

Alresford Neighbourhood Plan Examination

Note of Interim Findings from the Examiner to the Parish Council and Tendring District Council

Having completed my initial assessment of the Neighbourhood Plan (ANP), I am writing to the Parish Council (PC) and Tendring District Council (TDC) to set out my interim findings.

Unfortunately I have identified a number of issues on which I consider further work is needed before the Plan can progress. This note sets out those matters and I would value your thoughts once you have had a chance to digest this note so we can together agree a way forward for this Plan.

The main matters

1. Strategic Environment Assessment and Habitats Regulations Assessment

A Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) Screening Report has been prepared by Place Services. It looks as though the version of the SEA and HRA Screening Report that was made available as part of the suite of documents at Regulation 16 stage and consulted on is dated November 2019.

However, I have been sent (by TDC) a later version of the Screening Report dated September 2020. Obviously it is this latter version which is needed at submission stage because it updates the earlier version and also assesses two new policies that have been included after the pre-submission stage.

Therefore please could the date/version of the SEA and HRA Screening Report which has been made available as part of the suite of documents at Regulation 16 stage and therefore consulted upon be confirmed?

If it is the earlier version, in my view the updated version should be made available and there should be further public consultation on it.

2. Consultation Statement

The Consultation Statement offers a very brief summary of the issues raised by those responding to the pre-submission stage. In my view it can barely be considered to meet the requirements of the relevant regulation. I would therefore ask that a summary is provided as an addendum to the Consultation Statement or that the Consultation Statement is redone to ensure it meets the regulatory requirements. This would then require further public consultation.

3. Adoption of the new Local Plan Section 1

I am aware that the Inspector's Report on the emerging Local Plan Section 1 was received on 10 December 2020. I expect that TDC will soon move to adopting this plan. Unless my final report is issued before any adoption (which seems unlikely given the need for further consultation potentially on the two matters outlined above), the adoption of the new Section 1 will mean that the development plan against which the ANP is assessed will change.

In these circumstances, I would usually request a further period of consultation is undertaken on this specific matter to give an opportunity for any comments.

Conclusions on the main matters

You will therefore see there are two issues on which potentially further work is needed. In themselves both these issues would require a further period of consultation.

In addition, a new Local Plan Section 1 is likely to be adopted shortly. In itself, this would also require a further period of consultation.

My suggestion is that the examination is 'paused' to allow confirmation of the Screening Report issue and further work on the Consultation Statement issue to be carried out.

I understand this will be disappointing news to those involved in the production of the ANP. However, I consider that ensuring these matters are resolved now and for the sake of a few more weeks delay, that the ANP over the longer term will be a robust document.

I also wanted to take this opportunity to highlight some more minor matters of clarification. It is quite usual for me to have some questions of clarification. These are usually queries of a fairly factual nature which can be readily dealt with by an exchange of correspondence. I want to ensure I present a rounded picture of these other matters at the same time so that these can be resolved as we move through the more major matters. Please note the issue in relation to Policy ALRES8. If documentation is submitted in support this policy, this could also be potentially consulted on at the same time as the other main matters.

Other issues/questions of clarification

1. The Basic Conditions Statement (paragraph 6.5) indicates that the Screening Report includes the responses from the statutory bodies, but unfortunately this does not seem to be the case. Please forward these responses to me.
2. Please could the date of the Plan area designation be confirmed? The Basic Conditions Statement indicates 2015, but other information on TDC website indicates a different date.
3. The Basic Conditions Statement refers to a Sustainability Report in paragraph 3.2. Please could a copy be forwarded to me?
4. The Consultation Statement confirms that the pre-submission stage took place between 15 October – 3 December 2019, but Appendix A indicates the period was extended. Please confirm the dates.
5. It would be helpful, if TDC could please indicate which policies in the Tendring District Local Plan 2007 are regarded as strategic and of relevance to this examination.
6. As the Inspector's Report on the emerging Local Plan Section 1 has now been received and it is likely that the plan will soon be adopted, do any of the references in the Plan need to be changed as a result of this? If so, please send a list of those changes.
7. Please could TDC indicate whether in their view any implications arise for the Plan from the publication of the Inspector's Report on the emerging Local Plan.
8. Policy ALRES1, Alresford Spatial Strategy, defines a settlement boundary for Alresford. Please confirm whether sites with extant planning permissions are included within the boundary line.

9. Policy ALRES3, Enhancing Walking and Cycling In and Around Alresford, refers to “Key Movement Routes”; I am not sure what this refers to?
10. Policy ALRES8, Non-designated Heritage Assets, seeks to identify nine such assets. PPG is clear that such assets can be identified through a neighbourhood plan-making process, but should be based on sound evidence which includes information on the criteria used to select the assets.¹ Please could information about how the assets have been identified be forwarded to me? This might include identification and assessment sheets, meeting notes or minutes and so on.
11. In relation to Policy ALRES9, Recreational disturbance and Mitigation, I am aware that TDC adopted the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) on 13th November 2020. With the passage of time, is this policy therefore still relevant and necessary? Are any changes to it needed?
12. With regard to Policy ALRES10, Surface Water Management, please point me in the direction of any context or evidence for this policy.
13. Is the “village centre” notation shown on the Policies Map and Inset Map the same as in the emerging Local Plan?
14. The representation from Network Rail seeks confirmation that the Plan reflects the “latest developments” in the area and refers to around 150 dwellings nearing completion on the northern side of the railway. Please could you comment on this as I am unsure of its context?
15. A representation from Essex County Council suggests that paragraph 1.12 of the Plan is amended to include some new wording. Would the Parish Council like to suggest wording for any such inclusion please?

Overall conclusion

Unfortunately, as things stand, I consider further work needs to be carried out and that further work will, together with the timescales on the emerging Local Plan Section 1, require additional consultation.

There are therefore **possible courses of action** to consider:

- A. I carry on with the examination. This is likely to result in a report that recommends the Plan does not proceed to referendum. This is not a scenario which I would welcome and is unnecessary given my view that all main issues can be resolved through further work and further consultation.
- B. The examination is suspended to a) allow further work to be undertaken on the Consultation Statement and requisite consultation, b) a check to be made on the SEA and HRA Screening Report and any issues to be remedied on this through a period of further consultation and c) ensure that if the Local Plan Section 1 is adopted before my final report is to be issued, consultation is carried out on that. It would make sense that all three issues (if this is found to be necessary) are consulted upon at the same time.

¹ PPG para 040 ref id 18a-040-20190723

In the light of the above, I would like to give the PC and TDC the opportunity to consider the main matters and let me know how you might wish to proceed. Please can I ask you to respond by Wednesday 3 February 2021. If a little further time is required, please let me know.

The questions of clarification can be dealt with alongside the work and consultation on the main matters; I am not expecting a response to questions 1 – 15 by 3 February.

I have considered whether to hold an exploratory meeting or hearing to consider these issues. I have set out the issues as I see them in detail above. I therefore see no immediate benefit to any party in holding a meeting or hearing at the present time.

I am also not seeking, and will not accept, any representations from other parties regarding these matters at this stage.

This note will be a matter of public record and should be placed on the relevant websites.

With many thanks,

Ann Skippers MRTPI
Independent Examiner
20 January 2021