

# INDEPENDENT EXAMINATION OF THE FELSTED NEIGHBOURHOOD DEVELOPMENT PLAN

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

By email to Diane Smith Clerk to Felsted Parish Council and Demetria Macdonald  
Planning Policy Officer Uttlesford District Council  
(Copy to Heather Read FPC, Roy Ramm FNPSG, and Stephen Miles UDC)

Dated 30 July 2019

Dear Diane and Demetria

## **Felsted Neighbourhood Development Plan Independent Examination – Examiner Initial Letter**

Further to my appointment to undertake the Independent Examination of the Felsted Neighbourhood Development Plan I am writing to clarify how I will conduct the examination which will formally commence on Thursday 1 August 2019.

### 1. Communications

It is essential that the examination process is open and transparent to all interested parties. I would be grateful if the District Council and the Parish Council could publish this email on their respective websites. The Neighbourhood Plan Steering Group may wish to publish this letter on their website also. I will address all future communication to the District Council and send a copy to the Parish Council. It would be helpful if the Parish Council could channel all communication to me through the District Council, and that, when writing to me, the District Council sends a copy to the Parish Council.

### 2. National Planning Policy Framework

The most recent National Planning Policy Framework, that includes minor clarifications in respect of the July 2018 version, was published on 19 February 2019. The Planning Practice Guidance was most recently updated on 22 July 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.

### 3. Examination documents

The District Council has provided me with copies of the main submission Neighbourhood Plan documents; each of the Regulation 16 representations

received during the publicity period; and a copy of the District Council representations. I have access to additional documents on the District Council, Parish Council and Neighbourhood Plan Steering Group websites.

All documents that have been sent to me, 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 District Council website.

I have looked at the main submission 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 District Council has advised me what are regarded by the Local Planning Authority as the strategic policies of the Development Plan applying in the Felsted Neighbourhood Area.

I am providing an opportunity for the Parish Council 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. The Parish Council should submit any comments to me, via the District Council, no later than 12.00 noon on Thursday 15 August 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. Any Parish Council comments should be published on the District Council website. 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 District Council, copying in the Parish Council. I will request any response is agreed as a joint response of the Parish and District Councils. Any request for clarification and any response should be published on the District Council website.

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. The Felsted Neighbourhood Plan includes 37 policies, which is a greater number of policies than many neighbourhood plans contain. 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 late September 2019 I will be able to send a confidential draft of my report to 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 District Council or the Parish Council may have.

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

Best regards

Chris Collison  
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