

Planning and Compulsory Purchase Act 2004 (as amended)

Town and Country Planning (Local Planning) (England) Regulations 2012 (Reg. 19)

Wiltshire Local Plan Pre-Submission Draft 2020-2038 (September 2023)

## **Statement of the Representations Procedure and availability of documents**

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If you have a comment to make about the Wiltshire Local Plan ('the Plan'), it is important that we hear from you. To those not familiar with the planning system, the consultation and representation form can appear complicated and technical, so we have prepared this guide to provide explanation of the process and terms used alongside information on how to comment and where to find information.

This guidance document sets out the items described in 1) – 9) below:

### **1) Title of document**

Title of the development plan document published for consultation.

### **2) Subject matter**

What the document plan document published for consultation is about.

### **3) Period for submission of representations**

When the period of consultation starts and closes.

### **4) Where to view the plan and supporting documents (statement of fact)**

Webpage link and list of locations where consultation documents can be found.

### **5) Things to consider when making a representation**

Regarding 'soundness' and legal compliance.

### **6) How to submit your representation**

Online, by email or by post.

### **7) Notification of next stages and what happens next**

Tell us if you want to be notified.

### **8) Contact for more information**

Email, phone, and postal address of the spatial planning policy team.

### **9) Representation form**

Explanation and example of representation form.

## 1) Title of document

Wiltshire Local Plan 2020-2038 (September 2023)

This is the pre-submission draft published for the Regulation 19 consultation.

## 2) Subject matter

The Plan has been informed by consultations that took place between 2017 and 2021 and is a review of the current Wiltshire Core Strategy, building on existing objectives and spatial strategy to address Wiltshire's need for new homes, jobs and infrastructure over the period 2020 to 2038. It includes proposals for new allocations for housing and employment. In preparing the draft Plan, the following has also been considered:

- updating of existing Wiltshire Core Strategy development management policies, used to inform planning applications for development, to ensure their continued consistency with national policy;
- the introduction of further detailed development management policies, for instance to help tackle climate change and achieve biodiversity net gain, as part of a review of the saved development management policies not replaced by the Wiltshire Core Strategy; and
- developing additional locally distinctive policies to plan positively for all town centres in Wiltshire consistent with national policy.

If adopted, the Plan will form part of the development plan for Wiltshire and guide decisions on future development.

The proposed submission documents include: the draft Plan, the draft Sustainability Appraisal report (incorporating requirements of the Environmental Assessment of Plans and Programmes Regulations 2004), the draft Habitat Regulations Assessment and other supporting documents. In line with the council's Statement of Community Involvement, the consultation period allows for comments to also be made on the draft Sustainability Appraisal report.

The role of this consultation is to provide the opportunity for representations to be made on the 'soundness' and legal compliance of the plan before it is submitted to the Secretary of State for Examination. See Item 5 below for more information.

## 3) Period for submission of representations

The period for submitting representations relating to the draft Plan begins **9am Wednesday 27 September 2023** and lasts for 8 weeks, closing at **5pm on Wednesday 22 November 2023**. Representations received beyond this date may not be considered.

#### **4) Where to view the plan and supporting documents (statement of fact)**

You can view and download the Plan and the supporting documents on the council's website here: [www.wiltshire.gov.uk/local-plan](http://www.wiltshire.gov.uk/local-plan)

Hard copied of the Plan and supporting documents will be available to view during normal office hours at the Council's main offices:

- Monkton Park, Chippenham, Wiltshire, SN15 1ER (9am to 5pm, Monday to Friday)
- Bourne Hill, The Council House, Bourne Hill, Salisbury, Wiltshire, SP1 3UZ (9am to 5pm, Monday to Friday)
- County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN (9am to 5pm Monday to Friday)

The following documents: the draft Plan; the draft Sustainability Appraisal Report (incorporating requirements of the Environmental Assessment of Plans and Programmes Regulations 2004) and the draft Habitat Regulations Assessment, will be made available to view at the following libraries during normal opening hours:

