

8 Questions for both Buckinghamshire Council & Beaconsfield Town Council prefer joint response:

1. Paragraph reference ID: 41-009-20190509 of the Planning Practice Guidance (PPG) on Neighbourhood Planning, advises that 'where a neighbourhood plan is brought forward before an up-to-date local plan is in place (i.e. the Buckinghamshire Local Plan), the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging local plan and the adopted development plan. Could the Councils confirm whether or not such discussions have taken place at this stage in the preparation of the Buckinghamshire Local Plan¹, summarise the conclusions that were drawn, and confirm that at this stage there are no issues of concern regarding the compatibility of the Beaconsfield Neighbourhood Plan and the Local Plan?

BTC and BC have discussed this matter regularly by email and at a meeting held on 2 February 2021. The Local Plan for Buckinghamshire is still in the early stages of the process and BC raises no issues of concern. See also the answer to Q6.

2. The Green Infrastructure and Local Green Space Study (Appendix A) lists 32 areas of publicly accessible green spaces, including 6 specifically designated areas of Local Green Space. However, there is no Appendix C, which I assume is a map of all the sites. I was unable to access the map on the Council's web-site. The sites are 'identified' on the Policies Map (see page 32) but there is no indication of where one area of green space starts and another finishes (for example in the vicinity of the A40/A355 roundabout junction to the south-east of the town). I could find no record of consultation between the Town Council and the land-owners/interested parties (for example I could find no reference to the matter in the Consultation Statement). This apparent lack of consultation, together with the lack of clarity in the depiction of the areas, leads me to a preliminary view that the approach taken may not have been sufficiently inclusive or robust. The BNP must meet all the Basic Conditions and on the evidence before me I am currently unable to conclude that proper regard has been given to national policies and advice contained in guidance issued by the Secretary of State, particularly with regard to consultation. Specifically, Plans should be shaped by early proportionate and effective engagement² and (for example) land-owners 'should, as necessary and appropriate be involved in preparing a draft neighbourhood plan'.³ Firstly, can the Councils confirm what documentation/plans relating to Green Infrastructure and Local Green Space, were made available at both the Regulation 14 and Regulation 16 consultation stages. And secondly, can you respond to the other concerns summarised above?

Appendix C of the Study comprises only a map marking the candidate Local Green Spaces (LGS) listed in Appendix A of the BNP. It was an oversight that the published version of the Study

¹ I note that according to Buckingham Council's web-site the publication, submission and Examination in Public could take place during 2024 and perhaps into early 2025.

² NPPF, Paragraph 16.

³ See PPG Reference ID: 41-048-20140306.

did not include the map, but their location is reasonably clear from the description in the Study and BNP Appendix A. Most importantly the proposed LGSs are very clearly shown on the Policy Map Insets on page 33-35.

The submitted Consultation Statement (p14) explains how LGSs were handled. The candidate LGSs that are in private ownership were not taken forward from the Study to the BNP for the reasons explained in both the BNP and Study and therefore no notification of those owners was necessary prior to the Regulation 14 consultation period. In almost every case this is because BTC was aware that LPAs and NP examiners elsewhere had consistently recommended the deletion of LGS proposals in Green Belt locations as being unnecessary. As a result, BTC can confirm that all the proposed LGSs in Policy BEACON6 are either owned or maintained by BTC. The St Michaels Green LGS is maintained by BTC on behalf of BC, which raises no objection. BTC and BC agree that the regulations and guidance have been complied with.

3. Paragraph 3.11 of the BNP states that Local Plan evidence and reasoning are not relevant in informing the BNP. Nexus Planning argue that recent appeal decisions confirm that a Plan's evidence base 'is still a material consideration'. Do the Councils agree and if so, can some appropriate form of wording be proposed?

BTC notes that §3.11 of the BNP refers only to the withdrawn Chiltern & South Bucks Local Plan and that 'material considerations' relate to decision making and not plan making. However, we suggest that the final sentence of para 3.11 is modified for clarity to read: Its withdrawal means that it is not relevant in informing the Neighbourhood Plan where the basic conditions are concerned.

4. With regard to Policy Beacon11, Nexus Planning suggest that the policy, which seeks that 50% of new housing is provided as 1 and 2 bed dwellings, is unsubstantiated. What is the evidence that justifies this figure?

BTC response: The supporting text to Policy BEACON11 explains how BTC used the data in the Beaconsfield Local Insight Report as its evidence for the policy. The data highlights the problems the town faces with its housing stock, which BTC would expect to see evident again in the Census 2021 data (which was not released in time to inform the policy). In fact, the policy follows through a policy in the former South Bucks Local Plan that although now deleted had a similar intent for the same reason. BTC recognises that this is not an exact science and does not wish to be too prescriptive, hence the flexibility in the policy wording and it applying only to urban land within the town boundary. BTC consider that a reasonable and proportionate approach has been taken to evidencing the policy and therefore see no reason for a modification.

