

Policy / paragraph / section etc	Sound or unsound, and what category of unsoundness	Why / comments	Suggested modifications	Where I answered yes to wishing to appear at Enquiry, reasons I gave for why. (Where blank, no request made to appear.)
HW6, Fig 12, and 5.1.37 -5.1.51 Gomm Valley and Ashwells	Unsound because not justified and not consistent with national policy	The section of spine / link road at the south-eastern corner of the site (connecting Parcels 1 and 2) would cut across a designated Local Wildlife Site, without evidence that this harm is justified or can be sufficiently mitigated, contrary to provisions of NPPF para 117. Strangely, the map seems to have been amended, firming up the road alignment, during its transfer from the Development Brief from which it is taken, this Brief having been adopted in July 2017. That Brief correctly emphasised that there the road was only acceptable if the ecological impact could be satisfactorily mitigated, and also that any justification for it was in order to provide a through bus route, and that it was not needed for other traffic. Making it bus-only would reduce its impact.	Remove that section of the spine / link road from the proposals; or amend map to show it dotted as provisional, and amend wording of 4b and c of Policy HW6 to read: b) Provide vehicular access into and through the site, to include a link/spine road between Cock Lane and Gomm Road designed to minimise and distribute the impact of additional traffic on the existing local road network; c) Provide for bus access through the site; this to include a bus-only route between Hammersley Lane and the link / spine road only if the detrimental impact on the Local Wildlife Site can be satisfactorily mitigated.	So that there is proper opportunity to scrutinise any claimed justification for this section of road, and to assess proposed mitigation measures.
Policy HW7 4a) ii) and Figure 13 Terriers Farm and Terriers House	Unsound because not justified	The inclusion of a second vehicular access from the A404 (which would involve loss of some mature TPO'd trees) is not supported by evidence of need, or by measures to mitigate this impact. It also pre-judges ongoing discussions on a Development Brief for the site.	Remove reference to second vehicular access, or amend text to make it provisional on satisfactorily addressing these points.	So that there is proper opportunity to scrutinise any evidence of need for the second vehicular access, and to assess proposed mitigation measures.
Policy HW9 Glynswood	Unsound, because not consistent with national policy	We do not oppose the principle of allocating this site, and particularly support the reduction in site area compared with that proposed (as HW10) in the Draft Plan, in order to protect an area of ecological value and protect and conserve the AONB. However, the wording of point 1 of the Policy needs amendment in order to be consistent with the NPPF and the CROW Act duty.	Amend wording of point 1 from "...limit its impact on the AONB..." to "which will conserve and enhance the natural beauty of the AONB...".	

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Policy HW15 Rear of Hughenden Road	Unsound because not justified	Policy DM15 (being carried forward from Delivery and Site Allocations document) requires a 10m buffer, not 8m, and evidence is not provided to show this is unachievable here. Even if such evidence were to be provided, any reduction in the buffer must not fall below 8m without rendering the principle of development wholly unsound, and our suggested wording provides this “failsafe”.	Amend point 3 to read: Be set back 10 metres from the Hughenden Stream to enable its ecological enhancement for biodiversity purposes, unless there is clear evidence that this is unachievable within the constraints of the development site; in any event, to be set back no less than 8m.	
Policy HW21 Land at Queensway, Hazlemere	Unsound because not consistent with national policy	The AONB status, and the need to take account of this in any development, is given insufficient recognition: no reference at all in the Policy itself, and only a passing reference in the accompanying wording. The Policy will as a result fail to ensure an appropriate form of development.	Incorporate a requirement that any development must conserve and enhance the natural beauty of the AONB; this might be done by supplementing Point 4 of the Policy, so as to read “Contribute to the enhancement of features within the site and surrounding area by retaining the openness of the Green Belt, and by conserving and enhancing the natural beauty of the AONB.”	
High Wycombe Section omitted proposal	Sound	We support the omission of the proposal in the Draft Plan for development of land at Penn Road, Hazlemere (Policy HW12 in Draft Plan), because exceptional circumstances do not exist for such major development in the AONB, nor for removal from the Green Belt.		In order to be able to respond to points made by any participant seeking to reinstate this proposal [the wish to participate only applies in that scenario]
Policy MR6 Seymour Court Road	Unsound because not consistent with national policy	Wording of Point 1 is not consistent with NPPF and CROW Act duty, which require development in AONB to conserve and enhance, not just to limit impact.	Amend wording of point 1 from “...limit its impact on the AONB” to “...which will conserve and enhance the natural beauty of the AONB”.	
Marlow Section omitted proposal	Sound	We support the omission of the proposal in the Draft Plan for development of land north of Oak Tree Road, Marlow (MR7 in Draft Plan), because exceptional circumstances do not exist for such major development in the AONB, nor for removal from the Green Belt.		In order to be able to respond to points made by any participant seeking to reinstate this proposal [the wish to participate only applies in that scenario]

