

Date: 06 July 2023  
Our ref: 435881  
Your ref: Hazlemere Neighbourhood Plan



Ms Rachael Riach  
Buckinghamshire Council

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**BY EMAIL ONLY**

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Dear Ms Riach

**Hazlemere Neighbourhood Plan - Modifications to Neighbourhood Plan**

Thank you for your consultation on the above dated 16 May 2023.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

**Natural England does not have any specific comments on this draft neighbourhood plan.**

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan and to the following information.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require a Strategic Environmental Assessment. Further information on protected species and development is included in [Natural England's Standing Advice on protected species](#).

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant a Strategic Environmental Assessment. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a Strategic Environmental Assessment is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If an Strategic Environmental Assessment is required, Natural England must be consulted at the scoping and environmental report stages.

For any further consultations on your plan, please contact: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely  
Sally Wintle  
Consultations Team

## Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

### Natural environment information sources

The [Magic](#)<sup>1</sup> website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available from [the Association of Local Environmental Records Centres](#) .

**Priority habitats** are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)<sup>2</sup>. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

**National Character Areas** (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)<sup>3</sup>.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty** (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#)<sup>4</sup> website and also from the [LandIS website](#)<sup>5</sup>, which contains more information about obtaining soil data.

### Natural environment issues to consider

The [National Planning Policy Framework](#)<sup>6</sup> sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)<sup>7</sup> sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

### Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

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<sup>1</sup> <http://magic.defra.gov.uk/>

<sup>2</sup> <https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england>

<sup>3</sup> <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

<sup>4</sup> <http://magic.defra.gov.uk/>

<sup>5</sup> <http://www.landis.org.uk/index.cfm>

<sup>6</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>7</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

## Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)<sup>8</sup>), such as Sites of Special Scientific Interest or [Ancient woodland](#)<sup>9</sup>. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

## Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)<sup>10</sup>) or protected species. To help you do this, Natural England has produced advice [here](#)<sup>11</sup> to help understand the impact of particular developments on protected species.

## Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see [Guide to assessing development proposals on agricultural land](#)<sup>12</sup>.

## **Improving your natural environment**

Your plan or order can offer exciting opportunities to enhance your local environment and should provide net gains for biodiversity in line with the [National Planning Policy Framework](#). If you are setting out policies on new development or proposing sites for development, you should follow the biodiversity mitigation hierarchy and seek to ensure impacts on habitats are avoided or minimised before considering opportunities for biodiversity enhancement. You may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development and how these could contribute to biodiversity net gain and wider environmental goals.

Opportunities for environmental enhancement might include:

- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to reduce impacts on wildlife.
- Adding a green roof to new buildings.
- Providing a new footpath through the new development to link into existing rights of way.

[Defra's Biodiversity Metric](#) should be used to understand the baseline biodiversity value of proposed development sites and may be used to calculate biodiversity losses and gains where detailed site development proposals are known. For small development sites the [Small Sites Metric](#) may be used. This is a simplified version of [Defra's Biodiversity Metric](#) and is designed for use where certain criteria are met.

Where on site measures for biodiversity net gain are not possible, you should consider off site measures.

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision. Natural England's [Green Infrastructure Framework](#) sets out further information on green infrastructure standards and principles
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance](#)<sup>13</sup>).

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<sup>8</sup> <https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england>

<sup>9</sup> <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

<sup>10</sup> <https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england>

<sup>11</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>12</sup> <https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land>

<sup>13</sup> <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>

- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks or on verges, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside [Defra's Biodiversity Metric](#) and is available as a beta test version.

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# Hazlemere Neighbourhood Plan

Further Proposed Modifications Neighbourhood  
Plan consultation

Planning Representations

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Prepared by Savills (UK) Ltd on behalf of Bellway Homes

26<sup>th</sup> June 2023





# 1. Representations

## Introduction

- 1.1 These representations have been prepared by Savills (UK) Ltd on behalf of Bellway Homes. Bellway Homes own the majority southern parcel of land which forms parcel HW8 – Land off Amersham Road including Tralee Farm, 350 dwellings.
- 1.2 These representations consider the recent further proposed modifications to the Hazlemere Neighbourhood Plan consultation which ran from 16<sup>th</sup> May 2023 and closes on 27<sup>th</sup> June 2023.
- 1.3 In general Bellway support the proposed changes as set out within document which are summarised below. We also provide comments against each relevant policy.
- 1) Access routes into the site from A404 Amersham Road and Wycombe Road have already been established through planning Policy HW8 of the adopted Wycombe Local Plan 2019 and the adopted Development Brief.
  - 2) Bellway fully support the conclusion that HW8 is not out of date.
  - 3) There is no justification to provide a sense of separation in the form of a Green Infrastructure (GI) on the Eastern Boundary of the Bellway parcel (C5). Consequently, as written HAZNP5 would result in a reduction of the homes that could be delivered on site.
  - 4) Plan E needs to be amended to be 'indicative' and also changed to reflect the proposed amendments.
  - 5) It is not possible nor required to provide access points to adjoining land parcels outside of the site as required by C4.
- 1.4 We set out below a summary of our comments in relation to the proposed changes.



Reference	Proposed Change	Comment
<p><b>Page 32</b> <b>policy HAZNP5</b> <b>First paragraph</b> <b>Policies Map</b> <b>page 45</b></p> <p>Policies Map page 45</p>	<p>Change to policy text: “The site as shown on the Policies Map is allocated for residential use.”</p> <p>Change to the Policies Map: Change boundary to reflect HW8 allocation and additional land parcels as per the development brief.</p>	<p>We support this change.</p>
<p><b>Page 34</b> <b>Supporting text</b> <b>Para 5.33</b></p>	<p>Modify the plan to make it clear that Policy HW8 is not out of date. Replace para 5.33 with the following text:</p> <p><b>“HAZNP5 supplements HW8 adding extra detail to the policy approach.</b></p>	<p>We strongly agree with this change. There is no justification to suggest that Policy HW8 is out of date.</p> <p>This should be reflected throughout the NP and within the sub-text.</p> <p>Policy HW8 is <b>not</b> out of date as the policy is written in relation to the site located in the Wycombe District Plan only. It is acknowledged that the sub text in 5.1.67 states that <i>‘in the event that land to the north east in Chiltern District is allocated’</i> and in sub text 5.1.68 <i>‘in the event that land to the north east in Chiltern District (off Earl Howe Road) is allocated for development in the Chiltern and South Bucks Local Plan, a new primary school will be required.’</i></p> <p>Therefore we consider that HW8 does not need to change as the site adjacent is not allocated for development. Therefore there is no reason for Policy HW8 to change. It only requires a change ‘in the event’ the land to the north east in Chiltern District (off Earl Howe Road) is allocated for development</p>
<p><b>Page 32</b> <b>policy HAZNP5</b> <b>Clause B1)</b></p>	<p>Change to policy: Modify Clause B1 to read: To provide vehicular access from the A404 <b>and Wycombe Road;</b></p> <p>Change to supporting text: Para 5.47 first sentence to say Clause B1 sets out that access is required on to the A404 and Wycombe Road. Change to Plan E:</p>	<p>Agree.</p> <p>The principle of an access from the Wycombe Road is accepted and shown on Figure 9 ‘Development Framework’ within the adopted Development Brief (September 2022) for the site.</p> <p>The access is also shown from the Wycombe Road on Figure 14 of Policy HW8 of the Wycombe Local Plan August 2019.</p> <p>The Planning Inspector in relation to application 18/07194/OUT (appeal ref. APP/K0425/W/22/3296128) confirmed that the access from the Wycombe Road is acceptable.</p>





