

INDEPENDENT EXAMINATION OF THE LYDIATE NEIGHBOURHOOD PLAN

EXAMINER: Andrew Freeman BSc (Hons) DipTP DipEM FRTPI

Mrs Carol Farquhar
Clerk to Lydiate Parish Council

Ms Alison Jones
Sefton Council

Examination Ref: 01/AF/LNP

10 August 2018

Dear Mrs Farquhar and Ms Jones

LYDIATE NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Lydiate Neighbourhood Plan (the Plan) for examination, I would like to clarify some initial procedural matters. I also have a number of preliminary questions for Lydiate Parish Council and Sefton Council.

1. Examination Documentation

I can confirm that I am satisfied that I have received a complete submission of the 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 Plan, I have not at this initial stage identified any very significant and obvious flaws in it 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 13th August 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(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

I have a number of initial questions seeking further clarification from the Parish Council and Sefton Council, which I have set out in the Annex to this letter. I would be grateful if you can seek to provide a written response within two weeks of receipt of this letter.

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 a number of questions I must provide the opportunity to reply. Consequently, the examination timetable will be extended. Please be assured that I will seek to mitigate any delay as far as is practicable. The IPe 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 and any subsequent responses, are placed on the websites of both the Local Planning Authority and the Parish Council.

Thank you in advance for your assistance.

Your sincerely

Andrew Freeman

Examiner

ANNEX

From my initial reading of the Lydiate Neighbourhood Plan and the supporting evidence, I have a number of questions for the Parish Council and Sefton Council. I have requested the submission of responses within two weeks of receipt of this letter, but an earlier response would be helpful.

I would welcome both the **Parish Council** and **Seton Council's** response to the following points:

1. Did Sefton Council have any comments at the Regulation 16 stage? If so, could they please be provided.
2. Please provide a statement to demonstrate that the Plan is compatible with the Human Rights Convention.

I would welcome the **Parish Council's** response to the following points:

3. Habitats Regulation Assessment Screening Report: Please supply a copy of the correspondence in which Natural England confirms that no further assessment would be required.
4. Representations of Sport England: Please comment on the necessity or otherwise for additional content in the Plan.
5. Representation of United Utilities: Please comment on the necessity or otherwise for a separate policy on surface water management.
6. Representations of Network Rail: Please comment on the necessity or otherwise for additional text on developer contributions, sustainable drainage proposals and notification of National Rail.
7. Please comment on the necessity or otherwise for the changes suggested by Historic England (expanded Introduction; additions to Vision; amendment of Objectives; reference to heritage in Policy LNP HOU1; and amendments to Policy LNP HER).
8. Having regard to the representations of Mr N Spencer, do you have any comments on the appropriateness of development at "north of Kenyon's Lane"?
9. Having regard to the representations of Mrs J M Sherringham, do you have any comment on making more affordable housing available for young people?
10. Having regard to the representations of the Environment Agency, please comment on the appropriateness of the wording of Policy LNP HOU1.
11. Paragraph 1.11: Please confirm the date of designation (the Plan says 28 September 2015; Sefton Council's website says 25 September 2015).
12. Paragraph 2.1: Should this be a Vision for 2030 (not 2027)?
13. Paragraph 3.5: Bearing in mind Issue 3, is the Parish Council satisfied that the Plan contains adequate guidance with regard to developer contributions?

14. Policy LPN DEV1 ii): Is this proviso also intended to apply to sites allocated in a replacement or revised Local Plan (but currently safeguarded and not yet allocated)?
15. Policy LNP HOU1 iii) – access to the remainder of the site: Does this mean access to the dairy site?
16. Policy LNP HOU1 vi): What is meant by “the arrangement the height of housing”?
17. Policy LNP HOU2 i): Would it be acceptable for a master plan to be submitted as part of (at the same time as) any planning application?
18. Policy LNP HOU2 xiv): Please clarify the expression “landscaping must incorporate the natural lay of the land”.
19. Appendix 1 – Other Feature (The Gallops): What is the significance of The Gallops / why is it identified?