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and examinations

Report on the Hazlemere Neighbourhood Development Plan 2022 - 2033

An Examination undertaken for Buckinghamshire Council with the support of Hazlemere Parish Council on the September 2022 submission draft version of the Plan.

Independent Examiner: David Hogger BA MSc MRTPI MCIHT

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Main Findings - Executive Summary

From my examination of the Hazlemere Neighbourhood Development Plan (the Plan/HNP) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body, Hazlemere Parish Council;
- The Plan has been prepared for an area properly designated – the Neighbourhood Area as identified on Plan A of the document, on page 6;
- The Plan specifies the period to which it is to take effect (2022 – 2033); and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

1. Introduction and Background

Hazlemere Neighbourhood Development Plan 2022 - 2033

- 1.1 The Neighbourhood Plan encompasses the Parish of Hazlemere which lies to the north-east of High Wycombe. Although much of the Parish is residential in character, there are areas of woodland and other green infrastructure, which contribute significantly to the character of the area. The Parish lies within the Green Belt and within the Chilterns Area of Outstanding Natural Beauty.
- 1.2 I saw on my visit that there is a range of community facilities and services in the Parish, including shops, schools, churches and play areas. The Parish is dissected by the A404 (High Wycombe to Amersham) which at the time of my visit was very busy. I understand why the promotion of sustainable transport is a key issue for Hazlemere Parish Council (HPC).
- 1.3 The task of preparing the Neighbourhood Plan for Hazlemere commenced in September 2020 with a Parish questionnaire. Much of the consultation and formulation of policies was undertaken during 2022 and it is clear that significant time and resources were invested in the plan preparation process.

The Independent Examiner

- 1.4 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Hazlemere Neighbourhood Development Plan by Buckinghamshire Council (BC), with the agreement of HPC.
- 1.5 I am a chartered town planner and former government Planning Inspector, with extensive experience in the preparation, examination and implementation of development plans and other planning policy documents. I am an independent examiner, and do not have an interest in any of the land that may be affected by the draft Plan.

The Scope of the Examination

- 1.6 As the independent examiner I am required to produce this report and recommend either:
 - (a) that the neighbourhood plan is submitted to a referendum without changes; or
 - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
 - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.

- 1.7 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended)('the 1990 Act'). The examiner must consider:
- Whether the plan meets the Basic Conditions.
 - Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
 - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;
 - it does not include provisions and policies for 'excluded development'; and
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
 - Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum.
 - Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended)('the 2012 Regulations').
- 1.8 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

- 1.9 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:
- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - Contribute to the achievement of sustainable development;
 - Be in general conformity with the strategic policies of the development plan for the area;

- Be compatible with and not breach European Union (EU) obligations (Note: the existing body of environmental regulation is retained in UK law); and
 - Meet prescribed conditions and comply with prescribed matters.
- 1.10 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the plan does not breach the requirement of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

2. Approach to the Examination

Modifications

- 2.1 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix.

Planning Policy Context

- 2.2 The Development Plan for this part of Buckinghamshire, not including documents relating to excluded minerals and waste development, is the Wycombe District Local Plan (WDLP) adopted in July 2019, and the Delivery and Site Allocations Plan, adopted in June 2013. Work has commenced on a new Local Plan for Buckinghamshire, which must be produced within five years of the Buckinghamshire authority coming into being, that is, by April 2025.
- 2.3 I am aware that a Development Brief for 'Land off Amersham Road, including Tralee Farm' was finalised by BC in September 2022. I note that the document addresses Open Space; Education; Climate Change; Character and Design; Canopy Cover; Biodiversity; and Off-Site contributions. I have given consideration as to whether or not the policies in the HNP are broadly compatible with the advice contained within the Development Brief and I conclude that they are.
- 2.4 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published in July 2021 and all references in this report are to the July 2021 NPPF and its accompanying PPG.

