

Topic paper for the review of the
Hertfordshire County Council Minerals Local Plan

Soundness Topic Paper

Version 1 - November 2018

1. Introduction

The purpose of this topic paper is to explain the concept of 'soundness' in relation to the process of developing a Minerals Local Plan which is in line with national policy.

This paper explains the national policy requirements for producing a Local Plan in accordance with legal and procedural requirements and tests of soundness and how this will be applied when assessing the new Minerals Local Plan and whether it is a sound document.

The soundness of a plan is tested at the latter stages of plan production, at the examination of the document (a process which is explained in section 6 of this paper). This is the stage which the Minerals Local Plan is now approaching.

2. Current adopted Minerals Local Plan

The current Minerals Local Plan 2002-2016 was adopted as HCC policy in 2007 and was subject to a Public Inquiry, carried out by an independent Planning Inspector in line with national policy and legislation at that time. The emerging Minerals Local Plan will be subject to an Examination in Public in line with national policy, which includes the need to consider it against the test of soundness, these test are set out in this paper.

3. National Policy

All planning documents have to be produced in line with national policy and guidance which is written by the Government. Officers commenced the review of the Minerals Local Plan (2007) in 2014, by gathering evidence to inform the content of the emerging Minerals Local Plan. Evidence gathering involved reviewing the adopted Minerals Local Plan content against current national policy and guidance, which at the time included the National Planning Policy Framework (NPPF) 2012 and the Planning Practice Guidance (2014). This review of the national policy requirements identified the need to make changes to policies, supporting text and the policies map as part of the Minerals Local Plan review.

In July 2018, the government revised the NPPF 2012 to implement reforms made to the planning system to enable the delivery of housing (which had been made through previous papers including the Housing White Paper, The

Planning for The Right Homes in the Right Places consultation and the Draft revised NPPF consultation).

The NPPF contains a series of tests which local plans are examined against to assess whether the plan has been produced in the right way and provides as effective planning framework for the area it covers. These 'tests of soundness' are set out as follows in the NPPF¹:

- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs¹⁹; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework.

The Minerals Local Plan will be examined against these tests of soundness and stakeholders will be asked to comment on whether the plan meets the test or needs to be changed in some way to meet them.

4. Evidence of meeting the tests of soundness

The production of a Minerals Local Plan is a strategic function of the County Council. The County Council's aim is to produce a Minerals Local Plan that is in line with the national policy. Therefore to produce a sound plan, the tests of soundness must be considered throughout plan production and not just left to examination when conformity is checked.

At each stage of plan production the council updates its Soundness Self-Assessment document which lists the key requirements of plan production and lists the documents which the council considers to be the evidence of meeting the requirements.

5. Stages of Plan making

¹ NPPF paragraph 35

Producing a local plan document is a lengthy process which can take many years and must include several rounds of public consultation. The different stages are set out below:

- The **Initial Consultation** Document² was published for an eight week consultation period from Monday 03 August 2015 to Friday 16 October 2015. The Initial Consultation Document contained a series of Issues and Questions that the Minerals Planning Authority was seeking views on to move forward with the review of the Minerals Local Plan.
- Following the Initial Consultation, the next stage in the review of the Minerals Local Plan was to prepare and consult on the **Draft Minerals Local Plan**. The Draft Minerals Local Plan was prepared using the feedback received in response to the Initial Consultation. The Draft Minerals Local Plan was published for a ten week consultation, from Monday 04 December 2017 to Friday 09 February 2018.
- The next stage in the Minerals Local Plan review involved re-drafting the document from 'Draft Plan' stage to **Proposed Submission** stage, to take into account the feedback received from the consultation on the Draft Mineral Local Plan as well as changes to national policy.

The main changes made to the emerging Minerals Local Plan document include:

- Changes to the supporting text (and other references) throughout the document to reflect the revised National Planning Policy Framework (which was published in July 2018)
- Amendments to the Policies to take account of a number of representations received from a variety of stakeholders
- A number of changes to the maps within the emerging Minerals Local Plan and a series of new maps were added

The Proposed Submission Minerals Local Plan will be published for a ten week consultation period from Monday 14 January 2019 to Friday 22 March 2019. This Topic Paper (along with a host of other Topic Papers) will be published at the same time as the Proposed Submission document, to support the document and provide explanations of how the different topics covered within the emerging Minerals Local Plan have evolved throughout its review.

6. Next Steps

The county council intends to submit the Proposed Submission Minerals Local Plan and all representations received to the Secretary of State for independent Examination.

An independent Planning Inspector will be appointed to hold an 'Examination in Public' for the emerging Minerals Local Plan. The Planning Inspector will review all representations submitted in response to the publication of the Proposed Submission Plan and will assess the Minerals Local Plan against all relevant legislation and national Policy requirements. The county council may need to make modifications to the emerging Minerals Local Plan throughout this process, in response to the discussions at the Examination in Public.

Following the conclusions of the Examination in Public, the council will consult on any modifications which accompany the Inspector's Report and then adopt the new Minerals Local Plan.

The table below sets out the next steps for the emerging Minerals Local Plan, following the ten week publication of the Proposed Submission Minerals Local Plan Document.

Table 1 – Minerals Local Plan Review Timetable

Summer 2019	Submission
Autumn 2019	Examination
Winter 2019	Inspector's Report
Winter 2019 / Spring 2020	Finalisation
Summer 2020	Adoption