

East Herts District Plan Pre-Submission Version (Regulation19)

Frequently Asked Questions

- 1. What is this consultation about?**
- 2. How long does the consultation last?**
- 3. Why should I comment?**
- 4. Can comments only be made on soundness and legal compliance?**
- 5. Hasn't the public already been consulted on the District Plan?**
- 6. I made comments on the Preferred Options consultation; do I need to comment again?**
- 7. Why does it take so long to produce a District Plan and who decides whether the Plan meets the Government's approval?**
- 8. What happens when people comment on the District Plan?**
- 9. What is an Examination?**
- 10. How do I make my views known?**
- 11. Where can I find the documents?**
- 12. Can I buy a copy of the District Plan?**
- 13. Questions**

1. What is this consultation about?

East Herts Council is consulting on the latest version of the East Herts District Plan. This stage is known as the Regulation 19 consultation, which is the final public consultation stage before the District Plan is submitted to the Planning Inspectorate for Examination. At this stage the Plan is known as the East Herts District Plan (Pre-Submission Version).

The Pre-Submission Plan takes forward a revised version of the earlier Preferred Options Plan, which was consulted on in 2014. Representations made in respect of this earlier consultation have been considered alongside updated evidence in preparing the Pre-Submission Plan.

The Pre-Submission Plan sets out the vision, policies and proposals to guide future development and the use of land within East Herts. It provides certainty to members of the public and developers as to where development is likely to take place and guides decision-takers on the most appropriate forms of development over the Plan-period to 2033.

2. How long does the consultation last?

The Pre-Submission District Plan will be available for comments for a period of six-weeks from **Thursday 3rd November** to 5pm on **Thursday 15th December 2016**.

Comments submitted after that 5pm on the 15th December may not be considered.

3. Why should I comment?

As a place shaping document, everyone can be affected and so everyone should have the opportunity to contribute – it is important to engage in the preparation of the District Plan.

4. Can comments only be made on soundness and legal compliance?

At this stage the Council is seeking views on whether the District Plan is sound and meets the tests set out in the National Planning Policy Framework (NPPF). In other words whether:

- the Council has planned for the district's housing, employment and infrastructure needs;
- the District Plan is based on sound evidence;
- the development proposals identified within the District Plan can be delivered by 2033; and
- the District Plan is consistent with national policy, and enables sustainable development.

Representations will be passed to the Inspector and it is recommended that comments should be clear, concise and targeted. While respondents are free to comment as they choose, in order to have the greatest influence at this stage it is advisable that representations should relate to the soundness of the Pre-Submission Plan or to its compliance with legal requirements. These are explained below.

Soundness

Regulations state that a local planning authority should submit a Plan for examination which it considers to be 'sound' – namely that it is:

- **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; and
- **Consistent with national policies** – the Plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.

It is advisable that representations made at this stage should therefore focus on whether the Plan meets the tests listed above. This is because these are the broad areas that the Inspector will focus on in examining the District Plan.

Legal Requirements

When considering if the Plan meets its legal requirements, the Inspector will consider a number of issues including:

- **Local Development Scheme** – has the Plan been prepared in accordance with the timetable set out on the Local Development Scheme?
- **Statement of Community Involvement and relevant regulations** – has consultation on the Plan been in accordance with the Council's Statement of Community Involvement and have the appropriate bodies been consulted?
- **Duty to Co-operate** – has the Plan been prepared in co-operation with other local planning authorities and prescribed bodies, such as the Environment Agency and the Local Enterprise Partnership, to identify and address any issues?
- **Sustainability Appraisal** – has an adequate Sustainability Appraisal been carried out?
- **Appropriate Assessment** – has an adequate Appropriate Assessment under the Habitats Regulations been carried out?

- **National Policy and Legislation** – does the Plan comply with national policy and legislation, for example, the National Planning Policy Framework.

