

**LONGWICK-CUM-ILMER PARISH COUNCIL
AN EXTRAORDINARY MEETING OF THE PARISH COUNCIL WILL BE HELD
ON WEDNESDAY 24TH FEBRUARY 2016
AT 7.30 PM IN LONGWICK VILLAGE HALL**

AGENDA

Public Forum – The first ten minutes are available for the public to express a view or ask a question on relevant matters on the following agenda. The public are welcome to stay and observe the rest of the meeting.

- 1. Welcome and Apologies for Absence.**
- 2. Acceptance of Minutes of the previous meeting on the 16th February 2016**
- 3. Declarations of Interest** - Members are asked to declare any personal interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
- 4. To discuss and decide on action to take following the receipt of the Neighbourhood Plan Examiner's Report and a Report from Wycombe District Council on its implications.**
- 5. To discuss and decide on the comments to submit to Wycombe District Council concerning the planning Application 15/08455/OUT**
- 6. Date of Next Meeting.**

Susanne Griffiths
Clerk to the Parish Council.
19th February 2016

Longwick-cum-Ilmer Neighbourhood Plan Examination – WDC Recommendations

1. Summary

The purpose of the Longwick-cum-Ilmer Neighbourhood Plan ('the **Plan**') is to ensure the sustainable development of Longwick over the next 20 years by providing for a mix of housing subject to policies safeguarding the character of the village, and ensuring development doesn't take place until the delivery of sustainable transport provision. It was the Examiner's view that in order to meet the Basic Conditions alterations to the Plan were required. It is Wycombe District Council's ('**WDC**') view that if those recommendations were accepted the Plan would not achieve sustainable development. For this reason WDC recommends withdrawing the plan as the most appropriate way forward.

2. Aims and purpose of the Neighbourhood Plan

The Plan sets out a development framework to shape future development over the next 20 years (2015-2033). It identifies a new settlement boundary allocating up to 129 houses, with a series of policies prescribing the conditions required to ensure that development brought forward over the Plan period is sustainable.

The key aims of the Plan are to provide for a mix of housing which maintains the rural character of Longwick; to deliver development only with improved public transport provision; to make highways safer for people to walk and cycle; to provide better community facilities; and to support the local economy. These are part of a single integrated strategy for the village. The aims of bringing forward housing, maintaining the character of the village and ensuring development doesn't commence without improved sustainable transport provision being interdependent.

At present Longwick is a small village of approximately 440 homes, which offers very limited public transport, local services and facilities. Without achieving these aims, future development in Longwick would worsen the current unsustainability of development in Longwick.

3. How the Neighbourhood Plan sets out achieving those aims

The key policies for achieving sustainable development are set out in policies A1, A2, A3, and L1-L4. Policy A1 defines a new settlement boundary at Longwick identifying where sustainable development may be acceptable within the settlement boundary (policies L1 – L4), and where it will not be acceptable outside of the settlement boundary. Policy A2 sets

out the housing site allocations along with the requirements for sustainable transport provisions.

Policy A3 seeks to protect the identity of Longwick by preventing coalescence between Longwick and Princes Risborough, whilst allowing for new transport and infrastructure associated with the growth of Princes Risborough and Longwick. It prevents other development in this location in order to maintain a rural gap between the two settlements.

Policies L1 to L4 allocate sites for housing with a series of criteria to ensure development on those sites is sustainable. Typically each policy sets out a density requirement to ensure development is in keeping with the local character; provides for sustainable urban drainage systems, recognising surface and ground water issues; provides for pedestrian and cycle links; provides for open space; designs to minimise impacts on long distance views; identifies minimum set back distances between houses; provides appropriate landscaping; and ensures sufficient capacity for waste water and water supply, recognising the current sewerage capacity problems.

4. Results of the Examiner's Report

The Plan was submitted for examination on 8 December 2015 and the Examiner Report was received by Wycombe District Council and the Parish Council on 11 February 2016. The Examiner's Report makes a number of significant recommendations in order for the Plan to meet the Basic Conditions.

Before considering those recommendations it is important to note that the tests which a Neighbourhood Plan is required to meet before being put to a referendum are the 'Basic Conditions' set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. Crucially, when examining a Neighbourhood Plan an examiner is not required to consider the test of soundness (as set out in paragraph 182 of the NPPF) with which Local Plans must comply.

It should also be noted that the standard of evidence required to satisfy the 'Basic Conditions' is lower than what would be required when examining a district wide Local Plan. Indeed, the Examiner of the Longwick Neighbourhood Plan exercised his discretion not to hold a hearing and the Parish Council and WDC had only a limited opportunity to explain the objectives and purposes of the Plan.

For policy A1 the Examiner supports the housing allocations within the settlement boundary. However, he recommends removing the part of the policy which limits development to rural uses outside of the settlement boundary. This essentially removes the limit to development

outside of the settlement boundary and severely restricts the ability to direct where development should take place. The effect is that the policy no longer protects the character of Longwick.

For policy A2 the Examiner recommends completely removing the public transport requirements. This part of the policy is fundamental to achieving sustainable development and would mean housing development would further compound the existing sustainability problems.

For policy A3 the Examiner recommends removing the 'gap' designation for protecting the identity of Longwick to prevent coalescence with Princes Risborough. Whilst he supports the principle of preventing coalescence, by removing the 'gap' designation he significantly weakens the policy that provides the requisite protection.

For policies L1 to L4 the Examiner recommends removing the density requirements of between 12 to 20 dwellings per hectare. The effect could be a far higher housing delivery for the sites allocated. That would undermine the intention of the Neighbourhood Plan.

5. The consequences of the recommendations made by the Examiner

The changes recommended by the Examiner fundamentally alter the Plan so that sustainable development is no longer achieved. The Plan no longer meets its purposes. In assessing how best to proceed, it is important to remember that the powers of a Neighbourhood Plan Examiner are limited. As set out above, the test for a Neighbourhood Plan is only whether the 'Basic Conditions' have been met, rather than the test of 'soundness' against which Local Plans are examined, where a firmer evidence base is required. The Longwick Neighbourhood Plan seeks to address some very complicated issues. The level of evidence provided when examining a Neighbourhood Plan is considerably less than that required for a Local Plan. No hearing was held and there was limited opportunity for the Parish Council and WDC to explain the fundamental objectives of the Plan. It may be that had the Examiner been better informed and provided with more evidence policies could have been altered rather than been deleted in their entirety. The Plan as amended by the Examiner's recommendations does not achieve the fundamental aims and objectives that are integral to the Plan.

6. Proposed recommendation for the Longwick Neighbourhood Plan

Under the regulatory powers there are four options for proceeding with the Neighbourhood Plan.

1. Make the recommendations as set out by the Examiner's Report and proceed to referendum. WDC considers the Plan no longer achieves its aims to provide for sustainable development and therefore would not recommend this option.
2. WDC refuse the Examiner's Report, setting out why it fails to meet the Basic Conditions. This is considered difficult. There would need to be very strong grounds to go against an Examiner's recommendation. Any decision could be subject to a legal challenge.
3. Rewrite the policies, re-consult and submit the Plan for examination again. This would add further costs to an already expensive exercise. It would not be significantly in advance of the district wide Local Plan and therefore of questionable merit. This option is not recommended.
4. The Parish Council to withdraw the plan. This would be the most appropriate option. This would mean the Examiner's Report would not hold any material weight in the decision process for assessing planning applications. Planning applications would continue to be assessed against the Development Plan policies set out in the 2004 Local Plan and 2008 Core Strategy; and also against the National Planning Policy Framework, along with other material considerations in accordance with Section 38(b) of the 2004 Act. As policies evolve for the new Local Plan, policies from the Longwick Neighbourhood Plan can be incorporated as far as possible.

