

Purbeck Local Plan

Submission January 2019

Outline of procedural and legal
compliance



Thriving communities in balance
with the natural environment

Introduction

- 1.1 The Purbeck Local Plan (PLP) has been formally submitted to the Secretary of State. The plan will now be examined by an independent inspector to assess whether it has been prepared in accordance with the legal and procedural requirements as set out by the Town and Country Planning (Local Planning) (England) Regulations 2012 ("2012 Regulations") and whether the plan is "sound".
- 1.2 To facilitate the examination process and for the benefit of the planning inspector and other examination participants, local planning authorities are encouraged to submit a completed Legal Compliance Checklist.
- 1.3 This document sets out the completed Legal Compliance Checklist. It seeks to provide succinct reference points that demonstrate how the Purbeck Local Plan is legally compliant. The responses to the checklist further signpost the reader to a range of other supporting evidence that has been prepared and the processes undertaken to get the Plan to this point. Through the examination process additional information may be required to be developed and published in support of the Plan. All such information will be published on the Council's website and clearly referenced and recorded as additional documents submitted to inform the examination process.
- 1.4 Table 1 below summarises the key stages in preparing the Plan to the point of submission. It will be referred to within the following Checklist. Unless otherwise stated, references to chapters, policies and paragraphs will be drawn from the October 2018 Regulation 19 Purbeck Local Plan Pre-Submission Draft.

Table 1: Key stages in preparing the Purbeck Local Plan

Development Plan Document	Publication Date	Abbreviation
Purbeck Local Plan Part 1	November 2012	PLP1
Early engagement – scoping exercise	2013	SCOPE
Partial Review Issues and Options	January 2015	PRI&O
Partial Review Options Consultation	June 2016	PRO
PAS independent review	February 2017	PAS
New Homes for Purbeck Consultation	January 2018	NHP
Purbeck Local Plan Pre-submission	October 2018	LPPSD
Purbeck Local Plan Submission Version	January 2019	LPSV

The Local Plan Legal Compliance Checklist

Background to Checklist

- A. This checklist has been updated for PAS by SNR Denton. It supersedes the previous checklist and is based on Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012. It should be used with the Soundness Self-Assessment Checklist (also updated January 2013).
- B. Evidence provided to support the plan should be relevant and proportionate; use of this checklist is not to be taken as a reason to assemble more than is needed.

Stage one: The early stages

- C. Where the 'possible evidence' column refers to a document that will not be complete until a later stage (for example, the sustainability appraisal report), documents that will contribute to that report are relevant at the earlier stages. This way, the submitted report provides the evidence at submission, with an audit trail back to its source.
- D. In terms of legal compliance, the main issues for the early stage are in relation to:
- planning for community engagement;
 - planning the sustainability appraisal (including consultation with the statutory environment consultation bodies);
 - identifying significant cross boundary and inter-authority issues; and
 - ensuring that the plan rests on a credible evidence base, including meeting the Act's requirement for keeping matters affecting the development of the area under review.
- E. Regulation 17 notes that a statement setting out which bodies and people the council invited to make representations under Regulation 18 is one of the proposed submission documents. In this tool, the term 'consultation statement' is used to describe this statement.
- F. Section 33A of the Act (introduced by the Localism Act 2011) introduces a duty to cooperate as a mechanism to ensure that local planning authorities and other

bodies engage with each other on issues which are likely to have a significant effect on more than one planning area. This pervades every stage of the plan preparation. A plan may be found unsound if a council cannot show that it has taken reasonable steps to comply with the duty.

Stage one: The beginning

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
<p>1. Is the DPD identified in the adopted LDS?</p> <p>2. Have you recorded the timetable for its production?</p>	The Act section 15(2) and section 19(1)	NPPF para 15		<p>i. The adopted LDS at the time of commencement, publication and submission of the DPD</p> <p>ii. The relevant authority monitoring report (if changes need to be explained)</p>	<p>Yes – The latest LDS was published in February 2018 and identifies preparation of the Local Plan and its submission.</p> <p>Preparation of the Partial Review was identified through the LDS first published in February 2013 and updated in February 2018 to record preparation of a full Local Plan review.</p>
2. How will community engagement be programmed into the preparation of the DPD?	The Act section 19(3) Regulation 18	NPPF paras 16, 25	If the SCI is up-to-date, use that. If not set out any changes to community engagement as a result of changes in legislation.	<p>i. The SCI</p> <p>ii. The project plan for the DPD</p>	<p>For each stage of the Plan's production, published consultation reports have been prepared detailing how community engagement has been undertaken. These are further referred to in the Council's formal regulation 22 Consultation Statement.</p> <p>The SCI was first adopted in March 2013, then revised and updated in October 2018. All revisions were in response to changing legislation and/or regulation.</p>
3. Have you considered the appropriate bodies you should consult?	Regulation 18	NPPF paras 24, 25	Regulation 2 defines the general and specific consultation bodies. The possible	<p>i. The SCI</p> <p>ii. Reports and decisions setting out the approach to specific and general consultation bodies</p> <p>iii. Consultation statement</p>	<p>Yes – the general range of consultees that the Council consults are set out in the SCI and reported in consultation statement.</p> <p>The Council also maintains a Consultee Database that required update following introduction of the General Data Protection Regulations (GDPR) in 2018.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
			evidence may duplicate each other. Only use what you need to.		Further details are contained within the Statements of Consultation for the respective stages.
4. How you will co-operate with other local planning authorities, including counties, and prescribed bodies, to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas?	The Act section 33A(1)(a) and (b), section 33A(3)(d) (e) & (4) The Act Section 20(5)(c) Regulation 4	NPPF paras 26, 27 Under NPPF Para 35, to be 'Effective' a plan should be based on effective joint working on cross-boundary strategic priorities. Strategic policies NPPF Para 21	Section 33A (4) defines a "strategic matter". Under section 33A (6) the required engagement includes considering joint approaches to the plan making activities (including the preparatory activities) and considering whether to agree joint local development documents under section 28. The bodies prescribed by section 33A(1)(c) are set out at Regulation 4(1).	i. Reports and decisions setting out the approach to be taken ii. Consultation statement	The Duty to Cooperate Statement and Statement of Common Ground have been produced alongside the submission of this Plan. The Duty to Cooperate Statement further sets out the policy outcomes of cooperation and evidences the active and continuous engagement with those parties.
5. How you will co-	The Act section	NPPF paras 24	Section 33A (4)	i. Reports and	As above, the Duty to Cooperate Statement sets