- Amesbury Library, Smithfield Street, Amesbury, Wiltshire, SP4 7AL
- Bradford On Avon Library, Bridge Street, Bradford On Avon, Wiltshire, BA15 1BY
- Calne Library, The Strand, Calne, Wiltshire, SN11 0JU
- Chippenham Library, Timber Street, Chippenham, Wiltshire, SN15 3EJ
- Springfield Community Campus, Beechfield Road, Corsham, Wiltshire, SN13 9DN
- Devizes Library, Sheep Street, Devizes, Wiltshire, SN10 1DL
- Malmesbury Library, 24 Cross Hayes, Malmesbury, Wiltshire, SN16 9BG
- Marlborough Library, 91 High Street, Marlborough, Wiltshire, SN8 1HD
- Melksham Community Campus, Market Place, Melksham, Wiltshire, SN12 6ES
- Pewsey Library, Aston Close, Pewsey, Wiltshire, SN9 5EQ
- Royal Wootton Bassett Library, Borough Fields, Royal Wootton Bassett, Wiltshire, SN4 7AX
- Salisbury Library, Market Walk, Salisbury, Wiltshire, SP1 1BL
- Tidworth Library, Nadder Road, Tidworth, Wiltshire, SP9 7QA
- Tisbury Library, Nadder Community Campus, Weaveland Road, Tisbury, Wiltshire, SP3 6HJ
- Trowbridge Library, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN
- Warminster Library, Three Horseshoes Walk, Warminster, Wiltshire, BA12 9BT
- Westbury Library, Westbury House, 15 Edward Street, Westbury, Wiltshire, BA13 3BD

Information on library opening times can be found at:

<https://apps.wiltshire.gov.uk/librariesinformation>

Electronic access to all submission documents will be available at all Wiltshire Council libraries.

If you require the consultation documents in an alternative format, please contact [spatialplanningpolicy@wiltshire.gov.uk](mailto:spatialplanningpolicy@wiltshire.gov.uk).

Physical copies of documents can be provided to individuals if requested. The printing and postage costs will be incurred by those requesting additional copies. If you wish to make a purchase, please contact [spatialplanningpolicy@wiltshire.gov.uk](mailto:spatialplanningpolicy@wiltshire.gov.uk).

There will be a live webinar on Tuesday 10 October at 6:30pm to 8pm and 16 drop-in events held around the county where you can ask questions and gain further information about the consultation. More information on these events can be found at: [www.wiltshire.gov.uk/local-plan](http://www.wiltshire.gov.uk/local-plan).

## 5) Things to consider when making a representation

The Plan has been published by the Local Planning Authority (LPA) (Wiltshire Council) for representations to be made on it before it is submitted for examination by a Planning Inspector. The Planning and Compulsory Purchase Act 2004, as amended, states that the purpose of the examination is to consider whether the plan complies with the relevant legal requirements, including the duty to co-operate, and is sound. The Inspector will consider all representations on the plan that are made within the consultation period set by the LPA.

Specifically, we are asking people to consider the following when making representations:

i) Legal compliance.

This encompasses whether the Plan complies with the relevant legislation and regulations in the way it has been prepared and its content. Things to consider include the following before making a representation of legal compliance:

- The Plan should comply with all relevant requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended.
- The plan should be included in the LPA's current Local Development Scheme<sup>1</sup> (LDS) and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for examination.

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<sup>1</sup> Wiltshire Local Development Scheme (LDS), Wiltshire Council. For the latest Wiltshire local development scheme please visit: [Local Development Scheme - Wiltshire Council](#).

- The process of community involvement for the plan in question should be in general accordance with the LPA's Statement of Community Involvement<sup>2</sup> (SCI). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications.
- The LPA is also 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 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 Habitats Regulations Assessment (HRA) will also be available and needs to be carried out for the Plan, in order to protect the integrity of internationally important nature conservation sites.

To access these documents, alongside other supporting documents, please go to: [www.wiltshire.gov.uk/local-plan](http://www.wiltshire.gov.uk/local-plan).

ii) Soundness.

The tests of soundness are set out in national policy (National Planning Policy Framework). Plans are sound if they are:

- (a) 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 authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- (b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- (c) 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; and
- (d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

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:

- o Is the issue with which you are concerned already covered specifically by national planning policy?