	Change the width of the arrow on Plan E to that denoting vehicular access	Therefore the proposed change is fully justified.
Page 32 policy HAZNP5 Clause C4	Change to the policy Delete clause C4 from the policy Delete supporting text relating to clause C4 of the policy Change to Plan E  Remove clause C4 from Plan E	Bellway agree that C4 in combination with C5 would result in a much reduced quantum of units for the site which would not meet the basic conditions and not in general conformity with HW8 and CP4 of the Wycombe District Local Plan which sets out that the site is allocated for 350 homes.  C4 also requires that the site is connected to existing isolated pockets of green infrastructure including the off-site woodland between Badger Way and the A404, and the off-site woodland near the play area at Badger Way, and the larger back gardens with mature trees to the rear of Lacey’s Drive.  Due to land ownership issues some of these requests are onerous and unachievable. Therefore Bellway agree with the deletion of C4.
Page 32 policy HAZNP5 Clause C5 Page 33 Plan E	Change to the Policy wording (C5) to <del>provide</del> enhance a <b>the</b> strategic Green Infrastructure link along the north eastern boundary of the site, connecting the orchard adjacent the site to the north to the wider countryside to the south, <del>as part of the provision of a sense of separation;</del>  Re-label C5 as C4.  Change to the supporting text Re-label C5 as C4 Delete final sentence of para 5.63. Changes to Plan E: A narrower line needs to be shown between the orchard and Amersham Road running along the boundary. Deletion of the small triangle south-west of the orchard. Re-label C5 as C4  Change to the supporting text Re-label C5 as C4  Delete final sentence of para 5.63.	Agree, although Bellway consider C5 should be removed completely.  There is no justification to provide the Green Infrastructure (GI) link on the north eastern boundary (C5) as it does not create any more sense of separation than the existing Green Belt already would on the eastern Boundary of the site. This is acknowledged in paragraph 5.66 of the HNP where it states that ‘ <i>Since the adoption of HW8, and the falling away of the allocation of adjacent land for housing, separation between Hazlemere and Holmer Green is achieved though the adjacent land remaining in the Green Belt</i> ’.  Therefore there is no reason to locate the area of GI on the eastern boundary.  As indicated by the draft changes, if the land adjacent comes forward through a site allocation then a separation can be provided within the new site allocation.  In light of the above Bellway consider that HAZNP5 Part C should revert back to the original Part 3 Section D of HW8 which states that:  <b><i>d) Provide a Green Infrastructure link through the valley of the site, connecting the orchard to the woodland at Badger Way;</i></b>



	<p>Changes to Plan E: A narrower line needs to be shown between the orchard and Amersham Road running along the boundary. Deletion of the small triangle south-west of the orchard.</p> <p>Re-label C5 as C4</p>	<p>Bellway also consider that Plan E which supports HAZNP5 needs to be re-drawn to reflect the proposed change.</p> <p>It should also be noted that the HAZNP5 has not been prepared using technical evidence. The reason why Figure 14 of the Wycombe Local Plan identifies the GI link through the valley is to follow the topography of the site.</p> <p>The location of the development parcel as shown on Plan E of the NP includes areas that are not suitable for new homes therefore further reducing the development potential of the site.</p> <p>In light of the above Bellway consider that C5 should be deleted completely.</p>
<p>Page 41 Supporting text Para 5.64</p>	<p>Change to Plan E: Delete C6 Re-label C7 as C5</p>	<p>Bellway agree that C6 should be deleted as agreed by the Inspector.</p>
<p>Page 34 Para 5.37</p>	<p>Change to supporting text:</p> <p>5.37 Second, at the time HW8 was adopted, it was envisaged that connection with the adjacent urban areas would be to the north.</p> <p>The policy did not, therefore, include any connections into the existing urban area to the south. Since then, the prospect of the land to the north being allocated for development has fallen away, and it remains in the Green Belt.</p> <p><del>Therefore, connecting the new development into the existing urban area to the south becomes imperative.</del></p> <p><b>Therefore the housing development within HAZNP5 needs to be planned with the opportunity to join into a</b></p>	<p>Agree.</p> <p>Bellway propose to link footpaths and cycle routes through the site to the north and to the south. There are no proposed links to the east or west as Bellway do not own or have access to other areas of land.</p> <p>Bellway are fully supportive providing active travel and promoting more sustainable modes of transport.</p>



	<p><b>footpath and cycleway within the adjoining existing residential area, should an opportunity arise in the future.</b></p> <p><del>HAZNP5 therefore includes in its allocation the turning head and parking area between 44 and 45 Badger Way,</del> <b>This would facilitate</b> a future active travel connection in this location, which would allow residents of the new development to access the existing play area, among other things.</p> <p>Change to Plan E: The site allocation boundary to follow that of the WDLP in that area</p>	
<p>Page 41 Paragraph 5.66</p>	<p>Re-label C5 as C4 Amend paragraph 5.66 to say:</p> <p><del>5.66 The exception to this is the sense of separation along the north eastern boundary. Policy HW8 requires the provision of a sense of separation between Hazlemere and Holmer Green. Since the adoption of HW8, and the falling away of the allocation of adjacent land for housing, separation between Hazlemere and Holmer Green is achieved though the adjacent land remaining in the Green Belt. In respect of C4</del> It is therefore not necessary for HAZNP5 to provide for <del>the whole of</del> a sense of separation, <b>because, the boundary is located adjacent to open land and</b> should the adjacent land come forward for development through a future local plan, the space required to achieve a sense of separation can be <del>completed</del> provided as part of that development.</p>	<p>Agree however Bellway consider C5 should be removed completely.</p> <p>There is no justification to provide the GI link on the north eastern boundary (C5) as it does not create any more sense of separation than the existing Green Belt already would on the eastern Boundary of the site. This is acknowledged in paragraph 5.66 of the HNP where it states that ‘Since the adoption of HW8, and the falling away of the allocation of adjacent land for housing, separation between Hazlemere and Holmer Green is achieved though the adjacent land remaining in the Green Belt’.</p> <p>Therefore there is no reason to locate the area of GI on the eastern boundary.</p> <p>As indicated by the draft changes, if the land adjacent comes forward through a site allocation then a separation can be provided within the new site allocation.</p> <p>In light of the above Bellway consider that HAZNP5 Part C should revert back to the original Part 3 Section D of HW8 which states that:</p> <p><b><i>d) Provide a Green Infrastructure link through the valley of the site, connecting the orchard to the woodland at Badger Way;</i></b></p>



		Bellway also consider that Plan E which supports HAZNP5 needs to be re-drawn to reflect the proposed change.
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What is your interest in this consultation? - Interest	What is the name of your organisation? - Organisation	What is your full name? - Name	Please indicate whether you support or object to Buckinghamshire Council's proposed modifications to the Neighbourhood Plan: - Support/Object	Please provide your comments, suggested changes or reasons for objecting: - Comments
Resident	Not Answered	Chris Jung	I support them but do not wish to make any comments or suggest changes	Not Answered
Organisation	Chiltern Society	Brian Rodgers	I object to them and will provide comments and evidence to explain my reasons	The Chiltern Society strongly object to the removal of Clause C6 as set out in Page 41 Supporting text Para 5.64 of the Neighbourhood Plan. The basis of this decision and the Council's response assumes that there is sufficient weight given to the importance of the setting of the Chilterns AONB and Green Belt within the modified Development brief for HW8. However this document simply states "Respect setting by keeping /creating a tree-lined southern edge. Maintain and improve hedgerow along eastern boundary." The Society believe that this statement has diluted the protection of the AONB and is contrary to NPPF Paragraphs 174 a), b) and d); 175 and 176. Together with other amendments to paragraphs relating to biodiversity, tree canopy cover and green space the Inspector and Buckinghamshire Council have conspired to make Plan policy HAZNP5 irrelevant. We do not agree that the repetition referred to in the Inspector's report is in conflict with the other documents referred to but adds significant important detail to the development of this site.