2.5 On the evidence before me I consider it appropriate to succinctly but not exclusively, remind interested parties of a small number of advisory issues as set out in extant guidance. Namely:

- Policies should be clearly written and unambiguous (NPPF paragraph 16 d);
- Plans should avoid unnecessary duplication of policies (NPPF paragraph 16 f); and
- Neighbourhood Plans should support the delivery of strategic policies set out in the local plan (NPPF paragraph 13).

2.6 I make further reference to strategic policies in paragraph 4.10.

Submitted Documents

2.7 I have considered all policy, guidance and other reference documents that I consider relevant to the examination, including those submitted which include:

- the submission draft Hazlemere Neighbourhood Development Plan 2022-2033, dated September 2022;
- Plan A on page 6 of the Plan which identifies the area to which the proposed Neighbourhood Development Plan relates;
- the Consultation Statement, dated September 2022;
- the Basic Conditions Statement, dated September 2022;
- all the representations that have been made in accordance with the Regulation 16 consultation;
- the Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening prepared by BC, dated September 2022;
- the responses from both BC and HPC dated January 2023 to my questions dated 19 December 2022;
- the response from BC dated 10 February 2023 to my supplementary request related to strategic policies dated 30 January 2023; and
- the proposed Local Green Space revisions provided by HPC (prepared in collaboration with BC) on 8 February 2023, and the further clarification from HPC on 13 February 2023 in response to my additional questions dated 1 February 2023.

These documents can be viewed on Buckinghamshire Council's web site: [Neighbourhood plans | Buckinghamshire Council](#)

Site Visit

2.8 I made an unaccompanied site visit to the Neighbourhood Plan Area on 5 January 2023 to familiarise myself with the locality, and visit relevant sites and areas referenced in the Plan and evidential documents.

Written Representations with or without Public Hearing

- 2.9 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The HNP has been prepared and submitted for examination by HPC, which is a qualifying body for an area that was designated by Buckinghamshire Council on 28 September 2021.
- 3.2 It is the only Neighbourhood Plan for the Parish and does not relate to land outside the designated Neighbourhood Plan Area.

Plan Period

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2022 to 2033.

Neighbourhood Plan Preparation and Consultation

- 3.4 The Consultation Statement (September 2022) clearly explains the processes and procedures that have been followed during the preparation of the HNP.
- 3.5 I am able to conclude that opportunities to contribute towards the preparation of the Plan have been available to all interested parties at the relevant stages. This includes the Regulation 14 pre submission consultation, which ran from 30 May 2022 to 8 July 2022 (subsequently extended to 11 July 2022 to ensure the consultation met the minimum 6 weeks requirement) and the Regulation 16 publication stage consultation, which ran from 29 September to 10 November 2022. I also consider that, overall, the approach taken towards the preparation of the HNP has been conducted in a fair, proportionate and inclusive manner. The relevant advice on plan making and community engagement (for example, PPG Reference ID: 61-030-20180913) has been heeded and I consider the legal requirements have been met.

Development and Use of Land

- 3.6 The Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

Excluded Development

3.7 The Plan does not include provisions and policies for 'excluded development'.

Human Rights

3.8 I have seen no evidence that the Plan breaches Human Rights (within the meaning of the Human Rights Act 1998), and it is not a matter that has been raised by any of the respondents, including BC. From my own, independent assessment I am satisfied that no compliance issues arise.

4. Compliance with the Basic Conditions

EU Obligations

4.1 The SEA and HRA Screening undertaken by BC concludes that neither an SEA nor an HRA are required. No sites are allocated in the Plan for housing; the HNP includes local green space allocations; construction standards are set out; and there are no nearby Special Areas of Conservation. There were no objections to these findings from any of the statutory consultees and from my own independent assessment I support the conclusions of the updated Final Screening Outcome, dated 21 September 2022.

Main Issues

4.2 I have approached the assessment of compliance with the Basic Conditions of the Hazlemere Neighbourhood Plan as two main matters:

- General issues of compliance of the Plan, as a whole; and
- Specific issues of compliance of the Plan policies.

