

**ROCHFORD DEVELOPMENT MANAGEMENT SUBMISSION
DOCUMENT**

HEARING EXAMINATION

WEDNESDAY 26 MARCH 2014

INSPECTOR'S NOTE

In attendance:

Mr D Smith – Inspector

Ms K Freeman – Programme Officer

Mr S Hollingworth – Planning Policy Team Leader

Ms N Hayward – Senior Planning Officer

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

The purpose of this part of the hearing is to briefly review the changes to the Plan that have occurred both before and during the course of the hearing 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 prior to a further round of consultation including the likely timescales.

Some of the alterations suggested prior to the hearing 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 refinement to categorise Main and Additional Modifications. Additional Modifications are those that (taken together) do not materially affect the policies of the Plan and Main Modifications can therefore be taken to be those that do materially affect the policies. They will therefore comprise any changes to the policies themselves or to the supporting text which has a significant bearing on the interpretation of that policy. The Council should also work on a list which numbers the Main Modifications.

That should be progressed now and should also include any further changes that the Council are proposing in the light of matters that emerged during the hearing. In addition, I am content for the Council to make further written comments to justify certain aspects of the policies having regard to questions that I asked during the hearing. An updated schedule of changes plus any further evidence should be submitted to the Programme Officer by **Friday 11 April**.

I shall then give consideration to the position in the light of today's discussion and any further written material. As a next stage I shall advise the Council of my preliminary findings relating to soundness. This is in order to give it an opportunity to consider what further modifications, if any, should be made. I will also comment on the draft schedule to ensure that any detailed wording reflects my understanding of the position and to avoid any obvious soundness issues arising from other matters. Where useful I may provide a specific, suggested form of wording which would make the Plan 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 options that might be open to it. I anticipate that it should be possible for me to write to the Council along these lines by **Friday 25 April**.

My letter will be publicly available and published on the website in the normal way. The ball will then be in the Council's court 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. However, the aim is to produce a consolidated set of Main Modifications that can be consulted on in one go picking up on all matters raised previously as well as those that cropped up today and any in my subsequent letter. Representors may have a different opinion about the proposed changes but that is a matter for me to resolve in due course.

Once the Council has finalised the Main Modifications a consultation period should be carried out for a minimum of 6 weeks. In carrying out further consultation can I ask that the Council provide some information about the policies and subject matter affected by the main planned changes. It should also be made clear that comments should solely be addressed to the proposed changes and the implications arising from them.

At this juncture I understand that it is difficult to settle when the consultation period might be completed. However, could the Council please keep me informed of progress in this respect via the Programme Officer. I will then need to consider any responses received before writing 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.

Before I close the hearing can I personally thank Kerry Freeman for the work she has done as Programme Officer.