

INDEPENDENT EXAMINATION OF THE BUCKLAND NEIGHBOURHOOD PLAN

Examiner: Derek Stebbing BA (Hons) Dip EP MRTPI

Examination Ref: 01/DS/BNP

Mrs Fiona Richardson
Clerk to Buckland Parish Council

Rachael Riach
Buckinghamshire Council

Via email

3 May 2022

Dear Mrs Richardson and Ms Riach

Buckland Neighbourhood Plan Examination

Following the submission for examination of the Buckland Neighbourhood Development Plan (the draft Plan), I would like to clarify some procedural matters. I also have a small number of preliminary questions for Buckinghamshire Council and Buckland Parish Council (the Qualifying Body). These are attached as the Annex to this letter. I would like to receive a written response(s) by Friday, 27 May 2022.

Examination Documentation

I can confirm that I am satisfied that I have received the draft Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement, the Strategic Environmental Assessment Screening Opinion Report and the Regulation 16 representations, to enable me to undertake the examination.

I note that the Consultation Statement refers to the Parish Council considering the changes that have been made are material modifications to the extant made Plan, which clarify the Plan but do not change the nature of the made Plan. This suggests that the Qualifying Body consider this to be a Plan Modification Proposal. However, there have been no statements provided in this regard in relation to the compliance requirements of Regulation 14 (a)(v) and Regulation 15 (1)(f) of the Neighbourhood Planning (General) Regulations 2012 (as amended), in order for me to consider it under the legislative provisions for a Modification Proposal examination (Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended)).

The Local Planning Authority has submitted a statement, dated 28 April 2022, which advises that they did not accept the submission at Regulation 15 as a Modification Proposal in view of the absence of any regulatory compliance with the provisions associated with a Modifications Proposal.

Accordingly, I shall be examining the Plan under the 'standard' examination procedure set out in Schedule 4B to the Town and Country Planning Act 1990 (as amended). As a consequence, it should be noted that a referendum will be part of the neighbourhood plan process should the Plan proceed successfully following my examination.

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

Site Visit

I intend to undertake a site visit to the neighbourhood plan area during the week commencing 22 May 2022. This 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 draft 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.

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 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.

Further Clarification

From my initial assessment of the draft Plan and supporting documents, I have identified a number of matters where I require some additional information from Buckinghamshire Council and the Qualifying Body.

Set out in the Annex to this letter are two initial questions seeking further clarification. I would be grateful if you can seek to provide a written response by Friday, 27 May 2022.

Examination Timetable

As you will be aware, the intention is to examine the draft 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 (the submission was initially received on 5 April 2022 but I did not receive the statement from Buckinghamshire Council referred to above until 28 April 2022).

As I have raised two initial questions, I must provide you with sufficient opportunity to reply. Consequentially, the examination timetable will be extended. Please be

assured that I will endeavour 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 you 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 a copy of this letter and any respective responses are placed on the Parish Council and Local Authority websites.

Thank you in advance for your assistance.

Your sincerely

Derek Stebbing

Derek Stebbing
Examiner

Annex

From my initial reading of the updated Buckland Neighbourhood Plan and the supporting documents, I have a small number of initial questions for Buckinghamshire Council and Buckland Parish Council. I would be grateful for the submission of a response by Friday 27 May 2022.

Question for Buckinghamshire Council

1. Can the Council please confirm the current timetable for the emerging Buckinghamshire Local Plan to cover the period to 2040, as referenced in the latest Local Development Scheme (LDS)?

Question for Buckland Parish Council

2. The principal proposed change to the made Plan is the addition of a new Policy (Policy BP1) defining a Settlement Boundary (although also described as a Housing Settlement Boundary) for Buckland Parish. Apart from the text at Page 8 of the draft Plan preceding the proposed Policy, is there any other substantive evidence to support the definition of the boundary? In particular, I seek further evidence to justify the apparent exclusion of non-residential properties/sites from being within the proposed boundary (as described at page 3 of the Basic Conditions Statement).