

Examination of the Lancaster District Strategic Policies & Land Allocations Development Plan Document and Development Management Development Plan Document Submission Drafts

Pre-Hearing Note (2) to the Council

I refer to the Council's letter, dated 23 November 2018, setting out a timetable as requested in my previous Pre-Hearing Note (19 November 2018). I note from your letter that the Council once again refers to modifying the Lancaster District Strategic Policies & Land Allocations Development Plan Document and Development Management Development Plan Document Submission Drafts (the plan) to further improve soundness through exploring possible text changes through informal consultation.

In response, I would again stress that it is not the role of the Examination to deal with changes to the Plan that would 'improve soundness'. The Plan was submitted on the basis that the Council considered it to be sound. It is the purpose of the Examination process that is underway to determine whether or not the Plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The basis for this is set out in paragraph 182 of the National Planning Policy Framework 2012 (as the Plan is being examined under transitional arrangements).

It is not therefore expected, as part of the procedure, that the Council should produce a suite of documents post submission aimed at improving the soundness of a Plan. Moreover, it is not my function as the Inspector appointed by the Secretary of State, to assess the Plan to see if its soundness could be improved. Rather, it is for me, through the examination process itself, to assess if the Plan is sound for the reasons given above and to recommend, if I consider it necessary and if asked to do so by the Council, any Main Modifications that may be capable of overcoming any impediment to soundness. Consequently, I would reiterate the request from my previous Note that I would like to know at this stage if the Council considers, as a result of the additional work undertaken, that any aspect of their Plan is unsound and if so what they propose to do to remedy the situation? To be clear, I am asking if the Council now considers any part of the Plan to be unsound rather than seeking the Council to produce a schedule of areas where it feels soundness could be improved.

To that end, I would like to move to the hearing sessions as quickly as possible and would like to hear from the Council as to whether or not it would be possible to foreshorten its outlined timetable. Specifically, is it necessary to delay until 1 February 2019 the start of the 6 week consultation period? The Council, as stated in my previous Note, suggested that the outstanding documents would be completed during the period August to October 2018. If that is the case, why is there a need to wait until 24 January 2019 for them to be "finalised"?

It is important that the Examination should proceed at a reasonable pace and that all unnecessary delays should be avoided. In which case, I

should like the Council to consider whether or not it would be in a position to bring forward its schedule by at least 4 weeks so that the hearing sessions could get underway by the end of March/beginning of April 2019. If that is not possible, I should like to receive a clear indication as to why the Council feels it is necessary to delay the commencement of the hearing sessions until May 2019. On the matter of minor modifications, if the Council has produced a schedule of suggested minor modifications then it would be useful for me to see this and for it to be made available on the website.

I look forward to hearing from you in due course with an indication on how the Examination might move forward in a timely, efficient manner.

Richard McCoy
Inspector
10 December 2018