

From: Sherratt, Claire

Sent: 10 December 2012 14:24

To: Bradley Gammond

Subject: RE: Wyre Forest DC Site Allocations & Policies Development Plan Document & Kidderminster Area Action Plan

Many thanks Bradley.

I refer to the Council's query about further amendments and respond as follows:

As you will be aware, minor amendments are known as 'additional modifications' and can be made by the LPA on adoption without the need to be examined. These changes are ones that do not, when taken with any main modifications, materially affect the policies set out in the Plan. In practice they should be of the nature of corrections and clarifications which do not change the meaning or scope of a policy and would not need to be the subject of consultation or revised Sustainability Assessment (SA). Such additional modifications are no longer within the scope of the examination and the legislation quite clearly envisages these are a matter solely for the LPA, for which they will be accountable on adoption. By implication, there is therefore no longer a need for a LPA to provide an addendum of post publication pre submission minor changes with their submission document. However, given that the Council has included Documents EB001 and EB002 within its submission documents, it may be helpful for the schedule to be up-dated following the preparation of Statements of Common Ground and made available on the examination website.

With this in mind the LPA may also wish to review the schedule of proposed minor amendments set out in Documents EB001 and EB002 to ensure they are satisfied that that none would change the meaning or scope of a policy and would not need to be the subject of consultation or revised SA. It appears to me that some may do so. For example, the change in approach to windfall development in Bewdley and the increase in the retail floorspace restriction referred to throughout the Plan as 250 sq. m to 280 sq. m. may change the scope of some policies and require consultation.

If, as a result of additional discussions to prepare statements of common ground or a further review of the suggested minor amendments, any suggested changes are of greater significance and not considered to be minor, the scope for myself, the Inspector, to make main modifications initiated by the LPA or any other party to the examination is constrained. In order for me to take forward a main modification initiated by the LPA or any other party the requirements of s.20(7B) and (7C) must be met. Therefore, for example, a LPA's change of preferred approach to a policy (including a site allocation) cannot be accommodated unless the policy/site as submitted is, in the Inspector's view, potentially unsound or not legally compliant.

Finally and as you will be aware, in order for me to make modifications to the Plans the Council will need to formally notify me that they wish to request modifications under section 20(7C) of the Planning and Compulsory Purchase Act 2004 (as amended). In the absence of a request under section 20(7C), my report will be confined to identifying any soundness or legal compliance failures and, if there are such failures, recommending non-adoption of the Plan(s). An indication of the Council's position on any main modifications at this stage will be advantageous to the efficiency of the examination process and the expectation of participants.

I note the closure of the Council offices on 21 December until the New Year. I will endeavour to provide my list of Matters as soon as possible this week.

I note the Council's request for invoices to be submitted within this financial year.

I hope this is of assistance.

Regards,
Claire Sherratt
Inspector

From: Bradley Gammond [mailto:Bradley.Gammond@wyreforestdc.gov.uk]

Sent: 05 December 2012 09:49

To: Sherratt, Claire

Subject: Wyre Forest DC Site Allocations & Policies Development Plan Document & Kidderminster Area Action Plan

Claire

I have attached the Council's responses to your initial comments/questions. They are considering the additional questions and will forward me a response to these. They are aware of the deadline (10th December) and are working towards this, as I am trying to stick to actual deadlines so far as possible given the inevitable interruption by the Christmas break.

I am preparing a copy of the data base and a schedule of those who wish to attend on a policy by policy basis. I intend to submit this by close of business on 10th December. This may change following the Council's discussions under Statements of Common Ground of course.

The Council also queried the following during my 3rd December meeting:

The Council have asked for your view on the re submitting of amendments to the submitted plans following

discussions under statements of common ground as was carried out during Wycombe District Council's Site Allocation Policy examination process.

The Council are assuming that written statements need to be back with you by 11th January (giving a good two weeks ahead of the hearings). The offices are closed from 21st December until the New Year, so it would be helpful if the Council can have your list of matters as soon as possible, by early next week (w/c 10th December) ideally. The Council state that they need a good 2-3 weeks to provide their responses and this is pretty standard and was certainly the case for the Core Strategy hearings

The Council have asked that invoices be submitted in this financial year so far as is possible.

Let me know if you need clarification on the contents of the attached document or any of the above queries

Kind Regards

Bradley Gammond
Wyre Forest Programme Officer

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