

INDEPENDENT EXAMINATION OF THE WHALEY BRIDGE NEIGHBOURHOOD DEVELOPMENT PLAN

INDEPENDENT EXAMINER:
Christopher Collison BA(Hons) MBA MRTPI MIED IHBC

To High Peak Borough Council, and the Peak District National Park Authority, and
Whaley Bridge Town Council

By email to Claire Sansom, Planning Officer, High Peak Borough Council; and Clare
Wilkins, Community Policy Planner, Peak District National Park Authority; and
Andrew Fox, Town Clerk, Whaley Bridge Town Council

Dated 6 July 2023

Dear Claire, Clare and Andrew

Whaley Bridge Neighbourhood Development Plan Independent Examination – Examiner Initial Letter

Further to my appointment to undertake the Independent Examination of the Whaley
Bridge Neighbourhood Development Plan I am writing to clarify how I will conduct the
examination which will formally commence today.

1. Communications

It is essential that the examination process is open and transparent to all
interested parties. I would be grateful if the Borough Council and the National
Park Authority could publish this email on their websites. I will address all future
communication to the Borough Council and the National Park Authority and to
the Town Council. It would be helpful if the Town Council could copy all
communication to me to the Borough Council and to the National Park
Authority, and that, when writing to me, the Borough Council and the National
Park Authority send a copy to the Town Council. Any advisors to the Town
Council or the Borough Council or the National Park Authority should channel
any communication through the respective Council/Authority.

2. National Planning Policy Framework and Planning Practice Guidance

The most recent National Planning Policy Framework was published on 20 July
2021. The Planning Practice Guidance was most recently updated on 24 June
2021. Both the Framework and Guidance could be further revised or updated
during the Independent Examination. As a point of clarification, I confirm it is
my intention to undertake the Independent Examination in the context of the
most recent National Planning Policy Framework and Planning Practice
Guidance.

3. Examination documents

The Borough Council and the National Park Authority have provided me either with a copy of, or access to, the main submission Neighbourhood Plan documents and each of the Regulation 16 representations received during the publicity period. I have noted additional information is available on the Borough Council and the National Park Authority websites, and on the Town Council website. All documents sent to me throughout the Independent Examination, should be made available for inspection by interested parties. This is best achieved through publication on the Borough Council and the National Park Authority websites.

I have looked at the main submission Neighbourhood Plan documents. Subject to my later detailed assessment I have not identified any obvious fundamental flaws in the submission documents that would lead me to advise the examination should not proceed. If I find that there are significant issues which may prevent the Neighbourhood Plan meeting the Basic Conditions and other requirements, that cannot be addressed through modifications, I will notify you during the examination.

The Borough Council and the National Park Authority have advised me what comprises the Development Plan and what are regarded as the strategic policies of the Development Plan applying in the Neighbourhood Area.

I am providing the Town Council with an opportunity to comment on the Regulation 16 representations of all other parties including those of the Borough Council and the National Park Authority. There is no obligation on the Town Council to offer any comments but this opportunity can prove particularly helpful where representations of other parties include matters that have not been raised earlier in the plan preparation process. I request the Town Council should submit any comments to the Borough Council and to the National Park Authority, no later than noon on Thursday 20 July 2023. The Town Council may, at an earlier date, submit its comments, or confirm it does not intend to submit any comments on the representations. The Borough Council should forward any Town Council comments to me, and any comments should be published on the Borough Council and National Park Authority websites. Any Town Council comments must not include new evidence.

4. Independence

From my initial review of the main Neighbourhood Plan documents, there are no conflicts of interest that would call into question my independent status. I will keep that matter under review throughout the examination.

5. Site visits in the Neighbourhood Plan area

All necessary visits to view parts of the plan area will be undertaken by me on an unaccompanied basis as it is important that there should be no perception that I have heard additional representations.

6. Clarification procedure

I may at any time during the Independent Examination seek written clarification of any matters that I consider necessary. I will direct any request for clarification to the Borough Council and to the National Park Authority and to the Town Council. I will request, if possible, any response is agreed as a joint response of the Borough Council and the National Park Authority and the Town Council. Any request for clarification and any response should be published on the Borough Council and the National Park Authority websites.

I am proceeding on the basis that the examination can be concluded without the need for a hearing. At any time before I issue my final report, I may call a hearing if I consider this is necessary to ensure adequate examination of any issue, or to allow a person a fair chance to put a case.

7. Examination timetable

The main determinants of how long an examination will take are: the number and complexity of the Neighbourhood Plan policies; the clarity of supporting evidence; and the number and nature of representations. Assuming a hearing will not be necessary, and that the need for me to request clarification of any matters will not cause undue delay, I anticipate that around the beginning of September 2023 I will be able to send a confidential draft of my report to the Borough Council and to the National Park Authority and the Town Council to allow an opportunity to check whether there are any factual errors. That will not be an opportunity for any further representations to be made. This intended timetable should be regarded as indicative only.

I should be grateful if the Borough Council and the National Park Authority and the Town Council could confirm in writing that they are willing to participate in the fact check of my emerging draft report on the terms indicated.

8. Procedural questions

A guide to Independent Examinations can be found [here](#) I would be pleased to address any questions relating to the examination process that the Borough Council, or the National Park Authority, or the Town Council may have.

I should be grateful if the Borough Council, and the National Park Authority, and the Town Council could acknowledge receipt of this email.

Best regards

Chris Collison
Independent Examiner
Planning and Management Ltd