

Mid Devon District Council  
Local Plan Review 2013-2033  
Examination

Inspector: Paul Griffiths BSc(Hons) BArch IHBC

GUIDANCE NOTE

**1. Introduction**

- 1.1 The purpose of this note is to clarify and explain procedural and administrative matters relating to the examination of the Mid Devon District Council Local Plan Review 2013-2033 (MDLPR).
- 1.2 After the Inspector's initial perusal of the MDLPR (Proposed Submission [incorporating proposed modifications] of January 2017) and the associated documentation, preliminary hearings took place to deal with Draft Policy J27, and the associated Draft Policies TIV16 and SP2, specifically. These preliminary hearing sessions took place on Tuesday 26 and Wednesday 27 September 2018 and following them, the Inspector issued some brief comments (*Document ID08*), concluding that the examination could continue to Main Hearings. These will take place between 14 and 20 February 2019 on the basis of a Hearings Schedule incorporating the Inspector's 'Matters and Issues' (*Document ID10*) that will be published separately.
- 1.3 Participants are strongly encouraged to use the Examination website:  
<https://www.middevon.gov.uk/residents/planning-policy/local-plan-review-examination/>
- 1.4 **Paul Griffiths** BSc(Hons) BArch IHBC has been appointed to examine the MDLPR. His role is to consider whether or not the MDLPR is sound and whether the requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and its associated regulations have been met. This consideration will focus on the soundness criteria set out in paragraph 182 of the (previous version of the) National Planning Policy Framework. The Council should rely on the evidence collected while preparing the MDLPR to demonstrate its soundness while those seeking changes should be seeking to demonstrate why the MDLPR is not sound, and how their suggested changes would make it sound.
- 1.5 The Programme Officer is **Robert Young**. He acts as an impartial officer for the purpose of the examination. His main functions will be to liaise with the various parties to ensure the smooth running of the event; to ensure that documents are recorded and distributed; to maintain the examination library; and to assist the Inspector with procedural matters.
- 1.6 His contact details are Robert Young, Programme Officer, Mid Devon Local Plan Review Examination, c/o Forward Planning, Phoenix House, Phoenix Lane, Tiverton EX16 6PP. His telephone number is 07815 803758 and his e-mail address is ryoung@middevon.gov.uk.

**2. The Examination Process**

- 2.1 As set out above, the Inspector's initial analysis of the MDLPR and the representations made upon it has raised questions about Policy J27 and the associated Policies TIV16 and SP2. Having held Preliminary Hearings, the Inspector published some brief, preliminary findings, which can be found on the Examination Website, and indicated that the Examination would continue to Main Hearings (*Document ID08*).

- 2.2 The timetable for these Main Hearings (*Document ID11*) and the Inspector's Matters and Issues (*Document ID10*) are published alongside this note. In summary, Hearing 1 (14/02/19) is intended to deal with the Vision, Spatial and Development Strategies and Strategic Policies; Hearing 2 (15/02/19) Strategy and Site Allocations for Tiverton and Cullompton; Hearing 3 (15/02/19) Site Allocations for Crediton and Rural Areas; Hearing 4 (19/02/19) Development Management Policies; Hearing 5a (20/02/19) J27 and SP2; Hearing 5b (20/02/19) Other 2017 Proposed Modifications. Inspector's questions relating to the hearings have been set out as part of the Matters and Issues.
- 2.3 In general, the Inspector's Matters and Issues have been based on the representations received and the Inspector will take account of all representations that go to the soundness and legal compliance of the MDLPR. However, they will not be reported on individually.
- 2.4 Those who confirmed to the Council as part of the 2015 consultation that they wish to take part in Hearings relating to the points raised in the Inspector's Matters and Issues are welcome to participate and have been included in the Hearings Programme (*Document ID11*). Anyone listed who no longer wishes to take part should inform the Programme Officer. **It is important to stress that the Inspector will have equal regard to views put forward orally at the Hearings, or in writing beforehand.**
- 2.5 Where it is clear from the representations that several potential contributors wish to make the same, or very similar, points, potential participants in that session are encouraged to appoint a spokesperson to present their case.
- 2.6 Additionally, the Inspector indicated (*Document ID08*) that he would be addressing the precise wording of Draft Policies J27 and SP2 in one of the Main Hearings. This Hearing will be held on 20 February 2019 where the Inspector will ask the Council a specific question about each Draft Policy. These questions are set out in the Inspector's Matters and Issues (*Document 10*). Hearing 5a will focus solely on these two questions and no others. **Participants at the J27 and SP2 sessions of the Preliminary Hearings are invited to take part in this Hearing if they confirm to the Programme Officer before Monday 31 December 2018.**
- 2.7 Hearing 5b concerns representations made to the 2017 Proposed Modifications consultation which do not relate to Draft Policies J27, SP2 or TIV16. The participants listed are those who confirmed to the Council as part of the consultation that they wish to take part in hearings relating to the points raised. **Anyone listed who no longer wishes to take part should inform the Programme Officer by Monday 31 December 2018.**
- 2.8 Those wishing to submit further statements to add to the representations they have already made must do so not later than **noon on 31 January 2019**. Anyone wishing to make a further statement should focus on the Matters and Issues that the Inspector has identified. Each statement should be no more than 2,000 words on any one of the Matters. Please note that **3 printed copies** should be provided along with an electronic version. They should be A4 and have numbered paragraphs and pages. A separate statement should be submitted for each Matter addressed and statements should include details of the relevant Matter and Issue number, the representor name, and their reference.
- 2.9 Statements are also invited from the Council, setting out its responses to each of the Inspector's Matters and Issues, explaining why it considers the MDLPR to be sound. These statements should be submitted within the same timescale.
- 2.10 Further discussions between the Council and representors are strongly encouraged and Statements of Common Ground should be produced, where possible.

### **3. Hearing Arrangements and Procedure**

- 3.1 The hearing sessions will commence at **0930 hours on Thursday 14 February 2019** and run on the basis of the circulated programme. They will be held at: **Phoenix Chambers, Phoenix House, Phoenix Lane, Tiverton EX16 6PP.**
- 3.2 Morning sessions will commence at 0930 and run to 1300 hours with a short break in the middle. Generally, afternoon sessions will commence at 1400 hours and are expected to run to 1700 hours with, again, a short break in the middle. A new Matter will not start before the time shown in the programme although it may be delayed if the previous session overruns.
- 3.3 The hearings will focus on the Matters and Issues outlined by the Inspector and the more detailed questions arising from any statements received. Hearings are public meetings and interested persons are welcome to attend to listen and observe, even if not taking part.
- 3.4 The hearings will take the form of round table sessions, providing an informal setting for dealing with issues by way of an Inspector-led discussion. Those attending may bring professional advocates and witnesses with them, but there will be no formal presentation of evidence and no need for cross-examination is anticipated. Each hearing will proceed on the basis of the outline in the Inspector's Matters and Issues.

### **4 Other Matters**

- 4.1 The Inspector will carry out any site visits required on an unaccompanied basis before or after the hearing sessions. Should accompanied visits be found necessary, these will be arranged through the Programme Officer.
- 4.2 Any queries about the Preliminary Hearings, or the examination as a whole, should be addressed to the Programme Officer, in the first instance.

*Paul Griffiths*

INSPECTOR

14/12/18