

# INDEPENDENT EXAMINATION OF THE WICKERSLEY NEIGHBOURHOOD DEVELOPMENT PLAN

INDEPENDENT EXAMINER:  
Christopher Collison BA(Hons) MBA MRTPI MIED IHBC

To Rotherham Metropolitan Borough Council and Wickersley Parish Council

By email to Rachel Overfield, Planning Officer, Rotherham Metropolitan Borough Council, and Carol Levell, Parish Clerk and Responsible Financial Officer, Wickersley Parish Council

Dated 30 November 2021

Dear Rachel and Carol

## **Wickersley Neighbourhood Development Plan Independent Examination – Examiner Initial Letter**

Further to my appointment today to undertake the Independent Examination of the Wickersley Neighbourhood Development Plan I am writing to clarify how I will conduct the examination which will formally commence on Wednesday 1 December 2021.

### 1. Communications

It is essential that the examination process is open and transparent to all interested parties. I would be grateful if Rotherham Metropolitan Borough Council could publish this email on their website. I will address all future communication to Rotherham Metropolitan Borough Council and send a copy to Wickersley Parish Council. It would be helpful if the Parish Council could channel all communication to me through Rotherham Metropolitan Borough Council, and that, when writing to me, Rotherham Metropolitan Borough Council send a copy to the Parish Council. Advisors to the Parish Council or Rotherham Metropolitan Borough Council should channel any communication through the respective Council.

### 2. National Planning Policy Framework and Planning Practice Guidance

The most recent National Planning Policy Framework was published on 20 July 2021. The Planning Practice Guidance was most recently updated on 24 June 2021. Both the Framework and Guidance could be further revised or updated during the Independent Examination. As a point of clarification, I confirm it is my intention to undertake the Independent Examination in the context of the most recent National Planning Policy Framework and Planning Practice Guidance.

### 3. Examination documents

Rotherham Metropolitan Borough Council has provided me with a copy of the main submission Neighbourhood Plan documents, and has sent me copies of each of the Regulation 16 representations received during the publicity period.

I have asked Rotherham Metropolitan Borough Council to publish the Regulation 16 representations on the Council website. I have noted additional information is available on the Rotherham Metropolitan Borough Council website and the Parish Council website. Any other documents that may be sent to me throughout the Independent Examination, should be made available for inspection by interested parties. This is best achieved through publication on the Rotherham Metropolitan Borough Council website.

I have looked at the main submission Neighbourhood Plan documents. Subject to my later detailed assessment I have not identified any obvious fundamental flaws in the submission documents that would lead me to advise the examination should not proceed. If I find that there are significant issues which may prevent the Neighbourhood Plan meeting the Basic Conditions and other requirements, that cannot be addressed through modifications, I will notify you during the examination.

Rotherham Metropolitan Borough Council has advised me what are regarded as the strategic policies of the Development Plan applying in the Neighbourhood Area. That information can be viewed on the Rotherham Metropolitan Borough Council website by following this link <https://www.rotherham.gov.uk/downloads/file/554/strategic-policies-in-rotherham-january-2019->

I am providing the Parish Council with an opportunity to comment on the Regulation 16 representations of all other parties including those of Rotherham Metropolitan Borough Council. There is no obligation on the Parish Council to offer any comments but this opportunity can prove particularly helpful where representations of other parties include matters that have not been raised earlier in the plan preparation process. I request the Parish Council should submit any comments to Rotherham Metropolitan Borough Council, no later than noon on Wednesday 15 December 2021. The Parish Council may, at an earlier date, submit its comments, or confirm it does not intend to submit any comments on the representations. Rotherham Metropolitan Borough Council should forward any Parish Council comments to me, and any comments should be published on the Rotherham Metropolitan Borough Council website. Any Parish Council comments must not include new evidence.