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
<p>operate with any local enterprise partnerships (LEP) or local nature partnerships (LNP) to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas?</p>	<p>33A(1)(c) and section 33A(9), section 33A(3)(d) and (e)</p> <p>The Act section 20(5)(c).</p> <p>Regulation 4</p>	<p>to 27</p>	<p>defines a "strategic matter".</p> <p>Regulation 4(2) prescribes LEPs and LNPs for the purposes of section 33A (9).</p> <p>Under section 33A (6) the required engagement includes consulting on joint approaches to relevant activities.</p>	<p>decisions setting out the approach to be taken.</p> <p>ii. Consultation statement</p>	<p>out how the Council has involved and worked with both the Dorset LEP and Dorset Local Nature Partnership.</p>
<p>6. Is baseline information being collected and evidence being gathered to keep the matters which affect the development of the area under review?</p>	<p>The Act section13</p>	<p>NPPF paras 31</p>		<p>i. Documents dealing with collection of baseline information</p> <p>ii. Relevant technical studies</p> <p>iii. The annual monitoring report</p>	<p>Yes, the evidence base underpinning the plan and baseline evidence being collected is reviewed within each of the supporting chapter background evidence papers, whilst the latest monitoring information is updated annually.</p>
<p>7. Is baseline information being collected and evidence being gathered to set the framework for the</p>	<p>The Act section19(5)</p>	<p>NPPF paras 31</p> <p>Strategic Environmental Assessment Guide, chapter 5</p>		<p>i. Sustainability report scoping document</p> <p>ii. Sustainability appraisal report</p>	<p>For the Local Plan's preparation:</p> <ul style="list-style-type: none"> ▪ The SA Scoping Report, Local Plan Partial Review, September 2013 ▪ Accompanying SA reports to each stage of consultation. ▪ The SA Pre-submission Draft report, October

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
sustainability appraisal?					<p>2018.</p> <ul style="list-style-type: none"> ▪ January 2019, SA Report minor update.
<p>8. Have you consulted the statutory environment consultation bodies for five weeks on the scope and level of detail of the environmental information to be included in the sustainability appraisal report?</p>	<p>Regulations 9 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.</p>	<p>NPPF para 32 SEA Guide chapter 3</p>	<p>The Strategic Environmental Assessment consultation bodies are also amongst the 'specific consultation bodies' which are defined in Regulation 2).</p>	<p>Copies of the consultation letters sent to and any responses from the bodies</p>	<p>Yes – the Council consulted the statutory consultation bodies as required by the Regulations for the original SA Scoping Report and subsequent revisions during the progression of the Local Plan.</p> <p>The Council also consulted more widely with other organisations that have social, environmental, or economic responsibilities and were likely to be concerned by the effects of any new Plan preparation. This included neighbouring authorities and the specific consultation bodies as set out in the 2004 and 2012 Regulations.</p> <p>Comments received were duly considered and incorporated into the Reports.</p>

Stage two: Plan preparation - frontloading phase

Information assembled during this phase contributes to:

- showing that the procedures have been complied with
- demonstrating cooperation with statutory cooperation bodies
- developing alternatives and options and appraising them through sustainability appraisal and against evidence.

The council should record actions taken during this phase as they will be needed to show that the plan meets the legal requirements.

They will also show that a realistic and reasonable approach has been taken to plan preparation.

Stage two: Plan preparation

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
1. Have you notified: <ul style="list-style-type: none"> • the specific consultation bodies? • the general consultation bodies that have an interest in the subject of the DPD and invited them to make representations about its contents? 	Regulation 18(1) and (2)(a) (b)	NPPF paras 16, 25	Specific and general consultation bodies are defined in Regulation 2.	i. Consultation statement ii. Copies of documents consulting these bodies iii. Record of discussions iv. Copies of representations made v. A brief statement setting out the reasons why any bodies have been	Yes – to each stage, the Specific and General consultation bodies were consulted according to Regulation 18 and the Council’s relevant SCI in force at point the draft of the Plan was published. Detail is provided within with the consultation reports at each stage and the regulation 22 Consultation Statement.

