



**South  
Cambridgeshire**  
District Council

**South Cambridgeshire Local Plan  
Planning Advisory Service  
Local Plan Legal Compliance Checklist**

**South Cambridgeshire District Council  
March 2014  
RD/Sub/SC/150**





## Local Plan Legal Compliance Checklist (April 2013)

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).

Remember that the evidence you provide to support your plan should be relevant and proportionate. Please don't use this checklist as a reason to assemble more than is needed.

### Glossary:

"Act" means the **Planning and Compulsory Purchase Act 2004 (as amended)**

"NPPF" means the **National Planning Policy Framework** published March 2012

"Regulations" means the **Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012**

LDS means **Local Development Scheme**

SCI means **Statement of Community Involvement**

DPD means **Development Plan Document**

### Stage one: The early stages

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.

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



- 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.

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.

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	Evidence
1. Is the DPD identified in the adopted LDS? Have you recorded the timetable for its production?	The Act section 15(2) and section 19(1)	NPPF para 153		<p>The latest LDS took effect on the 21 February 2014, and covers the period to 2020.</p> <p>At the time of consultation on the Proposed Submission Local Plan the Local Development Scheme which took effect on the 25 January 2012, was in place.</p> <p>The Council's timetable for the review of the Local Plan can be viewed on the Council's website: <a href="https://www.scambs.gov.uk/content/local-development-scheme">https://www.scambs.gov.uk/content/local-development-scheme</a></p>
2. How will community engagement be programmed into the preparation of the DPD?	The Act section 19(3)  Regulation 18	NPPF paras 150, 155 and 157	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>South Cambridgeshire District Council adopted a Statement of Community involvement in 2010.</p> <p><a href="https://www.scambs.gov.uk/content/statement-community-involvement">https://www.scambs.gov.uk/content/statement-community-involvement</a></p> <p>Details on how consultation and community engagement was undertaken for the Local Plan can be found in the Statement of Consultation, which addresses Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (March 2014)</p> <p><a href="https://www.scambs.gov.uk/content/statement-of-consultation">https://www.scambs.gov.uk/content/statement-of-consultation</a></p>
3. Have you considered the appropriate bodies you should consult?	Regulation 18	NPPF paras 4.25 -4.26	Regulation 2 defines the general and specific consultation bodies.	<ul style="list-style-type: none"> <li>• Appendix A of the South Cambridgeshire Local Plan Statement of Consultation identifies those bodies that have been notified of consultation from the early stages of plan preparation, including statutory consultees;</li> <li>• South Cambridgeshire Local Plan: Statement of Compliance with the 'Duty to Cooperate' (March 2014) sets out consultation with the bodies identified as part of the Duty to Cooperate;</li> </ul>

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
			The possible evidence may duplicate each other. Only use what you need to.	<ul style="list-style-type: none"> <li>Report to Joint Strategic Transport and Spatial Planning Meeting regarding joint working (September 2012):  <a href="http://www.cambridgeshire.gov.uk/CMSWebsite/committee-document.aspx/partnerships/ccity-scamps-ccc-strategic-transport-spatial-planning-group/2012-09-13/Reports/4824/120913-3.doc">http://www.cambridgeshire.gov.uk/CMSWebsite/committee-document.aspx/partnerships/ccity-scamps-ccc-strategic-transport-spatial-planning-group/2012-09-13/Reports/4824/120913-3.doc</a></li> </ul>
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 178 to 181 (which comprise the guidance referred to in the Act section 33A(7))  Under NPPF Para 182, to be 'Effective' a plan should be based on effective joint working on cross-boundary strategic priorities.  Strategic	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	<ul style="list-style-type: none"> <li>The inter-relationship between Cambridge and South Cambridgeshire has meant a joint approach has been taken to reviewing the development strategy for the Cambridge area from the outset of plan development. This approach was agreed at a meeting of the Joint Strategic Transport and Spatial Planning Group - 22 May 2013 to agree the Development Strategy and Joint Sustainability Appraisal of the Strategy:  <a href="http://www.cambridgeshire.gov.uk/CMSWebsite/Apps/Committees/Meeting.aspx?meetingID=634">http://www.cambridgeshire.gov.uk/CMSWebsite/Apps/Committees/Meeting.aspx?meetingID=634</a></li> <li>Submission South Cambridgeshire Local Plan Chapter 2 (The Spatial Strategy) sets out the joint spatial approach for Cambridge and its sub-region (Cambridge City Council and South Cambridgeshire District Council's joint administrative areas);</li> <li>Cambridgeshire and Peterborough Memorandum of Cooperation. Supporting the Spatial Approach 2011-2031: <a href="https://www.scamps.gov.uk/content/duty-co-operate-and-memorandum-co-operation">https://www.scamps.gov.uk/content/duty-co-operate-and-memorandum-co-operation</a>;</li> <li>South Cambridgeshire Local Plan: Statement of Compliance with the 'Duty to Cooperate' (March 2014) shows the bodies and organizations with whom the Council has cooperated and explains the extent of any interrelationships and the appropriate cooperation;</li> <li>The Issues and Options 2 Part 1 – Joint Consultation on the Development Strategy and Site Options on the Edge of Cambridge, set out the approach to joint working on cross boundary issues such as Sub-Regional Sporting facilities:  <a href="https://www.scamps.gov.uk/content/issues-options-2-jan-feb-2013">https://www.scamps.gov.uk/content/issues-options-2-jan-feb-2013</a></li> <li>A series of workshops were held in Spring 2012, July 2012, and Spring 2013 with</li> </ul>

