

# INDEPENDENT EXAMINATION OF DISLEY AND NEWTOWN NEIGHBOURHOOD PLAN

EXAMINER: David Hogger BA MSc MRTPI MCIHT

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Examination Ref: 01/DH/DNNP

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05 March 2018

Dear Mr Kidd and Mr Evans

## DISLEY AND NEWTOWN NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Disley and Newtown Neighbourhood Plan (NP) for examination, I would like to confirm several initial procedural matters. I also have a small number of preliminary questions for Cheshire East Council (the LPA) and/or Disley Parish Council (the QB), which are set out in the attached Annex.

### 1. Examination Documentation

I can confirm that I am satisfied that I have received a complete submission of the draft Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement and the Regulation 16 representations. These will enable me to undertake the examination.

Subject to my detailed assessment of the NP, I have not identified any very significant and obvious flaws that might lead me to advise that the examination should not proceed.

### 2. Site Visit

I intend to undertake a site visit to the neighbourhood plan area during the week commencing Monday 12<sup>th</sup> March. This will assist in my assessment of the NP, including the issues identified in the representations.

The site visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process.

### 3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

### 4. Further Clarification

I have a small number of initial questions seeking further clarification, which I have set out in the Annex to this letter. I would be grateful if you could provide a written response within 2 weeks of receipt of this letter.

### 5. Examination Timetable

As you will be aware, the intention is to examine the NP (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within 4-6 weeks of submission of the draft Plan.

However, I have raised a number of questions and therefore must provide sufficient time for the parties to respond. Consequently, the examination timetable may be extended. Please be assured that I will aim to minimise any delay as far as is practicable. The IPE office team will seek to keep you updated on the anticipated delivery date of the draft report.

If you or the qualifying body have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure a copy of this letter, and any responses to it, are placed on both the local authority and parish council websites.

Thank you in advance for your assistance.

Your sincerely

*David Hogger*

Examiner

# ANNEX

From my initial reading of the Disley and Newtown Neighbourhood Plan (NP) and the supporting evidence, I have a number of questions for Cheshire East Council and for the Qualifying Body. I have requested the submission of responses within two weeks of the receipt of this letter, but earlier responses would be welcome.

## Questions for the LPA (2)

1. I could find no reference to the needs of gypsies and travellers in the NP. Could the LPA confirm that this issue is adequately addressed in the adopted Development Plan for the area (Cheshire East Local Plan (CELP) Part 1 and the saved policies of the Macclesfield Borough LP 2004) and if appropriate in Part 2 of the CELP which is currently being prepared.
2. Could the LPA confirm the status of the Cheshire East Air Quality Strategy and the Air Quality Action Plan and whether or not it is proposed to up-date these documents in the near future.

[see also QB Question 1 below]

## Questions for the QB (3)

1. My understanding is that there is currently no 'formally' designated settlement boundary in relation to Disley. The plan in the NP, referenced Figure D, shows the area subject to green belt policies. The 'unshaded' area is not green belt and is designated as 'predominantly Residential Areas, Employment Sites or various Open Space designations'. The QB are proposing to establish a 'formal' settlement boundary. Whilst this would include the 'non-green belt area' (as shown in Figure D), it would also include other parcels of land that are within the green belt, for example to the west of Light Alders Lane.

Firstly, could the QB explain the justification for these proposed changes, bearing in mind:

- (i) these 'new' locations to be included within the proposed settlement boundary are currently identified as green belt and therefore subject to green belt policies; and
- (ii) the approach does not appear to be in conformity with the adopted development plan, which does not identify settlement boundaries.

Secondly, although this NP is not tested against policies in an emerging local plan (i.e. CELP Part 2), could the QB summarise the outcome of any discussions with the LPA on this matter and whether or not any agreement was reached regarding the relationship between policies related to this issue in the emerging NP, the emerging LP and the adopted Development Plan (see paragraph 009 Reference ID: 41-009-20160211 of Planning Practice Guidance).

2. Could the QB confirm why the local greenspace site LGS5 (Disley Dam and adjacent meadow) is demonstrably special to the local community and holds a particular local significance (PPG paragraph 77).

3. Paragraph 9.17 of the NP states that Figures I and J 'supplement' the nature conservation sites designated in the Macclesfield Borough Local Plan (LP). Is that correct or are the LP sites actually included on those plans? Is the reader able to differentiate between nature conservation sites already proposed in the Development Plan and those proposed through the NP?