5. Hasn't the public already been consulted on the District Plan?

Yes – we have consulted the public several times over the last few years, most recently in 2014 when we received comments from over a thousand stakeholders including statutory consultees and members of the public.

The diagram below shows the District Plan process:



6. I made comments on the Preferred Options consultation; do I need to comment again?

The Council is not able to carry forward any comments made on previous consultations. Therefore, any comments previously submitted that you think have not been resolved would need to be submitted again as part of this consultation.

7. Why does it take so long to produce a District Plan and who decides whether the Plan meets the Government's approval?

Local Plans must be based on robust and up-to-date evidence, which meets legal requirements and tests of soundness. Evidence is rigorously tested and challenged by a Planning Inspector at an independent Examination. Many plans have had to be withdrawn for various reasons before or after Examination, including failure to comply with national policy statutory requirements. The Council should not submit its local plan before it is confident that it will succeed at Examination. To do otherwise would be inefficient and wasteful of resources, and ultimately delay adoption.

Without an adopted District Plan the district will be vulnerable to further unplanned development which may occur in undesirable locations.

8. What happens when people comment on the District Plan?

The Council will collate all the comments received during the consultation period and these will be submitted alongside the District Plan to the Planning Inspectorate.

The Council intends to submit the District Plan, the evidence supporting it, and representations received during the Pre-Submission consultation to the Planning Inspectorate in March 2017. Following this an independent Examination will take place.

9. What is an Examination?

An Examination is a form of public inquiry where an independent planning inspector, appointed by the Secretary of State, will 'test' the Plan and supporting information and judge whether it is sound and meets its legal requirements.

Further information will be provided about the Examination process before that stage begins. It is currently anticipated that the Examination will commence in late Spring/Summer 2017.

10. How do I make my views known?

There are different ways to send in your comments:

- Online at <http://consult.eastherts.gov.uk>. This is the most convenient means of submitting comments and ensures that you will be kept informed of future stages of plan preparation.
- Via email or post. A representation form can be used, which is available from the District Council and from libraries. The form should be sent to planningpolicy@eastherts.gov.uk or posted to: Planning Policy Team, East Herts Council, Pegs Lane, Hertford, SG13 8EQ.

**Remember the deadline for all comments is 5pm on
Thursday 15th December 2016.**

Please note – comments can only be deemed legitimate ('duly-made') if they are received in a written format with a name and address supplied. Comments made verbally or anonymously cannot be accepted. It is also important to appreciate that the Council is obliged to make duly-made representations available for public inspection on its website.

11. Where can I find the documents?

The District Plan and supporting documents will be available for public inspection during normal offices hours at the following locations:

- East Herts Council Offices, Wallfields, Pegs Lane, Hertford
- East Herts Council Offices, Charringtons House, The Causeway, Bishop's Stortford
- Bishop's Stortford Town Council, The Old Monastery, Windhill, Bishop's Stortford
- Bishop's Stortford Public Library, 6 The Causeway, Bishop's Stortford
- Buntingford Town Council, The Manor House, 21 High Street, Buntingford
- Buntingford Public Library, 77 High Street, Buntingford
- Hertford Town Council, The Castle, Hertford
- Hertford Public Library, Dolphin Yard, Maidenhead Street, Hertford
- Knebworth Public Library, 7 St Martin's Road, Knebworth
- Sawbridgeworth Town Council, Sayesbury Manor, Bell Street, Sawbridgeworth
- Sawbridgeworth Public Library, The Forebury, Sawbridgeworth
- Ware Town Council, The Priory, Ware
- Ware Public Library, 87 High Street, Ware

The District Plan and supporting documents can also be viewed online at: www.eastherts.gov.uk/districtplan.

12. Can I buy a copy of the District Plan?

A limited number of copies of the District Plan are available to purchase from the Council. The District Plan and accompanying Policies Map cost £35.00.

13. Questions

If you have any questions about the District Plan please contact a member of the Planning Policy Team on 01279 655261 or email planningpolicy@eastherts.gov.uk.