

INDEPENDENT EXAMINATION OF THE HEADINGLEY NEIGHBOURHOOD DEVELOPMENT PLAN

INDEPENDENT EXAMINER:
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To Leeds City Council and Headingley Neighbourhood Forum

By email to Caroline Harris, Planning Assistant, Leeds City Council, and Helen Gee,
Secretary, Headingley Neighbourhood Forum

Dated 10 May 2022

Dear Caroline and Helen

Headingley Neighbourhood Development Plan Independent Examination – Examiner Initial Letter

Further to my appointment to undertake the Independent Examination of the Headingley 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 Leeds City Council could publish this email on their website. I will address all future communication to Leeds City Council and to Headingley Neighbourhood Forum. It would be helpful if the Neighbourhood Forum could copy all communication to me to Leeds City Council, and that, when writing to me, Leeds City Council send a copy to the Neighbourhood Forum. Advisors to the Neighbourhood Forum or Leeds City Council should channel any communication through the respective Council.

2. National Planning Policy Framework and Planning Practice Guidance

The most recent National Planning Policy Framework was published on 20 July 2021. The Planning Practice Guidance was most recently updated on 24 June 2021. 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

Leeds City Council has provided me with a copy of the main submission Neighbourhood Plan document and access to the supporting documents, and has sent me copies of each of the Regulation 16 representations received during the publicity period.

I have asked Leeds City Council to publish the Regulation 16 representations on the Council website. I have noted additional information is available on the Leeds City Council website and the Neighbourhood Forum website. Any other documents that may be sent to me throughout the Independent Examination, should be made available for inspection by interested parties. This is best achieved through publication on the Leeds City 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.

Leeds City Council has advised me what are regarded as the strategic policies of the Development Plan applying in the Neighbourhood Area.

I am providing the Neighbourhood Forum with an opportunity to comment on the Regulation 16 representations of all other parties. There is no obligation on the Neighbourhood Forum 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 Neighbourhood Forum should submit any comments to Leeds City Council, no later than noon on Friday 20 May 2022. The Neighbourhood Forum may, at an earlier date, submit its comments, or confirm it does not intend to submit any comments on the representations. Leeds City Council should forward any Neighbourhood Forum comments to me, and any comments should be published on the Leeds City Council website. Any Neighbourhood Forum comments must not include new evidence.

4. Independence

From my initial review of the main 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 and other relevant documents, I will visit the plan area to assist me in understanding the nature of the Neighbourhood Plan and points made in representations or comments. My visit to the plan area will be on an unaccompanied basis as it is important that there should be no perception that I have heard additional representations. The timing of my visit may be affected by advice or directive issued by Her Majesty's Government in respect of the Coronavirus (COVID-19) pandemic.

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 Leeds City Council and send a copy to the Neighbourhood Forum. I will request any response is agreed as a joint response of Leeds City Council and the Neighbourhood Forum if at all possible. Any request for clarification and any response should be published on the Leeds City 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 and comments. 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 either late May or early June 2022 I will be able to send a confidential draft of my report to Leeds City Council and the Neighbourhood Forum 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. This intended timetable should be regarded as indicative only.

I should be grateful if both Leeds City Council and the Neighbourhood Forum 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 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 Leeds City Council or the Neighbourhood Forum may have.

I should be grateful if Leeds City Council and the Neighbourhood Forum could acknowledge receipt of this email.

Best regards

Chris Collison
Independent Examiner
Planning and Management Ltd