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
				omitted from or included in consultation	
2. Are you inviting representations from people resident or carrying out business in your area about the content of the DPD?	Regulation 18(1) and (2)(c)	NPPF para 16		<ul style="list-style-type: none"> i. Consultation statement ii. Copies of documents consulting these persons iii. Record of discussions iv. Copies of representations made 	<p>Yes – as detailed above.</p> <p>These are further summarised in the Council’s formal Consultation Statement.</p>
3. Are you engaging with stakeholders responsible for delivery of the strategy?	Regulation 18	NPPF para 16	NPPF para 25 gives examples of relevant bodies which should be consulted.	<ul style="list-style-type: none"> i. Consultation statement ii. Copies of documents consulting these people iii. Record of discussions 	<p>Yes, as detailed above, the consultation reports to each stage of the Plan detail each consultation and are summarised in the formal Consultation Statement.</p> <p>In preparation of the IDP the Council has directly engaged with stakeholders responsible for aspects of infrastructure delivery.</p> <p>Through frequent updates to the SHLAA, contact has been maintained with landowners, agents and developers regarding future intentions for sites. This has helped to inform the future inclusion of sites and whether they are likely to come forward</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
					during the short, medium and long term.
4. Are you taking into account representations made?	Regulation 18(3)	NPPF para 15 and 25-27	Evidence from participation is part of the justification. Show how you have taken representations into account.	<ul style="list-style-type: none"> i. Consultation statement ii. Any reports on the selection of alternatives and options for the DPD 	<p>Yes – as detailed above.</p> <p>These are further summarised in the Council’s formal Consultation Statement.</p>
5. Does the consultation contribute to the development and sustainability appraisal of alternatives?	<p>The Act section 19(5)</p> <p>Regulations 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF paras 32 and 35</p> <p>SEA Guide, chapter 3</p>		<ul style="list-style-type: none"> i. Consultation statement ii. Any reports on the selection of alternatives and options for the DPD iii. Sustainability appraisal report 	<p>Yes, as the engagement undertaken has included publication of SA scoping report and SA reports with each stage with feedback received to the SA considered and reviewed.</p> <p>The specific feedback received to local plan consultation has informed the approach of the plan and options considered and appraised through SA.</p>
6. Is the participation: <ul style="list-style-type: none"> • following the principles set out in your SCI? • integrating involvement with the sustainable community strategy? 	The Act section 19(3)	NPPF para 16		<ul style="list-style-type: none"> i. Consultation Statement ii. The SCI iii. The relevant sustainable community strategies 	<p>Yes – the consultation reports accompanying each consultation stage and summarised within the Council’s formal Consultation Statement demonstrates that the participation was aligned to the principles of the SCI and was proportionate to the particular stage of the plan at that point. At each stage, the Council has widely advertised consultation. The range of measures applied through</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
<ul style="list-style-type: none"> proportionate to the scale of issues involved in the DPD? 					development of the plan as a whole include: <ul style="list-style-type: none"> Contacting people on the Consultee Database Using the Council's website Press releases and articles in the Council's own publications Holding exhibitions and drop in events
7. Are you keeping a record of: <ul style="list-style-type: none"> the individuals or bodies invited to make representations? how this was done? the main issues raised? 	The Act section 20(3) Regulation 17	NPPF para 16 and 35	You will need to submit a statement of representations under Regulation 22 (1) (c): see Submission stage below. Regulation 35 deals with the availability of documents and the time of their removal.	i. Consultation statement ii. Reports by the council on the consultation iii. Copies of representations and relevant correspondence iv. Technical reports on the engagement process	Yes - The Council has developed and maintained a consultee database. Individuals received advanced notification of the future development plan stages (either by email or post). As set out above, detailed reports of the consultation specifically set out how each draft of the Plan was consulted upon and summarises the responses received. This is further set out in the Council's formal Consultation Statement. Whilst all comments are individually logged and assigned a unique reference these have been: <ul style="list-style-type: none"> Reported through and considered by the Council's formal committee processes Used to inform the next iteration of the Plan Published giving respondent feedback to

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
					the comments they have made.
8. Are you inviting representations on issues that would have significant impacts on both your areas from another local planning authority? Or county issues from an affected county council that is not a planning authority? Or significant cross-boundary issues and strategic priorities of a body prescribed under Section 33A(1)(c)?	The Act section 33A(1)(a) (b) and (c), section 33A(3)(d) & (e) section 33A(4) section 33A(9) The Act section 20 (5)(c)	NPPF paras 24 to 27	Section 33A(3)(d) and (e) requires cooperation on significant cross-boundary issues before and during plan preparation. Section 33A (2) requires you to engage constructively, actively and on an ongoing basis.	i. Consultation statement ii. Reports by the council on the consultation iii. Copies of representations and relevant correspondence iv. Technical reports on the engagement process	Yes – the adjoining local planning authorities have been consulted at every stage of the Plan’s preparation. The Duty to Cooperate Statement contains more detail as to how this Council has worked with neighbouring authorities and the other authorities within the region to address strategic and cross boundary issues.
9. Are you inviting representations on cross-boundary issues and strategic priorities from a local enterprise partnership (LEP) or a local nature partnership (LNP)?	The Act section 33A(1)(c) and Section 33A(9). The Act section 20(5) (c). Regulation 4	NPPF paras 24 to 27	Section 33A(3)(d) and (e) requires cooperation on significant cross-boundary issues before and during plan preparation. Section 33A (2)	i. Consultation statement ii. Reports by the council on the consultation iii. Copies of representations and relevant correspondence iv. Technical reports on the	Yes – The Dorset Local Enterprise Partnership (DLEP) involvement is detailed in the Duty to Cooperate Statement. The DLEP has been directly consulted as part of the formal consultation stages. The Local Nature Partnership has also been consulted as part of the formal stages of consultation (which again is given more detail within the Duty to Cooperate Statement).

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
			requires you to engage constructively, actively and on an ongoing basis.	engagement process	
10. Are you developing a framework for monitoring the effects of the DPD?	The Act section 35 Regulation 34 Regulation 17 of The Environmental Assessment of Plans and Programmes Regulations 2004 No1363	NPPF para 31 SEA Guide, Chapter 5	It is a matter for each council to decide what to include in their monitoring reports while ensuring they are prepared in accordance with relevant UK and EU legislation” Chief Planning Officer letter 30 March 2011 withdrawing ODPM guidance.	i. Sustainability appraisal report ii. The authority monitoring report iii. Reports or documents setting out the appraisal and monitoring framework	Yes – as detailed in Annex 1 (to the Soundness Checklist), Policy IM1 addresses implementation and monitoring. The corresponding Monitoring Framework sets out each policy within the schedule and cross references every policy to the Plan’s structure based around each objective theme. It is considered there are no gaps in policies in this regard and that they are internally consistent as demonstrated by the SA Report which has considered the cumulative impact of policies and how they relate. The Authority Monitoring Report will be the mechanism through which delivery is assessed and triggers for action identified. The AMR also be the process through which any significant effects on the SA Objectives will be monitored.

