

Soundness and Legal Tests for a Local Plan

The tests of soundness in the 2012 NPPF:

- **Positively prepared** (based on a strategy that 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 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 Framework).

The legal tests, in summary, are that the Plan must:

- Be prepared in accordance with the Council's Local Development Scheme and its Statement of Community Involvement.
- Be subject to a Sustainability Appraisal, Strategic Environmental Assessment, and a Habitat Regulations Assessment.
- Include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.
- Be prepared in accordance with the Equality Act 2010.
- Comply with all other relevant legal requirements including the Planning and Compulsory Purchase Act 2004 and the 2012 Regulations, which include following the necessary steps for consultation and publicity.