



Woking Borough Council

Development Management Policies Development Plan Document, Sustainability Appraisal Report and Habitats Regulations Assessment Guidance Notes

Woking Borough Council has prepared its **Development Management Policies Development Plan Document (DPD) Publication Document** for Regulation 19 consultation. The Development Management Policies DPD sets out detailed policies to help determine day to day planning applications. The DPD has been published in order for representations to be made prior to submission. The representations together with the DPD will be submitted to the Secretary of State and examined by an Independent Inspector. The Planning and Compulsory Purchase Act 2004 (as amended) (the 2004 Act) states that the purpose of the Examination is to consider whether the DPD complies with the legal requirements, the tests of soundness and is in accordance with the Duty to Cooperate.

A **Sustainability Appraisal Report** has been prepared to assess the social, economic and environmental implications of the DPD. Overall, the appraisal concluded that the DPD will contribute towards achieving sustainable development in the Borough.

A **Habitats Regulations Assessment** has been carried out to assess the implications of the DPD on European designated sites in the Borough. The policies were screened out as having no likelihood of leading to significant adverse effects on European sites either alone or in combination with other plans or projects.

The above documents can be read in full on the Council's website www.woking2027.info or can be inspected at the Civic Offices and libraries across the Borough.

You can find an **electronic form** on our website: www.woking2027.info Completing an electronic form would help to save paper and staff resource.

Guidance for completing the form

The Council is consulting on its Development Management Policies DPD Publication Document from 26 October 2015 to 7 December 2015. This stage of the consultation is the final opportunity for stakeholders and the general public to comment on the DPD and the other publication documents before they are submitted for Independent Examination. At this stage, representations should relate to the soundness of the document, compliance with the Duty to Cooperate and legal compliance. The representation form will ask you whether you consider that the DPD is sound and legally compliant and if not, which 'tests of soundness' or other requirements you feel it does not satisfy.

Even if you have made comments on the DPD in the past you must make representations during this consultation stage if you wish to have the right to speak to the Inspector and make your case at the Examination.

Legal Compliance

At the Examination the Independent Inspector will check that the DPD is legally compliant, has been prepared in accordance with the Duty to Cooperate and that it is sound. In order to check that it is legally compliant the Inspector will check that the DPD:

- **Has been prepared in accordance with the Council's current Local Development Scheme (LDS).**
The LDS sets out the Local Development Documents that the Council proposes to produce. It sets out the key stages for the production of the DPDs with timetables. The LDS is on the Council's website and available at the Civic Offices.
- **Has been prepared in accordance with the Council's Statement of Community Involvement (SCI).**

The Statement of Community Involvement (SCI) is a document which sets out how the Council wishes the community to be involved in the preparation and revision of Local Development Documents (including DPDs) and the consideration of planning applications.

· **Meets the Government's procedural regulations as set out in the Town and Country Planning (Local Planning) (England) Regulations 2012.**

The DPD should comply with the Regulations. These states amongst other things that on publication, the Council must publish the documents prescribed in the Regulations and a Statement of Representation Procedure, and make them available for inspection at specified places and times at which they can be inspected. The documents will be made available for inspection at the Civic Offices of the Council and Woking, Byfleet, West Byfleet and Knaphill libraries. The documents will also be put on the Council's website (www.woking.gov.uk).

· **Has been subject to Sustainability appraisal and Habitats Regulations Assessment.**

The Council is required to provide a Sustainability Appraisal Report when they publish the DPD. 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 that they take account of social, environmental, and economic objectives. A Habitats Regulations Assessment has been prepared in accordance with EU Directives.

· **Is in general conformity with the Saved policy of the South East Plan, national planning policy and the Core Strategy**

The DPD should have regard to national policy and conform generally to the Saved policy of the South East Plan and the Core Strategy.

Soundness

The tests of soundness are explained fully in the National Planning Policy Framework (NPPF). The Inspector has to be satisfied that the DPD is positively prepared, justified, effective and consistent with national policy. To be sound the DPD should be:

· **Justified**

This means that the DPD should be founded on a robust, proportionate and credible evidence base.

The DPD should also provide the most appropriate strategy when considered against reasonable alternatives.

· **Effective**

This means the DPD should be:

- Deliverable over its period and based on effective joint working on cross boundary strategic priorities.

· **Consistent with national policy**

The DPD should enable the delivery of sustainable development in accordance with the policies of the NPPF.

· **Positively prepared**

The DPD should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including the unmet requirements from neighbouring authorities.

If you think the content of the 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 the saved policy of the South East Plan? If so, it does not need to be included.

- Is what you are concerned with covered by policies in the Core Strategy. There is no need for repetition between documents in the LDDs.
- 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?

General advice

Further guidance on considering soundness can be found on the Planning Portal at www.planningportal.gov.uk

If you wish to make a representation seeking a change to the DPD or part of the DPD you should make clear in what way the DPD or part of the DPD is not sound having regard to the legal compliance, the Duty to Cooperate and the tests of soundness set out above. You should try to support your representation by evidence showing why the DPD should be changed. It will be helpful if you also say precisely how you think the DPD should be changed. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made 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.

Where there are **groups** who share a common view on how they wish to see the DPD changed, it would be very helpful for that group to send a single representation which represents their 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.

Further detailed guidance on the preparation, publication and examination of DPDs is provided in the Town and Country Planning (Local Planning) (England) Regulation 2012.

- Please **complete in full** and **use a separate form for each individual representation or comment** that you wish to make.
- You can photocopy the form or obtain further copies from the Civic Offices at the address below, or from Byfleet, West Byfleet, Knaphill and Woking libraries. You can also find a printable version on our website: www.woking2027.info
- Forms should be returned to: **Planning Policy, Woking Borough Council, Civic Offices, Gloucester Square, Woking, GU21 6YL.**
- The consultation runs from 26 October 2015 to 7 December 2015. Representations received after **5pm on 7 December 2015** will not be considered.

Notes

Why should I use the form?

- You are recommended to use the form because it gives basic information needed for speedy and effective handling of your representation or comments in support of, or objection to, the DPD and accompanying Sustainability Appraisal Report and Habitats Regulations Assessment.

How do I use the form?

- Please complete the form in full and **use a separate form** for each representation or comment that you wish to make in support of, or objection to, a paragraph, proposed policy or any other parts of the DPD.
- Please identify precisely which paragraph and policy number your comment relates to by completing the appropriate box.

- Please state clearly why you support or object to the proposed paragraph or policy of the DPD or the accompanying Sustainability Appraisal Report and Habitats Regulations Assessment.
- Please note that any written comments will be made available for public inspection and so we are unable to accept confidential or anonymous responses. Your full address will not be published as all personal data will be treated in accordance with the Data Protection Act.
- Forms should be returned to: **Planning Policy, Woking Borough Council, Civic Offices, Gloucester Square, Woking, Surrey GU21 6YL.**
- Representations received after **5pm on 7 December 2015** will not be considered.

What happens next?

- The DPD will then be submitted to the Secretary of State along with copies of all representations received for independent examination.
- A date for the Examination of the DPD will published in due course when it is known.

For more information or if you need any assistance completing this form please:

- see the website: www.woking2027.info
- email planning.policy@woking.gov.uk
- or telephone 01483 743871.