General Issues of Compliance of the Plan

National Policy, Sustainable Development and the Development Plan

4.3 There are six chapters in the HNP, which are the Introduction and Background; The Neighbourhood Area; Planning Policy Context; Community Views on Planning Issues; Vision, Objectives and Land Use Policies; and Implementation. There is also an Appendix regarding Green Infrastructure. The Basic Conditions Statement (September 2022) explains how the HNP has met the legal requirements; taken into account national policies; and not breached EU and sustainability obligations.

4.4 Subject to the detailed comments and recommended modifications that I set out below, I conclude that the HNP has had proper regard to national policy

and guidance. I also conclude that subject to the recommendations that I make:

- The HNP is in general conformity with the strategic policies of the adopted Development Plan for the area, and that overall, the document provides an appropriate framework that will ensure that the Vision of the Parish Council (as set out on page 20) will be achieved; and
- That the policies, as modified, are supported by appropriate evidence, are sufficiently clear and unambiguous and that they can be applied with confidence (PPG Reference ID: 41-041-20140306).

Specific Issues of Compliance of the Plan's Policies

[Chapter 1: Introduction and Background \(page 6\)](#)

- 4.5 The Introduction explains the area covered by the HNP; establishes the purpose of the document; summarises the aims and objectives of the Parish Council; and makes reference to the SEA and HRA.

[Chapter 2: The Neighbourhood Area \(page 10\)](#)

- 4.6 Chapter 2 includes information about the population of the Parish; a brief history of the area and a summary of recent local planning issues, which includes the allocation of two major sites for development at Terriers Farm and Terriers House (500-541 dwellings); and on land off Amersham Road including Tralee Farm (350 dwellings). These are Local Plan allocations.

[Chapter 3: Planning Policy Context \(page 13\)](#)

- 4.7 This chapter summarises national planning policy and strategic planning policy and it lists the key provisions of the Wycombe District Local Plan that relate to Hazlemere. These include four specific site allocation proposals: the aforementioned proposals at Terriers Farm (500-541 dwellings) and Amersham Road/Tralee Farm (350 dwellings); and two further proposals at the Highbury Works (14 dwellings) and Queensway (for a cemetery).
- 4.8 Reference is made to the Wycombe District Delivery and Site Allocations Plan (2013) and to other Development Plan matters. There are also two informative paragraphs regarding the Chilterns AONB.
- 4.9 Paragraph 3.3 (page 13), however, relates to strategic policy and the Green Belt and provides nothing 'new' to aid the decision maker. It is clear from paragraph 3.2 of the HNP that NPPF paragraphs 66 and 67 are not considered by the Parish Council to be especially relevant to this Neighbourhood Plan. I recommend paragraph 3.3 should be deleted (**PM1**).

- 4.10 There is a lack of clarity regarding which policies of the Wycombe Local Plan are defined as ‘strategic’. This is of importance because NPPF paragraph 18 makes it clear that Neighbourhood Plans should ‘contain just non-strategic policies’. I therefore sought clarity on the matter from BC and it has confirmed (in their response of 10 February 2023) which policies of the Local Plan are considered to be strategic. I therefore recommend **PM2**, which clarifies paragraph 3.6 (page 14) entitled ‘Strategic Planning Policy’. This will ensure that the Basic Conditions are met.

[Chapter 4: Community Views on Planning Issues \(page 18\)](#)

- 4.11 This chapter clearly summarises the consultation that was undertaken in the formulation of the HNP.

[Conclusions on Introductory Chapters 1 to 4](#)

- 4.12 I am satisfied that Chapters 1 to 4 satisfactorily introduce the reader to the characteristics of the area; the existing planning framework; some of the issues to be addressed in the HNP; and the community consultation that was undertaken.

[Chapter 5: Vision, Objectives and Land Use Planning Policies \(page 20\)](#)

- 4.13 A clear Vision for the Parish is set out in chapter 5 and this is translated into four key objectives on which the Neighbourhood Plan is based. There then follows a brief introduction to the policies of the HNP. All these elements are of benefit to the decision maker.

