

GUIDANCE NOTES ON MAKING A REPRESENTATION ON MAIN MODIFICATIONS TO THE TOWER HAMLETS LOCAL PLAN



This guidance note explains how you can comment on the proposed main modifications to the Tower Hamlets Local Plan. Please read this note before you make a representation.

1 What is this consultation about?

The Tower Hamlets Local Plan is currently undergoing an independent public examination, following its submission to the government in February 2018.

As part of the examination process, the government-appointed inspector (Mrs Christa Masters) is inviting comments on a number of proposed changes to the submitted plan (known as “main modifications”) to ensure it meets the requirements and procedures set out in national policy and legislation.

Main modifications are changes which the inspector considers necessary to make the plan sound¹.

The main modifications have been proposed following discussions at the Local Plan examination hearings (which ran from 6-21 September and 11-12 October 2018).

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).

¹ Main modifications are defined under section 7C of the Planning and Compulsory Purchase Act 2004.

Please note: this is not a consultation on the plan as a whole. **We can only accept representations in respect of the main modifications.** 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 are also sought on:

- the addendum to the Integrated Impact Assessment (which investigates the potential impacts of the main modifications against a range of social, economic and environmental objectives); and
- the proposed changes to the Policies Map (as a consequence of the main modifications²).

A schedule of the proposed main modifications (plus associated documents) is available to view or download from our website at www.towerhamlets.gov.uk/localplan. Hard copies can be obtained from the town hall (Mulberry Place, Clove Crescent, Poplar, London, E14 2BG) or libraries and idea stores across the borough.

The updated Policies Map (which illustrates the policies and proposals set out in the Local Plan) is available to view in either interactive or PDF format.

3. How to make a representation?

If you wish to make a representation on the main modifications, please complete a response form and send it to us, either via:

- email (localplan@towerhamlets.gov.uk) or

² The main modifications have resulted in a number of corresponding changes to the Policies Map. The updated Policies Map (which illustrates the policies and proposals set out in the Local Plan) is available to view in either interactive or PDF format on our web site.

- post (FREEPOST, Main modification consultation, Strategic Planning, London Borough of Tower Hamlets, PO BOX 55739, London, E14 1BY).

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

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

Comments can be made any time during the six-week consultation period, which starts on **25 March and closes at 5pm on 9 May 2019**.

Please note: this consultation has been extended two extra days to take account of the Easter bank holidays on Friday 19 April 2019 and Monday 22 April 2019.

Unfortunately, we cannot accept late responses.

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 of your behalf). Anonymous representations will not be accepted.

When completing the response form, please quote the correct reference number set out in the main modifications schedule (e.g. MM01) as well as the relevant parts of the plan (e.g. policy, paragraph or figure) to which your representation relates³.

Separate forms should be completed for each representation. 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.

³ All of the references relating to policies, figures and tables are taken from the submitted plan (on which the examination is based).

When you submit your representation, you can request to be notified via email about any of the following.

- Publication of the inspector's report into the examination of the Local Plan.
- Adoption of the Local Plan.

6. What do I need to consider?

Your representation must specifically relate to the tests set out in government guidance and legislation. These tests relate to the way in which the plan has been prepared (legal compliance) and its content (soundness).

Legal compliance

The main modifications are required to meet the legal requirements set out in the regulations⁴. You should consider the following points before making a representation on legal compliance.

- Have the main modifications have been prepared in accordance with our published timetable set out in the Local Development Scheme?
- Has the process of public consultation on the main modifications correctly followed the procedures set out in the adopted Statement of Community Involvement?
- Have the main modifications been subject to an Integrated Impact Assessment in line with relevant European and national legislation?
- Do the main modifications have regard to the requirements set out in national policy (including the government's National Planning Policy Framework, which was published in 2012)?
- Do the main modifications comply with the stages set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations) in terms of notifying the appropriate consultation bodies and interested parties about the consultation and publishing the relevant documentation?

⁴ as set out under the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011)

- Have the 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 main modifications of the Local Plan will be assessed are set out in the 2012 National Planning Policy Framework. You should consider the following points before making a representation on soundness.

1. Positively prepared: Has our plan been prepared to meet our objectively assessed development and infrastructure needs as well as the needs of our neighbours?

2. Justified: Is our plan based on a robust, credible and proportionate evidence base? Are the choices made in our plan backed up by solid facts and research? Is our plan the best approach when considered against reasonable alternatives?

3. Effective: Are the policies and proposals set out in our plan capable of being delivered, including the provision of infrastructure? Is our plan sufficiently flexible to deal with changing circumstances? Is our 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 2012 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 plan, you should:

- a) make clear in what way the 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 main modifications should be changed and why the alternative approach is valid; and
- 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 she wishes to examine.

Where there are groups who share a common view on how they wish to change a proposed 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) can be found on our examination library on our website at www.towerhamlets.gov.uk/localplan.

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 main modifications set out in the schedule (other parts of the plan will not be considered);
- c) relate to the content of the main modifications (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 (i.e. inadmissible).

10. What will happen to my representation?

Your representation (once registered) will be made available online at www.towerhamlets.gov.uk/localplan. 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 main modifications) in a final report.

If the inspector finds the Local Plan sound and legally compliant, 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 of the Local Plan.

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

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

Copies are available to download or view from the examination webpage at www.towerhamlets.gov.uk/localplan.

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 make a representation on the main modifications to the Local Plan, please contact us via email at localplan@towerhamlets.gov.uk or phone on 020 7364 5009.