



Development Plan Document (DPD)
Submission Stage Representation
Form

Ref:

(For official use only)

Dartford Town Centre Area Action Plan Submission Document 2008

Please return to: Dartford Borough Council Planning Policy Team
Civic Centre
Home Gardens
Dartford
Kent DA1 1DR

Email address: LDF@dartford.gov.uk BY 5pm on Thursday 9th October 2008

Further copies of this form are available:

- On the Councils website at www.dartford.gov.uk/planningpolicy/ldf
- By telephone (01322) 343213

This form has two parts –

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make (you can photocopy this form if necessary).

Part A

1. Personal Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title

First Name

Last Name

Job Title

(where relevant)

Organisation

(where relevant)

Address Line 1

Line 2

Line 3

Line 4

Post Code

Telephone Number

E-mail Address

(where relevant)

What will happen to my representation?

Your representation will be stored on the Council's Local Development Framework (LDF) database and will be used solely in connection with matters connected to the LDF.

It is a legal requirement that all representations be made available for public inspection and accessible for viewing on the Council's website. Although your personal details will remain confidential, your comments/representations together with your name may be made public.

The Town Centre Area Action Plan will be subject to independent examination conducted by an Inspector appointed by the Planning Inspectorate to consider its 'soundness'. This Independent Inspector will produce a report, which may include changes to meet objections and other matters. These changes will be binding on the Council who can then proceed to adopt the Town Centre Area Action Plan.

If you or anybody you know requires this or any other council information in another language please contact us and we will do our best to provide this for you. Braille, Audio tape and large print versions of this document are available upon request.

Tel: 01322 343434

Fax: 01322 343432

Email: customer.services@dartford.gov.uk

Calls are welcome via typetalk

**ALL RESPONSES MUST BE RECEIVED BY 5:00PM,
THURSDAY 9TH OCTOBER 2008
EARLY COMMENTS ARE APPRECIATED**

THANK YOU FOR YOUR INTEREST IN THIS CONSULTATION DOCUMENT

Part A continued

Equalities Monitoring

We want to find out if we are giving as good a service as we can to all customers. To help us to do this, please complete the following form. The information we get from all replies will be held confidentially and will only be used for monitoring purposes.

Please tick the circles as appropriate

1. **Ethnic Group:**
- White**
- British
- Irish
- Any other white background
- Mixed**
- White and Black Caribbean
- White and Black African
- White and Asian
- Any other mixed background
- Asian or Asian British**
- Indian
- Pakistani
- Bangladeshi
- Any other Asian background
- Black or Black British**
- Caribbean
- African
- Any other Black background
- Chinese**
- Chinese
- Other ethnic group**
- Any other group
2. **Sex:**
- Male Female
3. **Age:**
- Under 16
- 16-19
- 20-24
- 25-59
- 60-64
- 65 and above

4. **Do you have a disability?**
Yes No

4a **If you do, what is the nature of your disability?**

Difficulty getting around

Hearing difficulty

Difficulty seeing

Learning difficulties

Mental Health problems

Other

Keep in Touch

Dartford Borough Council is responsible for spending your money on services to benefit local residents, businesses and visitors to the borough. We would like to keep you informed about our activities and need your permission to do so.

I would like to receive updates from Dartford Borough Council:

by e-mail by post

Name:.....

Address:.....

.....

.....

E-mail:.....

If you or someone you know cannot read this document, please contact us on 01322 343213 and we will do our best to provide a copy in a suitable format.

Part B – Please use a separate sheet for each representation

Please return this form to: Dartford Borough Council Planning Policy Team
Civic Centre
Home Gardens
Dartford
Kent DA1 1DR

Email address: LDF@dartford.gov.uk BY 5pm on Thursday 9th October 2008

Name or Organisation :

3. To which part of the DPD does this representation relate?

Paragraph	No.	Policy	No.	Map	No.	Appendix	No.
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4. Do you consider the DPD is :

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

*If you have entered **No** to 4.(2), please continue to Q5. In all other circumstances, please go to Qu 6.*

5. Do you consider the DPD is **unsound** because it is not:

(1) Justified	<input type="checkbox"/>
(2) Effective	<input type="checkbox"/>
(3) Consistent with national policy	<input type="checkbox"/>

6. Please give details of why you consider the DPD is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the DPD, please also use this box to set out your comments.

(Continue on a separate sheet /expand box if necessary)

7. Please set out what change(s) you consider necessary to make the DPD legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(Continue on a separate sheet /expand box if necessary)

Please note your representation 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 representations based on the original representation.

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.

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(Continue on a separate sheet /expand box if necessary)

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature:

Date:

Data Protection Statement: The information you provide will be held and used by Dartford Borough Council, in accordance with the Data Protection Act 1998, to help in the preparation of the Dartford Local Development Framework and related planning policy issues. Please note that all responses received will be available for public inspection and will be placed on the Council's website. Your personal details will however remain confidential.

Explanatory Notes to accompany this Representation Form can be found on Dartford Borough Council's website at www.dartford.gov.uk/planningpolicy/ldf/AAPsubmission.htm and at all libraries and Town and Parish Council's within Dartford Borough.

