



Intelligent Plans
and examinations

Report on Quainton Neighbourhood Plan 2015 – 2033: Modified Version

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

Independent Examiner: Andrew S Freeman BSc (Hons) DipTP DipEM
FRTPI

Date of Report: 25 May 2022

Intelligent Plans and Examinations (IPE) Ltd, 3 Princes Street, Bath BA1 1HL
Registered in England and Wales. Company Reg. No. 10100118
VAT Reg. No. 237 7641 84

Contents

Main Findings - Executive Summary	4
1. Introduction and Background	5
Quainton Neighbourhood Plan 2015 – 2033 Modified Version	5
The Independent Examiner	5
Submitted Documents	5
Planning Policy Context	6
2. Procedural Considerations	6
Initial Determination	6
The Scope of the Examination	7
The Basic Conditions	8
Site Visit	9
Written Representations with or without Public Hearing	9
Examiner Modifications	9
3. Compliance Matters and Human Rights	9
Qualifying Body and Neighbourhood Plan Area	9
Plan Period	9
Neighbourhood Plan Preparation and Consultation	9
Development and Use of Land	10
Excluded Development	10
Human Rights	10
4. Assessment of the Basic Conditions	10
EU Obligations	10
Main Issues	11
Issue 1: Quainton Settlement Boundary	12
Issue 2: Design Beyond the Conservation Area	13
Issue 3: Business Enterprise and Local Employment	13
Issue 4: Community Facilities	14
Issue 5 Parking Provision and Traffic	14
Issue 6: Local Green Spaces	14
Issue 7: Green Infrastructure and Biodiversity	15
Other Matters	16
5. Conclusions	16
Summary	16
Recommendation	16

Appendix: Examiner Modifications (EMs)..... 18

Main Findings - Executive Summary

I made an initial determination on 28 April 2022 that the modifications contained in the Quainton Neighbourhood Plan 2015 – 2033: Modified Plan (the draft Plan) are not so significant or substantial as to change the nature of the neighbourhood development plan which the draft Plan would replace.

From my examination of the draft Plan and its supporting documentation, including the representations made, I have concluded that subject to the Examiner Modifications (EMs) set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- the Plan has been prepared and submitted for examination by a qualifying body – Quainton Parish Council;
- the Plan has been prepared for an area properly designated – the Quainton Neighbourhood Plan Area (Figure 1 on Page 6 of the Plan);
- the Plan specifies the period to which it is to take effect – 2015 - 2033; and
- the policies relate to the development and use of land for a designated neighbourhood area.

Therefore, I recommend that the local planning authority should make the Plan with the EMs specified in this report (there will be no statutory requirement for a referendum).

1. Introduction and Background

Quinton Neighbourhood Plan 2015 – 2033 Modified Version

- 1.1 Quinton is a village and civil parish in rural Buckinghamshire about 10 km to the northeast of Aylesbury. The parish is the subject of the Quinton Neighbourhood Development Plan 2015 – 2033 which was “made” (approved and adopted) by the former Aylesbury Vale District Council on 31 October 2016. Buckinghamshire Council is now the local planning authority for the area (see paragraph 3.1 below).
- 1.2 Since that time, the Vale of Aylesbury Local Plan has been adopted. The Local Plan contains a small allocation of housing land within the village. There have also been some small-scale housing developments and permissions for other development. It was therefore felt appropriate to update the Neighbourhood Plan with a revised settlement boundary and related policy, other policy revisions and the inclusion of a Policies Map.

The Independent Examiner

- 1.3 As the draft Plan has now reached the examination stage, I have been appointed as the examiner of the Quinton Neighbourhood Plan: Modified Version by Buckinghamshire Council with the agreement of Quinton Parish Council.
- 1.4 I am a chartered town planner and former government Planning Inspector with over forty years’ experience. I have worked in both the public and the private sectors. I am an independent examiner and do not have an interest in any of the land that may be affected by the draft Plan.

Submitted Documents

- 1.5 I have considered all policy, guidance and other reference documents relevant to the examination, including those submitted which comprise:
 - the draft Quinton Neighbourhood Plan 2015 – 2033 as proposed to be modified;
 - the summary of the proposals and reasons for the modifications;
 - the statements from the qualifying body (QB) and local planning authority (LPA) on the nature of the proposed modifications;
 - a map of the Plan which identifies the area to which the proposed Neighbourhood Development Plan relates;
 - a copy of the extant Quinton Neighbourhood Development Plan as made;
 - the Consultation Statement, July 2021;
 - the Basic Conditions Statement, January 2022;

- the Quainton Neighbourhood Plan – Modifications SEA and HRA Screening Opinion, October 2021;
- all the representations that have been made in accordance with the Regulation 16 consultation; and
- the request for additional clarification sought in my letter dated 28 April 2022 and the response dated 5 May 2022 from Quainton Parish Council.

