

FILE NOTE

THE IVERS NEIGHBOURHOOD PLAN: RESPONDING TO THE EXAMINERS QUESTIONS

Project: The Ivers Neighbourhood Plan (TINP)
Date: 29 June 2022
Circulation: The Ivers Parish Council

Background

Oneill Homer (OH) has been engaged to assist the Parish Council (IPC) in its response to the examiner's clarification requests dated 19 and 23 May 2022. The IPC has also requested that OH provides advice on the content of Buckinghamshire Council's (Bucks) proposed response and their proposed approach to reaching a joint response.

An extension of time has been requested due to the Regulation 16 responses not being made available to the IPC, or any other interested party, prior to the start of the examination. Regulation 16 responses were received from Bucks on 13 June upon a request from the IPC and has, at the time of writing, not been made available on Bucks Council website, but the IPC has published the examiner's clarification notes on its website.

Overview

OH recommendations on how to respond to the 19 clarification requests from the examiner is set out overleaf using the examiner's commentary, questions and numbering as written, and includes consideration of Bucks Council's proposed response. It has been written in a way to allow the IPC to amend it as it works through the recommendations.

The examiner has confirmed that there are not very significant or obvious flaws in the TINP that would hinder the examination from continuing at this early stage. However, the initial concerns raised by the examiner on the Ivers Relief Road and the TINP coming forward prior to the new Bucks Local Plan are concerning. It is noted that Bucks Council's response has answered part, but not all of these issues. There remains a risk that the examiner will consider that the debate on a different spatial approach to the Ivers is better held as part of the new Bucks Local Plan.

Neil Homer & Leani Haim

Recommended Response to Examiner's Questions and Bucks Council

General

The Parish Council is concerned that many of the examiner's questions raise matters that it considers have been addressed in detail in the submission documentation. The 'concerns' raised indicates that there is the potential for a material misunderstanding of the position of the TINP in relation to the emerging Bucks Local Plan and the Ivers Relief Road project particularly.

Although the examiner has not explicitly identified the 'concerns' as a 'fundamental flaw' (as per the NPIERS Examiners Guidance), the Parish Council considers that the description and analysis of these issues is of a similar kind and consequence, warranting an exploratory meeting with the Qualifying Body and Local Planning Authority as recommended in the guidance.

In the meantime, and to inform such a meeting, the Parish Council offers an initial response below. There are 19 clarification requests to be answered by the Parish Council with 6 of those being requested as a joint response with Bucks Council.

It is therefore recommended that the Parish Council provide Bucks Council with an opportunity to accept the proposed amendments in the first instance

Q1

Reference ID: 41-009-20190509 of the Planning Practice Guidance on Neighbourhood Planning, advises that 'where a neighbourhood plan is brought forward before an up-to-date local plan (i.e. the Buckinghamshire Local Plan) is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging local plan and the adopted development plan'. Could the Councils confirm that such discussions have taken place and summarise the conclusions that were drawn? –

Q1 Response:

It is recommended that the response should acknowledge that there has been engagement and that the TINP provides an opportunity to set out a new vision for the Parish, thus:

The Qualifying Body and the Local Planning Authority have engaged throughout the project. It is accepted that the current position in Buckinghamshire is that while the Council is required to produce a new countywide Local Plan, the uncertainties caused by the Government's proposed changes to the Local Plan system mean the Council is only at the very early stages of bringing forward that plan.

Although this has inevitably meant that there has been no draft spatial strategy to inform this engagement, it has been possible to discuss the framework provided by the South Bucks development plan. Much of that plan is now very dated and its direction of travel for Ivers Parish as a focus for the further clustering of economic, minerals, waste and infrastructure development, can be questioned. This is especially so in relation to the Ivers Relief Road, on which past spatial strategy has depended to mitigate the cumulative effects of harmful traffic – notably HGV traffic – through the villages of the Parish.