**Buckinghamshire Council**

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27 June 2023

Our Ref: 32794

Dear Sir/Madam

**Hazlemere Neighbourhood Plan – Buckinghamshire Council further proposed modifications**

On behalf of our client, Hawridge Strategic Land Ltd, we provide representations in response to the Buckinghamshire Council further proposed modifications to the Hazlemere Neighbourhood Plan (“HNP”).

By way of background context to these representations, Hawridge Strategic Land Ltd submitted an outline planning application (including details of access and layout) in February 2023 for the erection of 95 dwellings with all other matters reserved, at Tralee Farm, 20 Wycombe Road, Holmer Green – application reference 23/05440/OUT – which forms the northern portion of Wycombe District Local Plan allocation ref. HW8, which is the specific subject of HNP Policy HAZNP5.

Representations were also previously also made in response to the Regulation 14 and 16 Consultations of the HNP on behalf of Inland Homes (from whom Hawridge Strategic Land Ltd have acquired the option to promote the northern portion of the HW8 allocation).

**Approach to the Representations**

The seven basic conditions that a Neighbourhood Plan must meet are set out in Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. The HNP has been considered in the light of these conditions, with the following conditions being particularly relevant to our consideration:

- a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan);
- d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development; and
- e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

The structure of these representations follows the structure of the Council's Proposed Modifications with the specific paragraph or policy referenced (and numbering given to the further modifications based on their ordering in the consultation document).

#### **Further Modification 1 – Paragraph 1, Page 32, and related changes to the policies map**

This section of the HNP refers to the additional land parcels that would bring the policy up to date. We are in agreement that the submission Policy Map does not show the correct site boundary within the submitted Policies Map, and therefore would not conform with basic conditions of general conformity with the strategic policies within the Wycombe District Local Plan (2019) ("WDLP") as the development plan for the area.

We agree with the proposed modifications of the Council.

#### **Further Modification 2 – Paragraph 5.33, Page 34**

The Council's comments refer to paragraph 5.33, this explains that 'HAZNP5 brings HW8 up to date'. We agree that the wording should be amended to make clear Policy HW8 of the WDLP is not out of date, and to ensure there is no policy conflict in relation to general conformity of the HNP with the WDLP (Basic Conditions e).

We are therefore in agreement with the Council's proposed modifications.

#### **Further Modification 3 – Page 32, Policy HASNP5, Clause B1)**

The amendments relate to the reinstatement of 'vehicular' and to provide access from both the A404 'and Wycombe Road' within clause B1 of Policy HAZNP5.

This is an essential modification to ensure that the requirements of WDLP Policy HW8 can be delivered. Criterion 2a of Policy HW8 requires the development of the HW8 allocation to *"Provide access from the A404 and Wycombe Road"* (emphasis added). This is also required by the HW8 Development Brief which was adopted in September 2022 to add additional detail to explain how Policy HW8 should be interpreted, with the fifth bullet point under Section 5.1 of the Development Brief outlining the following: *"Vehicle access is provided to the north part of the site via an enlarged existing access onto Wycombe Road, while access to the south is provided by a new access and an improved access onto Amersham Road"*.

Further, criterion 3d) of Policy HW8 requires the development of the HW8 allocation to: *"Provide a Green Infrastructure link through the valley of the site connecting the orchard to the woodland at Badger Way"*. Without point of access at either end of the allocation this requirement would prejudice the ability to deliver the requisite Green Infrastructure link through the centre of the site.

The proposed development subject to planning application ref. 23/05440/OUT provides vehicular access to Wycombe Road, and therefore compliant with Policy HW8 (and its accompanying Development Brief) and, consequently, this proposed modification.

We are in support of these amendments, which are essential to ensure conformity with criterion e of the Basic Conditions as without this amendment, the policy as worded could potentially undermine the delivery of the allocation.

#### **Further modification 4 – Paragraph 5.50, Page 37**

The Council's modifications refer to the amendment of Clause B2, and the later proposed amendments to Paragraph 5.50 to reflect these changes.

For the reasons provided in response to further modification 3 (see earlier in these representations) it is necessary to provide a vehicular access onto Wycombe Road through the northern boundary of the HW8 allocation to ensure conformity with Policy HW8 of the WDLP (and the accompanying HW8 Development Brief). This proposed modification is, therefore, necessary to ensure consistency with further modification 3 (required to ensure that Basic Condition e is met).

We are therefore in agreement with the Council's proposed modifications. In making this comment, we presume that all other text relating para 5.50 is to be deleted. This will be necessary in relation to the suggestion vehicular access won't be provided to Wycombe Road and that it states 20 Wycombe Road will be insufficient in itself to provide an access of sufficient width. This is demonstrably not the case as evidenced by the Highway Authority's comments and the Inspector's conclusions.

#### **Further modification 5 – Page 32, Policy HAZNP5, Clause 4**

No comments are provided by Hawridge Strategic Land Ltd to this proposed further modification as it relates to land in the southern half of the HW8 allocation, which is outside of its control.

#### **Further modification 6 – Page 32, Policy HAZNP5, Clause 5**

The Council's proposed modification to Clause 5 of Policy HAZNP5 is proposed to ensure that the HNP does not conflict with the WDLP. Policy HW8 does not require a 'strategic' green infrastructure link at the allocation's north-eastern boundary and does not determine how the 'sense of separation' should be achieved. Indeed, the appeal decision pursuant to planning application ref. 18/07194/OUT (appeal ref. APP/K0425/W/22/3296128) outlines the following at paragraph 27:

*"The existing woodland and the remnant orchard are not, and would not, be visible in the wider landscape however they remain highly visible from residential properties to the north and west of the site and these features make a significant contribution to the separation of Hazlemere from Holmer Green. The appeal layout does not provide for the retention of existing vegetation on the northern boundary. This would not allow for the retention of the trees, now protected by a preservation order, nor would it make provision for the remnant orchard to be retained, as envisaged by plan which supports Policy HW8 in the development plan. Nor would it allow the remnant orchard to be restored following the loss of a significant area of tree cover. [...]"*

This makes clear that a 'strategic' green infrastructure link along the allocation's north-eastern boundary is not required to achieve the sense of separation.

Indeed, the proposed development subject to planning application ref. 23/05440/OUT achieves the sense of separation in the form specified by the appeal decision.



The Council's comments in relation to the potential implications on the capacity of the HW8 allocation are also highly relevant. Policy CP4 of the WDLP outlines a housing target of 10,925 homes over the plan period, and paragraph 61 of the National Planning Policy Framework ("the Framework") stipulates that this figure should be treated as a minimum. Table 13 of the WDLP outlines that the HW8 allocation is expected to deliver approximately 350 dwellings, and this contributes to the WDLP housing target. A policy requirement within the HNP that would prejudice the delivery of this quantum of development at the allocation would be inconsistent with achieving the strategic objectives of the WDLP and the aims of the Framework of "*significantly boosting the supply of homes*" (paragraph 60).

Accordingly, the proposed modification is necessary to avoid a conflict with the WDLP and the Framework to ensure that Basic Conditions a and e are met.

We are therefore in agreement with the Council's proposed modification.

#### **Further modification 7 – Page 41, supporting text, Paragraph 5.64**

No comments are provided by Hawridge Strategic Land Ltd to this proposed further modification as it relates to land in the southern half of the HW8 allocation, which is outside of its control.

