

SOUTH DOWNS LOCAL PLAN

EXAMINATION HEARINGS

Opening Remarks by the Inspector

- *Relating to Opening Item b on the Agenda for Day 1 but applicable in principle to all hearing sessions.*
- *Participants should also bear in mind the Guidance Note and Schedule of Issues from the Inspector [INSP.3-4] as well as the Notes at the head of the individual Agendas.*
- *This is not a formal Examination Document and its oral delivery may vary.*

General

I commit my opening remarks to writing to save time during the programmed sessions – especially on Day 1.

The Examination of course runs from submission to Report and, although efficiency demands that we keep to the Programme as far as possible, there is scope to vary it and add sessions at any time up to Report delivery if circumstances require it.

As the full case of each Representor at the time of the pre-submission consultation should have been expressed in the original representations, I continue to rely upon these.

Post-Submission Documents and Procedure

The ***Examination Library*** has been updated on the SDNPA website to include additional documents issued after the Plan was submitted for examination, in particular the NPA has provided a travelling draft Schedule of Proposed Main Modifications (MMs - soundness changes).

Duty to Co-operate

Prior to the questions of soundness, I must be satisfied that the NPA, in preparing the Plan, complied with the Duty to Co-operate (DtC) on relevant cross-boundary strategic priorities set down in the Localism Act and that the Plan is otherwise legally compliant with the Act of 2004. More important than the correspondence that took place, the key question is whether the outcomes of co-operation with prescribed bodies are demonstrably taken into account in the submitted Plan. I consider the DtC largely with reference to the DtC Statement but there are specific questions on DtC included on the Agenda.

Scope

I have made clear in my guidance note and the schedule of matters and issues that I am not here to make a sound plan better. For me to impose a personal opinion on the NPA that one site or policy wording would be

better than another when the Plan is already sound as submitted would be contrary to the Localism Act.

For this reason it is current practice not to discuss alternative or omission sites as such. Any such representations are redirected to related matters of soundness. Any Main Modifications (MMs - soundness changes) must be based on substantive evidence that the Plan is unsound without them. However, the several aspects of soundness set out in paragraph 182 of the applicable National Planning Policy Framework of 2012 (NPPF12) and the related Planning Policy Guidance (PPG) will be fully addressed.

As well as legal and plan-wide strategic soundness matters for discussion under Matters 1-6 in the first week, all the development management issues, potential planning effects of the Plan for individual settlements and impacts due to the development of the specific allocated sites are open for consideration under Matters 7 to 11 in weeks 2 and 3, programmed respectively at the South downs Centre in Midhurst and at the Amex Stadium in Falmer according to location.

The purpose of this Examination is therefore to determine whether the Plan is robustly and soundly justified, effective and consistent also with national policy.

Programme, Issues and Agendas

I believe that, with the PO, I have allocated speakers to the most appropriate hearing sessions, in particular distinguishing general, plan-wide matters and legal compliance from the site allocations within the individual settlements. If, as sometimes occurs, matters discussed under general items render further discussion on individual sites superfluous, those items can be deleted if objectors indicate to the PO that they no longer wish to take part.

The latest programme was dated 7 November and now includes dates and speakers for development management, individual settlements and sites during the weeks beginning 3 and 10 December.

Matters, Issues and Agendas

Every Matter and Issue identified for discussion is or will be listed on the individual Agendas and all oral comments will be taken into account along with every original representation, whether or not the Representor chooses to appear.

The concerns of Representors are set out in their original representations and latterly in their Position Statements, whether by professional submissions of the developers seeking to provide planned development or the heartfelt misgivings of often unrepresented local organisations and residents who would be called upon to accept and live with it. ***All have equal status in this process.***

Supporting Representations

Where Representors have expressed support for the Plan there is no right of appearance and these are not included as discussion participants.

Site Visits

Finally, I have already toured the National Park, with which I have some past familiarity in any event, to reaffirm my recollections of the landscape, skyline and views and to gain a general impression of the allocated sites. I will consider in due course whether I need to undertake any accompanied site visits but generally these are not necessary at this plan preparation stage as compared with a planning application or appeal.

BJS

13 November 2018