

## Planning for Minerals and Waste – October 2011



The draft Hampshire Minerals and Waste Plan (the Plan) is currently being considered by Councillors in each of the partner authorities. So far it has been approved by the New Forest National Park Authority, Portsmouth City Council and Hampshire County Council. It will be considered by Southampton City Council on 24th October and by the South Downs National Park Authority on 25th October

### What is happening next?

If the Plan is approved by all partner authorities, it will be published on **7th November 2011 until 19th December 2011**, to allow for a 6 week period when people can comment on the ‘soundness’ of the Plan and its supporting evidence. This is in line with our updated Development Scheme (the timetable for our work).

### What is a legally compliant and 'sound' plan?

There are certain legal requirements that have to be fulfilled when preparing the Plan. These requirements are largely contained in the *Planning and Compulsory Purchase Act 2004* and the *Town and Country Planning (Local Development) (England) Regulations 2004* (which have been amended in 2008 and 2009).

They include things such as preparing and following a Development Scheme and Statement of Community Involvement; preparing a Sustainability Appraisal; and the way a plan should be published and submitted.

Besides being prepared properly, the plan also needs to be 'sound'. The criteria for a 'sound' plan are set out in national policy (please see [Planning Policy Statement 12](#)). A 'sound' plan is one that is:

- Justified
- Effective
- Consistent with national policy

<p>A justified plan is:</p> <ul style="list-style-type: none"> <li>• founded on a robust and credible evidence base</li> <li>• the most appropriate strategy when considered against the reasonable alternatives</li> </ul>	<p>An effective plan is:</p> <ul style="list-style-type: none"> <li>• deliverable</li> <li>• flexible</li> <li>• able to be monitored</li> </ul>
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More information can be found in the legislation mentioned above, but also on the Planning Inspectorate’s website:

<http://www.planningportal.gov.uk/planning/planningsystem/localplans>

### **Who decides if the Plan is 'sound'?**

An independent Planning Inspector appointed by Government will consider whether the Plan is legally compliant and 'sound'.

To assist this process, the Plan has to be published for comment. This gives everyone an opportunity to make their views on the Plan and its evidence base known. The comments and opinions received are then passed on to the Inspector for their consideration. It is important to understand that only people and organisations who have responded during this stage can be invited by the Inspector to speak at any future public hearings.

### **What happens after the Plan is published?**

After the Plan is published for 6 weeks the partner authorities will:

- Collect all comments received and consider all the issues raised
- Make any final, small changes to the Plan and the evidence base
- Set out in a document how they have addressed the issues raised
- Submit the Plan – this means they will pass the Plan, its evidence base and all the comments received during the 6 weeks to the Secretary of State

After the Plan is submitted the appointed Planning Inspector will guide the rest of the procedure, for example the timing and venue of any formal public hearing, how the Plan will be considered and, ultimately, whether it is legally compliant and 'sound'.

### **How can people be involved?**

The Plan and the latest evidence base are due to be published for comment on 7th November. During this 6 week period up until 19th December, all consultation responses should relate to its 'soundness' and legal compliance, as referred to overleaf.

We will be contacting those people and organisations who are on our planning policy consultation list again in November, when we will set out the ways in which people can comment, as well as discuss further how the next stages of the process work. We will also be available to attend meetings if people need to discuss the process, or any specific issues on 'soundness' in greater detail, for example:

- what 'soundness' and legal compliance mean
- how people can best comment on the 'soundness' and legal compliance of the Plan

In the meantime, you can contact us in one of the ways listed below.

*Email:* [planning.policy@hants.gov.uk](mailto:planning.policy@hants.gov.uk) *Phone:* 01962 845 515 *Website:* <http://consult.hants.gov.uk>

*Address:* County Planning Policy Team, Economy, Transport and Environment Department, Hampshire County Council, The Castle, Winchester, Hampshire SO23 8UD

**Please note that you have received this newsletter as we hold your contact details on the planning policy consultation list. Please contact us if you wish to be removed from this consultation list or change to electronic or paper notifications.**