#### **Further modification 8 – Paragraph 5.37, Page 34**

The Council's proposed modifications relates the connection of active travel to the adjoining residential area to the south. The submission draft of the HNP proposed an amendment to a strategic allocation made through the WDLP. This would result in a conflict with the development plan, and the proposed amendment would therefore make the HNP compliant with the general conformity of the Basic Condition e.

We are in agreement with the Council's proposed modifications.

#### **Further modification 9 – Paragraph 5.66, Page 41**

The Council's proposed modifications refers to the removal of the 'sense of separation' along the north-eastern boundary. At the time that the WDLP was adopted it was anticipated that the emerging Chiltern and South Bucks Local Plan would allocate land to the north-east of the HW8 allocation for development. However, this emerging plan was withdrawn by the Council prior to its examination and the land remains within the Green Belt. Accordingly, there is no planning policy basis to impose a requirement to achieve a sense of separation to the north-east.

Further, as outlined earlier in these representations, Policy HW8 of the WDLP does not specifically require the 'sense of separation' between Holmer Green and Hazlemere to be achieved to the north-east and a recent appeal decision (ref. 3296128) concludes that this should be achieved through reinstating the orchard in the north-west corner of the allocation. This is achieved by the proposed development subject to planning application ref. 23/05440/OUT.

We are in agreement that the Council's proposed modification would provide the necessary clarity for the decision-maker and to ensure compliance with the development plan (Basic Condition e).

#### **Further modification 10 – Plan E**

In relation to the proposed modification regarding change of title of Plan E, to 'indicative', we are in agreement with the Council's proposed modification. Failing to outline the plan as 'indicative' would result in a conflict the Policy HW8

of the WDLP (for the reasons outlined in these representations) result in the HNP failing to meet Basic Condition e. However, it is not clear whether proposed amendments are to be made to Plan E. This should be amended to reflect the further modifications to Policy HAZNP5 and for example, remove reference to clause C4.

### Summary and Conclusion

In order for a Neighbourhood Plan to be put to a referendum, prescribed basic conditions set in the Town and Country Planning Act 1990 are required to be met.

As outlined in these representations, we agree with the Council's proposed further modifications, subject to minor clarifications, insofar as they relate to the northern portion of the HW8 allocation (which is within the control of Hawridge Strategic Land Ltd), and these representations demonstrate that the modifications are necessary to ensure that the HNP meets the Basic Conditions.

Please accept this submission as representations duly made to the HNP submission consultation. We would be grateful for your acknowledgement of this in due course and to be kept informed of the next stages of the Neighbourhood Plan process. Should you have any queries or require anything further at this stage, please do not hesitate to contact me.

Yours faithfully



**Oliver Bell**  
Director



Cedar Barn Barn Lane Hazlemere High Wycombe Bucks HP15 7BQ

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### **Hazlemere Parish Council response to Further proposed modifications to the Hazlemere Neighbourhood Plan consultation**

I am Vice Chair of Council, Vice Chair of the Planning & Licensing Committee and Chair of the Planning Strategy Working Party of Hazlemere Parish Council (HPC). At the Full Council meeting of HPC Council on 6<sup>th</sup> June 2023, HPC resolved to delegate authority to me (Cllr Fleming) to formally respond to the “Further proposed modifications to the Hazlemere Neighbourhood Plan (HNP) consultation”.

It is our contention that Buckinghamshire Council (the Council) has overreacted to the alleged threat of legal action. Had the issues in dispute been raised by the Council or the interested parties prior to the decision to consult on proposed modifications, any misunderstandings could have been resolved. We dispute that the Council’s proposals are legitimate modifications that are required because the HNP breaks the Basic Conditions. We are however a pragmatic Parish Council and understand that as the Designated Authority we have a duty to respond to this consultation to ensure that the residents of Hazlemere achieve the Neighbourhood Plan they have been working on since October 2020.

Our response to each of the proposed modifications is as follows:

Page no. and policy/ paragraph of submission plan	The changes the Council proposes to make
Page 32 policy HAZNP5 First paragraph  Policies Map page 45	Change to policy text: “The site as shown on the Policies Map is allocated for residential use.”  Change to the Policies Map: Change boundary to reflect HW8 allocation and additional land parcels as per the development brief.
<b>HPC Response:</b>  The incorrect boundary on the policies map is an administrative error. The site boundary should reflect the area shown in HW8, with the addition of the whole of the Amersham Road frontage, as also shown in the development brief. <b>The Parish Council accepts this proposed modification.</b>	

Page no. and policy/ paragraph of submission plan	The changes the Council proposes to make
Page 34 Supporting text Para 5.33	Modify the plan to make it clear that Policy HW8 is not out of date.  Replace para 5.33 with the following text:  “HAZNP5 supplements HW8 adding extra detail to the policy approach”.
<p><b>HPC Response:</b></p> <p><u>The HNP does not say policy HW8 is out of date.</u> 5.33 of the HNP Submission Plan states, “... The layout illustrated on Diagram 14 accompanying HW8 is therefore out of date...” and therefore, by addressing the circumstances which have changed since the policy was adopted, including bringing the area fronting the Amersham Road into the policy area, it brings the policy up to date.</p> <p>It is important to understand the reason HPC has included HAZNP5 in the HNP.</p> <p>As currently proposed in HW8, and reflected in the site Design Brief, development on the site is to be split into a northern and southern parcel, with a policy compliant sense of separation between the two.</p> <p>By definition, a sense of separation must have reduced levels of natural surveillance from surrounding buildings, because otherwise there will be no sense of separation. And in that case, it must also follow, that the space is less safe ‘after hours’ when there are fewer people using the space for recreational purposes, in contrast to conventional streets and smaller green spaces that have strong overlooking from surrounding buildings. And it therefore also follows that many people, particularly women and children, will not feel safe walking and cycling through the area that has a sense of separation ‘after hours’.</p> <p>The southern parcel of land does not readily connect into the existing built-up area along the south west boundary, and there is no development to the north east, because that site has remained in the green belt with the withdrawal of the adjacent Chiltern Local Plan.</p> <p>That means that many residents, especially women and children, in this southern parcel, to participate in village activities, particularly after hours, are likely to feel obliged to drive – or be driven – rather than being able to walk and cycle.</p> <p>HPC is mindful of its responsibilities of building cohesive communities. All HPC is wanting to do is to ensure that when the development is built out, everyone living in the new homes feels part of Hazlemere, and can walk and cycle safely, including ‘after hours’, into the adjacent built-up area.</p> <p>HPC is therefore, through the HNP, applying the guidance contained in the NPPF, the NMDG, and the NMDC.</p> <p>It is the Council’s view, expressed elsewhere in the schedule of proposed modifications, that Diagram 14 does not have the same weight as the rest of the policy. It therefore follows that it cannot be a</p>	

breach of basic conditions for a NP to include a revised layout. It may be a drafting point, regarding what is in the policy and what is in the supporting text. If that were the issue it could so easily have been sorted out before the examination. However, it is noted that the Examiner did not see the need to propose changes.

HPC started preparing their NP in 2020. In 2021 the Government published the National Model Design Code. Had the sequence been different, HPC may well have sought to include a design code as part of the NP, which is now commonplace, with the design code having the full weight of a NP.

It cannot be the Council's contention, therefore, that matters of layout are not a legitimate matter for a NP. It is also important to note that the part of HW8 which is strategic is the allocation, which stands.

If it is the Council's contention that the proposed changes to layout frustrate the delivery of 350 homes, then that is a matter legitimately for examination. However, there is no evidence that this is the case (see subsequent comments), and in addition, the Examiner clearly did not see there was a conflict, as no changes were proposed.

