

Bolton's Allocations Plan

Guidance for completing the representation form

1 Introduction

- 1.1 The Allocations Plan is published in order for representations to be made prior to submission. The representations will be considered alongside the published Plan when submitted, which will be examined by a Planning Inspector. The Planning and Compulsory Purchase Act 2004 (as amended)¹ (the 2004 Act) states that the purpose of the examination is to consider whether the Allocations Plan complies with the legal requirements and is 'sound'.
- 1.2 You can only make representations on the published Allocations Plan. You cannot make representations on a policy or allocation of land on the Proposals Map that is already adopted (in the Core Strategy, or the Greater Manchester Minerals and Waste Plans).

2 Legal Compliance

- 2.1 The Inspector will first check that the Allocations Plan meets the legal requirements under Section 20 of the 2004 Act before moving on to the tests for soundness.

You should consider the following before making a representation on legal compliance:

- The Allocations Plan should be within the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by the Local Planning Authority (LPA), setting out the Local Development Documents it proposes to produce over a 3 year period. It will set out the key stages in the production of any Development Plan Documents which the LPA propose to bring forward for independent examination. If the DPD is not in the current LDS it should not have been published for representations. The LDS should be on the LPA's website and available at their main offices.
- The process of community involvement for the Allocations Plan should be in general accordance with the LPA's Statement of Community Involvement. The Statement of Community Involvement (SCI) is a document which sets out a LPA's strategy for involving the community in the preparation and revision of Local Development Documents (including DPDs) and the consideration of planning applications.
- The DPD should comply with the Town and Country Planning (Local Planning) (England) Regulations 2012². On publication, the LPA must publish the documents prescribed in the regulations, and make them available at their principal offices and their website. The LPA must also place local advertisements and notify the DPD bodies (as set out in the regulations) and any persons who have requested to be notified.
- The LPA is required to provide a Sustainability Appraisal Report with the Allocations Plan. This 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.

- The Allocations Plan should be consistent with national planning policy. The national planning policy framework provides the basis for national planning policy.

2.2 Section 110 of the Localism Act 2011 requires that local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in plans. The Inspector will assess whether the Allocations Plan has been prepared in accordance with this Duty to Cooperate.

3 Soundness

3.1 If it is the actual content of the Allocations Plan on which you wish to comment it is likely that your representations will relate to the soundness of the Plan.

3.2 Soundness is explained fully in the National Planning Policy Framework. The Inspector has to be satisfied that the Allocations Plan is positively prepared, justified, effective and consistent with national policy. To be sound the Allocations Plan should be:

- **Positively prepared**

The Plan should be prepared based on 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.

- **Justified**

The Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

- **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 policies of the National Planning Policy Framework.

3.3 Requirement for additional policies

If you think the content of the Allocations Plan is not sound because it does not include a policy where it should do, you should think about the following

- Is the issue with which you are concerned already covered specifically by any national planning policy? If so it does not need to be included?
- Is what you are concerned with covered by any other policies in the Allocations Plan, or by policies in another part of the Local Plan (the adopted Core Strategy, the adopted Greater Manchester Minerals and Waste Plans, or the proposed Travellers Development Plan Document as specified in the Local Development Scheme). There is no need for repetition between documents in the Local Plan.

- If the policy is not covered elsewhere, in what way is the Allocations Plan unsound without the policy?
- If the Allocations Plan is unsound without the policy, what should the policy say?

4 General advice

- 4.1 **If you wish to make a representation seeking a change to the Allocations Plan you should make clear in what way the Plan or part of it is not sound having regard to the legal compliance check and the four soundness tests set out above.** You should try to support your representation by evidence showing why the Allocations Plan 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.
- 4.2 Where there are groups who share a common view on how they wish to see the Plan changed, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.
- 4.3 Further detailed guidance on the preparation, publication and examination of plans is provided in the National Planning Policy Framework⁴.

Endnotes

1. View the 2004 Act at:
http://www.legislation.gov.uk/ukpga/2004/5/pdfs/ukpga_20040005_en.pdf
View the amending 2008 Act at:
[Planning Act 2008](#)
2. View the 2012 Regulations at:
[The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)
3. View the 2011 Localism Act at
[Localism Act 2011](#)
4. View the National Planning Policy Framework at:
[National Planning Policy Framework - Publications - Inside Government - GOV.UK](#)