

**Ref:**

MMC \_\_\_\_\_ / \_\_\_\_\_  
(For official use only)

## Proposed Main Modifications Consultation Representation Form B

### Use this form to submit representations on:

- Sustainability Appraisal of the Local Plan Main Modifications
- Local Plan Main Modifications Habitats Regulations Assessment Statement

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**Please return this form to Calderdale Council either by:**

**Email:** Spatial Planning Team: [spatial.planning@calderdale.gov.uk](mailto:spatial.planning@calderdale.gov.uk)

**Post:**

Spatial Planning Team  
Town Hall  
Crossley Street  
HALIFAX  
HX1 1UJ

**To be received no later than 5pm on Friday 7 October 2022.** Any representations received after this time will not be accepted.

Guidance notes on how to complete the form are attached and are available on the website. All representations will be made available for public inspection and will be processed in accordance with the Data Protection Act 1998. Anonymous representations will not be accepted.

This form has two parts –

**Part A – Personal Details**

**Part B – Your representation(s).** Please fill in a separate sheet for each representation you wish to make.

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**Part A - Personal Details**

**1. PERSONAL DETAILS**

**2. AGENTS DETAILS (if applicable)**

*\*If an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent in 2.*

|   |                      |                      |
|---|----------------------|----------------------|
| <b>Title</b>                            | <input type="text"/> | <input type="text"/> |
| <b>First Name</b>                       | <input type="text"/> | <input type="text"/> |
| <b>Last Name</b>                        | <input type="text"/> | <input type="text"/> |
| <b>Job Title</b><br>(where relevant)    | <input type="text"/> | <input type="text"/> |
| <b>Organisation</b><br>(where relevant) | <input type="text"/> | <input type="text"/> |
| <b>Email Address</b>                    | <input type="text"/> | <input type="text"/> |
| <b>Address Line 1</b>                   | <input type="text"/> | <input type="text"/> |
| <b>Line 2</b>                           | <input type="text"/> | <input type="text"/> |
| <b>Line 3</b>                           | <input type="text"/> | <input type="text"/> |
| <b>Line 4</b>                           | <input type="text"/> | <input type="text"/> |
| <b>Postcode</b>                         | <input type="text"/> | <input type="text"/> |
| <b>Telephone Number</b>                 | <input type="text"/> | <input type="text"/> |

**PART B – YOUR REPRESENTATION (Please use a separate sheet for each representation)**

**NAME OR ORGANISATION:** \_\_\_\_\_

**3. Please indicate whether you support or object to these sections: (please tick as appropriate)**

3.(1) Sustainability Appraisal

Support

Object

3.(2) Habitats Regulations Assessment  
Statement

Support

Object

**4. Sustainability Appraisal Reference**

If you are commenting on the Sustainability Appraisal, please ensure you clearly indicate which paragraph/section your comment refers to:

SA

**5. Please use the box below to set out your comments on the Sustainability Appraisal or Habitat Regulations Assessment Statement**

Continue on a separate sheet if necessary

**Signature:**

**Date:**

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## **Data Protection**

Calderdale Council is registered with the Information Commissioners Office (ICO) under the provisions of the Data Protection Act 1998. The Council takes its responsibilities under the Act very seriously.

The information provided by you including your name, contact details and comments are recorded electronically on our system to maintain up to date records and are collected purely for the purposes of the work required to prepare a Local Plan under the provisions of the Planning Acts.

We need to collect this information in order to maintain accurate records to ensure that you can be properly involved in the preparation of the Local Plan including being invited to attend the Public Examination into the Plan.

Completion of this form/sharing your information with us constitutes explicit consent from you for us to process your data for this purpose.

This information will be kept permanently, or until such time as it is amended by us at your request or removed at your request.

As part of our statutory functions, we will share data with the Planning Inspectorate who will hold the Public Examination on behalf of the Secretary of State for Levelling Up, Housing and Communities

## Notes to Accompany Representation Form

### 1 INTRODUCTION

- 1.1 This consultation focuses on the Main Modifications required to make the Calderdale Local Plan legally compliant and sound.
- 1.2 The consultation relates specifically to these documents and in particular the **main modifications** which have been recommended by the Inspector. This consultation is not an opportunity to repeat or raise further representations about the published plan or to seek further changes to the plan.
- 1.3 A Sustainability Appraisal (SA) has been carried out on the Main Modifications and will be submitted for public consultation alongside the other Local Plan Main Modifications documents. The SA of the Main Modifications has been carried out using the same methodology applied by the council for the previous stages of the Local Plan preparation.
- 1.4 Please use this comment form if you wish to make a comment on the Sustainability Appraisal of the Main Modifications, or on the Habitat Regulations Assessment Statement.

### 2 LEGAL COMPLIANCE

- 2.1 You should consider the following before making a representation on legal compliance:
  - The Plan should be included in the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the Local Development Documents (LDDs) 18 it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for independent examination. If the Plan is not in the current LDS it should not have been published for representations. The LDS should be on the LPA's website and available at its main offices.
  - The process of community involvement for the plan in question should be in general accordance with the LPA's Statement of Community Involvement (SCI) (where one exists). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of LDDs (including plans) and the consideration of planning applications.
  - The plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012 (the Regulations). On publication, the LPA must publish the documents prescribed in the Regulations, and make them available at its principal offices and on its website. The LPA must also notify the various persons and organisations set out in the Regulations and any persons who have requested to be notified.
  - The LPA is required to provide a Sustainability Appraisal Report when it publishes a plan. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors.

### 3 SOUNDNESS

- 3.1 Soundness is explained in paragraph 182 of the National Planning Policy Framework (NPPF). The Inspector has to be satisfied that the plan is positively prepared, justified, effective and consistent with national policy:

- **Positively prepared:**  
This means that the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- **Justified:**  
The Plan should be the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence.
- **Effective:**  
The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.
- **Consistent with national policy:**  
The Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

#### 4 GENERAL ADVICE

- 4.1 If you wish to make a representation regarding a Main Modification or Policy Map Change, you should make clear in what way the proposed Main Modification/Policy Map Change is inadequate having regard to legal compliance and soundness. You should try to support your representation by evidence and it will be helpful if you also say precisely how you think the Main Modification should be amended. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further submissions. Representations can also be submitted to support the proposed Main Modifications/Policy Map Changes. All representations received on the Main Modifications and Policy Map Changes will be sent to the Inspector for her consideration.
- 4.2 Where there are groups who share a common view on how the proposed Main Modifications, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.
- 4.3 Whilst the consultation is seeking representations on the Main Modifications, Policy Map Changes, SA and HRA, the Council has also published the schedules of Minor Modifications. These are proposed changes which address corrections, minor text updates and clarifications, and do not relate to the soundness of the Plan. These have been published by the Council for information purposes only. Whilst representations are not invited on these minor/additional modifications documents, should readers consider that there be factual errors these may be brought to the Council's attention (these will not be forwarded to the Inspector for her consideration).
- 4.4 If you wish to comment on the Main Modifications, the Policies Map Changes or the Minor Modifications please use the Main Modifications Comment Form 'A'.