Both councils agree that the affordability of an effective road scheme, which does more than simply transfer the problem from one village to another, can no longer be assumed as viable without a scale of major development that would fatally undermine the Green Belt and the surviving rural character of the area. It is agreed that a new approach is required to mitigating the

effects of HGV uses in the Ivers Parish that is more consistent with the realities of tackling climate change and future infrastructure funding.

The TINP vision for the Ivers imagines such a revised approach is achieved. The core element of the vision – of seeing the Parish as a rural area with thriving residential villages that are not blighted by additional economic, minerals, waste and infrastructure projects serving a regional purpose – is agreed as plausible and desirable.

It is also agreed that although of great significance to this Parish, the shift of future land use patterns here need not prejudice or undermine future strategic spatial policy making at the Bucks level.

And it is agreed that the TINP provides a timely opportunity to fill the vacuum of meaningful, up-to-date planning policy and to re-assert the value of the plan-led system for as long as it takes Bucks Council to adopt its first Local Plan

Q2

Bearing in mind the references in Question 1 above, regarding the relationship between Plans, I have concerns regarding the consideration of the Iver Relief Road. Paragraph 5.43 of the TINP clearly states that the Iver Relief Road project has been abandoned and there are other similar references in the document, for example in paragraphs 3.12 and 5.71. Paragraph 5.40, however, does introduce an element of doubt by introducing the phrase 'if it is not possible to deliver a relief road'.

However, Buckinghamshire Council, as Highway Authority, in its Regulation 14 submission, confirms (under policy IV15), that the 'delivery of the Iver Relief Road remains Council policy, it has not been abandoned. Further design work is currently underway'. I assume that this is still the position of BC, as I have seen no substantive evidence to the contrary.

The concept of a relief road appears to have the support of the Highway Authority and, although I have yet to draw any conclusions on the matter, I note that the Regulation 16 representation on behalf of David Wilson Homes Southern (having an interest in the land) asserts that 'a Relief Road is deliverable, in full, within the site'. The representation includes relatively comprehensive evidence regarding land south of Iver Village. The Vision document dated July 2019 includes, at figure 9, an Illustrative Framework Masterplan which identifies a route for the Relief Road.

From my initial assessment of the situation this appears to me to be a significant issue which should be addressed in the TINP, especially bearing in mind the emphasis that has been placed by the Parish Council (and others) on the need to reduce HGV traffic through the area.

I am particularly concerned that in paragraph 5.71 of the TINP, it is stated that 'The decision to abandon the Relief Road undermines previous spatial policy in seeing the Parish as a suitable location for economic growth'. If, as would appear to be the case, the Relief Road has not been abandoned, then inevitably this may have significant consequences in terms of the approach taken by the Parish Council towards further growth, bearing in mind the desire for an alignment of approach between both BC and TIPC and the need for the Plan to contribute to the achievement of sustainable development.

In summary, I am concerned that, bearing in mind the wider support for a relief road, the TINP makes no substantive reference to the proposed road, to the potential benefits that such a proposal could bring, particularly in terms of sustainability, or to the consequences in terms of development

provision that the construction of the proposed road could enable. There is nothing in the TINP that would enable a decision-maker to take a reasoned approach, should such a proposal be submitted as part of a planning application. Even if it was concluded that a policy regarding the construction of a relief road would be strategic in nature, I would still expect the TINP to address the matter, in particular any consequent non-strategic implications.

On that basis could a joint response be prepared which clearly indicates an agreed way forward in addressing this issue?

I would ask both Councils to consider the implications of any potential changes to the TINP to ensure that the Plan meets the Basic Conditions, particularly in terms of: having regard to national policies and advice; the achievement of sustainable development; and the need for general conformity with the strategic policies for the area. I will need to give very careful consideration to the extent and substance of any proposed changes and whether these can be recommended as examiner modifications within the scope of the examination at this advanced stage.

