

EXAMINATION OF THE HOCKLEY AREA ACTION PLAN
INSPECTOR'S FURTHER QUESTIONS AND COMMENTS TO THE
COUNCIL

The Council has responded to my initial questions of 17 May 2013 following my preliminary examination of the Hockley Area Action Plan (HAAP). I am grateful for those answers and for the additional information provided including the A3 sized plans and also note that the Council is proposing a number of minor changes to the Plan.

The matters that are critical to the soundness and legal compliance of the Document are set out in the final version of my issues and questions. These should be addressed by the Council in its hearing statements which are due to be submitted by **Friday 16 August 2013**. However, in the meantime, there are some matters arising from the Council's answers that prompt further questions on my part which would be helpfully addressed in the interim period.

As they 'follow-up' questions previously asked I will adopt the original numbering system. In certain instances I will give an initial view where the Council's answer invited this although this may be subject to change following the hearings. The absence of further questions should not be taken to mean that soundness or legal compliance has been demonstrated since these will be covered in the hearings sessions starting on **Tuesday 17 September 2013**.

Further answers should be concise and should be sent to the Programme Officer by **Friday 19 July 2013**.

1. For consistency my initial view is that the HAAP should have the same plan period as the Core Strategy rather than the Retail and Leisure Study. Does the Council agree?

3. I appreciate that the Council is suggesting various changes in respect of the draft DM policies. However, there is scope for such references to become outdated and I question whether their inclusion serves any real purpose when any amplification of the objectives for Hockley can be stated in any event.

- 9.c) My view is that reference to areas outside of the HAAP boundaries should be removed in the interests of clarity.

- 10.a) What evidence is there of expenditure being lost to other areas? Can you advise on the floor areas of the Sainsbury's and Costcutter stores?

- 10.b) The National Planning Policy Framework at paragraph 161 indicates that the evidence base should be used to assess the need for floorspace for economic development (including retail) in quantitative terms. However, the most recent letter from GL Hearn (85.EB36) ends by commenting that "updated market testing would probably be required to ensure that was still deliverable". Could further guidance be provided on the meaning of that statement given that it is also observed that the size of store outlined in the HAAP is still appropriate?
- 11.a) Given the existing, lower proportions of Class A1 uses how will 75% of retail uses in the primary shopping frontage and 50% in the secondary shopping frontage be achieved?
- 11.b) As the policy refers to development that supports "vitality and viability" is the word "appropriate" superfluous?
- 11.e) Paragraph 154 of the National Planning Policy Framework establishes that only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the Plan. Whilst criterion c) might reinforce the spirit of the policy my initial view is that it does not meet the above test in the Framework.

David Smith

INSPECTOR

26 June 2013