

INDEPENDENT EXAMINATION OF NORTHWICH NEIGHBOURHOOD PLAN

EXAMINER: Bob Yuille

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Examination Ref: 01/RY/NNP

Via email:

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Dear Mr Cooper and Ms Aspinall

NORTHWICH NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Northwich Neighbourhood Plan (the Plan) for examination, I would like to clarify several initial procedural matters. I also have a number of preliminary questions for Cheshire West and Chester Council (the LPA) and the Qualifying Body, Northwich Town Council (the QB).

1. Examination Documentation

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

On the basis of my initial assessment of the Plan, I have not identified any very significant and obvious flaws that might lead me to advise that the examination should not proceed.

2. Site Visit

I intend to undertake a site visit to the neighbourhood plan area during the week commencing Monday 12th February 2018. This 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 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, 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 15th February 2018.

5. Response to Representations

If the QB are intending to respond to any or all of the representations that have been made, would they please do so also by 15th February 2018?

6. 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, I have raised a number of questions and have also given the opportunity to the QB to respond to any or all of the representations made. This means that additional time must be allowed to allow for any responses to be made. Consequentially, the examination timetable will be extended. Please be assured that I will seek to minimise 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 LPA or the QB have any questions related to the process of conducting the examination, please 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 and any responses to it are placed on the Local Authority and Town Council websites.

Thank you in advance for your assistance.

Your sincerely

Bob Yuille

MSc Dip TP MRTPI

Examiner

Annex

From my initial reading of the Northwich Neighbourhood Plan and the supporting evidence including the responses to the latest consultation exercise, I have a number of questions for the Qualifying Body (QB) and Cheshire West and Chester Council (LPA). It would be most helpful to receive a response as early as possible, so that I can progress the examination in a timely fashion.

Questions for the LPA

1. Is the following an accurate description of the Development Plan?

The Development Plan for the area, not including documents relating to minerals and waste development, is the Cheshire West and Chester Local Plan Local Plan (Part One) Strategic Policies [2015] (the Part One Local Plan) and the saved Policies of the Vale Royal Local Plan First Review Alteration (2006) (the Local Plan First Review Alteration). The strategic policies of these plans which are considered to be relevant to this examination are set out in Appendix 1 to the LPA's representations on the Plan.

The Publication Draft of the Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies (the emerging Local Plan) has recently been consulted on. While there is no requirement for the Plan to be in general conformity with the strategic policies of this emerging plan it is important to minimise conflicts between the policies in these two plans.

2. Are there any strategic policies in the emerging Local Plan which are of relevance to this examination?

Questions for the QB

Policy RC4 Winnington and Winnington Urban Village

1. Does the new Neighbourhood Shopping Centre referred to in this policy relate to the planned retail centre in Winnington Urban Village for which planning permission (Ref: 17/03239/FUL) was granted recently? Or does it relate to the Neighbourhood Centre to be provided in connection with the development of the Winnington Works site as referred to in paragraph 4.16 of the explanatory text to Policy N3 of the emerging Local Plan? Or does it simply refer to the Winnington Neighbourhood Shopping centre as shown on Fig 43?
2. Would the QB please respond to the suggestion by the LPA in its representations on the Plan that Policy RC4 and its explanatory text should refer to the extant planning permission referred to above?

Policy EE1 Employment

3. Would the QB please respond to the suggestion by TATA in its representations on the Plan that this policy should include a reference supporting the provision of waste uses as well as employment uses?

Policy NBE1b The Environmental Setting and Character of Settlements

4. Would the QB please show the positions of the wildlife corridors referred to in this policy on a map? It may be that they could be shown on Fig 89.

Policy NBE5 Local Green Spaces

5. Paragraph 77 of the Framework states that Local Green Space designation will not be appropriate for most green areas or open spaces and that such a designation should only be used where, amongst other things, the area concerned is local in character and is not an extensive tract of land.
6. It is in this context that the Plan proposes to designate 38 Local Green Spaces of varying size. One site (Dane Valley) is over 100ha; another two sites (Ashtons Flash and Witton Limebeds) have a combined area of over 30 ha; other sites are some 20 ha in extent, either when taken individually (Moss Farm) or when considered jointly (Furey Wood and Tip); two sites (Leftwich Meadows and Carey Park) are over 10ha in size; another three (Verdin Park, Hunt's Lock Castle and Clough Wood) are over 5ha; and ten sites (Jubilee Fields, Saxons Lane Play Area, Vickersway Park, Whalley Road Playing Field, Greenall Road Playing Field, Belmont Road Play Area, Winnington Meadow, Queensgate Allotments, Leftwich Green and Witton Cemetery) are over 1ha.
7. While there are no hard and fast rules as to how big a Local Green Space can be, would the QB please provide further evidence as to why it considers these proposed Local Green Spaces are local in character and not extensive tracts of land?
8. Would the QB please confirm that the owners of all these sites have been consulted on the proposed designation?
9. One of the proposed Local Green Spaces (Dane Valley) includes within it land on which it has been confirmed development will take place following the grant of outline planning permission for 242 dwellings and the subsequent approval of a reserved matters application for 187 dwellings (See the representations by Ainscough Strategic Land). Planning Policy Guidance (Ref: ID: 37-008-20140306) makes clear that Local Green Space Designation will rarely be appropriate where land has planning permission for development. In the light of this does the QB intend to reconsider the designation of this land?
10. Several proposed Local Green Spaces (for example Leftwich Meadows, Carey Park, Furey Wood and Tip) are referred to as Local Nature Reserves. The LPA have indicated that strictly speaking this is not the case and only Clough Wood warrants that designation. Does the QB have any comment on this?

Policy NBE6 Key Views

11. Would the QB please provide more information on the basis for the designation of the Key Views referred to in this policy and identified on Fig 89? It would also assist my site inspection if the positions of the various Key Views could be shown on a larger scale plan.

Policy TRANS 1 Connections to Surrounding Villages

12. It is acceptable for policies to be aspirational but they must also be realistic and deliverable. Is there a reasonable prospect of the schemes referred to in this policy being implemented in the Plan period or, as the LPA suggest, is this more an expression of intent rather than a land use policy?
13. Assuming that this is indeed a realistic policy should it:
 - a) Acknowledge the role that the Canals and Rivers Trust will play in the design and implementation of any scheme as owners of Winnington Swing Bridge, Winnington Navigation and parts of the River Weaver?
 - b) Leave open the option of schemes other than those specified emerging?
 - c) Be clearer as to who will carry out any feasibility/impact assessment?

Policy TRANS 7 Speed Restrictions in Residential Areas

14. Would the QB let me have its comments on whether Policy TRANS 7 is indeed a policy relating to the development and use of land or whether it relates to matters that are the responsibility of the highway authority?