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Policy PR8 Provision and Safeguarding of Transport Infrastructure	Unsound, because not justified and not consistent with national policy	Will only be sound as long as the landscaping and habitat measures for the southern section of road referred to at 2d) iii) include the delivery of the Nature Conservation Area in the Pyrtle Spring / Culverton Mill corridor area shown on Figure 26, as well as comprehensive ecological and landscape mitigation measures along the entire section through the AONB.	Amend 2d) iii) to read “A new link to connect from (ii) above to the A4010 south of Culverton Farm, incorporating appropriate landscaping with associated species-rich habitat so as to conserve and enhance the AONB, and delivery of the Nature Conservation Area in the Pyrtle Spring / Culverton Mill corridor area shown on Figure 26;” plus appropriate addition to accompanying text.	In order to contribute to discussions about the delivery of the Nature Conservation Area
Policy PR11 Land at Poppy Road	Sound	Sound as long as development contributes to delivery of the Nature Conservation Area in the Pyrtle Spring / Culverton Mill corridor area shown on Figure 26, and that the access road has no adverse impact on the BAP priority chalk headwaters habitat.		
Principles for Rural Areas p275 point 3a	Unsound because not consistent with national policy	It is not appropriate nor consistent with national policy to “allow farms and business centres within the Area of Outstanding Natural Beauty and/or Green Belt to have similar opportunities to be flexible in the use of buildings as other parts of the rural areas”, because this would not recognise the particular status of AONB and Green Belt. NPPF paras 79, 80, 115, 116, plus Section 85 of the CROW Act are particularly relevant.	Either shorten point 3a to just “Support rural enterprise and diversification”, which would make it consistent with Policy CP5; or to “Support rural enterprise and diversification by allowing appropriate flexibility in the use of buildings, but only where this is compatible with the protection of the Green Belt and the conservation of the natural beauty of the AONB.	
Policy RUR4 Little Marlow Lakes Country Park	Sound	We strongly support this Policy, which is a sound basis for delivery and protection of a valuable ecological and recreational resource. The decision to reject pressure to remove from the Green Belt land at the western end for possible business development is particularly welcome.		

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Policy RUR6 Great and Little Kimble-cum-Marsh Parish	Unsound because not justified, not effective, and not consistent with national policy	<p>Part of the parish is within the Green Belt / AONB (boundary coincident in this area), and a further significant portion is within the setting of the AONB. 5.5.46 correctly rules out removal of land from the Green Belt, and the Plan as a whole rules out major development within the AONB. Policy DM44 and Principles for Rural Areas limits the potential for development in this very rural parish. There are also relevant national policy provisions relating to Green Belt, AONB, and setting of AONB.</p> <p>Thus, on the evidence provided, it is not credible to be able to deliver 160 homes within the above locally-specific, and overarching national, policy objectives. Either development will not be in compliance with these objectives, or delivery will fall short of the target.</p> <p>There is a particular risk involved with delegating allocation of sites to a Neighbourhood Plan without clearer direction about respecting national policies on Green Belt and AONB.</p>	Point 1 of Policy: Remove the reference to 160 dwellings being an absolute requirement, either by amending to “up to 160” or some other (probably much lower) figure which can be justified by evidence. Include within Policy, in relation to both scenarios (Neighbourhood Plan or no Neighbourhood Plan), a direction that full adherence to local and national policies on Green Belt and AONB will need to be respected during the site selection process.	

