

INDEPENDENT EXAMINATION OF THE DANBURY

NEIGHBOURHOOD DEVELOPMENT PLAN

EXAMINER: Andrew Freeman BSc (Hons) DipTP DipEM FRTPI

Lesley Mitchelmore
Assistant Clerk to Danbury Parish Council

cc: Jenny Robinson
Senior Planning Officer
Chelmsford City Council

Examination Ref: 01/AF/DNP

16 July 2024

Dear Ms Mitchelmore

I have now commenced my examination of the Danbury Neighbourhood Plan (the Plan). In this regard, I thought it would be helpful if I shared with you some immediate thoughts. These are aimed at saving unnecessary time and expense as the examination progresses.

In this case, there are early doubts about whether the legal requirements have been met and whether the Plan could be recommended to be modified to address any shortcomings. These concerns relate to the approximate number of homes to be provided and the way in which sites have been selected, or not, for allocation.

I appreciate that the Plan aims to meet the allocation of around 100 homes set by Strategic Growth Site Policy 13 in the Chelmsford Local Plan. However, it could be argued that this figure should be treated fairly flexibly given what is estimated to be the current housing requirement for the City. At the same time, those submitting representations on the Neighbourhood Plan have identified sites that could contribute to an enhanced local figure.

There is one site in particular where evidence on site selection has been brought into question. That is the site at Bay Meadow (Site D12). In the light of representations submitted on behalf of Medical Services Danbury by Savills (DNP-131), I am not clear on the decisive key reasons (and documented evidence sources) for not allocating the Bay Meadow site or what steps have been taken in response to the Built Heritage Assessment (and its conclusions) provided at the Regulation 14 stage (and again referenced at Regulation 16).

I would normally accept that an adequate number of sites have been selected and that, on the face of it, there is no need to allocate any more. This is particularly so when other candidate sites have not been put forward within an appropriate timescale. However, this approach is difficult when all aspects of the selection process may not be supported by robust evidence.

Subject to any further clarification you can provide, my preliminary view is that the preferred approach would be to consider afresh all the candidate sites with a view to selecting the sites that best meet the needs of Danbury and the City of Chelmsford. This would involve withdrawing the Plan and taking a step back in the preparation process.

An alternative approach would be to include one or more additional sites at this stage, if justified; but this would involve drafting additional site-specific policies and additional formal consultation as well as updating the Strategic Environmental Assessment (SEA). There would also be inevitable arguments over the chosen mix of sites. I do not favour this option based on what I have read to date and, in any event, I am mindful that it may not be appropriate to make substantial changes

through what might become a very protracted and complicated examination process (with no guarantee of a successful outcome).

The above comments are without prejudice to my actual decisions on the Neighbourhood Plan and my response to the receipt of any further clarification or other considerations you may wish to draw to my attention. However, I would be grateful if, before proceeding, you would let me have your response to the matters set out in this letter within the next two weeks i.e. by **30 July 2024**.

In the interests of transparency, may I prevail upon you to ensure that a copy of this letter is placed on the Parish Council and Local Authority websites.

Thank you in advance for your assistance.

Yours sincerely

Andrew Freeman

Examiner