Q2 Response

The points made by Bucks Council in this respect are helpful and it is recommended that the response is agreed with minor amendments proposed to avoid the opportunity for incorrect inference, thus:

At the time the Ivers Neighbourhood Plan draft was published and Buckinghamshire Council was consulted, it is true the Ivers Relief Road remained a Buckinghamshire Council project. It is also true that work had been commissioned to establish the costs of the project and its feasibility. However, the prospects of funding a full relief road as desired by Ivers Parish would have involved crossing of a canal, a railway and a number of other features, roundabout, junctions etc all of these were making the realistic cost of the proposed road far outside the availability of possible funding. There were thoughts that funding could have been taken from the redevelopment of the Thorney Lane Iver site – a Chiltern and South Bucks Local Plan allocation but this local plan was withdrawn. Also funding was thought to be possible via contributions from Network Rail as part of the Western Rail Link to Heathrow proposal – now on hold. Given the rising costs it seemed unlikely that any proposals for a relief road would be forthcoming in the near future and as such after discussions with the parish council on the relief road scheme it was decided that the Buckinghamshire Council would not object to the omission of the Ivers Relief Road from the neighbourhood plan. As such the agreed approach is that the neighbourhood plan as submitted and as worded in relation to the lack of provision for a relief road can proceed.

In relation to the David Wilson Homes representations it should be pointed out that their provision of a relief road is dependent on them getting planning permission for a housing development to the South of Iver Village. Any road created as part of this scheme would provide an alternative route to the Iver village High Street only and not provide relief to the wider parish area. The development of the David Wilson Homes site would be contrary to the development plan and would entail development in the Green Belt contrary to government guidance as set out in the NPPF. The neighbourhood plan has no option to consider such sites for Green Belt release as sites of this size would be a strategic matter for the new Buckinghamshire Local Plan which at this time does not exist even in draft form.”

Q3

Paragraph 138 of the NPPF confirms that the Green Belt serves five purposes, including to check the unrestricted sprawl of large built-up areas, to prevent neighbouring towns merging into one another and to assist in safeguarding the countryside from encroachment.

Paragraphs 5.9 and 5.10 of the TINP confirm that all the proposed local gaps and 'corridors of significance' that are identified in policy IV1 lie within the Green Belt. Bearing in mind the purposes of the Green Belt (as referred to above) it is not clear to me what is the justification for, in effect, duplicating national policy? Could TIPC please direct me to the evidence that reasonably justifies this approach? I would also welcome comments from BC with regard to the validity of the Parish Council's approach.

Q3 Response

The Bucks response partly addresses the examiner's question in relation to this matter. It is therefore recommended that its response is modified as set out below.

Whilst it is agreed all the local gaps and corridors of significance are covered by Green Belt and this subject to national government Green Belt policy and guidance, Green Belt is a spatial policy tool, not an expression of relative landscape value. Case law has consistently restated that matters of landscape quality and visual coalescence are separate to the very special circumstances and exceptional circumstances tests for developing and releasing Green Belt land.

While the aim of Green Belt policy as set by national government gives protection to these areas from inappropriate development as a matter of principle, this landscape-led policy enables the decision-maker to consider the visibility and prominence of proposals within the landscape, whether they be for development defined as 'not inappropriate' by the NPPF or for 'inappropriate' development that has met the very special circumstances test. clear that the parish through their neighbourhood plan is seeking to highlight those areas of Green Belt which they consider to be of particular importance. It could be argued is therefore agreed that in any situation where a developer is seeking to promote development in an identified gap or corridor by means of 'very special circumstances' or as an exception to Green Belt policy provisions, the identification of the **area through a locally determined neighbourhood plan passed at referendum may give additional legitimacy to those seeking to resist a developer land in the neighbourhood plan will be the starting point for decision-making as part of the development plan and that the visibility and prominence of the proposal within the landscape forms part of the considerations in reaching the planning decision.**

Q4

Policy IV15 B (page 66) includes a list of very special circumstances which would justify inappropriate development in the Green Belt at Thorney Business Park.