These documents can be viewed at:

[Quainton Neighbourhood Plan submission consultation - Your Voice Bucks - Citizen Space](#)

Planning Policy Context

- 1.6 The Development Plan for this part of Buckinghamshire Council, not including documents relating to excluded minerals and waste development, is the Vale of Aylesbury Local Plan 2013 - 2033. There is an emerging local plan in the form of the Buckinghamshire Local Plan, which is at an early stage of preparation.
- 1.7 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. All references in this report are to the July 2021 NPPF and its accompanying PPG.

2. Procedural Considerations

Initial Determination

- 2.1 As the draft Plan has been submitted as a modifications proposal, I was required to undertake an initial determination under Paragraph 10(1) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended) (“the 2004 Act”) as to whether the modifications contained in the draft Plan are so significant or substantial as to change the nature of the neighbourhood development plan which the draft Plan would replace.
- 2.2 The purpose of the determination is to establish whether the modification proposal can be examined under the streamlined process for the making of the draft Plan set out in Schedule A2 of the 2004 Act or, in the event that the proposal contains material modifications which do change the nature of the Plan, it would be examined under the process set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended) (“the 1990 Act”), requiring an examination and a referendum.
- 2.3 To inform this determination, I considered all the relevant submitted documents, including the written statements on this matter provided by the

Intelligent Plans and Examinations (IPE) Ltd, 3 Princes Street, Bath BA1 1HL
Registered in England and Wales. Company Reg. No. 10100118
VAT Reg. No. 237 7641 84

QB and LPA to comply with Regulations 15(1)(f) and 17(e)(ii) respectively of the Neighbourhood Planning (General) Regulations 2012 (as amended) (“the 2012 Regulations”) and the representations.

- 2.4 Quanton Parish Council has summarised the proposed modifications as including a replacement of Policy H1 (Housing Location of Development) with Policy QP1 (Quanton Settlement Boundary); an amended settlement boundary that includes land allocated, planned or committed for development; updated policy wording in general conformity with the Vale of Aylesbury Local Plan; and inclusion of a Policies Map. The modifications are considered to be practical and pragmatic. They are material but not so significant or substantial as to change the nature of the Plan.
- 2.5 Buckinghamshire Council has highlighted the amended settlement boundary, the re-naming and re-wording of Policy H1 and other policies and the inclusion of a Policies Map. The modifications to the settlement boundary would help retain the integrity of the settlement and add clarity without setting a principle for development that is not allocated or without planning permission. The modification of Policy H1 would also provide greater clarity and bring the policy closer to the meaning originally intended. In all cases the modifications are not so substantial or significant as to change the nature of the Plan.
- 2.6 I set out my determination in my procedural letter of 28 April 2022 to the LPA and QB. I am content that the modifications proposed in the draft Plan are material but are not so significant or substantial as to change the nature of the neighbourhood development plan which the draft Plan would replace. Therefore, I have conducted this examination in accordance with the relevant provisions in Schedule A2 to the 2004 Act, which I set out below.

The Scope of the Examination

- 2.7 As the independent examiner I am required to produce this report and recommend either:
- (a) that the local planning authority should make the draft plan; or
 - (b) that the local planning authority should make the draft plan with the modifications specified in this report; or
 - (c) that the local planning authority should not make the draft plan.
- 2.8 The scope of the examination is set out in Paragraph 11(1) of Schedule A2 to the 2004 Act. The examiner must consider:
- Whether the draft Plan meets the Basic Conditions;
 - Whether the draft Plan complies with provisions under Section 38A and Section 38B of the 2004 Act. These are:

- it has been prepared and submitted for examination by a qualifying body for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;
 - it does not include provisions and policies for “excluded development”;
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area; and
- Such matters as prescribed in the 2012 Regulations.

2.9 I have considered only matters that fall within Paragraph 11(1) of Schedule A2 to the 2004 Act, with one exception. That is the requirement that the draft plan is compatible with the Human Rights Convention.

