

# **BLEDLOW-CUM-SAUNDERTON NEIGHBOURHOOD PLAN DECISION STATEMENT – PROCEEDING TO REFERENDUM**

Decision taker: Penelope Tollitt (Head of Planning and Sustainability) in consultation with Councillor David Johncock (Cabinet Member for Planning and Sustainability)<sup>1</sup>

Author: Aude Pantel (Planning Policy Officer)

## **Executive summary**

Following the examination of the Bledlow-cum-Saunderton Neighbourhood Plan, this delegated action report considers and makes decisions on the modifications to the Plan which have been proposed by the Examiner in the Examiner's report, including whether to proceed to referendum and the area for the referendum.

## **1. Introduction**

1.1. Under the Town and Country Planning Act 1990 (as amended) and the Neighbourhood Planning (General) Regulations 2012 (as amended) and all other relevant legislation, Wycombe District Council ("the Council") has a statutory duty to consider the Bledlow-cum-Saunderton Neighbourhood Plan following its examination. Pursuant to the Wycombe District Council constitution and in particular Part 2 subsection C, the Head of Planning and Sustainability in consultation with the Cabinet Member for Planning and Sustainability is authorised to make decisions on the Examiner's report recommendations.

## **2. Background**

2.1. The Bledlow-cum-Saunderton Neighbourhood Plan (the Neighbourhood Plan) relates to the Neighbourhood Area that was designated by the Council on 13 October 2015. This area is coterminous with the Bledlow-cum-Saunderton Parish boundary and is entirely within the Local Planning

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<sup>1</sup> As per the scheme of delegation in the Council's constitution

Authority Area. Bledlow-cum-Saunderton Parish is the designated qualifying body for the Plan.

- 2.2. Bledlow-cum-Saunderton Parish Council undertook pre-submission consultation on the draft Plan in accordance with Regulation 14 between 20 June and 25<sup>th</sup> August 2016.
- 2.3. Following the submission of the Bledlow-cum-Saunderton Neighbourhood Plan to Wycombe District Council on 26<sup>th</sup> August 2016, along with supporting documents, the Council publicised the Neighbourhood Plan for a six-week period on 12<sup>th</sup> September 2016, and representations were invited in accordance with regulation 16. The consultation ended on 25<sup>th</sup> October 2016.

### **3. Independent examination**

- 3.1. The Council, with the consent of Bledlow-cum-Saunderton Parish Council, appointed Mr Robert Yuille to undertake the examination of the Bledlow-cum-Saunderton Neighbourhood Plan and to prepare a report of the independent examination.
- 3.2. The Examiner decided to deal with the Neighbourhood Plan via written representations and made a site visit of the Parish on 18 November 2016.
- 3.3. The Examiner's report was received on 9 December 2016. The report concludes that, subject to making the modifications recommended by the Examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning Referendum. The Examiner also recommended that the referendum area should be based on the Neighbourhood Area designated by the Council, which is the Bledlow-cum-Saunderton Parish.
- 3.4. The Council has sought an extension from Bledlow-cum-Saunderton Parish Council to the date by which to make their decision on the Examiner's recommendations, in line with the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016. A

signed agreement stating the date of decision to be on 7 February 2017 has been published on the Council website.

3.5. Having now considered each of the recommendations made in the Examiner's report and the reasons for them, the Council had decided to make the modifications to the Bledlow-cum-Saunderton Neighbourhood Plan set out in section 4 below. The Council is satisfied that subject to those modifications which it considers should be made to the Plan as set out in Table 1 below, the Plan meets the Basic Conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with the Convention Rights and complies with the provision made by or under 61E(2), 61J and 61L of the said Act .

#### **4. Decision and reasons**

4.1. The Neighbourhood Planning (General) Regulations 2012 (as amended) requires in Regulation 18 for the Local Planning Authority to outline what action to take in response to the recommendations of an Examiner made in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a Neighbourhood Plan. The Regulations provide that where the Council disagrees with the Examiner's report to re-consult, however this provision is not engaged in this instance for the reasons set out below.

4.2. Having considered each of the recommendations made by the Examiner in his report and the reasons for them, the Council, with the consent of Bledlow-cum-Saunderton Parish Council, has decided to accept the Examiner's modifications to the Neighbourhood Plan. The Council has also decided to add a minor modification to provide clarification as to the interpretation of one of the policies, thus contributing to meeting the Basic Conditions. As this is not a different view to the Examiner, the Council does not propose to re-consult on those minor additions. Annex 1 below outlines the Plan Modifications made to the Plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of the 2004 Act) in response to each of the Examiner's recommendations and the justification for this.

