

## INDEPENDENT EXAMINATION OF THE OAKLEY NEIGHBOURHOOD PLAN

EXAMINER: Wendy Burden BA (Hons) DipTP MRTPI

Jonathan Goodall

DLP Planning Ltd

cc. Mrs Ann Paice, Clerk to Oakley Parish Council  
Sonia Gallaher, Bedford Borough Council

19 September 2019

Dear Mr Goodall

HEARING REQUEST: OAKLEY NEIGHBOURHOOD PLAN EXAMINATION

Thank you for your letter of 4 September 2019 and enclosure, concerning the examination of the Oakley Neighbourhood Plan and the request that a hearing be convened.

As you will be aware, unlike a local plan examination, there is no statutory right to be heard. The decision as to whether a hearing will be necessary is entirely for my determination, in accordance with paragraph 9(5) of Schedule 4B to the Town and Country Act 1990 (as amended).

The expectation is that the examination of the issues will take the form of the consideration of written representations (paragraph 9(1) of Schedule 4B) and this is reaffirmed by the Planning Practice Guide, Reference ID: 41-056-20180222. In this instance, your clients have had a full opportunity to put forward comprehensive written representation at both the Regulation 14 and Region 16 consultation stages. Accordingly, unless I make a specific request, no further unsolicited representation should be sent to me at this juncture.

In terms of the appropriate level of scrutiny, I draw your attention to the Crownhall Principles set out in paragraph 29 of the judgement in *R (Crownhall Estates) v Chichester DC [2016] EWHC 73 (Admin)*. View at: <http://www.bailii.org/ew/cases/EWHC/Admin/2016/73.html>. It is accepted that the bar for meeting the Basic Conditions in relation to examining neighbourhood plans is not the same as meeting the tests of soundness for a local plan. Notwithstanding this, you may be assured that I will approach the scrutiny of the issues with a proportionate level of rigour.

As regards the examination timeframe, Annex 3 of the sector led advice contained in the '*Guidance to service users*' sets out guidelines for the indicative timetabling of neighbourhood plan examinations. View 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>. It is for the examiner to determine the examination timeframe, which in this instance I consider to be both realistic and appropriate.

In the interests of transparency, I am asking both the Parish Council and local authority to place copies of our exchange of correspondence on their respective websites.

Your sincerely

*Wendy Burden*

Examiner