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Inspector's Closing Comments and Post Hearings Advice

1. This note sets out the main matters that I covered in my closing comments at the end of the final hearing session at the end of day 2 and any necessary post hearings advice.
2. I am not seeking any comment on this letter and its contents should not be taken as pre-judging the contents of my final report which will take into account all matters and representations.
3. During the hearing sessions a number of potential changes were discussed based on the schedules of proposed changes provided by the Council (The schedules of proposed changes are divided into Additional Modifications (SD-010-v4) and Main Modifications (LBW-PR-05v2). The Council is to review and reconsider the schedules taking on board the discussions during the hearings including distinguishing between Main and Additional Modifications. Additional Modifications being those that (taken together) do not materially affect the Policies of the Plan and the Main Modifications can be taken to be those that do materially affect the policies. The Main Modifications 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. This excludes minor factual updates. My concern is solely with Main Modifications
4. I am satisfied that the form and layout of the Main Modification Schedule is an appropriate format. For clarity and to avoid an excessive number of Main Modifications, it is best to group all the changes to a single policy together as one Main Modification.
5. The schedule of proposed Additional Modifications, some of which were discussed as potential Main Modifications during the hearings, is a matter solely for the Council. However, should the Council wish to include them as part of the consultation exercise for completeness then the distinction with Main Modifications should be clearly spelt out. The Additional Modifications should therefore be set out in a separate document from the Main Modifications and it should be made clear that such changes are not a matter for the Inspector.
6. Any changes to the policies map should be updated and published alongside the Main Modifications. However, there should not be any Main Modifications stipulating changes to the policies map.

7. I am satisfied that there are no outstanding matters where there are potential unsoundness issues or where further work is required by the Council.
8. Once the draft schedule of Main Modifications is finalised and before it is published the Council should allow me to see it in order to ensure that it reflects my understanding of the discussion at the hearings and to avoid any obvious soundness issues. Others may have a different opinion about these proposed changes but that is a matter for me to resolve in due course. The timetable for the provision of the Main Modifications schedule is that the Council will aim to provide this to me by **2 March 2018** but no later than **9 March 2018**.
9. The period of consultation should be for a minimum of 6 weeks. In carrying this out I ask that the Council explain the nature of the main planned changes and also make it clear that comments should solely be addressed to them and their implications rather than other parts of the Plan. The Council should also bear in mind the possible need for further Sustainability Appraisal and any necessary assessment under the Habitat Regulations. The Council should keep me informed of progress in this respect and particularly the date of the start and close of the consultation period. I understand that the Council do not intend to commence formal consultation until after the Local Elections (3 May 2018), due to its local practices during a pre-election period, but would seek to do so as soon thereafter as practical.
10. In order for the Council to adopt the Plan I can only recommend Main Modifications if asked to do so by the local planning authority under section 20(7C) of the 2004 Act. 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, most likely when I respond, having considered the draft Main Modifications schedule.
11. I will then need to consider the consultation responses before finalising my report. 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.

Kenneth Stone

INSPECTOR
26 February 2018