

Wooburn and Bourne End Neighbourhood Development Plan 2013-2033

**A report to Buckinghamshire Council on the
Wooburn and Bourne End Neighbourhood
Development Plan**

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Executive Summary

- 1 I was appointed by Buckinghamshire Council in November 2022 to carry out the independent examination of the Wooburn and Bourne End Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 19 December 2022.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on three specific matters. The first is maintaining the separation of the various settlements in the parish. The second is the designation of a package of local green spaces. The third is the inclusion of specific policies to add value to the policies in the adopted Local Plan on the strategic sites in the parish.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
31 May 2023

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Wooburn and Bourne End Neighbourhood Development Plan 2020-2033 ('the Plan').
- 1.2 The Plan was submitted to Buckinghamshire Council (BC) by Wooburn and Bourne End Parish Council (WBEPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan. The neighbourhood area was designated in February 2015 by the former Wycombe District Council (WDC). WDC has since been incorporated into the newly-created Buckinghamshire Council (which came into effect on 1 April 2020).
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018, 2019 and 2021. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine the submitted Plan against the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the Plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive, and to be complementary to the existing development plan. It seeks to provide a context in which the neighbourhood area can maintain its character and appearance and the separation between its various settlements
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by BC, with the consent of WBEPC, to conduct the examination of the Plan and to prepare this report. I am independent of both BC and WBEPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted should proceed to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

Other examination matters

- 2.6 In examining the Plan, I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report and am satisfied that they have been met.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the Buckinghamshire Council SEA/HRA Screening report (April 2020).
- the representations made to the Plan.
- WBEPC's responses to the clarification note (including those prepared by its consultant).
- BC's responses to the clarification note.
- the adopted Wycombe District Local Plan (2013-2033).
- the adopted Delivery and Site Allocations Plan.
- the National Planning Policy Framework (July 2021).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 19 December 2022. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is addressed in more detail in Section 5 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Some of the representation suggested that elements of the Plan should be considered at a hearing. Having considered all the information before me, including the representations, I concluded that the Plan could be examined by way of written representations and that a hearing was not required. In reaching this decision I took account of the detailed nature of the representations received and the details in the responses from WBEPC and its consultant.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such, the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) (Amendment) Regulations 2012, WBEPC prepared a Consultation Statement. It is proportionate to the neighbourhood area and its policies. It sets out key findings in a concise report which is underpinned with a series of more detailed tables and appendices.
- 4.3 The Statement records the various activities that were held to engage the local community and the feedback from each event. It helpfully summarises the feedback from each phase of the consultation process and what was taken into the following stages of the production of the Plan. It also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (December 2021 to January 2022). Attachment 4 provides details about the way in which the Plan was refined as a result of this process. This analysis contributes significantly to the legibility of the relevant information and helps to describe how the Plan has progressed to the submission stage.
- 4.4 The Statement sets out details of the range of consultation events that were carried out in relation to the initial stages of the Plan which included:
- the mail drop to every household in the parish;
 - the use of the Target magazine to raise awareness about the Plan;
 - the surgeries in the Parish Council Offices;
 - presentations to local groups and meetings; and
 - provision of information about the Plan at stalls at various events held in 2018.
- 4.5 Consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. BC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Consultation Responses

- 4.6 Consultation on the submitted plan was undertaken by BC. It ended on 3 November 2022. This exercise generated representations from the following organisations:
- Wooburn and Bourne End Parish Council
 - Future of Our Village Forum

- Marlow Local Group
- Catesby Estates
- IM Land
- Thames Water
- Natural England
- Historic England
- Capreon
- Hawks Hill Widmoor Residents Group
- Manor Farm, Wooburn Green
- Buckinghamshire Council

4.7 Comments was also received from several local residents.

4.8 I have taken account of all the representations in preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area is the parish of Wooburn and Bourne End. Its population in 2011 was 10792 persons living in 4866 households. It is located to the south-east of High Wycombe and to the south-west of Beaconsfield. The M40 runs through the northern part of the parish. It was designated as a neighbourhood area in February 2015 by the former WDC.
- 5.2 Bourne End is the principal settlement in the parish. It has a close functional relationship with the River Thames to its immediate west. It also enjoys an attractive village centre with a range of national and independent stores. Wooburn Town and Wooburn Green occupy the central part of the parish along the A4094. The relationship between the different built parts of the parish is complex and is addressed in several of the policies in the Plan. As the Plan comments the parish is a collection of villages and smaller communities linked by the River Wye and which has driven the historic development of the area with numerous mills using its water.
- 5.3 The remainder of the neighbourhood area is attractive countryside. Part of the parish lies within the Green Belt