[Policy HAZNP1: Delivering Homes for First Time Buyers and Downsizers \(page 21\)](#)

- 4.14 Policy HAZNP1 provides support for the provision of new homes for first time buyers and downsizers. The supporting text explains that an alternative to extending existing dwellings to accommodate family members is required, and that this can best be achieved through the provision of affordable homes.
- 4.15 It has been confirmed by the Parish Council, in the response (dated January 2023) to my Question 6, that the policy is intended to apply to all schemes that are not covered by WDLP policy DM22 (Housing Mix). That policy relates to sites of 10 dwellings or more and therefore I interpret that as meaning policy HAZNP1 applies to sites of below 10 dwellings. This should be made clear in the policy. Similarly, the policy refers to the ‘encouragement’ of the provision of new affordable homes. This lacks sufficient clarity and therefore I recommend the use of the word ‘supported’ instead. These recommendations are set out in **PM3**.
- 4.16 The policy refers to the Wycombe District Housing Intensification Supplementary Planning Document and the Wycombe District Residential

Design Guide but there is little reference to these documents in the supporting text. In the interests of clarity, I recommend the insertion of additional wording into paragraph 5.7 (**PM4**). Concerns were expressed in the Regulation 16 response from Nexus Planning regarding the age of these documents but they have been formally adopted (I recognise they do not form part of the Development Plan for the area) and I am satisfied there is no substantive reason why they should not be given ‘full’ regard.

- 4.17 Paragraph 5.6 refers to defining the types of home required, as those that ‘will fall within Bands A to C of the Council Tax’. Whilst I accept that the reference is only in the supporting text and not in the policy, I do not consider it to be an appropriate starting point because the decision maker (and indeed some applicants) are unlikely to be cognisant of the Council Tax bands. I therefore recommend the deletion of paragraph 5.6 (**PM5**). Buckinghamshire Council has confirmed in the response (dated January 2023) to my Question 10 that it works towards nationally described space standards for dwellings, and I have no reason to conclude that this approach is not appropriate.
- 4.18 Policy HAZNP1 (as modified) has appropriate regard to national policies and advice and meets all the other Basic Conditions.

[Policy HAZNP2: Protecting and Improving Green Infrastructure \(pages 22 to 26\)](#)

- 4.19 The second sentence of Clause A relates to the implementation of the policy but doesn’t satisfactorily explain how a decision maker should interpret the relationship between development proposals and how the infrastructure provisions of the policy will apply. Therefore, I recommend in **PM6**, the necessary modifications, including the deletion of the second sentence of Clause A and its replacement with advice regarding proposals in or near to the green infrastructure network.
- 4.20 Clause C lists 8 designated Local Green Spaces (LGS). However, on reconsideration of this issue, HPC has concluded that the list should be revised to include only 5 areas of LGS (see response dated 8 February 2023) – all different to those in the aforementioned list of 8. It has been confirmed by HPC that no objections have been received regarding these 5 areas and therefore I recommend the deletion of the 8 sites in Clause C and their replacement with the other 5 sites. It is also necessary, firstly, to replace the last sentence of Clause C in order to clarify the matters to be addressed in the consideration of proposals that effect an area of LGS; and, secondly, to delete Clause D, relating to Local Amenity Spaces. There is no nationally recognised designation entitled Local Amenity Space and there is no foundation in the Wycombe District Local Plan on which to launch such a designation. The Basic Condition requiring the HNP to be in general conformity with the strategic policies of the development plan for the area would not be met. The modifications are all set out in **PM7**.

