



**SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN (SADM) PROPOSED MODIFICATIONS, POLICIES MAP CHANGES & SUSTAINABILITY APPRAISAL ADDENDUM**  
**Representation Form**

**Please return to Hertsmere Borough Council by 5pm on Monday 8 August 2016**

**By post:** Policy and Transport Team, Planning and Building Control, Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood, Herts, WD6 1WA.

**By email:** local.plan@hertsmere.gov.uk

This form has three parts. Please complete Part A. Complete Parts B and/or C as relevant.

**Part A** – Personal details (only needed once).

**Part B** – Your representation(s) on Proposed Main or Additional Modifications to the Plan.

**Part C** – Your representation(s) on proposed changes to the Policies Map OR the addendum to the Sustainability Appraisal

**Please read the guidance notes at the end before completing this form. They explain the terms used and will help you make your representation(s).**

**Part A. Personal Details**

Part A	Personal details*	Agent details (if applicable)
Title		
First name		
Last name		
Job title (where relevant)		
Organisation (where relevant)		
Address		
Post Code		
Telephone number		
Email address		

\*If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2.

**Please note that all representations received cannot be treated as confidential and will be publicly available.**



**Part B.**  
**REPRESENTATION ON PROPOSED MAIN OR ADDITIONAL MODIFICATION TO THE PLAN.**  
**IMPORTANT: Please use a separate Part B form for each representation**

Name or organisation:

**B1. To which proposed Modification does this representation relate?**

Main Modification: MM	Additional Modification: AM
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**B2. Do you consider the proposed Modification to be:**

Please tick which boxes apply

2(a) Legally Compliant	Yes	<input style="width: 40px; height: 20px;" type="checkbox"/>	No	<input style="width: 40px; height: 20px;" type="checkbox"/>	no comment to make	<input style="width: 40px; height: 20px;" type="checkbox"/>
2(b) Sound	Yes	<input style="width: 40px; height: 20px;" type="checkbox"/>	No	<input style="width: 40px; height: 20px;" type="checkbox"/>	no comment to make	<input style="width: 40px; height: 20px;" type="checkbox"/>

*If you have entered 'No' to 2(b), please continue to Q3. In all other circumstances, please go to Q4.*

**B3. If you consider the proposed Modification to be unsound is this because it is not:**

3(a) Positively prepared	<input style="width: 40px; height: 20px;" type="checkbox"/>	Please tick which box(es) apply
3(b) Justified	<input style="width: 40px; height: 20px;" type="checkbox"/>	
3(c) Effective	<input style="width: 40px; height: 20px;" type="checkbox"/>	
3(d) Consistent with national policy	<input style="width: 40px; height: 20px;" type="checkbox"/>	

**B4. Please give details of why you consider the proposed Modification is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the proposed Modification or make any other comment on it please also use the box below to set out your comments.**



**B5. Please set out what change(s) you consider necessary to make the proposed Modification legally compliant or sound. In the case of soundness, this should have regard to the test you have identified at B3 above. You need to say why this change will make the proposed Modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any text. Please be as precise as possible.**

<b>Signature</b>		<b>Date</b>	
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**Part C. REPRESENTATION ON PROPOSED CHANGE TO POLICIES MAP OR ON THE SUSTAINABILITY APPRAISAL ADDENDUM**

**IMPORTANT: Please use a separate Part C form for each representation**

Name or organisation:

**C1. To which proposed change to the Policies Map or section of the Sustainability Appraisal addendum does this representation relate?**

Policies Map change: **PM**

Sustainability Appraisal addendum section:

**C2. If you wish to comment on a proposed change to the Policies Map please set out your comment and reasons here. If you are objecting to a proposed change please indicate why you object, and how and why you think the change proposed by the Council should be amended.**

**If you wish to comment on the addendum to the Sustainability Appraisal please set out your comment and reasons here. Please be as precise as possible.**

**Signature**

**Date**

# GUIDANCE NOTES for the Site Allocations and Development Management Policies Plan (SADM) Main Modifications Stage Representation Form



## Introduction

These guidance notes have been produced to assist anyone who wishes to make a formal representation on

- the Inspector's proposed Main Modifications to the submitted Site Allocations and Development Management Policies (SADM) Policies Plan ('the Plan') or
- the Council's
  - proposed Additional Modifications to the Plan,
  - proposed changes to the submitted Policies Map or
  - the addendum to the Sustainability Appraisal (which has been produced in response to the Inspector's proposed Main Modifications to the Plan policies).

**Representations can be made on these matters only. Please use the official Representation form if at all possible. Representations must be received by 5pm on Monday 8 August 2016. We are unfortunately unable to accept late representations.**

## Background

The Plan was submitted (together with representations previously made) to the Secretary of State in November 2015. Since then an independent Planning Inspector, appointed by the Secretary of State, has been examining it. The Inspector held Public Hearings in April 2016 as part of his examination of the Plan.

The Planning and Compulsory Purchase Act 2004<sup>1</sup> (as amended) ('the 2004 Act') states that the purpose of the examination is to consider whether the Plan complies with legal requirements, the Duty to Cooperate, and is 'sound'. The Inspector has now published a list of proposed Main Modifications to the submitted Plan which he considers are required to make the plan sound. These proposed Main Modifications, together with the Council's Additional Modifications, proposed changes to the submitted Policies Map, and the addendum to the Sustainability Appraisal are available for interested parties to make representations on during the representation period, which ends at 5pm on Monday 8 August 2016.