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<sup>2</sup> Wiltshire Statement of Community Involvement, Wiltshire Council. For the latest Wiltshire statement of community involvement please visit: [Statement of Community Involvement - Wiltshire Council](#).

- Is the issue with which you are concerned already covered by another policy in the plan?
  - If the policy is not covered elsewhere, in what way is the Plan unsound without the policy?
  - If the Plan is unsound without the policy, what should the policy say?
- iii) Complies with the Duty to co-operate.  
Section 33A of the PCPA requires the LPA to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the Plan. The LPA will be expected to provide evidence of how they have complied with the duty.

## 6) How to submit your representation

Representations can be submitted via the following means:

- Online via the council's consultation portal accessible via this link: [www.wiltshire.gov.uk/local-plan](http://www.wiltshire.gov.uk/local-plan)
- By email using the form available at: [www.wiltshire.gov.uk/local-plan](http://www.wiltshire.gov.uk/local-plan) and returned to [spatialplanningpolicy@wiltshire.gov.uk](mailto:spatialplanningpolicy@wiltshire.gov.uk); or
- By post in writing by using the form and sending this to: Spatial Planning, Planning Directorate, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN.

Representations should be made on the representation form. The use of the standard representation form is strongly recommended as this will ensure that comments are related to the matters relevant to the subsequent examination by a planning inspector. Further information on the representation form can be found in section 9 below.

If you wish to make a representation seeking a modification to the 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 soundness criteria in section 5(ii) 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 invited by the Inspector, based on the matters and issues they identify.

Where groups or individuals share a common view on the plan, it would be very helpful if they would make a single representation which represents that view, rather 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 representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the plan have a right to be heard at the hearing session(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.

**Please note: all submitted representations will be made publicly available.**

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. The LPA will therefore ensure that the names of those making representations can be made available (including publication on the LPA's website) and taken into account by the Inspector.

The council therefore cannot accept anonymous representations – you must provide us with your name and contact details. Address details will not be made publicly available. All personal data will be handled in line with the council's Spatial Planning privacy policy. You can view the Council's privacy notice at <https://www.wiltshire.gov.uk/planning-privacy-notice>.

## 7) Notification of next stages and what happens next

When making your representations using the representation form you will have the option to request to be notified via email, or at a postal address, of any of the following stages of the Plan's process:

- the submission of the Wiltshire Local Plan for independent examination;
- the publication of the planning inspector's report following examination of the Wiltshire Local Plan; and
- the adoption of the Wiltshire Local Plan.

If you wish to be kept informed of the above stages please double check that the contact details you include with your representation are correct so we can contact you regarding this.

Once the Regulation 19 representation period has closed, updates regarding the status of the Plan will be published on the council's planning policy webpages.

Any person who makes a submission during the Regulation 19 representation period who wishes to be kept informed of its progress will automatically be added to the spatial planning team's database and will be provided with updates on the progress of the Plan. If you wish to be removed from this database, please contact [SpatialPlanningPolicy@wiltshire.gov.uk](mailto:SpatialPlanningPolicy@wiltshire.gov.uk).

Following the end of the consultation period, the council will summarise the main issues raised and submit the Plan, accompanying evidence and all submitted representations to the Secretary of State, who will appoint an Inspector to undertake an independent examination. The Inspector will assess whether the Plan meets the relevant legal requirements, complies with the Duty to Cooperate, and is sound. This submission is anticipated to take place in quarter two 2024 with the examination and hearings anticipated to take place following this.

## 8) Contact for more information

If you would like any further information on the Plan, proposed submission documents, or any of the supporting documents, please contact us via

- Telephone: 01225 713223
- Email: [SpatialPlanningPolicy@wiltshire.gov.uk](mailto:SpatialPlanningPolicy@wiltshire.gov.uk).
- Post: Spatial Planning, Planning Directorate, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN.