NPPF paragraph 147 confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Those circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Firstly, is there agreement between the two Councils regarding the release of Green Belt land at the Business Park? What are the very special circumstances in this case and where is the reasoned justification that the potential harm to the Green Belt is clearly outweighed by other considerations?

Secondly, could both Councils address whether or not there are any implications for potential development at Thorney Business Park as a consequence of the fact that the Relief Road has not been abandoned as asserted in paragraph 5.71 of the TINP?

Q4 Response

Firstly, it is accepted that the policy has inadvertently sought to apply the complete very special circumstances test, i.e. assessing and weighing both harm to the Green Belt and its public benefits. The intention is to set out the range of public benefits in the policy that an applicant must include in a proposal, against which the harm can be considered in the planning balance. That balance can only be determined at the planning application stage, when the harm of a specific layout and design can be assessed in the normal way. The policy sets out those benefits placing the onus on the applicant to demonstrate any departure in a proposal. The following response is recommended:

It is agreed that the policy as drafted requires modification to be clear that it is neither making the exceptional circumstances case for releasing the land from the Green Belt nor is it proposing that very special circumstances can already be determined to justify a proposal for inappropriate development in the Green Belt.

However, it is also agreed that the policy can establish the range of public benefits that any proposal for inappropriate development should have regard to when balancing any harm to the Green Belt as part of undertaking the very special circumstances test at the planning application stage. Although the harm cannot be assessed until an outline scheme is proposed, it is possible to determine the nature of the public benefits that are reasonable to ensure the proper, comprehensive planning of the Green Belt land together with the adjoining part of the site that is not in the Green Belt, given their functional and visual relationship and their location in respect of the neighbouring villages and station.

The Parish Council therefore proposes the following modification for the examiner to consider:

Policy IV15: Thorney Business Park Clause B:

~~***B. In respect of the Policy Area B land, the very special circumstances justifying inappropriate development in the Green Belt will be met, and proposals supported, if:***~~

B. In respect of the Policy Area B land, proposals for inappropriate development in the Green Belt will only be supported if it can be demonstrated in applying the very special circumstances test that the harm to the Green Belt is outweighed by the following public benefit requirements:

It also proposed the following modification to the supporting text:

5.72 The policy fills what would otherwise be a vacuum of another few years by encouraging the beneficial redevelopment of that part of the Business Park inset from the Green Belt. With the opportunity to do so as part of a wider, comprehensive scheme to create a new northern half of Richings Park village, the policy also encourages suitable proposals to come forward for the remainder of the land in the Green Belt. ~~As~~ It is not possible for the policy itself to make the exceptional circumstances case for releasing the land from the Green Belt, ~~it instead sets out the criteria by which~~ **nor can it determine the full 'very special circumstances' test for inappropriate development will be met, as per NPPF §144. Those circumstances require that the harm to the**

essential open character of the Green Belt is clearly outweighed by the scale and nature of the public benefits of a proposal. Although that planning judgement is ultimately exercised in the determination of a planning application, the community engagement credentials of the neighbourhood plan make it very well suited to defining and weighting those public benefits by in asserting the value of the plan-led system. These policy provisions can therefore inform the very special circumstances test to be applied when an application is made and harm to the Green Belt can be assessed and balanced with regard to a specific scheme in relation to these benefits.

Secondly, it is recommended that the Bucks response is used as modified thus:

As set out above the Relief Road project is unlikely to proceed and even if it does it may not follow a route through the Thorney Business Park. The route of the road has not been safeguarded as such there would be nothing to prevent the owner of the site seeking to re-develop it without preserving space for a future road. As a result, the policy does not consider that the safeguarding of land would be a public benefit and it is absent from the policy.