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
		priorities are listed at NPPF Para 156	<p>agree joint local development documents under section 28.</p> <p>The bodies prescribed by section 33A(1)(c) are set out at Regulation 4(1).</p>	<p>Councillors, stakeholders, Parish Councils, house builders and agents. These helped to identify issues and concerns for consideration as part of the Local Plan review. Notes of these workshops and a summary document can be found in the Statement of Consultation;</p> <ul style="list-style-type: none"> <li>The Cambridgeshire districts, plus Peterborough City Council, set up a 'Joint Strategic Planning Unit' in 2012, the purpose of which is to maintain the good joint strategic working across the county, and follows on from the strategic working previously undertaken by the now disbanded Cambridgeshire Horizons. The unit facilitates a (approximately) quarterly meeting (Cambridgeshire and Peterborough Joint Strategic Planning and Transport Member Group) of senior Members across all districts (three Members from each District, predominantly senior Members such as Portfolio leads for planning and transport). It had its first meeting in July 2012. The terms of reference for the strategic unit and joint Member meeting are at Annex D, and are available at the following weblink (where minutes and other updates can also be found):  <a href="http://www.cambridgeshire.gov.uk/CMSWebsite/Apps/Committees/Committee.aspx?committeeID=61">http://www.cambridgeshire.gov.uk/CMSWebsite/Apps/Committees/Committee.aspx?committeeID=61</a> </li> <li>More local governance to help guide the development of local plans and the transport strategy for Cambridge City and South Cambridgeshire is provided by a Member level group called the Joint Strategic Transport and Spatial Planning Group.</li> <li>Report to Joint Strategic Transport and Spatial Planning Meeting regarding joint working (September 2012):  <a href="http://www.cambridgeshire.gov.uk/CMSWebsite/committee-document.aspx/partnerships/ccity-scamps-ccc-strategic-transport-spatial-planning-group/2012-09-13/Reports/4824/120913-3.doc">http://www.cambridgeshire.gov.uk/CMSWebsite/committee-document.aspx/partnerships/ccity-scamps-ccc-strategic-transport-spatial-planning-group/2012-09-13/Reports/4824/120913-3.doc</a> </li> </ul>
5. How you will co-operate with any local	The Act section 33A(1)(c) and section 33A(9),	NPPF paras 178 to 181	Section 33A(4) defines a "strategic	<p>Cooperation with the Greater Cambridge/Greater Peterborough Enterprise Partnership has taken the form of formal consultation and ongoing informal dialogue.</p> <p>The Cambridgeshire Local Nature Partnership (Greater Cambridgeshire LNP) is in its early</p>



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Activity	Legal requirement	Guidance reference	Additional notes	Evidence
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?	section 33A(3)(d) and (e)  The Act section 20(5)(c).  Regulation 4		<p>matter". Strategic priorities are listed at NPPF Para 156.</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>days of formation, but has an excellent base to work from in the form of the Cambridgeshire Green Infrastructure Strategy (2011), which was prepared with considerable cooperation between the Cambridgeshire authorities and other parties. Nevertheless, despite the early stages of the LNP, a statement has been agreed between all the districts and the Board of the LNP, which clarified the cooperation we all have with the LNP.</p> <p>Members of the Greater Cambridgeshire LNP, notably the Wildlife Trust, have also been consulted throughout the preparation of the local plan.</p> <p>See also the South Cambridgeshire Local Plan Statement of Compliance with the 'Duty to Cooperate' (Mar 2014).</p>
6. Is baseline information being collected and evidence being gathered	The Act section 13	NPPF paras 158 - 177		<ul style="list-style-type: none"> <li>Since preparation began on the Local Plan, baseline information has been collated and updated as part of the evidence base that has been developed, as set out in Appendix A of the Local Plan.</li> <li>Baseline information was also collected as part of the Draft Final Sustainability Report (and preceding stages of the sustainability appraisal).</li> </ul>

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
to keep the matters which affect the development of the area under review?				<ul style="list-style-type: none"> <li>The Annual Monitoring Reports for South Cambridgeshire from 2004/05 to the 2012/13 (published February 2014) are available on the Council's website at: <a href="https://www.scambs.gov.uk/content/annual-monitoring-report">https://www.scambs.gov.uk/content/annual-monitoring-report</a></li> </ul>
7. Is baseline information being collected and evidence being gathered to set the framework for the sustainability appraisal?	The Act section19(5)	NPPF paras 165 and 167  Strategic Environmental Assessment Guide, chapter 5		<ul style="list-style-type: none"> <li>Baseline information was collected as part of the scoping process for the sustainability appraisal. Available at: <a href="https://www.scambs.gov.uk/content/draft-final-sustainability-appraisal-report-and-habitat-regulations-assessment-screening">https://www.scambs.gov.uk/content/draft-final-sustainability-appraisal-report-and-habitat-regulations-assessment-screening</a></li> </ul>
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	Regulations 9 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.	NPPF paras 165 and 167  SEA Guide chapter 3	The Strategic Environmental Assessment consultation bodies are also amongst the 'specific consultation bodies' which are defined in Regulation 2).	<p>The Scoping Report was subject to consultation with the Strategic Environmental Assessment Bodies in February 2012 all of whom responded in less than 5 weeks. Responses and how they were addressed are included in Part 2 of the Draft Final Sustainability Report.</p> <p>The scope of the SA was also subject to wider consultation through the issues and options consultations, again including the Strategic Environmental Assessment Bodies at every stage.</p>



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Activity	Legal requirement	Guidance reference	Additional notes	Evidence
the sustainability appraisal report?				



## **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
1. Have you notified: <ul style="list-style-type: none"> <li>• the specific consultation bodies?</li> <li>• the general consultation bodies that have an interest in the subject of the DPD and invited them to make representations about its contents?</li> </ul>	Regulation 18(1) and (2)(a) (b)	NPPF paras 159 – 173	Specific and general consultation bodies are defined in Regulation 2.	<p><b>Issues and Options Consultations</b></p> <p>The South Cambridgeshire Local Plan Statement of Consultation document sets out the consultation undertaken as part of the Issues and Options stage of plan making. In summary:</p> <ul style="list-style-type: none"> <li>• Gypsy and Traveller Development Plan Document early stages of consultation included: Issues and Options 1: General Approach from 13 October to 24 November 2006. Issues and Options 2: Site Options and Policies from 10 July to October 2009 (it was then determined to address issues in the Local Plan)</li> <li>• Issues and Options Consultation 2012 between 12 July to 28 September 2012;</li> <li>• Issues and Options 2 2013 Part 1 joint consultation between Cambridge City and South Cambridgeshire District Councils, and part 2 South Cambridgeshire issues, between 7 January and 18 February 2013.</li> <li>• South Cambridgeshire Local Plan Additional Single Issue Consultation - Football Stadium at Sawston from 25 March to 7 May 2013.</li> </ul> <p>Appendix A of the Statement of Consultation sets out the statutory consultees and other stakeholders that were formally notified of the consultations.</p> <p>The Statement of Consultation sets out the key issues raised through each of the consultations.</p>
2. Are you inviting representations from people resident or carrying out business in your area about the	Regulation 18(1) and (2)(c)	NPPF paras 159 – 173		See above



