



## **Powys Local Development Plan (LDP) 2011-2026 Deposit Draft (June 2015)**

### **Guidance Notes on Making Representations:**

Powys County Council has prepared deposit proposals documents for the Powys Local Development Plan (LDP) which upon adoption will replace the Powys Unitary Development Plan and be the basis for decisions on land use planning for all of Powys (excluding the Brecon Beacons/Snowdonia National Parks).

The deposit proposals documents outline the Authority's vision and key policies, and also include key background information. The deposit proposals are accompanied by a Sustainability Appraisal report, Habitat Regulations Assessment report and an Environmental report. Additionally the Council is seeking comments on the proposed site allocations.

The Council is inviting comments on the above documents during a 6 week consultation period starting on **8<sup>th</sup> June 2015**. Representations must be received by **4.30pm** on **Monday 20<sup>th</sup> July 2015**.

**Please note that only representations submitted during this consultation period (8th June 2015 - 20th July 2015) will be carried forward through the Local Development Plan process. Any representations that were made in the previous consultation (on the Powys LDP Deposit Draft, July 2014) will not be carried forward. If you consider that any representations you made last time are still relevant, you must submit these again using the latest Deposit Stage Representation Form and by following this guidance note.**

### **Where to see the Documents**

Copies of the documents are available for public inspection free of charge from Monday 8<sup>th</sup> June 2015 at the following **Powys County Council offices**:

Llandrindod Wells	County Hall & The Gwalia	Mon to Thurs 8.30am - 5pm, Fri 8.30am - 4.30pm
Brecon	Neuadd Brycheiniog	As above
Welshpool	Neuadd Maldwyn	Mon to Thurs 9am - 5pm, Fri 9am – 4.30pm

They are also available on the **Council's website** at [www.powys.gov.uk](http://www.powys.gov.uk) (click on Have Your Say or go to the Planning Policy/LDP pages) or at the main Libraries and Customer Service Points in Powys.

### **How to Make Your Representation**

Representations can be submitted in the following ways:

- **On-line** - If using or reading an electronic version of the document (from CD, or downloaded from the Powys County Council website), you can simply click on a RefPoint to add your own comment. You can also see other comments made about that point. This system will require you to register at LDPWeb if you have not already done so.

- **By completing a “Deposit Stage Representation Form, June 2015” -**  
Forms are available on the Council’s website and at the main Council offices, libraries and service points. Guidance on how to fill in the form follows on page 3. Each of your comments (where they relate to separate parts of the Plan/RefPoints) will require a separate representation (by completing a new section 3 for each comment). Completed forms must be emailed to: [ldp@powys.gov.uk](mailto:ldp@powys.gov.uk) or posted to: LDP Team, Planning Policy, Powys County Council, The Gwalia, Llandrindod Wells, Powys. LD1 6AA.

## **The relevance of RefPoints:**

When making a representation (comments), it is important you tell us which part of the document you are commenting on. Each consultation document contains RefPoints (Reference Points) which look like this: [®9.12](#) - with the ® symbol and then a number. The first part of the number identifies the document, the second part the specific place in the document.

If you want to make a general comment about the whole document, or to point out something which has been omitted, please use the first RefPoint in the document. If using the standard Representation Form, please quote the relevant RefPoint where prompted.

## **Group Representations**

Where there are groups who share a common view on how they wish to see the LDP changed, it would be very helpful for that group to send a single representation which represents the view. (Repeating the same points numerous times will not add weight to the case being made). Groups should indicate how many people they represent and how the representation has been authorised. Please make it clear who the main contact is. Where a petition is submitted, the Council will need one contact name acting as the presenter of the petition.

## **Privacy Statement**

Personal Data will be processed in accordance with the Data Protection Act 1988. We will only use the information for the purpose of the LDP process.

By submitting a representation, the following personal information may be placed in the public domain including publication on the Powys County Council website: Your name, organisation / company, address, and your representation.

All personal telephone numbers and email addresses will be treated as confidential.  
Powys County Council accepts the following responsibilities for personal information recorded:

1. The information will only be used for the agreed reason and will be looked after securely.
2. The information will only be kept for as long as needed or to comply with statutory requirements and will then be securely destroyed.
3. If the information has to be shared with other agencies initial consent will be gathered at this point and explicit (signed) consent will be obtained by the service / department concerned as soon as possible. Unless we are obliged by law to disclose the information.

Detailed guidance can be found on our webpages – search Freedom of Information - or from the Information Management Team.

## Next Steps

Representations will be acknowledged. In due course, all duly made representations will be made available to view at the Deposit locations (see “Where to see the Documents” section above) and on the Council’s website. A further public consultation stage on Site Allocation Representations will commence. Further details on the preparation timetable are contained in the LDP Delivery Agreement (February 2015).

Representations made at the current deposit stage will be considered by the Inspector appointed to carry out the Independent Examination. The Examination is currently scheduled for April 2016.

## Further Information

Further information is available on-line at [www.powys.gov.uk](http://www.powys.gov.uk) (Local Development Plan pages) or from the LDP Team based at Neuadd Maldwyn, Welshpool, (01938 551229/551239/551244) or The Gwalia, Llandrindod Wells (01597 827775/827288).

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## Guidance on how to fill in your Representation Form:

### Sections 1 and 2 – Contact Details and Further Personal Information

- Please note that information provided in the Representation Form will be made publicly available with the exception of the further personal information (as provided in Section 2) which will be treated confidentially.
- If you name an **Agent** to act on your behalf, please note that all correspondence will be directed to your Agent. Don’t forget to inform the LDP team if you change your Agent or no longer choose to use one.

