

Independent Examination of the Farnham Neighbourhood Plan Review (Modification Proposal) Draft (January 2019)

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

Introduction

1. I have been appointed by Waverley Borough Council (the Local Planning Authority) and Farnham Town Council (the Qualifying Body) to conduct the independent examination of the Submission Draft of the Farnham Neighbourhood Development Plan Review (Modification Proposal) (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, including establishing that 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;
 - the making of the Plan is in general conformity with the strategic policies contained in the development plan for the area; and
 - the making of the Plan does not breach, and is otherwise compatible with, EU obligations.
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 held a Procedural Exploratory Meeting on 4 June 2019 as part of this Examination, and I made a determination on 20 June 2019 under Paragraph 10(1) of Schedule A2 to the Planning and Compulsory Act 2004 (as amended). I determined that the modifications contained in the Plan constitute material modifications which do change the nature of the Plan.

Purpose of this Note

6. The purpose of this Note is to now state my intention to hold Hearing for the purpose of receiving 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 proposed modifications in 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 **Tuesday, 1st October 2019 between 10.00 a.m. and 16.00 p.m. at: Farnham Town Council Offices, South Street, Farnham, Surrey, GU9 7RN**
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, with my agreement, be able to speak.
11. Annex 3 to this note contains guidance for the conduct of the Hearing.

Derek Stebbing
Independent Examiner
4 September 2019