PLYMOUTH CITY COUNCIL
PUBLIC EXAMINATION OF DEVELOPMENT PLAN DOCUMENTS

1. THE CORE STRATEGY

2. THE NORTH PLYMSTOCK AREA ACTION PLAN (INCLUDING MINERALS)

BRIEFING NOTE FROM THE INSPECTOR FOR
THE PRE-EXAMINATIONS MEETING TO BE HELD ON TUESDAY 28 NOVEMBER

The Pre-Examinations Meeting

1. The Hearings for the Public Examinations are part of the process of achieving The Vision for Plymouth as set down on page 2 of the Core Strategy, and all taking part in the process are encouraged to work positively towards this end.

2. The Hearings into the Core Strategy Development Plan Document (DPD) will open at 10.00am on Tuesday 30 January 2007, and those for the Examination into the submitted North Plymstock Area Action Plan will open at 10:00 on Tuesday 27 March 2007, both at The Council House, Plymouth. There will also be a Plymouth CC/South Hams joint session at 10.00 on Tuesday 13 February 2007. The purpose of the Pre-Examinations Meetings (PEM) is to provide an opportunity for procedural and administrative matters relating to the Examinations to be explained and discussed.

3. The PEM is an opportunity for you to raise any issues that may be causing concern, but it will not be the right time for a discussion of the merits of the representations made on the DPDs. This briefing Note has been sent to all those who have made representations on the DPDs.

My Role

4. I am a Planning Inspector appointed by the Secretary of State for Communities and Local Government to independently examine the soundness of the Development Plan Documents (DPDs).

5. My task is to consider the soundness of the DPDs, based upon the Tests of Soundness set out at paragraphs 4.23 and 4.24 of Planning Policy Statement 12\(^1\), Local Development Frameworks (PPS12). I start from the presumption that the DPDs are sound unless the evidence submitted in representations proves to me otherwise. Further details of the Tests and the Examination process in general, are contained in The Planning Inspectorate’s booklet Development Plans Examination – A Guide to the Process of Assessing the Soundness of Development Plan Documents\(^2\) (particularly section 1.4). An overview of the new process and a ‘frequently asked questions’ (FAQs) page may be viewed at the websites listed below\(^3\).

6. Following the close of each set of Hearings I shall prepare a short report for the Council with recommendations, including any changes required to each DPD. My report will be binding on the Council, which will then move to formally adopt the relevant DPD, changed as necessary to reflect the recommendations in my report.

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1. Copies of the Government’s PPSs are available to view in the Examination Library, or on the ODPM website at: http://www.odpm.gov.uk/index.asp?id=1143803
The Programme Officer

7. As you know, Christine Self has been appointed as Programme Officer (PO). Prior to and during the Examinations she will be at the Examination office with the telephone and e-mail address given on the accompanying letter. Christine is acting as an impartial officer of the Examinations, under my guidance and not as an employee of the Council. The main tasks of the PO are to liaise with all parties to ensure the smooth running of the Examinations, to organise the Examination Programmes, to ensure that all documents received both before and during the Examinations are recorded and distributed, and to keep the Examinations Library. Copies of all the Examinations documents, including the representation forms and written submissions, will be available in the Examinations Library^4^.

8. During the Examinations the PO will be able to tell you how closely we are following the circulated programme. You will be able to view a regularly-updated programme on the Council’s web site (see footnote). Procedural questions or other matters that anyone wishes to raise with me during the Examinations should be made through the PO in the first instance.

Consideration of Representations

9. The new Public Examination format is a significant departure from previous Inquiries into objections to Local Plans. These are key points to bear in mind:

- The Examinations are not planning appeal inquiries;
- The focus is on improving the Plan rather than responding to objections raised in the representations;
- The Examinations will concentrate on the soundness of each of the DPDs, having regard to the representations made;
- Those persons and organisations listed in Annexes 1 and 2 are invited to attend the Hearings and have the opportunity to submit further written evidence to support their case, subject to the limitations mentioned below;
- Those who are not attending the Hearings do not need to submit further written evidence. If they feel further representations are essential, then they must follow the guidance on content and format given below;
- The starting point is that each DPD is sound unless it is shown to be otherwise by the evidence presented in writing or at the Hearings.
- Those seeking changes must demonstrate why the DPD is unsound by reference to one or more of the Tests of Soundness, and propose changes, properly justified and appraised, to make the DPD sound.