Wickersley Parish Council has prepared a statement proposing amendment of Policy GS2 Local Green Space with regard to the boundary of Wickersley Park. The Parish Council has realised that there has been an oversight in that the proposed designation in the Submission Neighbourhood Plan erroneously includes a parcel of land which should not have been included within the boundary of the designation, this being the site of the former village hall. The Parish Council therefore now propose that the land in question should be excluded from the proposed Local Green Space designation. The amended boundary can be viewed on a plan published on the Rotherham Metropolitan Borough Council website or a copy can be requested from the Planning Policy service of that Council. The Parish Council state *“the basis for proposing this amendment to the Neighbourhood Plan is as follows:*

- *The land comprises the site of the former village hall which was demolished in 2008 and replaced by an improved community facility elsewhere within Wickersley (the current library and community centre on Bawtry Road). It has not had a community function since that time.*
- *The land is hard surfaced and includes the concrete base of the village hall. It is a brownfield site and has never formed part of Wickersley Park.*
- *There has been a longstanding acknowledgement by the Parish Council and Rotherham MBC that the land is surplus to requirements and suitable for development with residential consent being granted on a number of occasions from 1998 through to 2011.*
- *The boundary of the proposed Local Green Space designation was erroneously drawn to include the former village hall site because it followed the green space designation in the Rotherham Local Plan. It is only recently that the Parish Council has realised that it is not appropriate to provide the additional protection proposed by policy GS2 to that area of land given its history and the fact that it does not form, nor ever has been, part of Wickersley Park and does not have a green space function.”*

I am providing any interested party with an opportunity to comment on this proposed amendment of Policy GS2 Local Green Space. Any comments should be marked for my attention and emailed to [planning.policy@rotherham.gov.uk](mailto:planning.policy@rotherham.gov.uk) or posted to Planning Policy, Rotherham Metropolitan Borough Council, Riverside House, Main Street, Rotherham S60 1AE. Any comments, or request for additional time to comment, should be submitted no later than Noon on Wednesday 22 December 2021. I will consider the proposed amendment, and any comments received, as part of the Independent Examination of the Neighbourhood Plan.

#### 4. Independence

From my initial review of the main Neighbourhood Plan documents, it would appear that there are no conflicts of interest that would call into question my independent status. I will keep that matter under review throughout the examination.

#### 5. Visit to the Neighbourhood Plan area

After I have thoroughly reviewed the Neighbourhood Plan and other relevant documents, I will visit the plan area to assist me in understanding the nature of the Neighbourhood Plan and points made in representations or comments, and help me decide if there are any issues to be clarified. My visit to the plan area will be on an unaccompanied basis as it is important that there should be no perception that I have heard additional representations. The timing of my visit may be affected by advice or directive issued by Her Majesty's Government in respect of the Coronavirus (COVID-19) pandemic.

#### 6. Clarification procedure

I may at any time during the Independent Examination seek written clarification of any matters that I consider necessary. I will direct any request for clarification to Rotherham Metropolitan Borough Council and send a copy to the Parish

Council. I will request any response is agreed as a joint response of Rotherham Metropolitan Borough Council and the Parish Council if at all possible. Any request for clarification and any response should be published on the Rotherham Metropolitan Borough Council website.

I am proceeding on the basis that the examination can be concluded without the need for a hearing. At any time before I issue my final report, I may call a hearing if I consider this is necessary to ensure adequate examination of any issue, or to allow a person a fair chance to put a case.

#### 7. Examination timetable

The main determinants of how long an examination will take are: the number and complexity of the Neighbourhood Plan policies; the clarity of supporting evidence; and the number and nature of representations and comments. Assuming a hearing will not be necessary, and that the need for me to request clarification of any matters will not cause undue delay, I anticipate that no later than February 2022 I will be able to send a confidential draft of my report to Rotherham Metropolitan Borough Council and the Parish Council to allow an opportunity to check whether there are any factual errors. This will not be an opportunity for any further representations to be made. This intended timetable should be regarded as indicative only.

I should be grateful if both Rotherham Metropolitan Borough Council and the Parish Council could confirm in writing that they are willing to participate in the fact check of my emerging draft report on the terms indicated.

#### 8. Procedural questions

A guide to Independent Examinations can be found at <https://www.rics.org/globalassets/rics-website/media/upholding-professional-standards/regulation/drs/drs-services/npiers-planning-guidance-to-service-users-and-examiners-rics.pdf> I would be pleased to address any questions relating to the examination process that Rotherham Metropolitan Borough Council or the Parish Council may have.

I should be grateful if Rotherham Metropolitan Borough Council and the Parish Council could acknowledge receipt of this email.

Best regards

Chris Collison  
Independent Examiner  
Planning and Management Ltd