LONGWICK-CUM-ILMER NEIGHBOURHOOD PLAN

Longwick-Cum-Ilmer Neighbourhood Plan Examination,
A Report to Wycombe District Council

by Independent Examiner, Nigel McGurk BSc(Hons) MCD MBA MRTPI

Nigel McGurk

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1. Introduction

The Neighbourhood Plan

This Report provides the findings of the examination into the Longwick-cum-Ilmer Neighbourhood Plan (referred to as the Neighbourhood Plan).

Neighbourhood planning provides communities with the power to establish their own policies to shape future development in and around where they live and work.

“Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.”
(Paragraph 183, National Planning Policy Framework)

Longwick-cum Ilmer Parish Council is the *qualifying body* responsible for the production of this Neighbourhood Plan. This is in line with the aims and purposes of neighbourhood planning, as set out in the Localism Act (2011), the National Planning Policy Framework (2012) and Planning Practice Guidance (2014).

This Examiner’s Report provides a recommendation as to whether or not the Neighbourhood Plan should go forward to a Referendum. Were it to go to Referendum and achieve more than 50% of votes in favour, then the Neighbourhood Plan would be *made* by Wycombe District Council. The Neighbourhood Plan would then be used to determine planning applications and guide planning decisions in the Longwick-cum-Ilmer Neighbourhood Area.

Role of the Independent Examiner

I was appointed by Wycombe District Council, with the consent of the qualifying body, to conduct an examination and provide this Report as an Independent Examiner. I am independent of the qualifying body and the local authority. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I possess appropriate qualifications and experience.

I am a chartered town planner and an experienced Independent Examiner of Neighbourhood Plans. I have extensive land, planning and development experience, gained across the public, private, partnership and community sectors.

As the Independent Examiner, I must make one of the following recommendations:

- a) that the Neighbourhood Plan should proceed to Referendum, on the basis that it meets all legal requirements;
- b) that the Neighbourhood Plan, as modified, should proceed to Referendum;
- c) that the Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

If recommending that the Neighbourhood Plan should go forward to Referendum, I must then consider whether or not the Referendum Area should extend beyond the Longwick-cum-Ilmer Neighbourhood Area to which the Plan relates.

In examining the Plan, I am also required, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, to check whether:

- the policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004;
- the Neighbourhood Plan meets the requirements of Section 38B of the 2004 PCPA (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);
- the Neighbourhood 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.

Subject to the contents of this Report, I am satisfied that all of the above points have been met.

Neighbourhood Plan Period

A neighbourhood plan must specify the period during which it is to have effect.

The Neighbourhood Plan is clear in this regard. The title page of the Neighbourhood Plan sets out the plan period as 2015 - 2033. There are further references to the plan period in the Foreword and Chapters 3 and 4 of the Neighbourhood Plan.

Taking the above into account, I confirm that the Neighbourhood Plan satisfies the relevant requirement with regards specifying the plan period.

Public Hearing

According to the legislation, *when the Examiner considers it necessary* to ensure adequate examination of an issue, or to ensure that a person has a fair chance to put a case, then a public hearing must be held.

However, the legislation establishes that it is a general rule that neighbourhood plan examinations should be held without a public hearing – by written representations only.

Further to consideration of the written representations submitted, I confirmed to Wycombe District Council that I was satisfied that the Longwick-cum-Ilmer Neighbourhood Plan could be examined without the need for a Public Hearing.

2. Basic Conditions and Development Plan Status

Basic Conditions

It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the “basic conditions.” These were *set out in law*¹ following the Localism Act 2011. In order to meet 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 for the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

I have examined the Neighbourhood Plan against all of the basic conditions above.

The Neighbourhood Plan refers to the basic conditions in Chapter 3 and a Basic Conditions Statement has been submitted. This sets out why, in the view of Longwick-cum-Ilmer Parish Council, the Neighbourhood Plan meets the basic conditions.

Development Plan

The relevant development plan² for the area includes the saved policies of the Wycombe District Local Plan (2004), Wycombe’s Adopted Core Strategy (2008) and Wycombe’s Delivery and Site Allocations Plan (2013).

¹ Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990

² I also note that the Buckinghamshire Minerals and Waste Local Plans (2004-16) and Minerals and Waste Core Strategy (2012) make up part of the planning policy framework for Wycombe.

European Convention on Human Rights (ECHR) Obligations

I am satisfied that the Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998 and there is no substantive evidence to the contrary.

European Union (EU) Obligations

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal³. However, in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a Strategic Environmental Assessment.

With the above in mind, draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This process is referred to as a “screening” assessment. If the screening assessment identifies likely significant effects, then an environmental report must be prepared.

The Basic Conditions Statement confirms that a screening opinion, to establish whether Strategic Environmental Assessment was required, was undertaken by Wycombe District Council, which concluded that:

“the Neighbourhood Plan is likely to allocate a number of sites for future development which could have a significant effect on the environment. Therefore SEA is required.” (Screening Opinion, Prepared by Wycombe District Council)

and went on to state that:

“The LcINP is likely to have a significant effect on the environment as a result of the allocation of sites for development.”

Wycombe District Council recommended to Longwick-cum-Ilmer Parish Council that a Sustainability Appraisal, incorporating SEA, be prepared, *“giving special consideration to...impacts on flood risk and visual impact.”*

Wycombe District Council produced a Scoping Report, setting out the framework to form the basis for the Sustainability Appraisal. The Neighbourhood Plan, on page 14, states that the Sustainability Appraisal *“shows how the Plan ‘contributes to the achievement of sustainable development.’”*

³ Paragraph 026, Planning Practice Guidance 2014.

Consultation on the Scoping Report was carried out with statutory bodies - the Environment Agency, English Heritage (now, with regards to planning matters, Historic England) and Natural England. The statutory bodies were also consulted on the final *“Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) Environment Report,”* which was submitted together with the Neighbourhood Plan.

A Habitats Regulations Assessment (HRA) is required if the implementation of the Neighbourhood Plan may lead to likely negative significant effects on protected European sites.

The Basic Conditions Statement confirms that there are no European sites within, or close to, the Neighbourhood Area and that consequently, a Habitat Regulations Assessment is not required.

The Sustainability Appraisal identified:

“...potential negative effects of some of the growth options...Some of these negative effects will be capable of being mitigated through the policy requirements and through the development management process.” (Technical Summary)

A number of spatial strategies for the growth of Longwick village were appraised, along with *“reasonable combinations”* of these strategies. The Sustainability Appraisal concluded that the *“Growth consistent with the linear form of the village”* option was the most sustainable. Development sites identified by a Longwick capacity study were appraised and shortlisted, and the appraisal informed the final extent of the sites to be allocated.

Paragraph 1.4 of the Sustainability Appraisal states that

“The District Council has assisted the Parish Council in carrying out the assessment process.”

Comments by the statutory consultees were taken into account and none have raised any concerns with the conclusions of the final Strategic Environmental Assessment and Sustainability Appraisal. The Basic Conditions Statement confirms that:

“no negative impacts on the sustainability objectives as a result of the plan aims, policies or proposals were identified.”

Natural England submitted a representation to the Neighbourhood Plan after the close of the statutory consultation period. This followed a reminder by Wycombe District Council, sent to Natural England on the last day of the consultation period.

Generally, the consultation period is precisely that and any representations received outside this period do not need to be taken into account. However, in this case, I am mindful that Natural England did not raise any new matters, but simply stated that *“the advice given in (a) previous letter applies equally to this consultation.”* The previous letter referred to was submitted during the draft consultation period.

