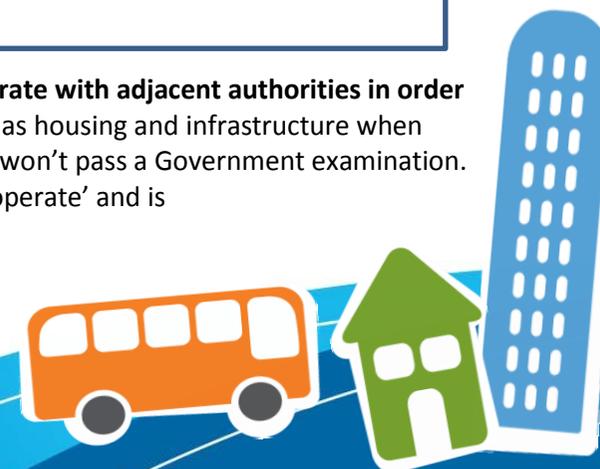
3 Submission of Plan and Independent Examination

The documents are submitted to the Government and the Plan will be examined by an Independent Inspector. The Inspector will examine the 'soundness' of the Local Plan, whether it meets the legal and policy tests, and what the local views are. During this period, consideration of modifications to the plan can be requested by the local authority of the Inspector.

4 Report and Adoption of Plan

At the end of the examination, the Inspector will issue a report recommending adoption, with modifications as required, or withdrawal (non-adoption) in exceptional cases where the plan has failed a legal or policy test that cannot be rectified by the examination.

Local authorities have to **co-operate with adjacent authorities in order to address strategic issues** such as housing and infrastructure when producing this plan otherwise it won't pass a Government examination. This is known as the 'duty to cooperate' and is one of the legal tests.



Making formal written comments or ‘representations’

The purpose of the examination of the Local Plan is to consider whether the plan complies with procedural requirements (legal tests) and whether it is ‘sound’. The Inspector who runs the examination will assess relevant evidence from the local authority, and any formal written representations (comments) by local people, developers or specialist agencies. Only comments made on the published plan should be into account, and the Inspector will assume that the document is ‘sound’ unless evidence presented at the examination proves otherwise. The four policy ‘tests of soundness’ are set out by Government in its National Planning Policy Framework:

- Is the Plan **positively prepared** – this includes being based on an objective assessment of development and infrastructure requirements.
- Is the Plan **justified** – this includes looking at the levels of consultation and participation, and the evidence that the plan is based on.
- Is the Plan **effective** – this includes whether the plan is realistic in what it is proposing, can it be delivered.
- Is the Plan **consistent** with national policy and legal requirements.

In order to make your comments effective you need to relate them to these tests. Here are some **key tips on making comments**:

- Clearly identify the policy or site proposal you are objecting to or supporting, using the reference number given in the plan;
- Say why you are objecting or supporting and, if you want to see a policy or site proposal changed, say how and put forward your own alternative wording and the reasons for it;
- Keep your comments as simple as possible and organise them in a logical order;
- Concentrate on the planning issues involved. These are known as material considerations.
- If objecting to certain aspects of a site proposal it is important to stress where you agree with the local authority so attention can focused on issues

of conflict. Try to show that you have understood, yet still disagree with the local authority’s position;

- Identify statements or analysis from the Sustainability Appraisal or other documents such national policy, guidance or local technical studies which support your view;
- Refer to local issues and concerns, but try to relate them to the main planning issues. Your local knowledge is invaluable, but try not to get side-tracked onto non-material, temporary or non-planning issues. **Remember noise and disturbance during construction, and property values, are areas to avoid.**

What happens after Local Plans are agreed?

Local Plans are intended to be long term typically to cover a 15-year period, and are used to determine planning applications. However, either the whole or part of the Local Plan can (and should be) reviewed to respond to changes during that time. If this happens, the new plan must again be open to public consultation. Each year local authorities must publish a Monitoring Report on the web about the progress made on developing and implementing their Local Plan.

How can you get involved?

Check your local authority’s website as to when the Local Plan was finalised or at what stage it has got to. A local development scheme, which is a ‘project plan’ for the preparation of the Local Plan, should tell you when documents or revisions to plans will be produced. A Statement of Community Involvement will say how the local authority will be running consultation events and notifying local people. Both documents should be available on the web, along with news of any public consultation exercises currently underway.

You may also want to talk to your local ward councillor, residents’ association or local amenity society to see what they are doing.

