This guidance note explains how you can comment on the proposed Main Modifications to the Havering Local Plan and other evidence items supporting the Local Plan specified in the public consultation.

Please read this note carefully before you make a representation(s).

1. What is this consultation about?

The Havering Local Plan is currently undergoing an independent public Examination by a Planning Inspector following its submission to the Government in March 2018.

As part of the examination process, the Government appointed an Inspector, Mrs Susan Heywood BSc (Hons) MCD MRTPI and she is inviting comments on a number of proposed changes to the submitted plan (these are known as “Main Modifications”) to ensure it meets the requirements and procedures set out in national policy and legislation.

Main Modifications are changes that the inspector considers necessary to make the plan sound.\(^1\)

The Inspector is also inviting comments on specific evidence items supporting the Local Plan included in the public consultation. Further details on these are set out below.

The Main Modifications and changes to the evidence base items have been proposed following discussions at the Local Plan Examination hearings in October 2018 and May 2019.

This consultation is open to everyone and is not restricted to those people or organisations that made representations during the previous stages of the Local Plan process.

2. What can I comment on?

This consultation is seeking views on the proposed Main Modifications (changes that will materially alter the policies and proposals of the Local Plan) and evidence base items that support the Local Plan which are specified in the public consultation (see below).

Please note: this is not a consultation on the Local Plan as a whole.

We can only accept representations in respect of the proposed Main Modifications and supporting documents listed below:

- MMC01 Schedule of Proposed Main Modifications (August 2020)
- MMC02 Proposals Map Changes Booklet Addendum (in light of the Main Modifications) (December 2019)
- MMC03 Habitat Regulations Assessment: Havering Local Plan Main Modifications (April 2020)\(^4\)

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\(^1\) Main Modifications are defined under section 7C of the Planning and Compulsory Purchase Act 2004.

\(^4\) This document refers to a specific document related to the habitat regulations assessment for the Main Modifications, dated April 2020.
• MMC04 Health Impact Assessment Review 2019: Report responding to Proposed Main Modifications to Local Plan (April 2020)
• MMC05 Sustainability Appraisal (SA) for the Havering Local Plan: SA Report Addendum to accompany the Main Modifications (April 2020)*
• MMC06 Review of 2018 Review of Specialist Older Persons’ Housing (this also forms Appendix 11 of the Housing Position Statement)
• MMC07 Housing Position Statement 2019 - Technical Update May - (October 2019 amendment) including:
  • MMC08 Update to Annex 8 of the Housing Position Statement
  • MMC09.01- MMC09.04 Updates to Annexes 14.1, 14.2, 14.3 and 14.4 of the Housing Position Statement 2019 – Technical Update May (October amendment) (comprising housing completions in Financial Years 2014 – 2017 (inclusive))
  • MMC10 Housing Trajectory October 2019 Update for Inspector
  • MMC11 Revised Gypsy and Traveller Accommodation Assessment Update report (July 2019)
• MMC12 Site Layouts Drawings (Supporting site layout material for revised Policy 11 Gypsy and Traveller Accommodation) (09-07-2019)
• MMC13 Pitch Deliverability Assessments (Matrices) (February 2019)
• MMC14 Gypsy and Traveller Accommodation and Proposals Map Changes (January 2020)
• MMC15 Supplementary retail note for the Havering Local Plan (December 2018)
• MMC16 Statement from the Council on changes to the Use Classes (August 2020)

*The Council has reviewed these documents in light of other proposed amendments and considers no other changes are necessary.

It should be noted that:

• Annexes numbers 1-7 and 9-13 of the Housing Position Statement 2019 Technical Update May 2019 (October 2019 amendment) remain unchanged from those submitted at the May 2019 hearing sessions
• The pitch assessments set out in the Pitch Deliverability Assessment Matrices (February 2019) for each site are superseded by the latest Gypsy and Traveller Accommodation Assessment Update report (July 2019). The supporting information in the Pitch Deliverability Assessments remains appropriate.

Copies of the documents can be viewed online at: https://www.havering.gov.uk/info/20034/planning/183/planning_policy/12

If you are unable to access the consultation documents online hard copies of the documents can be requested by contacting developmentplanning@havering.gov.uk or 01708 43 4220/4083

Please do not repeat or re-submit previous representations on the plan as these have already been considered as part of the Examination process. Comments on other aspects of the submission Local Plan will not be taken into account and will be disregarded.

3. How to make a representation

This consultation is open to everyone and is not restricted to those people or organisations that made representations during previous stages of the plan.
If you wish to make comments, please use one of the following methods:

- **Online:** using the consultation response form at [https://havering.objective.co.uk/portal/](https://havering.objective.co.uk/portal/)

- **By email:** please complete the consultation response form (available at the link above) and send it to developmentplanning@havering.gov.uk

- **By post:** please complete the consultation response form and send it to: London Borough of Havering, Development Planning, 5th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL

The response form provides you with an opportunity to either support or object to the proposed changes.

4. **How long do I have to make a representation?**

The consultation will run from **Monday 17th August until Monday 12th October 2020**. Unfortunately late comments cannot be accepted.

5. **How to complete the response form?**

Your personal details (name and address) must be provided (or the details of your agent if they are filling in the form on your behalf). Anonymous representations will not be accepted.

When completing the response form, please quote the relevant reference number set out in the schedule of proposed Main Modifications (e.g. MM21) as well as the relevant parts of the Local Plan (e.g. policy, paragraph or figure) to which your representation relates.² Please identify the relevant page and paragraph number if your representation concerns the items in the evidence base.

Continuation sheets can be used but you must state clearly your name and the representation to which they relate. However, you only need to fill in your personal details once.