The Basic Conditions

2.10 The “Basic Conditions” are set out in Paragraph 11(2) of Schedule A2 to the 2004 Act. In order to meet the Basic Conditions, the draft plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with and not breach European Union (EU) obligations (Note: the existing body of environmental regulation is retained in UK law); and
- meet prescribed conditions and comply with prescribed matters.

2.11 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

Site Visit

- 2.12 I made an unaccompanied site visit to the Neighbourhood Plan Area on 9 May 2022 to familiarise myself with it and visit relevant sites and areas referenced in the Plan and evidential documents.

Written Representations with or without Public Hearing

- 2.13 This examination has been dealt with by written representations. The representations set out the objections and other comments clearly in relation to the draft Plan. There were no exceptional reasons to justify convening a public hearing.

Examiner Modifications

- 2.14 Where necessary, I have specified Examiner Modifications (**EMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix.

3. Compliance Matters and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The Quanton Neighbourhood Plan: Modified Version has been prepared and submitted for examination by Quanton Parish Council, which is a qualifying body. The Neighbourhood Plan Area was designated on 25 September 2012 by the former Aylesbury Vale District Council, replaced by Buckinghamshire Council on 1 April 2020 which carries over the statutory designation.
- 3.2 It is the only Neighbourhood Plan for Quanton parish and does not relate to land outside the designated Neighbourhood Plan Area.

Plan Period

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2015 to 2033.

Neighbourhood Plan Preparation and Consultation

- 3.4 Details of plan preparation and consultation are set out in the Parish Council's Consultation Statement dated July 2021. Actions included:
- establishment of a review Steering Group;
 - active engagement involving the Parish Council, Buckinghamshire Council and the former Aylesbury Vale District Council; and

- publicity via emails, posters, Zoom meetings, the parish magazine and letters to every household, business and landowner in the area.
- 3.5 Statutory publicity under Regulation 14 was carried out between 18 December 2020 and 19 February 2021. The Consultation Statement, at Appendix 3, records comments from 16 statutory consultees together with the responses of the Parish Council. Twenty comments from parishioners and the Parish Council's responses are set out in Appendix 4.
- 3.6 At the Regulation 16 stage, between 17 January 2022 and 28 February 2022, representations were received from 10 different parties including local residents, statutory consultees and Buckinghamshire Council.
- 3.7 I confirm that the legal requirements have been met by the consultation process. In addition, there has been regard to the advice in PPG on plan preparation and engagement.

Development and Use of Land

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

Excluded Development

- 3.9 The Plan does not include provisions and policies for "excluded development".

Human Rights

- 3.10 Quanton Parish Council is satisfied that the Plan does not breach Human Rights (within the meaning of the Human Rights Act 1998). From my independent assessment, I see no reason to disagree.

4. Assessment of the Basic Conditions

EU Obligations

- 4.1 The Neighbourhood Plan was screened for Strategic Environmental Assessment (SEA) by Buckinghamshire Council which found that it was unnecessary to undertake SEA. Having read the Strategic Environmental Assessment Screening Opinion, I support this conclusion.
- 4.2 The Quanton Neighbourhood Plan: Modified Version was further screened for Habitats Regulations Assessment (HRA) which also was not triggered. The site is not in close proximity to a European designated nature site. Natural England agreed with the conclusion (Appendix A of the Screening Opinion).

From my independent assessment of this matter, I have no reason to disagree.

Main Issues

- 4.3 Before I deal with the main issues, I have a few observations to make with regard to the representations. Firstly, the Quainton Neighbourhood Plan: Modified Version should be seen in the context of the wider planning system. This includes the Vale of Aylesbury Local Plan as well as the NPPF and PPG. It is not necessary, and it would be inappropriate, to repeat in the Neighbourhood Plan matters that are quite adequately dealt with elsewhere. (see NPPF Paragraph 16 f).
- 4.4 Secondly, the Neighbourhood Plan does not have to deal with each and every topic raised through the consultation. In this regard, the content of the Neighbourhood Plan and the scope of the policies is largely at the discretion of the qualifying body, albeit informed by the consultation process and the requirements set by the Basic Conditions.
- 4.5 Thirdly, my central task is to judge whether the Neighbourhood Plan satisfies the Basic Conditions. Many of the representations do not demonstrate or indicate a failure to meet those conditions or other legal requirements. Similarly, many of the suggested additions and improvements are not necessary when judged against the Basic Conditions.
- 4.6 The following section of my report sets out modifications that are required in order to meet the Basic Conditions. Some of the proposed modifications are factual corrections (modifications for the purpose of correcting errors is provided for in Paragraph 10(3)(e) of Schedule 4B to the 1990 Act). Others are necessary in order to have closer regard to national policies and advice. In particular, plans should be succinct and contain policies that are clearly written and unambiguous (NPPF, Paragraphs 15 and 16). In addition, the policies should be supported by appropriate evidence (PPG Reference ID: 41-041-20140306).
- 4.7 Having regard to the draft Plan, the consultation responses and other evidence, and the site visit, I consider that there are seven main issues that relate to the remaining Basic Conditions. These concern:
- Quainton Settlement Boundary
 - Design beyond the Conservation Area
 - Business Enterprise and Local Employment
 - Community Facilities
 - Parking Provision and Traffic
 - Local Green Spaces; and
 - Green Infrastructure and Biodiversity