In this previous letter, Natural England stated that

“It is unclear from the SEA that impacts of the plan and its allocations on the Chilterns AONB have been considered. Sites I, J and L are all highlighted as having possible potential impacts on views from the AONB but no assessment has been carried out to verify this...the allocations proposed should have an (sic) Landscape and Visual Impact Assessment carried out.”

This letter was dated 17 July 2015. In October 2015, Longwick-cum-Ilmer Parish Council published a Community-led Visual Impact Assessment. This Visual Impact Assessment assesses the visual impacts of the site allocations, with regards to the AONB and identifies what, if any, mitigation measures will be needed to moderate potential impacts.

The Community-led Visual Impact Assessment provides evidence that appears to be proportional to the production of a neighbourhood plan by a Parish Council for a Parish comprising 566 homes. It addresses the concerns raised by Natural England in July 2015 and there is no substantive evidence to demonstrate that this is not the case.

It is relevant to note that, whilst a neighbourhood plan must be compatible with EU obligations, the content of an SEA supporting it need only be proportionate to the plan itself. Under guidance issued by the Secretary of State, a Strategic Environmental Assessment is required to

“focus on the environmental impacts which are likely to be significant. It does not need to be done in any more detail, or using more resources, than is considered to be appropriate for the content and level of detail in the neighbourhood plan.” (Planning Practice Guidance 11-030).

A representation to the Neighbourhood Plan states that it does not consider the SEA undertaken to be *“adequate, sufficiently detailed or robust to meet EU regulations”* and suggested that the Sustainability Appraisal should have been carried out differently.

There are different ways in which a sustainability appraisal can be carried out. I note that, in the case of the Longwick-cum-Ilmer Neighbourhood Plan, whether or not the Parish Council considered a possible growth option that a party would have liked it to consider, does not equate to the same thing as the Sustainability Appraisal not being compatible with EU obligations.

Also, whilst there is some scope for there to be an element of subjectivity where assessments and scoring are involved, I am mindful that the Sustainability Appraisal, incorporating an SEA, followed on from a Screening Report and a Scoping Report, and that Wycombe District Council was closely involved in the process – the whole of which was undertaken in an open and transparent manner.

Ultimately, with regards European obligations, national guidance establishes that the ultimate responsibility of determining whether or not a draft neighbourhood plan meets EU obligations lies with the local authority,

“the local planning authority must decide whether the draft neighbourhood plan is compatible with EU regulations.” (Planning Practice Guidance 11-031)

As above, Wycombe District Council has been closely involved in the environmental assessment process. It has not raised any concerns regarding the Neighbourhood Plan’s compatibility with EU obligations.

Taking all of the above into account, I am satisfied that the Neighbourhood Plan is compatible with EU obligations.

3. Background Documents and Longwick-cum-Ilmer Neighbourhood Area

Background Documents

In undertaking this examination, I have considered various information in addition to the Longwick-cum-Ilmer Neighbourhood Plan. This has included:

- National Planning Policy Framework (the Framework) (2012)
- Planning Practice Guidance (2014)
- Town and Country Planning Act 1990 (as amended)
- The Localism Act (2011)
- The Neighbourhood Planning Regulations (2012)
- Wycombe District Local Plan (2004) (Local Plan)
- Adopted Delivery and Site Allocations Plan (2013)
- The Core Strategy (2008)
- Basic Conditions Statement
- Consultation Statement
- Sustainability Appraisal
- Screening Opinion and Scoping Report
- Longwick-cum-Ilmer Community-led Visual Impact Assessment
- Longwick village capacity study
- Longwick site assessment summary
- Bucks County Council letter on transport issues, May 2015
- Environmental Noise Survey
- Longwick public consultation workshop: issues report, October 2014
- Ilmer Conservation Area character survey

Also:

- Representations received during the publicity period

In addition, I spent an unaccompanied day visiting the Longwick-cum-Ilmer Neighbourhood Area.

Longwick-cum-Ilmer Neighbourhood Area

A plan showing the boundary of the Longwick-cum-Ilmer Neighbourhood Area is provided on page 5 of the Neighbourhood Plan. The boundary of the Neighbourhood Area coincides with that of Longwick-cum-Ilmer Parish.

Further to an application made by the qualifying body, Longwick-cum-Ilmer Parish Council, Wycombe District Council approved the designation of Longwick-cum-Ilmer as a Neighbourhood Area on 2 March 2015.

This satisfied a requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G (1) of the Town and Country Planning Act 1990 (as amended).

4. Public Consultation

Introduction

As land use plans, the policies of neighbourhood plans form part of the basis for planning and development control decisions. Legislation requires the production of neighbourhood plans to be supported by public consultation.

Successful public consultation enables a neighbourhood plan to reflect the needs, views and priorities of the local community. It can create a sense of public ownership, help to achieve consensus and provide the foundations for a 'Yes' vote at Referendum.

Longwick-cum-Ilmer Neighbourhood Plan Consultation

In line with legislative requirements, a Consultation Statement was submitted to Wycombe District Council. Further to consideration, I can confirm that this sets out who was consulted and how, together with the outcome of the consultation. In this regard, the Consultation Statement meets the requirements of the neighbourhood planning *regulations*⁴.

Further to deciding to produce a Neighbourhood Plan at the beginning of 2015, a Steering Group, comprising three members and three residents, was formed in February 2015. This followed the production of a village capacity study, undertaken during 2014 and published in February 2015. The Steering Group was supported by a Liaison Officer (also a Parish Councillor), the lead officer for the area from Wycombe District Council and a consultant.

A questionnaire was directed at residents in the Parish's hamlets, local businesses, the school, pre-school, local shop/post office and community groups, and a Press Release was published in the Bucks Free Press during March 2015. This explained the neighbourhood planning process and how to get involved.

Residents were updated on progress at the Annual Parish meeting in April 2015 and the Steering Group set up a stall at the Annual Village Fete in May 2015, to promote and encourage involvement in the process, as well as to gain the views of residents.

The first draft plan was prepared and underwent consultation during June and July 2015, over a six week period prior to the school holidays. The consultation was supported by the distribution of 600 leaflets, informing residents of where the plan could be read, or borrowed from, and incorporating a 12 question survey.

⁴Neighbourhood Planning (General) Regulations 2012.

Drop-in sessions, with an exhibition, were held over three days at the end of June 2015 and the Longwick-cum-Ilmer Parish Council website provided information as well as the opportunity to respond and/or complete the 12 question survey. The draft plan was made available in a variety of locations.

More than a hundred people attended the drop-in sessions and were encouraged to provide representations. The Consultation Statement shows how representations were taken into account. In addition to changes resulting from consultation, the draft plan was modified to take into account a Health Check, commissioned from the Neighbourhood Planning Independent Examiner Review Service (NPIERS).

Taking all of the information provided into account, the Consultation Statement presents an audit trail to demonstrate that consultation met statutory requirements. Comments were pro-actively sought and responses were duly considered. The results of the consultation are clearly presented and provide evidence to demonstrate that the Neighbourhood Plan reflects the views of local people.

Consultation was carried out in an open manner, and people and organisations were not just provided with a fair chance to have their say, but were actively encouraged to engage in shaping the Neighbourhood Plan.

I note above that the Steering Group was supported by an officer from Wycombe District Council. Planning Guidance requires local planning authorities to be proactive in providing information to communities about neighbourhood planning and to constructively engage with the community throughout the process (Paragraph 009, Neighbourhood Planning, Planning Guidance). There is evidence to demonstrate that Wycombe District Council were proactive and engaged constructively during the production of the Neighbourhood Plan.

I am satisfied that the consultation process was comprehensive and robust.

5. The Neighbourhood Plan – Introductory Section

Where modifications are recommended, they are presented as bullet points and highlighted in bold print, with any proposed new wording in italics.