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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
content of the DPD?				
3. Are you engaging with stakeholders responsible for delivery of the strategy?	Regulation 18	NPPF para 155	NPPF paras 160-171 4.29 give examples of relevant bodies which should be consulted.	<ul style="list-style-type: none"><li>A series of workshops were held in Spring 2012 with Councillors, stakeholders, developers and agents, and Parish Councils. These helped to identify issues and concerns for consideration as part of the Local Plan review. Notes of these workshops can be found in the Statement of Consultation.</li><li>Appendix A of the Statement of Consultation sets out the statutory consultees and other stakeholders that were formally notified of both consultations</li><li>The “South Cambridgeshire Local Plan Statement of Compliance with the ‘Duty to Cooperate’ (Mar 2014)” also sets out the consultation and engagement that was undertaken with the Duty to Cooperate bodies .</li></ul>
4. Are you taking into account representations made?	Regulation 18(3)	NPPF para 155	Evidence from participation is part of the justification. Show how you have taken representations into account.	<ul style="list-style-type: none"><li>The Statement of consultation includes a summary of key issues raised at each stage and how they were addressed.</li><li>The Draft Final Sustainability Report Annex A includes a detailed audit trail providing an analysis of issues, representations received, a summary of issues raised and reasons for the proposed approach.</li></ul>
5. Does the consultation contribute to the development and sustainability appraisal of alternatives?	The Act section19(5)  Regulations 12 and 13 of The Environmental Assessment of Plans and	NPPF paras 165 – 168  SEA Guide, chapter 3		<ul style="list-style-type: none"><li>The Draft Final Sustainability Report Annex A includes a detailed audit trail providing an analysis of issues and alternatives, representations received at each stage, a summary of issues raised and analysis, and reasons for the proposed approach.</li><li>Sites suggested through the Issues and options 2012 were tested through the SHLAA and Sustainability Appraisal, and reasonable options were subject to consultation through the Issues and Options 2 2013. Sites submitted in 2013 were also tested.</li></ul>



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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
	Programmes Regulations 2004 No 1633			
6. Is the participation: <ul style="list-style-type: none"><li>• following the principles set out in your SCI?</li><li>• integrating involvement with the sustainable community strategy?</li><li>• proportionate to the scale of issues involved in the DPD?</li></ul>	The Act section19(3)	NPPF para 155		Consultation has complied with the Council's adopted Statement of Community Involvement and the Regulations. Further information is contained within the South Cambridgeshire Local Plan Statement of Consultation.
7. Are you keeping a record of: <ul style="list-style-type: none"><li>• the individuals or bodies invited to make representations?</li><li>• how this was done?</li><li>• the main issues raised?</li></ul>	The Act section20(3)  Regulation 17	NPPF paras 158 - 171  Regulation 17	You will need to submit a statement of representations under Regulation 22 (1) (c): see Submission stage below.  Regulation 35 deals with the	<p>The South Cambridgeshire Local Plan Statement of Consultation sets out all the statutory consultees and other stakeholders who were contacted about the various stages of consultation undertaken in preparing the Local Plan as well as the key issues raised to the various stages.</p> <p>More detailed summaries of issues raised can also be found in annex A of the Draft Final Sustainability Report.</p> <p>Details of all those who responded to the consultation is contained on the Council's online consultation database and the public facing element of this system is available for people to view all the representations received: <a href="http://scambs.jdi-consult.net/ldf/">http://scambs.jdi-consult.net/ldf/</a></p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
			availability of documents and the time of their removal.	During preparation of the Proposed Submission Local Plan, reports taken to Portfolio holder meetings, cabinet and Council include summaries of key issues raised. These reports are available as part of the Reference Document Library. This library also contains links to each of the meetings at which the various stages of Plan preparation were considered. The library is available on the Council's website.
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)	NPPF paras 178 to 181  The Act section 20 (5)(c)	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.	<ul style="list-style-type: none"> <li>• The inter-relationship between Cambridge and South Cambridgeshire has meant a joint approach has been taken to reviewing the development strategy for the Cambridge area from the outset of plan development. This approach was agreed at a meeting of the Joint Strategic Transport and Spatial Planning Group - 22 May 2013 to agree the Development Strategy and Joint Sustainability Appraisal of the Strategy:  <a href="http://www.cambridgeshire.gov.uk/CMSWebsite/Apps/Committees/Meeting.aspx?meetingID=634">http://www.cambridgeshire.gov.uk/CMSWebsite/Apps/Committees/Meeting.aspx?meetingID=634</a> </li> <li>• Local Plan Chapter 2 (The Spatial Strategy) sets out the joint spatial approach for Cambridge and its sub-region (Cambridge City Council and South Cambridgeshire District Council's joint administrative areas);</li> <li>• Report to Joint Strategic Transport and Spatial Planning Meeting regarding joint working (September 2012);</li> <li>• <a href="http://www.cambridgeshire.gov.uk/CMSWebsite/committee-document.aspx/partnerships/ccity-scamps-ccc-strategic-transport-spatial-planning-group/2012-09-13/Reports/4824/120913-3.doc">http://www.cambridgeshire.gov.uk/CMSWebsite/committee-document.aspx/partnerships/ccity-scamps-ccc-strategic-transport-spatial-planning-group/2012-09-13/Reports/4824/120913-3.doc</a></li> <li>• Cambridgeshire Joint Strategy Unit (Nov 2012). Cambridge and South Cambridgeshire Sustainable Development Strategy Review:  <a href="https://www.scamps.gov.uk/sites/www.scamps.gov.uk/files/documents/Sustainable%20Development%20Strategy%20Review.pdf">https://www.scamps.gov.uk/sites/www.scamps.gov.uk/files/documents/Sustainable%20Development%20Strategy%20Review.pdf</a>;</li> <li>• Cambridgeshire and Peterborough Memorandum of Cooperation. Supporting the Spatial Approach 2011-2031:  <a href="https://www.cambridge.gov.uk/public/ldf/localplan2031/may2013dpssc/part1/Approach%202011-2031.pdf">https://www.cambridge.gov.uk/public/ldf/localplan2031/may2013dpssc/part1/Approach%202011-2031.pdf</a></li> </ul>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
				<ul style="list-style-type: none"> <li><a href="#">pendix%20N%20Memorandum%20of%20Co-operation.pdf</a>;</li> <li>South Cambridgeshire Local Plan Statement of Compliance with the 'Duty to Cooperate' (Mar 2014) sets out all the bodies consulted as part of the Duty to Cooperate.</li> </ul>
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 178 to 181  Section 33A(2) requires you to engage constructively, actively and on an ongoing basis.		<p>Cooperation with the Greater Cambridge/Greater Peterborough Enterprise Partnership has taken the form of formal consultation and ongoing informal dialogue.</p> <p>The Cambridgeshire Local Nature Partnership (Greater Cambridgeshire LNP) is in its early days of formation, but has an excellent base to work from in the form of the Cambridgeshire Green Infrastructure Strategy (2011), which was prepared with considerable cooperation between the Cambridgeshire authorities and other parties. Nevertheless, despite the early stages of the LNP, a statement has been agreed between all the districts and the Board of the LNP, which clarified the cooperation we all have with the LNP.</p> <p>Members of the Greater Cambridgeshire LNP, notably the Wildlife Trust, have also been consulted throughout the preparation of the local plan.</p> <p>See also the South Cambridgeshire Local Plan Statement of Compliance with the 'Duty to Cooperate' (Mar 2014).</p>
10. Are you developing a framework for monitoring the effects of the DPD?	The Act section 35  Regulation 34  Regulation 17	NPPF paras 165 - 1687  SEA Guide,	It is a matter for each council to decide what to include in their monitoring reports while	<ul style="list-style-type: none"> <li>Figure 4 of the Proposed Submission South Cambridgeshire Local Plan sets out the monitoring indicators proposed for the plan;</li> <li>The Draft Final Sustainability Report includes proposals for monitoring significant effects of the plan.;</li> <li>Monitoring takes place as part of the South Cambridgeshire Annual Monitoring Reports: <a href="https://www.scambs.gov.uk/content/annual-monitoring-report">https://www.scambs.gov.uk/content/annual-monitoring-report</a></li> </ul>



