

Knowsley Local Plan: Core Strategy

Proposed Submission Document - Consultation



Knowsley Council

Representations Form

This form must be returned to Knowsley MBC by **12 noon on Friday 21 December 2012**. Details of how you can return this form are available overleaf.

Please note you are also able to submit representations online via the Council's consultation portal at: <http://consult.knowsley.gov.uk>.

Please type or print clearly in blue or black ink, and use a separate form for each representation. If you use additional sheets, please mark them clearly with your name and organisation.

Personal Information provided as part of a representation cannot be treated as confidential, as the Council is required to make representations available for inspection. However in compliance with the Data Protection Act the personal information you provide will only be used by the Council for the purposes of preparing the Local Plan.

PLEASE CONSULT THE GUIDANCE NOTE AT THE END OF THIS DOCUMENT BEFORE FILLING IN THE REPRESENTATIONS FORM AND FILL IN THE FORM AS INSTRUCTED.

The form has two parts:

PART A - Personal Details

PART B - Your representation(s). Please complete a separate sheet for every representation you wish to make.

PART A

	1. Personal Details*	2. Agents Details*
Title		
Name		
Job Title (if appropriate)		
Organisation (if appropriate)		
Postal Address		
Postcode		
Telephone Number		
Email Address		
Preferred Method of Contact		

**if an agent is appointed, please complete only the Title, Name and Organisation boxes in the middle column, but complete all details of the agent in the right hand column.*

PART B – Please use duplicates of Part B, as necessary.

Name and/or Organisation:

3. To which part of the Core Strategy does this representation relate?

Paragraph No.

Policy No.

4. Do you consider that the Core Strategy is...

Yes

No

a) Legally Compliant? (see guidance note 2.1)

b) Sound? (see guidance note 2.2)

If you have selected No to Question 4b, please continue to Question 5. In all other circumstances, please go to Question 6.

5. If you consider the Core Strategy is **unsound**, state whether this is because it is **not**:

a) Positively prepared

b) Justified

c) Effective

d) Consistent with national policy

6. Please give details of why you consider the Core Strategy is **not legally compliant** or is **unsound**. Please be as precise as possible, ensuring it is clear which test in Question 5 you are referring to. If you wish to **support** the legal compliance or soundness of the Core Strategy, please use this box to set out your comments.

Continue on a separate sheet if necessary...

7. Please set out what **change(s)** you consider necessary to make the Core Strategy legally compliant or sound, having regard to the test you have identified at Question 5 above where this relates to soundness. You will need to say why this change will make the Core Strategy legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Continue on a separate sheet if necessary...

Please note - your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at Proposed Submission stage.

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

8. If your representation is seeking a change to the Core Strategy, do you consider it necessary to participate at the public hearing part of the examination? (see guidance note 1.2)

- a) No, I do not want to participate at the public hearing
- b) Yes, I wish to participate at the public hearing

9. If you wish to participate at the public hearings, please outline why you consider this to be necessary.

Continue on a separate sheet if necessary....

Please note - if you confirm that you would like to appear at the hearings, this confirmation will be used for programming purposes. The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the public hearing part of the examination.

Signature:

Date:

RETURNING THIS FORM

Please return to Knowsley MBC by **12 noon on Friday 21 December 2012.** Forms received after this time will not be accepted.

By email: LocalPlan@knowsley.gov.uk

By Post: Local Plan Team, Knowsley MBC, 1st Floor Annexe, Municipal Buildings, Archway Road, Liverpool, L36 9YU (postage required)

You may also leave your representations form(s) with staff at Council libraries and One Stop Shops for forwarding to the Local Plan Team.

Please note you are also able to submit representations online via the Council's consultation portal at: <http://consult.knowsley.gov.uk>.