Issue 1: Quainton Settlement Boundary

- 4.8 A settlement boundary for Quainton was established under the made Quainton Neighbourhood Plan (Policy H1). New homes are supported under the policy subject to certain conditions. The boundary has been updated in the replacement policy of the draft modified Plan (Policy QP1: Quainton Settlement Boundary) principally to reflect more recent planning permissions and allocations under the Vale of Aylesbury Local Plan. Be that as it may, a number of queries have been raised in respect of the proposed modified boundary.
- 4.9 The first query relates to land at the northwestern end of North End Road. Here, the boundary has been drawn around the curtilage of Grange Leys; also around land at North End Nurseries (that was given planning permission in October 2019). The inclusion of the nursery land is entirely sensible. As to the land to the north, this is less clear cut given the presence of a small undeveloped field between the northern boundary of the nursery and the curtilage of Grange Leys.
- 4.10 Nevertheless, the land north of North End Nurseries falls within the settlement boundary as confirmed under the made Neighbourhood Plan. In addition, Grange Leys represents the limit of the built-up area of Quainton at the northwestern end of North End Road and a logical boundary to the settlement. I see no overriding reason for a modification of the boundary at this location.
- 4.11 On the opposite side of the road, the situation is different. Built development and the obvious boundary to Quainton at this point ends with the detached house at 66 North End Road. Beyond is a relatively small field which, although enclosed by hedgerows, is part of the open countryside that extends to the north of Quainton. A modification of the proposed settlement boundary would not be justified.
- 4.12 A further boundary query relates to land north of Cross Farmhouse, 12 The Green. I am told in the Regulation 16 representation of James and Susie Christopherson that this small paddock, formerly used for grazing cattle, was purchased in 2004. The paddock fence on the south side was removed in 2005 and the ground landscaped. The garden of Cross Farmhouse was extended northwards. The land is now used for growing vegetables, playing sport, beehives, a bonfire and the launching of fireworks. It is regarded by the owners as garden land within the curtilage of the dwelling, land that should be within the settlement boundary in common with land to the west.
- 4.13 As noted above, the settlement boundary for Quainton was established under the made Neighbourhood Plan. However, the boundary is being updated to reflect more recent planning permissions and allocations under the Vale of Aylesbury Local Plan (also to afford further protection to Quainton Windmill). It was not intended to undertake a “root and branch” review of the adopted boundary.

4.14 Although the Parish Council (in its response to my question 5 May 2022) does not see the change as contentious, I find that the draft modified version of the Plan as submitted meets the Basic Conditions and the other legal requirements in this regard. The same applies to the other instances that I have discussed. Accordingly, there are no legal grounds for me to recommend examiner modifications.

Issue 2: Design Beyond the Conservation Area

4.15 Policy QP3 is entitled Design Beyond the Conservation Areas. It builds on Policy E2 Environment of the made Neighbourhood Plan. However, to introduce appropriate clarity, there are two matters that need attention:

- Although the policy deals with design beyond the conservation area, the introduction to the policy says that “proposals for development *in the neighbourhood area* will be supported...”. The wording needs to be corrected so as to refer to the conservation areas.
- Proviso (f) of the policy refers to *adopted standards* for off-street parking spaces. Whilst adopted standards are to be found in Policy T6 of the Vale of Aylesbury Local Plan, these are slightly different from those set out and justified as part of the Neighbourhood Plan. For clarity, reference should be made to the residential car parking standards in Neighbourhood Plan Policy QP7 or the non-residential standards of the Local Plan.

