

## INDEPENDENT EXAMINATION OF THE OXENHOPE

### NEIGHBOURHOOD DEVELOPMENT PLAN

EXAMINER: Andrew S Freeman BSc (Hons) DipTP DipEM FRTPI

Councillor Peter McManus  
Oxenhope Village Council

Iain Cunningham  
Bradford Council

Examination Ref: 01/AF/ONP

08 November 2021

Dear Councillor McManus and Mr Cunningham

#### OXENHOPE NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Oxenhope 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 draft Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement and Appendices, the Strategic Environmental Assessment and Habitat Regulations Assessment Screening Determination Report 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 aim to carry out a site visit to the neighbourhood plan area in the week beginning 22 November 2021. 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.

I may have some additional questions, following my site visit, which I will set out in writing should I require any further clarification.

### 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(s) 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

From my initial assessment of the Plan and supporting documents, I have identified a number of matters where I require some additional information from Bradford Council and the Qualifying Body which I have set out in the Annex to this letter. I would be grateful if you can seek to provide a written response by **22 November 2021**.

### 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 questions, I must provide you with sufficient opportunity to reply. Consequentially, the examination timetable will be extended. Please be assured that I will seek 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 the Village Council or Local Planning Authority 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 and any subsequent response is placed on the Village Council and Bradford Council's websites.

Thank you in advance for your assistance.

Your sincerely

*Andrew Freeman*

Examiner

## ANNEX

From my initial reading of the Oxenhope Neighbourhood Plan and the supporting evidence, I have the following questions for the Qualifying Body and Bradford Council. I have requested the submission of responses by **22 November 2021**, though an earlier response would be much appreciated.

### Questions for Oxenhope Village Council

1. Should the Homes and Neighbourhoods Design Guide Supplementary Planning Document be referenced in various Plan policies as suggested by Bradford Council?
2. Policy GP5: Is there any particular reason why this statement of intention has been included as a policy?
3. Policy GP6: Is there clarity over the term “communications infrastructure”?
4. Policy GP7: Does “support” mean giving favourable consideration to planning applications (in this policy and elsewhere)?
5. Policy GP7: Is the policy directed at supporting proposals that *include* small scale renewable energy technologies and infrastructure rather than technology / infrastructure per se?
6. Policy GP7: Is it proportionate to require a visual impact assessment in all cases (eg for an eco-friendly house)?
7. GP8 – “interest of the area”: Is this a reference to visual interest?
8. GP8 – “key open spaces and key views”: How will an applicant know what constitutes a key space or view? Are they identified somewhere?
9. Policy H1: Please respond to the comments of Bradford Council.
10. Policy H4 – “seek to achieve Biodiversity net gain”: Is this requirement “strong” enough?
11. Policy H4: Will an applicant know what is involved in preserving the Bradford Wildlife Habitat Network? Is the network identified somewhere? Please provide a link (and also to the National Pollution Strategy and the Biodiversity Net Gain Good Practice Principles).
12. Policy H4 – “design and management”: Design and management of what?
13. ED1: Please respond to the comments of Bradford Council.
14. Policy GS1 and Appendix 2: Please identify any spaces where owners have not been consulted about designation / where objections have been raised (with details).
15. Policy MT1: Do the designated visitor parking bays necessarily have to be “on-street”?
16. Policy MT1: Please respond to the comments of Bradford Council.
17. Policy MT2 – routes where the existing provision is poor: How are these going to be identified?

## **Question for Oxenhope Village Council and Bradford Council**

- 18.** A revised version of the National Planning Policy Framework was published by the government on 20 July 2021 alongside a final version of the National Model Design Code. I would be grateful if you could please advise me whether you consider any modifications in relation to the non-strategic matters covered by the draft Oxenhope Neighbourhood Development Plan are necessary as a result of the publications (other than amended referencing) and, if so, what these are?