

# INDEPENDENT EXAMINATION OF THE LINBY NEIGHBOURHOOD DEVELOPMENT PLAN

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

To: Liz Gretton and Denise Ireland at Linby Parish Council  
and Joanna Gray, Alison Gibson and Seb Wilkins at Gedling Borough Council

Dated 20 February 2019

Dear All

## **Linby Neighbourhood Development Plan Independent Examination - Initial Letter**

Further to my appointment to undertake the Independent Examination of the Linby Neighbourhood Development Plan I am writing to clarify how I will conduct the examination.

### 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 Parish Council could publish this email on their respective websites. I will address all future communication to the Borough 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 Borough Council, and that, when writing to me, the Borough Council sends a copy to the Parish Council.

### 2. National Planning Policy Framework

A revised National Planning Policy Framework, that includes minor clarifications to the July 2018 version, was published on 19 February 2019. Paragraph 214 of the 2019 revised Framework states *“The policies in the Framework published in March 2012 will apply for the purpose of examining plans, where those plans were submitted on or before 24 January 2019. Where such plans are withdrawn or otherwise do not proceed to become part of the development plan, the policies contained in this Framework will apply to any subsequent plan produced for the area concerned.”* As a point of clarification, I confirm I will continue to undertake the Linby NDP Independent Examination in the context of the National Planning Policy Framework published in March 2012.

### 3. Examination documents

The Borough Council has provided me with hard copies of the submission Neighbourhood Plan documents. I have looked at the 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, I will let you know during the examination.

The Borough Council has advised me what comprises the Development Plan and has confirmed what are regarded by the Local Planning Authority as the strategic policies of the Development Plan applying in the Linby Neighbourhood Area.

The Borough Council is establishing an examination library using weblink [www.gedling.gov.uk/linbyplan](http://www.gedling.gov.uk/linbyplan)

The Borough Council has provided me with a Strategic Environmental Assessment (SEA) Screening Report (February 2018); an 'Addendum to the Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Report' (December 2018); and an 'Addendum 2 to the Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Report' (January 2019), which have all formed part of the Regulation 16 consultation.

The Borough Council will provide me with electronic and hard copy versions of all Regulation 16 representations, and a schedule of representations, after the publicity period closes on 22 February 2019. The Borough Council should publish all representations received on their website. The Independent Examination will formally commence when I have received copies of all of the representations which I anticipate will be no later than 26 February 2019.

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 no later than 12.00 Noon on 6 March 2019. The Parish Council may, at an earlier date, submit its comments to me, or confirm it does not intend to submit any comments on the representations. Any Parish Council comments should be published on the Borough 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 Borough Council, copying in the Parish Council. I will request any response is agreed as a joint response of the Parish and Borough Councils. Any request for clarification and any response should be published on the Borough 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 firstly 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 I anticipate that before the end of March 2019 I will be able to send a confidential draft of my report to the Borough 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

I would be pleased to address any questions relating to the examination process that the Borough Council or the Parish Council may have.

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

Best regards

Chris Collison  
Independent Examiner  
Planning and Management Ltd  
[collisonchris@aol.com](mailto:collisonchris@aol.com)