The policies of the Neighbourhood Plan are considered against the basic conditions in Chapter 6 of this Examiner’s Report. I have also considered the Introductory Section of the Neighbourhood Plan and make recommendations below which are aimed at making it a clear and user-friendly document.

The Contents page is clear and the Foreword provides a concise and relevant opening to the Neighbourhood Plan.

Chapter 2 provides an interesting and distinctive summary of Longwick-cum-Ilmer’s history, geography and characteristics. I note that no evidence has been provided to demonstrate that the existence of an unreliable pumping station in the Neighbourhood Area results in sewer flooding. Further to a representation received from Thames Water I recommend:

- **Page 9, section 2.5/1g, delete “...*due to the unreliable pumping station.*”**

There is a mistake on page 11 and for clarity, I recommend:

- **Page 11, section 2.7, last line of first paragraph, change to “*An extract from this Study is provided on the following page.*”**
- **I also note that the text of Figure 1 appears faded and resultantly, is difficult to read. I recommend that Figure 1 is re-introduced into the document, with the purpose of improving its legibility**

Whilst the last two paragraphs of section 2.7 provide interesting information, they simply comprise a snapshot in time. The information within these paragraphs will soon become out of date and in the context of the plan period, will become less relevant over time. I recommend:

- **Page 11, section 2.7, delete the last two paragraphs**

The third Chapter of the Neighbourhood Plan provides relevant plan-making background information. It includes a helpful reference, in section 3.5, to the fact that the Neighbourhood Plan:

“has been prepared in collaboration with WDC and in anticipation of the reasoning and evidence of the emerging Local Plan, but focuses on being in conformity with the relevant saved and current policies in the Wycombe District Development Plan documents.”

Planning is a dynamic process and it is not unusual for there to be an “emerging” district wide plan at the same time as a neighbourhood plan is coming forward. A neighbourhood plan can be made prior to a district wide plan being adopted,

“Neighbourhood plans...can be developed before or at the same time as the local planning authority is producing its Local Plan...” (Planning Practice Guidance 41/009).

However, when producing a neighbourhood plan, plan-makers should seek to take into account relevant evidence and information, and to work together with the local planning authority.

In setting out the approach that it does, the Neighbourhood Plan recognises that there is a need for sustainable development in Wycombe, with particular regard to housing growth:

“One of the roles of this Neighbourhood Plan therefore is to show how the Parish and Longwick in particular might respond to this need by accommodating some of this necessary growth, but ensuring that it is shaped according to the unique characteristics of the area, its settlements and communities, and overall sustainability.” (section 3.7, page 16)

This provides an important introduction to the Policies that follow. It establishes that a major role of the Neighbourhood Plan is to contribute to the achievement of sustainable development.

I note that Chapter 4 provides a Vision, together with Objectives, that together, provide a link between the views of the local community and the Policies of the Neighbourhood Plan. It also sets out a Monitoring and Review Process. No changes to this Chapter are recommended.

6. The Neighbourhood Plan – Neighbourhood Plan Policies

Policy A1: Development at Longwick Village

Policy A1 establishes a new settlement boundary for Longwick village. It is a supportive Policy, which provides an assumption in favour of development within the settlement boundary, subject to meeting various criteria. In general, the Policy has regard to national policy, which supports sustainable growth, and in so doing, contributes to the achievement of sustainable development.

The Policy seeks to permit development outside the settlement boundary, subject to it being “*appropriate for a rural area.*” Only very limited detail is provided with regards what might make a development “*appropriate.*” Consequently, there is insufficient information to provide a decision maker with a clear indication of how to react to a development proposal, as required by the Framework (Para 154).

Further to the above, it is a concern that Policy A1 states that development outside the settlement boundary “*will be permitted.*” Worded in this way, the Policy runs the risk of effectively pre-approving development proposals without considering relevant matters of detail. Such an approach is inappropriate and fails to reflect the need to take into account a balanced consideration of matters as part of the planning application process.

As set out, Policy A1 would only support development within the settlement boundary where it meets fifteen separate requirements. These break down into land use, design and layout, and local infrastructure requirements.

Taking each in turn, the first land use requirement establishes that all development must be in the density range 12-20 dwellings per hectare. This could result in as few as 12 dwellings being built on each hectare of land. It is an approach that is not in general conformity with Local Plan Policy H8, which states that “*a net density of less than 30 dwellings per hectare is unacceptable.*”

In the absence of substantive evidence to demonstrate that, in all circumstances, development outside of the 12-20 dwellings per hectare threshold proposed would fail to comprise sustainable development, such an approach could prevent sustainable development from coming forward. In the context of the Policy, I am also mindful that no evidence is provided to demonstrate that appropriate flood mitigation measures can only be achieved at the densities set out.

I recognise that the proposed density threshold is intended to reflect local character and that recent developments have been below 20 dwellings per hectare. In this regard, and taking into account the recommendations below, it is relevant to point out that other parts of the Neighbourhood Plan, as well as national and local planning policies, protect local character.

The remaining three land use categories require all residential development to provide affordable housing, a mix of dwellings and elderly accommodation or Lifetime Homes standards. No evidence is provided to demonstrate why say a development of one house, or a few houses, would need to provide these things in order to comprise sustainable development. Further, there is no evidence to demonstrate that the requirement set out has regard to national policy or is in general conformity with local strategic planning policies.

The next six categories relate to design. Good design is recognised by national policy as comprising:

“a key aspect of sustainable development...indivisible from good planning”
(Para 56, the Framework).

National policy also requires good design to contribute positively to making places better for people (Chapter 7, the Framework). In addition, Local Plan Policy G3 requires a high standard of design.

It is not clear why every new housing development needs to provide houses that are the same height, massing and scale as existing houses, as required by requirement 5. During my site visit, I observed that not all houses in Longwick were the same height, massing or scale. No evidence is presented to demonstrate that the requirements of requirement 5 are achievable, or why not meeting them would mean that a development did not comprise sustainable development.

Similarly, it is not clear how every new housing development can “...reflect the local character and materials found in each part of the village (my emphasis)...” or why every new housing development must enhance the character of the natural and historic environment. These are requirements far more onerous than any local or national policy and no evidence is provided to justify such a departure. Further, I note that there is no evidence to demonstrate that it is possible or necessary in terms of sustainable development, for all new residential development to enhance the natural and historic environment.

The Policy goes on to require all housing development to “*maximise opportunities for passive and active sustainable design*” without defining precisely what this means, or providing any evidence that such a requirement meets the basic conditions; and it requires all housing development to “*enhance*” watercourses, “*improve*” habitats and boundary features, and contribute to the enhancement of drainage ditches. In respect of these latter requirements, again no justification is provided to demonstrate why proposals should go beyond those of national and local policy, and no evidence is provided to demonstrate that it would be practicable, viable, or even possible for them to do so.

In terms of requirement 10, it is not clear how new development can “*ensure that cars are not displaced to local roads.*” Use of the term displacement would suggest that the cars are already present, which doesn’t make any sense in a Policy relating to development that has not yet taken place. Notwithstanding this, it is unclear how the Neighbourhood Plan could prevent people from parking wherever parking is allowed.

Requirement 11 is not supported by any evidence to demonstrate that dark skies can be protected, at the same time as providing street lighting to “*safeguard community safety.*”

It is unclear how requirement 13 could be controlled and as worded, it makes little grammatical sense. Further, the requirement provides no clarity with regards when a developer would need to produce a study, what the study would need to comprise and who would assess the study.

Requirement 14 does not provide any relevant detail in terms of what “*regulated*” actually means or how a proposal will be regulated, who by and on what basis. I note that the delivery and operation of utilities is outside the control and the responsibility of Longwick-cum-Ilmer Parish Council.

