

# EXAMINATION OF THE NEWCASTLE UNDER LYME LOCAL PLAN 2020 - 2040

## EXAMINATION GUIDANCE NOTE FROM THE INSPECTOR

### Purpose of the Guidance Note

1. This note provides guidance to representors involved in the Examination of the Newcastle Under Lyme Local Plan 2020 - 2040.
2. All representors should familiarise themselves with the contents of the note, in particular those who wish to submit further statements and/or take part in the hearing sessions.

### Dates for Hearing Sessions

3. The hearing sessions (which are part of the overall Examination) will take place between:

**20-23 May 2025**

**28-30 May 2025**

**17-19 June 2025**

### Venue: Castle House Newcastle under Lyme and Virtual

4. There will be a morning and afternoon session on each day. A draft programme indicating the matters to be discussed at each hearing session is contained within the Matters, Issues and Questions. You should be aware that it may change. Details concerning the finalised programme are set out in paragraph 26 below.

### The Inspector's Role in the Examination

5. My task is to consider the soundness of the plan, i.e. the **Newcastle Under Lyme Local Plan 2020 - 2040** (CD01). This document was the subject of [Regulation 19] consultation between 12 August 2024 to 7 October 2024. In examining the Plan, I will have regard to the representations submitted in response to all of these rounds of consultation.
6. The National Planning Policy Framework (MHCLG, July 2023) sets out the criteria for determining soundness; namely that the plan is **Positively Prepared, Justified, Effective and Consistent with National Policy**.
7. I aim to work collaboratively with the Council and the Examination participants in a

proactive and pragmatic manner to deliver a positive social, economic and environmental outcome for the district. However, this does not necessarily mean that the plan will be found to be sound.

8. Following the close of the hearings I will prepare a report to the Council with my conclusions. The Council has formally requested that I recommend any main modifications which are necessary to make the plan sound, if it is feasible that such modifications could make it sound. I will deal with broad issues in my report, and not with each individual representation.
9. Any main modifications I consider are likely to be necessary for the plan to be sound will be the subject of formal consultation and potentially considered as part of a revised Sustainability Appraisal and updated Habitats Regulations Assessment. Should this be necessary more information will be provided at that time. In submitting the plan for Examination the Council has proposed a number of further modifications detailed in the Schedule of Proposed Suggested Changes to the Published Plan (CD15). As part of the Examination I will consider whether or not any of these proposed modifications are necessary for the plan to be sound.

### **The Programme Officer**

10. The Programme Officer (the PO) for the Examination is Ms Carole Crookes who works independently of the Council under my direction in connection with the Examination. Carole can be contacted as follows:

Ms Carole Crookes  
Programme Officer  
C/o Council Offices  
Castle House  
Newcastle-under-Lyme

Tel: 07397 909822

Email: [n-u-l@iposolutions.online](mailto:n-u-l@iposolutions.online)

11. The main tasks of the PO are to act as a channel of communication between all parties and myself; to liaise with the parties to ensure the smooth running of the Examination; and to ensure that all documents received are recorded and distributed. Copies of the Examination documents are available on the Examination Website:

[Local plan examination – Newcastle-under-Lyme Borough Council](#)

12. Any procedural questions or other matters that you wish to raise with me prior to the hearing sessions should be made through Carole and please let her know if you have any specific needs in relation to attendance/participation at the hearing sessions.

### **Progressing your representations on the plan**

13. **In examining the Plan I will give the same weight to written representations as to those made orally at hearings sessions.** Consequently, participation at a hearing session is only necessary if, in the light of the list of Matters, Issues and Questions for

the Examination, you have relevant points to contribute to the debate.

14. Accompanying this note is a list of Matters, Issues and Questions for the Examination. I have identified 11 Matters on which the legal compliance and soundness of the plan depends and for each Matter there are a number of specific questions. These questions will form the basis of the discussion at the hearing sessions and should also be the basis on which any further written statements, to be submitted in advance of the hearings, are prepared.
15. The hearings are open to all to observe, but only those who previously made representations relevant to the matters being considered in response to consultations on the plan, and who register a request to participate, will be allowed to speak. If you are in doubt as to which Matter your representation relates to please contact the PO to discuss this.
16. Notwithstanding any indications you may have previously made, anyone who believes it is necessary for them, and who wishes, to participate in a hearing session should register their interest in doing so with the PO by **17:00 on Thursday 1<sup>st</sup> May 2025**.

