Selsey Neighbourhood Plan

Independent Examination of the Selsey Neighbourhood Plan Submission Draft - February 2015

Guidance Notes and Agenda for Public Hearing to be held on 18th November 2015

Prepared by the Independent Examiner

JOHN SLATER BA(Hons), DMS, MRTPI

John Slater Planning

1. Following my initial consideration of the Plan, I have decided that a public hearing is required to assist my examination of the Plan and this will commence at 10 am on 18th November 2015 at Selsey Centre, Manor Road, Selsey, West Sussex, PO20 0SE. This Note provides guidance as to how the hearing will be conducted, and an Agenda.

2. In the statutory provisions, the general rule is that the examination of issues by the Examiner is to take the form of the consideration of written representations. I can assure all parties that I have considered, and will continue to consider, all the written representations which have been made.

3. I have decided to hold the hearing so as to ensure that adequate examination is made of certain issues arising, and so that invited representors have a fair chance to put their case. The issues that I have asked to receive oral submission upon were set out in the document" Initial Comments of Independent Examiner" dated 2nd September 2015

4. The parties entitled to make oral representations at the hearing are Selsey Town Council, who are the Qualifying Body, Chichester District Council who is the Local Planning Authority, and those representors who have been issued with invitations to attend. The hearing is a public hearing. As it proceeds, I will consider whether it is necessary to hear any oral representations from any other party who has made written representations, and who seeks to supplement their

representations. However, I should make it clear that this will be an exceptional course, given the general rule concerning written representations noted in paragraph 2 above.

5. It is for the examiner to decide how the hearing is conducted. In particular, I shall decide the nature and extent of any questions, and the amount of time for oral representations. The principle to be applied is that questioning will be done by myself, except where questioning by another is necessary to ensure either adequate examination of a particular issue, or that a party has a fair chance to put their case.

Agenda

6. The Agenda will generally be as follows

(1) **Opening remarks-** by myself as Examiner

(2) **Which policies constitute the development plan policies**.

The first area I would like to explore with the Qualifying Body and the Local Planning Authority, is what parts of the plan represent land use planning policies and are be used as development plan policies and how will they be differentiated from non land use policies in the plan. I will also want to explore whether design guidance should constitute advice rather than policy.

(3) **Is there a need for a Proposals Map?**

I will want to hear submissions on the status of the plans in the document and whether the Neighbourhood Plan would benefit from having a Proposals Map. Again this is to likely to require input from the Qualifying Body and the Planning Authority.

(4) **Are the Sustainability Policies in line with recent Government Policy?**

In the light of the changes in government policy, especially the Written Ministerial Statement dated 25th March 2015, I will wish to hear the views of the Qualifying Body and the LPA on the question as to whether the sustainability policies included in the plan accord with up to date Secretary of State policy and therefore do they meet the Basic Conditions Test?

(5) **Should land at Thawscroft be allocated for residential?**

I wish to hear oral representations regarding the matter of whether the land at Thawscroft should be allocated for residential purposes. In addition to the Town Council and the Planning Authority I wish to hear representations on behalf of the owner of part of the land, Thawscroft Ltd (Response 003) and also from the Environment Agency (Response 009). In particular, I wish to learn about the likelihood and possible timescale for the reconsideration of the planning status of the site. Specifically, I wish to understand how the reconsideration of the Medmerry defences affects the site and how that influences the principle of residential development of the site and whether it would constitute sustainable development.

(6) **Are the Infrastructure and Transport Policies justified and do they meet the statutory tests**?

Is the policy requiring a contribution from all open market housing schemes greater than one (Policy TR1) justified and do the policies meet the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and how will the contributions work in terms of the limit of 5 contributions per project? In this regard as well as the QB and the LPA, I would wish to hear the views of West Sussex County Council as Highway Authority as to whether they support and would be prepared to implement the schemes envisaged by the policies in the Plan. I would welcome submissions as to whether all the projects set out in Appendix 1 constitute infrastructure as defined by Regulation 59 of the CIL Regs 2010 in that they constitute infrastructure to support the development of the area.

Site visits

(7) I have carried out site visits to the Neighbourhood Plan area and viewed the sites from public vantage points. If I consider it necessary following the the submissions at the Hearing to revisit any site, then I will carry out an accompanied site visit at the close of the hearing. During the accompanied site visit I should be accompanied by at least one person from each side of any difference as to the future use of the land being visited or viewed.

(8) The purpose of the site visit is simply to identify matters which have already been presented in the representations. No further evidence will be given.

John Slater BA (Hons), DMS, MRTPI

7th October2015