

# Hastings Planning Strategy - Guidance note to accompany Main Modifications Representation Form



## Introduction

The Hastings Planning Strategy is the first of the two main documents that will make up the new Local Plan for Hastings. The Planning Strategy sets the strategic framework for land use and development in the town up to 2028, from which the Development Management Plan (including site allocations) follows. This consultation relates to the Planning Strategy only.

The Hastings Planning Strategy was submitted to the Secretary of State on 31 October 2012. During February 2013 the Government appointed Planning Inspector; Mr Richard E Hollox BA(Hons) BSc(Econ) MPhil FRTPI FRICS, examined the Planning Strategy at 6 public hearings.

## Focus of this consultation

As a result of the hearings and other issues arising, the Council is undertaking a further consultation that concentrates on 3 key elements:

- 1) Main Modifications - Significant changes to the Planning Strategy text that are needed to help ensure the Plan is found "Sound" and "Legally Compliant" by the Inspector.
- 2) The revocation of the South East Plan, and how this affects the Planning Strategy.
- 3) New Government demographic household projections affecting how we assess the amount of new homes needed.

Collectively, these 3 parts make up the current consultation document. This guidance note will help make sure your representation form is filled out correctly so it can be properly considered by the Planning Inspector.

Representations should be focused on the 3 key issues above and the specific changes proposed only. They should not revisit existing policies in the Planning Strategy that have already been subject to consideration by the Inspector.

If you are looking to comment on the way in which we have prepared the Main Modifications, it is likely your comment will relate to "legal compliance". If it is the actual content of the Main Modifications you wish to comment on, it is likely that your comment will relate to the "soundness" of the document.

All your submitted representations must be made in accordance with these criteria. Only new representations will be considered at this stage. Previous representations have already been passed to the Inspector and are under his consideration

## How and when to submit representations

The consultation will run for 6 weeks, beginning 9am on Monday 20 May until 4.30pm on Monday 01 July 2013. Representations can be submitted at any point during this period. Representations received after 4.30pm on 1 July cannot be accepted.

As this is a formal stage of consultation, representations must be made using the official response form, or through our online consultation system at [www.hastings.gov.uk/localplan/consultation](http://www.hastings.gov.uk/localplan/consultation)

Comments made in any other format cannot be accepted.

Please note that all representations submitted will be made public. This will include publication of your name, but not your address or contact details.

Hard copy representations on the official response form should be delivered, or sent to (no stamp required):

**Hastings Borough Council  
Planning Policy  
FREEPOST RSCG-BSTS-GBRZ  
Aquila House  
Breeds Place  
HASTINGS  
East Sussex TN34 3UY**

Or emailed to: [fplanning@hastings.gov.uk](mailto:fplanning@hastings.gov.uk)

## Completing the Representation Form

**Part A** - This part of the representation form relates to personal details or your agent's details if they are filling in the form on your behalf. It also asks whether you would like further notification about the progress of the Planning Strategy.

You must complete Part A. Anonymous representations will not be accepted.

**Part B** - Concerning the proposed Main Modifications to the Planning Strategy, that are a result of the examination hearings of February this year.

**Part C** - Concerning the implications of the revocation of the South East Plan.

**Part D** - Concerning new Government household projections, respondents are asked to give their views on the latest projections and their possible implications for the housing needs of the Borough and the prospect of accommodating them.

Please fill out a separate Part B, C or D for every representation you wish to make on each element of the consultation document, (Main modifications, revocation of the South East Plan, new demographic projections). Please mark clearly how many sheets form part of the submission in the relevant box and attach all additional sheets firmly to Part A when you return them.

## Legal Compliance

The Inspector will first check that the Main Modifications meet the legal requirements of the 2004 Planning & Compulsory Purchase Act before moving on to test for soundness.

Before making a representation on legal compliance, please consider the following:

- a) Is the Planning Strategy overall featured within the current Local Development Scheme, and have the key stages been followed?
- b) Has the process of community involvement in preparing the Main Modifications been in general accordance with Hastings Borough Council's adopted Statement of Community Involvement?
- c) Has the Planning Strategy overall complied so far with the stages prescribed in the Town and County Planning (Local Planning) (England) Regulations 2012?
- d) Has a Sustainability Appraisal Report been published?
- e) Has Hastings Borough Council had regard to National Planning Policy in preparing the Main Modifications?
- f) Has there been sufficient regard to the Hastings and St Leonards Sustainable Community Strategy?