Development Plan Context

- 5.4 The development plan for the neighbourhood area is well-developed and up-to-date. The Wycombe District Local Plan 2013-2033 (WDLP) was adopted in August 2019. The Plan advises that the District had one large town (High Wycombe) and three smaller main settlements (Princes Risborough, Marlow and Bourne End). It comments that these four larger settlements have the widest range of facilities, and the best provision of public transport, and thus present the more sustainable locations for development in the District. Most of the housing development required over the plan period is therefore located in these towns, including a significant amount on brownfield land.
- 5.5 Policies CP2 and CP3 set out a spatial strategy for the former District. Policy CP3 identifies Wooburn and Bourne End as a Tier 2 settlement and identifies that development will proceed through developing suitable previously-developed land within the built-up area, on the former Reserve Site at Slate Meadow, and on land removed from the Green Belt.
- 5.6 Policy CP4 (Delivering Homes) continues this approach. It proposes the delivery of 800 homes at Bourne End and Wooburn. This approach is then consolidated in Policies BE1 (for Slate Meadow -150 homes) and BE2 (for Holland Farm – 467 homes).
- 5.7 In addition to these policies, the following other policies in the WDLP have been particularly important in underpinning the approach taken in the submitted Plan:
- Policy CP6 Securing vibrant and high-quality town centres;
 - Policy CP8 Protecting the Green Belt;

- Policy CP9 Sense of Place; and
- Policy BE3 Health Facilities in Bourne End and Wooburn.

5.8 The submitted Plan has been prepared within its up-to-date development plan context. In doing so, it has relied on up-to-date information and research that has underpinned existing planning policy documents. This is good practice and reflects key elements in Planning Practice Guidance on this matter. The submitted Plan seeks to add value to the different components of the development plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement

Visit to the neighbourhood area

- 5.9 I visited the neighbourhood area on 19 December 2022. I approached from Taplow and Cliveden from the south (via the M4). This helped me to understand its position in the wider landscape in general and its accessibility to the road network.
- 5.10 I looked initially at Hedsor and the Hawks Hill/Harvest Hill area. In Hedsor I took time to appreciate the character of the conservation area. In Hawks Hill/Harvest Hill I was able to understand better the purpose of Policy HH/1 in the Plan.
- 5.11 I then looked at Wooburn Town and Woburn Green. I saw their different characters. This part of the visit highlighted the clear separation which exists between the different settlements in the parish and the way in which they are connected both by the local road network and the River Wye.
- 5.12 I then drove up Boundary Road (A4094) to look at the northern part of the parish including that part to the north of the M40.
- 5.13 I then looked at Bourne End. I initially saw its range of shops and commercial services focused on The Parade. I took the opportunity to look at the adjacent Library and the Community Centre and the adjacent car parking area. It was clear that this general location was the social and economic heart of the parish.
- 5.14 I then walked along Station Road. I saw that the range of uses become more commercial than retail. I looked at the interesting arrangements at the railway station.
- 5.15 I then walked along Wharf Lane to the River Thames. I saw the very impressive houses in this part of Bourne End. Once I arrived at the River Thames, I took the opportunity to walk along the river path to the west.
- 5.16 I left the neighbourhood area along the A4155 toward Marlow. This further highlighted the importance of the River Thames to the character and layout of the parish.

6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped in the preparation of this section of the report. It is an informative and well-presented document.
- 6.2 As part of this process, I must consider whether the submitted Plan meets the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the 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 in the area;
 - be compatible with European Union (EU) obligations and European Convention on Human Rights (ECHR); and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I assess the Plan against the basic conditions under the following headings:

National Planning Policies and Guidance

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework 2021 (NPPF).
- 6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are particularly relevant to the Wooburn and Bourne End Neighbourhood Development Plan:
- a plan-led system - in this case the relationship between the neighbourhood plan and the WDLP;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.6 In addition to the NPPF, I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination, I am satisfied that the submitted Plan has had regard to national planning policies and guidance subject to the recommended modifications in this report. It sets out a clear vision for the future of the neighbourhood area. It includes a series of policies that address a range of development and environmental matters. It has a focus on securing good design standards for new development and in concentrating new development in sustainable locations.
- 6.8 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise, and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. I am satisfied that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for infill residential development (Policy PD2) and infrastructure development (Policy PD3). In the social role, it includes a policy on community facilities (Policy PD7). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on conservation area (Policies PD1 and PD5), watercourses (Policy PD6), local green spaces/separation of settlements (Policy PD8) and the Hawks Hill and Harvest Hill Area (Policy HH1). This assessment overlaps with the details on this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in this part of Buckinghamshire in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted development plan. Subject

to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

Strategic Environmental Assessment

- 6.13 The Neighbourhood Plan (General) (Amendment) Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.14 In order to comply with this requirement, BC undertook a screening exercise in April 2020 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It concludes that it is unlikely that significant environmental effects will arise from the implementation of the Plan and that SEA is not needed.