4.16 The wording of the policy would be clarified under examiner modification **EM1**.

Issue 3: Business Enterprise and Local Employment

4.17 Policy QP5 of the draft modified version of the Plan (Business Enterprise and Local Employment) expands on Policy LE1 (Local Employment) of the made Neighbourhood Plan. Proviso (d) of the policy offers support to business development proposals in the open countryside “either through conversion of existing buildings *and* well-designed new buildings”. This wording is perceived to be an error. “Or” should be substituted for “and” so that there is a choice between conversion or new build.

4.18 Under Proviso (e), new business enterprises should perform a promotional or supportive role. In terms of support, this can be to “sustainable rural tourism and leisure developments that benefit businesses in the countryside area, communities *and* visitors”. Again, this is perceived to be an error. The benefit could be to businesses, communities or visitors, not necessarily to all three.

4.19 Amended wording is set out in examiner modification **EM2**.

Issue 4: Community Facilities

- 4.20 Policy QP6 lists 14 community facilities that are the subject of the policy. However, there is no plan that shows the geographical extent of the facilities nor, for those unfamiliar with Quanton, their location. For clarity, both applicants and decision makers will need to have this information. Examiner modification **EM3** refers.

Issue 5 Parking Provision and Traffic

- 4.21 Policy QP7 (Parking Provision and Traffic) builds on Policy T1 (Parking provision) of the made Neighbourhood Plan. Tandem parking should be avoided and garages should not count towards the total car parking requirement. In my estimation, this could lead to the parking of cars three or more abreast across property frontages. In many cases, bearing in mind that the NPPF, paragraph 104 e), considers that parking should contribute to making high quality places, there could be unacceptable visual effects.
- 4.22 Policy QP7 provides for relief in “highly exceptional circumstances”. However, this is a steep and unspecific threshold to meet. In my opinion, and to pay appropriate regard to the NPPF, a more balanced approach is necessary as set out in examiner modification **EM4**. The examiner modification also provides for clarification, within the supporting text, of the policy term “reasonable alternatives” (as set out in the Parish Council’s answer, dated 5 May 2022, to my questions) namely the sort of efforts that applicants will be expected to explore in meeting the required standards.

Issue 6: Local Green Spaces

- 4.23 Policy QP8 (Local Green Spaces) is to all intents and purposes the same as Policy NE1 (Natural Environment - Green Spaces) in the made Neighbourhood Plan. However, there are two matters that warrant consideration.
- 4.24 The first is the inclusion, as a Local Green Space (LGS), of land at No 13 Townsend (LGS6). There have been representations at Regulation 16 from Dennis Lewis challenging whether the space meets the appropriate criteria in NPPF paragraph 102; also, whether appropriate regard was paid to the observations of the owner.
- 4.25 With regard to the above, I have been supplied with a wealth of background material attached to the Parish Council’s response, dated 5 May 2022, to my questions. The evidence indicates that the owner was aware of the proposed designation and was given an appropriate opportunity to comment thereon. As to whether the space met the criteria for designation, this was specifically explored by the examiner of the made Neighbourhood Plan. He found that LGS6 was demonstrably special to a local community and holds a particular local significance, satisfying the criteria in the NPPF.

- 4.26 I have reviewed afresh the Local Green Space Report. I agree with the previous examiner that there is evidence that LGS6 is demonstrably special to a local community and holds a particular local significance. I appreciate that the benefits of this “back garden” are enjoyed by a limited number of residents. Nevertheless, I have no reason to disagree with the conclusion that “a community” can be limited in number or in spatial distribution. The designation as Local Green Space meets the Basic Conditions and other legal requirements.
- 4.27 On a further point, I note that the policy would protect Local Green Spaces from development “unless very special circumstances can be demonstrated”. This may be contrasted with the NPPF which states that policies for managing development within a Local Green Space “should be consistent with those for Green Belts” (NPPF paragraph 103). In addition to development demonstrating very special circumstances, national policy would allow for developments that are “not inappropriate” or which are identified as exceptions.
- 4.28 The Neighbourhood Plan policy would, therefore, be more restrictive than national Green Belt policy. In these circumstances, it is necessary to have regard to a Court of Appeal decision that post-dates the making of the Quanton Neighbourhood Plan. [See: *The Queen (on the application of Lochailort Investments Ltd) v Mendip District Council and Norton St Philip Parish Council*, [2020] EWCA Civ 1259]. The judgement indicates that whilst a more restrictive policy is not precluded, there would have to be justification for a departure. In the present case, there is no such justification. Indeed, the situation may have arisen out of an unintended consequence of the wording.
- 4.29 To reflect the evidence, the wording of the policy should be amended as in examiner modification **EM5**.

