

Hackney Local Plan 2033 – Proposed Submission 2018 Representation Form

The best way for you to make representations is by using this form. Representations should be returned to the Strategic Policy Team by **5pm on 7th January 2019** by:

E-mail to: planmaking@hackney.gov.uk

Posting to: Strategic Policy, Hackney Council, The Annex, 3rd Floor, 2 Hillman Street, London E8 1FB.

This form has two parts:

Part A – Personal Details (You need only submit **one** copy of Part A)

Part B – Your representation(s). **Please submit a separate page** for each representation you wish to make.

Before completing this representation form please refer to the attached guidance notes.

Part A – Submit only one copy of this

1 - Personal Details

| | | | |
|-------------------------------------|--|-------------------|--|
| Title: | | | |
| First Name: | | Last Name: | |
| Organisation where relevant: | | | |

Contact details:

| | | | |
|-------------------|--|-------------------|--|
| Email: | | Telephone: | |
| Address: | | | |
| Post code: | | | |

2 - If you are an agent or representing an organisation or group please provide their details below:

| |
|----------------------|
| Organisation: |
|----------------------|

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Part B – Please use a separate page for each representation for parts 3-8

3. Please give the number or name of the Paragraph or Policy your comment relates to. Documents can be found at the following links:

- Hackney Local Plan Proposed Submission - <https://hackney.gov.uk/lp33>
- Integrated Impact Assessment Report - <https://hackney.gov.uk/lp33>

| | | | | | |
|---------|--|-----------|--|--------|--|
| Chapter | | Paragraph | | Policy | |
|---------|--|-----------|--|--------|--|

4. Do you believe the Local Plan Proposed Submission is:

| | | | | |
|--|-----|--|----|--|
| (1) Legally compliant | Yes | | No | |
| (2) Sound | Yes | | No | |
| (3) Complies with the Duty to Co-operate | Yes | | No | |

If you have entered No to 4.(2), continue with Q5, otherwise please go straight to Q6

5. Do you consider the Hackney Local Plan is **unsound** because it is **NOT**:

| | |
|--|--|
| (1) Positively Prepared it is not prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirement, including unmet requirement from neighbouring boroughs where it is reasonable to do so and consistent with achieving sustainable development. | |
| (2) Justified it is not the most appropriate strategy, when considered against the reasonable alternatives, based on a proportionate evidence base. | |
| (3) Effective the plan is not deliverable over its period and based on effective joint working on cross-boundary strategic priorities. | |
| (4) Consistent with national policy the plan will not enable the delivery of sustainable development in accordance with policies in the National Planning Framework. | |

6. Please give details of why you consider the Hackney Local Plan 2033 Submission **is** or **is not** legally compliant, unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to **support** the legal compliance or soundness of the Local Plan 2033 Proposed Submission or its compliance with the duty to cooperate, please use this box to set out your comments.

(Continue on a separate sheet if necessary)

7. Please set out what modification(s) you consider necessary to make the Hackney Local Plan 2033 Proposed Submission legally compliant or sound. Please have regard to any answer you have given at 5 and 6 above. (NB: Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(Continue on a separate sheet if necessary)

Please note: Your representation should cover succinctly all the information, evidence and supporting information necessary to support and justify the representation and the suggested change. There will not normally be a subsequent opportunity to make further representations.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.



8. Do you wish to participate at an oral part of the examination?

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination

| | | | |
|----|--|-----|--|
| No | | Yes | |
|----|--|-----|--|

| | |
|--|--|
| 9. Do you wish to be notified of any of the following? Please mark all that apply. | |
| (a) when the Hackney Local Plan is submitted to the Planning Inspectorate | |
| (b) when the Hackney Local Plan Examination will occur | |
| (c) when the Inspector's Report is published | |
| (d) when the Hackney Local Plan is adopted | |

Please note that all responses will be held by the Council in accordance with the data protection legislation. Your name, organisation (if relevant) and comments may be made available to the public, in council committee papers and matters relating to Hackney's Local Plan 2033 review. Your contact details i.e. postal addresses, emails and telephone numbers will not be shared with the public.

However, your contact details will be shared with the Programme Officer & Inspector for the purposes of the Public Examination. We will use your contact details to notify you about future stages of the plan process, if you agree. By submitting this form you are agreeing to these purposes.

For information about how we handle your data, please read our [privacy notice](#)

| | | | |
|----------------|--|-------|--|
| 10. Signature: | | Date: | |
|----------------|--|-------|--|

About You

So we can best understand our service users and residents please complete the optional information about you. All information is used under the strict controls of the Data Protection Act.

1. Gender: Are you:

| | |
|--------------------------|--|
| <input type="checkbox"/> | Male |
| <input type="checkbox"/> | Female |
| <input type="checkbox"/> | If you prefer to use your own term please provide this here: |

2. Age: what is your age group?

| | | | |
|--------------------------|----------|--------------------------|-------|
| <input type="checkbox"/> | Under 16 | <input type="checkbox"/> | 45-54 |
| <input type="checkbox"/> | 16-17 | <input type="checkbox"/> | 55-64 |
| <input type="checkbox"/> | 18-24 | <input type="checkbox"/> | 65-74 |
| <input type="checkbox"/> | 25-34 | <input type="checkbox"/> | 75-84 |
| <input type="checkbox"/> | 35-44 | <input type="checkbox"/> | 85+ |

3. Disability: Under the Equality Act you are disabled if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities. Do you consider yourself to be disabled?