Habitats Regulations Assessment

- 6.15 BC also prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. It assesses the likely impact of the submitted Plan on a range of protected sites in close proximity to the parish.
- 6.16 The HRA concludes that the neighbourhood plan will not give rise to likely significant effects on European sites, either alone or in combination with other plans or projects, and that Appropriate Assessment is not required. It also advises that the environmental impacts of the Wycombe District Local Plan have previously been considered in the SA/SEA of that Plan and the HRA appropriate assessment (which was updated to reflect People vs the Wind). It comments that whilst the policies in the submitted Plan need to be considered cumulatively with the Local Plan, they do not obviously create any additional environmental impacts over and above the Local Plan. Natural England comment that the Plan should include a Burnham Beeches SAC specific policy to address the increased recreational pressures on the protected site arising from the development of new homes in the parish. BC reaffirmed its view that such an approach is unnecessary as the submitted Plan does not propose additional development beyond that already identified in the adopted Local Plan.
- 6.17 Having reviewed the information provided to me as part of the examination, I am satisfied that, on the balance of the evidence, a proportionate process has been undertaken in accordance with the various regulations. In reaching this conclusion I have taken account of the flexibility which the regulations provide for a qualifying body to determine the scope of the policies which it intends to include within a submitted Plan.

Human Rights

- 6.18 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the

Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.19 On the basis of my assessment of the Plan in this section of my report, I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies in the Plan given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and WBEPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan.
- 7.6 For clarity, this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial parts of the Plan (Sections 1 to 6)

- 7.8 The Plan is well-organised and presented. It makes an appropriate distinction between the policies and their supporting text.
- 7.9 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies. The Introduction comments about the way in which the Plan was prepared and the Plan period (paragraph 1.2). It properly identifies the neighbourhood area on Maps 1.1 and 1.2. I recommend that the front cover of the Plan also describes the Plan period so that it complies with the statutory requirement for the preparation of neighbourhood plans.

On the front cover replace the text after the Plan title with: '2013 to 2033'

- 7.10 Section 2 comments about a series of thirteen challenges which the Plan has sought to address. They are commendably distinctive to the parish.
- 7.11 Section 3 sets out the vision and objectives for the Plan. It sets out a strong functional relationship between the various issues.

- 7.12 Section 4 sets out details about the parish. It comments about the settlement pattern, the listed buildings and the six conservation areas. It helpfully sets the scene for some of the policies.
- 7.13 Section 5 relates the objectives of the Plan to the policies.
- 7.14 Section 6 comments about the national (NPPF) and local (WDLP) context within which the Plan has been prepared.
- 7.15 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy WBE/PD1 Conservation Areas and Heritage Assets

- 7.16 The policy comments that there will be a strong presumption against the loss of buildings that contribute to the significance of conservation areas and against inappropriate extensions or alterations, unless the harm is demonstrably outweighed by the public benefits of that proposal. It also comments that development proposals affecting heritage assets and archaeological features or their settings must demonstrate that they have fully considered the significance of the heritage assets affected through the preparation of a proportionate Statement of Heritage Significance and have included appropriate measures to conserve those assets.
- 7.17 In general terms the policy takes an appropriate approach to this matter. I recommend that the policy is recast so that it has a positive rather than a negative focus. I also recommend that the final element of the policy is deleted. It describes a process rather than setting out a land use policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental and the social dimensions of sustainable development.

Replace the policy with:

‘Development proposals in conservation areas should respond positively to buildings that contribute to the significance of the area concerned and design extensions or alterations to existing buildings which would respect the character and appearance of the conservation area.

Proposals which would involve the loss of buildings that contribute to the significance of a conservation area and/or which propose inappropriate extensions or alterations to existing buildings will not be supported unless the harm is demonstrably outweighed by the public benefits of that proposal.

Development proposals affecting heritage assets and archaeological features or their settings should demonstrate that they have fully considered the significance of the heritage assets through the preparation of a proportionate statement of heritage significance and have included appropriate measures to conserve those assets, based on their significance.’