- 4.21 BC advise on page 10 of the response (dated January 2023) to the Examiner's Questions that the removal of trees could be allowed in some circumstances, and I am satisfied that Clause E of policy HAZNP2 satisfactorily reflects that position. The policy does not stop the felling of trees where it is justified.
- 4.22 Paragraph 5.15 refers to the requirement, in policy HAZNP2 Clause E, for future canopy cover of at least 25% of the site area within 10 years. I have seen no substantive evidence that would lead me to conclude that this is a realistic aspiration in all cases. Each situation will be different and therefore I consider a more flexible approach is justified. Consequently, I recommend, in **PM8** and **PM9**, that the reference to 10 years be deleted from the policy and from the supporting text and replaced with a reference to 'an agreed timetable' for the 'provision' of the canopy.
- 4.23 The Chiltern Society (Rep ID ANON-4CAQ-T8KE-5) has concluded that development at Terriers Farm will have a significant impact on open space in the Parish. However, I have seen no substantive evidence to support that claim and I am satisfied that policy HAZNP2 (as modified) provides sufficient protection for, and improvement of, green infrastructure.
- 4.24 The protection and improvement of green infrastructure is a key national objective and policy HAZNP2, as recommended to be modified, is in conformity with the strategic policies of the Development Plan and meets all the other Basic Conditions.

[Policy HAZNP3 Delivering Zero Carbon Buildings \(pages 27 to 29\)](#)

- 4.25 The wording of this policy is, in general, sufficiently clear but a degree of flexibility is required in order to acknowledge that there may be circumstances where the requirements of the policy cannot be satisfactorily applied (e.g. in relation to buildings of heritage significance). Therefore, I recommend the replacement, in Clause A, of 'must' by 'should' in **PM10**. The document referred to in Clause C should be 'Post Occupation Evaluation Report' and this modification is recommended in **PM11**.
- 4.26 Reference is made by HPC to including an Appendix which establishes in more detail what is expected in the preparation of a Post Occupation Evaluation Report. Whilst I agree that such additional information would be helpful, it is not required to ensure that the HNP meets the Basic Conditions. Such advice could be published as an independent planning advice document, if so required.
- 4.27 In Clause B there is reference to certified schemes being 'encouraged'. This is insufficiently precise and therefore I recommend the word 'supported' is used instead (**PM12**).

- 4.28 Clause C relates to standards of sustainable building construction and although PassivHaus is referred to, there is the opportunity for equivalent standards to be used.
- 4.29 Paragraph 5.24 adds nothing of substance to the interpretation of the policy and includes speculation regarding land values and build costs that do not appear to me to be based on clear evidence. I therefore recommend the deletion of paragraph 5.24 (**PM13**).
- 4.30 Policy HAZNP3 (as modified) relating to the Delivery of Zero Carbon Buildings contributes to the achievement of sustainable development and meets all the other Basic Conditions.

[Policy HAZNP4 Promoting Sustainable Transport \(pages 30 to 31\)](#)

- 4.31 The promotion of sustainable transport is a key national objective and policy HAZNP4 establishes the Parish Council's approach to the issue. However, greater certainty is required than is provided in the last sentence of Clause B and I therefore recommend the deletion of the sentence (**PM14**).
- 4.32 Paragraph 5.30 confirms that Clause E of the policy is intended as a reminder to applicants. I consider that there is no justification for the Clause, and I note that BC in their Regulation 16 comments advises that it does not align with policies in the Local Plan. I therefore recommend its deletion along with supporting paragraph 5.30 (**PM15** and **PM16**).
- 4.33 Clause F of the policy refers to meeting 'best standards of accessibility' but this is not sufficiently clear and therefore I agree with HPC in their response (dated January 2023) to my Question 12, that the wording should be modified. I recommend accordingly in **PM17**.
- 4.34 Policy HAZNP4 has appropriate regard to national policies and advice and, as modified, meets all the other Basic Conditions.