Stage three: Plan preparation - formulation phase

This stage has many legal matters, for process and content, to address. The council should be beginning to formulate the preferred strategy for the local plan or supplementary planning document with which the council chooses to address Regulation 18 requirements, using the information gathered and previous collaborative work with stakeholders.

Para 35 of the NPPF makes it clear that explicit consideration of alternatives is a key part of the plan making process.

You should evaluate the reasonable alternatives identified in 'stage two: frontloading phase – plan preparation phase against the:

- completed body of information from evidence gathering
- results of sustainability appraisal
- findings from community participation
- findings from engagement with statutory cooperation bodies.

This may be written up as a preferred strategy report. The results of participation on the preferred strategy and an accompanying sustainability report will enable the council to gauge the community's response and receive additional evidence about the options. The council can then decide whether, and how, the preferred strategy and policies should be changed for publishing the finished DPD.

Alternatives developed from the evidence and engagement during the frontloading stage need to be appraised to decide on the preferred strategy. Participation will also need to be carried out on it.

These matters need to be considered, and dealt with, in good time, and not left until publication. Supporting documents will assist in providing evidence that decisions on alternatives and strategy are soundly based. These documents will, in due course, become part of the proposed submission documents in stage four.

The council should tell all parties that this is the main participation opportunity on the emerging plan. The publication stage is a formal opportunity for anyone to comment on an aspect of the DPD’s soundness, and to propose a change to the plan accordingly. The more effectively this message is put across, the lower the chance of late changes being brought forward following publication.

Stage three: Plan preparation – writing the plan

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
1. Are you preparing reasonable alternatives for evaluation during the preparation of the DPD?	Regulation 12 (2) of The Environmental Assessment of Plans and Programmes Regulations 2004 No. 1633	NPPF para– 35 SEA Guide, Chapter 5	The sustainability appraisal report and supporting documents relevant to the preparation of the DPD are part of the proposed submission documents (see Regulation 17).	Documents supporting decisions on alternatives and any preferred strategy	Yes, preferred alternative options have formed part of the process throughout plan preparation. The Issues and Options and Options consultation both reflected upon alternative options. The New homes for Purbeck consultation specifically set out several alternative options to addressing the overall strategy for delivery of new homes. The individual chapter background papers provide a narrative of the alternatives considered and outline the approach that is then taken forward in the Local Plan.
2. Have you assessed alternatives against: • consistency with national policy?	The Act section 19 (2), section 24	NPPF para 35	For London boroughs and local authorities where regional strategies are	i. Supporting documents ii. Correspondence with Mayor of London (London Boroughs and	Alternatives for all policies and proposals have been assessed against the relevant objectives within the adopted SA Scoping Report at the time the SA was formally undertaken for that draft of the Plan.

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
			still in force general conformity is tested formally later but you need to consider it during preparation of the DPD.	Mayoral Development Corporations only)	These SA objectives have been informed by the consideration of national policy. Furthermore, all policies have been assessed in terms of their compatibility with national policy.
3. Are you co-operating with other local planning authorities including counties, to address significant cross boundary issues? Have you discussed doing joint local development documents?	The Act section 33A(2)(a) Section 33A(6)(a)(b) Section 20(5)(c)	NPPF paras 24 to 27	.	i. Supporting documents ii. Correspondence with LPA/County Council	Yes – the Duty to Cooperate Statement outlines how the Council has and continues to cooperate on range of issues. Work is progressing on development of a joint Gypsy and Traveller DPD.
4. Are you cooperating with a person prescribed for the purposes of Regulation 33A(1)(c) to	The Act section 33A(2)(a), section 33A(6)(a)	NPPF paras 24 to 27	The bodies prescribed by The Act section 33A(1)(c) are set out at	i. Supporting documents ii. Correspondence with prescribed bodies	Yes - the Duty to Cooperate Statement outlines how the Council has and continues to cooperate on range of issues with other prescribed bodies and key agencies.

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
address significant cross boundary issues including preparing joint approaches?	The Act section 20 (5) (c) Regulation 4		Regulation 4 (1).		
5. Are you cooperating with having regard to the activities of the LEP and LNP?	The Act section 33A(2)(b) and section 33A(9). Regulation 4 (2)	NPPF para 24 to 27		i. Supporting documents ii. Correspondence with LEP/LNP	Yes - the Duty to Cooperate Statement outlines how the Council has and continues to cooperate on range of issues with both the Dorset LEP and Local Nature Partnership.
6. Are you having regard to: <ul style="list-style-type: none"> • your sustainable community strategy or of other authorities whose area comprises part of the area of the council? • any other local development documents adopted by the council? 	The Act section 19(2)			i. Supporting documents ii. The sustainable community strategies iii. Relevant local development documents iv. Correspondence with the local strategic partners	Whilst there is no longer a requirement to prepare a sustainable community strategy, the development of the Local Plan is aligned to the Council's objectives and priorities of Purbeck's Corporate Plan.
7. Do you have regard to other matters	The Act section 19(2)		As well as the matters and	i. Supporting documents	The Local Plan has had regard to a number of matters and strategies and wherever possible

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
and relevant strategies relating to: <ul style="list-style-type: none"> • resources • the local/regional economy • the local transport plan and transport facilities and services • waste strategies • hazardous substances 	Regulation 10		strategies listed in the Act and Regulations there are likely to be other matters identified in planning policy statements, regional and local strategies that you will need to have regard to in preparing the DPD.	ii. Correspondence with the relevant bodies	these are referenced directly within the Plan (as appropriate) or within the evidence that may have been prepared to inform the respective policies and /or proposals. Transport, economy water resources and waste are addressed through the Duty to Cooperate Statement including how the Plan relates to the Dorset Local Transport Plan.
8. Are you having regard to the need to include policies on mitigating and adapting to climate change?	The Act section19(1A)	NPPF paras 149 to 154		Supporting documents	Yes – as detailed within the Soundness Self-Assessment Checklist, delivering a sustainable future for Dorset that is well placed to mitigate climate change sits at the heart of the Plan’s strategy. The Environment Background Paper specifically addresses the evidence strategy and response of the local plan to climate change.
9. Have you undertaken the sustainability	The Act section19(5)	NPPF para 32 SEA Guide,	Regulation13 of The Environmental	i. Reports on the sustainability of alternatives	Yes – as detailed above SA reports have been prepared and consulted upon which have been integrated into the preparation of the

