New Forest Local Plan Part 2 - Examination

Inspector’s Guidance Note for the Further Hearings

1. The general principles set out in my Guidance Note for the original hearings are still applicable. That note is ID/3 in the Examination Document List and is available here: http://www.newforest.gov.uk/index.cfm?articleid=14309
   This new note seeks only to update matters so far as necessary.

2. In the light of the Council’s Main Modifications, the new evidence and supporting documents published at the same time and the representations made, I consider that further hearings are required on only 2 matters. Firstly, the mitigation strategy for the protection of European sites and all the consequential changes. Secondly, the allocation of 2 new sites for housing in New Milton.

3. No other hearings are necessary as the other main modifications are closely aligned to the discussions at the earlier hearings or points made in the original representations, no significant new matters have been raised and there are no new parties raising matters relevant to the modifications. With regard to the representations on the formal revocation of the South East Plan and related matters, I consider that no significant new matters have been raised to justify a hearing, given that the likelihood of this revocation was well known at the time of the earlier hearings and the NPPF had been published for almost a year.

4. Participants for the 2 planned hearings are listed in the draft hearings programme based on those who have indicated that they wish to be heard. Please inform the Programme Officer by 19 December 2013 if: you are listed as a participant, but have decided not to attend, or have not previously indicated that you wanted to be heard, but now want to do so. Participation will be possible only if your representation clearly relates to the matters to be discussed at a particular hearing session. The hearing programme may need to be adjusted in the light of the final confirmation of participants.

5. I have set out pre-hearing and other questions which are matters I wish to clarify/explore further before the hearings. The Council should respond to all questions. Other parties may submit a statement on any question directly relevant to their representation if they wish to do so, but do not need to repeat matters made in their representations. Specific cross-referencing to any relevant material already submitted is helpful. Parties will see that many of my questions arise from points made in the representations on the modifications. Parties who made relevant representations, but do not wish to attend the hearing, may also submit a written response to relevant questions if they wish. But this is not an opportunity for any new statements on any other matters.

6. The deadline for any written response to my questions is noon 8 January 2014. No subsequent written material will be accepted after this deadline unless I have specifically requested it. No new material should be submitted at the hearings. Please submit by the deadline an electronic copy (unless you are a party communicating by post only) and 3 paper copies of the statement. Please see previous Guidance Note for further advice. The PO will circulate to confirmed participants an agenda for the hearings a few days before the event.

7. I raised some preliminary questions with the Council in my Note 7 (now ID/16). These are matters not directly related to the proposed Modifications. The Council’s response is in NFDC51 and NFDC52. The latter shows corrections to various errors in the Habitat Regulations Assessment (S12) submitted with the plan in 2012, in the Revised HRA (NFDC47) and in Appendix A of the updated IDP
(NFDC48). To avoid further confusion in relation to the assessment of the allocated site HYD2, I note that in the Draft Sustainability Appraisal (BP40), the site being appraised was the northern half of the land now allocated as HYD2. This northern part of the allocated site is not within 400m of the New Forest SPA/SAC/SSS1. Policy HYD2 requires the residential development to be on the northern part of the site. I have no further questions on the matters raised in my Note 7 (other than in relation to the Mitigation Strategy which is the focus of most of my pre-hearing questions).

Simon Emerson
Inspector
2 December 2013