The final category requires all residential development to make financial contributions. This is a vague requirement which fails to have regard to the national policy requirement for all planning obligations to be necessary to make the development acceptable in planning terms, to be directly related to the development, and to be fairly and reasonably related in scale and kind to the development (Paragraph 204, the Framework).

Taking all of the above into account, I recommend the following:

- **Policy A1 delete lines 2-5 (“Outside the settlement boundary...countryside recreation.”)**
- **End line 8 “...or on other windfall sites.” (Delete all of the text in Policy A1 that follows “...windfall sites.”)**

- ***Add new sentence “Within the settlement boundary, the provision of affordable housing, a mix of housing types, and accommodation for the elderly will be supported; and low carbon eco homes and household renewable energy measures are encouraged. Where possible, street lighting should provide for safety and have regard to the protection of dark skies. Development must respect the character and appearance of the area and should not increase flood risk. Housing densities that allow for on-site flood mitigation measures and on-plot sustainable urban drainage solutions are encouraged.”***
- ***The penultimate paragraph of the supporting text reads as though it were a Policy, which it is not. Change to “...capacity issues; the Parish Council encourages developers to resolve these by demonstrating how proposals will affect and address utilities issues. This can be achieved by demonstrating that there is adequate water...public sewer.”***

Subject to the above, Policy A1 meets the basic conditions.

Policy A2: New Housing Allocations

Policy A2 allocates four sites for residential development. Detailed Policies relating to each of these sites are contained in Policies L1 – L4 and these are considered later in this Report.

Whilst I acknowledge that representations have been received expressing concerns with regards flood risk, I am mindful that the allocated sites have emerged through the various stages of the plan-making process and that the Environment Agency supports their inclusion in the Neighbourhood Plan. In its letter of 30 November 2015, the Environment Agency states:

“The site allocations are all within areas with the lowest probability of flooding (Flood Zone 1). This is in line with the National Planning Policy Framework (NPPF) paragraphs 100 and 101...We are pleased with and support the locations of these site allocations in terms of fluvial flood risk.”

In addition to the above, whilst Buckinghamshire County Council made representations to the Neighbourhood Plan consultation, it did not, as Lead Local Flood Authority (LLFA) for Wycombe, express any concerns with regards flood risk.

The Neighbourhood Plan does not set a specific housing target for the Neighbourhood Area. However, subject to the modifications recommended in this Report, it does provide for housing growth by allocating land for development. Furthermore, it does not place a maximum figure on the number of houses that can be developed in the Neighbourhood Area.

Even based on the low housing density requirements, which I recommend should be deleted from Neighbourhood Plan, plan-makers estimate that sufficient land is allocated within the Longwick settlement boundary for up to 129 new homes. This would comprise a very significant increase for a settlement of just 438 homes (figure provided in the Consultation Statement).

Such a large proportional increase over the plan period would result in the Neighbourhood Area making a significant proportional contribution to Wycombe’s growth requirements.

Whilst I acknowledge that a number of landowners and/or land promoters/developers would like to see more land allocated for development, it is clear from the evidence presented that Longwick’s location close to the Chilterns AONB, along with its limited services and facilities, limits the scope for the settlement’s sustainable development over the plan period.

In providing for a significant contribution to housing growth, the Neighbourhood Plan has regard to the Framework, which seeks to *“boost significantly the supply of housing”* (paragraph 47).

Whether or not Wycombe District Council has a five year housing land supply is not something that, in itself, means that the Neighbourhood Plan needs to allocate, for housing development, any land that is identified as being capable of providing for such. Rather, the allocations provided in Policy A2 reflect the overall Vision and the Objectives set out in the Neighbourhood Plan. The housing allocations in the Neighbourhood Plan contribute to the achievement of sustainable development and there is not a requirement to allocate more.

The Neighbourhood Plan aspires to provide for sustainable modes of transport and this has regard to Chapter 4 of the Framework, *“Promoting sustainable transport,”* However, Policy A2 goes on to introduce a somewhat unusual approach to financial contributions. It states that development will be supported if it contributes towards *“long term and viable sustainable transport choices to the village and which are available upon completion of the first development parcel.”* The Policy states that these *“include”* a pedestrian and cycle route and an *“attractive”* bus service.

No detailed information is provided with regards what financial contributions will be made and on what basis. There is no evidence to demonstrate that it is viable for the allocated sites to deliver the *“high quality pedestrian and cycle route”* and *“attractive”* bus service *“upon completion of the first development parcel.”* There is no evidence to demonstrate that the requirement for financial contributions is necessary to make development acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development. The approach does not meet the basic conditions.

Further to the above, Wycombe District Council has an adopted Community Infrastructure Levy (CIL). This is payable in accordance with a Charging Schedule. The Neighbourhood Plan fails to demonstrate how the proposal in Policy A2 relates to CIL. I am also mindful that the sustainable transport modes sought are reliant upon development outside the Neighbourhood Plan. This emphasises the importance of the District-wide approach to CIL.

Taking all of the above into account, I recommend:

- **Policy A2, delete the second section *“On these sites...railway station.”***
- **Delete all of the supporting text other than the first two paragraphs**
- **Add a new supporting paragraph *“The Parish Council will seek to use its share of Community Infrastructure Levy (CIL) payments to contribute towards sustainable modes of transport.”***

I recognise that this removes an aspiration from the Neighbourhood Plan’s Policies. However, failing to modify Policy A2 would result in it failing to meet the basic conditions. This would mean that the Neighbourhood Plan could not progress to Referendum.

Policy A3: Protecting the Identity of Longwick

Policy A3 seeks to prevent the coalescence of Longwick and Princes Risborough. This has regard to the Framework and is in general conformity with Local Plan Policy G3. Both documents protect local character. In this regard, Policy A3 meets the basic conditions.

Longwick is located in a sensitive environment, within the setting of the Chilterns AONB. Further, the Longwick Village Capacity Study demonstrates that maintaining the separation of Longwick from Princes Risborough performs a role in maintaining the separate rural identity of Longwick.

The Policy refers to a specific gap, which is shown on Map 1. This simply seeks to prevent development within an area of land marked along the boundary of the Neighbourhood Area. There is no evidence to demonstrate that the “gap” identified is necessary to achieve the aims of Policy A3 nor that it would not be possible for development within this gap to be sustainable. Consequently, this part of the Policy may prevent the achievement of sustainable development.

Whilst I acknowledge that the Longwick Capacity Study suggests that development should not occur to the south of Icknield Way, land to the south of Icknield Way within the Neighbourhood Area has already been developed. As above, there is nothing to demonstrate that sustainable development could not take place on land to the south of Icknield Way.

Furthermore and importantly, the recommendations below do not automatically mean that this land can be developed - Policy A3 can still provide for the separation of Longwick and Princes Risborough without showing a “gap” on Map 1.

The last part of Policy A3 supports transport and infrastructure development, subject to protecting local character and amenity. As worded, it would only support such development associated with the growth of Longwick *or* (my emphasis) Princes Risborough – such an approach would prevent development associated with the growth of both settlements that may otherwise be sustainable.

Taking all of the above into account, I recommend:

- **Policy A3, replace title as “*Policy A3: Supporting new transport and other infrastructure to promote sustainable growth*”**
- **Change “What and why” to “*Providing for improved transport and other infrastructure.*”**
- **Policy wording, delete “...The gap between...Map 1, as Policy A3”**

- Delete the “gap” shaded on Map 1 and the reference to Policy A3 in the key of Map 1 and delete last sentence of the supporting text.
- Policy A3, change part 2 to “*...growth of Longwick and/or Princes Risborough, will be...*”

Subject to the above, Policy A3 contributes to the achievement of sustainable development and meets the basic conditions.

