

# INDEPENDENT EXAMINATION OF THE WENDOVER NEIGHBOURHOOD PLAN

EXAMINER: Andrew S Freeman BSc(Hons) DipTP DipEM FRTPI

Sheila Bulpett  
Chair, Wendover Neighbourhood Plan Steering Group

Allan Bennett  
Aylesbury Vale District Council

Examination Ref: 01/AF/WNP

28 August 2019

Dear Ms Bulpett and Mr Bennett

## WENDOVER NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Wendover Neighbourhood Plan (the Plan) for examination, I would like to clarify several initial procedural matters. I also have a number of preliminary questions for Wendover Parish Council and Aylesbury Vale District Council.

### 1. Examination Documentation

I can confirm that I am satisfied that I have received a complete submission of the draft Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement and the Regulation 16 representations, to enable me to undertake the examination.

Subject to my detailed assessment of the draft Plan, I have not at this initial stage identified any very significant and obvious flaws in the Plan that might lead me to advise that the examination should not proceed.

### 2. Site Visit

I intend to undertake a site visit to the Plan area week commencing 23 September 2019. This will assist in my assessment of the draft Plan, including the issues identified in the representations.

The site visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process.

### 3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

### 4. Further Clarification

I have a number of initial questions seeking further clarification, which I have set out in the Annex to this letter. I would be grateful if you can seek to provide a written response within **3 weeks** from the date of this letter.

## 5. Examination Timetable

As you will be aware, the intention is to examine the Plan (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within 4-6 weeks of submission of the draft Plan.

As I have raised a number of questions, and may have others after my site visit, I must provide you with sufficient opportunity to reply. Consequentially, the examination timetable will be extended. Please be assured that I will aim to mitigate any delay as far as is practicable. The IPe office team will seek to keep you updated on the anticipated delivery date of the draft report.

If you have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure a copy of this letter and any respective responses to my questions, are placed on the Parish Council and local authority's website.

Thank you in advance for your assistance.

Your sincerely

*Andrew Freeman*

Examiner

## Annex

From my initial reading of the Wendover Neighbourhood Plan and the supporting evidence, I have the following preliminary questions.

1. Please would both the Parish and District Council confirm that the Plan does not breach Human Rights (within the meaning of the Human Rights Act 1998) and outline the relevant reasons, assuming this to be their viewpoint
2. Vale of Aylesbury Local Plan: Would the District Council please advise what stage the examination has reached / when adoption is anticipated?
3. Local Green Space Report – Letter to landowners: could the Parish Council advise whether any objections were received?

With regard to the representations of the District Council, would the Parish Council please address the following:

4. Should areas of Bank Farm be removed from the proposed Settlement Boundary (Map 4)?
5. Should the references to pooling contributions be deleted from the second half of the first bullet point in Policy H1?
6. Should schemes of five or more dwellings be required to contribute towards affordable housing and other necessary infrastructure?
7. Please comment on the suggestions regarding Policy H3.
8. Please comment on the suggestions regarding Policy SD1.
9. Please comment on the suggestions regarding Policy B1.
10. Please comment on the suggestions regarding Policy CF1.
11. Please comment on the suggestions regarding Policy G2 and the other references to Key Views and Vistas.
12. Please comment on the suggestions of Buckinghamshire County Council with regard to the Plan's coverage of archaeology, ecology and transport.
13. Please comment on the recommendations of Natural England.
14. Please comment on the request of Thames Water.
15. Paragraph 11.3: Is it correct to indicate that the Conservation Area is (wholly) outside the settlement boundary? Under what provisions is development not permitted within the Conservation Area?
16. Policy H1 refers to expected planning agreements (under Section 106). These can only be sought in certain circumstances (see NPPF paragraph 56). Where is the evidence to show that developments of 5 dwellings or more will meet these tests?
17. Regarding Policy H1, paragraphs 143 to 147 of the NPPF cover matters other than infilling. Is the policy intended to cover just infilling or all proposals affecting the Green Belt?

18. Paragraph 11.8 – “maintain the street sense”: Is this the intended wording?
19. Policy H3: Neighbourhood Plan Policy H1 only supports developments of up to 10 dwellings. Policy H1 of the emerging Local Plan appears to require affordable housing on residential developments of 11 or more dwellings. Is this correct? If so, how is affordable housing (to which Neighbourhood Plan Policy H3 refers) going to be provided in Wendover?
20. Policy H4: What is meant by “suitable sites”?
21. Policy B1: What is meant by “business use”?
22. Policy CH1: What is meant by “in the vicinity of”?
23. Policy G2: Are the views and vistas to be protected the same in both the Neighbourhood Plan and the Conservation Area Appraisal?
24. Policy G3: Are all developments expected to provide net gains to biodiversity?
25. Policy G3 – fifth bullet point: What is meant by “all suitable new buildings”?
26. Policy G1 – Local Green Spaces: Is the boundary of Site B intended to be the same as that shown in the Local Green Spaces Report April 2019? If not, please supply a more accurate boundary plan.