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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
	of The Environmental Assessment of Plans and Programmes Regulations 2004 No1363	Chapter 5	ensuring they are prepared in accordance with relevant UK and EU legislation" Chief Planning Officer letter 30 March 2011 withdrawing ODPM guidance.	



### **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 182 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
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 paras 152 - 182  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).	<p>A wide range of alternatives were tested through the Sustainability Appraisal and issues and options process.</p> <ul style="list-style-type: none"> <li>The Draft Final Sustainability Appraisal Part 3 appendix 3 provides a summary of alternatives considered. Annex A provides an audit trail of the consideration of options and alternatives.</li> </ul>
2. Have you assessed alternatives against: <ul style="list-style-type: none"> <li>consistency with national policy?</li> <li>general conformity</li> </ul>	The Act section 19 (2), section 24	NPPF para 151	For London boroughs and local authorities where regional strategies are still in force general	<ul style="list-style-type: none"> <li>Draft Final Sustainability Report Annex A provides an audit trail of the consideration of options and alternatives. These audit trails also give consideration to the consistency of policies and options with the NPPF.</li> <li>A Soundness Self Assessment has also been completed.</li> <li>The Regional Strategy for the East of England was revoked on 3<sup>rd</sup> January 2013.</li> </ul>



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Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
with the regional spatial strategy where still in force?			conformity is tested formally later but you need to consider it during preparation of the DPD.	
3. Are you having regard to (where relevant): <ul style="list-style-type: none"><li>• adjoining regional spatial strategies?</li><li>• the spatial development strategy for London?</li><li>• Planning Policy for Wales?</li><li>• the National Planning Framework for Scotland?</li></ul>	The Act sections 19 (2) and 24 (1) and (4)  Regulation 10 and 21		Where the regional strategy has been revoked you should record that fact.	<ul style="list-style-type: none"><li>• See the written Ministerial Statement which revoked the East of England Plan as of the 3<sup>rd</sup> January 2013: <a href="http://www.parliament.uk/documents/commons-vote-office/December_2012/11-12-12/5-DCLG-EastOfEngland.pdf">http://www.parliament.uk/documents/commons-vote-office/December_2012/11-12-12/5-DCLG-EastOfEngland.pdf</a></li></ul>
4. Are you co-operating with	The Act section	NPPF paras 181		<ul style="list-style-type: none"><li>• South Cambridgeshire Local Plan Statement of Compliance with the 'Duty to Cooperate' (Mar 2014);</li></ul>



