

## INDEPENDENT EXAMINATION OF THE ILKLEY

### NEIGHBOURHOOD DEVELOPMENT PLAN

EXAMINER: Andrew S Freeman BSc (Hons) DipTP DipEM FRTPI

Councillor Ros Brown  
Ilkley Town Council

Iain Cunningham  
Bradford Council

Examination Ref: 01/AF/INP

08 November 2021

Dear Councillor Brown and Mr Cunningham

#### ILKLEY NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Ilkley Neighbourhood Plan (the Plan) for examination, I would like to clarify several initial procedural matters.

#### 1. Examination Documentation

I can confirm that I am satisfied that I have received a complete submission of the draft Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement and Appendices, the Strategic Environmental Assessment and Habitat Regulations Assessment Screening Determination Report and the Regulation 16 representations, to enable me to undertake the examination.

Subject to my detailed assessment of the draft Plan, I have not at this initial stage identified any very significant and obvious flaws in the Plan that might lead me to advise that the examination should not proceed.

#### 2. Site Visit

I will aim to carry out a site visit to the neighbourhood plan area in the week beginning 22 November 2021. The site visit will assist in my assessment of the draft Plan, including the issues identified in the representations.

The 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.

I may have some additional questions, following my site visit, which I will set out in writing should I require any further clarification.

### 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

From my initial assessment of the Plan and supporting documents, I have identified a number of matters where I require some additional information from Bradford Council and the Qualifying Body which I have set out in the Annex to this letter. I would be grateful if you can seek to provide a written response by **22 November 2021**.

### 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 questions, I must provide you with sufficient opportunity to reply. Consequentially, the examination timetable will be extended. Please be assured that I will seek to mitigate any delay as far as is practicable. The IPE office team will seek to keep you updated on the anticipated delivery date of the draft report.

If the Town Council or Local Planning Authority 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 that a copy of this letter and any subsequent response is placed on the Town Council and Bradford Council's websites.

Thank you in advance for your assistance.

Your sincerely

*Andrew Freeman*

Examiner

## ANNEX

From my initial reading of the Ilkley Neighbourhood Plan and the supporting evidence, I have the following questions for the Qualifying Body and Bradford Council. I have requested the submission of responses by **22 November 2021**, though an earlier response would be much appreciated.

### Questions for Ilkley Town Council

1. Was Natural England consulted on a draft final version of the SEA and HRA Screening Report, Version 3, November 2020?
2. Having regard to the comments of Historic England, please confirm that statutory consultees were consulted under the “second round” of consultation under Regulation 14.
3. Policy INDP1: Other than local green spaces, what are regarded as “protected” open spaces for the purposes of this policy?
4. Should Policy INDP1 d) refer to heritage assets?
5. Policy INDP1 e): Should the Homes and Neighbourhoods Design Guide Supplementary Planning Document be referred to in the policy?
6. Policy INDP1 g) – “starter homes”: Is this an appropriate description bearing in mind the definition in the NPPF?
7. Policy INDP2: Please comment on the representations of NHS Property Services.
8. Having regard to the representations of Lichfields on behalf of Craiglands Ltd, what is the justification for protecting hotels under Policy INDP2?
9. Policy INDP2/8: In the light of the comments of Bradford Council, does the boundary of the area need to be revised?
10. Policy INDP5 k): Please respond to the comments of Bradford Council.
11. Policy INDP5 n): Should not the reference to new housing be a separate criterion?
12. Policy INDP6: How are “key views” to be identified? Are they all identified in the Conservation Area Appraisal?
13. Policy INDP8 – Victorian and Edwardian Suburbs: How are “visually important gaps” to be identified? Are they all identified in the Conservation Area Appraisal?
14. Policy INDP9: How are “significant views and vistas” to be identified? Are they all identified in the Conservation Area Assessment?
15. Policy INDP10: Do you regard any of the proposed sites as “extensive tracts of land”?
16. Policy INDP10/8 – Wheatley Lane Recreation Ground – Land sold off for housing: Has this land been excluded from the area proposed for designation as a Local Green Space?
17. Policy INDP10: Please respond to the comments of Bradford Council regarding sites in the Green Belt.
18. Policy INDP10/16: Please respond to the comments of Bradford Council.

- 19.** Policy INDP10 and Local Green Space Assessment. The majority of the proposed Local Green Spaces appear to be owned by Bradford Council (who will have had an opportunity to comment on the proposed designation). However, the ownership of others (10/4, 10/7, 10/13, 10/14, 10/15 and 10/18) is uncertain or involves other parties. Please identify those spaces where owners have not been consulted about designation.
- 20.** Should the Policies Map be modified to delete the Local Green Space notation as applied to the wooded path from Victoria Drive to Victoria Avenue?
- 21.** Policy INDP14 – multi-modal transport: Please respond to the comments of Bradford Council.
- 22.** Does Paragraph 5.81 require amendment?
- 23.** Policy INDP20: Please respond to the comments of Bradford Council.

**Question for Ilkley Town Council and Bradford Council**

- 24.** A revised version of the National Planning Policy Framework was published by the government on 20 July 2021 alongside a final version of the National Model Design Code. I would be grateful if you could please advise me whether you consider any modifications in relation to the non-strategic matters covered by the draft Ilkley Neighbourhood Development Plan are necessary as a result of the publications (other than amended referencing) and, if so, what these are?