

Local Plan: Measures of Compliance

Legal Compliance

A Local Plan is considered legal when it is compliant with section 20(5) (a) of the Planning and Compulsory Purchase Act 2004, including:

- Has regard to the National Policy and guidance issued by the Secretary of State.
- Has been prepared in line with Local Development Schemes.
- Complies with the Town and Country Planning Act (Local Planning) (England) Regs 2012.
- Whether appropriate notifications have been made.
- Whether a Sustainability Appraisal has been done and made public.
- Whether the Plan meets the requirements of the Habitats Directive and the Conservation of Habitats and Species Regulations 2010

Soundness

The tests of soundness are as follows. Is the Local Plan:

- **Positively prepared?**
Providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified?**
An appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective?**
Deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy?**
Enabling the delivery of sustainable development in accordance with the policies in the National Policy Framework.

Duty to Co-operate

The Local Plan has to meet the requirements of the Duty to Co-operate in accordance with section 110 of Localism Act 2011 and section 33A of the Planning and Compulsory Purchase Act 2004.