Representations relating to the Inspector's proposed Main Modifications are considered by the Inspector. The general expectation is that issues raised on the proposed Main Modifications will be considered through the written representation process and further hearing sessions will only be scheduled exceptionally. Any comments that were made during previous consultation periods and at the Hearings will be taken into account and there is **no need to repeat those representations**. The Inspector will also see representations relating to the Council's proposed changes to the Policies Map. Representations relating to the Council's proposed Additional Modifications and the addendum to the Sustainability Appraisal will be considered solely by the Council unless they are inextricably linked to Main Modifications or the Policies Map proposed changes.

## Completing the form

### *a. All comments*

All representors must complete **Part A** of the Representation form. If you are submitting more than one representation you only need to complete Part A once.

### *b. Comments on Inspector's proposed Main Modifications and/or Hertsmere Council's Additional Modifications*

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<sup>1</sup> View the 2004 Planning Act online at <http://www.legislation.gov.uk/ukpga/2004/5/contents>



If you are commenting on either the Inspector's proposed Main Modifications or the Council's proposed Additional Modifications to the Plan please also complete **Part B** of the Representation form.

**Question B1:** Please identify which proposed Modification you are commenting on. It will have an MM or AM reference number. Please quote this reference number.

**Questions B2a and 4:** To be legally compliant the Proposed Modification to the Plan has to be prepared in accordance within the Duty to Cooperate and legal and procedural requirements set out by government in legislation and the Town and Country Planning (Local Planning) (England) Regulations 2012. The following guidance may be helpful:

#### **Legal Compliance**

- *The Plan should be within the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by the Council, setting out the documents it proposes to produce over a set period. It sets out the key stages in the production of any documents the Council propose to bring forward for independent examination. The LDS is published on the Council's website and available at their main offices.*
- *The process of community involvement for the Plan should be in general accordance with the Council's Statement of Community Involvement (SCI). The SCI is a document that sets out the Council's strategy for involving the community in the preparation and revision of planning documents and the consideration of planning applications.*
- *The Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012<sup>2</sup>. On publication, the Council must publish the documents prescribed in the regulations, and make them available at their principal offices and on their website. The Council notify statutory consultees and any persons who have requested to be notified.*
- *The Council is required to publish a Sustainability Appraisal Report when they publish the Plan. 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 they reflect social, environmental, and economic factors.*
- *The Plan should have regard to national policy.*

**Questions B2b, B3 and B4:** Soundness is explained fully in the National Planning Policy Framework<sup>3</sup>, in paragraph 182. The Inspector has to be satisfied that the Plan has been positively prepared, is justified, effective and consistent with national policy. The following extract from the NPPF may be helpful:

#### **Soundness**

*To be sound the Plan should be:*

- **Positively prepared** – *the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
- **Justified** – *the Plan should be the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence;*

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<sup>2</sup> View the Planning Regulations online at <http://www.legislation.gov.uk/ukxi/2012/767/contents/made>

<sup>3</sup> View the National Planning Policy Framework online at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

- **Effective** – the Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

**Questions B4 and B5:** It is important that the Council and the Planning Inspector fully understand your comments, particularly where you think changes to the proposed Modifications need to be made to make the Plan ‘sound’. If you feel that the modification has not been prepared in line with regulations, or is not sound (as outlined above), then you can use the box at B4 to explain why and the box at B5 to set out what you think needs to be changed to make the Plan ‘sound’ or meet the planning regulations. You can also use the box at B4 if you want to support the modification.

### **c. Comments on Hertsmere Council’s proposed changes to the Policies Map or the Sustainability Appraisal addendum**

**Question C1:** Please state clearly exactly what your representation relates to. If it is to a proposed change to the Policies Map please quote the reference number, which will start with PM. If it is in relation to something in the Sustainability Appraisal addendum please indicate the relevant paragraph / page number.

**Question C2:** If you do not agree with a proposed change to the Policies Map please state clearly exactly why you do not agree, how you think it should be changed, and why your suggested change is required. If you wish to comment on the Sustainability Appraisal addendum, please do so here.

### **General advice**

It would be helpful if representations could be made using the Representation form provided but anyone who is unable to do so can write to or email the council using the contact details below.

Representations should be submitted:

**By post:** Policy and Transport Team, Planning and Building Control, Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood, Herts, WD6 1WA.

**By email:** [local.plan@hertsmere.gov.uk](mailto:local.plan@hertsmere.gov.uk)

Representations must be received by the Council by **5pm on Monday 8 August 2016**. Late responses will not be accepted.

Where there are groups who share a common view on how they wish to see the Modification/change/addendum changed, 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.

Please note: representations are only valid if your name and address are supplied. Anonymous representations cannot be considered. Respondents should also note that representations are not confidential and that they will be published on the Council’s website and copies may be placed at appropriate venues across the borough for public inspection.

Agents should state the full name of the person or organisation that they are representing. These names, and the names and contact details of Agents, will also be publicly available.