

Woking Site Allocations Development Plan Document

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Programme Officer: Chris Banks

7 August 2020

Woking Site Allocations Development Plan Document: Inspector's Main Modifications Covering Note

Main Modifications

1. Following the hearing sessions held in December 2019 and my post-hearings letter of 7 February 2020, a schedule of Main Modifications has been produced. As set out in my closing remarks at the hearings Main Modifications are changes to the plan that would cause material effects to its policies which I can recommend in the interests of soundness. The Council has requested that I recommend Main Modifications on this basis. A schedule of changes to the Policy Map, which are necessary to capture the spatial implications of the Main Modifications is also being published for consultation.
2. The proposed Main Modifications are all those which I consider to be necessary to ensure the soundness of the plan. However, this is without prejudice to my final conclusions on the plan which will be made having regard to consultation responses on the Main Modifications as well as all of the other representations and evidence before me in this examination.

Aireborough Neighbourhood Development Forum v Leeds City Council (2020) EWHC 1461 and the Office of National Statistics (ONS) 2018-Based Household Projections

3. I have asked the Council to produce a topic paper concerning the judgement of the High Court on the above-referenced *Aireborough Neighbourhood Development Forum* case, and the implications of the 2018-based Household Projections produced by the ONS. This Topic Paper is published for consultation alongside the Main Modifications Schedule and related material.
4. Those wishing to make comments on the Topic Paper should clearly distinguish between these and any accompanying representations on the Main Modifications.

Progressing Local Plans during the COVID-19 Pandemic

5. The Secretary of State for Housing, Communities and Local Government published a Written Ministerial Statement (WMS) on 13 May 2020, which acknowledges that due to the effects of COVID-19 it is not always possible to access public buildings, which restricts the availability of planning documents for physical inspection. As a consequence, amendments¹ have been made to the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations), which mean that until the end of the

¹ By the Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020

year Councils will not be required to make planning documents available at their principal offices. Moreover, the amendments to the Regulations remove the requirement for a Council to provide hard copies of documents – although documents are still required to be made available on the Council’s website.

6. Moreover, the WMS makes clear that during these exceptional circumstances, the Government considers that online inspection of documents should be the default position across all planning regimes. Nevertheless, councils should take reasonable steps to ensure that those with limited or no internet access are involved in the planning process.
7. Woking Borough Council has supplied me with a list of measures that it intends to take in relation to the consultation on the Main Modifications and related material, which it will publish in a Consultation Plan on the examination website. Amongst other things, and at the date of drafting this note², these measures include:
 - An 8-week consultation period, which exceeds the 6 weeks advised by the Planning Inspectorate’s *Procedure Guide for Local Plan Examinations*³;
 - The commitment to send out copies of documents on CD, USB stick or paper where reasonable requests are made;
 - Publicity via press releases, posters, banners, local notice boards, the Council’s website and social media – alongside e-mail communications and letters;
 - Targeted action to maximise engagement in the process through involvement with representative groups;
 - Some (albeit relatively limited) access to hard copy documents at Woking Library;
 - Telephone conferences and Zoom meetings with various stakeholder groups and individual meetings with residents, landowners, agents and stakeholders via Zoom or telephone, as required.
8. Taken together, the changes to the Regulations, the Government policy expressed in the WMS, and recent updates to Planning Practice Guidance, currently lead me to the view that the measures outlined above provide an appropriate basis to carry out public consultation on the Main Modifications and related documents.
9. Notwithstanding this view, however, I will need to be satisfied that the consultation has been carried out fairly before completing and issuing my final report. Consequently, if there is any evidence of unfairness having occurred during the course of the consultation, I will consider whether any further measures should be taken before concluding the examination.

² The Council’s Consultation Plan is intended to be a ‘living document’ enabling appropriate changes to it in response to changes to Government regulations and guidance on social distancing.

³ 5th Edition June 2019, at paragraph 6.8, bullet 4

Conclusion

10. Representation on the Main Modifications and associated material should be sent to the Council, not the Programme Officer. They should be focused on the material presented for consultation and not about other aspects of the plan or 'omission sites'.
11. After the consultation period has concluded, the Council should forward the representations to the Programme Officer along with a list of all of those representations including a summary of the main issues raised. The Council should also provide a brief response to those main issues. All of the representations submitted and the Council's responses to them will form part of my considerations when I come to finalise the report.
12. At this stage I am not anticipating any further hearing sessions on the plan. Nevertheless, if I were to consider that substantial issues raised about the Main Modifications require further discussion, or that such discussion would be essential in the interests of fairness, additional sessions could be necessary following the conclusion of the consultation period.

G J Fort

INSPECTOR