10. Each Examination will progress by way of a series of Hearing sessions, based on the matters I have identified and as set out in the Annexes 1 and 2. These Hearings will be led by me and will take the form of a discussion to help me arrive at my conclusions. I shall progress the Examinations in an effective and efficient manner, keeping a tight hand on the discussions and time taken. As part of that process, it is my aim to minimise the amount of evidence to that necessary to come to informed conclusions on the Tests of Soundness.

11. Those attending the Hearings may bring with them professional experts, though there will be no formal presentation of evidence or cross-examination allowed. Barristers and solicitors, if present, will be treated as part of a team. The discussion will focus on the issues identified and the questions I have posed. I shall make a few brief comments on the matters I want covered, then invite individuals to make their contribution in response to the points I have raised. The Hearings will then progress under my guidance, drawing those present into the discussion in such a way as to enable me to gain the information necessary to come to a firm

^4^ Representations can be viewed at: www.plymouth.gov.uk/homepage/environmentandplanning/planning/planningpolicy/ldf
conclusion and decision on the matters before me. There will be an opportunity within the discussion to ask questions of the other side.

12. Those who have made representations have initially indicated whether their views should be dealt with in a written form or whether they feel that they need to come and discuss them orally at a Hearing session. **Both methods will carry the same weight and I shall have equal regard to views put orally or in writing.** Attendance at a Hearing session will only be useful and helpful to me if you wish to and need to participate in a debate. Thus the accompanying reply form (Annex 3) seeks confirmation that, having read this Briefing Note, you still wish to exercise your right to participate in a Hearing session, or whether the changes you seek could be adequately considered in writing.

The Examination Programme

13. The programme for each Hearing will be finalised three weeks before it starts and be available on the Council’s website. It will be for individual participants to check the progress of the Examination, either on the website or with the PO, and to ensure that they are present at the correct time. The Hearings sessions will normally start at 10.30am and continue with short mid morning, lunch and afternoon breaks. I want the Hearings to be inclusive and therefore I am happy to arrange for evening Hearing sessions in order to ensure that everyone has an opportunity to take part. If you would like an evening session, please speak to the PO and we will try to arrange times to suit everyone.

Submission of Evidence

14. I know that the evidence base to support the DPDs has been produced with a great deal of involvement by all stakeholders. Therefore, I want to keep the submission of written evidence to the Hearings to the absolute minimum. Accordingly, these are the key points to remember:

- **Core Documents** are available in the Examinations Library. These will include the Regional Spatial Strategy (RSS), Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs), Background Papers and any other documents that the parties are likely to need to refer to. Parties do not need to quote extensively from those documents but simply give me a reference to note;

- **Agreed Statements** of common ground between the Council and those seeking changes to the DPDs are helpful to me and should be prepared as soon as possible;

- **Statements that have been requested by the Inspector for a hearing session** should be sent to the PO no later than six weeks before the start of the respective Hearings. Any further response from the Council will be available three weeks before the Hearings. None of the statements should be longer than 3,000 words. Any submissions longer than this will be returned by the PO for editing. The PO will advise how many copies of statements are required in each case;

- **Statement Format** should be A4, printed on both sides, not spiral bound, but punched with two holes, for inclusion in our files. Any photographs should be submitted in A4 format and should be annotated on the back with your ID number and the representation number to which the picture relates. If possible, statements should also be submitted electronically so that they can be included on the Examinations website. No statement/piece of paper submitted in advance of, or at the Hearings will be accepted if it fails to be clearly marked, at the top, right hand corner, with the relevant respondent reference and appropriate matter number;

- **Crucial Information for any statement from representors** is:
  - Which part of the DPD is unsound?
  - Which Test(s), set out in paragraphs 4.23 and 4.24 of PPS12, does it fail?
  - Why does it fail?
  - How can the DPD be made sound?
  - What is the precise change/wording that you are seeking?
Site Visits

15. I already know Plymouth well, and I shall visit all those areas referred to in the representations before, during or after the Examinations and unaccompanied by the parties wherever possible.

Closure of the Examinations and Submission of My Reports

16. Once the Hearings are over I can receive no further information from any party unless it is something I have asked for. Anything else will be returned to the sender. I estimate that I will need about 4 weeks to complete my report following the Hearings for each DPD.

Douglas Machin
Inspector
23 October 2006