The text proposed by the Council is likely to lead to confusion, because it would not be clear that that HAZNP5 is not to be read alongside diagram 14 but supersedes it.

We also note, there is a last sentence of 5.33 which is not included above for deletion, but which would, in our view, need to be deleted. We are assuming this is a drafting error.

**HPC therefore proposes an additional clause at the end of the proposed sentence, so the whole modification would read: 'HAZNP5 supplements HW8 adding extra detail to the policy approach, including clarifying matters of layout given that circumstances have changed since the policy and accompanying diagram 14 were adopted.'**

Page no. and policy/ paragraph of submission plan	The changes the Council proposes to make
Page 32 policy HAZNP5 Clause B1)	<p>Change to policy: Modify Clause B1 to read: To provide <b>vehicular</b> access from the A404 and <b>Wycombe Road</b>;</p> <p>Change to supporting text: Para 5.47 first sentence to say Clause B1 sets out that access is required on to the A404 and <b>Wycombe Road</b>.</p> <p>Change to Plan E: Change the width of the arrow on Plan E to that of vehicular access</p>
<p><b>HPC Response:</b></p> <p>An email to the Examiner by Rachael Riach on 9<sup>th</sup> March 2023 in response to the Examiner’s Fact Check report states: “The modification to Clause B1 of HAZNP5 says “To provide vehicular access from the A404 and Wycombe Road [ added by examiner]”; but the policy in the WDLP does not say “vehicular access”; the HW8 policy in the WDLP just says “access”; it’s only at para 5.1.70 that “potential vehicular access” qualifies the provision.” This is not a matter of basic conditions – given that vehicular was not in the original HW8 Policy box, HNP does not fail the basic conditions by not including a word that was not in the original. <b>HPC therefore rejects this proposed modification</b> and requests that Clause B1 remains unchanged.</p>	

Page no. and policy/ paragraph of submission plan	The changes the Council proposes to make
Page 37, paragraph 5.50	Amend paragraph 5.50 to state: "Clause B2 addresses the need for pedestrian and cycle connections to be made to Wycombe Road to essential services. This pedestrian and cycle access needs to be of a strategic nature because this is the main route to buses and to other community facilities."
<p><b>HPC Response:</b></p> <p><b>The Parish Council accepts this proposed modification.</b></p>	

Page no. and policy/ paragraph of submission plan	The changes the Council proposes to make
Page 32 policy HAZNP5 Clause C4	Change to the policy  Delete clause C4 from the policy  Delete supporting text relating to clause C4 of the policy  Change to Plan E  Remove clause C4 from Plan E

**HPC Response:**

In drafting HAZNP5 HPC was mindful that HW8 did not put a size on the area of open space to be provided, and so HAZNP5 took the same approach. Policy DM16 of the Delivery and Site Allocations DPD provides amounts of open space to be provided for strategic and local purposes based on population. The committee report for the planning application for Inland Homes application confirmed it was 1ha per 100 dwellings (rounded). 3.5ha would therefore be required across a site for 350 dwellings.

Both HW8 and HAZNP5 show indicative locations for the open space. On HW8 the open space separates the site into two parcels, whereas HAZNP5 maintains a single development area by putting the space to the edges. It is to be noted that measuring indicative open space areas is not good practice. The whole point is that they are indicative, and depending on a variety of factors, the housing layout may result in different shapes and extents to those indicated. Turning the indicative areas into a firm quantum is against the purpose of the diagram. However, in order to deal with this point, calculations of the amounts have been made. There is more indicative space shown on HAZNP5, but it is below 3.5ha. It cannot therefore be the case that the open space shown on HAZNP5 is at odds with the strategic allocation of the policy.

The area of the allocated site in HW8 is 12.87ha. Taking 3.5ha away, that leaves a developable area of 9.37ha. 350 dwellings can be achieved on that site area at 35-40dph, the upper end of the Government’s indicative densities for outer suburban areas. The area indicated in HAZNP5 is larger, at 14.1ha. At the same densities, the site would yield 371-424 dwellings. This demonstrates that the Neighbourhood Plan in no way frustrates the strategic purpose of HW8 in delivering the stated quantum of homes.

Furthermore, the Examiner saw no conflict between the content of HAZNP5 and the strategic purpose of HW8, or he would have set out changes to the plan.

Turning to the specifics of C4, HPC sees a key part of its remit to be building and maintaining community cohesion. One source of often profound stress to residents, is development in close proximity to their existing homes. C4 was deliberately included in HAZNP5 to mitigate the stress to some extent by having a green corridor between the existing residents and the new dwellings. As the supporting text makes clear, it is envisaged this could be achieved within longer back gardens. It is also worth noting that the topography near Badger Way is quite steep adjacent to the existing housing, and it is likely that the new development would be set away from this area in any event.



In addition, HPC has declared a climate and ecological emergency. In planning for nature, an important policy objective is to link up existing, often isolated, habitats. On the south western boundary there are some small pockets of woodland to the south, and a scatter of large trees to the north. While the field was in agricultural use, these areas remained isolated. With development there is the opportunity to link these areas together and provide a corridor for wildlife.

In delivering this Green Infrastructure corridor HPC was mindful of the strategic purpose of the allocation, and for that reason the diagram shows a modest strip, that is the minimum to allow for the pockets of Green Infrastructure to be linked up.

**The Parish Council rejects the proposed modification** of the deletion of C4 and maintains it should remain in the NP.

Page no. and policy/ paragraph of submission plan	The changes the Council proposes to make
<p>Page 32 policy HAZNP5 Clause C5</p> <p>Page 33 Plan E</p>	<p>Change to the Policy wording (C5) to <del>provide</del> <b>enhance a the strategic</b> Green Infrastructure link along the north eastern boundary of the site, connecting the orchard adjacent the site to the north to the wider countryside to the south, <del>as part of the provision of a sense of separation;</del></p> <p>Re-label C5 as C4</p> <p>Change to the supporting text</p> <p>Delete final sentence of para 5.63.</p> <p>Changes to Plan E:</p> <p>A narrower line needs to be shown between the orchard and Amersham Road running along the boundary. Deletion of the small triangle south-west of the orchard.</p>
<p><b>HPC Response:</b></p> <p>We note that the Council takes the view that policy has more weight than the lower case text, and respectfully remind the council that <u>any plan must be read as a whole</u>.</p> <p>The matter of the developable area is dealt with in the response to the previous proposed modification.</p> <p>Regarding the need to create a sense of separation, because of its inclusion in the policy, HPC took the view that it could be interpreted as being an issue of non-conformity if HAZNP5 did not directly deal with this matter.</p> <p>We note the Council’s comment that the location of the sense of separation has been made clear through the public inquiry to the Inland Homes planning application, and the Development Brief. <u>We respectfully remind the Council that a NP is not bound by an inspector’s decision, nor a development brief</u>. A NP will take those into account as part of the site history, but <u>a NP has the same status as the Local Plan</u>, and can set out matters of policy, so long as they conform to the strategic policies of the Local Plan. We also remind the Council that the Examiner to the NP agreed with HPC regarding the location of the sense of separation.</p> <p>As it is HPC that is the body that looks after the local area, we respectfully point out that <u>we have a much greater understanding of where separation is needed</u>, and where it is not needed. Given that the whole point of our including HAZNP5 in the NP (as we set out in response to an earlier question) is to avoid the isolation of the southern parcel, moving the sense of separation to the rear of Wycombe Road makes no sense at all, as it will simply lead to the isolation of the whole site.</p> <p>In any event open space is required on the site to conform to DM16, and there is a general expectation that development adjacent to the open countryside will be set back from the boundary to</p>	

avoid a hard edge. In addition, this part of the site is a great deal flatter than much of the rest of the site, and therefore lends itself to certain open space functions, such as a MUGA.