## 9) Representation form

The representation form is split into two parts. Part A (personal details) of the form is where you provide your personal details. Please fill out as many parts of this section of the form as you can. We need this information to ensure that we can keep you informed about the next stages in the Plan's preparation. When the Plan is examined, the government-appointed Inspector may also wish to ask you for more information relating to your comments, or invite you to attend hearing sessions - where you will be given the opportunity to put your views to the Inspector and contribute to the discussion on the issues that you have raised.

Part B of the form is where you provide details of the representation you are making. This should identify which Local Plan policy/section/paragraph and/or proposed submission document section/paragraph the representation refers to.

Wherever possible it is encouraged that you submit comments online via the council's consultation portal accessible via this link: [www.wiltshire.gov.uk/local-plan](http://www.wiltshire.gov.uk/local-plan). The representation form can also be downloaded from the council's website [www.wiltshire.gov.uk/local-plan](http://www.wiltshire.gov.uk/local-plan).

A copy of the representation form can be found overleaf.

## Wiltshire Local Plan

Publication Stage Representation Form

Ref:

(For official use only)

Please return to Wiltshire Council, by 5pm on Wednesday 22<sup>nd</sup> November 2023.

**By post to:** Spatial Planning, Planning Directorate, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN.

**By e-mail to:** [spatialplanningpolicy@wiltshire.gov.uk](mailto:spatialplanningpolicy@wiltshire.gov.uk)

**For further information please visit:** [www.wiltshire.gov.uk/local-plan](http://www.wiltshire.gov.uk/local-plan) or **Tel:** 01225 713223

This form has two parts:

Part A – Personal details

Part B – Your representation(s). Please use a separate sheet for each representation.

### Part A – Personal details

Please note the following:

- We cannot register your representation without your details.
- Representations cannot be kept confidential and will be available for public scrutiny, however, your contact details will not be published.
- All information will be sent for examination by an independent inspector.
- All personal data will be handled in line with the Council's Privacy Policy on Spatial Planning matters. You can view the Spatial Planning privacy notice at <https://www.wiltshire.gov.uk/planning-privacy-notice>.

*\*if an agent is appointed, please fill in your Title, Name and Organisation but the full contact details of the agent must be completed.*

	1. Personal details	2. Agent's details (if applicable)*
Title		
First name		
Last name		
Job title (where relevant)		
Organisation (where relevant)		
Address Line 1		
Address Line 2		
Address Line 3		
Address Line 4		
Postcode		
Telephone Number		
Email Address		

**Part B – Please use a separate sheet for each representation.**

**Please note**, in your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

3. To which part of the Wiltshire Local Plan does this representation relate?

Policy:	Paragraph:	Table:	Figure:
Site:	Other:		

4. Do you consider the Wiltshire Local Plan is:

(i) Legally compliant	Yes:		No:	
(ii) Sound	Yes:		No:	
(iii) Complies with the duty to co-operate	Yes:		No:	
<i>Please indicate with an 'X' as appropriate</i>				

4b. If you think the Wiltshire Local Plan is not sound, please indicate the reason(s) why:

(1) Not positively prepared	
(2) Not justified	
(3) Not effective	
(4) Not consistent with national policy	
<i>Please indicate with an 'X' as appropriate</i>	

See separate statement of representation procedure (guidance note) for further information on 'soundness'.

5. Please give details of why you consider the Wiltshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Wiltshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

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

5a. If you wish to make a separate representation, relating to legal compliance, soundness or the duty to cooperate in relation to the accompanying Sustainability Appraisal (SA), please make them here.

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

6. Please set out the modification(s) you consider necessary to make the Wiltshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Wiltshire Local Plan 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)*

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

	<b>No</b> , I do not wish to participate in hearing session(s)		<b>Yes</b> , I wish to participate in hearing session(s)
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8. If you wish to participate in the hearing session(s), 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 in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

9. Do you wish to be notified of any of the following?

*Please tick all that apply.*

The submission of the Wiltshire Local Plan Review for Independent Examination	
The publication of the report of the Inspector appointed to carry out the examination	
The adoption of the Local Plan Review	

Please ensure that we have either an up-to-date email address or postal address at which we can contact you.

Signature:		Date:	
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