BC do not have any issues to raise on this matter.

5. Nexus Planning concludes that the submission BNP fails to meet three of the Basic Conditions.⁴ How do the two Councils respond to this claim and if necessary, what modifications are required to overcome these 'failures'?

BTC disagree with these objections and disagree that any such 'failures' have occurred for the reasons set out in the BNP and its submitted documentation. BTC consider there is no reason for modifications.

⁴ Regard to national policies and advice; achievement of sustainable development; and general conformity with strategic policies in the development plan for the area. See Paragraph 8(2)(a), (d) and (e) of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

BC agree there is some conflict with the granted outline planning consent and suggest the GI plan is amended to remove all GI areas within the Wilton Park outline (17/01763/OUT) red edge. Attached is the location plan with red edge.

With regard to comments by Nexus on BEACON7 – whilst this policy exists in The Ivers NP, a made plan, BC consider that Nexus' point is valid in that it would be covered by building regulations. A condition would not add value where the building regulations already cover the issue. These concerns are also covered in BC's regulation 16 comments.

6. Guidance on Neighbourhood Planning⁵ states that where it is not possible to set out a housing requirement in a Neighbourhood Plan, the local planning authority should provide an indicative figure if asked to do so. Was such a request made to BC? Bearing in mind my Question 1 above, was there any discussion regarding the allocation of reserve sites and if so, what conclusions were drawn?

BTC has been advised that NPs covering settlements inset from the Green Belt are not able to allocate, reserve or safeguard land in the Green Belt to meet local housing need without adopted strategic policy enabling them to do so (per NPPF §145). BC confirmed there is no such enabling policy in this area and an early review of the BC Brownfield Call for Sites output for the town showed no potential for the BNP to allocate non-housing urban land for housing of any scale. BTC can only therefore use the criteria-based, design related policies of the BNP to shape suitable windfall housing proposals. BC agrees that the provisions of NPPF §67/§68 cannot therefore be applied to the BNP and therefore that BTC did not need to make a request.

7. The submission from Icen (on behalf of Hawridge) refers to a planning application⁶ for 120 dwellings on land at Broad Lane. Has a decision been made on this proposal and if so, does it have any implications for the content of the BNP?

BTC and BC note that the application (PL/23/1801/OA) had not been determined at the time of this response. With the BNP at the examination stage, it is noted that the relevant policies of the BNP now carry moderate weight in its determination, and full weight once the BNP is made. BTC and BC therefore see no reason for modifications.

8. The Beaconsfield Society conclude their comments by stating that 'public engagement has not been successful'. Are both Councils satisfied that the consultation undertaken has met the expected standard?

The position of the Beaconsfield Society (BS) in relation to the BNP project is addressed by BTC in Q20. On this specific point, BTC disagrees with the Society – the submitted Consultation Statement explains how BTC has met and exceeded the requirements of the Regulations.

BC considers that the requirements for consultation laid out in the regulations and guidance have been met and that this is evidenced in the consultation statement adequately.

Question for Buckinghamshire Council (1)

9. Paragraph 13 of the National Planning Policy Framework (NPPF) confirms that Neighbourhood Plans 'should support the delivery of strategic policies contained in local plans

⁵ September 2020.

⁶ PL/23/1801/OA.

or spatial development strategies; and should shape and direct development that is outside of these strategic policies'. Is the council satisfied that this advice has been followed?

See earlier comments and comments to the regulation 16 consultation.

Questions for Beaconsfield Town Council (12)

10. In its representation, Thames Water suggest three modifications relating to water and waste-water infrastructure; water efficiency; and surface water drainage. Are these issues satisfactorily addressed elsewhere (i.e. In the South Bucks Core Strategy - 2011 or the South Bucks Local Plan 1999) or should they be addressed in the BNP?

BTC is advised that this is a templated suggestion that Thames Water makes to every NP in its area. It agrees with the examiner that these policy matters are already addressed by other development plan and national policies and is mindful of NPPF §16 discouraging unnecessary policy duplication. BTC therefore sees no reason for a modification.

11. What is the justification for including land to the east of the A335 (see representation from Henry Adams Planning) as part of the Green Infrastructure Network?

BTC has adopted an approach common to other made NPs in respect of defining and mapping green infrastructure assets. It combined the data from DEFRA's Magic Map system with its own field observations of non-designated physical features likely to have some ecological, habitat corridor or 'stepping stone' value, e.g. matures trees, hedgerows etc. As BC's development management system already knows of the designated sites and priority habitats, there is no need for the policy or map to distinguish between different types of asset, other than for LGSs, which serve a distinct, albeit complementary, policy purpose.

