

# **Independent Examination of the Southwater Neighbourhood Plan (March 2019)**

**Note from Examiner – Derek Stebbing BA (Hons.), Dip. EP, MRTPI**

## **Introduction**

1. I have been appointed by Horsham District Council (the Local Planning Authority) and Southwater Parish Council (the Qualifying Body) to conduct the independent examination of the Submission Draft of the Southwater Neighbourhood Development Plan (the Plan).
2. The principal purpose of the Examination is to consider whether the Plan meets the basic conditions. These are:
  - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Plan;
  - the making of the Plan contributes to the achievement of sustainable development;
  - the Plan meets prescribed conditions and complies with prescribed matters
  - the making of the Plan is in general conformity with the strategic policies contained in the development plan for the area;
  - the making of the Plan does not breach, and is otherwise compatible with, EU obligations; and
  - the making of the Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
3. I am also required to consider whether the Plan is compatible with Convention rights as defined in the Human Rights Act 1998, whether the Plan complies with the provisions made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 and whether the area for any referendum should extend beyond the neighbourhood area to which the Plan relates.
4. The normal procedure for Neighbourhood Plan Examinations is that they are conducted by written representations with any site visits being unaccompanied. A public hearing should only be held when the Examiner considers that a key issue should be examined in more depth or to ensure that a person has a fair chance to put a case. It is up to the Examiner to decide who is invited to speak.
5. In this respect, I have considered the Plan, its supporting evidence base documents and the representations that were made during the Regulation 16 consultation, and I consider that a public hearing will be necessary to enable me to examine a number of matters in greater depth.

## Purpose of this Note

6. The purpose of this Note is to now state my decision that a Hearing will be held in order to receive oral representations and to set out the arrangements for the Hearing.
7. In the interests of transparency, this Note and any responses to it will be made publicly available so that all persons interested can follow the process.

## Hearing

8. I have determined that a Hearing is necessary to ensure adequate examination of a number of matters relating to the Plan. These are set out in the formal Agenda for the Hearing, which is attached as Annex 1 to this Note. The absence of an issue should not be read as an indication that I do not consider it to be important. Rather it means that I am satisfied that I can deal with it on the basis of the written representations and other documents before me.
9. The Hearing, which is a public hearing, will take place on **Friday 28<sup>th</sup> February 2020** between **10.00 a.m. and 16.00 p.m.** at: **Southwater Leisure Centre, 2 Pevensey Road, Southwater, West Sussex RH13 9XZ.**
10. Invitations will shortly be extended by the Local Planning Authority to the Representors who I wish to hear from, as listed in the Annex 2 to this Note. Members of the public can also attend and will, subject to my agreement and sufficient time being available, be able to speak.
11. Annex 3 to this note contains guidance for the conduct of the Hearing.

Derek Stebbing  
Independent Examiner  
23 January 2020