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Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
<p>other local planning authorities including counties, to address significant cross boundary issues?</p> <p>Have you discussed doing joint local development documents?</p>	<p>33A(2)(a)</p> <p>Section 33A(6)(a)(b)</p> <p>Section 20(5) (c)</p>	<p>and 185</p>		<ul style="list-style-type: none"> <li>Cambridgeshire and Peterborough Memorandum of Cooperation. Supporting the Spatial Approach 2011-2031:  <a href="https://www.cambridge.gov.uk/public/ldf/localplan2031/may2013dpssc/part1/Appendix%20N%20Memorandum%20of%20Co-operation.pdf">https://www.cambridge.gov.uk/public/ldf/localplan2031/may2013dpssc/part1/Appendix%20N%20Memorandum%20of%20Co-operation.pdf</a>;</li> <li>The close inter-relationship between Cambridge and South Cambridgeshire has meant a joint approach has been taken to reviewing the development strategy for the Cambridge area from the outset of plan development. This approach was agreed at a meeting of the Joint Strategic Transport and Spatial Planning Group - 22 May 2013 to agree the Development Strategy and Joint Sustainability Appraisal of the Strategy:  <a href="http://www.cambridgeshire.gov.uk/CMSWebsite/Apps/Committees/Meeting.aspx?meetingID=634">http://www.cambridgeshire.gov.uk/CMSWebsite/Apps/Committees/Meeting.aspx?meetingID=634</a></li> <li>Local Plan Chapter 2 (The Spatial Strategy) sets out the joint spatial approach for Cambridge and its sub-region (Cambridge City Council and South Cambridgeshire District Council's joint administrative areas);</li> <li>Report to Joint Strategic Transport and Spatial Planning Meeting regarding joint working (September 2012):  <a href="http://www.cambridgeshire.gov.uk/CMSWebsite/committee-document.aspx/partnerships/ccity-scamps-ccc-strategic-transport-spatial-planning-group/2012-09-13/Reports/4824/120913-3.doc">http://www.cambridgeshire.gov.uk/CMSWebsite/committee-document.aspx/partnerships/ccity-scamps-ccc-strategic-transport-spatial-planning-group/2012-09-13/Reports/4824/120913-3.doc</a></li> <li>Cambridgeshire Joint Strategy Unit (Nov 2012). Cambridge and South Cambridgeshire Sustainable Development Strategy Review:  <a href="https://www.scamps.gov.uk/sites/www.scamps.gov.uk/files/documents/Sustainable%20Development%20Strategy%20Review.pdf">https://www.scamps.gov.uk/sites/www.scamps.gov.uk/files/documents/Sustainable%20Development%20Strategy%20Review.pdf</a>;</li> <li>South Cambridgeshire District Council has a history of developing joint development plan documents with Cambridge City Council and both authorities proposed submission Local Plans include reference to the development of a Joint Area Action Plan for the Northern Fringe east area, which lies within both authorities administrative boundaries.</li> </ul>
<p>5. Are you cooperating with a person prescribed</p>	<p>The Act section 33A(2)(a),</p>	<p>NPPF paras 181 and 182</p>	<p>The bodies prescribed by The Act</p>	<p>See above</p> <ul style="list-style-type: none"> <li>South Cambridgeshire Local Plan Statement of Compliance with the 'Duty to Cooperate' (Mar 2014) sets out how the Council has cooperated with the prescribed bodies in planning</li> </ul>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
for the purposes of Regulation 33A(1)(c) to address significant cross boundary issues including preparing joint approaches?	section 33A(6)(a)  The Act section 20 (5) (c)  Regulation 4		section 33A(1)(c) are set out at Regulation 4 (1).	for the strategic cross-boundary issues identified in the Proposed Submission Local Plan. Further information is also set out in the Cambridgeshire and Peterborough Memorandum of Cooperation. Supporting the Spatial Approach 2011-2031: <a href="https://www.cambridge.gov.uk/public/ldf/localplan2031/may2013dpssc/part1/Appendix%20N%20Memorandum%20of%20Co-operation.pdf">https://www.cambridge.gov.uk/public/ldf/localplan2031/may2013dpssc/part1/Appendix%20N%20Memorandum%20of%20Co-operation.pdf</a>
6. 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 181 and 182		<p>Cooperation with the Greater Cambridge/Greater Peterborough Enterprise Partnership has taken the form of formal consultation and ongoing informal dialogue.</p> <p>The Cambridgeshire Local Nature Partnership (Greater Cambridgeshire LNP) is in its early days of formation, but has an excellent base to work from in the form of the Cambridgeshire Green Infrastructure Strategy (2011), which was prepared with considerable cooperation between the Cambridgeshire authorities and other parties. Nevertheless, despite the early stages of the LNP, a statement has been agreed between all the districts and the Board of the LNP, which clarified the cooperation we all have with the LNP.</p> <p>Members of the Greater Cambridgeshire LNP, notably the Wildlife Trust, have also been consulted throughout the preparation of the local plan.</p> <p>See also the South Cambridgeshire Local Plan Statement of Compliance with the 'Duty to Cooperate' (Mar 2014).</p>
7. Are you having regard to: <ul style="list-style-type: none"><li>• your sustainable</li></ul>	The Act section19(2)			The Sustainable Community Strategy 2008-2011 was considered through the scoping process for the Sustainability appraisal and the Local Plan.



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Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
community strategy or of other authorities whose area comprises part of the area of the council? <ul style="list-style-type: none"><li>• any other local development documents adopted by the council?</li></ul>				
8. Do you have regard to other matters and relevant strategies relating to: <ul style="list-style-type: none"><li>• resources</li><li>• the local/regional economy</li><li>• the local transport plan and transport facilities and services</li></ul>	The Act section19(2)  Regulation 10		As well as the matters and strategies listed in the Act and Regulations there are likely to be other matters identified in planning policy statements, regional and local	In developing the Cambridge Local Plan 2014: Proposed Submission document, the Council has had regard to a number of other relevant matters and strategies including: <ul style="list-style-type: none"><li>• Cambridge City Council and South Cambridgeshire District Council have worked closely with Cambridgeshire County Council to develop the Transport Strategy for Cambridge and South Cambridgeshire (2014), which focuses on the sustainable transport capacity of the area and what needs to be provided in the sub-region to support the two authorities Local Plans.</li><li>• In preparing the Local Plan the Council has had regard to the Cambridgeshire Minerals and Waste Local Development Framework, produced by Cambridgeshire County Council. Minerals and Waste Safeguarding Areas are shown on the Submission Policies Map.</li><li>• The scoping process (Draft Final Sustainability Report – Part2, and the audit trail in Annex A) and the Issues and Options consultations gave consideration to a wide range of other local strategies in identifying the issues to be addressed by the Local Plan.</li></ul>



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Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
<ul style="list-style-type: none"> <li>waste strategies</li> <li>hazardous substances</li> </ul>			strategies that you will need to have regard to in preparing the DPD.	
9. Are you having regard to the need to include policies on mitigating and adapting to climate change?	The Act section19(1A)	NPPF paras 93 - 108		<p>South Cambridgeshire Local Plan Issues and Options 2012 – Chapter 6 Climate Change;</p> <p>Proposed Submission South Cambridgeshire Local Plan:</p> <ul style="list-style-type: none"> <li>Policy S/2 objective D</li> <li>Chapter 4 sets out a series of policies related to climate change mitigation and adaptation.</li> <li>Chapter 10 sets out policies on promoting and delivering sustainable transport and infrastructure.</li> </ul>
10. Have you undertaken the sustainability appraisal of alternatives, including consultation on the sustainability appraisal report?	<p>The Act section19(5)</p> <p>Regulation 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF para 182</p> <p>SEA Guide, Chapter 5</p>	<p>Regulation13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633 sets out the consultation procedures.</p>	<p>Sustainability Appraisal has been an integral element in the preparation of the new local plan for South Cambridgeshire, and subject to consultation at each stage. It has involved the following stages:</p> <ul style="list-style-type: none"> <li>Initial Sustainability Appraisal and Draft Sustainability Appraisal Scoping Report consulted on alongside Issues and Options July 2012;</li> <li>Issues and Options 2: Part 1 January 2013 accompanied by Interim Sustainability Appraisal, (includes SA of the Development Strategy and sites on the edge of Cambridge).</li> <li>Issues and Options 2 Part 2 January 2013 South Cambridgeshire subject to consultation alongside Initial Sustainability Appraisal;</li> <li>May 2013 – Further Joint Sustainability Appraisal of the Development Strategy carried out by officers from Cambridge City Council and South Cambridgeshire District Council and reviewed by independent consultants ENVIRON, contained within the report “Reviewing the Sustainable Development Strategy for the Cambridge Area”; and</li> </ul>



