

## Examination of the Rother Development and Site Allocations Local Plan

### Guidance Note

The purpose of this Guidance Note is to explain procedural and administrative matters relating to the examination of the Rother Development and Site Allocations Local Plan.

Hearing sessions into the Plan will commence on Wednesday 8 May 2019. An initial outline Programme will be prepared and published alongside a schedule identifying the Matters, Issues and Questions which have been identified by the Inspector. A pre-hearing meeting is not being held. Participants are advised to refer to the examination page on the Council's website.

### Inspector and Programme Officer

Mike Worden BA (Hons) DipTP MRTPI has been appointed to consider the soundness of the Plan and if the requirements of the relevant legislation and regulations have been met.

Please be aware that this Plan was submitted before 24 January 2019 and therefore is being examined under the transitional arrangements. This means that it will be examined in accordance with the 2012 National Planning Policy Framework, not the version which replaced it in July 2018. The Inspector will focus upon the soundness criteria set out in Paragraph 182 of the Framework, ie that the Plan **has been positively prepared, is justified, effective and consistent with national policy**. It is not the task of the Inspector to make improvements to the Plan which are not necessary to make it sound.

The purpose of the Plan is to give effect to the adopted Rother Core Strategy. The examination will therefore concentrate on whether the Plan will be effective, positively prepared, justified and consistent with national policy in achieving this purpose. The examination will not consider whether the Council should plan for a greater or lesser amount of housing or employment land than is set out in the Core Strategy. These are matters that would need to be properly considered through a review of the Core Strategy.

The Council will rely on the evidence which it has collected in preparing the Plan to demonstrate the soundness of the Plan. Those seeking changes to the Plan have to demonstrate why it is not sound and how the suggested changes would make it sound.

The Council has subsequently submitted a list of proposed modifications to the plan. The Inspector will take these proposed modifications into account during the examination process.

The Programme Officer for the examination is Charlotte Glancy who can be contacted on 01903 776601 and 07519 628064 or by email on: [bankssolutionsuk@gmail.com](mailto:bankssolutionsuk@gmail.com). Charlotte is independent of the Council and works under the direction of the Council. Her responsibilities include organising the programme for the examination, maintaining the examination library and ensuring that all documents are recorded and distributed. Documents connected with the examination should be directed to Charlotte, as should any questions or queries in relation to the examination process. All documents will be placed upon the examination website hosted by the Council.

### The Examination Process

The starting point for the examination is that the Council has submitted what it considers to be a sound plan. The examination will focus upon the matters and issues which the Inspector has

identified who will have regard to the individual representations in so far as they relate to matters of soundness.

Those who have made representations should have already decided whether their views can be dealt with in writing or whether they need to be presented orally at a hearing session. Both methods carry equal weight. Normally only those seeking a change to the Plan are entitled to participate unless exceptionally the Inspector considers that it would be helpful to the discussions.

All those respondents who are seeking a change to the Plan and wish to participate in the hearing sessions must let the Programme Officer know on which Matter, Issue and Question discussion they wish to attend by **5pm on Friday 12<sup>th</sup> April**.

It is open to the Council and any representor to submit further statements in advance of the hearings. However this is not a requirement and you may rely upon your original representations if you wish. If further statements are submitted though, they must focus solely on the Matters and Issues which the Inspector has identified and be limited to a maximum of 3,000 words. There will generally be no need for appendices. There is no need to duplicate any document within the Examination Library and statement must be succinct and clear. Statements must be made in electronic PDF format and three hard copies of each statement at A4 size are also required. Any such statements should be sent to the Programme Officer by **5pm on Wednesday 17 April** in **electronic form**. **Three hard copies** of electronic statements already submitted must be received by the Programme Officer by **5pm on Thursday 18 April**.

Representors who wish to proceed by written means do not need to take any further action and can rely upon what they have already submitted in writing. However, if any party wishes to submit further evidence to support their position, this should be focussed on the Matters and Issues and submitted within the above timescale.

Before the start of the hearing session, the Inspector may raise questions with the Council directly on any points that are relevant to the examination. If this occurs, correspondence will be placed on the examination website.

As the purpose of the examination is to consider if the submitted plan is sound, the focus of the examination is whether or not the process followed by the Council in selecting the allocated sites is sound and the policies it proposed are sound. Accordingly in relation to sites, the examination will focus on both the process of site selection, including the underlying evidence base, and the soundness of individual sites. Promoters of omission sites will be allowed to put arguments on these issues, but not to promote the merits of their own site. If it is concluded that additional sites are needed or if proposed sites are not sound, the Council will be invited to put forward alternatives. If the site selection process as a whole is unsound then the Council may be invited to resolve it and re-run the process. The same approach will apply to those representors seeking changes to settlement boundaries or gap designation boundaries. The soundness of the Council's proposed boundaries and the methodology will be examined first.

### **Hearing arrangements and procedure**

The hearing sessions will commence at 10am on Wednesday 8 May 2019. The Council Chamber at the Town Hall, Bexhill, has been booked the hearing sessions for that week and the following two weeks. Hearing sessions will be programmed for Wednesday 8 May, Thursday 9 May and Friday 10 May, and then Tuesday 14 May, Wednesday 15 May, and Thursday 16 May. Any overspill sessions

will take place either on Friday 17 May or the following week. However, please check the examination website regularly and with the Programme officer for alterations.

The hearing sessions are open to the public and interested persons to attend to observe. The sessions will take the form of a round table discussion led by the Inspector. There will be no formal presentation of cases and no cross examination. Participants must let the programme officer know of who will be speaking at the sessions.

The Inspector will be making site visits before, during and after the hearings. In most cases these will be unaccompanied and unannounced. If the Inspector needs to go on private land he will require a representative of the Council and the representor to accompany him, but there will be no discussion of the merits of any case.

### **Close of the Examination and the Inspectors Report**

Following the close of the examination, the Inspector will submit a report to the Council. Once the hearing sessions have been completed, the Inspector will not receive any further evidence from any party, unless he has requested it.

If main modifications are necessary to make the plan sound, then it is hoped that many of these, if not all, would be based upon those put forward by the Council in response to points raised and suggestions discussed during the examination. The Inspector will consider suggested changes from all parties in the same way.

The Programme Officer will maintain an examination library of core documents, and the list will be continually updated throughout the examination. This list will be posted on the examination website.

### **Key dates (NB these are draft dates at present)**

W/e Friday 22 March – The Inspector's Matters, Issues and Questions published

12 April (5pm) – All representors wishing to be heard to inform the Programme Officer and clarify which session relating to the Matters, Issues and Questions session it is.

17 April (5pm) – All written additional statements to be submitted electronically

18 April (5pm) – All hard copies of any statement submitted electronically

*Mike Worden*

INSPECTOR

22 March 2019