When you submit your representation(s), you can also request to be notified via email about any of the following:

- the publication of the Inspector’s report into the examination of the Local Plan
- the adoption of the Local Plan

6. **What do I need to consider**

Your representation must specifically relate to the tests set out in Government legislation and guidance. These deal with how the plan has been prepared (legal compliance) and its content (soundness).

**Legal compliance**

The proposed Main Modifications are required to meet the legal requirements set out in the regulations for preparing Local Plans³.

You should consider the following points before making a representation on legal compliance.

- Have the proposed Main Modifications been prepared in accordance with our published timetable set out in the Local Development Scheme?

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² All of the references relating to policies, figures and tables are taken from the submitted plan (on which the examination is based).

³ As set out under the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011)
• Has the process of public consultation on the proposed Main Modifications correctly followed the procedures set out in the adopted Statement of Community Involvement?
• Have the proposed Main Modifications been subject to an Integrated Impact Assessment in line with relevant European and national legislation?

The Inspector directed that the Local Plan would be considered in the light of the National Planning Policy Framework (2012) under the transitional arrangements set out in paragraph number 214 of the National Planning Policy Framework (2019).

• Do the proposed Main Modifications have regard to the requirements set out in national policy (including the Government’s National Planning Policy Framework (2012))?
• Do the proposed Main Modifications comply with the stages set out in the Town and Country Planning (Local Planning) (England Regulations 2012) in terms of notifying the appropriate consultation bodies and interested parties about the consultation and publishing the relevant documentation?
• Have the proposed Main Modifications been prepared in cooperation with other local planning authorities and prescribed bodies (as set out in the regulations) to identify and address any cross-boundary issues which will have a significant impact on at least two planning areas?

Soundness

The tests of soundness against which the proposed Main Modifications of the Local Plan will be assessed are set out in the National Planning Policy Framework (2012).

You should consider the following points before making a representation on soundness.

1. **Positively prepared:** Has our Local Plan been prepared to meet our objectively assessed development and infrastructure needs as well as the needs of our neighbours?
2. **Justified:** is our Local Plan based on a robust, credible and proportionate evidence base? Are the choices made in our plan are backed up by solid facts and research? Is our Local Plan the best approach when considered against reasonable alternatives?
3. **Effective:** Are the policies and proposals set out in our Local Plan capable of being delivered, including the provision of infrastructure? Is our Local Plan sufficiently flexible to deal with changing circumstances? Is our Local Plan based on effective joint working across boundaries? Are delivery partners signed up to it?
4. **Consistent with national policy:** is our plan consistent with national policy and enable the delivery of sustainable development, as set out in the National Planning Policy Framework?

Your comments should set out why you do or do not believe the Main Modifications are sound or legally compliant.

7. **How do I seek a change to the plan?**

If you wish to make a representation seeking a change to the Main Modifications of the submitted Local Plan, you should:

a) make clear in what way the proposed Main Modifications are not sound or legally compliant, having regard to the tests set out above;
b) support your representation with clear evidence showing why the proposed Main Modifications should be changed and why the alternative approach is valid; and

c) say precisely how you think the proposed 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 she wishes to examine.

Where there are groups who share a common view on how they wish to change a proposed Main Modification, we would advise them to submit a single representation which represents the view rather than individual responses which repeat the same points. In such cases, the group should indicate how many people it is representing, names and addresses and how the representation has been organised.

All of the documentation relating to the Local Plan (including the supporting evidence base and representations from previous stages) is in our examination library on our website at: https://www.havering.gov.uk/info/20034/planning/183/planning_policy/12

8. Who should make the representation?

You may submit a representation yourself or on behalf of an organisation or company. Alternatively, you may appoint an agent to do it for you. If an agent is appointed their full details must be given and all future correspondence will be sent to them.

9. How will I know if my representation is valid?

For your representation to be made valid, it must:

a) Be received within the timescales set out above;

b) Relate to the proposed Main Modifications set out in the schedule or the listed supporting evidence (other parts of the plan will not be considered);

c) Relate to the content of the proposed Main Modifications or supporting listed evidence documents (soundness) and how they have been prepared (legal compliance);

d) Not be anonymous (you must give your name and postal address); and

e) Not be offensive, libellous, racist or otherwise breach the law

10. What will happen to my representation?

Your representation (once registered) will be made available on the Council’s website. However, personal details, such as addresses, phone numbers and emails, will be kept private and confidential.

In exceptional circumstances, the Inspector may feel it necessary to hold further hearing sessions to discuss any outstanding issues.

At the end of the Examination process, the Inspector will publish her findings and recommendations (taking account of the consultation responses on the proposed Main Modifications) in a final report.

If the Inspector finds the Local Plan sound and legally compliant with the proposed Main Modifications, we will proceed to formal adoption.

11. What is not being consulted on?

Whilst not forming part of this consultation, we have proposed a number of additional modifications (e.g. factual updates and
grammatical corrections) to improve the clarity and understanding of the Local Plan.

For ease of reference, we have published a tracked-change version illustrating how the proposed modifications (including the proposed Main Modifications) have been incorporated into the submitted Local Plan.

However, these documents have been published for information purposes only and they fall outside the scope of the consultation.

Copies are available to download or view from the Examination webpage at: https://www.havering.gov.uk/info/20034/planning/183/planning_policy/12

12. Where can I obtain further information or assistance on these matters?

We realise this stage is technical in nature and differs from previous stages of the Local Plan process.

If you require further assistance on how to make a representation on the Main Modifications to the Local Plan, please contact us via email at developmentplanning@havering.gov.uk or via telephone at 01708 43 4220/4083