Policy WBE/PD2 Residential Infill and Quality Design

- 7.18 This policy identifies five design criteria which will be applied to proposals for infill development.
- 7.19 In general terms the policy takes an appropriate approach to this matter. I have taken account of West Waddy's response to the clarification note (on behalf of WBEPC). Based on all the information available to me I recommend the following modifications to bring the clarity required by the NPPF:
- that the policy should be applied on a proportionate basis. This will acknowledge that not each of the criteria will apply to all development proposals;
 - detailed changes to the wording used in some of the criteria; and
 - the refinement to the principle about density. This acknowledges that new developments may be able to come forward at higher densities than those found elsewhere in the neighbourhood area where design and layout of the proposals are carefully considered
- 7.20 The final criterion in the submitted policy comments about flood risk matters. I recommend that it is deleted for two reasons. The first is that it does not sit comfortably with the remainder of the policy which has a focus on quality design. The second is that it repeats national and local policies on flood risk.
- 7.21 The final part of the policy comments that planning applications which do not consider the various matters could result in a refusal of planning permission. This is more of a statement of fact rather than a planning policy. The application of the policy will be a matter for BC's discretion and judgement. As such I recommend that the final part of the policy is deleted.
- 7.22 Whilst I have recommended that the policy is replaced its wider integrity and approach remains. It is a good local response to the design approach taken in Section 12 of the NPPF. It will contribute to the delivery of the environmental dimension of sustainable development.

Replace the policy with:

'As appropriate to their scale, nature and location, proposals for infill residential development should respond positively to the following design principles:

Density – densities of new development should take account of the densities of existing development in the immediate locality. Development proposals should demonstrate the way in which their suggested higher densities can be incorporated in the surrounding area in a satisfactory manner.

Building line - where the prevailing depth of existing dwellings is a feature of the area, new development should follow that building line.

Visual separation - new dwellings must have appropriate spacing between buildings and which takes account of the overall design and layout of the site concerned.

Building height - new buildings should take account of the height of existing development in the immediate locality and, wherever practicable, reflect the height of existing buildings.

Building materials - building materials for new development should respond positively to the character of the area and, wherever practicable, incorporate vernacular traditions and approaches.'

Policy WBE/PD3 Access and Layout of New Infrastructure Developments

- 7.23 This policy sets out a series of access and parking requirements for new infrastructure. It advises that infrastructure developments include schools, shops, and medical facilities.
- 7.24 BC has commented that the policy brings little value to the way in which it would apply national and local planning policies to developments of this nature. I have taken WBEPC's responses to the clarification note on this matter. On the balance of the evidence, I recommend that the policy is deleted. It brings no added value to the way in which BC would determine any such planning applications. Similarly, there is no compelling evidence to suggest that infrastructure proposals in the parish need any different treatment to those elsewhere in the County.

Delete the policy.

Policy WBE/PD4 Parking Applications

- 7.25 This is a wide-ranging policy on car parking. Its general parts seek to revise BC parking standards. Other elements of the policy comment about the conversion of garage into living spaces and proposals for dropped kerbs.
- 7.26 BC raise a series of technical matters on the policy.
- 7.27 I have considered the policy very carefully and have taken account of the separate responses from WBEPC and West Waddy (on behalf of WBEPC) to the clarification note. On the balance of the evidence, I recommend that the policy is deleted. I have reached this judgement for the following reasons. The first is that the Plan offers no specific evidence or justification for the application of a different approach to the adopted parking standards. The second is that the element of the policy on garage conversions simply repeats the way in which BC would approach such proposals in its capacity as the local planning authority. The third is that proposals for dropped kerbs are processed through the Highways Acts rather than the Planning Acts. As such they cannot be captured in a land use, planning policy

Delete the policy.

Delete the supporting text.

Policy WBE/PD5 Conservation Area Character Assessments

- 7.28 This policy seeks to ensure that the Development Control advice in the various Conservation Area appraisals is applied on a day-to-day basis. As such the policy proposes that they are considered to be supplementary planning documents. I saw the importance of the various conservation areas to the character and to the appearance of the parish. Nevertheless, it is not the responsibility of a neighbourhood plan to prepare supplementary planning guidance for BC. On this basis I recommend that the policy is reconfigured so that it requires proposals in the conservation areas to respond positively to the Development Control considerations in the various appraisals. I also recommend that this approach applies to any updates which might take place to the appraisals and/or the specific development control advice.
- 7.29 The policy proposes the inclusion of the Abbotsbrook Conservation Area in its remit. It comments that whilst it is not in the parish the conservation area borders Oakfield Road and Wharf Lane. I can understand the thinking associated with this approach. Nevertheless, a neighbourhood plan can only address land use issues in the designated neighbourhood area. As such I recommend the deletion of the Abbotsbrook Conservation Area from the policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental and social dimensions of sustainable development.

Replace the policy with:

‘Development proposals in the conservation areas of Berghers Hill, Clapton Mill, Watery Lane, Wooburn Green, Wooburn Town, and Riversdale and Hedsor Road should respond positively to the development control advice in the Character Assessments for the conservation area concerned or to any updates to either the Character Appraisals or the development control advice in the Appraisals.’

