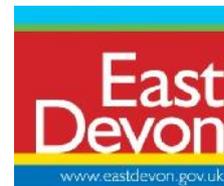


# East Devon Villages Plan – Publication Stage Representation Form



22 March 2017 to Noon 10 May 2017

Please read the guidance notes at the end of this document before completing your form. There are two parts to complete:

Part A – Personal Details

Part B – Your representation(s). Please use a separate form for each representation and write your name at the top of each page.

**Please remember to save the form once completed before attaching to an email and sending to [planningpolicy@eastdevon.gov.uk](mailto:planningpolicy@eastdevon.gov.uk) or alternatively you can post your completed form to: Planning Policy, East Devon District Council, Knowle, Sidmouth EX10 8HL**

## Part A - Personal Details

Personal Details	
Title	
First Name	
Last Name	
Job Title (where relevant)	
Organisation (where relevant)	
Address	
Postcode	
Tel. No.	
Email Address	

Agent's Details (if applicable)*	
Title	
First Name	
Last Name	
Job Title (where relevant)	
Organisation (where relevant)	
Address	
Postcode	
Tel. No.	
Email Address	
Client reference number	

\* Please note that where an agent is used, the agent will be the point of contact for correspondence.

Please indicate whether you wish to be notified of any of the following:

That the East Devon Villages Plan has been submitted for independent examination.

The publication of the recommendations of any person appointed to carry out an independent examination of the East Devon Villages Plan.

The adoption of the East Devon Villages Plan.

Other planning policy issues.

## Part B Representation Details – please use a separate sheet for each representation

Name/Organisation Please complete for each sheet	
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1. To which part of the East Devon Villages Plan does this representation relate?

Paragraph Number	Policy Reference	Name of Inset Map
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2. Do you consider the East Devon Villages Plan is:

(a) Legally compliant	Yes	No
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(b) Sound	Yes	No
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(c) Complies with the Duty to co-operate	Yes	No
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Please tick as appropriate

3. Please give details of why you consider the Villages Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Continue on a separate sheet if necessary

Name/Organisation

Please complete for each sheet

4. Please set out what modification(s) you consider necessary to make the Villages Plan legally compliant or sound, having regard to the Matter you have identified at 3 above where this relates to soundness. (NB. Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Villages Plan 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.

***Please note*** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as 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 be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? (Please tick one box only)

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

**Yes**, I wish to participate at the oral examination

Name/Organisation Please complete for each sheet	
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6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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*Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in the examination.*

*Please note that although your comments and your contact details will be publically available, your signature, private e-mail address and telephone number will not be visible on our web site.*

Signed	
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A signature is required by the Planning Inspectorate. If filling in the form electronically it can be an 'electronic signature' by typing in your name in the box. If you provide a handwritten signature we will ensure that it is not published on-line but it will be visible on the paper copies available at our offices and sent to the Inspector.

Date	
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**Please email the completed form(s) and any additional information to [planningpolicy@eastdevon.gov.uk](mailto:planningpolicy@eastdevon.gov.uk) or send to Planning Policy at East Devon District Council, The Knowle, Sidmouth, EX10 8HL before noon on 10<sup>th</sup> May 2017.**

## Notes

This form and the accompanying guidance notes are designed to help you comment on the Proposed Submission East Devon Villages Plan. All representations duly made between 22 March 2017 and noon on 10 May 2017 will be forwarded to the Inspector appointed to examine the Villages Plan.

The purpose of the examination is to consider whether the Villages Plan is **legally compliant** (i.e. if it has been prepared in accordance with regulations) and whether it is **sound**. Therefore, any representations received regarding the Publication version of the Villages Plan must address these concerns.

### Design of the form

This form contains the information required for this stage of plan making and in advance of examination. The form is based on a 'standard form' issued by the Planning Inspectorate, which can be viewed at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/531005/Procedural Practice in the Examination of Local Plans - final.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/531005/Procedural_Practice_in_the_Examination_of_Local_Plans_-_final.pdf)

**Please return this form to East Devon District Council by 12 noon on Wednesday 10 May 2017. Representations received after this time will not be accepted. We cannot accept anonymous responses.** If you wish to submit documentation in support of your representation it should be submitted in electronic format and be no larger than 5 MB in size to allow it to be uploaded to the Council's web site. **We are legally required to publish representations received as part of the consultation for public inspection and keep these records on our files for the purpose of the Villages Plan.** By submitting you consent to your information being disclosed to third parties for this purpose, but signatures, private telephone numbers and email addresses will not be visible on our web site, although they will be shown on paper copies that will be sent to the Inspector and available for inspection. You have the right to correct any inaccuracies in your information. Please note that six weeks before the examination we will publish on our website details of the date, time and place at which the hearing is to be held and the name of the person appointed to carry out the independent examination. In addition we will notify anyone who maintains a formal representation on the plan of these details, by email where possible.

We will record and classify details of people and organisations making representations on our Planning Policy Database.

**Please remember to save the form once completed before attaching to an email and sending to [planningpolicy@eastdevon.gov.uk](mailto:planningpolicy@eastdevon.gov.uk)**

The following guidance notes are produced by the Planning Inspectorate to guide people wishing to make representations.

# Extracted notes from Planning Inspectorate 'Model' Form

## 1. Introduction

- 1.1. The 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) (PCPA) states that the purpose of the examination is to consider whether the plan complies with the legal requirements, the duty to co-operate and is sound.

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

- 2.1. The Inspector will first check that the plan meets the legal requirements under s20 (5)(a) and the duty to co-operate under s20(5)(c) of the PCPA before moving on to test for soundness.

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

- The plan in question 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) (as defined in [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)) 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 plan 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 its main offices.
- The process of community involvement for the plan in question should be in general accordance with the 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 plan should comply with [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#). On publication, the LPA must publish the documents prescribed in the Regulations, and make them available at its principal offices and on its website. The LPA must also notify the various persons and organisations set out in the Regulations and any persons who have requested to be notified.
- The LPA is required to provide a Sustainability Appraisal Report when it publishes a 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.

- In London, the plan should be in general conformity with the London Plan (the Spatial Development Strategy).

2.3. You should consider the following 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 plan submitted for examination on or after this date will be examined for compliance. LPAs will be expected to provide evidence of how they have complied with any requirements arising from the duty.
- The PCPA 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 plan.

### 3. Soundness

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

- **Positively prepared:** This means that the 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 plan should be the most appropriate strategy when considered against 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 in the NPPF.

3.2. If you think the content of the plan 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 national planning policy (or the London Plan)? If so it does not need to be included?
- Is what you are concerned with covered by any other policies in the plan on which you are seeking to make representations or in any other plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the 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 modification to a plan or part of a plan you should make clear in what way the plan or part of the plan is inadequate having regard to legal compliance, the duty to cooperate and the four requirements of soundness set out above. You should try to support your representation by evidence showing why the plan should be modified. It will be helpful if you also say precisely how you think the plan should be modified. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, 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 a 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.