



Site Specific Part 2 Local Plan - Publication Plan Consultation Guidance Notes on the Completion of the Representation Form

1. Introduction

- 1.1. Kettering Borough Council has prepared the Site Specific Part 2 Local Plan – Publication Plan for public consultation (hereafter referred to as the SSP2). When adopted the SSP2 will form part of the Development Plan for Kettering Borough.
- 1.2. The SSP2 is published for representations to be made by the public and interested parties, prior to submission to the Secretary of State. 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 20041 (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 Planning Inspector will check whether the Plan meets the legal requirements and the duty to co-operate set out in sections 20 (5) (a) and 20 (5) (c) of the Planning and Compulsory Purchase Act (PCPA) (2004)¹
- 2.2. You should consider the following before making a representation on legal compliance:
 - **The SSP2 should be included in the current Local Development Scheme (LDS) and the key stages should have been followed.** The LDS is a programme of work set out by Kettering Borough Council, confirming the Local Plans it proposes to produce. It identifies the key stages in the production of any plans which it 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 latest version of the LDS² is on the council's website and is available at the council offices.
 - **The process of community involvement for the plan should be in general accordance with the Statement of Community Involvement (SCI)³** which was adopted by the North Northamptonshire Joint Committee, and by each of the partner councils: the Boroughs of Kettering, Corby and Wellingborough and East Northamptonshire Council. The SCI sets out the strategy for involving the community in the preparation and revision of plans and the consideration of planning applications.

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

² https://www.kettering.gov.uk/downloads/download/54/local_development_scheme

³ https://www.kettering.gov.uk/downloads/download/63/statement_of_community_involvement

- **The Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012 (the Regulations)⁴.** On publication, the Council must publish the documents prescribed in the Regulations, and make them available at the council offices, and on the council website. The Council must also notify various persons and organisations (as set out in the Regulations) and any persons who have requested to be notified.
- **The council is required to provide a Sustainability Appraisal Report when it publishes the SSP2.** Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors. It will 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. The Sustainability Appraisal for the SSP2 is available to view in hard copy at the council offices or electronically on the council's website at:

https://www.kettering.gov.uk/info/20058/planning_strategies_and_policies/27/site_specific_part_2_local_plan

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. The Council 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.

3.0 Soundness

3.1 The Planning Inspector will consider whether the plan is sound. Soundness is explained in paragraph 35 of the National Planning Policy Framework (NPPF) (2019)⁵. For the SSP2 to be found sound, the Inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy. Set out below are the four separate Tests of Soundness relating to these criteria:

- Positively prepared** – *providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
- Justified** – *an appropriate strategy, when considered against the reasonable alternatives and based on proportionate evidence;*
- Effective** – *deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters; and*
- Consistent with national policy** – *enabling the delivery of sustainable development in accordance with the policies in the NPPF*

⁴ <http://www.legislation.gov.uk/uksi/2012/767/contents/made>

⁵ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

3.2 If you think the content of the SPP2 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? If so, it does not need to be included?
- Is the issue with which you are concerned already covered specifically by an existing policy in the North Northamptonshire Joint Core Strategy?
- 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 not sound having regard to the legal compliance, duty to cooperate and the four requirements set out above.

4.2 You should try to support your representation by evidence showing why the plan should be modified. It will be helpful if you say precisely how you think the plan should be modified.

4.3 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

4.4 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

5. Consultation Details and Events

5.1 Kettering Borough Council will be consulting on the Site Specific Part 2 Local Plan from **Wednesday 18th December 2019** until **5.30pm on Wednesday 12th February 2020**.

5.2 Copies of the Publication Plan will be available to view electronically at <http://consult.kettering.gov.uk/portal>.

Hard copies of the document will be available to view during normal opening hours at the following locations:

- **Kettering Borough Council** - Municipal Offices, Bowling Green Road, Kettering, NN15 7QX
- **Kettering Library** - Sheep Street, Kettering, NN16 0AY
- **Desborough Library** - High Street, Desborough, Kettering, NN14 2QS
- **Rothwell Library** - Market Hill, Rothwell, Kettering, NN14 6EP
- **Burton Latimer Library** - High Street, Burton Latimer, Kettering, NN15 5RH

5.3 Events will be held at the following locations, for people to view the documents and speak to officers:

Event	Date	Time
Rothwell Community Centre Well Lane, Rothwell	Monday 13 th January	5pm-7pm
The Village Hall Queen Street, Geddington	Tuesday 14 th January	5pm-7pm
The Centre Main Street, Mawsley	Wednesday 15 th January	5pm-7pm
Civic Centre High Street, Burton Latimer	Thursday 16 th January	5pm-7pm
Stoke Albany Village Hall Ashley Road, Stoke Albany	Monday 20 th January	5pm-7pm
Marlow House Gold Street, Desborough	Tuesday 21 st January	5pm-7pm
Municipal Offices - Kettering Borough Council Bowling Green Road, Kettering	Thursday 23 rd January	5pm-7pm

5.4 Representations on the SSP2 are invited and must be received no later than **5.30 p.m. on 12th February 2020**. Representations should be submitted electronically via Kettering Borough Council's website <http://consult.kettering.gov.uk/portal>, this is the Borough Council's preferred method for receiving responses.

5.5 Alternatively, a Word version of the representation form can be downloaded from the Council's website at:

https://www.kettering.gov.uk/info/20058/planning_strategies_and_policies/27/site_specific_part_2_local_plan

This can be emailed to planning@kettering.gov.uk or sent by post to:

Development Services (Planning Policy)
Kettering Borough Council Municipal Offices,
Bowling Green Road, Kettering, Northamptonshire. NN15 7QX.

5.6 Representations must be received no later than 5.30 p.m. on Wednesday 12th February 2020

5.7 Note that copies of all comments submitted (including your name, but not the contact details of private individuals) will be made available for the public to read and therefore cannot be treated as confidential. All comments you wish to make, should be made using the Representation Form to help ensure that the Council has all the information needed to process your response to the SSP2. Please type or print clearly in black or blue ink.

5.8 It is important that a separate form is used for each representation you make. If you use additional sheets, please mark them clearly with your name and organisation.

5.9 Kettering Borough Council is committed to protecting your privacy when using our services. Please read our Privacy Notices at: <http://www.kettering.gov.uk/privacynoticeplanning> which tells you how we use your information, who we may share it with, and why. It also details what you can do if you have any concerns and how to request the information, we hold about you.

5.10 Representations may be accompanied by a request to be notified, at a specified address, of the submission of the document for independent examination; the publication of the inspector's recommendations; or the subsequent adoption of this Local Development Document.

5.11 If you have any questions on the Site Specific Part 2 Local Plan – Publication Plan please contact Kettering Borough Council's Development Services (Planning Policy) on **01536 534316** or via planning@kettering.gov.uk.