Policy WBE/PD6 Watercourses, hedgerows, and bats

- 7.30 This policy provides specific advice to developers on watercourses, hedgerows and on lighting. It includes both general information and specific details on buffers around watercourses and hedgerows.
- 7.31 In general terms I am satisfied that the thrust of the policy is appropriate. It takes account of the interesting and varied biodiversity of the neighbourhood area.
- 7.32 I recommend that the very detailed specifications for buffers are deleted from the policy. Whilst I have taken account of the comments made by West Waddy on behalf of WBEPC (on the comments from the development industry) I am not satisfied that the Plan has provided sufficient evidence to justify the approach taken. Whilst my attention was drawn to the adopted Vale of Aylesbury Local Plan the details in that Plan do not justify a policy of a similar nature in a neighbourhood plan (and in a different former district on the recently-created Buckinghamshire Council).
- 7.33 I also recommend a specific modification to the third part of the policy to remove the unnecessary supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

Replace the policy with:

‘Development proposals adjacent to or containing a watercourse should provide or retain an ecological buffer from the top of the river watercourse bank and the development and include a long-term landscape and ecological management plan for this buffer.

As appropriate to their scale, nature and location development proposals should incorporate a natural buffer around retained and newly-planted native hedgerows and incorporate an unlit dark corridor.

Artificial lighting within new developments should be designed in accordance with the ‘Guidance Note 08/18: Bats and artificial lighting in the UK’ (Institute of Lighting Professionals, 2018).’

Policy WBE/PD7 Community facilities and public houses

- 7.34 This policy identifies a range of community facilities to which Policy DM29 of the WDLP would apply. The use of an established local plan policy is a very practical way to control the future use of such buildings. The identification of the specific buildings in the parish brings the added value required for a neighbourhood plan.
- 7.35 I saw the importance of the various community facilities to the wellbeing of the neighbourhood area during the visit. I am satisfied that the facilities proposed to be included in the policy are appropriate for this purpose.
- 7.36 I recommend that the policy is recast so that it sets out its role and purpose more simply. As submitted it is part policy and part explanation. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social dimension of sustainable development.

Replace the policy with:

‘The Plan identifies the following important community facilities [List the facilities]

Development proposals which would affect an important community facility will be considered against the contents of Policy DM29 of the Wycombe District Local Plan.’

Policy WBE/PD8 Local Green Spaces and Separation of Settlements

- 7.37 This is a wide-ranging policy. It addresses proposed strategic gaps, open spaces, and local green spaces. The policy is underpinned by the Wooburn and Bourne End Parish Council Audit and Assessment (included as Appendices 1 and 2 of the Plan).
- 7.38 The overall nature of the policy raises several issues. On the one hand, it is an expression of the extent to which the local community values open spaces and wishes to ensure the continued separation of the settlements in the parish. In this context it seeks to capture key elements of the WDLP and the Site Allocations Plan on open spaces and the two site allocations in the parish. On the other hand, it presents a very

complex matrix of green and open spaces which largely repeats or restates the approach taken in the WDLP. Moreover, in the case of the green spaces within the two strategic sites the policy pulls in a different direction to the approach taken in the adopted Local Plan. I address the comment parts of the policy in detail in the following sections of the report.

Strategic gaps/allocated sites

- 7.39 This element of the policy acknowledges that the development of strategic sites BE1 and BE2 will result in built development on parcels of land which have historically contributed to the separation of the settlements in the neighbourhood area. It seeks to supplement the approach taken in the WDLP about the need for the two sites to accommodate landscape buffers.
- 7.40 Paragraph 13 of the NPPF comments that neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies and should shape and direct development that is outside of these strategic policies. However as submitted the approach taken in the Plan has the clear potential to undermine the approach taken in the WDLP. In addition I am not satisfied that it would bring added value beyond the approach included in the WDLP.
- 7.41 I have considered this matter very carefully. I am not satisfied that it brings any added value beyond the approach taken in Policies BE1 and BE2 of the WDLP. On this basis I recommend that this element of the policy is deleted.

Open spaces

- 7.42 The Plan includes the details of the open spaces as included in Policy DM12 of the Delivery and Site Allocations Plan. They are shown on Maps 17 and 18 of the submitted Plan.
- 7.43 The development plan is designed to be read as a whole. On this basis there is no need for the submitted Plan to repeat or restate the approach taken in the Delivery and Site Allocations Plan. On this basis I recommend that this element of the policy is deleted.

Local Green Spaces

- 7.44 The Plan proposes a package of local green spaces (LGSs). The supporting text comments about the tests in the NPPF for the designation of LGSs. The Plan provides detailed commentary on the way in which WBEPC considers that the various proposed LGSs meet the criteria for such designation in the NPPF. I looked carefully at the proposed LGSs when I visited the neighbourhood area.
- 7.45 Representations from the development industry comment about the way in which highways verges have been proposed as LGSs. For the purposes of this report and based on my own observations I have considered proposed LGS 1,2,6,12 and 13. I also raised my own question in the clarification about proposed Town Lane Fields (LGS17) given that it is within the Green Belt.

