

# INDEPENDENT EXAMINATION OF THE EATON NEIGHBOURHOOD PLAN

EXAMINER: Andrew Freeman BSc (Hons) DipTP DipEM FRTPI

Tamsin McCormack  
Clerk to Eaton Parish Council

Tom Evans  
Cheshire East Council

Examination Ref: 01/AF/ENP

30 March 2020

Dear Ms McCormack and Mr Evans

## EATON NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Eaton Neighbourhood Plan (the Plan) for examination, I would like to clarify several initial procedural matters.

### 1. Examination Documentation

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

Subject to my detailed assessment of the Plan, I have not at this initial stage identified any very significant and obvious flaws in it that might lead me to advise that the examination should not proceed.

### 2. Site Visit

I will aim to carry out a site visit to the neighbourhood plan area once the prevailing government COVID-19 restrictions are lifted. The site visit will assist in my assessment of the draft Plan, including the issues identified in the representations.

The 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. Nevertheless, I will reserve the option to convene a hearing should a matter or matters 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 number of initial questions seeking further clarification from both the Cheshire East Council and Eaton Parish Council. I have set these questions out in the Annex to this letter. I would be grateful if a written response could be provided within **two weeks** of receipt of this letter.

I may have some further questions which seek clarification on other matters, once I have undertaken my site visit.

#### 5. Examination Timetable

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

However, in view of the additional information which I have requested, I must provide the opportunity for you to reply. This, coupled with the uncertainty around the date of the site visit means, the examination timetable will need to be extended. Please be assured that I will seek to mitigate any delay as far as is practicable and possible. The IPe office team will keep you updated on the anticipated site visit date and the delivery date of the draft report.

If you 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 that a copy of this letter is placed on both the Parish Council and Local Authority websites.

Thank you in advance for your assistance.

Your sincerely

*Andrew Freeman*

Examiner

## **ANNEX**

From my initial reading of the Eaton Neighbourhood Plan and the supporting evidence, I have some questions for Cheshire East Council and for Eaton Parish Council. Cheshire East Council may also wish to respond to the third question since the wording is the same as that used in Policy PG 10 of the publication draft Site Allocations and Development Policies Document. I have requested the submission of a response within **two weeks** of receipt of this letter.

### **Questions for Cheshire East Council**

1. Please would Cheshire East Council provide a copy of the site plan for the land off Macclesfield Road, Congleton (Appendix 1 to Gladman's representation as referred to at Paragraph 6.1.1 thereof but not attached).
2. Representations of Cheshire East Council regarding Policy ENV3 (sic) – deletion of last two sentences: To what part of the neighbourhood plan do these comments refer?

### **Questions for Eaton Parish Council**

3. Policy BNE1 – Undeveloped land that makes a positive contribution to the character of the area: Is such land defined anywhere? How is an applicant to know whether any particular land falls within this definition?
4. Policy BNE1 – CEC Settlement and Infill Boundaries Review (2019): What is the relevance of this reference?
5. Figure E: Instead of "Settlement Boundary", should the figure show an "Infill Boundary" that is the same as that shown in Figure C?
6. Policy BNE4: Figure E actually shows two Heritage Interpretation and Improvement Zones. Are there any policy implications with regard to "interpretation and improvement"? For development management purposes, should the zones be shown on a plan base (of a suitable scale) rather than on an aerial photograph?
7. Policy BNE4 – "historic assets": Would it be helpful to use the term "heritage assets" and to refer, in the supporting text, to all the identifiable assets in Eaton that are regarded as heritage assets? Would the assets to be described include the permissive path to the River Dane as well as other assets not currently mentioned?
8. Policy BNE6 - Local Green Spaces: Were the landowners consulted regarding designation? Were any objections received?
9. Policy BNE8 – Trees etc that make a significant contribution: Are these the features identified in the final paragraph of the policy? If not, how are applicants to know whether a feature is regarded by decision-takers as making a significant contribution?
10. Policy TI1 – Use of Section 106 and Community Infrastructure Levy contributions to improve traffic safety: Would they be used to facilitate the free flow of traffic as well?
11. Policy TI2 c) – open spaces, facilities and nearby countryside: What is meant by facilities?
12. Policy LE2 – reference to "the quarry": Should not the quarry be named in the policy (also in Policy BNE8)?