| | |
|--------------------------|-----|
| <input type="checkbox"/> | Yes |
| <input type="checkbox"/> | No |

4. Caring responsibilities: A carer is someone who spends a significant proportion of their time providing unpaid support to a family member, partner or friend who is ill, frail, disabled or has mental health or substance misuse problems. Do you regularly provide unpaid support caring for someone?

| | |
|--------------------------|-----|
| <input type="checkbox"/> | Yes |
| <input type="checkbox"/> | No |

5. Religion or belief: Are you or do you have...

| | | | |
|--------------------------|-----------------------------|--------------------------|----------------------------------|
| <input type="checkbox"/> | Atheist/no religious belief | <input type="checkbox"/> | Secular beliefs |
| <input type="checkbox"/> | Christian | <input type="checkbox"/> | Charedi |
| <input type="checkbox"/> | Muslim | <input type="checkbox"/> | Jewish |
| <input type="checkbox"/> | Buddhist | <input type="checkbox"/> | Sikh |
| <input type="checkbox"/> | Hindu | <input type="checkbox"/> | Other (please state if you wish) |

6. Ethnicity: Are you:

| | |
|--------------------------|-----------------------------------|
| <input type="checkbox"/> | Asian or Asian British |
| <input type="checkbox"/> | White or White British |
| <input type="checkbox"/> | Black or Black British |
| <input type="checkbox"/> | Mixed background |
| <input type="checkbox"/> | Other ethnic group |
| <input type="checkbox"/> | Other (please state if you wish): |

7. Sexual orientation: Are you:

| | |
|--------------------------|-----------------------------------|
| <input type="checkbox"/> | Bisexual |
| <input type="checkbox"/> | Gay man |
| <input type="checkbox"/> | Lesbian or Gay woman |
| <input type="checkbox"/> | Heterosexual |
| <input type="checkbox"/> | Other (please state if you wish): |

Guidance Notes to Accompany Representation Form

1. Introduction

The Hackney Local Plan 2033 – Proposed Submission is published in order for representations to be made prior to submission. The representations will be considered alongside the published Plan when submitted, which will be examined by a Planning Inspector. The Planning and Compulsory Purchase Act 2004¹ (as amended) (PCPA) states that the purpose of the examination is to consider whether the Plan complies with the legal requirements, the duty to co-operate and is sound.

2. Legal Compliance and Duty to Co-operate

The Inspector will first check that the Plan meets the legal requirements under s20(5)(a) and the duty to co-operate under s20(5)(c) of the PCPA before moving on to test for soundness.

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

- The Plan in question should be included in the current Local Development Scheme (LDS)* and the key stages should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the Local Development Documents (LDDs) it proposes to produce. It will set out the key stages in the production of any Plans which the LPA proposes to bring forward for independent examination. If the Plan is not in the current LDS it should not have been published for representations.
- The process of community involvement for the Plan in question should be in general accordance with the LPA's Statement of Community Involvement (SCI). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of LDDs (including Plans) and the consideration of planning applications.
- The Plan should comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations)² and subsequent amendments. On publication, the LPA must publish the documents prescribed in the Regulations, and make them available at its principal offices and on its website. The LPA must also notify the Local Plan bodies (as set out in the Regulations) and any persons who have requested to be notified.
- The LPA is required to provide a Sustainability Appraisal Report when it publishes a Plan. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors
- The Plan must have regard to any Sustainable Community Strategy (SCS) for its area (i.e. county and district). The SCS is usually prepared by the Local Strategic Partnership which is representative of a range of interests in the LPA's area. The SCS is subject to consultation but not to an independent examination.

The documents referred to above are available on the Council's website³.

You should consider the following before making a representation on compliance with the duty to co-operate:

¹ View at <http://www.legislation.gov.uk/ukpga/2004/5/contents>

² View at <http://www.legislation.gov.uk/uksi/2012/767/contents/made>

³ Hackney Council Website www.Hacknet.gov.uk/localplan

- The duty to co-operate came into force on 15 November 2011 and any plan submitted for examination on or after this date will be examined for compliance. LPAs will be expected to provide evidence of how they have complied with any requirements arising from the duty.
- The PCPA establishes that non-compliance with the duty to cooperate cannot be rectified after the submission of the Plan. Therefore the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the Plan.

3. Soundness

Soundness is explained in paragraph 182 of the National Planning Policy Framework (March 2012)⁴ (NPPF). The Inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy.

- ***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 policy***
The plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

If you think the content of the Plan is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy? If so it does not need to be included?
- Is what you are concerned with covered by any other policies in the Plan on which you are seeking to make representations or in any other Plan?
- If the policy is not covered elsewhere, in what way is the Plan unsound without the policy?
- If the Plan is unsound without the policy, what should the policy say?

4. General advice

If you wish to make a representation seeking a modification to a Plan or part of a Plan you should make clear in what way the Plan or part of the Plan is not sound having regard to the legal compliance, duty to cooperate and the four requirements set out above. You should try to support your representation by evidence showing why the Plan should be modified. It will be helpful if you also say precisely how you think the Plan should be modified. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as

⁴ A new National Planning Policy Framework was published in July 2018. Under national guidance, in the Examination in Public the Hackney Local Plan will be assessed against the previous NPPF.



there will not normally be a subsequent opportunity to make further submissions based on the original representation made at publication. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Where there are groups who share a common view on how they wish to see a Plan modified, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.