The others proposed LGSs

- 7.46 Taking account of all the information available to me, including my own observations, I am satisfied that the other proposed LGS comfortably comply with the three tests in the paragraph 102 of the NPPF and meet the basic conditions. In several cases they are precisely the types of green spaces which the authors of the NPPF would have had in mind in preparing national policy. The proposed LGS 4 (Stratford Drive), LGS5 (Millennium Green), LGS7 (Branch Lane) and LGS8 (Harvest Hill Open Space) are particularly good examples of green spaces worthy of such designation.
- 7.47 In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 101 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, they are an established element of the local environment and, in most cases, have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed local green spaces would not endure beyond the end of the Plan

Highways Verges (LGSs 1,2, 6, 12 and 13)

- 7.48 I looked at these proposed LGS very carefully. They were largely as described in the Plan. They are incidental green spaces adjacent to the highway. In some cases, they are part of the highway itself.
- 7.49 The purpose of LGS legislation is to allow communities to identify and protect green spaces of particular importance to them. This traditionally involves a degree of filtering out of green spaces which do not meet this standard. Otherwise, every green space in a neighbourhood area would be a potential LGS and such an outcome would generate a situation which would be difficult for the local planning authority (here BC) to administer through the development management process. In addition, it would devalue the significance of the other LGSs which met the tests in paragraphs 101 and 102 of the NPPF.
- 7.50 In this context, I am satisfied that proposed LGSs 2 and 13 are demonstrably special to the local community and hold a particular significance. They provide an important amenity value in addition to their role as highway verges. The proposed LGS2 (Watery Lane) brings openness and greenery to the environment of this part of the parish. In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 101 of the NPPF. Firstly, their designation is consistent with the local planning of sustainable development. Secondly, there is no evidence that the LGSs are incapable of enduring beyond the end of the Plan period.
- 7.51 In contrast, I am not satisfied that the proposed LGSs 1, 6 and 12 are demonstrably special to the local community and hold a particular significance. In addition, I am not satisfied that their proposed designation would accord with the more general elements of paragraph 101 of the NPPF. Firstly, I am not satisfied that their designation is

consistent with the local planning of sustainable development. The designation of the parcels of land as LGS may prevent highways improvements taking place at the various locations to facilitate sustainable development and/or the development of the two allocated sites in the WDLP from coming forward in the Plan period. Secondly, and within this context, I have no assurance that the LGSs are capable of enduring beyond the end of the Plan period.

- 7.52 Based on all the available evidence, I recommend that proposed LGSs 1, 6 and 12 are deleted from the policy.

Town End Fields (LGS17)

- 7.53 The proposed LGS is within the Green Belt. It is proposed as a LGS in the Plan to ensure a separation between Wooburn Green and Wooburn Town.

- 7.54 Planning Practice guidance (ID: 37-010-20140306) requires that qualifying bodies consider the additional benefits which would arise from the designation as parcels of land as LGS beyond their incorporation in the Green Belt. One area which is highlighted is where the designation of land as LGS would help to identify an area which is particularly important to the local community. The Plan does not include any such analysis.

- 7.55 I looked at the proposed LGS carefully during the visit. I saw that it was open shrubland/grassland between the highway and the line of the former railway line. I saw its relationship with the existing industrial uses to the south-west and to the residential uses to the north-east.

- 7.56 On the balance of the evidence, I am not satisfied that the designation of the land as LGS would bring any added value to its inclusion in the Green Belt or that the parcel of land is particularly important to the local community. Whilst the analysis of the site comments that it is a haven for wildlife, no evidence was provided on the matter either specifically to the site or in comparison to the value of other parcels of land for wildlife. I saw nothing in relation to the site which would suggest that it displayed the range of characteristics which would usually cause a qualifying body to propose that it was demonstrably special to the local community and holds a particular local significance. In addition, the intended purpose of the designation (to maintain separation between Wooburn Town and Wooburn Green) is addressed as one of the five purposes of the Green Belt (NPPF paragraph 138b - to prevent neighbouring towns merging into one another). This reflects that the Green Belt is defined primarily around the openness of the land concerned, rather than based on any assessment of its attractiveness.

- 7.57 Based on all the available evidence, I recommend that the proposed LGS is deleted from the policy. Otherwise, the approach to LGSs meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

Delete part 1 of the policy

Delete part 2 of the policy.

Delete LGS1, 6, 12 and 17.