Policy A4: Longwick and Owlswick

Policy A4 designates Local Green Space.

The Framework enables local communities to identify, for special protection, green areas of particular importance to them. Paragraph 76 states that

“By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances.”

Local Green Space is a restrictive and significant policy designation. The Framework requires the managing of development within Local Green Space to be consistent with policy for Green Belts. Effectively, Local Green Spaces, once designated, provide protection that is comparable to that for Green Belt land. Notably, the Framework is explicit in stating that

“The Local Green Space designation will not be appropriate for most green areas or open space.” (Para 77)

Consequently, when designating Local Green Space, plan-makers must clearly demonstrate that the requirements for its designation are met in full. These requirements are that the green space is in reasonably close proximity to the community it serves; it is demonstrably special to a local community and holds a particular local significance; and it is local in character and is not an extensive tract of land. Furthermore, identifying Local Green Space must be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.

Policy A4 designates two areas of Local Green Space, Longwick playing field and Owlswick village green. Longwick playing field is located towards the centre of Longwick. It is an attractive area of land and provides sports pitches and an open setting to Longwick Village Hall. Evidence has been provided to demonstrate that Longwick playing field is demonstrably special to the local community and holds local significance as *“the home of all local recreational and cultural activities.”*

Longwick playing field is not an extensive tract of land and it is in close proximity to the community it serves. Its designation as Local Green Space meets the basic conditions.

Owlswick village green is centrally located in Owlswick. It is an attractive open space. Evidence has been provided to demonstrate that Owlswick village green is demonstrably special to the local community and holds local historic significance as part of a Conservation Area, with Listed and other important buildings around it. It is not an extensive tract of land, is in close proximity to the community it serves and its designation meets the basic conditions.

Plans showing the location of the two areas of Local Green Space are provided in the Neighbourhood Plan and are referenced in the Policy.

The wording of the Policy is not entirely reflective of national policy and I recommend that, in order to have regard to the Framework, the following changes are made:

- **Policy A4, delete “...to prevent future development taking place here.”**
- **Policy A4, add, after the two bullet points, a new sentence “*Development of Local Green Space is not permitted, other than in very special circumstances.*”**

Policy A5: Small Scale Business Space

Generally, Policy A5 is a positive Policy. It supports business growth, having regard to Chapter 1 and Chapter 3 of the Framework, *“Building a strong, competitive economy”* and *“Supporting a prosperous rural economy,”* respectively.

In supporting both the growth and relocation of business or employment premises, Policy A5 has regard to Paragraph 28 of the Framework, which supports *“the sustainable growth and expansion of all types of business and enterprise”* in rural areas.

However, it is not clear why all proposals need to be within walking distance of the main residential areas. Such an approach would fail to have regard to national policy, which promotes the development and diversification of agricultural and other land-based rural businesses and which supports rural tourism and leisure developments (Para 28, the Framework). This part of the Policy also fails to have regard to Paragraph 32 of the Framework, which states that:

“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

In addition to the above, no information is provided as to why small-scale development needs to produce a Travel Plan. Consequently, there is no justification for this requirement.

In addition, it is not clear how the Neighbourhood Plan will *“encourage”* proposals that offer employment opportunities to local people, or which provide community facilities and the phrase *“adverse impact on the residential environment”* is not defined and consequently, appears vague and unclear.

Taking all of the above into account, I recommend:

- **Policy A5, line 3, change to *“...supported, provided that it respects local character and residential amenity.”***
- **Delete bullet point 2. (*“Proposals will be...new development.”*)**
- **Bullet point 3, change to, *“Proposals that offer employment...societies, will be welcomed.”***
- **Delete final part of supporting text *“..., and be within...residential areas.”***

Policy B1: Development in the Neighbourhood Plan area (beyond the settlement boundary of Longwick)

Policy B1 considers development beyond the settlement boundary. The first sentence includes the phrase “*the following criteria will apply.*” This is unnecessary and confusing, as each of the bullet points that follow appear to comprise self-contained requirements.

The first bullet point states that housing development will be acceptable where there is “*sustainable, safe and suitable access to local facilities for all.*” This is an odd choice of phrase that is not supported by any definition. It suggests that development is acceptable without taking into account all manner of relevant factors and appears at odds with the supporting text, which states that rural hamlets are an “*unsustainable*” location for growth. Consequently, the inclusion of this bullet point is confusing and does not provide decision makers with a clear indication of how to react to a development proposal.

The second bullet point requires all conversions or extensions to demonstrate “*no harm to their setting.*” Such an approach fails to have regard to national policy, which does not set out such an onerous requirement. Further, no evidence is provided to demonstrate that a development cannot be sustainable, even if a variety of factors overcome any harm to setting. Consequently, Policy B1 does not contribute to the achievement of sustainable development.

In addition to the above, heritage policy is clearly established in Chapter 12 of the Framework, “*Conserving and enhancing the historic environment*” as well as in the strategic policies in the Chapter 11 of the Local Plan, “*Heritage.*” Together, the Framework and the Local Plan do not prevent all development that may cause some harm to the setting of a Conservation Area. Rather, they provide for an appropriate balanced approach, which focuses on conserving heritage assets in a manner appropriate to their significance. In failing to do this, the second bullet point of Policy B1 does not meet the basic conditions.

Similarly, the third bullet point fails to have regard to national policy and is not in general conformity with the strategic policies of the Local Plan. Neither national nor local strategic policy requires all development outside of settlement boundaries to “*enhance the special character of Conservation Areas.*” No evidence is provided to demonstrate that such an approach is either possible or that failing to comply with it would result in a proposal not comprising sustainable development.

The fourth bullet point seeks to welcome the conversion of any building of architectural merit to residential, or any other uses. This is an approach that might have unintended consequences, whereby it would welcome a conversion that may harm the special architectural or historic interest of a historic building. I note that Historic England has expressed concern with such an approach.

The final bullet point of Policy B1 requires development to enhance “*important views identified in Conservation Area Character Surveys, green gaps in the structure of hamlets, and long distance views.*” Notwithstanding that none of these things are defined in any significant detail in the Neighbourhood Plan, no evidence is provided to demonstrate that the requirement has regard to national policy or is in general conformity with local strategic policy. Further, there is nothing to demonstrate that failing to meet the requirements of this bullet point would mean that a proposal could not comprise sustainable development. Consequently, the requirement does not contribute to the achievement of sustainable development.

Taking all of the above into account, I recommend:

- **Delete Policy B1 and supporting text**

This does not mean that heritage assets will not be protected. National and local policy provide for the appropriate protection of the nation’s heritage assets.

Policy B2: Shoulder of Mutton Public House

Whilst “*it has not been in use for some time,*” the Shoulder of Mutton pub was formerly a community facility. The Framework promotes the retention of pubs in rural areas (Paragraph 28) and Policy B2 has regard to this.

The Policy refers to viability, but does not provide any clarity in how this may be demonstrated. Further, the reference to viability is repeated in the first and second bullet points.

The second bullet point refers to “*the residential conversion of the site and outbuildings*” and the fifth bullet point refers to the removal of the outbuildings, which adds unnecessary confusion to the Policy. Further, the reference to a residential conversion restoring “*the pub itself*” introduces even more uncertainty.

Policy B2 uses the term “*permitted.*” Consequently, the Policy effectively runs the risk of pre-approving a development proposal without considering relevant matters of detail. Such an approach is inappropriate and fails to reflect the need to take into account a balanced consideration of matters as part of the planning application process.

The pub is located within the Conservation Area and part of the wider site is located in its setting. There is no need to refer to both in the fourth bullet point. Further, I note that it may be possible that some adverse impact on setting is overcome by other factors.