However, HPC accepts that there could be more flexibility in the location of the open space functions than was shown with policy C5, and therefore **accepts the Council's proposed modification to the policy**. However, HPC would like to **amend the supporting text** to make reference to the suitability of the land for functions such as a MUGA.

Clause C5 identifies that the orchard (that lies outside of the site to the north) can be linked to the wider countryside to the south along the north western boundary of the site. ~~This would form the sense of separation between Hazlemere and Holmer Green.~~ **The area of the site alongside this boundary is relatively flat and it may therefore be appropriate for open space uses, such as a MUGA, to be located in this part of the site.**

**HPC rejects the proposed modification to the policy numbering, because HPC does not accept the deletion of C4.**

Page no. and policy/ paragraph of submission plan	The changes the Council proposes to make
Page 41 Supporting text	Change to Plan E: Delete C6
Para 5.64	Relabel C7 as C6
<b>HPC Response:</b>  <b>The Parish Council accepts this proposed modification.</b>	

Page no. and policy/ paragraph of submission plan	The changes the Council proposes to make
<p>Page 34 Para 5.37</p>	<p>Change to supporting text: 5.37 Second, at the time HW8 was adopted, it was envisaged that connection with the adjacent urban areas would be to the north. The policy did not, therefore, include any connections into the existing urban area to the south. Since then, the prospect of the land to the north being allocated for development has fallen away, and it remains in the Green Belt. <del>Therefore, connecting the new development into the existing urban area to the south becomes imperative.</del></p> <p><b>Therefore the housing development within HAZNP5 needs to be planned with the opportunity to join into a footpath cycleway within the adjoining existing residential area, should an opportunity arise in the future.</b></p> <p><del>HAZNP5 therefore includes in its allocation the turning head and parking area between 44 and 45 Badger Way, to</del> <b>This would</b> facilitate a future active travel connection in this location, which would allow residents of the new development to access the existing play area, among other things.</p> <p>Change to Plan E: The site allocation boundary must follow that of the WDLP in that area.</p>
<p><b>HPC Response:</b></p> <p>These are consequential changes from the Examiners report and <b>the Parish Council accepts the proposed modification.</b></p>	

Page no. and policy/ paragraph of submission plan	The changes the Council proposes to make
<p>Page 41 Paragraph 5.66</p>	<p><del>Amend paragraph 5.66 to say:</del>  <del>5.66 The exception to this is the sense of separation along the north eastern boundary. Policy HW8 requires the provision of a sense of separation between Hazlemere and Holmer Green. Since the adoption of HW8, and the falling away of the allocation of adjacent land for housing, separation between Hazlemere and Holmer Green is achieved though the adjacent land remaining in the Green Belt. In respect of C5</del>  It is therefore not necessary for HAZNP5 to provide for the <del>whole of</del> a sense of separation, because, <del>the</del>  <b>boundary is located adjacent to open land and</b>  should the adjacent land come forward for development through a future local plan, the space required to achieve a sense of separation can be 'completed' provided as part of that development, <del>and in the mean time it is achieved through the adjacent land remaining in the Green Belt. However, it is essential that the Green</del>  <b>Infrastructure that will be provided along this boundary is characterised by the aim of a sense of separation.</b> Open space, and strategic open space, may or may not be located along this boundary (see above). At present there is no need for pedestrian and cycle connections across this boundary to the adjacent land.</p>

**HPC Response:**

**In the light of the other changes above, the Parish Council accepts this consequential change, but suggests that it does not go far enough. There is no longer any need to reference the sense of separation.**

**HPC therefore proposes:** ~~The exception to this is C5 the sense of separation along the north eastern boundary. Policy HW8 requires the provision of a sense of separation between Hazlemere and Holmer Green. Since the adoption of HW8, and the falling away of the allocation of adjacent land for housing, separation between Hazlemere and Holmer Green is achieved though the adjacent land remaining in the Green Belt. It is therefore not necessary for HAZNP5 to provide for the whole of a sense of separation, because, should the adjacent land come forward for development through a future local plan, the space required to achieve a sense of separation can be 'completed' as part of that development, and in the mean time it is achieved through the adjacent land remaining in the Green Belt. However, it is essential that the Green Infrastructure that will be provided along this boundary is characterised by the aim of a sense of separation. Open space, and strategic open space, may or may~~

~~not be located along this boundary (see above). At present~~ **where** there is no need for pedestrian and cycle connections across this boundary to the adjacent land

Page no. and policy/ paragraph of submission plan	The changes the Council proposes to make
Plan E	Change title of Plan E to say “Plan E – indicative plan for sustainable development at HAZNP5 Insert note under Plan E to say “Please note this plan is indicative”
<p><b>HPC Response:</b></p> <p><b>This is a clarification, and the Parish Council accepts this proposed modification</b>, although the word indicative does not need to be repeated. We believe putting the note in is clearer and would take indicative out of the title.</p>	

Paul Fleming  
Vice Chair Hazlemere Parish Council  
[paul.fleming@hazlemereparishcouncil.gov.uk](mailto:paul.fleming@hazlemereparishcouncil.gov.uk)

7<sup>th</sup> June 2023

## Rachael Riach

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**From:** [REDACTED]  
**Sent:** 20 June 2023 14:08  
**To:** Neighbourhood Planning Mailbox  
**Cc:** Sue Little  
**Subject:** [EXTERNAL] Hazlemere NP amendments -Objection

[REDACTED]  
Dera Sir or Madam

I wish to object to this amendment below (Page 32) to the Hazlemere Neighbourhood plan by Buckinghamshire Council .

The HW8 plan did not allow vehicle access from Wycombe Road as this is in Little Missenden Parish. You cannot now change the Hazlemere plan to to include vehicle access when this was not part of the plan and is not within Hazlemere Parish Council's remit to add it.

Tralee Farm should be accessed via the A404 as per the HW8 with WALKING/ CYCLE access to Wycombe Road only. Little Missenden were not consulted when the land was taken out of green belt so you cannot now change the access to HW8 without consulting Little Missenden Parish residents.

Page 32 policy HAZNP5 Clause B1) B. in respect of its transport proposals 1) "To provide vehicular access from the A404" Yes - PM18 Modify Clause B1 to read: To provide vehicular access from the A404 and Wycombe Road; To ensure general conformity with the strategic policy (HW8), the phrase "and Wycombe Road" needs to be inserted. The Council proposes as an additional consequential change to reinstate the word "vehicular" to ensure clarity. This helps to meet the basic conditions relating to the clarity of plans as set out in the NPPF. Change to policy: Modify Clause B1 to read: To provide vehicular access from the A404 and Wycombe Road; Change to supporting text: Para 5.47 first sentence to say Clause B1 sets out that access is required on to the A404 and Wycombe Road. Change to Plan E: Change the width of the arrow on Plan E to that denoting vehicular access

Kind regards

Sue Little

[REDACTED]



Hazlemere Neighbourhood Plan  
Planning Policy Team  
Buckinghamshire Council  
Walton Street Offices  
Walton St  
Aylesbury  
HP20 1UA

27 June 2023

Sent by email to: [neighbourhoodplanning@buckinghamshire.gov.uk](mailto:neighbourhoodplanning@buckinghamshire.gov.uk)

Dear Sir/Madam,

**RE: FURTHER PROPOSED MODIFICATIONS TO THE HAZLEMERE NEIGHBOURHOOD PLAN**

**REPRESENTATIONS ON BEHALF OF PERSIMMON HOMES (THAMES VALLEY) LTD**

**General**

**Introduction**

This submission is made regarding the further proposed modifications to the Hazlemere Neighbourhood Plan consultation, which ends at midnight on 27 June 2023. This submission sets out a number of comments upon the policies and proposals contained therein.