Q5

A revised version of the National Planning Policy Framework was published by the Government on 20th July 2021, alongside a final version of the National Model Design Code and the National Design Guide. I would be grateful if the Councils could confirm that the submission draft of the TINP adequately reflects the national policies and advice in these documents and, if necessary, provide additional/modified wording.

Q5 Response

The question is not currently understood as written and so the following response is recommended:

The Parish Council requires clarification on the question and therefore hopes that the matter can be explored as part of an agenda for an exploratory meeting with the examiner and the Local Planning Authority.

Q6

Reference ID: 41-041-20140306 of the Planning Practice Guidance on Neighbourhood Planning advises, 'A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence'.

For the Parish Council: Policy IV14 on page 63 (PassivHaus buildings) lacks clarity and uses terms that may not be familiar to applicants or decision-makers, for example what is meant by 'zero carbon ready by design' (A); what is a 'character area' (B); who will do the 'testing' and when (C); who will undertake the Post Occupancy Evaluation Report and when (C); how is 'major development' defined (D); who will undertake the Energy Statement (E); what is meant by 'maximised' (E); and what are the consequences if opportunities to reduce energy use intensity have not been achieved? Can consideration be given to improving/securing the clarity of policy IV14?

Q6 Response

The following response is recommended:

There has been an error in clause A and paragraph 5.60 and the policy and reporting text should read ‘zero carbon ready’ by design. As part of the consultation on the ‘Future Buildings Standard’ the government has confirmed that ‘zero carbon ready’ means that no further retrofit work will be necessary to homes enable them to become zero carbon homes. All prospective applicants should be aware of these provisions and this term.

In the interests of aiding clarity, and in the absence of supplementary guidance from Bucks Council, the Parish Council would welcome the examiner’s suggestion for a modification to the policy wording and offers the following suggested modification:

“The TINP encourages applicants to the Net-Zero Carbon Toolkit jointly created by Cotswold District Council, West Oxfordshire District Council and Forest of Dean District Council. The toolkit is available as a resource for private and public sector organisations to use and adopt. ([Link](#))”

Paragraph 5.63 defines what ‘character area’ means in relation to ‘character area’ for clause B.

In the interests of aiding clarity, and in the absence of supplementary guidance from Bucks Council on Post Occupancy Evaluation, the Parish Council proposes to add a new appendix E (as appended to this response) a POE guidance note used in other neighbourhood plans (with the current Appendix E re-lettered as F), and the following suggested modification:

“5.65 Clause C requires the developer of a consented housing development scheme of any size to carry out a Post-Occupancy Evaluation (POE) including actual metered energy use, and to submit the report to the local planning authority. It will be implemented by attaching a planning condition, which will only be discharged once the report has been submitted and any recommended actions to rectify any performance gap with the design stage assessment are carried out by the developer. Passivhaus certified schemes will not fail in this way and they are therefore exempted from this policy requirement. Further guidance on the purpose and operation of this clause is contained in Appendix E of this plan.”

Major development is defined in Annex 2 of the NPPF in relation to clause D.

Developers will be required to prepare an Energy Statement in preparing their proposals in relation to clause E. The definition of maximized in the context of clause E is in the context of mitigating climate change. The consequences if opportunities to reduce energy use intensity have not been achieved will mean that the decision-maker will need to consider whether there are other material considerations to take into account which would justify divergence from the requirements of Policy IV14.

In assessing the planning policy space on this matter, it was established that:

- Adopted planning policy was developed prior to Government committing the UK in law to ‘net zero’ by 2050 as per the Climate Change Act 2008 (as amended) and was therefore prepared under an outdated legal framework;**
- Adopted planning policy will require new homes to be retrofitted at a later date, while in the shorter term increasing the risk of fuel poverty;**
- The Tyndall Centre for Climate Research Carbon Budget Tool confirms that for South Bucks to make its fair contribution to delivering the Paris Agreement’s commitment, an immediate and**

rapid programme of decarbonisation is needed. At 2017 CO2 emission levels South Bucks will exceed the recommended carbon budget available until 2050 in 7 years (by 2027);

- If Bucks Council is to achieve the 2050 carbon target, which it has confirmed reflects its own commitment to achieve net carbon zero for Buckinghamshire as whole by 2050, new homes built now need to be zero carbon ready.