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
appraisal of alternatives, including consultation on the sustainability appraisal report?	Regulation 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	Chapter 5	Assessment of Plans and Programmes Regulations 2004 No 1633 sets out the consultation procedures.	ii. Record of work undertaken on sustainability appraisal iii. Supporting documents	alternatives for the Plan.
10. Are you setting out reasons for any preferences between alternatives?	Regulation 8(2)	NPPF para 32 and 35	This will include Information from the sustainability appraisal.	i. Any reports setting out alternatives and choices considered ii. Supporting documents	Yes – preferences for a certain direction above have been set out and considered through each Consultation Report and the regulation 22 Consultation Statement and have been considered through each Background Paper.
11. Have you taken into account any representations made on the content of the DPD and the sustainability appraisal? Are you keeping a record?	Regulations 17, 18(3) and 22 (1) (c) (iv) Regulation 13(4) of The Environmental Assessment of Plans and Programmes Regulations	NPPF paras 16 and 32	Records on the sustainability appraisal should also include recording any assessment made under the Habitats Directive.	i. Correspondence from those making representations ii. Reports on issues raised iii. Consultation statement iv. Sustainability appraisal report	Yes – as stated above, all responses have been logged into the Local Plan Consultation Portal which includes responses received to the SA Reports and stages of plan preparation. These have been: <ul style="list-style-type: none"> ▪ Reported through and considered by the Council’s formal committee processes ▪ Used to inform the next iteration of the Plan ▪ Published giving respondents the feedback to the comments they have made.

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
	2004 No 1633				These are fully reported in the Council's formal Consultation Statement which further sets out how representations have been taken account of.
12. Where sites are to be identified or areas for the application of policy in the DPD, are you preparing sufficient illustrative material to: <ul style="list-style-type: none"> enable you to amend the currently adopted policies map? inform the community about the location of proposals? 	Regulations 5 (1)(b) and 9	NPPF para 20 to 23	Regulation 2 defines the terms 'submission' and 'adopted' proposals map. A map showing changes to the adopted policies map is part of the proposed submission documents defined in Regulation 17.	<ul style="list-style-type: none"> Adopted policies map Any reports on proposals to amend the policies map Illustrative material that shows how the policies map will be amended or replaced 	<p>Yes - from the outset, the Council has sought to use illustrative material to inform communities and stakeholders about the location of new development.</p> <p>Inset maps have been included to provide further clarity particularly to small scale policy delineations.</p> <p>Specific mapping for each housing allocation has been included within the plan itself, whilst the Key Diagram is also included within the PSD.</p> <p>The SHLAA and green belt papers include mapping and illustrative material of each of the sites and locations considered.</p>
13. Are the participation arrangements compliant with the SCI?	The Act, section 19(3) Regulation 18	NPPF paras 16 and 25		<ul style="list-style-type: none"> The SCI Consultation statement 	<p>Yes – the arrangements for the consultations were in full compliance with the SCI and the following consultation reports were prepared against the SCI in force at the time of the consultation undertaken.</p> <p>Further detail is set out in the Council's formal</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
					Consultation Statement.

Stage four: Publication

Under Regulation 20, the period for formal representations takes place **before** the DPD is submitted for examination in accordance with a timetable set out in the statement of the representations procedure which is made available at the council's office and published on its website.

When moving towards publication stage, the council should consider the results of participation on the preferred strategy and sustainability appraisal report and decide whether to make any change to the preferred strategy. In the event that changes are required, the council will need to choose either to:

- do so and progress directly to publication; OR
- produce and consult on a revised preferred strategy.

The latter may be appropriate where the changes to the DPD bring in changed policy or proposals not previously covered in community participation and the sustainability appraisal. It avoids having to treat publication as if it were a consultation, which it is not. It also provides insurance in relation to compliance with the Strategic Environmental Assessment Regulations. Legally, during any participation on a revised preferred strategy, you should:

- comply with the requirements of the SCI; and
- update the sustainability appraisal report.

The council should then produce the DPD in the form in which it will be published. This includes removing material dealing with the evaluation of alternatives and the finalisation of the text. The council should be happy to adopt the DPD in this form, and satisfied that it is sound and fit for examination.

The six weeks publication period is the opportunity for those dissatisfied (or satisfied) with the DPD to make formal representations to the inspector about its soundness. Only people proposing a change to the plan can expect to be heard at examination.

The possibility of change under certain circumstances (which should be exceptional) is allowed for in the new procedures and is described in 'stage five: submission'.

Stage four: Publication

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Purbeck Evidence Provided
1. Have you prepared the sustainability appraisal report?	The Act section 19(5) Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	NPPF paras 32 SEA Guide Chapter 5		Sustainability appraisal report	Yes – the SA Report was published alongside the Local Plan Pre-Submission Draft in October 2018.
2. Have you made clear where and within what period representations must be made?	Regulation 17, 19, 20 and 35		The period must not be less than 6 weeks from when you publish under	i. Report or record of decisions ii. The statement of community interest	Yes – reports were presented to and endorsed by Policy Group and Full Council meetings (17 th September and 9 th October 2018) seeking agreement to publish the Local Plan for a 6 week period to enable representations to be made.

