

Guidance notes for submitting a representation

1. Who should make the representation?

You may submit a representation yourself or on behalf of an organisation or company. Alternatively, you may appoint an agent to do it for you. If an agent is appointed their full details must be given and all future correspondence will be sent to them. Where groups or individuals share a common view on the Main Modification, it would be very helpful if they would make a single representation which represents that view. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

2. How do I make comments on a paper copy of the form?

You must use a separate form for each comment on a Modification that you wish to make. Continuation sheets can be used. Paper copies of the representation forms (or alternative formats, such as large print) can be requested by telephoning 01304 872244.

2. In commenting on the Local Plan Main Modifications I am directed to address “legal compliance”, what does this mean?

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

- a. The Plan 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 prepared by the Local Planning Authority for the preparation of the Local Development Plan and other key documents.
- b. The process of community involvement for the Plan in question should be in general accordance with the Council’s Statement of Community Involvement (SCI). The SCI sets out the Council’s strategy for involving the community in the preparation and revision of the plan.
- c. The Council is required to provide a Sustainability Appraisal (SA) report when it publishes a plan. This should identify the process by which SA has been carried out, the baseline information used to inform the process, and the outcomes of that process. SA is a tool for assessing the extent to which the Plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.

The Plan should also comply with all other relevant requirements, including the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended.

4. In commenting on the Local Plan Main Modifications I am directed to address “soundness” issues, what does this mean?

There are four areas to think about when looking at whether or not the Local Plan Main Modifications are sound:

a. Positively prepared

This is looking at whether our plan has been prepared to meet our objectively assessed development and infrastructure needs. It also covers how we have looked to meet the needs of our neighbours.

b. Justified

Our Local Plan must be set on a robust and credible proportionate evidence base to make sure the choices made in our Local Plan are backed up by solid facts and research. Our Local Plan should be the best approach when considered against reasonable alternatives.

c. Effective

This means we must be able to foresee that the policies and proposals in our Local Plan can actually happen and are deliverable.

d. Consistent with national policy

Our Local Plan should be consistent with national policy and enable the delivery of sustainable development as set out in the National Planning Policy Framework (NPPF).

5. Why are the Council making these Modifications?

Following the close of the public hearing sessions on the Local Plan, the Inspectors provided the Council with a Post Hearing Advice Note, indicating where they recommend changes to be made to the Local Plan to address ‘soundness’ concerns. In addition to changes outlined in the Inspectors Post Hearing Note, a number of other changes/ modifications were proposed throughout the Examination process, either through Statements of Common Ground agreed with statutory bodies, through hearing statements or

verbally in hearing sessions following discussion with the Inspectors and/ or other parties. All documents are available to view on the Local Plan examination webpages at <https://www.doverdistrictlocalplan.co.uk/examination-home/dover-district-local-plan-examination#events>

6. What are Main and Additional Modifications?

Where any of the changes proposed are significant and would alter the Plan's intention or policy application, these are known as 'Main Modifications' and require public consultation in accordance with regulations. The Main Modifications are put forward without prejudice to the Inspector's final conclusions. However, some modifications are minor and deal more with factual updates and/or adding clarity. These are known as 'Additional Modifications' and are not open for consultation, but are provided in a separate schedule alongside the consultation for clarity. The Council is also publishing proposed modifications to its Policies Map which are either consequential as a result of a Main Modifications or to correct factual errors.

7. What Comments can I make and are my previous comments still valid?

The consultation is limited to comments on the Modifications only. The consultation does not offer the opportunity to repeat or raise further representations about other parts of the Plan, or seek wider changes, which are not relevant to a Modification. **Comments made during the previous public consultations on the draft Local Plan and during the Examination process are in front of the Inspectors and will be considered by them in their final report to the council.**

8. How will I know if my representation is received?

If you make a representation through the consultation portal you will receive an email notification. Once your representation has been checked you will receive a further email to let you know it has been validated. If you make a hard copy or email representation, you will receive an acknowledgement in the same format.

9. What will happen to my representation?

As the Local Plan is now within Examination stage, the comments received will be sent to the appointed Inspectors for them to consider. If the Inspectors believe they require further discussion about any comments made, they may request clarification in writing from the relevant parties or re-open the hearing sessions for public discussion. Once the Inspectors are satisfied they have all the information they require, they will provide the Council with their final written report on whether they consider the modified Local Plan is 'sound' and whether it can be adopted by the Council

10. Where should I send this form?

Local Plan Team, Dover District Council, Council Offices, White Cliffs Business Park, Dover, CT16 3PJ
Email: localplan@dover.gov.uk

Data Protection Statement:

The information collected will be processed in accordance with the Data Protection Act 1998. Copies of representations will be made available for public inspection and cannot be treated as confidential. They will also be available to view on the Councils consultation portal. The Council will publish names, organisations and the content of representations on its website. Other personal information including email and property address details will not be published or made available for public inspection. However, all representations including all submitted personal information will be provided to the Local Plan Examination Programme Officer, the Planning Inspectorate, and the Inspectors appointed by the Secretary of State to conduct the examination.

Representations are submitted on the basis that you consent to the use of your data including for the purpose of keeping you informed of Local Plan progress. Your contact details will be held on the Local Plan Consultation Database. Relevant notifications will be sent to you at appropriate stages. Following completion of the Local Plan process, we will invite you to remain or to remove your details from the Database. The Planning Inspectorate have published a Privacy Statement on how they manage personal information which can be accessed through the published procedural guide for Local Plan examinations, available at: <https://www.gov.uk/government/publications/examining-local-plans-procedural-practice>

The Dover District Council Privacy Notice is published on the website:

<https://www.dover.gov.uk/Website/PDFs/Corporate-Privacy-Notice-2021.pdf>. The Planning Policy [privacy notice](#) is also available on the Council website and we can send it to you on request.