Hence the Policy Map and Insets show the network in only one colour with no need to define boundaries of land with a different asset status in this location or anywhere else (to answer this part of Q2). Where land within the Network is designated for its biodiversity value (e.g. Local Wildlife Site), or is known to have some value (e.g. Priority Habitat or local nature recovery opportunity) then applicants will already have to address this distinct status to comply with adopted development plan policy, without the need for the BNP policy to repeat it.

BTC accepts that identifying and mapping GI features to form the Network cannot be an exact science until more comprehensive, accessible digital data is made available. In the meantime, if BC considers it necessary and possible to make modifications to address some anomalies it has identified without recourse to further consultation, then BTC will agree to such modifications.

12. Nexus Planning suggests, under Beacon5 Point A, that the Policies Map does not take into account the planning status of all the areas it proposes as Green Infrastructure (GI). For example, it includes land proposed for residential development. Could the Town Council respond to the concerns of Nexus Planning with regard to the approved delivery of development at Wilton Park and the potential conflict with the GI designation in this locality?

BTC has identified and mapped existing GI features with the intention that any future development proposals acknowledge, understand and respond to the Network in a way relevant to their location, nature and scale. It does not prevent development and nor can it be applied retrospectively to planning permissions. BTC therefore sees no reason for a modification.

13. Does the Town Council agree with Nexus Planning that the two areas at Wilton Park, identified in paragraph 5.28, are yet to be provided and therefore the text that refers to them is inaccurate. If so, can alternative wording be suggested?

While football playing fields & Wilton Park Parkland have been in existence at Wilton Park for many years, BTC accepts that planned replacement pitches and park are yet to be provided but they are known proposals. The intention of §5.28 was to draw to the attention of the community and other stakeholders the fact there are other green spaces in the NP area boundary that may have been candidates for an LGS designation had they not already been located in the Green Belt. BTC needed to provide this explanation as local residents could not be expected to appreciate the technical planning policy and guidance reasons why those candidates could not be proposed in the policy. BTC considers it is not unreasonable to refer to these spaces for information in what is only supporting text and not policy. It therefore sees no reason for a modification.

14. Policy BEACON1 D refers to development at Wilton Park but I could not find it identified on the Policies Map. Can a suitable Map be prepared?

The policy cross-refers to the adopted Wilton Park SPD for clarity and information. BTC notes that the BC development management system has recorded the SPD boundary and, as there are no specific policy provisions made in the BNP for Wilton Park, it saw no reason for that boundary to be shown on the Policies Map. It therefore sees no reason for a modification but would be happy to add the boundary if the examiner so recommends.

15. Can the Council confirm that none of the proposed Local Green Spaces in Policy BEACON6 are in private ownership?

Yes, see answer to Q2 for further details.

16. Does the Town Council agree with the Nexus Planning claim (regarding the last paragraph under BEACON7) that the wording of paragraph 5.35 does not reflect a considered and evidenced approach. If so, can revised text be provided.

The December 2023 Written Ministerial Statement on this matter was intended by Government to discourage local policy discretion on this matter. BTC has since noted the publication by DLUHC of the 'Future Homes & Buildings Standard' for consultation seeking to achieve this same policy aim through building regulations. It therefore awaits the decision of the examiner as to whether Policy BEACON7 may stand, need to be amended in part or deleted.

17. Burnham Parish Council seeks clarity regarding how proposals will reduce M40/north south bound traffic through the Old Town. I agree that it is not clear. How will this be achieved?

The policy is intended to encourage proposals with these objectives, or that will contribute to achieving these objectives, to come forward. It very clearly does not make specific proposals and nor does it need to. BTC therefore sees no reason for a modification.

18. Icení (on behalf of Hawridge) make observations regarding policies BEACON1, BEACON4, BEACON5, and BEACON11. Could the Town Council respond to the comments made and if necessary, suggest appropriate draft modifications to the Plan?

BEACON1 – the BNP cannot allocate, reserve or safeguard for development land in the Green Belt – see answer to Q6 for further details.

BEACON4 – BTC disagrees.

BEACON5C – BTC notes the policy already includes a ‘wherever possible’ caveat to serve that purpose.

BEACON11 – see BTC answer to Q4 for further details.

As a result, BTC sees no reason for modifications.

19. Savills (on behalf of Portman Estate) comment on BEACON1; BEACON5; BEACON7; BEACON10 and BEACON11. Could the Town Council respond to the matters raised and if necessary, suggest appropriate draft modifications to address them.

BEACON1 – BTC disagrees.

BEACON5 – BTC has no comment to make.