[Policy HAZNP5 Planning for Sustainable Development at Amersham Road/Tralee Farm \(pages 32 to 42\)](#)

- 4.35 Policy HAZNP5 sets out the requirements for development at Amersham Road/Tralee Farm, which is allocated in the WDLP. A Development Brief for the site, which I have read, was finalised in September 2022 .
- 4.36 The update of a strategic allocation policy (policy HW8 of the WDLP) (Land off Amersham Road including Tralee Farm, Hazlemere) is supported by the PPG (Reference ID: 41-004-20190509) and that is what is achieved in policy HAZNP5. However, I share the concerns of BC regarding the level of repetition there is in the policy (see paragraph 2.5 above). Whilst I understand the wish of HPC to be comprehensive, I consider the need for such extensive

repetition has not been justified. I therefore recommend the deletion of Clauses in the policy that are verbatim repetitions of the requirements of policy HW8 in the WDLP. I also recommend, in the interests of sustainability and clarity, the modification of Clauses B1 and C7 regarding the provision of off-site green infrastructure, on-site and off-site improvements in relation to bus services and the provision of access from both the A404 and Wycombe Road. Policy HW8 of the WDLP does not stipulate that it is vehicular traffic for which access must be provided and this should be reflected in policy HAZNP5. These modifications are all set out in **PM18**.

- 4.37 I have noted that, in terms of the boundary of the site, Plan E in the HNP (page 33) includes additional land to the south (fronting Amersham Road) which is not included in Figure 14 of the WDLP (page 108). I note, however, that this land is identified on the plans in the aforementioned Development Brief and HPC advise that this land is included within a current planning application for the site. I have seen no substantive objections to the inclusion of this land within the site boundary, and indeed Local Plan policy HW8 confirms that 'the opportunity to redevelop existing residential properties fronting Amersham Road' should be considered. To that end, HPC suggest (response dated January 2023) that reference should be made to amending the route of the site boundary to encompass the small parcel of additional land (triangular in shape) in the southern corner of the site. This modification will provide clarity and consistency regarding the development of the land, therefore, I recommend **PM19**.
- 4.38 I have seen no substantive evidence that would lead me to conclude that the identification of two indicative accesses on to Amersham Road, as shown on Plan E (page 33), is not appropriate.
- 4.39 It is evident to me that there are significant issues of debate between the Parish Council and BC, with regard to policy HAZNP5, policy HW8 of the WDLP and the Land off Amersham Road including Tralee Farm Development Brief. However, I am satisfied (bearing in mind the status of the various documents) that the approach to the development of this land in the HNP (as modified) is sufficiently clear. A decision maker should be able to interpret the relevant policies and advice with confidence.
- 4.40 HPC is seeking to achieve a layout that will enable the integration of the existing community with the 'new' residents on the site. This is an appropriate objective, and I am satisfied that the policy framework at national level; in Buckinghamshire Council documents; and at the Parish level, will all contribute to ensuring that it is satisfactorily achieved. Indeed, I am satisfied that there is sufficient policy advice in terms of layout and design (at national and local levels, for example, the National Model Design Guide, the WDLP and the Development Brief for the site) to ensure that development will achieve the objectives of the Parish Council as set out on page 20 of the HNP.

- 4.41 As proposed to be modified, Policy HAZNP5 (and its supporting text) contributes to the achievement of sustainable development and meets all the other Basic Conditions.

Chapter 6 Implementation (page 43)

- 4.42 Chapter 6 explains how the policies of the HNP will be implemented, how development will be managed, and it also sets out the priorities for local infrastructure improvements. There is a list of matters that are described as 'non-planning', having regard to PPG Reference ID: 41-004-20190509.

Policies Map (page 45)

- 4.43 Although I could just decipher the Policies Map, it would benefit from being presented at a clearer scale. It will also have to be modified to correctly identify the Local Green Spaces as set out in modified policy HAZNP2 and to show the amended boundary of the Amersham Road/Tralee Farm site. I recommend accordingly in **PM20**.

Appendix (page 46)

- 4.44 Appendix A relates to the Hazlemere Green Infrastructure Network, and it provides valuable background information for the decision maker. However, it needs to be updated to reflect the contents of modified policy HAZNP2 and this is therefore recommended in **PM21**.

