

Maidstone Local Plan Review Examination

Inspector's Note

3 August 2022

Additional evidence following the submission of the Plan for examination

A number of queries have been raised regarding the appropriateness and timing of the Council's intention to submit additional evidence into the examination and the ability for affected persons to take account of/respond to new evidence.

This note summarises some of the key points already set out in correspondence in July 2022, mainly in relation to the Heathlands proposal [see ED11B under the 'Examination Documents' tab on the website].

Appropriateness

- Additional evidence can assist my role as an independent examiner in either (a) amplifying why the submitted Plan should be considered sound¹ or (b) forming the basis for making changes to the Plan necessary for soundness.
- Whilst the Council has identified additional evidence it wishes to submit, all parties should also be aware that during or after the hearings I may also request that the Council prepare additional evidence or work with others to develop informed/evidenced changes to the Plan (known as main modifications).

Timing and Fairness

- A particular concern that has been raised is the timing of any additional evidence and the ability to respond, particularly given the deadline for statements on 18 August in advance of the Stage 1 hearings. There will also be the issue of any evidence submitted/accepted into the examination after 18 August. It is also conceivable that statements will contain or append additional evidence / material for or against the submitted plan.
- Various evidence documents were accepted into the Examination ED4-8 and ED10 by 7 July. Statements should be able to respond to this material where relevant.
- It is accepted, however, that statements submitted by 18 August in response to my questions will focus primarily on the evidence/material submitted into the examination in March 2022².
- For those attending the hearings, preparation over the 3 to 4 week period available from 18 August to early/mid September, may allow for

¹ For example, explaining the background/context to a proposal or policy in the Plan, which may be familiar already to those who have been long involved in the Plan's preparation.

² Including the submission documents [prefixed LPRSUB in the Examination Library] and the Further Evidence at Section 5 of the Examination Library (20 documents)

consideration of relevant additional evidence (including the publication of the statements) and thus inform respective positions taken at the hearings.

- If it is clear at the hearings that additional evidence will be germane to my conclusions on legal compliance and/or plan soundness OR it is agreed at the hearings that further evidence from the Council/stakeholders is required – under those scenarios the following will be positively considered:
 - (i) Additional opportunity for written submissions to be made on the evidence during Autumn 2022; and
 - (ii) The potential for further related hearing sessions later in 2022 or early 2023.
- Ultimately, where changes are necessary to the Plan for soundness, these would be published as ‘proposed main modifications’ and everyone would be consulted on for a period of at least 6 weeks. Any additional evidence and updated Sustainability Appraisal which have informed these proposed changes would be available for comment as part of the consultation.

David Spencer

Inspector.