Replace part 3 of the policy with:

‘The Plan designates the following parcels of land as local green space

[Insert the list in the submitted policy without LGS 1, 6, 12 and 17]

Proposals for development on the local green spaces will only be supported in very special circumstances.’

Delete the Statement of Intent.

Replace Policy Objectives with: ‘To identify local green spaces which meet the criteria for such designation in paragraphs 101 and 102 of the NPPF.’

Delete 7.8.3.

Delete Maps 7.1/7.2/7.3.

Delete 7.8.4.

Delete DSA Maps 17 and 18.

Policy WBE/HF1 Hollands Farm New Link Road Width and Bus services

- 7.58 This is the first of three very specific policies in the Plan. In this case its focus is on the Hollands Farm site (Policy BE2).
- 7.59 This is an important site in the wider context of the neighbourhood area. The WDLP comments that it has an indicative capacity of 467 homes. An Illustrative Plan is shown at Figure 38 of that Plan.
- 7.60 Paragraph 5.4.21 and 5.4.22 of the WDLP comment about the traffic implications of the development of the site. They highlight importance of the link road through the site and its uses by public transport.
- 7.61 The policy has three related components:
- that the link road is two lanes wide throughout its length;
 - that car parking along the link road is prohibited; and
 - a bus layby is incorporated for every bus stop on either side of the link road.
- 7.62 In general terms I am satisfied that a policy of this type would be appropriate where it would consolidate and provide further details for a policy in the WDLP. Plainly this needs to be in the broader context of supporting the strategic development rather than hindering its implementation.
- 7.63 The policy has attracted objections from BC, Catesby Estate and Caperon. In summary the representations contend that:
- the requirement for the link road to be two lanes in width throughout its length is impracticable due to the existing restrictions in Princes Road;
 - the policy presents an unnecessary layer of planning policy; and

- the matter is being actively pursued by the developers, BC, and the bus operating company.

7.64 I have taken account of the detailed responses from West Waddy (on behalf of WBEPC) on this matter to the questions in the clarification note. In particular, the letter comments that:

'If this (two -way bus access) is not achieved, it would mean that the policy requirements of Policy BE2 are not complied with, and if development is allowed to proceed in these circumstances it would mean a sub-standard development with no proper bus and emergency access in fundamental conflict with the requirement for sustainable development.'

Plainly this will be a matter of judgement. However, whilst the approach currently being pursued by BC, the developers and the bus company falls shorts of WBEPC's expectations there is nothing to suggest that it falls short of the requirements of the policy in the WDLP. In any event this will be a separate judgement for BC in its role as the local planning authority.

7.65 The policy raises several complex and overlapping issues. Plainly the objective for the link road to have an important role in securing the positive and sustainable development of the site and to have free flowing traffic along the link road is entirely appropriate. Nevertheless, the policy's intention to prohibit parking along the route and/or identify it as a 'red route' are very prescriptive arrangements which take no account of other alternative way of achieving the objectives of the policy in the WDLP. In addition, the requirement for a two-lane carriageway along its full route fails to take account of width restrictions at Princes Road. Some of the technical and practical issues are acknowledged in the West Waddy comments that:

'Given the existing policy commitment in Policy BE2 it is imperative that a way is found to secure two-way bus access along the link road, which will need to be secured through purchase of the necessary land, including by compulsory purchase if necessary.'

7.66 On the basis of all the information available to me I am not satisfied that the policy meets the basic conditions. Its prescriptive approach would not contribute to the delivery of sustainable development in the parish. The approach taken would hinder the natural development of a strategic housing and employment site as allocated in the WDLP. Plainly detailed discussions will need to take place locally on this matter. I have considered the opportunities available to me to recommend modifications to the policy. I have not taken this approach as it would either repeat the contents of Policy BE2 of the WDLP or describe the detailed discussions which are taking place between BC, the developers, and the bus company. As such I recommend the deletion of the policy and the supporting text.

Delete the policy.

Delete the supporting text.

Policy WBE/SM1 Slate Meadow Site Entrance

- 7.67 This is the second specific policy. In this case its focus is on the Slate Meadow site (BE1). It comments that the developer of the site must work with appropriate stakeholders (the School, Highways Authority, Wooburn and Bourne End Parish Council) to identify and implement mitigations that address the safety issues related to the Slate Meadow site access.
- 7.68 I can readily understand the purpose which has underpinned the policy. However, it describes a process which WBEPC would like to take place rather than operating as a land use policy. Policy BE1 of the WDLP comments comprehensively about the development of the site. The second part of the policy provides detailed commentary on access arrangements. Within this well-developed context I have concluded that the proposed policy in the submitted Plan would bring no added policy value to the policy in the WDLP. In these circumstances I recommend that the policy and the supporting text are deleted.

Delete the policy.

Delete the supporting text and Map 8.1.

