

**Broads Authority Local Plan**

**Publication version (July 2025)**

**Representation Guidance**

This guidance note is to help you make a formal representation on the Local Plan for the Broads Publication Document. All representations must be received before 4pm 26 September 2025.

Any representations received after this date may not be considered. Only representation received within this period have a statutory right to be considered by the Inspector at the Examination.

**Introduction**

Before a Local Planning Authority can adopt a Local Plan, it must first publish a pre-submission version (final draft/publication version) of the plan and invite representations (comments) on it. The plan must then be submitted to the Secretary of State alongside supporting documentation and those representations received on the final draft. The Secretary of State will appoint an independent Planning Inspector to conduct an Examination in Public. The Inspector's job is to consider whether the plan is 'sound' and 'legally compliant' (including the duty to co-operate). In doing this they will consider any representations received on the final draft and hold a public hearing whether those representations can be discussed verbally. Following the examination, the Inspector will publish a report setting out whether the plan is Sound or Unsound. If found sound, it may be subject to modifications (and further consultation on those modifications), then Council can adopt the plan.

The Local Plan for the Broads has now been published to receive representations on it before it is submitted for examination by a Planning Inspector. This note has been prepared to help you make a representation on the plan should you wish to do so.

**Data Protection**

To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the plan. Therefore, any representations you may submit cannot be treated in confidence. The Broads Authority will publish names and representations on its website, but will not public personal information such as telephone numbers, email or private addresses in accordance with its [Privacy Notice](https://www.broads-authority.gov.uk/about-us/privacy).

However, all personal information in the representations will be sent to the Authority’s Programme Officer (who works for the Broads Authority) who will manage arrangements for the examination and the Planning Inspectorate. The Planning Inspectorate have published a [Privacy Statement on how they manage personal information(opens new window)](https://www.gov.uk/government/publications/examining-local-plans-procedural-practice).

By submitting a representation, you are accordingly confirming that you agree to this and accept responsibility for your comments.

**Legal Compliance and Duty to Co-operate**

The Inspector will first check that the Local Plan meets the legal requirements and the duty to cooperate under section 20 of the Planning and Compulsory Purchase Act 2004. The following should be considered before making a representation on legal compliance:

* the Local 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 production of its Local Plan. the most recently adopted LDS is [here](https://www.broads-authority.gov.uk/__data/assets/pdf_file/0017/408311/Broads-Local-Plan-LDS-Feb-2025.pdf).
* 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 Authority’s approach for involving the community in the preparation and revision of plans and the consideration of planning applications. the Authority’s latest [SCI](https://www.broads-authority.gov.uk/__data/assets/pdf_file/0021/408423/Statement-of-Community-Involvement-Aug-2024.pdf) was adopted in 2024.
* the Authority 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 and the baseline information used to inform the process and outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternative, will help to achieve relevant environmental, economic and social objectives. The Sustainability Appraisal 2024 forms part of the evidence base
* the plan should also comply with all other relevant requirements of the Planning and Compulsory Purchase Act 2004, and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended

The following matters should be considered before making a representation on compliance with the duty to co-operate:

* Section 33A of the Planning and Compulsory Purchase Act requires the Authority to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain bodies over strategic matters during the preparation of the plan
	+ therefore the Authority is expected to provide evidence of how they have complied with the duty
	+ non-compliance with the duty to co-operate cannot be rectified after the submission of the plan, therefore, the Inspector has no power to recommend modifications in this regard
	+ where the duty has not been complied with, the Inspector cannot recommend adoption of the plan
	+ the Authority’s Duty to Cooperate Statement forms part of the evidence base and can be found [here](https://www.broads-authority.gov.uk/__data/assets/pdf_file/0026/570365/Final-Broads-Local-Plan-Duty-to-Cooperate-Statement-June-2025.pdf).

**Soundness**

The tests of soundness are set out in paragraph 35 of the National Planning Policy Framework (NPPF). Plans are considered 'sound' if they are:

* **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 -**an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence
* **effective -** deliverable over the plan period, and 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 -** enabling the delivery of sustainable development in accordance with the policies in the NPPF and other statements of national planning policy, where relevant

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 (having reference to the 'tests of soundness' set out above)?
* if the plan is unsound without the policy, what would the policy say?

**General Advice**

If you wish to make a representation seeking a modification to a plan or part of a plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the tests of soundness set out above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the plan has been submitted for examination may only be made if expressly invited by the Inspector, based on the matters and issues that they identify.

Where groups or individual share a common view on the plan, it would be very helpful if they would make a single representation which represents that view, rather than a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representations, or whether you wish to take part in any hearing session(s). Only representors who are seeking a change to the plan have a right to be heard at any hearing session(s), if they so request. In considering this, please note that written and oral representation carry the same weight and will be given equal consideration in the examination process.