

# **Main Modifications Consultation – Guidance sheet**

## **What is the Proposed Modifications Consultation about?**

The Broxtowe Borough Council Part 2 Local Plan was submitted, together with supporting documentation, to the Secretary of State in August 2018 for examination.

The Part 2 Local Plan is being examined by an independent Inspector to test whether the plan is 'sound' and in accordance with legal requirements.

The Inspector has asked that consultation be carried out on Main Modifications which may be necessary in order for the Plan to be 'sound', although this does not imply that the Inspector has come to any firm conclusions on the soundness of the Plan with or without these modifications. The Inspector's final conclusions will be given in her Report at the end of the examination process.

## **What can I comment on?**

This consultation relates specifically to the proposed Main Modifications to the Part 2 Local Plan identified by the Planning Inspector as those that may be necessary to ensure that the Plan can be found 'sound'.

## **What can't I comment on?**

This consultation does not repeat the consultation already undertaken on the Publication Version of the Local Plan.

The Inspector is not inviting further comments on issues addressed in any earlier consultation, or on the Part 2 Local Plan as a whole. Comments should only be made on the changes proposed in the Main Modifications.

## **Test of Soundness and Legal Requirements**

The Part 2 Local Plan is required to be assessed against the tests in paragraph 182 of the 2012 version of the NPPF to establish whether it is 'sound' and complies with legal requirements:

- **Positively prepared** – 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 the 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 National Planning Policy Framework;
- **Legal** – the Plan must comply with the Law.

If you are objecting to a Main Modification the response form asks you to identify which of the Tests of Soundness and Legal Requirement you consider the modification fails to address, to aid the Inspector examining the Plan.