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Purbeck Evidence Provided
			Regulations 19 and 35 (see below).		<p>In summary, notification of the Plan's publication commenced in October 2018 - details of the representations period and publication arrangements were made clear in targeted notification letters and emails to consultees on the Local Plan database, via the Council website (Twitter Feed and Facebook page), via a press release and in an article within the Council's magazine distributed to every household in Purbeck.</p> <p>All documentation expressly set out where the Plan and its supporting documents could be viewed, how comments could be submitted and the timescales by which representations must be submitted.</p> <p>Full detail of how the PSD was consulted upon is set out in the Council's formal Consultation Statement.</p>
<p>3. Have you made copies of the following available for inspection</p> <ul style="list-style-type: none"> the proposed 	Regulation 19(a)		Regulation 17 gives definitions.	<ul style="list-style-type: none"> Copies of the relevant statements Report on where and when made available 	<p>Yes – the notice included the statement of representations procedure which was further posted on Council's webpages.</p> <p>The PSD and supporting documents were</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Purbeck Evidence Provided
<p>submission documents?</p> <ul style="list-style-type: none"> the statement of the representations procedure? 				<p>iii. Record of where and when made available</p>	<p>published electronically on the Council's website.</p> <p>Hard copies of the Local Plan, representation forms (and guidance note for completion), policies maps, SA Reports and Habitats Regulations Assessment (together with copies of the 2015 response schedules were made available at 9 public libraries Purbeck District Council's offices at Wareham, Swanage Town Council, Wareham Town Council and Upton Town Council.</p> <p>Full detail of how the Local Plan was consulted upon is set out in the Council's formal Consultation Statement.</p>
<p>4. Have you published on your website:</p> <ul style="list-style-type: none"> the proposed submission documents? the statement of the representations procedure? statement and details of where and when 	<p>Regulations 19 and 35</p>		<p>Regulations 2 and 17 give definitions.</p>	<p>Record of publication</p>	<p>Yes – all documents were made available on the Council's website</p> <p>https://www.dorsetforyou.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/local-plan-review-purbeck.aspx and linked to the Local Plan's dedicated consultation portal https://purbeck-consult.objective.co.uk/portal/</p> <p>Full detail of how the Local Plan was consulted upon is set out in the Council's formal Consultation</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Purbeck Evidence Provided
documents can be inspected?					Statement.
<p>5. Have you sent to each of the specific consultation bodies invited to make representations under Regulation 18(1):</p> <ul style="list-style-type: none"> • A copy of each of the proposed submission documents • The statement of the representations procedure? 	Regulation 19(b)		Regulations 2 and 17 give definitions.	<ul style="list-style-type: none"> i. Copies of correspondence ii. Record of sending 	<p>Yes – letters or emails were sent to all consultees (including the specific and general bodies) that clearly identified where the documents could be inspected (including on-line) and how and when representations could be submitted.</p> <p>Full detail of how the Local Plan was consulted upon is set out in the Council’s formal Consultation Statement.</p>
<p>6. Have you sent to each of the general consultation bodies invited to make representations under Regulation 18(1):</p> <ul style="list-style-type: none"> • the statement of the representations procedure? • where and when 	Regulation 19(b)		Regulations 2 and 17 give definitions.	<ul style="list-style-type: none"> i. Copies of correspondence ii. Record of sending 	<p>Yes – letters/emails were sent to all consultees (including the specific and general bodies) that clearly identified where the documents could be inspected (including on-line) and how and when representations could be submitted.</p> <p>Full detail of how the Local Plan was consulted upon is set out in the Council’s formal Consultation Statement.</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Purbeck Evidence Provided
the documents can be inspected?					
7. Have you requested the opinion of the Mayor of London (if a London Borough or Mayoral DC) on the general conformity of the DPD spatial development strategy?	The Act section 24 Regulation 21		The request must be made on the day you publish the documents under Reg19(a) & a response must be made within six weeks from the request (Regulation 21).	Copies of correspondence	Not applicable.

Stage five: Submission

At the submission stage, the council should receive and collate any representations made at publication stage. You don't have to report these representations to councillors but there may be requirements deriving from other legislation, Standing Orders or council procedures that must be considered. Or you might just think it is a good idea to report on it anyway.

If they are reported it should be on the facts of the representations made, not the results of a consultation process by the council. They should not be treated as a consultation or an opportunity to make changes or answer representations. NB: under the 2012 Regulations there is no longer any requirement to give notice by local advertisement.

You should ensure you are in legal compliance with the SCI, the Habitats Directive and the Strategic Environmental Assessment Directive in any additional work. Any formal publication of additional or changed matters would need to allow at least a six-week period for representations to be made.

There are different approaches that could be taken to changes. You should be satisfied that you remain fully compliant with the legal requirements if any changes are made (and any consequential effects on the DPD as a whole).

Apart from notification of the examination, this tool does not deal with the legal requirements that need to be followed after submission.

