

INDEPENDENT EXAMINATION OF THE SANDIACRE NEIGHBOURHOOD DEVELOPMENT PLAN

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

To Erewash Borough Council and Sandiacre Parish Council

By email to Evie Poxon, Planning Policy Officer, Erewash Borough Council; and
Michelle Bloor, Clerk, Sandiacre Parish Council.

Dated 24 June 2024

Dear Michelle and Evie

Sandiacre Neighbourhood Development Plan Independent Examination – Examiner Initial Letter

Further to my appointment to undertake the Independent Examination of the Sandiacre 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 could publish this letter on their website. I will address all future communication to the Borough Council and to the Parish Council. It would be helpful if, when writing to me, the Borough and Parish Councils could send a copy to each other. Any advisors to the Parish Council or the Borough Council should channel any communication through the relevant Council.

2. National Planning Policy Framework and Planning Practice Guidance

The most recent National Planning Policy Framework was published on 20 December 2023. The Planning Practice Guidance was most recently updated on 14 February 2024. 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 has 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 website and on the Parish 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 website.

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 has 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 Parish Council with an opportunity to comment on the Regulation 16 representations of all other parties including those of the Borough Council. There is no obligation on the Parish 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 Parish Council should submit any comments to the Borough Council, no later than noon on Monday 8 July 2024. 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 Borough Council should forward any Parish Council comments to me, and any comments should be published on the Borough Council website. Any Parish 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 Parish Council. I will request, if possible, any response is agreed as a joint response of the Borough Council and the Parish Council. 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 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 in August 2024 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. 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 both the Borough Council and the Parish 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 Parish Council may have.

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

Best regards

Chris Collison
Independent Examiner
Planning and Management Ltd