



2011 CHAPTER 25

PART 2

LOCAL DEVELOPMENT PLANS

Local development plans

Independent examination

10.—(1) The council must submit every development plan document to the Department for independent examination.

(2) But the council must not submit such a document unless—

- (a) it has complied with any relevant requirements contained in regulations under this Part, and
- (b) it thinks the document is ready for independent examination.

(3) The council must also send to the Department (in addition to the development plan document) such other documents (or copies of documents) and such information as is prescribed.

(4) The Department must, unless it intends to make a direction under section 11(2) or 15(1), cause an independent examination to be carried out by—

- (a) the planning appeals commission; or
- (b) a person appointed by the Department.

(5) The Department must not appoint a person under subsection (4)(b) unless, having regard to the timetable prepared by the council under section 7(1), the Department considers it expedient to do so.

(6) The purpose of an independent examination is to determine in respect of the development plan document—

- (a) whether it satisfies the requirements of sections 7 and 8 or, as the case may be, sections 7 and 9, and any regulations under section 22 relating to the preparation of development plan documents;
- (b) whether it is sound.

(7) Any person who makes representations seeking to change a development plan document must (if that person so requests) be given the opportunity to appear before and be heard by the person carrying out the examination.

- (8) The person appointed to carry out the examination must—
- (a) make recommendations;
 - (b) give reasons for the recommendations.