Stage five: Submission

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
1. Has the DPD been prepared in accordance with the LDS? Does the DPD's listing and description in the LDS match the document? Have the timescales set out in the LDS been met?	The Act section 19(1)		The Act section 15(2) sets out the matters specified in the LDS. As at January 2013, no further matters are prescribed in the Regulations.	<ul style="list-style-type: none"> i. The LDS ii. Explanation of any changes from the milestones set out in the LDS iii. Relevant authority monitoring reports 	<p>Yes - the Local Plan has been prepared in accordance with the LDS 2018 and its listing and description matches the document.</p> <p>The formal submission has been brought forward slightly from programmed February 2019 to late January 2019. Consultation on the publication draft took place as programmed from 22nd October to 3rd December 2018 and as such the Council do not consider any issues arise from this accelerated programme post consultation.</p>
2. Has the DPD had regard to any sustainable community strategy for its area (like a county and district)?	The Act section 19(2)	NPPF para 35		<ul style="list-style-type: none"> i. The sustainable community strategy(ies) ii. Reference to sections of the DPD showing how regard has been had to them 	As above, there is no longer a requirement to prepare a sustainable community strategy, the Council adopted its own Purbeck Corporate Plan to which the Plan has had regard.
3. Is the DPD in compliance with the SCI (where one exists)? Has the council carried out consultation as described in the SCI?	The Act section 19(3) Regulation 22(1)(c)		Before the SCI is formally amended to take into account the changes in the regulations, you may need to set out how the community engagement that you carried out	<ul style="list-style-type: none"> i. The SCI ii. The Regulation 22(1)(c) statement 	<p>Yes – all consultation undertaken up to the submission stage has been carried out in accordance with the relevant SCI in place at the time of publishing the relevant documents.</p> <p>Prior to formal submission, the Council has identified a small number of suggested Modifications to the Plan – since none of these are considered raise fundamental soundness issues the Council does not consider that an additional consultation stage is therefore necessary.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
			met the regulations (as amended).		
<p>4. Have you identified and addressed any issues which are likely to have a significant impact on at least two planning areas. In doing so, have you co-operated with other local planning authorities, county councils where they are not a planning authority, LEPs, LNPs and the prescribed bodies in identifying and addressing any strategic cross-boundary issues. If you have not agreed on the approach is there a justification?</p>	<p>The Act section 33A(1) and section 20(5)</p>	<p>NPPF paras 24 to 27</p>	<p>Under NPPF para 182, the plan should be based on effective joint working on cross-boundary strategic priorities to be found 'Effective'.</p>	<p>Statement identifying any strategic cross-boundary issues or impacts on county matters addressed in the document and explaining the approach taken to co-operate with the relevant bodies. Supporting correspondence and reports e.g. Memorandum of Understanding, shared and agreed evidence</p>	<p>Yes – the Council has identified the key issues that will have an impact on at least two planning areas.</p> <p>The Council's Duty to Cooperate Statement and Statement of Common Ground has been produced to demonstrate the approaches taken to cooperate with the relevant bodies.</p>
<p>5. Has the DPD been subject to sustainability appraisal?</p>	<p>The Act section 19(5) Regulation 22(1)(a)</p>	<p>NPPF para 32 SEA Practical</p>		<p>Sustainability appraisal report</p>	<p>Yes, the submitted plan includes no changes not previously assessed within the SA published to accompany the Pre-submission Local Plan. A minor update to the SA report itself has been made for submission clarifying the matters considered in identifying significant effects for development proposed at Moreton Station/Redbridge Pit.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
Has the council provided a final report of the findings of the appraisal?		Guide, chapter 5			
6. Is the DPD to be submitted consistent with national policy?	The Act section 19(2) and Schedule 8	NPPF para 35		<ul style="list-style-type: none"> i. Correspondence with PINS? ii. PAS Soundness self assessment checklist 	<p>Yes – the Council considers this Local Plan is consistent with national policy.</p> <p>As Annex 1 to this Supporting Statement demonstrates, completion of the Soundness Self-Assessment Checklist further concludes consistency with national policy.</p>
<p>7. Has the council published the prescribed documents, and made them available at their principal offices and their website?</p> <p>Has the council notified the relevant statutory and non-statutory bodies, and all persons invited to make representations on the plan?</p> <p>Does the DPD contain a list of superseded saved policies?</p>	<p>The Act section 20(2), 20(3) and 20(5)(b)</p> <p>Regulations 8 and 19</p>	NPPF para 35	Requirements relating to publication of the prescribed documents are listed later in this table.	<ul style="list-style-type: none"> i. The documents prescribed at Regulation 22(1) ii. Relevant authority monitoring reports iii. Records of the actions undertaken (see below) 	<p>Yes – these documents have been prepared and collated and will be submitted to the Secretary of State together with the draft Purbeck Local Plan on 28th January 2019. These documents are publically available from the Council's webpages and will also be contained within the Examination Library.</p> <p>Notification of the relevant statutory consultees and all persons invited to make representations was undertaken at the Regulation 19 stage. Formal submission notification will be undertaken as soon as practicable during w/c 28 January 2019.</p> <p>Paragraph 2 clarifies that the submitted plan once adopted would replace the existing PLP1 in full. Other plans such as the Swanage Local Plan would continue to take effect and are not replaced by the Local Plan. This relationship is described at paragraph 3 of the submitted plan.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
<p>8. Are there any policies applying to sites or areas by reference to an Ordnance Survey map or to amend an adopted policies map?</p> <p>If yes, have you prepared a submission policies map?</p>	Regulations 5(1) (b), 9 (1), 17 & 22(1)			<p>i. Submission policies map</p> <p>ii. Brief statement if a submission policies map is not required</p>	<p>Yes – a number of policies across the scope of this Local Plan make direct reference to Ordnance Survey data.</p> <p>Yes – a submission full Policies Map has been prepared to support the Local Plan, referencing every policy which has a spatial component including designation of the green belt and site allocations for a range of land-uses such as residential and economic development.</p>
<p>9. Is the DPD consistent with any other adopted DPDs for the area? If the DPD is intended to supersede any adopted development plan policies, does it state that fact and identify the superseded policies?</p>	<p>Regulation 8(3) and (4)</p> <p>Regulation 8(5)</p>		Development Plan is defined in Section 38 of the Act.	<p>i. The core strategy</p> <p>ii. Documents or reports demonstrating conformity</p>	This plan would not form part of a specific suite of documents but would operate in parallel with existing policy such as the Swanage Local Plan and Dorset Waste and Minerals Local Plan. The overall policy approach and framework provides a coherent planning framework for the area, as set out at paragraph 3 of the plan.
<p>10. Have you prepared a statement setting out:</p> <ul style="list-style-type: none"> Which bodies and persons 	<p>The Act section 20 (3)</p> <p>Regulation 22(1)(c)</p>		This will bring forward material from the Consultation statement (see Stage 2 above).	<p>i. Consultation statement</p> <p>ii. The Statement as required in Regulation 22(1)(c)</p>	<p>Yes - as detailed previously, at the close of each formal stage of consultation (up to Regulation 18), the Council has produced consultation reports setting out who was consulted, how and the headline results.</p> <p>In compliance with Regulation 22(1)(c), the these are further</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
<p>were invited to make representations under Regulation 18?</p> <ul style="list-style-type: none"> • How they were invited? • A summary of the main issues raised? • How the representations have been taken into account? 					discussed within the Council's formal Consultation Statement.
<p>11. Have you prepared a statement giving:</p> <ul style="list-style-type: none"> • the number of representations made under Regulation 22? • a summary of the main issues raised? <p>OR</p> <ul style="list-style-type: none"> • that no representations were made? 	<p>The Act section 20(3)</p> <p>Regulation 22 (1) (c)</p>			The Statement as required in Regulation 22(1)(c)	Yes – the Council has prepared a Consultation Statement in accordance with Regulation 22(1)(c). This details the number and summary of those representations made under Regulation 22 and summaries to the main issues raised.
<p>12. Have you collected together all the representations</p>	<p>The Act section 20(3)</p> <p>Regulation</p>			Copies of the representations	Yes – the representations submitted under Regulation 20 have all been entered onto the Council's e-consultation portal and can be viewed online.

