

REPRESENTATION FORM

Ref:
(For official use only)

Name of the development plan document (DPD) to which this representation relates:

**Northern city centre
area action plan**

Please return to: Planning Policy and Projects, Norwich City Council, City Hall, Norwich, NR2 1NH

By: 5pm, Friday 27 February 2009

This form has two parts:

Part A – Personal details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal details*

2. Agent's details (if applicable)

**If an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent in 2.*

Title

First name

Last name

Job title

(where relevant)

Organisation

(where relevant)

Address

Post code

Telephone number

Email address

(where relevant)

Part B

Please use a separate sheet for each representation

Name or organisation :

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

Paragraph

Policy

Proposals map

4. Do you consider the DPD is :

4.(1) Legally compliant Yes No

4.(2) Sound Yes No

*If you have entered **No** to 4.(2), please continue to 5. In all other circumstances, please go to 6.*

5. Do you consider the DPD is **unsound** because it is not:

(1) Justified

(2) Effective

(3) Consistent with national policy

6. Please give details of why you consider the DPD is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DPD, please also 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 DPD legally compliant or sound, with reference to the answer you have identified at 5 above. You will need to say why this change will make the DPD 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. There will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will only be 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, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(Continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

10. Signature:

Date:

Guidance notes on representations procedure

1. Introduction

The *Northern city centre area action plan* has been published for consultation from Monday 8 December 2008 to Friday 27 February 2009, in order for representations to be made prior to submission. Representations will be considered alongside the published DPD when submitted. This document will be examined by a planning inspector.

At the issues and options stage in summer 2006 and the preferred options stage in November 2007-February 2008 we asked for comments about the content of the plan. These comments were taken into consideration and helped us produce the submission document. At this stage (the regulation 27 consultation), we are asking about the process of producing the plan and whether the document is legally compliant and sound.

- If you are seeking to make representations on the **way** in which Norwich City Council has prepared the area action plan 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 whether the area action plan is **justified, effective or consistent with national policy**.

Please see section 5 for more details.

In order to ensure you submit information in a way that the inspector can use, please use the representation form. Forms can be obtained from City Hall (during office hours) or sent to you. You may photocopy the form, download one from our website or we can email it to you.

2. How to complete the form

Section 1 and 2

- Representations are only valid if your name and address are supplied.
- Please give the full name and address of the person making the representation.
- If you are representing an organisation please state the full name of the organisation.
- If you are an agent representing a client please complete this section, as well as the name, address and organisation of the person you are representing.
- Where there are groups who share a common view, it would be very helpful for that group to send a single representation, 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.
- Please write legibly and provide a contact telephone number in case we need to seek clarification.

Section 3

- Please identify clearly which paragraph, policy or map you are commenting on.

Section 4

- Please indicate if you consider that the document is legally compliant and meets the test of soundness set out below.

Section 5, 6 and 7

- Please state which of the three tests of soundness your representation relates to, why you consider the DPD is not legally compliant or unsound and what changes are necessary to make the document sound having regard to the test of soundness which you have identified.

Section 8 and 9

- Please let us know if you wish to participate at the oral examination.

Section 10

- Please sign and date the form.

3. Submitting the form

- Representations must be received between Monday 8 December 2008 and 5pm on Friday 27 February 2009. Representations received before or after these dates will not be considered.
- Representations cannot be treated as confidential.
- Submitting a representation does not guarantee you the right to appear at the independent examination.
- Representations made at the issues and options and preferred options stages will not be carried forwards.

Forms should be returned to the address below:

Planning Policy and Projects
Norwich City Council
City Hall
Norwich
NR2 1NH

Or emailed to: ldf@norwich.gov.uk

If you require further information please contact the planning policy and projects team on 01603 212529.

4. Next steps

Any comments received on the soundness of the plan will be submitted to the Secretary of State along with this plan and associated documents in early 2009.

A public examination will then be held (probably in mid 2009) by an inspector appointed by the Secretary of State.

It is anticipated that the document will be formally adopted by the city council in late 2009 – early 2010.

5. Legal compliance and tests of soundness

Legal compliance

The Inspector will first check that the DPD meets the legal requirements under s20(5)(a) of the 2004 Act before moving on to test for soundness.

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

- The area action plan should have been produced in accordance with the *Local development scheme* (LDS).
- The process of community involvement for the DPD should be in general accordance with the Local planning authority (LPA)'s *Statement of community involvement*.
- The DPD should comply with the Town and County Planning (Local Development) (England Regulations) 2004 as amended. Norwich City Council must publish the documents set out in the regulations, and make them available at City Hall and on the 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.
- Norwich City Council is required to provide a sustainability appraisal report when they publish a DPD.
- The DPD should have regard to national policy and conform generally to the East of England Plan.
- The DPD must have regard to the *Sustainable community strategy* (SCS) for Norwich.

Soundness

To be sound a DPD should be:

- ***justified.***

This means that the DPD should be founded on a robust and credible evidence base involving:

- evidence of participation of the local community and others having a stake in the area
- research/fact finding: the choices made in the plan are backed up by facts.

The DPD should also provide the most appropriate strategy when considered against reasonable alternatives. These alternatives should be realistic and subject to sustainability appraisal. The DPD should show how the policies and proposals help to ensure that the social, environmental, economic and resource use objectives of sustainability will be achieved.

- ***effective.***

This means the DPD 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
- coherence with the strategies of neighbouring authorities.

The DPD should also be flexible and able to be monitored.

The DPD 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 circumstances, which may involve minor changes to respond to the outcome of the monitoring process or more significant changes to respond to problems such as lack of funding for major infrastructure proposals. Although it is important that policies are flexible, the DPD should make clear that major changes may require a formal review including public consultation.

Any measures which the LPA has included to make sure that targets are met should be clearly linked to an annual monitoring report. This report must be produced each year by all local authorities and will show whether the DPD needs amendment.

- ***consistent with national policy.***

The DPD should be consistent with national policy. Where there is a departure, LPAs must provide clear and convincing reasoning to justify their approach. Conversely, you may feel the LPA 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.

If you think the content of a DPD is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by any national planning policy or in the East of England Plan? If so it does not need to be included.
- Is what you are concerned with covered by any other policies in the DPD on which you are seeking to make representations or in any other DPD in the LPA's Local Development Framework (LDF). There is no need for repetition between documents in the LDF.
- If the policy is not covered elsewhere, in what way is the DPD unsound without the policy?
- If the DPD is unsound without the policy, what should the policy say?