WBE/HH1 Preserving the Character of Hawks Hill and Harvest Hill Area

- 7.69 This policy sets out a very specific policy to preserve the character of Hawks Hill and Harvest Hill. I looked at its character and appearance during the visit. It was clear that its character was very different to that of Bourne End.
- 7.70 The policy has been designed to bring added value to Policy DM32 of the WDLP which comments about landscape character and settlement patterns. Paragraph 6.132 of the WDLP highlights the importance of the Hawks Hill /Harvest Hill area and comments:
- ‘Some areas of the District, such as the Hawks Hill/Harvest Hill area, display a semi-rural character and this should be protected from development that would introduce an urban character through its design, density or layout. Features such as sunken lanes and low-density development are more characteristic of a rural area and development proposals that introduce features that have urban characteristics would not be appropriate as they are likely to have an adverse impact on these semi-rural areas.’*
- 7.71 I have taken account of the detailed representation by Catesby Estate and the responses made to that representation by West Waddy (on behalf of WBEPC). I am satisfied that in principle it is appropriate for the submitted Plan to include a policy on this part of the neighbourhood area. If the Plan is ‘made’ the policy would operate in conjunction with Policy DM32 of the WDLP. By definition the Local Plan policy applies across the District and does not provide specific guidance on the Hawks Hill/Harvest Hill area. In addition, paragraph 6.132 of the WDLP identifies the importance of the area and in this context, it is perfectly reasonable for WBEPC to propose a specific policy.
- 7.72 The policy sets out three principles for new development.

- 7.73 The supporting text includes a map of the area to which the policy would apply. It reflects the identification of the area in the now-superseded Wycombe Local Plan (2011). Based on my observations during the visit I am satisfied that the definition of the proposed Area is appropriate.
- 7.74 As submitted the policy has a negative tone. I recommend modifications to address this matter and to provide clarity and consistency both to BC and to development industry. I also recommend that the policy clarifies that it provides a spatial definition for the Character Area.
- 7.75 I recommend that the second part of the policy is modified so that it will be clearer about its purpose and intentions. As submitted, it assumes that every proposal in the Character Area will be for new houses. As modified, the second part of the policy would apply specifically to proposals for new housing in the defined Character Area. I also correct an error in the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

Replace the policy with:

‘The Plan defines the Hawks Hill/Harvest Hill Character Area (as shown on the map in paragraph 8.3.2).

Development proposals in the Hawks Hill/Harvest Hill Character Area should respect its semi-rural character by:

- a) promoting schemes which respond positively to the character to the Area through their design, density, layout, or location; and**
- b) incorporating access arrangements or other changes that would complement characteristic features of the Area such as trees, hedgerows, and banks.**

Development proposals for new housing in the defined Area should be for individually-designed buildings in an informal layout which respond positively to the semi-rural character of the area. The associated landscaping details should reflect the semi-rural nature of the surroundings and include indigenous species of trees and hedgerows.

Proposals for Infill or the sub-division of existing plots in the Character Area which would result in an urban format and design which would conflict with its character and appearance will not be supported.’

In Section 8.3 replace ‘Independent Examiner’s...WDLP,’ with ‘Planning Inspector’s examination of the WDLP.’

Other Matters - General

- 7.76 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may

be required elsewhere in the Plan as a result of the recommended modifications to the policies. Similarly, changes may be necessary to paragraph numbers in the Plan or to accommodate other administrative matters. It will be appropriate for BC and WBEPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.

Other Matters – Specific

- 7.77 BC has made a series of helpful comments on the Plan. I have included them in the recommended modifications on a policy-by-policy basis where they are required to ensure that the Plan meets the basic conditions.
- 7.78 BC also raise a series of other matters (mainly relating to nature conservation and biodiversity matters matters). Their incorporation into the Plan would extend its coverage and addresses such issues in greater detail and to good effect. Nevertheless, these matters are not necessary to ensure that the Plan meets the basic conditions. In addition, the issues raised are adequately addressed in national legislation.
- 7.79 In a broader sense the government has given considerable flexibility to qualifying bodies to include the issues which they see fit to feature in their plans. As such it is beyond my remit to recommend modifications to the Plan so that it is expanded beyond the scope as chosen by WBEPC.

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2033. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character and setting of the neighbourhood area, the separation of its settlements and to designate LGSs.
- 8.2 Following the independent examination of the Plan, I have concluded that the Wooburn and Bourne End Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report, I recommend to Buckinghamshire Council that subject to the incorporation of the modifications set out in this report that the Wooburn and Bourne End Neighbourhood Development Plan should proceed to referendum.

Other Matters

- 8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the former Wycombe District Council in February 2015.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner.

Andrew Ashcroft
Independent Examiner
31 May 2023