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
made under Regulation 20?	22 (1) (e)				
13. Have you assembled the relevant supporting documents?	The Act section 20(3) Regulation 22(1)(g)			All necessary evidence and records of decisions relevant to the DPD	Yes – all necessary evidence and supporting information which comprise the Local Plan evidence base have been assembled and at the point of submission made available to view on the Council's website. The full examination library of supporting documents and evidence base has been submitted in support of the local plan.
14. Has your council approved the DPD for submission?			Check the LPA's constitution /standing orders for the authorisation process appropriate for the type of DPD.	Report and resolution of the appropriate council body	Yes – at the Full Council meeting on 9 th October 2018 it was resolved that Council approve the following recommendations: Recommendation <i>3.1 The Pre-submission Purbeck Local Plan in Appendix 1 be approved for publication for a statutory 6 week period for comments from 22nd October to 3rd December 2018.</i> <i>3.2 The General Manager Planning and Community Services, in consultation with the local plan review working group, be delegated authority to make any necessary changes to the Purbeck Local Plan resulting from representations received and then submit it to the Planning Inspectorate for examination.</i> <i>3.3 A supplementary estimate of £75,000 be approved and funded from reserves to cover the remaining costs of the examination in public of the Purbeck Local Plan.</i>
15. Have you sent the Secretary of State (the Planning Inspectorate) both a paper copy and an email of the following: • the DPD?	The Act section 20(1) and 20(3) Regulations 22(1) and 22(2)		Regulation 35 deals with the availability of documents and the time of their removal. Electronic copies of some of the	i. Record of sending ii. Reasons why documents cannot be sent electronically	A printed copy of the Local Plan Submission and all documents are scheduled to be submitted electronically week commencing 28 th January 2019

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
<ul style="list-style-type: none"> the submission policies map (unless there are no site allocation policies)? the documents prescribed in Regulation 22(1)? 			representations and supporting documents may not be practicable. Regulation 35 deals with the availability of documents and the time of their removal.		
<p>16. Have you made the following available at the same places where the proposed submission documents were to be seen:</p> <ul style="list-style-type: none"> The DPD? The documents prescribed in Regulation 22(1)? 	Regulation 22(3)		You should do this as soon as reasonably practicable after submission.	Record of where and when made available	There is no requirement at submission stage to make hard copies of the local plan and supporting documentation available at all three deposit points previously used during earlier stages of the plan's production. Accordingly, in addition to the examination library in Westport House Wareham, it is not intended to make hard copies available elsewhere.
<p>17. On your website, have you published the:</p> <ul style="list-style-type: none"> DPD? submission policies map? sustainability appraisal 	Regulation 22(3) and 35(1)(b)		You should do this as soon as reasonably practicable after submission.	Record of publication	This is scheduled to be undertaken as soon as practicable following submission during w/c 28 January 2019.

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
<p>report?</p> <ul style="list-style-type: none"> • Regulation 22(1)(c) statement? • supporting documents (where practicable) ? • representations made under Regulation 20 (where practicable) ? • statement as to where and when the DPD and the documents are available? 					
<p>18. For each general consultation body invited to make representations under Regulation 18(1), have you sent:</p> <ul style="list-style-type: none"> • notification that the documents prescribed in Regulation 22(3)(a)(i)-(iii) are available for inspection 	Regulation 22(3)(b)		You should do this as soon as reasonably practicable after submitting to the Secretary of State.	<ul style="list-style-type: none"> i. Copies of correspondence ii. Record of sending 	Notifications will be sent out as soon as practicable following formal submission during w/c 28 January 2019.

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Purbeck – Evidence Provided
<ul style="list-style-type: none"> where and when they can be inspected? 					
<p>19. Have you given notice to persons who have requested to be notified that submission has taken place?</p>	Regulation 22(3)(c)		You should do this as soon as reasonably practicable after submitting to the Secretary of State.	<ul style="list-style-type: none"> i. Copies of correspondence ii. Record of sending 	Notifications will be sent out as soon as practicable following formal submission during w/c 28 January 2018.
<p>20. If an examination is being held, at least six weeks before its opening has the Programme Officer:</p> <ul style="list-style-type: none"> published the time and place of the examination and the name of the person appointed to carry out the examination on your website? notified those who have made representations on the published DPD which have not been withdrawn of these details? 	<p>The Act section 20</p> <p>Regulations 24 and 35</p>			<ul style="list-style-type: none"> i. Record of publication of information ii. Record of sending iii. Copies of correspondence iv. Copy of advertisement 	A programme officer is in post and making preparations for the examination. Specific actions to this effect will be undertaken once the Inspector has been appointed and advised on the detailed preparations for examining the Plan.

