

# INDEPENDENT EXAMINATION OF THE LOGGERHEADS NEIGHBOURHOOD DEVELOPMENT PLAN

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

To Loggerheads Parish Council and Newcastle-under-Lyme Borough Council by  
email

Dated 21 August 2018

Dear Karen and Mark

## **Loggerheads Neighbourhood Development Plan Independent Examination**

Following my request for clarification of certain matters on 30 July 2018 and the joint response of the Parish Council and the Borough Council on 13 August 2018 the only outstanding matter relates to the re-screening of the Neighbourhood Plan with respect to Habitats Regulation Assessment, which is dependent on the timing of response from Natural England. In this respect in addition to the People over Wind case I referred to previously I also draw to your attention the Court of Justice (Second Chamber) judgement of 25 July 2018 Grace, Sweetman, and National Planning Appeals Board Ireland (ECLI:EU:C2018:593).

Once the outstanding matter is resolved, as stated in my email of 10 July 2018, it is my intention to send a confidential draft of my report to both the Parish Council and the Borough Council.

If either Council share the draft with other parties please ensure the confidential nature of the draft is made clear. I will be sending the draft report for fact checking only, so that I may correct any errors of fact. I normally ask for a response within a few days and this has usually been found to be sufficient. This procedure should not be seen as an opportunity to make further representations. Indeed, it is important that this should not occur as if I were to take into consideration further representations made after the period for representations has closed, this could leave the process open to successful challenge.

I would be grateful if both the Parish Council and the Borough Council could confirm agreement to be given the opportunity to undertake a fact check of my confidential draft report on the terms set out in this email. Please publish this email on your respective websites.

Best regards  
Chris

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