

Swindon Borough Council Regulation 19 consultation: Local Plan Review

REPRESENTATIONS GUIDANCE

Swindon Borough Council consulted on a Regulation 19 version of the Plan in December 2019 – January 2020. As a result of the consultation responses received and the changes to legislation, it was decided to continue to gather further evidence to support the plan. As a result Swindon Borough Council are now undertaking a second Regulation 19 consultation on the updated Local Plan Review document. This is referred to as the **'Revised Proposed Submission Draft' – Regulation 19 (July 2021)**.

The consultation is open from Thursday 29th July 2021 to 5:00pm Thursday 07 October 2021.

What are we consulting on now?

The Local Plan document presented for consultation represents the intended final version of the document to be submitted for examination to the Planning Inspectorate.

This consultation provides the opportunity to comment on whether the plan complies with the relevant legal requirements and whether the plan is sound. The comments received through the consultation will be considered by the council to ensure these tests are met.

What are we asking?

The purpose of the Regulation 19 stage of consultation of the Local Plan Review process is to address the following questions, which will form the basis of the questions asked at Examination.

- Has the plan been prepared in accordance with all legal and procedural requirements?
- Does the plan meet the prescribed tests of soundness?

These questions are explained further below:

Legal and procedural compliance

- The Local Plan should have been prepared in accordance with the Council's latest [Local Development Scheme](#)?
- The Local Plan should be accompanied by a Sustainability Appraisal and Habitat Regulations Assessment.
- Consultation on the Local Plan should have been carried out in accordance with the Council's [Statement of Community Involvement](#).
- The Council should have worked collaboratively with neighbouring authorities and prescribed bodies on strategic and cross boundary matters, known as the Duty to Cooperate.

- The Local Plan should comply with all relevant laws – these including:
 - The Planning and Compulsory Purchase Act 2004
 - Town and Country Planning (Local Planning) (England) Regulations 2012.
 - The Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020).

Prescribed test of soundness

The tests of soundness against which the plan will be assessed are set out at Paragraph 35 of the National Planning Policy Framework (NPPF). In determining whether the Local Plan meets these tests and can be considered to have been soundly prepared, the Inspector has to be satisfied that the Plan has been:

- **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** - the plan has an appropriate strategy, which takes account of the reasonable alternatives, and is based on proportionate evidence.
- **Effective** - proposals are deliverable over the plan period timescales, and are based on effective joint working on cross-boundary strategic matters, that have been dealt with rather than deferred, as evidenced by the statement of common ground.
- **Consistent** with national policy by enabling the delivery of sustainable development in accordance with the policies including the [National Planning Policy Framework](#).

If you think the content of the plan is not sound because it does not include a policy on a particular issue, 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?
- Is the issue with which you are concerned already covered by another policy in this 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?

Representations should be targeted to specific sections of the Local Plan, with reference to either a specific policy number or title, or paragraph number, and must be made in writing.

How to respond

To respond to the consultation, the preferred method is via the consultation online consultation portal accessible via this page: www.swindon.gov.uk/localplanreview. You are also able to upload supporting documents through the portal.

Alternatively, a word document version of the **Representations Form** can also be downloaded from the address above. You can write to us at the following address:

- by e-mail to **forwardplanning@swindon.gov.uk** or
- by post to **Planning Policy, Swindon Borough Council, Wat Tyler House, Euclid Street, Swindon, SN1 2JH.**

Please note that for your comments to be taken as a valid submission you are required to provide your name and address. **However it is not possible for representations to be anonymous. Your comments and your name will be publicly available.**

Swindon Borough Council will treat and protect your data in accordance with the Data Protection Act 2018, and for further information on how your data is handled please visit https://www.swindon.gov.uk/directory_record/23261/planning_policy_privacy_notice

What happens next?

At the end of the consultation, the council will consider all representations received during the Regulation 19 consultation period, and any suggested modifications. A decision by Members will be made on the submission of the Local Plan and the supporting documents to the Secretary of State, to consider whether it meets the Tests of Soundness as set out in the [National Planning Policy Framework](#). This submission will include a copy of all representations received during this consultation period.

We will notify statutory consultees, others specified in our Statement of Community Involvement and those persons who have requested to be informed of the submission of the local plan to the Secretary of State.

The Secretary of State will appoint an independent Planning Inspectorate who will conduct an independent review of the plan and the representations received, to determine whether the plan is sound, at an Examination in Public.

If you wish to receive notifications of Local Plan progress, please specify an address (such as an e-mail address) at which we can contact you on the following stages: Submission of the Local Plan for examination; publication of the recommendations of the Planning Inspector; and Adoption of the Swindon Borough Local Plan 2036.