

Greater Norwich Local Plan

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EXAMINATION GUIDANCE NOTE

1. This note provides guidance to participants on the procedural and administrative arrangements for the hearing sessions as part of the examination of the Greater Norwich Local Plan. Examination documents can be found in the Examination Document Library on the Greater Norwich Local Plan website: <https://www.gnlp.org.uk/local-plan-examination-local-plan-examination/document-library>. Where we have referred to examination documents in this note, we have referenced the document number in square brackets [].

Dates of the hearing sessions

2. In the light of the recent Government announcement that working from home should take place wherever possible, the Planning Inspectorate wrote to all Chief Planning Officers on 13 December 2021 to ask that all hearings and inquiries should be held virtually for now. As a consequence, the examination hearing sessions will be held virtually on MS Teams hosted by the Partnership.
3. The Programme Officer has prepared a separate detailed guidance note setting out how MS Teams will be used to host the examination. It also includes details of a test event. It will be available shortly.
4. If at some point there is revised guidance from Government and the Planning Inspectorate, and we think it would be appropriate in the interests of the examination of the Plan, it is possible that some later sessions could be held physically. If this is the case, we will issue revised guidance notes. However at this stage we are planning for the whole examination to be held virtually and participants should do likewise.
5. The examination hearing sessions will commence at 9.30am on Tuesday 1 February 2022.
6. The sessions are expected to take place in two, two-week blocks. The first week will run from Tuesday 1 February to Friday 4 February 2022, and the second week Tuesday 8 February to Friday 11 February 2022. The third week will run from Tuesday 1 March until Friday 4 March 2022 and the fourth week will run from Tuesday 8 March until Friday 11 March 2022.

7. Two documents are available with this note:

- A draft timetable for the examination hearing sessions which set out the matters to be discussed on each day.
- Inspectors' Matters, Issues and Questions (MIQs) for the first two weeks of hearing sessions. These will form the basis for the discussions for the first two weeks of sessions.

The Inspectors Matters, Issues and Questions (MIQs) for the second two weeks of the hearing sessions (starting 1 March 2021), and a draft timetable for those sessions, will be issued on 17 January 2021. The second two weeks sessions are expected to cover matters such as those proposed site allocations and policies not dealt with in the first two weeks, housing land supply, and monitoring.

Programme Officer

8. Annette Feeney is the Programme Officer and is responsible for the administration of the examination. She is working under our direction, is impartial and is independent of the Partnership and any of the Councils. The role of the Programme Officer is to provide an effective channel of communication between all parties and ourselves, liaise with parties to ensure the smooth running of the examination, to ensure that all examination documents received are appropriately managed and added to the examination Library on the examination webpages and to act as the main point of contact for all procedural and administrative matters.
9. All programming queries, practical and procedural points should be addressed to the Programme Officer.
10. Copies of all examination documents are available to view on the examination website. Any participant who does not have access to the internet should contact the Programme Officer so that alternative arrangements can be made for viewing documents.

Scope of the Examination and the Inspector's role

Inspectors' role

11. Our role is to assess whether the Plan has been prepared in accordance with legal and procedural requirements and assess whether it is sound. The purpose of the hearings is to focus on the main issues for discussion, to enable us to obtain the information we need so that we can draw the necessary conclusion on the Plan.
12. The National Planning Policy Framework (the Framework) states that in order to be sound, a Local Plan must be:

- **be positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs;
- **justified** – an appropriate strategy taking into account the reasonable alternatives, and based on proportionate evidence;
- **effective** – deliverable over its period and based on effective joint working as evidenced by the statement of common ground and;
- **consistent with national policy** – enabling the delivery of sustainable development in accordance with the NPPFs policies and other statements of national planning policy where relevant.

13. It is not part of our role to make improvements to the Plan, provided that it is sound and legally compliant.

14. There are three possible outcomes to the examination:

- The submitted Plan is sound
- The submitted Plan is not sound but could be made sound by making changes (main modifications), if necessary following additional work; or,
- The submitted Plan is not sound and could not be made sound by any changes.

15. Following the close of the hearing sessions we will prepare a report to the Partnership with our conclusions. The Partnership has formally requested that we recommend any main modification necessary to make the Plan sound.

Omission Sites

16. Our starting point for the examination is that the Partnership has submitted a Plan which it considers is sound and legally compliant. We will therefore be considering whether the policies and site allocations within the Plan comply with the requirements.

17. We will not be considering the merits of any alternative or omission sites. If during the examination there appears to be a need for additional development sites to be allocated, it will be a matter for us to raise this with the Partnership to decide what it would propose in order to meet such a need.

18. Those seeking changes need to demonstrate why the submitted Plan is not sound, rather than highlight an alternative or omission site.

Changes to the Plan

19. There are two ways in which changes can be made to the Plan:

- Main modifications are changes which alone, or in combination with others, would materially alter the Plan or policies and must be subject to consultation. We can only recommend main modifications if they are necessary to make the submitted Plan sound or legally compliant.
- Additional modifications (sometimes referred to as 'minor modifications') are those changes which do not materially affect the policies in the Plan. The Partnership is accountable for these changes and they do not fall within the scope of the Examination.