The final bullet point is unnecessary as the Policy already refers to the outbuildings. Further, the bullet point lacks clarity and is vague, partly due to the use of the terms “*may...if...potential.*” I note that no indication is provided as to why any development should provide benefits to a nearby footpath, or what these benefits might be.

I recommend:

- **Policy B2, change to “*The retention of the Shoulder of Mutton in Owlswick as a community facility is supported. The residential development of the site, including the conversion of the pub, will be supported subject to demonstrating that: further to a marketing period of at least 6 months, that use as a pub is not viable; development will be no greater than the footprint of existing buildings and storey heights will not be higher than the pub itself; the development respects the Conservation Area and its setting.*”**

Subject to the above, Policy B2 contributes to the achievement of sustainable development and meets the basic conditions.

Policy OS1: Open Space Allocation – land opposite rose Farm on the eastern side of Thame Road

and

Policy OS2: Open Space Allocation of land at Boxer Road/Barn Road

Both Policy OS1 and the Policy that follows, OS2, seek to allocate open space. The Framework recognises that:

“Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.”
(Paragraph 73)

In this way, Policies OS1 and OS2 have regard to national policy. Further, the Neighbourhood Plan provides evidence that the proposed open space will adequately meet *“WDC’s open space requirements per person”* arising from new residential development in Longwick.

However, as the proposed open spaces are directly linked to, and reliant upon, the land allocations at Sites 1a, 1b and 2 being delivered, it appears inappropriate and unnecessarily confusing for them to form separate open space Policies. There is, for example, no evidence to demonstrate what would happen to the open space allocations if the aforementioned housing sites did not come forward. The Policies fail to provide a decision maker with a clear indication of how to react to a development proposal and do not meet the basic conditions. As it is a requirement of Policies L1 and L2 that open space be provided, it is more appropriate for each area of open space to form part of those two Policies.

I recommend:

- **Move the open space requirements to Policies L1 and L2 (see Policies L1 and L2, below)**
- **Delete Policies OS1 and OS2 and supporting text**

Policy L1: Site Allocation of land opposite Rose Farm on the eastern side of Thame Road

Policy L1 allocates 1.9ha for residential development. The site is split into two parts (L1a and L1b) and is located adjacent to the land the subject of Policy OS1 (see above).

As a residential allocation, Policy L1 relates directly to Policies A1 and A2 – it contributes towards the growth of Longwick and it is located within the settlement boundary. Policy L1 contributes to the achievement of sustainable development.

Even though the Policy contains 17 separate criteria, it remains inappropriate for it to state that development at L1a and L1b “*will be permitted.*” Such an approach effectively pre-approves development, without necessarily taking all relevant factors into account.

I consider that the splitting of the site into L1a and L1b adds unnecessary detail and some scope for confusion. The site has a single access and there is no substantive evidence to demonstrate that the measures set out in Policy L1 would result in the site appearing “*as two separate sites*” or that not splitting them would result in development that is not sustainable.

Criterion 1 refers to density. I note above (Policy A1) that the approach set out is not in general conformity with Policy H8 of the Local Plan. In this regard, Policy A1, as modified, requires development to respect the character and appearance of the area.

The reference to SUDs in Criterion 3 can appropriately include the whole site and the general approach to landscaping, drainage, sustainable movement and access, in Criteria 2-9, contributes to the achievement of sustainable development. However, no evidence has been provided to demonstrate that the screening of development from long distance views can be “*ensured,*” as required by Criterion 10.

Criterion 11 refers to open space. Further to the recommendations above, I propose that Criterion 11 is changed to take into account the open space formerly referred to in Policy OS1 and that the Site L1 is altered to refer to the open space as “*L1 Open Space,*” see below.

A representation has been submitted, in objection to the size of the open space, by the prospective developer of Site L1. It suggests that the open space should be smaller and that the area of land for new housing should be expanded. However, evidence has been provided to demonstrate that the proposed open space performs the role of an important green gap in the village and that it provides for important glimpses through to surrounding countryside.

Further, the open space provides potential to provide for drainage and water attenuation as part of any SUDs. Flooding and flood risk is an issue in the Neighbourhood Area. The Framework is clear in its requirement to “*ensure that flood risk is not increased elsewhere*” (Paragraph 103). Also, there is no evidence to demonstrate that the inclusion of the open space identified as part of the development of Site L1 would result in the development being unviable.

Further to the above, I note earlier that the Neighbourhood Plan allocates land for the significant growth of Longwick. There is no requirement for it to allocate additional residential land.

Criterion 13 refers to a minimum 35 metre setback from homes on Wheelwright Road. However, no substantive evidence has been provided to demonstrate that providing a 35 metre set back rather than the preferred 30 metre setback, as set out in Wycombe District Council’s Residential Design Guidance⁵, will have any impact on flood risk. Adopting a 30 metre setback would be greater than the minimum distance required and together with the significant area of open space proposed, provides much potential for SUDs, referred to elsewhere in Policy L1.

Criterion 15 suggests providing noise mitigation measures to “*preclude future noise complaints*” arising from a nearby Pet Hotel business. On consideration of the evidence, it appears likely that, without mitigation, noise levels from the established Pet Hotel business may significantly exceed World Health Organisation recommended levels in parts of the site, at some times during the day and night.

Failure to mitigate this would place a business that has been established for twenty years at risk of future complaints. These may arise from the occupiers of homes built on site L1 experiencing unacceptable levels of noise and disturbance from the presence of up to 107 dogs. The Framework recognises the importance of rural businesses. Having regard to national policy, it is important that the viability of the Pet Hotel business is not placed at risk as a result of the development of the site. I set out measures to strengthen Criterion 15 in this regard, below.

Criteria 16 and 17 relate to the responsibilities of other organisations and are outside the control of the Neighbourhood Plan.

⁵ Wycombe District Local Plan Appendix 1 – Residential Design Guidance (2004). “The separation between facing windows in the private zone, can be achieved by a minimum distance of 25m. However, 30m is preferred. This can be achieved at no loss of overall space.”

The final part of Policy L1 includes a “S106” column. These simply provide a vague list without any relevant detail and do not indicate any link with CIL.

Taking all of the above into account, I recommend:

- **Policy L1, change opening sentence to “*The development of Site L1 is required to:*”**
- **Delete the references to L1a, L1b and OS1 on the plan and its key on page 37**
- **Change the reference in “What and why” to “*Site L1*”**
- **Change reference to L1a and L1b on Map 2 to “*L1*”**
- **Change reference to OS1 on Maps 1 and 2 to “*L1 Open space*”**
- **Delete Criterion 1**
- **Change Criterion 3 to “*Accommodate SUDs to address issues of surface and groundwater flooding.*”**
- **Change Criterion 5 to “*...vehicle and pedestrian access, which respects existing residential amenity, to the new residential areas from Thame Road via L1 Open Space, and provide a Travel Plan.*”**
- **Change Criterion 9 to “*...through development, to reflect the glimpses...*”**
- **Change Criterion 10 to “*Incorporate structural planting along Bar Lane to screen new development from...*”**
- **Change Criterion 11 to “*The land identified on Maps 1 and 2 as L1 Open Space will be delivered as part of the development of Site L1 and will be retained as a open space. It should form part of the SUDs for Site L1 and where appropriate, provide for water attenuation and drainage.*”**
- **Criterion 13, replace “35m” with “30m”**
- **Criterion 15, change to “*...measures must be provided at Maccabees Pet Hotel on Bar Lane to a standard that prevents noise levels emanating from Maccabees Pet Hotel from exceeding World Health Organisation guidelines at any new house on Site L1.*”**
- **Delete Criteria 16 and 17**
- **Delete S106 table at foot of page 35 and top of page 36**

- Justification, first paragraph, change OS1 reference to *“the open space”*
- Second paragraph, change to *“...provided across the site and to Bar Lane.”*
- End fourth paragraph *“...retained and reinforced.”* (delete rest of para)
- End fifth paragraph *“...for sustainable housing growth.”* (delete rest of para)
- Sixth paragraph, delete sentences 2, 3 and 4. Change last sentence to *“...design of the open space as well as...”*
- Last paragraph on page 36, delete first sentence
- First paragraph on page 37, change *“35m”* to *“30m.”* Change second sentence to *“This is in keeping with WDC’s Residential Development Guide and is aimed at protecting existing...homes from additional surface water...boundaries.”*
- Delete last paragraph

Subject to the above, Policy L1 contributes to the achievement of sustainable development and meets the basic conditions.