It was therefore clear that the TINP needed to act to fill the policy space if it was to demonstrate that its policies contributed to the achievement of sustainable development, particularly ensuring that any new homes built now meet the needs of present and future generations, had full regard to the NPPF, and expressed the community's wishes within the confines of planning policy.

For BC: Is policy IV14 compatible with the approach being taken elsewhere in Buckinghamshire?

Response

There is no policy in place across Buckinghamshire which is so demanding on potential developers. Also see comments on Buckinghamshire Council Regulation 16 response.

Q7

Buckinghamshire Council (BC) did not submit a representation at the Regulation 16 stage. However, I note that BC did submit a representation at the Regulation 14 stage. Could the Council confirm whether or not, in its view, the policies in the submitted TINP meet the Basic Conditions, particularly in relation to general conformity with the strategic policies of its Development Plan. If there are examples where, in the view of the Council, those conditions are not met, could the Council suggest proposed modifications to the text and policies that would adequately address any concerns that it has identified?

Q7 Response

A response from Buckinghamshire Council was made at Submission stage – Unfortunately this was omitted from the responses originally forwarded to the Examiner. The Buckinghamshire response has now been supplied to the Examiner. The Council's response would identify any policies that were considered not to meet the basic conditions.

Q8

Can the Council confirm:

- *what constitutes the Development Plan as it relates to The Ivers, and*
- *which policies in the Development Plan are classified as strategic?*

The NPPF, in paragraph 21, states that 'Plans should make it explicit which policies are strategic policies' and that such policies 'should not extend to detailed matters that are more appropriately dealt with through Neighbourhood Plans or other non-strategic policies'. Is the Council satisfied that the TINP includes appropriate policies for the development and use of land?

Q8 Response

The Development Plan for the Ivers consists of the following documents, South Bucks District Local Plan Adopted March 1999 Consolidated September 2007 and February 2011; the Core Strategy Adopted February 2011 and the Buckinghamshire Minerals and Waste Local Plan 2016-2036 Adopted July 2019.

The strategic Local Plan policies are contained within the Core Strategy, under the local development framework process at the time the Core Strategy was intended to be the strategic document with more detailed non-strategic policies contained in one or more delivery development plan documents. As such there was no requirement for the Core Strategy document to identify strategic policies. Due to changes in legislation the lower tier plan(s) was/were never produced and the former district elements of the development plan were intended to be replaced by a new joint Local Plan being produced by the then South Bucks and Chiltern District Councils. However, the replacement plan was withdrawn following the creation of the new Buckinghamshire Council meaning that the former District elements of the development plan remain relevant for the South Bucks and thus Iver area.

Q9

According to the Local Development Scheme the Buckinghamshire Local Plan is to be prepared between 2022 and 2024, with the Examination in late 2023 into 2024. Could the Council confirm what progress has been made on this document and whether or not a more detailed timetable for its preparation has been agreed?

Q9 Response

This question is partially answered by the response to question 1 above. However, due to uncertainties caused by the much heralded changes to the Local Plan system recently set out in the queen's speech and subsequent levelling up Bill. The council members have been reluctant to progress the Local Plan based either on the existing system or in anticipation of the new system in case work is undertaken which then has to be abandoned or significantly altered to meet the new system or any transitional arrangements. As such there is no currently revised timetable for production of the Buckinghamshire Local Plan.

Q10

I have looked at the Joint Chiltern and South Bucks Areas Monitoring Report (2019 – 2020 dated March 2021) but could find no significant reference to the review of existing saved policies. Is it anticipated that these will all be superseded by the Buckinghamshire Local Plan?

