

**INDEPENDENT EXAMINATION OF THE
BLACON COMMUNITY NEIGHBOURHOOD DEVELOPMENT ORDER
Blacon Neighbourhood Forum (Blacon Neighbourhood Alliance)**

EXAMINER: Andrew Freeman BSc (Hons) DipTP DipEM FRTPI

Examination Ref: 01/AF/BNDO

Laura Smith
Blacon Neighbourhood Forum Secretary

Marc Hallows
Blacon Neighbourhood Alliance Vice-Chair

Catherine Morgetroyd
Principal Planning Officer – Planning Policy
Cheshire West and Chester Council

Via email

19 February 2026

Dear Ms Smith, Mr Hallows, and Ms Morgetroyd

Following the submission of Blacon Community Neighbourhood Development Order (the Order) for examination, I would like to clarify several initial procedural matters. I also have a number of questions for Cheshire West and Chester Council and the Blacon Neighbourhood Forum (Blacon Neighbourhood Alliance) to which I would like to receive a written response(s) by **Thursday 5 March 2026**.

1. Examination Documentation

I can confirm that I am satisfied that I have received the draft Order and accompanying documentation, including the Consultation Statement; the Basic Conditions Statement and the Regulation 16 representations, to enable me to undertake the examination.

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

2. Site Visit

I will aim to carry out a visit to the site that is the subject of the Neighbourhood Development Order during week commencing 16 March 2026. The site visit will assist in my assessment of the draft Order, 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 Order 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 Order and supporting documents, I have identified a number of matters where I require some additional information from Cheshire West and Chester Council and the Blacon Neighbourhood Alliance.

I have 11 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(s) by **Thursday 5 March 2026**.

5. Examination Timetable

As you will be aware, the intention is to examine the Neighbourhood Development Order (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within around 6 – 8 weeks of submission of the draft Order. However, as I have raised the annexed questions, I must provide you with sufficient opportunity to reply. Consequentially, the examination timetable may 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 that a copy of this letter and any subsequent response is placed on the Blacon Neighbourhood Alliance and Cheshire West and Chester Council websites.

Thank you in advance for your assistance.

Yours sincerely

Andrew Freeman

Examiner

ANNEX

From my initial reading of the Blacon Community Neighbourhood Development Order, the supporting evidence and the representations that have been made to the draft Order, I have the following questions for Cheshire West and Chester Council and the Blacon Neighbourhood Alliance. I have requested the submission of responses by **Thursday 5 March 2026**.

Where I am requesting additional clarification, suggested text and similar, this is with a view to informing the specific terms of any relevant examiner modification(s) that I may recommend. Accordingly, all of the points set out below flow from the requirement to satisfy the Basic Conditions.

Questions for Cheshire West and Chester Council

1. A Neighbourhood Development Order must not grant planning permission for a development where planning permission is already granted. Please confirm that no such planning permission has been granted.
2. Does the Council have any reason to suppose that, with up to 64 car parking spaces (and a Travel Plan and cycle parking), the proposal would be unacceptable?
3. Has the Neighbourhood Development Order been screened for Habitats Regulations Assessment (under the Conservation of Habitats and Species Regulations 2017)? Would HRA be necessary? Has this conclusion been confirmed by Natural England? Is there any relevant correspondence from Natural England other than the Regulation 16 response dated 29 January 2026 to the Community Neighbourhood Plan? ¹
4. It is also necessary to consider whether the Order falls within Schedule 1 or Schedule 2 development under the terms of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Please provide a screening opinion/determination.

Questions for Blacon Neighbourhood Alliance

5. Is the Alliance satisfied that the Order does not breach Human Rights (within the meaning of the Human Rights Act 1998)?
6. Local Plan Policy SOC 6 and net loss of playing fields: In the draft Order (and Neighbourhood Plan), the Green Spaces report and the representations of the Council, there are conflicting descriptions of the existing playing field provision on the site. Please provide an accurate description of the present on-site provision. Please accurately describe the playing field provision that it is envisaged will be in place following the development. What pitch provision is envisaged within the building and would this be of the appropriate standard? Will the availability of the internal provision be permanent or temporary?
7. In its representations, Cheshire West and Chester Council comments on the proposed Order. In the third paragraph under section 7 of those representations (Detailed comments on the submission version of Blacon Community Development Order), the Council highlights a number of anomalies in the proposal. Please provide a detailed explanation to the points raised.

¹ The Blacon Neighbourhood Plan, also produced by Blacon Neighbourhood Alliance, is the subject of a separate examination (to which I have been appointed).

- 8.** Is the Alliance satisfied that there is sufficient space within the site to provide a satisfactory sustainable drainage system? Please describe the circumstances.
- 9.** Existing youth building and storage building: Are these buildings to be replaced on site/is space to be provided within the new building by way of replacement?
- 10.** Hours of use condition: Please state the days and hours during which the Hub building will be open to the public.
- 11.** Paragraph 2.4: The “approved plans” are stated to include the four plans listed; but would it be fair to say that Plan D (and Plan E) are for illustrative purposes only? What do you consider to be the status of Plan C: Site Layout Plan.