Persimmon Homes (Thames Valley) (together with Redrow Homes: South Midlands) have a controlling interest in land at Terriers Farm, which is an allocation with the adopted Wycombe Local Plan for approximately 500-540 dwellings (Policy HW7 refers). This allocation is an integral part of the strategy within the former Wycombe District (now Buckinghamshire Council) to meeting the area's housing needs.

The HW7 allocation straddles the boundary of the Neighbourhood Plan Area and is subject to a pending application for the erection of 370 dwellings (LPA ref 21/07002/FUL). The emerging Neighbourhood Plan would therefore be relevant to the determination of the application, although only for that part of the site within the Neighbourhood Plan.



Accordingly, this representation seek revisions to policies of the emerging Neighbourhood Plan as they are not supported by the necessary robust proportionate evidence as envisaged in the NPPF and therefore would not accord with the basic conditions and other legal requirements. Details are set out below.

As an overarching comment, and general observation, Persimmon is supportive of the plan-led approach to place-making and this includes in relation to neighbourhood planning.

**Persimmon generally commend the Parish Council's endeavours in preparing the NP, and offer our comments on a positive basis in order assist the NP Team in preparing a Plan that is fit for purpose having regard to satisfying the basic conditions.**

As the land at Terriers Farm is an integral part of the existing Local Plan for the former Wycombe District, its allocation is primarily to meet the wider needs of the authority and it is within this context that the representations are submitted.

The detailed comments upon the policies and proposals contained in the draft NP are set out below.

## Assessment of the Neighbourhood Plan against the Basic Conditions

### General

In terms of assessing the appropriateness of the consultation draft Neighbourhood Plan ("NP"), it must meet the "Basic Conditions" set out in Law [paragraph 8[2] of Schedule 4B of the Town and Country Planning Act 1990].

In order to meet the Basic Conditions, the NP must:

- Have regard to national policy 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; and
- Be compatible with EU obligations.



The existing Wycombe District Local Plan was adopted in August 2019. Whilst Buckinghamshire has commenced work on a new Local Plan, its preparation is at an earlier stage. Therefore, it is essential that the emerging Neighbourhood Plan is consistent with the strategic policies of the existing development plan.

Our comments on the draft policies of the emerging Neighbourhood Plan are outlined below.

### **Delivering Homes for first Time Buyers and Downsizers (Policy HAZNP1)**

#### **General**

Policy HAZNP1 indicates that the homes within the built-up area of Hazlemere which are sited for first time buyers and those wishing to downsize will be supported.

Whilst the policy suggests that its approach is consistent with that of Wycombe Local Plan Policy DM21 (The Location of New Housing), it has failed to acknowledge the extent that development on the Terriers Farm allocation will form a significant proportion of dwellings within the parish.

The NPPF (paragraph 62) highlights a range of different groups whose housing needs should be addressed, and this includes families with children who are omitted from the current approach of policy HAZNP1. Furthermore, whilst draft policy HAZNP1 references Local Plan policy DM21, it has not acknowledged the role of DM22 which specifically covers the mix of housing to be delivered. This is especially important for sites such as Terriers Farm where the dwellings envisaged are there to contribute towards the authority's wider needs, rather than solely for Hazlemere Parish. The Parish Council has not provided evidence of a need for smaller housing to justify the policy, as envisaged by paragraph 31 of the NPPF.

Additionally, the Neighbourhood Plan's reference (paragraph 5.6) to seeking dwellings that would be within Bands A – C for Council Tax is not appropriate, especially as this can only be established once the dwellings are built. Furthermore, the Parish Council has not demonstrated how a dwelling within Council Tax bands A – C is akin to the smaller properties it is seeking, especially as there is no evidence of a need nor how the bands reflect the size of a dwelling.

#### **Suggested changes to HAZNP1.**

That policy HAZNP1 is clarified to confirm that it does not apply to sites allocated within the Development Plan, i.e. Terriers Farm in policy HW7, especially as this is to address the wider housing needs of the former Wycombe district, rather than specifically those of Hazlemere parish.



## Protecting and Improving Green Infrastructure (Policy HAZNP2)

### General

Policy HAZNP2 seeks to protect and improve a number of elements of green infrastructure including biodiversity net gain, Local Green Space, Local Amenity Space and protection of Tree Preservation Orders

With respect of biodiversity net gain, this will be imposed through the implementation of the Environment Act 2021. Consequently, it is not necessary for this to be referenced in the Neighbourhood Plan since this will be duplicating national legislation.

The draft plan proposes the designation of a number of locations as local green space. Part of the justification for the inclusion of the suggested sites is their designation by policy DM12 of the Local Plan. However, in advocating their designation as local green space, the flexibility in the existing policy of the local plan will be lost, especially the ability to provide alternative provision of equivalent quality where an area of the site would be developed. This is important for Persimmon as the existing local plan and associated guidance recognises that a vehicular access through the Amersham Road wood could be required. The approach of the draft Neighbourhood Plan prevents this option and consequently will hinder the wider delivery of development in the former Wycombe district. This is therefore contrary to the clear approach of the NPPF (paragraph 60) to significantly boost the supply of housing.

With respect to Local Amenity Space, the proposed policy seeks to apply the guidance on local green space to this designation. This is inconsistent with the advice in the NPPF which is clear that this only applies to local green space. As the Neighbourhood Plan does not envisage that local amenity space demonstrably achieves the criteria outlined in paragraph 102 of the NPPF, they should be omitted.

The fourth section of the draft policy indicates that any trees within the plan area cannot be removed. Such blanket restriction is contrary to national advice especially as it fails to take account of the value, health and longevity of any specimen. Furthermore, although the policy prevents removal of trees covered by a Tree Preservation Order, national policy (including the associated PPG) recognises that there are circumstances when this is appropriate. The Neighbourhood Plan has not demonstrated the reasons for the blanket restriction on tree removal. Consequently this element should be omitted.

Furthermore, whilst the final section also seeks 30% of sites over 0.5ha to be within canopy cover, the implications of this for achieving and delivering the necessary growth within the parish has not been demonstrated. The approach of the policy could consequently impinge upon



the achievement of amenity and daylighting in future developments which will hinder the ability to deliver growth. Furthermore, whilst the policy also seeks biodiversity net gain, it has not demonstrated that the 30% canopy cover will not hinder its achievement through encouraging species and habitats which are not the most appropriate for delivering net gain.

The policy approach also impinges upon the ability of the sites allocated by the Local Plan to deliver the growth necessary across the former Wycombe district.

The approach is also considered to be inconsistent with seeking development which is appropriate to the character of the area, a key principle within the NPPF and the Local Plan.

These are all matters which indicate that this objective is unnecessary.

### **Suggested changes to policy HAZNP2**

Sections a, c and d of the policy are omitted, due to their duplication with national legislation alongside an omission of the necessary proportion evidence to justify the approach. With respect to section b, this should be revised to allow for the exceptions within DM12.

### **Delivering Zero Carbon Buildings (Policy HAZNP3)**

This policy has a number of elements that seek to require developments to provide zero carbon buildings. Our comments on this policy are as follows:

- **Point A** - The Government proposed Future Homes Standards due to come into force in 2025 will ensure all homes are 'Zero Carbon Ready'. See, Para A.1 on Page 106 of the Jan '21 consultation response (i.e., Electric heating preferably via heat pumps after 2025). The approach of the Neighbourhood Plan is therefore not necessary and duplicates that of the Government which as noted will be an obligation.
- **Point B** – The Conclusion to the 2015 Housing Standards Review abolished numerous third party standards including The Code for Sustainable Homes, Lifetime Homes, Secure by Design etc. New standards such as National Described Space Standards, Building Regulation Standards such as AD Part Q, AD Part S, Part O, have been introduced as the mechanism to bring fragmented standards into the Building Regulations. Therefore, there is no need for Local Policies referring to third party accreditation schemes.



