

INDEPENDENT EXAMINATION OF THE EATON BRAY NEIGHBOURHOOD PLAN

EXAMINER: Andrew Freeman BSc (Hons) DipTP DipEM FRTPI

Mrs Heidi Head
Clerk to Eaton Bray Parish Council

Tom Price
Central Bedfordshire Council

Examination Ref: 01/AF/EBNP

Via email

30 April 2019

Dear Mrs Head and Mr Price

EATON BRAY NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Eaton Bray Neighbourhood Plan ('the draft 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 draft 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 draft Plan, I have not at this initial stage identified any very significant and obvious flaws in the Plan that might lead me to advise that the examination should not proceed.

2. Site Visit

I will undertake a site visit to the neighbourhood plan area during the week commencing 29 April 2019. This visit will assist in my assessment of the draft Plan, 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 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 set out in the Annex to this letter some initial questions seeking further clarification from the Qualifying Body, which is Eaton Bray Parish Council. I would be grateful if written responses can be provided within **two weeks** of receipt of this letter. It is possible that I may have further questions, following my site visit.

5. Examination Timetable

As you will be aware, the intention is to examine the Plan (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, as I have raised some questions, and may have others following my site visit, I must provide the opportunity to reply. Consequently, the examination timetable will be extended. Please be assured that I will aim to mitigate 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 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 is placed on both the Parish Council and the Central Bedfordshire Council websites?

Thank you in advance for your assistance.

Your sincerely

Andrew Freeman

Examiner

ANNEX

From my initial reading of the Eaton Bray Neighbourhood Plan and the supporting evidence, I have the following questions and requests for the Parish Council in relation to the Plan. I would appreciate it if comments could be received by **two weeks** from the date of this letter.

1. Policy EB1 – “avoid obstructing any existing view”: Is the obstruction of all views to be avoided / how are significant views to be identified?
2. Paragraph 5.7 – please provide a reference for the village character assessment.
3. Policy EB5 – is there clarity over what is meant by “traditional” orchards?
4. Policy EB5 – how are “long-established hedgerows” to be identified?
5. Policy EB5 – where are “Species and Habitats of Principal Importance” to be identified?
6. Policy EB5 - are the “assets” referred to in the second paragraph of Policy EB5 the same as those listed in the first paragraph? If not, how are they to be identified?
7. Please comment on the representations of Edlesborough Parish Council (PC) regarding the protection of orchards (Policy EB6).
8. Paragraph 5.14 – how will the Neighbourhood Plan seek to preserve and enhance populations of the mentioned beetles?
9. Policy EB8 – please comment on the representations of Central Bedfordshire Council.
10. Please comment on the changes recommended by Pegasus (at Paragraphs 2.12 to 2.15 of its representations).
11. Policy EB9 – would there be a justifiable exception if a suitable replacement facility were to be provided?
12. Policy EB11 – mitigate the effects of traffic: What are these effects? What is expected of an applicant?
13. Policy EB13 – how will an applicant know what is meant by the “highest applicable levels of sustainability”?
14. Policy EB13 – second bullet point: What are “the required energy targets”?
15. Policy EB13 – second bullet point: Is this provision justified for all new developments and extensions?
16. Policy EB13 – targeting of zero carbon standards: How are applications going to be judged / determined?
17. Policy EB13 – parking standard of one space per bedroom: Would this lead to excessive provision, for example in the case of a four-bedroomed house?

18. Policy EB13 – dimensions suitable for modern vehicles: How is this to be quantified / determined?
19. Policy EB13 – should reference to electric charging facilities be deleted (Gladman’s representation)?
20. Policy EB13 – reasonable measures to ensure that current energy consumption is not increased: How is this going to be determined?
21. Policy EB13 – reducing run-off to below the current calculated run-off: Is this provision sufficiently clear?
22. Policy EB13 – application of BREEAM standards / enhanced Building Regulations: Are these provisions appropriate / consistent with Government policy? In a written statement to Parliament on 25 March 2015, the Secretary of State for Communities and Local Government said,

From the date the Deregulation Bill 2015 is give Royal Assent, local planning authorities and qualifying bodies preparing neighbourhood plans should not set out in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. This includes any policy requiring any level of the Code for Sustainable Homes to be achieved by a new development; the government has now withdrawn the code, aside from the management of legacy cases.
23. Policy EB13 – “the results of the community survey”: what is the community survey to which reference is made?
24. Policy EB13 – reference to Local Green Space: Where can Local Green Spaces be identified?
25. Policy EB13 – revised wording for the policy is invited that would overcome the identified problems.
26. Policy EB14 – allowing 3-bed houses: How does this square with the objective of building only starter one- and two-bedroom homes?
27. Policy EB14 – parking provision of one space per bedroom: Is this a reference to each additional bedroom provided under the development?
28. Policy EB14 – please comment on the representations of Edlesborough PC.
29. Policy EB14 – should housing mix be evidenced through an up-to-date assessment? (Gladman)
30. Please comment on the representations of the Chilterns Conservation Board (having regard to any safeguards that may already be incorporated into the emerging Local Plan (identify as appropriate)).