

INDEPENDENT EXAMINATION OF THE LEEKFRITH NEIGHBOURHOOD DEVELOPMENT PLAN

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

To Peak District National Park Authority
By email to Adele Metcalfe
Copy to Joanna Bagnall Staffordshire Moorlands District Council and June Sherratt
Clerk Leekfrith Parish Council.

Dated 27 November 2019

Dear Adele

Leekfrith Neighbourhood Development Plan Independent Examination - Examiner Initial Letter

Further to my appointment to undertake the Independent Examination of the Leekfrith 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 National Park Authority and the District Council could publish this email on their respective websites. I will address all future communication to the National Park Authority and send a copy to the District Council and Parish Council. It would be helpful if the Parish Council could channel all communication to me through the National Park Authority with a copy to the District Council, and that, when writing to me, the National Park Authority and District Council sends a copy to each other and to the Parish Council.

2. National Planning Policy Framework and Planning Practice Guidance

The most recent National Planning Policy Framework was published on 19 June 2019. The Planning Practice Guidance was most recently updated on 1 October 2019. 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.

The National Park Authority has informed me the Neighbourhood Plan was submitted on 28 February 2019 in the context of the National Planning Policy Framework as published in 2018. I am providing an opportunity for any interested party, including the Parish Council and Local Planning Authorities, to submit comments relating to changes to the National Planning Policy

Framework or the Planning Practice Guidance in so far as they are relevant to my consideration whether or not the Neighbourhood Plan meets the Basic Conditions and other requirements. Any comments in this respect should be sent to the National Park Authority no later than noon on Wednesday 11 December 2019. I request the National Park Authority should forward any such comments to me and to the District Council and the Parish Council, and ensure they are published on the National Park Authority and District Council websites.

3. Examination documents

The National Park Authority has provided me with hard copies of the main submission Neighbourhood Plan and supporting documents, and each of the Regulation 16 representations received during the publicity period.

Those documents, and any other documents that may be sent to me throughout the Independent Examination, should be available for inspection by interested parties. This is best achieved through publication on the National Park Authority and District Council websites.

I have looked online 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 National Park Authority and the District Council have advised me what are regarded by the Local Planning Authorities as the strategic policies of the Development Plan applying in the Leekfrith Neighbourhood Area.

I am providing the Parish Council with an opportunity to comment on the representations of other parties. There is no obligation on the Parish Council to offer any comments but this opportunity can prove helpful where representations of other parties include matters that have not been raised earlier in the plan preparation process. I request the Parish Council should submit any comments to the National Park Authority, no later than noon on Wednesday 11 December 2019. The Parish Council may, at an earlier date, submit its comments, or confirm it does not intend to submit any comments on the representations. The National Park Authority should forward any Parish Council comments to me, and any comments should be published on the National Park Authority and District Council websites. Parish Council comments must not include new evidence.

4. Independence

From my initial review of the Neighbourhood Plan documents it would appear that 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. Visit to the Neighbourhood Plan area

After I have thoroughly reviewed the Neighbourhood Plan documents, representations, and any comments of the Parish Council, I intend to visit the plan area as this will assist me in understanding the nature of the Neighbourhood Plan and points made in representations or comments, and help me decide if there are any issues to be clarified. I will undertake this visit 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 National Park Authority, copying in the District Council and the Parish Council. I will request any response is agreed as a joint response of the National Park Authority, the District Council, and the Parish Council if at all possible. Any request for clarification and any response should be published on the National Park Authority and District Council websites.

At this stage I have one point of clarification. The representation of the Environment Agency dated 5 August 2019 states *“The Upper Hulme Mill sits over an ordinary watercourse and we would recommend that the neighbourhood plan group contact the Lead Local Flood Authority (LLFA) to see if they have any comments to make on this proposed redevelopment.”* If not already obtained I request the comments of the LLFA are sought by the National Park Authority and I am notified of the outcome.

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 the 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 no later than January 2020 I will be able to send a confidential draft of my report to the National Park Authority, the District Council, and the Parish Council to allow an opportunity to check whether there are any factual errors. This will not be an opportunity for any further representations to be made.

8. Procedural questions

A guide to Independent Examinations can be found at <https://www.rics.org/globalassets/rics-website/media/upholding-professional-standards/regulation/drs/drs-services/npiers-planning-guidance-to-service-users-and-examiners-rics.pdf> I would be pleased to address any questions relating to the examination process that the National Park Authority, the District Council, or the Parish Council may have.

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

Best regards

Chris Collison
Independent Examiner
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