Knowsley Local Plan: Core Strategy

Proposed Submission Document - Consultation

Guidance Note - Completing your Representation

1. Introduction

- 1.1 This guidance note have been produced to assist anyone who wishes to make a formal representation on the Knowsley Local Core Strategy: Proposed Submission Document, which is subject to a period of consultation from **9am on Thursday 8 November 2012 to 12 noon on Friday 21 December 2012**.
- 1.2 Following the conclusion of this consultation period, the Council will:
- Submit the Core Strategy, with all valid representations received, to the government in February 2013;
 - Support the Core Strategy through an **Examination in Public** by an independent Planning Inspector (likely to include public hearings) in mid 2013;
 - Seek to adopt the Core Strategy in late 2013.
- 1.3 The Planning and Compulsory Purchase Act 2004¹ (the 2004 Act) states that the purpose of the examination is to consider whether the Local Plan complies with legal requirements and is 'sound'. Your representations should therefore only be directed toward the following two issues:
- If you are seeking to make representations on the **way** in which the Council has prepared the published Knowsley Core Strategy it is likely that your comments or objections will relate to a matter of **legal compliance**.
 - If it is the **actual content** on which you wish to comment or object it is likely it will relate to the **soundness** of the Core Strategy, whether it is positively prepared, justified, effective or consistent with national policy.
- Further information on the tests of legal compliance and soundness is provided in this guidance note at Section 2 "Completing the Representation Form".
- 1.4 The Knowsley Core Strategy is supported by a large number of **supporting documents, evidence base studies and technical reports**. These are all available to view via the online consultation portal (<http://consult.knowsley.gov.uk/>) under the 'Supporting Documents' tab. To aid in the navigation and understanding of these documents a summary table has been produced, which lists all of the supporting documents alongside a brief overview summary. Review of these documents may aid your understanding of the Core Strategy and assist you in completing your representations.
- 1.5 Your representation will need to be submitted **in writing** (either electronically or on paper) and received by Knowsley Council Local Plan Team **by 12 noon on Friday 21 December 2012**. We will not be able to accept comments that are received after the deadline.
- 1.6 It is **strongly recommended** that you use the consultation portal and/or Representation Form provided by the Council to make your representation to ensure that it relates to the issues of legal compliance or soundness.

¹ View the 2004 Act at <http://www.legislation.gov.uk/ukpga/2004/5/contents>

- 1.7 Representations can be submitted via the Knowsley online consultation portal at <http://consult.knowsley.gov.uk/>. This system allows you to view and comment upon specific sections of the document. Alternatively, you can download the Representations Form from the Council's website at: www.knowsley.gov.uk/LocalPlan. Paper copies are also available from the designated deposit locations, including Council One Stop Shops and libraries.
- 1.8 Completed Representation Forms can be:
- emailed to LocalPlan@knowsley.gov.uk;
 - Sent to Local Plan Team, Knowsley MBC, 1st Floor Annexe, Municipal Buildings, Archway Road, Liverpool, L36 9YU; or
 - Returned to a Council One Stop Shop or Library for forwarding.

We encourage you to use the online facilities via the consultation portal if available.

- 1.9 Please note that all respondents must complete their personal details as it is not possible for representations to be considered anonymously.
- 1.10 Personal information provided as part of a representation cannot be treated as confidential, as the Council is required to make representations available for inspection. However in compliance with the Data Protection Act the personal information you provide will only be used by the Council for the purposes of preparing the Local Plan: Core Strategy.

2. Completing the Representation Form / online portal – what to consider

LEGAL COMPLIANCE

- 2.1 The Inspector will first check that the Core Strategy meets the legal requirements under Section 20(5)(a) of the 2004 Act before moving on to test for soundness. You should therefore consider the following before making a representation on legal compliance:
- **The Core Strategy should be within the current Local Development Scheme (LDS)² and the key stages should have been followed.** The LDS is a programme of work prepared by the Council, setting out the documents it proposes to produce over a set period. If the Core Strategy is not in the current LDS it should not have been published.
 - **The process of community involvement for the Plan should be in general accordance with the Council's Statement of Community Involvement (SCI)³.** The SCI is a document that sets out the Council's strategy for involving the community in the preparation and revision of Local Plan documents.
 - **The Core Strategy should comply with the Town and County Planning (Local Planning) (England) Regulations 2012.** On publication, the Council must publish the documents prescribed in the regulations, and make them available at their principal offices and on their website. The Council must also place local advertisements and notify the relevant bodies (as set out in the regulations) and any persons who have requested to be notified.
 - **The Council is required to publish a Sustainability Appraisal Report when they publish a Local Plan document.** It should identify the process by which the Sustainability Appraisal has 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.