BEACON7 – see BTC answer to Q16 for further details.

BEACON10 – BTC has no comment to make.

BEACON11 - see BTC answer to Q4 for further details.

As a result, BTC sees no reason for modifications.

20. The Beaconsfield Society and many local residents oppose the plan (most of the responses from residents follow a similar path). Could the Town Council respond to the issues raised.

BTC wishes to make some preliminary comments before answering the specific questions. Firstly, given the longstanding prominence in the town of BS, and of its experience in local planning matters, BTC was keen to invite BS to nominate members on to the project steering group at the outset. The invitation was accepted, and some group members were also BS members at its end.

Secondly, both BTC and BS were engaged in objecting to proposals in the withdrawn Local Plan for major development in the Green Belt east of the town in the time leading up to, and including the early days of, the BNP project. The scale and nature of those controversial proposals undoubtedly influenced the project scope, with BS especially keen to see the BNP actively prevent such proposals re-emerging.

However, BTC was aware that there are many constraints on neighbourhood plan policy making in the Green Belt. On advice, it therefore chose to manage the expectations of the local community on what the BNP could achieve by focusing its policies on the land within the town boundary. BTC decided that Green Belt policy matters had to be left to the future BC Local Plan, on which it would seek to exert its influence as a statutory consultee when the opportunities arose. Not wishing to make an enemy of BS it sought to explain this decision on

many occasions throughout the project, and it very much regrets that it has not been able to allay its concerns. BTC is also disappointed that BS saw it necessary to encourage its members and others to submit templated comments.

BTC is mindful that other made NPs in the vicinity have chosen a different approach and BS cites examples. However, NP making is voluntary with BTC free to decide the scope of the BNP's policies that it judges will add the most value within the constraints imposed by national and strategic policy and by the available technical resources. BTC therefore reminds BS that the examiner role here is to examine the policies of the submitted NP and not policies that could have been included but were not.

Plans – as noted above, the BC development management system already has accurate mapping of the Green Belt and National Landscape areas in the NP area boundary. However, BTC accepts that minor discrepancies on Plan A page 6 exist. To improve clarity and avoid confusion this map should be amended to show the Designated Beaconsfield Neighbourhood Area.

BNP §3.6 – this paragraph summarises the policies of the adopted Local Plan that BTC has considered the most relevant in shaping its policies, as explained in the Basic Conditions Statement. It is not intended as an exhaustive list, nor to serve any other purpose, and therefore BTC sees no reason for a modification.

BEACON1A – BTC disagrees.

BEACON1D – BTC disagrees, also see BTC answer to Q14.

BEACON1E – See BTC answer to Q17 for further details.

BEACON2 – BTC considers that BNP §5.13 provides a reasonable explanation.

BEACON3 - See BTC answer to Q17 for further details.

BEACON4 – BTC makes no comment.

BEACON5 – BTC disagrees, see BTC answer to Q11 and Q12.

BEACON6 – BTC disagrees, see BTC answer to Q2 and Q13.

BEACON8 – BTC disagrees.

BEACON9 – BTC disagrees.

BEACON10 – BTC considered this idea that arose in the early BNP engagement activity, but it decided an improved public realm proposal would be outside the scope of the BNP and of the available resource.

BEACON11 – see BTC answer to Q4 for further details.

Absence of Community Facilities Policy – BTC considers that the extent to which BNP policy could add value to established development plan policy has been addressed in its policies BEACON2, BEACON3B and BEACON 4B.

21. Buckinghamshire Council has made a significant number of observations in its regulation 16 response. Whilst one might observe not all the comments relate strictly to meeting the Basic Conditions, they are nevertheless pertinent and in many respects might be argued to go to the issue of clarity. Could the Town Council address the issues raised by BC and suggest consequential modifications to the BNP where appropriate?

BTC has noted the comments made and agrees that few are relevant to the BNP meeting the basic conditions. Of those that are relevant, BTC has answered them above. BTC considers the BNP is already clear in its policy and supporting text wording but it would be willing to agree to necessary modifications with BC for the referendum version, including general updated referencing, any typos or points of clarification.

BEACON1 – BTC will agree to minor modifications.

BEACON2 – BTC disagrees.

BEACON3 – BTC disagrees.

BEACON4 – BTC makes no comment.

BEACON5 – BTC will agree to minor modifications to the text Policies Map and Insets & Plan A page 6.

BEACON6 – BTC makes no comment.

BEACON7 – see BTC answer to Q16 for further details.

BEACON9 – BTC considers that there is sufficient description of the local heritage value of each asset in Appendix B, accepting that for some assets it has been easier to research that value than for others.

BEACON10 – BTC will agree to minor modifications.

BEACON11 - BTC makes no comment.