

Cumbria County Council

Local Development Framework

Independent Examination

9 May 2012

Dear Mr Evans,

Interim Findings following the Hearing Sessions

During the Hearing Session on 26 April, you explained that officers had limited delegated powers to suggest modifications to the submitted Plan and that any 'main modifications' would have to be approved by elected members. You indicated that the first opportunity for members to consider these matters would be mid June.

As the Inspector indicated during that Session, he believes certain modifications will be necessary in order for the Plan to be found sound. In order to assist you and your elected members to decide how you now wish to proceed, I attach an 'Interim Findings' paper, which sets out his reasoning on the three issues of concern.

He is not inviting any comment on this document from you at this stage. It is purely to assist you as set out above. Although both this letter and the attached paper should be placed on the examination web site, **he is not inviting any comment on either document from those who have made representations or from others. Any comments that are received will be returned by me.**

He has set out in paragraph 4 of the paper, his understanding of the options now available to the Council. If the request under s20(7C) of the 2004 Act is to be made, he assumes that it will not be until after the Council has formally resolved what it intends to do.

Some of the options open to you will require additional work, should you choose to follow them. If you do, once you have a clearer idea of the time needed to complete that work, a request for a suspension of the Examination might be appropriate. Such a request should make clear the reason for the request and the period of the suspension. The Gold Book issued in 2009 by the Planning Inspectorate indicates that this period should not normally be more than 6 months. The Inspector's view is that the period should run from the date of the final Hearing Session. It should also encompass the period of further consultation that will be required on any main modifications that you propose.

May the Inspector also remind you that there is an outstanding requirement in any event to consult generally on the implications for the submitted Plan arising from the publication in March 2012 of the National Planning Policy Framework. You may wish to consider if there is any advantage in doing that straight away, as that would then enable you to deal with the implications of any matters raised as part of any main modifications that you might propose. The Inspector would be happy to discuss the mechanism for that via an exchange of correspondence through the Programme Officer, if that would be of assistance. May he also remind you that the Town and Country Planning (Local

Planning) (England) Regulations 2012 have altered the way in which such consultation should be undertaken.

Yours sincerely

Nicola White
Programme Officer

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