Policy L2: Site Allocation of land at Boxer Road/Barn Road

Policy L2 allocates 2.5ha for residential development. The site is located adjacent to the land the subject of Policy OS2 (see above).

As a residential allocation, Policy L2 relates directly to Policies A1 and A2 – it contributes towards the growth of Longwick and it is located within the settlement boundary. Policy L2 contributes to the achievement of sustainable development.

A number of issues relating to Policy L2 are similar to those considered above in relation to Policy L1. These are reflected in the recommendations below. I note that Criteria 2, 3, 8 and 10 protect local character and/or residential amenity, having regard to national and local strategic policy. Further, Criteria 7 and 9 have regard to the Framework, which gives priority to pedestrian movements (Para 35).

Criterion 11 refers to open space. I propose that the open space formerly referred to in Policy OS2 is instead referred to in a new Criterion 11 and that Site L2 is altered to include the open space as “L2 Open Space,” see below.

A representation has been received in objection to the allocation of the open space. It states that “*the land is not available as open space.*” Whilst the land forms part of a site promoted by the objecting party for residential development, it is currently undeveloped and there is no substantive evidence to demonstrate that the land is not capable of providing open space.

With regards the above, evidence has been provided to demonstrate that new development in Longwick will need to provide open space and that the proposed open space is located such that it could provide a natural extension to the village playing field and community facilities.

The Neighbourhood Plan has evolved through an appropriate plan-making process supported by public engagement and consultation. As such, it reflects the views of local people who, having regard to national policy, have “*a powerful set of tools...to ensure they get the right types of development for their community*” (Paragraph 184, Framework).

The Policies of the Neighbourhood Plan aim to contribute to the achievement of sustainable development and in this regard, the allocation of Site L2 is directly linked to the provision of the open space identified.

Site L2 currently forms part of land being promoted for significantly more development than that set out in the Neighbourhood Plan. Whilst *“the landowner is not willing”* for the open space to be designated as open space, the Neighbourhood Plan is clear in its requirement for the development of land at Site L2 to be accompanied by the delivery of the open space identified. The approach set out contributes to the achievement of sustainable development and meets the basic conditions.

I recommend:

- **Policy L2, change opening sentence to *“The development of Site L2 is required to:”***
- **Delete the reference to OS2 on the plan and its key on page 40**
- **Delete reference in “What and why” to “and OS2”**
- **Change reference to OS2 on Maps 1 and 2 to *“L2 Open space”***
- **Delete Criterion 1**
- **Change Criterion 4 to *“Accommodate SUDs to address issues of surface and groundwater flooding.”***
- **Change Criterion 7 to *“...field and the new open space, through the...”***
- **Change Criterion 10 to *“...field and the new open space, between areas of...”***
- **Change Criterion 11 to *“The land identified on Maps 1 and 2 as L2 Open Space will be delivered as part of the development of Site L2 and will be retained as a open space. Within this open space, an all-weather, permeable loose surfaced footpath is to be provided to the existing public right of way.”***
- **Delete Criterion 13**
- **Delete S106 table on page 38 at the end of Policy L2**
- **Justification, page 39, third paragraph, change to *“...Way to the open space, the playing field...”***

Policy L3: Site Allocation of land on Thame Road east of Chestnut Way junction

Policy L3 allocates 1ha for residential development. As a residential allocation, Policy L3 relates directly to Policies A1 and A2 – it contributes towards the growth of Longwick and it is located within the settlement boundary. Policy L3 contributes to the achievement of sustainable development.

A number of issues relating to Policy L3 are similar to those considered above in relation to Policies L1 and L2. These are reflected in the recommendations below. I note that Criteria 2, 3, 4 and 10 protect local character, having regard to national and local strategic policy. Further, Criteria 5 and 6 have regard to the Framework, which promotes safe access and gives priority to pedestrian and cycle movements (Paragraph 35).

Taking the above into account, I recommend:

- **Policy L3, change opening sentence to “*The development of Site L3 (1ha) is required to:*”**
- **Delete Criterion 1**
- **Delete Criterion 7**
- **Delete S106 table on page 41 at the end of Policy L3**

Policy L4: Site Allocation of land at Rose Farm

Policy L4 allocates 1.05ha for residential development, split between three sites, which are close together but separated by existing access points.

As a residential allocation, Policy L4 relates directly to Policies A1 and A2 – it contributes towards the growth of Longwick and it is located within the settlement boundary. Policy L4 contributes to the achievement of sustainable development.

A number of issues relating to Policy L4 are similar to those considered in relation to the three preceding housing allocation Policies. These are reflected in the recommendations below. I note that Criteria 2, 3, 4 and 6 protect local character, having regard to national and local strategic policy. Further, Criterion 5 has regard to the Framework, supports the production of Travel Plans (Paragraph 36).

Taking the above into account, I recommend:

- **Policy L4, change opening sentence to “*The development of Site L4, comprising L4a... (0.5ha), is required to:*”**
- **Delete Criterion 1**
- **Change Criterion 7 to “...how development will *address flood risk.*” (delete rest of sentence)**
- **Change Criterion 8 to “*Accommodate SUDs to address issues of surface and groundwater flooding.*”**
- **Delete Criterion 10**
- **Delete S106 table on page 43 at the end of Policy L4**

7. Neighbourhood Plan – Other Matters

Chapter 6 of the Neighbourhood Plan focuses on implementation. It provides a table showing priorities for funding, potential sources and an estimate of costs and income. Whilst clearly indicative only at this stage, this provides a useful guide, not least given that I recommend deletion to other references to planning obligations in the Policy section of the Neighbourhood Plan.

Chapter 7 provides a useful “*Glossary and Jargon Buster.*”

No changes are recommended.

8. Summary

I have recommended a number of modifications further to consideration of the Longwick-cum-Ilmer Neighbourhood Plan against the basic conditions.

Subject to these modifications, the Longwick-cum-Ilmer Neighbourhood Plan

- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- does not breach, and is compatible with European Union obligations and the European Convention of Human Rights.

Taking the above into account, I find that the Longwick-cum-Ilmer Neighbourhood Plan meets the basic conditions. I have already noted above that the Plan meets paragraph 8(1) requirements.

9. Referendum

I recommend to Wycombe District Council that, subject to the modifications proposed, the **Longwick-cum-Ilmer Neighbourhood Plan should proceed to a Referendum.**

Referendum Area

Neighbourhood Plan Area - I am required to consider whether the Referendum Area should be extended beyond the Longwick-cum-Ilmer Neighbourhood Area. I consider the Neighbourhood Area to be appropriate and there is no substantive evidence to demonstrate that this is not the case.

I recommend that the Plan should proceed to a Referendum based on the Longwick-cum-Ilmer Neighbourhood Area as approved by Wycombe District Council on 2 March 2015.

Nigel McGurk, February 2016
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