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Policy RUR8 Land at Mill Road, Stokenchurch	Unsound because not justified and not consistent with national policy	In our view this constitutes major development in the AONB, which Policy CP2 correctly deems not appropriate, because as set out at 4.12 “in our local circumstances any allocation that would result in major development in the AONB would strongly conflict with the NPPF.” The AONB Assessment supporting information fails to explain why this is deemed not to be major, especially since one of the criteria for major development in the assessment methodology is whether “it can sensibly be described as major”, which surely 100 dwellings in open AONB countryside on the edge of a settlement must be. Implying that this quantum of development is acceptable in the AONB will also invite speculative applications on edge of Stokenchurch and Lane End.	Delete, or significantly reduce extent of site, confining development to the western edge. Alternatively, or additionally, split allocation into 2 or 3 discrete parcels, and require them to be phased over the full Plan Period. Doing this would also have the benefit of potentially supporting smaller housebuilders.	In order to debate the appropriate interpretation of "major development in the AONB"
Policy RUR10 Land to the rear of Stokenchurch Business Park	Unsound because not consistent with national policy	Wording of Point 2b not consistent with NPPF and CROW Act duty, which require development in AONB to conserve and enhance, not just to limit impact. The recent permitted development for conversion to residential of long-vacant offices at Stokenchurch also raises a question-mark about the commercial attractiveness and viability of new business development here.	Amend wording of point 2b from “...limit its impact on the AONB” to “...which will conserve and enhance the natural beauty of the AONB”. Potentially, defer allocation until the next review of the Plan, taking account of updated commercial assessment work at that time.	
Policy RUR11, Heavens Above, Marlow Bottom	Unsound because not justified	Although no objection to allocation and removal from Green Belt, the (supported) requirements for a 15m buffer to the ancient woodland, plus minimisation of disturbance to the other woodland, means that the indicative capacity of 20 dwellings is unrealistically high.	Reduce indicative capacity	

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Rural Areas Section omitted proposal	Sound	We support the omission of the proposal in the Draft Plan for development of land off Ellis Way, Lane End (RUR3 in Draft Plan), because of the site's ecological and visual value.		In order to be able to respond to points made by any participant seeking to reinstate this proposal [the wish to participate only applies in that scenario]
Policy DM29 Community Facilities	Unsound, because not consistent with national policy	The Policy will not provide effective protection for pubs as required under paras 28 and 70 of the NPPF (which relate to valued facilities, not just those which affect the community's ability to meet its day-to-day needs). Local pubs make an important contribution to the character of the Chilterns and provide valuable facilities for its residents, so robust protection of this sort is needed to align with the Cherish the Chilterns strategic objective.	<p>Replace Point 2 of the Policy by something akin to the CAMRA Model Policy, available at https://pubs.camra.org.uk/modelplanningpolicy which reads:</p> <p>“Any proposal which would result in the loss of a community facility will not be permitted unless:</p> <ul style="list-style-type: none"> • an alternative community facility which meets similar local needs to at least the same extent is already available; and • it can be shown that the proposal does not constitute the loss of a service of particular value to the local community nor detrimentally affect the character and vitality of the area; and • in the case of commercial community facilities, it has been demonstrated that it is no longer economically viable and cannot be made so. <p>“Community facility” in this context has the same meaning as in paragraph 70 of the National Planning Policy Framework.” plus suitable supporting text.</p> <p>Also, urgently review the Community Facilities SPD to ensure it incorporates appropriately robust tests.</p>	In order to explain the importance of, and threats to, pubs in the Chilterns.
Policy DM30 Chilterns Area of Outstanding Natural Beauty	Unsound, because not consistent with national policy	Point 2 of Policy does not accurately replicate paragraph 116 of NPPF, as 6.102 claims it does. Accompanying text 6.98 also requires amendment to avoid misrepresenting Policy.	Amend Point 2 to read: “Planning permission for proposals which constitute major development in the Chilterns Area of Outstanding Natural Beauty will be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest.” Delete “unnecessary” from the first sentence of 6.98.	

