

HOCKLEY AREA ACTION PLAN SUBMISSION DOCUMENT

HEARING EXAMINATION

1.15 PM WEDNESDAY 18 SEPTEMBER 2013

INSPECTOR'S NOTE

In attendance:

Mr D Smith – Inspector

Ms K Freeman – Programme Officer

Mr S Hollingworth – Planning Policy Team Leader

Mr L Waterston – Planning Officer

Cllr K Hudson

This is not a verbatim record of the hearing session but sets out the matters covered by the Inspector

The purpose of this session is to review the possible amendments that have occurred during the course of the hearing sessions and to consider how these are to be dealt with. Furthermore, it is also to give some indication of the next steps in the process and the likely timescales.

As I have previously explained, in my note of 27 August, some of the changes suggested prior to the hearings amount to Main Modifications as referred to in the Planning and Compulsory Purchase Act. In order for Council to adopt the Plan in these circumstances I can only recommend Main Modifications if asked to do so by the local planning authority under section 20 (7C). If the Council wishes to make this request it should therefore be done before my report is finalised and I will indicate when I consider this to be appropriate.

The schedule produced by the Council requires some refinement in terms of the categorisation of Main and Additional Modifications. This was explained in detail during the hearing.

The Council should also work on a list which numbers the Main Modifications and omits the justification for inclusion in my report. It should include any deletions or additions and the updated Site Maps.

In addition, the Council is considering further changes in the light of matters that emerged during the hearings particularly in relation to Policy 7. In relation to Policy 6 the Council indicated that it would wish to reserve its position pending a brief consultation with Members and would advise the Inspector of whether it intended to instigate any adjustments by the end of the week. In any event, I would like to have the opportunity to comment on any detailed wording to ensure that it reflects my understanding of the discussion at the hearings. Others may have a different opinion about these proposed changes but that is a matter for

me to resolve. Clearly the aim is to produce a set of changes that the Council is supportive of. The Council should finalise the schedule of textural changes by **Friday 11 October 2013** at the latest.

Turning to more substantive matters the position here is slightly different. If I were to find that there was unsoundness or a lack of legal compliance in any of these respects then I wish to give the Council the opportunity to consider what modifications, if any, should be made. As part of this process and where appropriate, I will also provide my interim views in respect of the matters that have been discussed and indicate if there are any that are likely to be sound. However, it is ultimately a matter for the Council as to whether or how they wish to modify the Plan and to review the alternatives that might be open to it.

If necessary, I therefore intend to deal with these matters as the first stage of the post-hearing process in advance of the final report. I anticipate that this will be by **Friday 18 October 2013**. My letter to the Council will be publicly available and published on the website in the normal way. The ball will then be in the Council's court. Depending on my initial findings there may be a need for internal assessment by the Council and a view taken as to how to proceed. The Council should also bear in mind the possible need for further Sustainability Appraisal and any necessary assessment under the Habitat Regulations but, at this juncture, I do not expect there is likely to be a need for further hearing sessions.

The aim is, however, to produce a consolidated set of Main Modifications that can be consulted on in one go. Before it is published the Council may wish me to see it in order to avoid any obvious procedural or soundness issues. In carrying out the further consultation can I ask that the Council give consideration to providing some information in any communication about the nature of the main planned changes and that it is made clear that comments should solely be addressed to the proposed changes and the implications arising from them.

The period of consultation should be for a minimum of 6 weeks. Could the Council please keep me informed of progress in this respect. I will then need to consider these responses before finalising my report and recommendation. At the moment it is difficult to give definite guidance about when this will be produced but I expect it would be about 6 weeks after the close of the consultation period. A firmer date will be given nearer the time.

There were no questions or comments from the Council about the procedural arrangements.

The extra information and references requested of the Council during the hearing sessions were then confirmed.

Before I close the hearing sessions can I personally thank Kerry Freeman for the excellent work she has done as Programme Officer. I would also like to thank Kay Tinson for her help during the hearings. In general all staff at Rochford have made me welcome and specifically I would like to

thank the planning officers for their timely and helpful responses to my various requests and for their oral contributions during the hearings.

Councillor Hudson then thanked the Inspector for his even-handed and transparent approach.