Issue 7: Green Infrastructure and Biodiversity

- 4.30 With regard to Policy QP9 (Green Infrastructure and Biodiversity), various suggested amendments to the wording have been proposed by Buckinghamshire Council. These are not matters that affect the Basic Conditions but the suggested revisions could be made by the local planning authority and Parish Council of their own volition.
- 4.31 On other matters, Policy QP9 (b) refers to carrying out tree surveys and arboricultural impact assessment “to BS 5837 (*as replaced*)”. This reference is lacking in clarity and begs the question ‘what has replaced BS 5837?’. As now suggested by the Parish Council, in their response dated 5 May 2022 to my questions, the text should refer to the “latest version” of BS 5837.
- 4.32 Finally, Policy QP9 (d) refers to protecting hedgerows “as per the Hedgerow Regulations 1997” without any indication of the specific ways by which protection is sought. In this regard, applicants will need to check whether the

hedgerow in question has protection under the Regulations and, if so, to seek permission for its removal or reduction. Applicants may also be bound by the terms of a Hedgerow Retention Notice.

- 4.33 Appropriate clarity in regard to the above matters would be added through examiner modification **EM6**.

Other Matters

- 4.34 In this examination, I have focussed on the differences from the made Neighbourhood Plan and relevant representations. Nevertheless, I have considered afresh the whole of the draft Plan. As part of this consideration, I have had regard to recent guidance on First Homes (PPG Reference ID: 70-018-20210524). In this respect, the submitted Plan is an update of the made Neighbourhood Plan for Quainton. There is no policy on affordable housing, including First Homes, in the made Plan. In my view, it is not necessary to provide for First Homes as part of the current exercise.
- 4.35 Aside from the issues that are discussed above, I am satisfied that there are no other matters that affect the Basic Conditions. This includes policies QP2 (Design in the Conservation Area and its Setting) and QP4 (Housing Mix) both of which have regard to Sections 16 and 5 respectively of the NPPF.
- 4.36 With the modifications that I have recommended, the Plan would meet the Basic Conditions. Other minor changes (that do not affect the Basic Conditions) could be made by Quainton Parish Council or Buckinghamshire Council of their own volition.

5. Conclusions

Summary

- 5.1 The Quainton Neighbourhood Plan: Modified Version has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the draft Plan meets the Basic Conditions and other legal requirements. I have had regard for all the responses made following consultation on the draft Neighbourhood Plan and the evidence documents submitted with it.
- 5.2 I have set out modifications to a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements.

Recommendation

- 5.3 I recommend that Buckinghamshire Council should make the draft Plan with the modifications specified in the Appendix to this report.

- 5.4 It is evident that a considerable amount of time and effort has been devoted to the development and production of this Plan and I congratulate those who have been involved. The Plan should prove to be a useful tool for future planning and change in Quainton parish over the coming years.

Andrew S Freeman

Examiner

Appendix: Examiner Modifications (EMs)

Page references are to those in the submitted draft Quanton Neighbourhood Plan.

EM1 Page 26

Substitute the following for the first sentence of Policy QP3: “Proposals for development outside the conservation areas will be supported provided that:”.

At the end of proviso (f), for “the adopted standards”, substitute “Policy QP7 or the non-residential standards under Policy T6 of the Vale of Aylesbury Local Plan”.

EM2 Page 28

In Policy QP5 (d), at the end of the third line, change “and” to “or”.

In the final line of Policy QP5 (e), change “and” to “or”.

EM3 Page 29

In respect of Policy QP6, provide a plan or plans locating the listed community facilities and showing, at an appropriate scale, the geographical extent of the land occupied by the facility.

EM4 Page 30

In Policy QP7 (d), substitute “unless there would be unacceptable visual harm” for “unless there are highly exceptional circumstances as to why off street parking provision should not be made,”.

In the text following the policy, add an explanation of the term “reasonable alternatives”.

EM5 Page 31

In Policy QP8, substitute “unless consistent with national Green Belt policy” for “unless very special circumstances can be demonstrated”.

EM6 Page 33

At the end of Policy QP9 (b), substitute “latest version” for “as replaced”.

Add a paragraph to the explanatory text that follows the policy pointing out the relevance of the Hedgerow Regulations 1997.