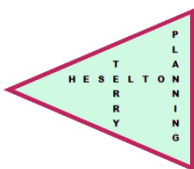


# **Independent Examination of the Roecliffe and Westwick Neighbourhood Plan**

## **Examination Update and Questions to Harrogate Borough Council and Roecliffe and Westwick Parish Council**

**Terry Raymond Heselton BA (Hons), Dip TP, MRTPI**

**Independent Examiner**



**Terry Heselton Planning**

**22 February 2021**

I have now completed my initial assessment of the examination documents and Regulation 16 Representations and would advise you as follows.

## **1.0 Responses to the Regulation 16 Publicity**

- 1.1 I have received responses to the Regulation 16 Publicity (via Harrogate Borough Council) from or on behalf of eight organisations and stakeholders. All of the responses were submitted within the 8 week period allowed for the consultation and will be taken into account as part of the examination.
- 1.2 Following the invitation made in my Examination Procedure Note Roecliffe and Westwick Parish Council have provided me with some general comments on the responses to the Regulation 16 Publicity.
- 1.3 In order to ensure openness and transparency the Regulation 16 representations and the Parish Council's comments on them may be viewed on Harrogate Borough Council's website for information.
- 1.4 For clarification I am not inviting comments on the representations or the Parish Council comments on them, and this is not a further opportunity to comment on the Plan.

## **2.0 Need for a Hearing**

- 2.1 From my initial assessment of the submitted documentation and Regulation 16 Representations I am satisfied that the examination can proceed without the need for a hearing. However I will keep this under review as the examination progresses and advise you further should the need arise.

I have also identified a number of issues that require clarification. The following questions are addressed to Harrogate Borough Council in the first instance but may necessitate consultation with Roecliffe and Westwick Parish Council.

## **3.0 Regulatory Requirements**

*Regulation 14 Pre-submission consultation and publicity – Neighbourhood Planning (General) Regulations 2012 (as amended).*

- 3.1 Although the submitted Consultation Statement and the accompanying evidence files provide a wealth of information regarding the process of preparing the Plan and engaging with the local community and other stakeholders some aspects of the Regulation 14 Consultation are unclear or not specific enough.
- 3.2 For example although a list of neighbourhood plan consultees is

reproduced in Evidence File 5 this is a list recommended by an undisclosed source and is applicable to neighbourhood plans generally throughout the Yorkshire/ Humber region, rather than specifically tailored to Roecliffe and Westwick. In addition although details of the intended means of publicising the draft Plan are set out in the minutes of a Neighbourhood Plan meeting held on 2 April 2019 no specific evidence has been produced regarding the Plans availability or communication undertaken with stakeholders.

- 3.3 To ensure I have an accurate understanding as to the manner in which the Regulation 14 requirements have been addressed it would be helpful if you could
- 1) State the precise start and end dates of the Regulation 14 Consultation
  - 2) Provide confirmation and evidence that relevant Consultation bodies (as defined in paragraph 1 of Schedule 1 of the General Regulations) were consulted at Regulation 14 stage, including a list of the specific bodies consulted (addresses not necessary)
  - 3) Explain and provide evidence as to how local residents, local businesses and other stakeholders were made aware of and notified about the consultation, and
  - 4) Provide details of how and where the draft Plan and supporting documents could be inspected and how comments could be submitted.

*Regulation 16 Publicising a plan proposal – Neighbourhood Planning (General) Regulations 2012 (as amended).*

- 3.4 Can you clarify whether the precise start date of the Regulation 16 Publicity was Thursday 19 November 2020 or Friday 20 November as the information provided on the Borough Council's web page refers to Thursday 20 November?
- 3.5 Please provide confirmation and evidence that relevant Consultation Bodies that were consulted at Regulation 14 stage by the Parish Council were notified at Regulation 16 stage by Harrogate Borough Council.

#### **4.0 Extant Development Plan Policies**

- 4.1 Can you confirm that the current development plan for the Roecliffe and Westwick Neighbourhood Area comprises
- policies contained in the Harrogate District Local Plan (December 2020)
  - 'saved' policies in the Harrogate District Local Plan (2001) and Selective Alteration (2004), and the Harrogate Core Strategy (2009), which are specifically identified in Appendix 4 of the 2020 Local Plan as having not been replaced by the 2020 Local Plan
  - 'saved' policies in the North Yorkshire Minerals Local Plan (1997), and
  - 'saved' policies in the North Yorkshire Waste Local Plan (2006).
- 4.2 Has Harrogate Borough Council undertaken an assessment of extant

development plan policies in order to identify those which are considered to be 'strategic policies' within the meaning of paragraphs 075 and 076 of current national Planning Practice Guidance on neighbourhood planning? If so it would be helpful if you could provide me with a schedule of 'strategic' policies that apply within the Roecliffe and Westcliffe Neighbourhood Area.

## **5.0 Emerging Minerals and Waste Joint Plan**

- 5.1 In their response to the Regulation 16 Publicity North Yorkshire County Council refer to the fact that the Neighbourhood Area is affected by a Mineral Safeguarding Area and a Mineral Consultation Area in the emerging Minerals and Waste Plan which is being prepared jointly by North Yorkshire County Council, North York Moors National Park Authority and the City of York Council. I would be grateful if you could inquire on my behalf as to when the Inspectors report is expected and ideally obtain a timetable for the remaining stages of the Plan's preparation and adoption, as unfortunately this information does not appear to be in the public domain at the moment.

## **6.0 Local Heritage Assets**

- 6.1 Has Harrogate Borough Council prepared a 'Local List' of non-designated heritage assets? If not, does the Borough Council intend to do so and what is the programme for preparing a 'Local List'. If the Borough Council has prepared or is currently preparing a 'Local List' please provide details of any 'assets' identified within the Roecliffe and Westwick Neighbourhood Area.
- 6.2 As the scale of Policies Map 2 (on page 62) makes it difficult to determine the location of each local heritage asset, and the numeric identification of assets rather than the delineation of site boundaries makes it difficult to determine the area to which each Policy C2 designation is intended to apply, I would appreciate a plan or set of plans delineating the precise boundary of each asset. This should be at a scale large enough to indicate whether the proposed designation is intended to apply to the building/structure and its curtilage or just the area occupied by the building/structure.

It would be helpful if you could respond by Wednesday 3 March 2021.

In order to ensure openness and transparency this note together with the combined response from Harrogate Borough Council/Roecliffe and Westwick Parish Council to the questions and points of clarification raised, should be published on Harrogate Borough Council's website.

If necessary I may provide a list of any further clarification requests and questions about the Plan content as the examination progresses.