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Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
				<ul style="list-style-type: none"> <li>Draft Final Sustainability Report subject to consultation alongside the Proposed Submission South Cambridgeshire Local Plan.</li> </ul> <p>Further information about consultation on the Sustainability Appraisal, is also contained in the Statement of consultation.</p>
11. Are you setting out reasons for any preferences between alternatives?	Regulation 8(2)	NPPF para 182	This will include Information from the sustainability appraisal.	Draft Final Sustainability Appraisal Report Part 3 Chapter 3 provides an overview of the consideration of alternatives and the development of the plan strategy. Annex A provides an audit trail for the consideration of options and the selection of policies through the plan making process.
12. 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 2004 No 1633	NPPF paras 150, 155, 157 and 159-171	Records on the sustainability appraisal should also include recording any assessment made under the Habitats Directive.	<ul style="list-style-type: none"> <li>South Cambridgeshire Local Plan Statement of Consultation;</li> <li>The Draft Final Sustainability Report Annex A includes a detailed audit trail providing an analysis of issues, representations received, a summary of issues raised and reasons for the proposed approach.</li> </ul>
13. Where sites are to be identified or areas for the application of policy in the DPD,	Regulations 5 (1)(b) and 9	NPPF para 157	Regulation 2 defines the terms 'submission' and 'adopted'	<ul style="list-style-type: none"> <li>Issues and Options Reports included a range of maps and diagrams to illustrate options;</li> <li>The Proposed Submission Local Plan includes Key Diagrams to illustrate the development strategy;</li> <li>A South Cambridgeshire Proposed Submission Policies Map (July 2013) was made available</li> </ul>



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Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
are you preparing sufficient illustrative material to: <ul style="list-style-type: none"><li>• enable you to amend the currently adopted policies map?</li><li>• inform the community about the location of proposals?</li></ul>			proposals map.  A map showing changes to the adopted policies map is part of the proposed submission documents defined in Regulation 17.	for consultation alongside the Proposed Submission Local Plan. This showed changes from the adopted Local Development Framework Proposals Map.
14. Are the participation arrangements compliant with the SCI?	The Act, section 19(3)  Regulation 18	NPPF paras 150 and 155		<p>South Cambridgeshire District Council adopted a Statement of Community involvement in 2010. <a href="https://www.scambs.gov.uk/content/statement-community-involvement">https://www.scambs.gov.uk/content/statement-community-involvement</a></p> <p>Details on how consultation and community engagement was undertaken for the Local Plan can be found in the Statement of Consultation, which addresses Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (March 2014). The consultation complied with the SCI. <a href="https://www.scambs.gov.uk/content/statement-of-consultation">https://www.scambs.gov.uk/content/statement-of-consultation</a></p>



#### 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
- 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
1. Have you prepared the sustainability appraisal report?	The Act section19(5)  Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	NPPF paras 165 - 168  SEA Guide Chapter 5		<p>The Proposed Submission South Cambridgeshire Local Plan was accompanied by a Sustainability Appraisal – Draft Final Sustainability Report, as well as a Non-Technical Summary.</p> <p><a href="https://www.scambs.gov.uk/content/draft-final-sustainability-appraisal-report-and-habitat-regulations-assessment-screening">https://www.scambs.gov.uk/content/draft-final-sustainability-appraisal-report-and-habitat-regulations-assessment-screening</a></p>
2. Have you made clear where and within what period representations must be made?	Regulation 17, 19, 20 and 35		<p>The period must not be less than 6 weeks from when you publish under Regulations 19 and 35 (see below).</p>	<ul style="list-style-type: none"> <li>Consultation on the Proposed Submission South Cambridgeshire Local Plan took place between 19 July - 14 October 2013.</li> <li>A notice of consultation was published in the Cambridge News on the 19 July, and a further notice when the consultation period was extended. (see Statement of Consultation);</li> <li>Letters and emails informing consultees and respondents to previous stages of consultation dates and how to view and respond to the consultation material;</li> <li>All documents were made available on the council's website;</li> <li>Libraries received hard copies;</li> <li>Article and "pull out" response form included in the summer edition of South Cambs Magazine which went to every household in the district;</li> <li>The consultation was publicised through the council's Facebook page and Twitter;</li> <li>A series of exhibitions were held throughout the city and in South Cambridgeshire (for cross boundary issues).</li> </ul> <p>Further information related to the consultation undertaken is contained within the Statement of Consultation.</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
3. Have you made copies of the following available for inspection: <ul style="list-style-type: none"><li>• the proposed submission documents?</li><li>• the statement of the representations procedure?</li></ul>	Regulation 19(a)		Regulation 17 gives definitions.	All documents were made available on the council's website and at the Council Offices. Further information related to the consultation undertaken is contained within the Statement of Consultation.
4. Have you published on your website: <ul style="list-style-type: none"><li>• the proposed submission documents?</li><li>• the statement of the representations procedure?</li><li>• statement and details of where and when documents can be inspected?</li></ul>	Regulations 19 and 35		Regulations 2 and 17 give definitions.	All documents were made available on the council's website during the consultation period.



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Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
5. Have you sent to each of the specific consultation bodies invited to make representations under Regulation 18(1): <ul style="list-style-type: none"><li>• A copy of each of the proposed submission documents</li><li>• The statement of the representations procedure?</li></ul>	Regulation 19(b)		Regulations 2 and 17 give definitions.	Emails/letters were sent to specific consultation bodies on 19 July 2013, with links to the Council's website and online consultation system. Further information related to the consultation undertaken is contained within the Statement of Consultation— Appendix A contains a list of consultees.
6. Have you sent to each of the general consultation bodies invited to make representations under Regulation 18(1): <ul style="list-style-type: none"><li>• the statement of the representations</li></ul>	Regulation 19(b)		Regulations 2 and 17 give definitions.	Emails/letters were sent to general consultation bodies on 19 July 2013, with links to the Council's website and online consultation system. Further information related to the consultation undertaken is contained within the Statement of Consultation— Appendix A contains a list of consultees.