All responses must be received by 5pm on Thursday 9th October 2008

Explanatory Notes to accompany Dartford Town Centre Area Action Plan Submission Document August 2008 Representation Form

1. Introduction

1.1 The development plan document (DPD) is submitted and published in order for representations to be made. The representations will be considered alongside the submitted DPD, which will be examined by a Planning Inspector. The Planning and Compulsory Purchase Act 2004¹ (the 2004 Act) states that the purpose of the examination is to consider whether the DPD complies with the legal requirements and is 'sound'.

- If you are seeking to make representations on the **way** in which the LPA has prepared the submitted DPD it is likely that your comments or objections will relate to a matter of **legal compliance**.
- If it is the **actual content** on which you wish to comment or object it is likely it will relate to whether the DPD is **justified, effective or consistent with national policy**.

2. Legal Compliance

2.1 The Inspector will first check that the DPD meets the legal requirements under s20(5)(a) of the 2004 Act before moving on to test for soundness.

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

- The DPD in question 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 LPA, setting out the Local Development Documents it proposes to produce over a 3 year period. It will set out the key stages in the production of any DPDs which the LPA propose to bring forward for independent examination. If the DPD is not in the current LDS it should not have been submitted for examination. The LDS should be on the LPA's website and available at their main offices.
- The process of community involvement for the DPD in question should be in general accordance with the LPA's Statement of Community Involvement (where one exists). The Statement of Community Involvement (SCI) is a document which sets out a LPA's strategy for involving the community in the preparation and revision of Local Development Documents (including DPDs) and the consideration of planning applications.
- The DPD should comply with the Town and County Planning (Local Development) (England Regulations) 2004². On submission, the LPA must publish the documents prescribed in the regulations, and make them available at their principal offices and their website. The LPA must also place local advertisements and notify the DPD bodies (as set out in the regulations) and any persons who have requested to be notified.
- The LPA is required to submit a Sustainability Appraisal Report when they submit a DPD for examination. 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.

¹ View at http://www.opsi.gov.uk/ACTS/acts2004/ukpga_20040005_en_1

² View at <http://www.opsi.gov.uk/si/si2004/20042204.htm>

- The DPD should have regard to national policy and conform generally to the Regional Spatial Strategy (RSS). The RSS sets out the region's policies in relation to the development and use of land and forms part of the development plan for LPAs. In London it is called the Spatial Development Strategy.
- The DPD must have regard to any Sustainable Community Strategy (SCS) for its area (i.e. county and district). The SCS is usually prepared by the Local Strategic Partnership which is representative of a range of interests in the LPA's area. The SCS is subject to consultation but not to an independent examination.

3. Soundness

3.1 To be sound a DPD should be:

- ***Justified***

This means that the DPD should be founded on a robust and credible evidence base involving:

- Evidence of participation of the local community and others having a stake in the area
- Research/fact finding: the choices made in the plan are backed up by facts

The DPD should also provide the most appropriate strategy when considered against reasonable alternatives. These alternatives should be realistic and subject to sustainability appraisal. The DPD should show how the policies and proposals help to ensure that the social, environmental, economic and resource use objectives of sustainability will be achieved.

- ***Effective***

This means the DPD should be deliverable, embracing:

- Sound infrastructure delivery planning
- Having no regulatory or national planning barriers to delivery
- Delivery partners who are signed up to it
- Coherence with the strategies of neighbouring authorities

The DPD should also be flexible and able to be monitored.

The DPD should indicate who is to be responsible for making sure that the policies and proposals happen and when they will happen.

The plan should be flexible to deal with changing circumstances, which may involve minor changes to respond to the outcome of the monitoring process or more significant changes to respond to problems such as lack of funding for major infrastructure proposals. Although it is important that policies are flexible, the DPD should make clear that major changes may require a formal review including public consultation.

Any measures which the LPA has included to make sure that targets are met should be clearly linked to an Annual Monitoring Report. This report must be produced each year by all local authorities and will show whether the DPD needs amendment.

- ***Consistent with national policy***

The DPD should be consistent with national policy. Where there is a departure, LPAs must provide clear and convincing reasoning to justify their approach. Conversely, you may feel the LPA should include a policy or policies which would depart from national or regional policy to some degree in order to meet a clearly identified and fully justified local

need, but they have not done so. In this instance it will be important for you to say in your representations what the local circumstances are that justify a different policy approach to that in national or regional policy and support your assertion with evidence.

3.2 If you think the content of a 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 in the Regional Spatial Strategy (or the Spatial Development Strategy in London)? If so it does not need to be included.
- Is what you are concerned with covered by any other policies in the DPD on which you are seeking to make representations or in any other DPD in the LPA's Local Development Framework (LDF). There is no need for repetition between documents in the LDF.
- 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?

4. General advice

4.1 If you wish to make a representation seeking a change to a DPD or part of a DPD you should make clear in what way the DPD or part of the DPD is not sound having regard to the legal compliance check and three tests 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. 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.

4.2 Where there are groups who share a common view on how they wish to see a DPD 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.

4.3 Further detailed guidance on the preparation, publication and examination of DPDs is provided in *Planning Policy Statement 12: Local Spatial Planning*³ and in *The Plan Making Manual*⁴.

³ View at <http://www.communities.gov.uk/publications/planningandbuilding/pps12lsp>

⁴ View at <http://www.pas.gov.uk/pas/core/page.do?pageId=51391>