## Soundness

The National Planning Policy Framework (NPPF) provides a clear definition of “Soundness”. Before making a representation on soundness, please consider whether the Main Modifications are:

1. **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;
2. **Justified** – contributes to the most appropriate strategy for the town up to 2028, when considered against the reasonable alternatives. These alternatives should be realistic and considered in the sustainability appraisal process. To be justified, the proposed Main Modifications should also be based on a proportionate and credible evidence base involving participation of the local community and others having a stake in the area, as well as making sure the choices made are supported by facts.
3. **Effective** – Are the Main Modifications based on effective joint working on cross boundary strategic priorities? They should:
  - a) be based on sound infrastructure delivery planning
  - b) have no regulatory or national planning barriers to delivery
  - c) have delivery partners signed up to it
  - d) be coherent with Rother District Council’s Core Strategy.The modifications to the Plan should contribute positively to its flexibility to deal with changing circumstances, whilst also making clear that any major changes may require a formal review including public consultation.
4. **Consistent with national policy** – the Main Modifications should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework. Where policies are not consistent with this, there should be clear and convincing reasoning to justify this.
5. **South East Plan** – please consider whether as a result of the revocation of the South East Plan the Planning Strategy is still legally compliant and sound.

## What if there is something missing?

You may feel that there is an omission in the proposed Main Modifications. If this is the case please go through the following steps before making representations:

- a) Is the issue with which you are concerned already covered specifically by any of the National Planning Policy Framework? If so it does not need to be included.
- b) Is what you are concerned with covered by any other policies in the Planning Strategy or in the emerging Development Management Plan?
- c) If it is not covered elsewhere, in what way is the Planning Strategy, taken together with the Main Modifications unsound without it (linked in to 1-4 above)?
- d) If the Planning Strategy, taken together with the Main Modifications, is unsound, what should the modification say?

## Speaking at the examination

The Inspector may hold further examination hearings. If this should happen please indicate at questions 11 and 12 whether you would like to speak at the potential examination to support your proposed change to the Main Modifications, or a change you feel is necessary in light of the revocation of the South East Plan or new demographic projections, and if so, why you feel this is necessary.

## General advice

If you wish to make a representation seeking a change to the Main Modifications, you should:

- a) Make clear in what way the published Main Modifications is not sound or not legally compliant, having regard to the tests set out above.
- b) Support your representation by evidence showing why the Main Modifications should be changed.
- c) Say precisely how you think the Main Modifications should be changed.

Representations should cover succinctly all the information, evidence and supporting information necessary to support or justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further submissions. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he identifies.

Where there are groups who share a common view on how they wish to see the Main Modifications changed, the impact of the revocation of the South East Plan and/or the latest household projections, it would be very helpful for that group to send a single representation for that view, rather than for a large number of individuals to send in separate representations which repeat the same points.

## Next steps

Consultation runs from 9am on 20 May until 4.30pm on 1 July 2013.

Following the close of the consultation, we will summarise all the representations received, and send this summary, the consultation document, the Sustainability Appraisal Report and all your representations to the Planning Inspector.

The Inspector will consider all the valid responses made to this consultation, together with those made at the last formal stage of consultation and present his recommendations in a final report. He may also feel it necessary to hold a further examination hearing to discuss any points raised.

Once the Inspector’s final report is received, it will be considered by the Council. If the Inspector finds the Planning Strategy legally compliant and sound, the Council will progress to the adoption of the Hastings Planning Strategy. Please see our website or contact us via the details below for an update on future progress.

## Further information

### Talk to a planner

Email us at [fplanning@hastings.gov.uk](mailto:fplanning@hastings.gov.uk)

Telephone Planning Policy on 01424 451098

Or contact us through Facebook or Twitter:

**Twitter:** <http://twitter.com/ShapingHastings>

**Facebook:** [www.facebook.com/shapinghastings](http://www.facebook.com/shapinghastings)

### Other useful information is available at:

**The Planning Inspectorate** - [www.planningportal.gov.uk/planning/planningsystem/localplans](http://www.planningportal.gov.uk/planning/planningsystem/localplans)

**Planning Aid** -

[http://www.rtpi.org.uk/planningaid/how\\_we\\_can\\_help/](http://www.rtpi.org.uk/planningaid/how_we_can_help/)