- Therefore, any reference to alternative standards under proposed HAZNP3 other than those addressed by Approved Documents under The Building Regulations should not form part of local energy and emissions policy. The Planning and Energy Act, however, has not been revised, although this may form another part of the forthcoming 2023 Future Homes Consultation, continuing to enable local authorities to adopt energy and emissions standards beyond regulatory compliance, but not to introduce new ones or new metrics.
- **Point C** – Whole life cycles do not form any recognised standards within the Building Regulations nor are Persimmon aware of any Government Approved methodologies or targets in order to standardise the assessment process and, again, this point appears to be endeavouring to introduce third party standards which the conclusion to the HSR removed. The Neighbourhood Plan has not outlined how the whole life is to be measured and consequently there is not means of proving compliance. Furthermore, the NPPF (paragraph 34) is clear that any requirement within the development plan should not undermine the deliverability of the strategy. Since there is no evidence on the measures and mechanisms to demonstrate compliance with this objective, there is consequently no information to confirm it will not harm deliverability. It must consequently be omitted.
- **Point D** – Energy Use Intensity (EUI) does not form any part of recognised energy or emissions standards under the Building Regulations, although there are some initiatives, such as LETI, who believe it should. Energy statements should until, and if, the Government revise the methodology, within Approved Document Part L Conservation of Fuel and Power for calculating energy demand and carbon emissions, reflect Building Regulation methodologies. Any proposed percentage energy and emissions reductions beyond these standards, allowable under the Planning and Energy Act should be supported with sufficient evidence stating the reasoning as to why these national standards need to be enhanced locally. In the absence of the evidence on why higher standards are both necessary and will not undermine deliverability, this section of the policy should be omitted.

### **Suggested changes to HAZNP3**

To remove duplication with national policy and to address the lack of evidence on the need and implications on deliverability of the proposed approach, draft policy HAZNP3 should be omitted.



### **Promoting Sustainable Transport (Policy HAZNP4)**

The proposed policy inclusion obligations to include a range of measures to enhance sustainable transport across the area. However, its approach is inconsistent with the NPPF (paragraph 105) which acknowledges that the solutions and opportunities for enhancement vary between urban and rural areas.

This is an issue which is not included in the draft policy which only outlines a limited range of measures, without recognising that there are others which are equally appropriate and can better deliver sustainable transport.

As with other draft policies, elements of the approach in HAZNP4 duplicates controls through other mechanisms. For example, under Part S of the Building Regulations, there are set obligations which residential developments must achieve with respect of electric charging points. This includes the provision of at least 1 parking space with a charging point for each dwelling, or the total parking provision if less than 1 space per dwelling. The approach in point D of the policy therefore duplicates that of Building Regulations. As with the approach of other policies, there is no evidence on the impacts of deliverability of seeking standards in excess of that required by Building Regulations.

In point B, the policy seeks enhancements for cross-parish movements, although this does not recognise the needs of residents to access services such as education, health, etc and whether the aspiration is necessary. Whilst it indicates that a road is not an appropriate route for walking and/or cycling, the justification for this is not provided. Dependent upon the characteristics of roads (width, speed limits and flows), they can be safe and consequently appropriate for walking and or cycling. As an illustration of this, Manual for Streets 2 (MfS2)<sup>1</sup> notes at page 83 that pedestrians are comfortable treating roads with traffic flows of less than 100 vehicles per hour as shared spaces.

Furthermore, the 100 vehicles-per-hour threshold is not an upper limit for roads to operate safely without footways. Above this level, pedestrians tend to treat the carriageway as a 'road' and walk at the sides of the road and step off the carriageway, when required.

Further guidance on what can reasonably be considered low traffic flows and thresholds of traffic for shared use by vehicles and non-motorised users is set out in the Department for Transport (DfT) Circular Traffic Advisory Leaflet 02/2006 "*The Quiet Lanes and Home Zones (England) Regulations 2006*".

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<sup>1</sup> <https://www.gov.uk/government/publications/manual-for-streets>



The DfT definition of a 'Quiet Lane' is "*minor rural roads... appropriate for shared use by walkers, cyclists, horse riders and other vehicles*". It is also suggested that "*They should be rural in character, though they do not necessarily have to be in a rural area.*" The guidance suggests that "*Quiet Lanes should have no more than about 1,000 motor vehicles per day.*"

The approach in point B discounts this advice and applies a blanket restriction irrespective of existing traffic flows. It also fails to consider the width of any pavements and their suitability/usability for pedestrians. The policy approach is consequently unjustified.

Point C indicates that funding of car clubs is essential. As with other elements of the proposed approach, no evidence on the implications of this for deliverability of the plan has been provided, as required by paragraph 34). It should consequently be omitted.

### **Suggested changes to HAZNP4**

That points B-D are omitted from the draft policy.

## **Summary and Suggested Changes to the draft Neighbourhood Plan**

Taking account of the above comments, Persimmon advocate a number of revisions to draft policies HAZNP1-4. This is to ensure they do not duplicate other requirements i.e. through the Environment Act 2021 or Building Regulations.

Further adjustments are advocated to ensure that the approaches envisaged do not hinder the deliverability of the development plan, a key criterion in paragraph 34 of the NPPF.

These are important matters as the draft approach will affect the ability of the Terriers Farm allocation to deliver the homes and associated growth, which is an essential element of the strategy for the former Wycombe District.

Persimmon welcome the opportunity to continue dialogue with the Neighbourhood Plan group to ensure that the emerging plan avoids duplication with other controls and is consistent with the NPPF, especially contributing towards the Government's objectives of boosting the supply of housing.

Could you also please ensure Persimmon is kept informed of future stages in the preparation of the Neighbourhood Plan together with other planning documents drafted by the Parish Council?

Please do not hesitate to contact me should you wish to discuss any matter(s) arising.





Best wishes

*Rachel Caplin*

**Rachel Caplin MRTPI  
Senior Planner**



## Rachael Riach

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**From:** Caplin, Rachel <rachel.caplin@persimmonhomes.com>  
**Sent:** 27 June 2023 20:10  
**To:** Neighbourhood Planning Mailbox  
**Subject:** [EXTERNAL] Hazlemere Neighbourhood Plan - Further Proposed Modifications Consultation - Persimmon Representation  
**Attachments:** Hazlemere NP Rep - Persimmon Homes - June 23 - HAZNP3.pdf

You don't often get email from rachel.caplin@persimmonhomes.com. [Learn why this is important](#)

[Please note this has been sent from an external source - treat with caution and do not open attachments / use links until you are sure this is a trusted communication see intranet/IT for advice.]

Dear Sir / Madam,

Please find attached a representation made by Persimmon Homes (Thames Valley) to the current Hazlemere Neighbourhood Plan: Further Proposed Modifications consultation.

The attached Hazlemere Neighbourhood Plan representation was previously submitted in July 2022 on behalf of Persimmon Homes (Thames Valley) and Redrow Homes (South Midlands), and it is being re-submitted by Persimmon Homes (Thames Valley) due to a particularly strong objection to proposed *Policy: HAZNP3 – Delivering Zero Carbon Buildings*.

Please advise if you require any further information.

Many thanks

Rachel

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