Minor Amendments

- 4.45 Amendments to the text can be made consequential to the recommended modifications, alongside any other minor non-material changes, updates or corrections in agreement between the Parish Council and Buckinghamshire Council (PPG Reference ID: 41-106-20190509). I note that a number of respondents, for example BC and the Chiltern Society make some suggestions of a relatively minor nature to improve and update the Plan. These suggestions are not related to meeting the Basic Conditions but nevertheless might be considered by HPC.

5. Conclusions

Summary

- 5.1 The Hazlemere Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following

consultation on the Neighbourhood Plan, and the evidence documents submitted with it.

- 5.2 I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates but having considered all the evidence I do not consider there is any substantive justification for such an extension.
- 5.4 The Hazlemere Neighbourhood Plan as modified has no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

Overview

- 5.5 Whilst it is evident that HPC and BC have not always arrived at a shared view on the most appropriate approach of the Neighbourhood Plan, it is nevertheless apparent that significant effort has been invested by all who have been involved in the preparation of the HNP and the resultant document is generally well presented and clear. It does not unnecessarily attempt to restrict development but seeks to ensure that any new development meets the appropriate requirements, particularly in terms of sustainability.
- 5.6 It is clear to me that the implementation of the policies in the HNP (as modified) will secure the realisation of the Parish Council's Vision and that Hazlemere will retain its attractive characteristics, while at the same time ensuring that a sustainable future is achieved. I am confident that the Plan, in the words of the Parish Council Chair, 'will be a useful addition to the local planning process for the years ahead'.

David Hogger

Examiner

Appendix: Modifications (21)

Notes

Additions are show in bold and deletions denoted with ~~strikethrough~~.

Page references are those in the submitted draft Hazlemere Neighbourhood Plan.

In the interests of brevity, where whole sections or paragraphs have been deleted, the modification refers to the deletion of all the text.

PM1 Page 13 Paragraph 3.3

Delete all of paragraph 3.3.

PM2 Page 14 Paragraph 3.6

Delete all of paragraph 3.6 and replace it with:

3.6 The Neighbourhood Plan must be in general conformity with the strategic policies of the development plan. Strategic policies are those which address strategic priorities in line with the requirements of Section 19 (1B-1E) of the Planning and Compulsory Purchase Act 2004. The adopted Wycombe District Local Plan of 2019 specifically identifies policies CP1 to CP12 as being strategic in nature, but other Local Plan policies are also considered to be strategic, for example policies HW7, HW8, HW20 and DM34.

PM3 Page 21 Policy HAZNP1

Modify the first sentence of the policy to read:

Proposals for the development of new homes, **on sites of under 10 dwellings** within the built-up area of Hazlemere that are suited by their size, type and affordability to first time buyers and to households wishing to downsize to smaller homes in the village ~~are encouraged~~ **will be supported**.

PM4 Page 21 Paragraph 5.7

Modify the second sentence of paragraph 5.7 to read:

It also connects the provisions of Policy DM35 directly to the Housing Intensification Supplementary Planning Document (SPD) **and the Residential Design Guidance** adopted by Wycombe District Council in 2011 **and 2017 respectively**. ~~and which is especially~~ **Both documents are** relevant to guiding proposals **for infill schemes to prevent 'town cramming' and over-development** in urban areas like Hazlemere.

PM5 Page 21 Paragraph 5.6

Delete all of paragraph 5.6.

PM6 Page 22 Policy HAZNP2

Delete all of Clause A and replace it with:

The Neighbourhood Plan identifies, on the Policies Map and on Plan D (page 26), a Hazlemere Green Infrastructure Network, comprising sites of biodiversity value, woodlands, significant trees and hedgerows, water courses and bodies, green spaces and amenity land. Development proposals that lie within or adjoining the Green Infrastructure Network must demonstrate how they will maintain or improve the functionality of the Network.

Amend Clause lettering and subsequent paragraph numbers accordingly.

