
Eastleigh Borough Council

Examination of the Eastleigh Local Plan

Guidance note and timetable for further hearing session in relation to policy HA2

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Position and scope of hearing session

I am Christa Masters, the Planning Inspector appointed by the Secretary of State for Communities and Local Government to independently examine the soundness of the Eastleigh Local Plan. I have prepared this guidance note to explain the procedural and administrative matters relating to the additional hearing session which has been scheduled to take place on Tuesday 5 January 2021 at 1000.

Following the hearing sessions which ended in January this year, I wrote to the Council in April 2020 setting out a number of concerns regarding the Local Plan and requesting that additional evidence be prepared. The Council have responded to these concerns and prepared main modifications accordingly. However, the Council also requested to submit additional detailed evidence in connection with policy HA2. This additional information has been accepted and appears on the examination website as a position statement in relation to policy HA2 (ED80). In order to ensure that the examination is conducted in an open and fair manner, I have decided it is necessary for a further hearing to be held to examine this information and afford representors the opportunity to comment accordingly.

In the context of the policy itself, the Council agrees that a hotel is not viable on the site. For the reasons set out in my letter of 13 May 2020 (ED73), the policy should not be deleted. The hearing will not be to revisit matters which have previously been discussed at the previous hearings, except where the changes now proposed by the Council have a bearing. The hearing will therefore generally be limited to a discussion of the matter set out below:

The matter for the hearing

The following matter will be the sole focus of discussion at the hearing:

What modifications are necessary to policy HA2 to ensure it is justified and effective?

Attendance at the hearing session

The hearing session has been provisionally scheduled for Tuesday 5 January 2021 at 1000 and will take place as a virtual event. This date is only provisional at this stage until it can be confirmed that the Council have the technical ability to hold the event virtually and I expect this to be confirmed within the coming weeks. Only those seeking to change the plan have a right to participate in the hearing sessions. However, the sessions are open for anyone to observe.

Those who have made representations on the policy have been directly notified about the hearing session. You should let the Programme Officer know at the earliest opportunity, **by 1700 on the 18 December 2020 at the latest**, whether you wish to be heard at the hearing session.

Only those who have made representations seeking to change the Plan have a right to appear before, and be heard by, the Inspector.¹ However, it is important to stress that written representations carry the same weight as those made orally at a hearing session. Consequently, participation at a hearing session is only necessary if, in light of the MIQs, you have specific points you wish to contribute.

People who are able to participate in the forthcoming hearing sessions are those who made representations seeking to change the Plan under Regulation 20 (ie when the Council invited representations before submitting the Plan for examination) where their representation relates to a point that is among the matter for the examination.

¹ S20(6) of the Planning and Compulsory Purchase Act 2004

At the hearing session

The hearing will take the form of a focused discussion around the policy which I shall lead. An agenda will be issued shortly before the event. It will not involve the formal presentation of cases by participants or cross-examination. The hearing session will commence at 1000. Given the virtual nature of the event, specific instructions for joining the event and how the event will be run and managed will be issued shortly.

Please let the Programme Officer know as soon as possible if you have any specific needs in relation to observation or participation at the hearing session.

Written material

At this stage, any additional written material should be strictly limited to the matter identified. Participants can also rely on the written representations they have already submitted should they wish to do so. Indeed, there is no need to prepare a further statement if all the points are already covered in the original representation or indeed statements prepared in relation to the first hearing.

For those who do choose to provide statements, they should directly address the questions identified in the Schedule of MIQs.

All statements from representors should:

- a) relate solely to the matters raised in their earlier representation;
- b) explain which particular part of the Plan is unsound;
- c) explain why it is unsound, having regard to the National Planning Policy Framework;
- d) explain how the Plan can be made sound; and
- e) explain the precise change/wording that is being sought.

From the Council, a written statement in response to all of the matters, issues and questions is required. The statement should also include references to any main modifications the Council considers necessary to make the Plan sound and set out the Council's position on changes sought by other parties, where relevant.

All written statements should be succinct, avoiding unnecessary detail and repetition. There is no need for quotations from the Plan, national planning policy or other core documents (references will suffice). Nonetheless, it is vital that the fundamental elements of cases are set out clearly and concisely, since the hearings are not the place for new points or evidence to be presented for the first time.

Representors should attempt to reach agreement on factual matters and evidence before the hearings start and you will note that a statement of common ground (SOCG) has been requested.

Any hearing statements, and the Statement of Common Ground must be submitted to the Programme Officer by no later than **5.00 pm on Friday 11 December 2020**. Documents should either be sent electronically to the PO's email address or by post to the PO's Post Box. If documents are submitted electronically one hard copy is also required and should be sent by post to the PO. Please note that delivery by courier is not possible to PO Boxes. If material is not received by this deadline, the PO will assume that written statements are not being provided. Statements should be no longer than 3,000 words. Statements which are excessively long or contain irrelevant or repetitious material may be returned. Any technical evidence should be limited to appendices and should be clearly related to the case being made. Statements should be on A4 paper and stapled. Plans or diagrams should fold down to A4 size.

All participants including the Council should adhere to the timetable for submitting written statements. **Late submissions and additional papers will not be accepted under any circumstances. Given the specific nature of the additional hearing scheduled, a failure to meet this deadline may lead to the hearing being adjourned.**

All written material is posted on the Examination webpage, so that it is available to all participants and anyone else who wishes to read it. As it is available in this way, written material will not be circulated directly to participants. However, anyone who is unable to access written material on the webpage may request copies from the Programme Officer.

I trust that you find this Guidance Note helpful. If you have any further questions please contact Ms St John Howe – she will be happy to assist if at all possible.

Christa Masters

INSPECTOR