

**Main Modification Consultation**  
**Tuesday 19th February 2019 until Monday 1st April 2019.**  
**All representations must be received no later than Monday 1st April 2019.**

**Representation Form Guidance Notes**

**1. Introduction**

1.1 This consultation relates to the proposed Main Modifications to the Publication Draft Craven Local Plan (the Local Plan), submitted for examination on the 27<sup>th</sup> March 2018, which are considered necessary following the examination hearings to make the Local Plan sound. Within the Schedule of Main Modifications, text that is proposed to be deleted is indicated by ~~strikethrough~~ notation, and text that is proposed to be inserted is underlined. The Main Modifications put forward within this consultation are made without prejudice to the Inspector's final conclusions on the Local Plan.

1.2 The following updated supporting documents have been produced to accompany the main modifications and are also available as part of this consultation:

- Sustainability Appraisal
- Habitat Regulation Assessment
- Schedule of Policy Map Changes

1.3 In addition the following document has been produced for information purposes only and is not included in the consultation exercise, but is published for completeness:

- A Schedule of Additional Modifications, which sets out minor changes to the Local Plan that do not materially affect the operation and meaning of policies in the plan. They are such things as correcting typographic errors and updating supporting text to reflect factual changes.

**1.4 At this stage of the examination process representations can only be made on the proposed Main Modifications, the updated Sustainability Appraisal, the updated Habitat Regulation Assessment and the Schedule of Policy Map Changes that relate only to the Main Modifications. Representations on the Schedule of Additional Modifications will not be considered by the Inspector.**

1.5 This is not the opportunity to make comments on any other aspects of the Local Plan. If you submitted representations during consultation on the Publication Draft Craven Local Plan undertaken between Tuesday 2nd January 2018 and Tuesday 13th February 2018, the Inspector has considered these during the examination and there is no need to submit them again.

**2. Legal Compliance and Duty to Co-operate**

2.1 The Inspector will first consider that the modification meets the legal requirements under section 20(5)(a) and the duty to co-operate under s20(5)(c) of the Planning and Compulsory Purchase Act (The Act) before moving on to test for soundness.

2.2 The following should be considered before making a representation on legal compliance:

- The Local Plan should be included in 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 LPA, setting out the Local Development Documents (LDDs) it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for independent examination. If the local plan is not in the current LDS it should not

have been published for representations. The Council's current LDS was brought into effect on 7th December 2017 and can be view via the following link:

<https://www.cravenc.gov.uk/planning/planning-policy/new-local-plan/local-plan-timetable/>

- The process of community involvement for the Local Plan in question should be in general accordance with the Local Planning Authority (LPA's) Statement of Community Involvement (SCI) (where one exists). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of LDDs (including plans) and the consideration of planning applications. The Council's current SCI was adopted in March 2018 and is a revised version of the first SCI adopted in June 2006 and can be viewed via the following link:  
<https://www.cravenc.gov.uk/planning/statement-of-community-involvement/>
- The Local Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012 (the Regulations). In order to carry out public consultation on the Main Modifications, the LPA has published the Schedule of Main Modifications, the updated Sustainability Appraisal and Habitat Regulations Assessment. A Schedule of Additional Modifications and Schedule of Policy Map Changes to the Local Plan have also been produced for information purposes only and are not included in the consultation exercise, but are published for completeness. The documents have been made available at the Council's principal offices and on its website for the 6 weeks Main Modification consultation period. The Regulations require the LPA to inform those persons who have requested to be notified of the publication of the recommendations of the Craven Local Plan Inspector and of the adoption of the Craven Local Plan.
- The LPA is required to provide a Sustainability Appraisal Report when it publishes a local 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. An update to the Sustainability Appraisal has been published as part of this consultation.

2.3 The following should be considered before making a representation on compliance with the duty to co-operate:

- The duty to co-operate came into force on 15 November 2011 and any local plan submitted for examination on or after this date will be examined for compliance. LPAs are expected to provide evidence of how they have complied with any requirements arising from the duty.
- The Act establishes that non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the local plan.

### 3. Soundness

3.1 Soundness is explained in paragraph 182 of the National Planning Policy Framework (NPPF). The Inspector has to be satisfied that the modification is positively prepared, justified, effective and consistent with national policy:

- **Positively prepared:** This means that the local plan should be prepared 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.

- **Justified:** The local plan should be the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence.
- **Effective:** The local plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.
- **Consistent with national policy:** The local plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

#### **4. General advice**

4.1 If you wish to make a representation on a proposed main modification to the Local Plan, you should make clear in what way the main modification is inadequate having regard to legal compliance, the duty to co-operate and the four requirements of soundness set out above. You should try to support your representation by evidence showing why and how a main modification should be changed. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change.

4.2 Where there are groups who share a common view on how they wish to see the Local Plan modified, 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.

#### **5. What happens after the Main Modification Consultation Period has ended?**

5.1 Once this period of public consultation has ended all relevant representations received will be registered and published on the Council's website at <https://www.cravenc.gov.uk/planning/planning-policy/new-local-plan/craven-district-council-local-plan-examination/> All representations that relate to the Main Modifications, the updated Sustainability Appraisal, the updated Habitat Regulation Assessment and the Schedule of Policy Map Changes will be considered by the Inspector who will decide whether any further examination hearings are required. At the end of the examination process he will present his final conclusions in a report to the Council. If the Inspector concludes that the Local Plan is 'sound' subject to Main Modifications, the Council can move forward to adopt the Local Plan, subject to making the modifications recommended by the Inspector.