PM7 Page 22 Policy HAZNP2

Delete all the 8 sites referenced in Clause C and replace the list with:

- 1. Queensway pond area**
- 2. Highfield Way space**
- 3. Maple Close space**
- 4. Lowfield Way space**
- 5. Beechfield Way space**

Delete the last sentence of Clause C and replace it as follows:

~~Proposals for development on a Local Green Space will only be supported in very special circumstances.~~

Proposals for development on a Local Green Space will only be allowed if it is satisfactorily demonstrated that they are consistent with policies for managing development in Green Belts.

Delete all of Clause D.

PM8 Page 23 Policy HAZNP2

Modify the last sentence of (existing) Clause E to read:

In addition, on sites of 0.5 ha or more, future canopy cover of at least 25% of the site area within ~~ten years~~ **an agreed timetable** should be achieved.

Clause E should become Clause D (as a consequence of PM7).

PM9 Page 25 Paragraph 5.15

In the penultimate sentence of the paragraph delete 40 years and replace it with **an agreed timetable**.

PM10 Page 27 Policy HAZNP3

Modify the start of Clause A to read:

All development ~~must~~ **should** be 'zero carbon ready by design' to minimise...

PM11 Page 27 Policy HAZNP3

Modify the title of the document at the end of the first sentence of Clause C:

Post ~~Construction~~ **Occupation** Evaluation Report.

PM12 Page 27 Policy HAZNP3

In third line of Clause B replace:

~~encouraged~~ with **supported**.

PM13 Page 31 Paragraph 5.24

Delete all of paragraph 5.24.

PM14 Page 30 HAZNP4

Delete the last sentence of Clause B:

~~Where these goals cannot be achieved then a financial contribution may be required as mitigation.~~

PM15 Page 30 Policy HAZNP4

Delete all of Clause E:

~~Where possible, the improvements to transport infrastructure in the Parish as set out in the Wycombe District Local Plan must have commenced their implementation before or at the same time as an approved major development is implemented.~~

PM16 Page 31 Paragraph 5.30

Delete all of paragraph 5.30 (about Clause E).

PM17 Page 30 Policy HAZNP4

Modify Clause F to read:

All developments must ensure that transport routes and public spaces within the development ~~meet best standards of accessibility~~ **are accessible in their design and layout**, so that the whole development meets the needs of people with a wide range of disabilities, including age related impacts and hidden disabilities.

PM18 Page 32 Policy HAZNP5

Modify policy HAZNP5 by the deletion of Clauses A2, A3, B6, C6 and C8:

~~A2 to maintain a sense of separation between Hazlemere and Holmer Green through the layout of the site;~~

~~A3 to redevelop the existing coach yard and riding stables.~~

~~B1 to provide vehicular access from the A404;~~

~~B6 to provide or contribute to off-site highway improvements as required by the highway Authority.~~

~~C6 to provide a landscape setting to the site on its southern boundary, along the A404 which is the boundary to the Area of Outstanding Natural Beauty~~

~~C8 to manage local sources of flood risk.~~

Modify Clause B1 to read:

To provide vehicular access from the A404 **and Wycombe Road**;

Add a new requirement in Clause B to read:

To make provision, where justified, for on-site and off-site improvements in relation to bus services;

Modify Clause C7 to read:

To contribute to off-site green infrastructure network improvements adjacent to the site as appropriate;

The lettering/numbering of the Clauses should be amended accordingly.

PM19 Page 33 Plan E

Modify the site boundary as shown on plan E to include all the land identified as 'Additional Area' in Figure 2 of the 'Land off Amersham Road including Tralee Farm Development Brief'.

PM20 Page 45 Policies Map

Modify the Policies Map to accord with the contents of modified policy HAZNP2.

PM21 Page 46 Appendix A Hazlemere Green Infrastructure Network

Modify Appendix A to accord with the contents of modified policy HAZNP2 (Protecting and Improving Green Infrastructure).