² View the Knowsley LDS online at <http://www.knowsley.gov.uk/pdf/LDS%203rd%20Review%20-%20Jan%202012%20-%20FINAL.pdf>

³ View the Knowsley SCI online at http://www.knowsley.gov.uk/pdf/statement_community_involvement.pdf

- **The Core Strategy should have regard to national policy and conform generally to the Regional Spatial Strategy (RSS)⁴.** The RSS sets out the region's policies in relation to the development and use of land and forms part of the development plan for the Council. The government has announced its intention to revoke the North West Regional Spatial Strategy, but at the time of writing it remains part of the development plan.
- **The Core Strategy must have regard to the Council's Sustainable Community Strategy⁵ (SCS) for its area.** The SCS is prepared by the Local Strategic Partnership which is representative of a range of interests in the Local Planning Authority's (LPA) area. The SCS is subject to consultation but not to an independent examination.
- **The Duty to Co-operate.** The Council must fulfil the Duty to Co-operate in preparing the plan as required by Section 110 of the Localism Act 2011 and Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Its purpose is to ensure that Local Plans consider issues that cross the boundaries of an individual local authority, and to consider issues that are of concern to agencies who have a wider geographical responsibility.

SOUNDNESS

2.2 To be sound the Core Strategy should be **positively prepared, justified, effective and consistent with national policy⁶**. If you wish to comment on more than one of the four matters of soundness in relation to a specific policy, please complete a separate Part B sheet for each matter of soundness. You need to consider the following before making a representation on soundness:

- **Positively Prepared** - The plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements and be consistent with achieving sustainable development.
- **Justified** - This means that the plan should be founded on a robust and credible evidence base involving:
 - evidence of participation of the local community and others having an interest in the area; and
 - Research/fact finding: the choices made in the plan are backed up by facts.

The Core Strategy should provide the most appropriate strategy when considered against reasonable alternatives. The Core Strategy should show how its policies and proposals help to ensure that the social, environmental, economic and resource objectives of sustainability will be achieved.

- **Effective** - To be effective the Core Strategy should be deliverable, embracing:
 - sound infrastructure delivery planning;
 - having no regulatory or national planning barriers to delivery;
 - delivery partners who are signed up to it; and
 - coherence with the strategies of neighbouring authorities.

The Core Strategy should also be flexible and able to be monitored. The plan 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

⁴ The North West Plan: Regional Spatial Strategy to 2021 (GONW, 2008), available online at: http://www.4nw.org.uk/articles/article.php?page_id=457

⁵ View the Knowsley SCS online at http://inquiry.knowsley.gov.uk/Docs/scs_strategy.pdf

⁶ Further guidance in the NPPF (<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>), paragraph 182

circumstances, such as changes in economic circumstances. The Core Strategy should also make clear that major changes may require a formal review of the strategy including public consultation.

- **Consistent with national policy** - The Core Strategy should be consistent with national policy⁷; it should enable the delivery of sustainable development in accordance with the NPPF. Where there is a departure, the Council must provide clear and convincing reasoning to justify the approach. Conversely, you may feel the Council should include a policy or policies which would depart from national or regional policy to some degree in order to meet a clearly identified and fully justified local need, but they have not done so. In this instance it will be important for you to say in your representations what the local circumstances are that justify a different policy approach to that in national or regional policy and support your assertion with evidence.

- 2.3 If you think the content of the Core Strategy is not sound because it does not include a policy where it should do, you should consider the following steps:
- Is the issue with which you are concerned already covered specifically by any national planning policy or in the Regional Spatial Strategy? If so it does not need to be included.
 - Is what you are concerned with covered by any other policies in the Core Strategy or in any other documents in the Knowsley Local Plan? There is no need for repetition between documents in the Local Plan.
 - If the policy is not covered elsewhere, in what way is the Core Strategy unsound without the policy?
 - If the plan is unsound without the policy, what should the policy say?

3. General Advice

- 3.1 If you wish to make a representation seeking a change to the Knowsley Core Strategy or part of it, you should make clear in what way it is not sound having regard to the legal compliance check and four soundness tests set out above.
- 3.2 You should try to support your representation with evidence showing why the Core Strategy should be changed. It will be helpful if you also say precisely how you think the plan should be changed. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made at publication. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.
- 3.3 Where there are groups who share a common view on how they wish to see a plan changed, it would be very helpful for that group to send a single representation. In making a representation, it is the quality of the points raised which is important, rather than the quantity of representations received.
- 3.4 Further detailed guidance on the preparation, publication and examination of Local Plan documents is provided in the CLG Plan making manual⁸.

4. Further Assistance

- 4.1 Should you require any further information or assistance, please contact the Local Plan team on 0151 443 2326 or email LocalPlan@knowsley.gov.uk.

⁷ View national policy documents online at: <http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/>

⁸ View online at <http://www.pas.gov.uk/pas/core/page.do?pagelD=109798>