### Section 3 – Commenting on the Plan

#### 3a: Test of soundness:

The Planning and Compulsory Purchase Act 2004 states that the purpose of the examination of a Local Development Plan is to consider whether it is “sound”. This means that anyone who wants to comment on or object to the Plan should seek to say how it is unsound and what is needed to make it sound. Sound may be considered in this context within its ordinary meaning of “showing good judgement” and “able to be trusted”. To assess the Plan we use the 10 tests set out in Table 1.

Please tell us in section 3a whether you think the Plan is sound. Where you propose a change to the deposit Plan it would be helpful, although not essential, for you to also make clear which test(s) of soundness you believe the Plan fails. The tests are in 3 groups – ‘procedural’ (2 tests); ‘conformity’ (4 tests); and ‘coherence and effectiveness’ (4 tests). If you wish to comment on the way in which the Council has prepared the Plan, it is likely that your comments or objections would fall under one of the procedural tests. If you wish to comment on or object to the content of the Plan, it may help to look at the ‘consistency’ and the ‘coherence and effectiveness’ tests.

Failing to identify a test will not mean that your comment(s) will not be considered, providing it relates to the Plan (or part of the Plan) and it is clear what change(s) you are seeking.

**Table 1 – The criteria/tests of Soundness**

<b>Procedural Tests</b>	
P1	It has been prepared in accordance with the Delivery Agreement including the Community Involvement Scheme.
P2	The plan and its policies have been subjected to Sustainability Appraisal including Strategic Environmental Assessment.
<b>Consistency Tests</b>	
C1	It is a land use plan which has regard to other relevant plans, policies and strategies relating to the area or to adjoining areas.
C2	It has regard to national policy.
C3	It has regard to the Wales Spatial Plan.
C4	It has regard to the relevant community strategy/ies (and National Park Management Plan).
<b>Coherence and Effectiveness Tests</b>	
CE1	The plan sets out a coherent strategy from which its policies and allocations logically flow and/or, where cross boundary issues are relevant, it is compatible with the development plans prepared by neighbouring authorities.
CE2	The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and/or are founded on a robust and credible evidence base.
CE3	There are clear mechanisms for implementation and monitoring.
CE4	It is reasonably flexible to enable it to deal with changing circumstances.

**3b and 3c:**

Tick the appropriate box in section 3b to indicate which document you are commenting on and complete the details in 3c regarding RefPoint/Policy/Paragraph/Map etc. Using the RefPoint identifier will help to ensure that we deal with your representation in the most efficient manner.

**3d: Your Comments and Suggested Changes**

Use section 3d to set out the main text of your representation.

The detail of your representation/comments should be set out in full in the boxes provided at 3d i) and ii). Continue on separate sheet(s) as necessary. Remember you will only be able to submit further information to the Examination if the Inspector invites you to address matters that he or she may raise. 3 d iii) helps us to ensure that we correctly categorise your comments so that they are dealt with appropriately. For representations that relate to site allocations (adding, altering or deleting a site proposed in the Deposit plan), you should also complete section 3e. This is because there is a separate stage for dealing with site allocation representations and the Council needs to be sure that all representations concerning changes to sites are clearly identifiable.

Even if you have referred to the tests of soundness at 3a, please re-iterate in your detailed comments which of the tests you consider are relevant to your proposed change.

### **Section 3e: Site Allocation Representations**

Please complete this section if your representation concerns the addition, amendment or deletion of an allocation, ticking the relevant box in 3e.i as appropriate.

If your representation is relating to the deletion or amendment of an allocation published in the Draft Deposit Plan (2015) please enter the allocation number as shown on the map and Appendix 1 in box 3e.ii (a).

If your representation is for the addition of a new site (or extension of an existing site) not published in the Draft Deposit Plan (2015) but has previously been included in the Candidate Sites process please provide details and the reference number if known.

All sites which were submitted to the Council as possible development (candidate) sites have undergone a robust assessment process, the summary of which is set out in the Sites Status Report. You can view on-line a copy of all the assessments undertaken for relevant candidate sites.

If you are proposing a completely new site, which the Council has not previously assessed, your Representation will need to be accompanied by the further details (as listed in the Representation Form), all to be submitted by the deadline on **20th July 2015**. It is recommended that you use the same appraisal frameworks as used by the Council for the Sustainability Appraisal and Strategic Environmental Assessment process. These toolkits are in Excel format and are available on-line on the Council website or by request.

### **Section 4 – After Making Your Representation**

In this section please tell us if you want to speak at a hearing session and if so, provide further details.

Also indicate in the tick box whether you are enclosing further information on separate pages so that we can be sure that we have not missed any part of your submission. Please sign and date the Representation form.

Use the tick box in Section 4 to indicate whether you wish to be notified that the LDP has been submitted to the Welsh Government for independent examination and/or notified of the adoption of the LDP (although we will endeavour to inform all those on our current mailing database as a matter of course).

### **Sections 5 and 6 – Customer Feedback and Equalities Monitoring**

These sections only need to be completed once. This information is helpful to the Council and your time in completing the questionnaires is much appreciated.

**Thank you for your interest in the  
Powys Local Development Plan (LDP) 2011-2026 Deposit Draft (June 2015)**

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