4.3. The Examiner recommended that the Neighbourhood Plan should proceed to a referendum subject to the modifications being made, and that the referendum area should be the designated Neighbourhood Area which is Bledlow-cum-Saunderton Parish. The Council has considered this recommendation and the reasons for it and has decided to accept it. The Plan once modified must proceed to Referendum.

4.4. The referendum on the final Bledlow-cum-Saunderton Neighbourhood Plan will be based on the designated Bledlow-cum-Saunderton Parish neighbourhood area. The date for the referendum and further details will be publicised shortly once a date is set by the Council.

**Other information:**

The Independent Examiner's Report and the Bledlow-cum-Saunderton Neighbourhood Plan and supporting documents can be viewed on the Council's website: <https://www.wycombe.gov.uk/pages/Planning-and-building-control/Neighbourhood-planning/Bledlow-cum-Saunderton-neighbourhood-plan.aspx>

Paper copies can be viewed during normal opening times at: Wycombe District Council, Council Offices, Queen Victoria Road, High Wycombe, HP11 1BB Buckinghamshire.

**Signed:**

**Penelope Tollitt**

**Councillor David Johncock**

**Penelope Tollitt**

**Councillor David Johncock**

**Head of Planning and Sustainability**

**Cabinet Member for Planning and Sustainability**

**Dated: 07 February 2017**

**(Appendix 1 Erratum added on 16.02.17)**

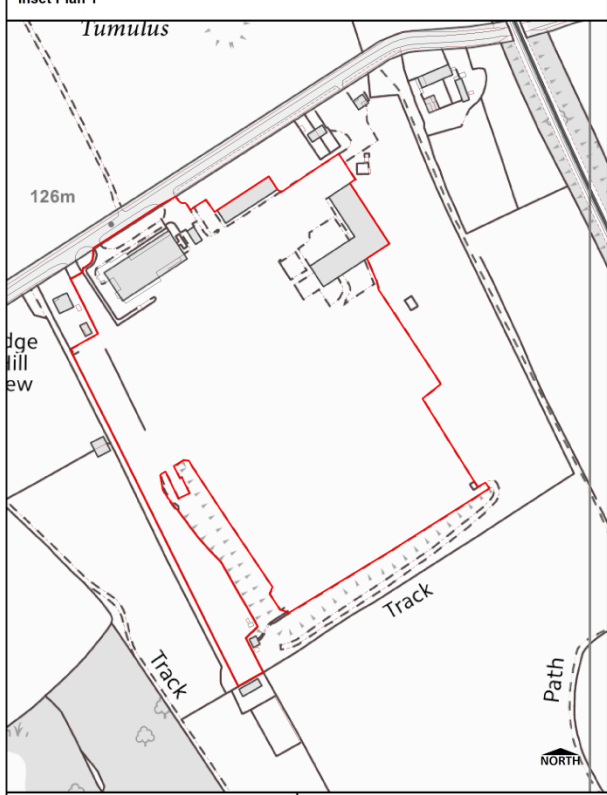
## Annex 1: Schedule of proposed Plan Modifications and WDC decision

BcSNP = Bledlow-cum-Saunderton Neighbourhood Plan ; WDC = Wycombe District Council; PM = Examiner's Plan Modification

BcSNP Policy / Para.	Examiner Plan Modification reference	Examiner Plan Modification Recommendation	WDC's further modification	WDC decision / justification
Page 13	PM1	<p>Policy 3 (1)</p> <p>Modify by deleting the existing text and replace it with the following</p> <p><b><i>'Proposals for the redevelopment of the former Molins site will be supported provided that it is confined to the extent of the previously developed land shown on Inset Plan 1 and does not have a greater effect on the openness of the Green Belt and the purposes of including land within it than the existing development. The existing development consists of the buildings on the site (a former canteen/ballroom, a security building and an office building all fronting onto Haw Lane) together with the slab on which they stand and the hard standing to the south.'</i></b></p>	None	WDC fully accepts the Examiner's recommendation and justification for the rewording of the policy in relation to ensuring that the policy complies with national and local Green Belt policies.