### **The hearing sessions and further statements**

17. Each Matter will be the subject of separate discussion, although the discussion on some Matters may take place over several hearing sessions. The hearings will take the form of a roundtable discussion which I shall lead. They will not involve the formal presentation of cases by participants or cross-examination. I shall take account of all written representations already submitted and it is not the purpose of the hearings for these to be repeated. The list of Matters, Issues and Questions will in most cases form the agenda for each session.
18. The hearings will be inquisitorial, rather than adversarial. I shall endeavour to progress them in an effective and efficient manner. As part of that process, it is my aim to minimise the amount of material necessary to come to informed conclusions on the issues of soundness. In that way I will conduct a short, focussed series of hearings and, in turn, produce a short, focussed report.
19. The Council is required to produce a further statement for each of the 11 Matters in which it should answer all of the individual questions set out in the list of Matters, Issues and Questions.
20. Whilst it is not a requirement, other participants (those who submitted representations as part of the public consultations either in support of or objection to the plan) can also submit further statements, but only on the questions of relevance to their original representation.
21. Further statements should be a **maximum** of 3000 words for each Matter and I anticipate that many will not need to be as long as this, particularly those addressing only a small number of questions. The word limit does not include Appendices but these should only be included where directly relevant and necessary and should also be as succinct as possible. Extensive Appendices will be returned. The word limit does not apply to the Council because it is required to answer every question, although I would encourage it be as concise as possible, providing references to specific sections of the already submitted evidence wherever relevant. Statements should be simply

stapled rather than bound.

22. In preparing statements you should:

1. **only** answer the specific question(s) of relevance to your original representation, whilst clearly identifying the number(s) of the question(s) you are seeking to answer;
2. compile a separate statement for each Matter; and
3. have regard to the evidence submitted by the Council available on the Examination Website.

In turn, in answering each question the Council should have regard to the representations made on the plan of relevance to that question.

Whilst they are not specifically invited, Statements of Common Ground between Examination participants on issues of direct relevance to the matters under examination will also be accepted.

I am examining the plan as submitted by the Council. Therefore, I will not, at this stage, be considering the merits for development of sites for development not included in the plan ("omission sites"). Should I determine that there is a need for additional or different sites to be allocated, I will, in the first instance, ask the Council to consider how it would wish to proceed with the Examination.

23. An electronic version of each further statement (and any Statements of Common Ground) should be submitted to the PO (contact details as above) by **17:00, 1<sup>st</sup> May 2025**. Unless there are exceptional circumstances it is unlikely that late submissions will be accepted.
24. Aside from these further statements (and any Statements of Common Ground) no other written evidence will be accepted unless I specifically request it. All statements will be posted on the Examination webpage, so that they are available to all participants and anyone else who wishes to read them. Because they will be available in this way they will not be circulated directly to participants. However, anyone who is unable to access them on the webpage may request copies from the PO.

### **The hearings programme**

25. An initial programme for the hearings is attached. A final version of the programme will be published on the Examination web site around 10 days prior to the start of the hearings. It will be for individual participants to check the progress of the hearings, either on the web site or with the PO, and to ensure that they are present at the right time.
26. The hearings sessions will normally run between 09:30 and 13:00 and 14:00 and 17:30 each day. A short break will usually be taken mid-morning and mid-afternoon.
27. The hearing sessions will be livestreamed to an adjoining room to accommodate observers. Those taking part in the sessions should therefore familiarise themselves with the Council's current privacy note:

[Planning policy privacy notice – Newcastle-under-Lyme Borough Council](#)

## Site visits

28. Insofar as I consider it necessary to my assessment of the soundness of the plan I will visit sites and areas referred to in the representations before, during, or after the hearings. I will do these on an unaccompanied basis other than in the, relatively unlikely, event that I find that I need to go on to private land.

## Finally ...

29. Please bear in mind:

- I shall have equal regard to views put orally or in writing;
- the need for succinctness; please respect the letter and spirit of the 3,000 word limit in further statements with only limited and directly relevant appendices;
- that your hearing statement(s) should focus on answering the questions I have posed in the *Matters, Issues and Questions*;
- that you must meet the **17:00, 1<sup>st</sup> May 2025** deadline to advise the PO of your wish to participate in a hearing session; and
- that you must meet the **17:00, 1<sup>st</sup> May 2025** deadline for the submission of further statements in paper and electronic form.

*Anne Jordan*

INSPECTOR