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Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
procedure? • where and when 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 Regulation 19(a) and a response must be made within six weeks from the request (Regulation 21).	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
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	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	The latest LDS took effect on the 21 February 2014, and covers the period to 2020.  At the time of consultation on the Proposed Submission

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
timescales set out in the LDS been met?			prescribed in the Regulations.	<p>Local Plan the Local Development Scheme which took effect on the 25 January 2012, was in place.</p> <p>The Council's timetable for the review of the Local Plan can be viewed on the Council's website:  <a href="https://www.scambs.gov.uk/content/local-development-scheme">https://www.scambs.gov.uk/content/local-development-scheme</a></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 182		<p>The Sustainable Community Strategy 2008-2011 was considered through the scoping process for the Sustainability appraisal and the Local Plan.</p>
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 met the regulations (as amended).	<p>South Cambridgeshire District Council adopted a Statement of Community involvement in 2010.  <a href="https://www.scambs.gov.uk/content/statement-community-involvement">https://www.scambs.gov.uk/content/statement-community-involvement</a></p> <p>Details on how consultation and community engagement was undertaken for the Local Plan can be found in the Statement of Consultation, which addresses Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (March 2014)  <a href="https://www.scambs.gov.uk/content/statement-of-consultation">https://www.scambs.gov.uk/content/statement-of-consultation</a></p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<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 181 and 182</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>	<ul style="list-style-type: none"> <li>• The close inter-relationship between Cambridge and South Cambridgeshire has meant a joint approach has been taken to reviewing the development strategy for the Cambridge area from the outset of plan development. This approach was agreed at a meeting of the Joint Strategic Transport and Spatial Planning Group - 22 May 2013 to agree the Development Strategy and Joint Sustainability Appraisal of the Strategy: <a href="http://www.cambridgeshire.gov.uk/CMSWebsite/Apps/Committees/Meeting.aspx?meetingID=634">http://www.cambridgeshire.gov.uk/CMSWebsite/Apps/Committees/Meeting.aspx?meetingID=634</a></li> <li>• South Cambridgeshire Proposed Submission Local Plan Chapter 2 (Spatial Strategy) sets out the joint spatial approach for Cambridge and its sub-region (Cambridge City Council and South Cambridgeshire District Council's joint administrative areas);</li> <li>• Report to Joint Strategic Transport and Spatial Planning Meeting regarding joint working (September 2012):</li> <li>• <a href="http://www.cambridgeshire.gov.uk/CMSWebsite/committee-document.aspx/partnerships/ccity-scamps-ccc-strategic-transport-spatial-planning-group/2012-09-13/Reports/4824/120913-3.doc">http://www.cambridgeshire.gov.uk/CMSWebsite/committee-document.aspx/partnerships/ccity-scamps-ccc-strategic-transport-spatial-planning-group/2012-09-13/Reports/4824/120913-3.doc</a></li> <li>• Cambridgeshire Joint Strategy Unit (Nov 2012). Cambridge and South Cambridgeshire Sustainable Development Strategy Review: <a href="https://www.scamps.gov.uk/sites/www.scamps.gov.uk/files/documents/Sustainable%20Development%20Strategy%20Review.pdf">https://www.scamps.gov.uk/sites/www.scamps.gov.uk/files/documents/Sustainable%20Development%20Strategy%20Review.pdf</a>;</li> <li>• Cambridgeshire and Peterborough Memorandum of</li> </ul>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
				<p>Cooperation. Supporting the Spatial Approach 2011-2031:  <a href="https://www.cambridge.gov.uk/public/ldf/localplan2031/may2013dpssc/part1/Appendix%20N%20Memorandum%20of%20Co-operation.pdf">https://www.cambridge.gov.uk/public/ldf/localplan2031/may2013dpssc/part1/Appendix%20N%20Memorandum%20of%20Co-operation.pdf</a>;</p> <ul style="list-style-type: none"> <li>South Cambridgeshire Proposed Submission local Plan: Statement of Compliance with the 'Duty to Cooperate' (Mar 2014) sets out all the bodies consulted as part of the Duty to Cooperate.</li> </ul>
<p>5. Has the DPD been subject to sustainability appraisal?</p> <p>Has the council provided a final report of the findings of the appraisal?</p>	<p>The Act section 19(5)</p> <p>Regulation 22(1)(a)</p>	<p>NPPF para 165</p> <p>SEA Practical Guide, chapter 5</p>		<p>Sustainability Appraisal has been an integral element in the preparation of the new local plan.</p> <p>A Draft Final Sustainability Report accompanies the Submission Local Plan.</p>
<p>6. Is the DPD to be submitted consistent with national policy?</p>	<p>The Act section 19(2) and Schedule 8</p>	<p>NPPF para 151</p>		<ul style="list-style-type: none"> <li>Draft Final Sustainability Report Annex A provides an audit trail of the consideration of options and alternatives. These audit trails also give consideration to the consistency of policies and options with the NPPF.</li> <li>A Soundness Self Assessment has also been completed.</li> </ul>
<p>7. Does the DPD contain any policies or proposals that are not in general conformity with the regional strategy where it still exists?</p>	<p>The Act section 24(1)(a) and 24(4)</p> <p>Regulation 21</p>	<p>NPPF para 218 footnote 41</p>	<p>In London the requirement is for general conformity with the spatial development strategy (The London Plan).</p>	<p>Not applicable.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>If yes, is there local justification?</p> <p>If the LPA is a London borough or a mayoral development corporation has it requested an opinion from the Mayor of London on the general conformity of the plan with the spatial development strategy?</p>				
<p>8. 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>	<p>NPPF para 182</p>	<p>Requirements relating to publication of the prescribed documents are listed later in this table.</p>	<p>The council will be publishing on the council website the prescribed documents and will make them available at the Council offices. This will be set out in the notice of submission to be placed in the Cambridge News on the 28 March 2014.</p> <p>In the week following submission, the Council notified by email/letter the relevant statutory and non-statutory bodies and all persons invited to make representations. All those who submitted representations to the Proposed Submission Local Plan were also notified.</p> <p>Appendix B of the Proposed Submission South Cambridgeshire Local Plan contains details of what the Development Plan will comprise on adoption and those policies that will be replaced.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>9. 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>Yes. The Proposed Submission Local Plan is accompanied by a Proposed Submission Policies Map, illustrating changes to the adopted Local Development Framework on an Ordnance Survey map.</p> <p>The Schedule of Major Modifications and Schedule of Minor Changes both include changes to the Policies Map. Should the Inspector be minded to approve these minor changes, these would be incorporated into the Policies Map on adoption of the Local Plan.</p>
<p>10. 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>		<p>Development Plan is defined in Section 38 of the Act.</p>	<p>Appendix B of the Proposed Submission South Cambridgeshire Local Plan contains details of what the Development Plan will comprise on adoption and those policies that will be replaced.</p>
<p>11. Have you prepared a statement setting out:</p> <ul style="list-style-type: none"> <li>• Which bodies and persons were invited to make representations under Regulation 18?</li> <li>• How they were invited?</li> <li>• A summary of the main issues raised?</li> <li>• How the representations</li> </ul>	<p>The Act section 20 (3)</p> <p>Regulation 22(1)(c)</p>		<p>This will bring forward material from the Consultation statement (see Stage 2 above).</p>	<p>South Cambridgeshire Local Plan Statement of Consultation.</p>



Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
have been taken into account?				
12. Have you prepared a statement giving: <ul style="list-style-type: none"> <li>• the number of representations made under Regulation 22?</li> <li>• a summary of the main issues raised?</li> </ul> OR <ul style="list-style-type: none"> <li>• that no representations were made?</li> </ul>	The Act section 20(3)  Regulation 22(1)(c)			South Cambridgeshire Local Plan Statement of Consultation.
13. Have you collected together all the representations made under Regulation 20?	The Act section 20(3)  Regulation 22(1)(e)			Copies of all the representations made under Regulation 20 are available to view on the Council's website or at the Council offices.
14. Have you assembled the relevant supporting documents?	The Act section 20(3)  Regulation 22(1)(g)			A Reference Document Library has been prepared which contains all relevant supporting documents and hard copies of all documents will be made available.
15. Has your council approved the DPD for submission?	The Act section 20		Check the LPA's constitution/standing orders for the	The Council resolved to submit the Local Plan to PINS at a meeting of full Council on the 13 March 2014: <a href="http://scambs.moderngov.co.uk/ieListDocuments.a">http://scambs.moderngov.co.uk/ieListDocuments.a</a>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
			authorisation process appropriate for the type of DPD.	<a href="#">spx?Cld=410&amp;Mid=6243</a>
16. Have you sent the Secretary of State (the Planning Inspectorate) both a paper copy and an email of the following: <ul style="list-style-type: none"> <li>• the DPD?</li> <li>• the submission policies map (unless there are no site allocation policies)?</li> <li>• the documents prescribed in Regulation 22(1)?</li> </ul>	The Act section 20(1) and 20(3)  Regulations 22(1) and 22(2)		<p>Regulation 35 deals with the availability of documents and the time of their removal.</p> <p>Electronic copies of some of the representations and supporting documents may not be practicable.</p> <p>Regulation 35 deals with the availability of documents and the time of their removal.</p>	A letter was sent to PINS on 28 March 2014 with a paper copy of the Local Plan and all supporting documents including those prescribed in Regulation 22 (1). CDs were also sent on the same containing electronic copies of all supporting documents.
17. Have you made the following available at the same places where the proposed submission documents were to be seen: <ul style="list-style-type: none"> <li>• The DPD?</li> <li>• The documents prescribed in Regulation 22(1)?</li> </ul>	Regulation 22(3)		You should do this as soon as reasonably practicable after submission.	The notice of Submission, proposed Submission Local Plan, Schedule of Major Modifications and Minor Changes and other documents prescribed in Regulation 22(1) are available at the same places as where the proposed submission documents were made available.
18. On your website, have you published the:	Regulation 22(3) and 35(1)(b)		You should do this as soon as reasonably	The following documents were published on the Council's website on or before 28 March 2014:

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<ul style="list-style-type: none"> <li>• DPD?</li> <li>• submission policies map?</li> <li>• sustainability appraisal report?</li> <li>• Regulation 22(1)(c) statement?</li> <li>• supporting documents (where practicable) ?</li> <li>• representations made under Regulation 20 (where practicable) ?</li> <li>• statement as to where and when the DPD and the documents are available?</li> </ul>			practicable after submission.	<ul style="list-style-type: none"> <li>• Proposed Submission South Cambridgeshire Local Plan;</li> <li>• Schedule of Major Modifications and Minor Changes (proposed following proposed submission consultation);</li> <li>• Proposed Submission South Cambridgeshire Local Plan Statement of Consultation (March 2014);</li> <li>• Draft Final Sustainability Report (March 2014);</li> <li>• Representations made under Regulation 20;</li> <li>• Supporting documents (Supporting Studies and Evidence Base);</li> <li>• Reference document library list;</li> <li>• The notice of Submission.</li> </ul>
<p>19. For each general consultation body invited to make representations under Regulation 18(1), have you sent:</p> <ul style="list-style-type: none"> <li>• notification that the documents prescribed in Regulation 22(3)(a)(i)-(iii) are available for inspection</li> <li>• where and when they can be inspected?</li> </ul>	Regulation 22(3)(b)		You should do this as soon as reasonably practicable after submitting to the Secretary of State.	In the week following submission, the Council notified by email/letter the relevant statutory and non-statutory bodies and all persons invited to make representations of Submission of the Local Plan. All those who submitted representations to the Proposed Submission Local Plan were also notified. This email/letter included information regarding where documentation can be inspected.

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
20. Have you given notice to persons who have requested to be notified that submission has taken place?	Regulation 22(3)(c)		You should do this as soon as reasonably practicable after submitting to the Secretary of State.	The Council notified by email/letter the relevant statutory and non-statutory bodies and all persons invited to make representations of Submission of the Local Plan. All those who submitted representations to the Proposed Submission Local Plan were also be notified. This email/letter included information regarding where documentation can be inspected.
21. If an examination is being held, at least six weeks before its opening has the Programme Officer: <ul style="list-style-type: none"> <li>• published the time and place of the examination and the name of the person appointed to carry out the examination on your website?</li> <li>• notified those who have made representations on the published DPD which have not been withdrawn of these details?</li> </ul>	The Act section 20 Regulations 24 and 35			To be arranged.