

**SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENTS (DPDs)  
FOR DARTMOUTH, KINGSBRIDGE, IVYBRIDGE, TOTNES AND  
THE RURAL AREAS**

**PRE-HEARINGS MEETING**

**Advance Notice of Certain Matters**

**The Purpose of the PHM**

The purpose of the meeting is to provide an opportunity for procedural and administrative matters relating to the examination to be explained and discussed.

**The Purpose and Scope of the Examination**

The examination of a DPD is intended to investigate whether or not it is sound. In examining soundness the Inspector is required to consider all representations made to the submission DPD but only so far as they relate to the three matters of soundness set out in Government Guidance in Planning Policy Statement (PPS) 12 (2008), viz. justified, effective and consistent with national policy. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. In deciding the matters and issues upon which the examination should focus, the Inspector will consider the DPD as a whole, the representations made on it, consistency with national policy and other plans and strategies, and any other factors that are relevant. As decision-maker the Inspector has to exercise his/her duties under section 39 of the 2004 Act with the objective of contributing to the achievement of sustainable development.

The whole examination is intended to be primarily an inquisitorial process under the Inspector's direction. The Inspector will use this approach for the hearings, which will focus on matters affecting soundness, although there remains a right to request a hearing.

The Inspector must also emphasise the very tight timetable everyone has to adhere to in order to meet the objectives set in PPS 12 and, as far as possible, in the Council's own Local Development Scheme. Therefore, participants should agree with the Council (and with other participants where necessary) those items of evidence which can be agreed.

**Procedure at Hearing Sessions**

The hearing format will provide an informal setting for dealing with issues, by way of a discussion that the Inspector will lead. Those identified to participate may bring professional advocates and witnesses but space around the table will often be at a premium. There will be no formal presentation of evidence or cross-examination and as the discussion will focus on the issues identified in the agenda and the questions posed, it is important that the person able to make the most useful contribution should sit forward. Participants will be expected to

have submitted statements in advance of the hearing where they wish to expand on the points made in their original representations and to respond to the issues raised by the Inspector. New evidence will not be accepted at the hearing unless it has been agreed in advance with the Inspector.

The Inspector will start by making a few brief comments on the matters he/she wants to cover and in some cases will circulate a detailed agenda/list of questions before the session. The Inspector will direct a question to a person - sometimes the Council representative - to start the discussion in response to the points raised. The hearing will then progress under the Inspector's guidance, drawing those present into the discussion in such a way as to enable the Inspector to gain the information necessary to come to a firm conclusion and decision on the matters.

The Programme Officer will provide name boards for each participant which should be up-ended to indicate a wish to speak. In that way the Inspector can invite contributions as they go along without overlooking anyone with a point to make.

### **The Submission of Further Written Statements**

There should be no need for people who are pursuing their cases by written representation to expand upon their original representations because these should have identified the ways in which the DPD is considered to be unsound and what changes are suggested to make it sound.

However where participants relying on written representations feel that it is necessary for them to put in further material, this must be submitted to the Programme Officer in accordance with the same timetable which will be set for the submission of further evidence by those attending hearing sessions.

The Inspector will not ask the Council to respond to each and every representation.

### **Format of Submissions**

The need for succinct submissions is emphasised, with the avoidance of unnecessary detail and repetition. There is no need for verbatim quotations from the relevant DPD or other sources of policy guidance.

Where the original representation does not do so, participants should address the following questions in their statements or in any further written material they submit:

- What part of the DPD is unsound?
- Which soundness criterion does it fail?
- Why does it fail?
- How can the DPD be made sound? i.e. what change is required.
- What is the precise change/wording that is sought?

There may be scope for participants from the development industry, community or residents' groups or individuals with a common interest to

co-ordinate their contributions to hearings. These participants should explore this possibility.

Further guidance is set out overleaf and all respondents should take note of this when preparing written submissions.

The Inspector will endeavour to progress the examination in an effective and efficient manner, keeping a tight hand on the discussions and time taken. The aim is to limit the amount of material to that necessary to come to informed conclusions on the issues.

### **Main Reference Documents**

The Council has prepared a list of Reference Documents (sometimes referred to as Core Documents) that will be available in the examination's Reference Library. These are the documents expected to be referred to most frequently and include the Planning Policy Statements (PPSs) and Planning Policy Guidance notes (PPGs), background documents and any other documents that participants are clearly likely to need to refer to. Extracts of these documents should not be attached to statements as they are already examination documents.

The Reference Documents List which is up-dated from time to time is available from the Programme Officer and is posted on the website. Links to electronic versions of the reference documents are provided in this list wherever possible.

### **Other Matters**

The hearings sessions will normally start at 10:00 hours and 14:00 hours on Tuesday, Wednesday and Thursday and at 09:30 hours on Friday. There will be no afternoon session on Friday or any session on Monday.

Individual participants must keep in touch with the Programme Officer to check the progress of the examination and to ensure that they are present at the appropriate time.

The Inspector will make unaccompanied site visits before, during, and after the hearings, viewing sites from roads and publicly accessible land.

## Format for all response statements

- A. Please send, where possible, emailed electronic versions of all statements and appendices to the Programme Officer (in Word or PDF format), as well as the paper copies specified below.
- B. Submissions must be succinct, avoiding inclusion of unnecessary detail and repetition of the original representation. It is the quality of the reasoning that is important. There is no need for verbatim quotations from the DPD or other sources of policy guidance.
- C. Submissions should not exceed **3,000 words** and any submissions longer than this will be returned by the Programme Officer for editing.
- D. All parties should provide **4** paper copies of their response statements, all hole-punched, to include one unbound for further copying and the other 3 stapled in the top left corner.
- E. Supporting material in the form of appendices to statements should be limited to those which are essential and should not contain extracts from any publication that is already before the examination, such as documents in the examination's Reference Library and nationally available Government guidance. The name of the document, its Reference Library number and a clear paragraph or page reference is all that is necessary. Any appendices should have a contents page and be paginated. Anyone submitting appendices should indicate in their statement which parts are particularly pertinent and on which they are especially relying. The Council should ensure that sites/locations/projects/documents and so on are referred to in a consistent way throughout their responses. Where sites or locations are referred to which have not previously been shown on a plan in the submitted material please provide a plan.
- F. No statement/piece of paper will be accepted if it fails to be clearly marked, **at the top, right hand corner**, with the appropriate Issue number and relevant respondent reference and name. The Council's Response Papers should be separately referenced SHDC, followed by the main matter number.
- G. All participants should adhere to the timetable for submitting statements. If material is not received by the deadline the Programme Officer will assume that you are relying only on the original representations. It would be very helpful for parties to submit statements as far in advance of the deadline as possible.