The hearing sessions

20. The hearing sessions will normally run between 9:30 and 11:00, 11:30 and 13:00 and between 14:00 and 15:30 and 16:00 and 17:00, unless otherwise stated during the hearing sessions. Additional breaks may be required during each day due to the need for participants to take some time away from the screen.
21. The hearing sessions will be in the form of structured round table discussions which we will lead. We will issue agendas to help guide the sessions. There will be no formal presentation of evidence and no cross-examination. Barristers and solicitors if present, will be treated as part of the respective organisation or team. We will make a few brief introductory comments and then invite individuals to respond to specific questions. In most cases we will start with asking the Partnership some questions and then extend the discussion. We will have read all the relevant representations and statements beforehand. The hearings are not an opportunity to repeat a case already set out in written representations.
22. The discussion will focus on the issues in the programme and agendas with any additional points or supplementary questions we wish to ask arising from any further written statements.
23. The programme is in draft form and may be subject to change. Agendas issued for each session will include a list of participants invited to attend each session.
24. Participants are advised to make themselves familiar with the Planning Inspectorate Customer Charter, the link to which is at the end of this guidance note. We will not tolerate any abusive language or behaviour being directed at us or the Programme Officer, or any abusive references made in hearing statements.

Representations on the Plan

25. The Partnership has prepared a Statement of Consultation [A8] which includes details of the consultation that has taken place on the Plan, and a summary of the main issues raised in the representations.

26. A full set of the representations made on the Plan at the pre-submission (Regulation 19) stage [A11 and A12] has been provided to us and we will take them all into account. The legislation does not require us to take account of any representations made at any earlier stage, including under Regulation 18.

27. The Partnership has also produced a number of Statements of Common Ground [D2 and D4] and Topic Papers [D3].

Progressing your representations on the Plan

28. Only those who have made representations within the prescribed time periods and seek changes to the Plan have a right to be invited to and participate in, relevant hearing sessions. However, anyone is free to observe any session.

29. If you wish to participate at the hearings, and you have made relevant representations, please contact the Programme Officer as soon as possible and by Wednesday 22 December 2021 at the latest to confirm this. Please clarify which matters and issues are relevant to your representations and on which questions you wish to speak. Any party who does not confirm their wish to appear on or before that date may not be included in the programme, so please respond promptly.

30. Where several people or organisations wish to speak on the same issue and/or wish to make the same point, you should consider appointing a single spokesperson or persons, as we will not be allowing points to be repeated during the hearing sessions. This will ensure that effective use is made of available time in the sessions. The Programme Officer will assist you with such arrangements.

31. A final version of the hearing programme will be published on the examination website around two weeks before the start of the hearing. It will be for individual participants to check progress on this, either on the website or with the Programme Officer, to ensure that they attend the right sessions and at the right time. If anybody is unsure about which session their representations relate to, please contact the Programme Officer.

32. We will give equal regard to views put at the hearing sessions and those in writing. Participating in a hearing session will only be useful and helpful to us if you can engage in a debate and focus on our MIQs.

Further written statements

33. Our list of MIQs will form the basis for discussion at the hearing sessions. As participants should already have set out their full cases within their existing representations, there should ordinarily be no need to produce further written statements in response to the MIQs. Representators may therefore choose to rely upon their original response.

34. However, if participants do wish to produce further written hearing statements to supplement their original representations, these should be limited to the issues and questions set out in the MIQs and be relevant to their original representation. Statements must not repeat what is in previous representations as these will be taken into account.
35. The examination documents are available on the website so participants should not attach extracts to statements. However it would be useful that where statements make reference to examination documents, that the relevant document and page numbers are stated.
36. To assist the conduct of the hearings, any additional statements produced by participants must accord with the following:
- Only respond to the specific questions in the MIQs which are relevant to the original representation;
 - Respond to each relevant main issue (identified in the MIQs) in separate statements
 - Indicate very clearly and succinctly exactly what changes are necessary to make the Plan sound or legally compliant and make it very clear the precise wording changes required.
 - Keep the statements focussed, to the point and no longer than 3000 words for each main issue. It is the quality of the reasoning which carries weight, not the scale of the documents
 - Do not include appendices
 - Submit two A4 sized paper copies along with the electronic version. Paper copies should be stapled and not bound with any A3 tables or diagrams folded to A4 size.
37. Statements that are of excessive length or contain irrelevant or repetitious material may be returned.
38. In preparing the Statements reference should be made to our Initial questions and the Partnership's responses, both of which are on the examination website.
39. Unlike other participants, the Partnership is required to respond to each question and therefore the 3000 word limit does not apply to it. However, any statements must be succinct, and reference can be made to responses to Initial Questions [D1] and to documents in the examination library.
40. All statements relating to the first two weeks of the hearings must be submitted to the Programme Officer by email by 9am on Monday 17 January 2022. This is an absolute deadline. Paper copies will be required to be despatched to Programme Officer, c/o Greater Norwich Local Plan Team, County Hall, Martineau Lane, Norwich. NR1 2DH

41. All statements relating to the second two weeks of the hearings must be submitted to the Programme Officer by email by 5pm on Friday 11 February 2022. Paper copies will be required to be despatched to the Programme Officer that day.

Site Visits

42. We have already visited some sites and areas. In so far as we determine it to be necessary for our consideration of soundness of the Plan, we shall visit other relevant sites and areas before, during or after the hearing sessions. We will do these unaccompanied by any parties to the Examination, unless access to private land is necessary.

Close of the Examination

43. Following the hearing sessions, the examination will remain open until our report is submitted to the Partnership. However, we will not accept any further representations or evidence from any party during this time, unless we have specifically requested it.

44. Further information about the preparation and examination of Local Plans can be found using the following links:

- National Planning Policy Framework July 2021
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf
- The National Planning Practice Guidance on plan making
<https://www.gov.uk/guidance/plan-making>
- The Planning Inspectorate Procedure Guide for Local Plan Examinations (updated October 2021)
<https://www.gov.uk/government/publications/examining-local-plans-procedural-practice/procedure-guide-for-local-plan-examinations>
- The Planning Inspectorate Customer Charter
<https://www.gov.uk/government/publications/planning-inspectorate-customer-charter>

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INSPECTORS