

Wilby Neighbourhood Development Plan 2018 – 2036

Record of Independent Examination Correspondence

First published: 12 October 2020

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Introduction

This document will provide an on-going record of all 'general' correspondence during the Wilby Neighbourhood Plan examination period between the Examiner (Janet Cheesley), the Parish Council / NP Working Group, and Mid Suffolk District Council. It will also act as a record of matters raised and responses to these.

As required, specific documents will continue to be published on the district councils Wilby NP webpage: www.midsuffolk.gov.uk/WilbyNP

Copies of e-mails / letters appearing on the following pages:

- 1. 8 Oct 2020 - E from Examiner: Confirmation of Start, Procedures & Qstns**
- 2. 9 Oct 2020 - Response from Wilby PC re Village Inset Map in Appendix H**
- 3. 12 Oct 2020 - Response from MSDC re 'Designated Rural Area' question**

1. E-mail from Examiner - Confirmation of Start, Procedures, and Questions.

Dated: 8 Oct 2020
From: Janet Cheesley
To: Paul Bryant (BMSDC), Wilby PC Chair, Andrea Long (Consultant obo Wilby NP)
Subject: Wilby Neighbourhood Plan Examination
Attach: [NPIERS Guidance to Service Users and Examiners 030418.pdf](#)

I am writing to set out how I intend to undertake the examination of the Wilby Neighbourhood Plan. My role is to determine whether the Plan meets the Basic Conditions and other legal requirements. I intend to ensure that the Parish Council feels part of the process. As such, I will copy the Parish Council into all correspondence, apart from contractual matters that are dealt with direct with the local planning authority. Likewise, please can you ensure that any correspondence from you is copied to the other party. This will ensure fairness and transparency throughout the process.

Paul will be my main point of contact . Once I have read all the papers, I may ask for any missing documents or seek clarification on some matters. It may be appropriate for me to seek clarification on matters from the Parish Council. I must emphasise very strongly that this does not mean that I will accept new evidence. In the interest of fairness to other parties, I cannot accept new evidence other than in exceptional circumstances. If the Parish Council is unsure as to whether information it is submitting may constitute new evidence, may I suggest that you send it to Paul in the first instance for his opinion.

It may be that there is very little correspondence from me during the examination. I will endeavour to keep you both up to date on the progress of the examination. The default is for an examination to be conducted without a hearing. If I feel one is necessary, I will inform you both as early as possible, but this is likely to be near the end the examination process. If I do intend to hold a hearing, I will inform you of the procedure at that time.

I will be visiting the Parish during the examination. I will not need to be accompanied during my visit. If I am 'spotted', I would appreciate it if I were not approached.

I will issue a draft report for fact checking by both parties. I will ask you both to check my report for factual errors such as dates, sequence of events, names and so on that might need to be corrected. The report will be confidential and must not be presented to a public meeting. I must emphasise that this is not an opportunity to make comments on the report other than those that relate to factual errors. In particular, I will not be inviting, and will not accept, comment on any suggested modifications. The draft report will only be published as the final version if there are no factual errors found and if there is no other reason, such as a sudden change in national policy, that could be significant to my recommendations. I will endeavour to issue my final report shortly after the fact checking stage.

I enclose the NPIERS Guidance to Service Users and Examiners, which may be of interest regarding the examination process. [\[MSDC note: See weblink provided at top of this page\]](#)

I confirm that I have received the documents from Mid Suffolk District Council, including the Regulation 16 representations. I understand that Paul has given the Parish Council the opportunity to comment on these representations. I must emphasise that the Parish Council is not obliged to make comment and I am not inviting new evidence. I will take any comments into consideration when I receive them, which I understand will be by 16 October.

Please can this email be placed on the District Council's web site. If there is future correspondence regarding matters of clarification, I will ask for those to be similarly made available.

If this has not already happened, please can it be mentioned on the District Council's web site that I have started the examination.

At this moment I am seeking clarification with regard to the Village Inset Map in Appendix H. Please can the Parish Council explain what the grey, pink and green lines are on this map. I am assuming that the grey line is the settlement boundary.

If so, it is intentional to leave the housing allocation outside the settlement boundary?

Please can Paul confirm whether or not any area of the Parish is a designated rural area re paragraph 63 in the NPPF.

Regards,

Janet Cheesley

[Ends]

2. Response from Wilby PC re Village Inset Map in Appendix H

Dated: 9 Oct 2020
From: Andrea Long (Consultant obo Wilby NP)
To: Janet Cheesley
Cc: Paul Bryant (BMSDC), Wilby PC Chair,

Dear Janet and Paul,

It is my understanding that the Parish will be submitting some brief comments on the REG16 representations. The deadline is noted although we hope to get those to you before the deadline.

In respect of the question in respect of the Village Inset Map at Appendix H of the Submitted NDP the following may be of assistance.

- The green line is the existing adopted settlement boundary (in the Adopted Local Plan).
- The pink line is the proposed settlement boundary as set out in the emerging JLP (July 2019)
- There is no specific grey line – it appears to be formed where the green and pink lines overlap. This is a bit clearer when zooming in on the map.
- It was not intentional to leave the allocation outside of the settlement boundary, this is a map drafting error.

We hope this is helpful

Best Wishes

Andrea Long – Consultant on behalf of the Wilby Neighbourhood Plan.

Andrea

Thank you for your prompt response. Having zoomed in, I now understand that a grey line does not exist. Just for absolute clarity, please can you confirm that the settlement boundary for the purposes of this neighbourhood plan is the pink line of the emerging JLP together with the outer boundaries of the allocated site.

Regards

Janet Cheesley

Dear Janet, c.c. Paul and Wilby PC Chair,

I can confirm that for the purposes of the Wilby Neighbourhood Plan, that the settlement boundary is the pink line of the emerging JLP together with the outer boundaries of the proposed allocation.

I hope this is helpful.

Best Wishes

Andrea Long
Consultant, for the Wilby Neighbourhood Plan.

[Ends]

3. Response from MSDC re NPPF para 63 query

Dated: 12 Oct 2020
From: Paul Bryant (BMSDC),
To: Janet Cheesley
Cc: Wilby PC Chair, Andrea Long (Consultant obo Wilby NPPC)

Dear Janet

Thank you for e-mail dated 8 October confirming the start of this Examination. We will keep our [Wilby NP](#) webpage updated as requested.

You ask if we can confirm whether or not any area of the Parish is a designated rural area re paragraph 63 in the NPPF.

Having discussed this with colleagues, I can confirm that the parish of Wilby does not meet any of the NPPF definitions of a 'designated rural area'. More specifically, it is not designated as a rural area under Section 157 of the Housing Act 1985.

Kind regards

Paul Bryant
N'hood Planning Officer | BMSDC