<p>Page 14</p>	<p>PM2</p>	<p>Policy 3 (2) and associated text: Delete</p> <p><b><i>Policy 3(2)(iii), along with rest of Policy 3(2), that being Policy 3(2)(i), 3(2)(ii) and 3(2)(iv)</i></b></p> <p><b><i>Paragraphs 5.39 to 5.49 and Plan F should be deleted</i></b></p> <p><b><i>The reference in Paragraph 5.38 to the data centre ‘no longer being viable and not being delivered’ should be deleted</i></b></p>	<p>New paragraphs 5.39 and 5.40 to be added:</p> <p>“5.39 The effect of a proposal on the openness of the Green Belt and the purposes of including land within it will be assessed comprehensively across the Existing Development identified at Inset Plan 1. In terms of assessing the effect of any development on openness, the planning authority will have regard to the precise characteristics of the development proposed and to any benefits to openness resulting from the restoration of the slab or hardstanding to a natural state.</p> <p>5.40 In preparing this plan, the community has expressed clear local priorities for their Parish, including catering for the housing and social needs of a wide range of residents and supporting the rural economy. Redevelopment of the site for a mix of uses such as residential, retirement housing, small scale business units and community facilities would be welcomed.”</p>	<p><b>Variation to Examiner’s recommendation only insofar as adding two new paragraphs in the supporting text.</b></p> <p><b>All other modifications accepted.</b></p> <p>The further modifications are made for clarification purposes.</p> <p>This modification is felt necessary to help future applicants and the decision maker in relation to assessing the overall openness of the site in relation to a proposed scheme.</p> <p>This modification is felt necessary to ensure that the policy as reworded still reflects the local community’s needs and priorities in delivering mixed use development to promote sustainable rural communities. This is a strong priority for Bledlow</p>
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				<p>cum Saunderton Parish, which WDC wishes to support.</p> <p>This further modification ensures that the Plan has regards to paragraphs 1, 28, 50 and 58 of the National Planning Policy Framework, and thus meets the first basic condition a) of paragraph 8 (2) of Schedule 4B to the Town and Country Planning Act 1990.</p>
Policy 3	/	/	Add new Inset Plan 1 after Policy 3's supporting text.	Factual recording of the addition of Inset Plan 1 (as proposed by the Examiner in his report) as a modification to the Plan.

			<p><b>Inset Plan 1</b></p>  <p><b>Statement of Purpose:</b> Site Plan for Council Business Use Only</p> <p>Map produced in MapInfo GIS by: WDC for BeSPC</p> <p>Scale: 1:5000      Date: 07/02/2017</p> <p>Saved as Layout in Workspace PathName:</p> <p><small>OS mapping. © Crown Copyright and database rights. 2011 Ordnance Survey 100023306. Print for the public. You are not permitted to copy, re-issue, distribute, sell or otherwise make available the Licensed Data to third parties in any form. Aerial Photo Imagery 2010 and 2008. © Demmapping plc. www.demmapping.com</small></p> <p><small>Spatial Information Management ICT Business Systems Queen Victoria Road High Wycombe Bucks HP11 1BB www.wycombe.gov.uk</small></p>	
Page 15	PM3	<p>Policy 7, clause 1</p> <p>Delete the first clause of Policy 7 and replace with the following:</p> <p><b><i>'Proposals for extensions or alterations to a building within the Green Belt shall not be disproportionate over and</i></b></p>	None	Accept Examiner's recommendation and justification.



		<b><i>above the size of the original building. Proposals for a replacement building within the Green Belt for the same use shall not be materially larger than the one it replaces. In order to encourage designs that have a minimal impact on the environment and landscape:....'</i></b>		
Page 16	PM4	<p>Policy 7, clause 2</p> <p>Delete the second clause of Policy 7 and replace with the following:</p> <p><b><i>' When assessing whether a proposed development is disproportionate or materially larger consideration will be given to excluding passive design elements included in such proposals which demonstrably allow for the building, and its inhabitants, to mitigate and respond to the impacts of climate change.'</i></b></p>	None	Accept Examiner's recommendation and justification.
Page 17	PM5	<p>Paragraph 5.36</p> <p>Delete '<b><i>...there should be due regard for..'</i></b> in paragraph 5.36 of the plan and replace this with '<b><i>...great weight should be given to...'</i></b></p>	None	Accept Examiner's recommendation and justification.

## 16.02.17 - Appendix 1 - ERRATUM - BLEDLOW-CUM-SAUNDERTON NEIGHBOURHOOD PLAN DECISION STATEMENT – PROCEEDING TO REFERENDUM

The decision statement published on 07.02.17 erroneously referred to the need to add an Inset Plan 1 after policy 3; instead, Inset Map 1 page 58 of the submission document (which referred to the second part of the policy deleted by the Examiner) should be replaced with the correct new Inset Map 1 and referred as such in Policy 3 and its supporting text.

Policy 3	PM1		Replace in the wording proposed by the Examiner the words “Inset Plan 1” with “Inset Map 1”	For the purpose of correcting a minor error, so that the policy refers to the correct map.
Policy 3	PM2		Replace in the wording proposed for para 5.39 the words “Inset Plan 1” with “Inset Map 1”	For the purpose of correcting a minor error, so that the supporting text refers to the correct map.
Policy 3	/	/	Replace Inset Map 1 page 58 with the map below:	To reflect the request of addition “Inset Plan 1” by the Examiner in his report as a modification to the Plan. As the second part of policy 3 has been deleted by the Examiner, the submission Inset Map 1 need to be deleted, and replaced with the new

Inset Map 1 at that location.