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Policy DM31 Development Affecting the Historic Environment	Unsound, because not consistent with national policy	We support the inclusion of a local Policy to explain and expand on how national policy will be applied and interpreted locally. But the draft Policy, and especially the accompanying text, requires amendment to remove some confusion, and inconsistency with national policy, in relation to the difference between designated and non-designated heritage assets, and the weight to be given to them. For example locally listed buildings are not within the definition of designated heritage assets given in the NPPF, and only in the case of assets of archaeological interest, is it legitimate to apply the same degree of weight (NPPF para 139).	The most straightforward way to address the unsoundness of the Policy itself, would appear to be by removing “Designated” from the third sentence of Point 1. A much more extensive re-write of the accompanying text is needed, which could also usefully condense it substantially.	
Policy DM34 Delivering Green Infrastructure and Biodiversity in Development	Unsound because not effective and not consistent with national policy	<p>The main issue in terms of ineffectiveness and inconsistency with national policy, is that the wording conflates and confuses green infrastructure and biodiversity, so that it does not give sufficient emphasis on conserving and enhancing biodiversity: nor make the requirement to achieve a net gain in biodiversity clear enough, even though 6.146 confirms this is one of its aims.</p> <p>The relationship with carried-forward DSA Policies DM11-16 is also not clear: 6.139 states that DM34 “acts as an umbrella over Policies DM11-16”, but 6.144 states that “it complements” DM11-14.</p> <p>This confusion / poor drafting will only add to the ineffectiveness of this Policy, despite its good intention. The wording in the 2016 Draft Plan was much better, and it is not clear why this was so heavily re-written.</p>	<p>At the very least, amend 2a) to read:</p> <p>a) Through physical alterations and a management plan:</p> <ol style="list-style-type: none"> i. Existing green infrastructure and biodiversity will be protected or maintained; ii. Opportunities to enhance existing and provide new green infrastructure and biodiversity have been maximised, including delivering long lasting measurable net gains. <p>Better still, reinstate wording from Draft version of Plan (Policy DM33 in that version):</p> <p>“Development is required to:</p> <ol style="list-style-type: none"> 1. Ensure the continued enjoyment of footpaths and other existing green infrastructure providing opportunities for active transport or outdoor sport; 2. Avoid the loss, fragmentation or reduction in size of any woodland; 3. Secure a minimum 15 metre buffer to Ancient Woodland; 4. Avoid the loss, fragmentation or reduction in size of any incidental open space, where this contributes to the character and function of the area; 5. Ensure that priority is given to the retention and protection of trees, hedgerows, or other landscape features which are, or could become, 	In order to contribute to the creation of an appropriate and effective policy.

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			<p>valuable features of the site for their visual amenity, historic, biodiversity or other value;</p> <p>6. Maximise the opportunities available for green infrastructure and biodiversity enhancement through the improvement of existing features and the creation of new features so as to ensure no net loss of biodiversity and where deliverable net gains;</p> <p>7. Achieve a future tree canopy cover of at least 25% of the site area on sites outside of the town centres and exceeding 0.5ha.</p> <p>8. Make provision for the management and maintenance of green infrastructure.</p> <p>9. Enhance the natural and built environment to achieve a net gain in biodiversity through:</p> <ul style="list-style-type: none"> a) Achieving high standards of built and landscape design; b) Taking opportunities to enhance environmental assets on and off site; c) Taking opportunities to reinforce or augment biodiversity and landscape networks on and off site; d) Mitigating any essential or residual impacts by requiring development to enhance environmental assets either on or off-site.” <p>In both cases, carry out a major re-write of the accompanying text to make it more concise and coherent.</p>	

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Policy DM42 Managing Development in the Green Belt	Unsound because not consistent with national policy	It is not correct to refer to “appropriate” development in the Green Belt; the NPPF refers to development which is “not inappropriate” which conveys a different meaning. Re-wording is necessary to ensure consistency with national policy.	<p>Amend wording of Point 1 to: “1. Development in the Green Belt is inappropriate. Exceptions to this in Wycombe District comprise: a) Development that accords with a made Neighbourhood Plan,” [*but see below] “or; b) Development that the NPPF classifies as not inappropriate, but only when subject to the following clarifications: i. Development for agriculture and forestry only when it reasonably necessary for an existing agricultural trade or business; ii. Essential rural workers dwellings in accordance with DM27; iii. The replacement or extension of dwellings only when they accord with DM43; iv. Limited infilling only within the built-up villages identified on the Policies Map and in accordance with the definition in paragraph 6.214 below; v. Limited affordable housing for local community needs only in accordance with DM25.” *Also the reference to development that accords with a made Development Plan being not inappropriate, might more correctly be to a made Neighbourhood Development Order or to a Community Right to Build Order.</p> <p>Amend Point 2 by deleting the first sentence [since it is now dealt with in Point 1].</p>	