

INDEPENDENT EXAMINATION OF THE TIPTREE NEIGHBOURHOOD PLAN

EXAMINER: Andrew Seaman BA (Hons) MA MRTPI

Examination Ref: 02/AS/TNP

John Lawson BA (Hons) MPhil MRTPI
Managing Director
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Essex, CO1 1UF

cc.

Bethany Jones, Principal Planning Policy Officer,
Colchester Borough Council
Jonathan Greenwood, Chairman Neighbourhood Plan Steering Group
Diana Webb, Vice Chairman Neighbourhood Plan Steering Group

Via email

16 November 2022

Dear Mr Lawson

TIPTREE NEIGHBOURHOOD PLAN EXAMINATION: HEARING REQUEST

Your email of 10 November 2022 to the Planning Policy team at Colchester Borough Council has been passed to me as part of the Council's response to my procedural letter and questions of 1 November 2022.

You have requested a hearing session in order that a representative(s) of Colchester United Football Club can be provided with a fair chance to put a case to the examiner, in accordance with paragraph 9(2) of Schedule 4B to the Town & Country Planning Act 1990 (as amended).

Paragraph 9 of Schedule 4B does not provide a statutory right to be heard. Rather it affords the application of the discretion of the examiner to determine whether there is a need to convene a hearing for the purposes of ensuring adequate examination of an issue or a person has a fair chance to put a case. This is to be balanced with paragraph 9(1) which provides the general rule that examinations are to go by way of written representations.

In this instance, I am satisfied there has been the fair and open opportunity for representatives of the football club to engage in the Plan preparation process through the statutory consultations, including the submission of a fulsome written representation at the Regulation 16 stage. The written representation on behalf of the football club is sufficiently clear in its content for the purposes of my examination, and I see no need to rehearse this at a hearing session. As such, no prejudice arises.

Accordingly, as stated in my procedural letter and following my recent site visit, at this juncture I consider there is no requirement to convene a hearing session and will continue the examination on the basis of the written submissions. It should also be noted that no further submissions should be sent to me unless specifically requested.

Your sincerely

Andrew Seaman

Examiner