Q10 Response

Yes, it is the intention that the new Buckinghamshire Local Plan will supersede the policies contained in the former District planning policy documents.

Q11

Appendix D of the TINP (page 90) is a list of local heritage assets, but it is not clear to me what criteria have been used to assess the value of the assets. Paragraph 5.26 (page 37) refers to ‘the contribution that they make to the special character of the Parish’ and that the features have a ‘local interest’. Could the Parish Council confirm who undertook the survey of the assets and their qualifications in this field; what criteria were used in that assessment; and explain why the assets, which are protected by the specific policy IV5 (page 37), are not identified on the Policies Map?

Q11 Response

The following response is recommended:

In identifying candidates for inclusion, the following sources of information have been used:

- **The Buckinghamshire Historic Environment Record**
- **The Draft Iver Conservation Area Appraisal (March 2016)**
- **The Chiltern & South Bucks Townscape Character Study (November 2017)**
- **The South Bucks Townscape Character Study (March 2010)**
- **The History of Richings Park and notably the developer brochure of the 1920s (c/o the Richings Park Residents Association)**

In addition, ONeill Homer planning consultants, undertook an area visit in November 2020 to identify other potential assets, notably those buildings and structures playing a prominent role in the streetscene but not previously identified. The nominations were reviewed by the relevant TINP Task Team and verified or amended as necessary, based on its collection of local knowledge, using the commonly applied selection criteria for assessing the suitability of local heritage asset candidates set out in Historic England’s Advice Note 7 on Local Heritage Listing.

Excluding proposed local heritage assets from the Policies Maps was not deliberate; some neighbourhood plan policies maps identify them, others do not. However, the Parish Council will arrange for the Policies Maps to be modified.

Q12

A number of objections were submitted regarding the designation of heritage assets e.g. see paragraph 7.6 of the Consultation Statement. However, it is not clear to me what consideration was given to these objections. Could the Parish Council explain how the objections were addressed? The representation from Mr and Mrs Barrett states that ‘there has never been any prior consultation’ (on the designation of the assets) and that ‘a majority were against the Heritage Asset list proposals’. Please provide further clarification.

Q12 Response

This was the subject of debate prior to submitting the plan for examination. The following response is recommended:

As noted in the Consultation Statement, the Parish Council debated this matter at length prior to submission. Paragraphs 6.5, 6.7, 6.8 of the Consultation Statement provides information on the

informal consultation undertaken with property owners. Paragraph 7.1 and 7.2.2 of the Consultation Statement confirms that owners of heritage assets and land included in the TINP were consulted and further information on local heritage listing was provided. An extract of minute 148/21 is reproduced in paragraph 7.10.2 of the Consultation Statement which sets out how objections were addressed.

Although objections were received they did not constitute a majority of property owners of the proposed assets. It was therefore considered unwise to delete the policy on that basis. It is considered that in some cases owners have not understood the distinction made between these assets and listed buildings, and therefore assume there will be significant consequences. Further changes to the policy wording were agreed to try to bring this clarity and ideas proposed to host a public session with property owners after the making of the plan to explain how the policy will operate and to allay concerns that the assets will have statutory listing status. In addition, since the policy was drafted, Bucks Council has embarked on a Local Heritage Asset initiative, for which there is now publicly available information material.

Q13

The representation from Savills includes a number of suggested modifications which would overcome their objections to policy IV15. Could the Parish Council provide a considered response to this element of Savill's representation?

Q13 Response

A recommended response is set out below.

The key design principles set out in the policy cover matters which the local community would expect to see the policy include as public benefits in relation to design, services, housing mix, employment type, supporting infrastructure provision and phasing. These have been guided by the Vision and Objectives of the Thorney Business Park Sketch Framework Plan, included in the evidence base, and as a result of discussions between key stakeholders.

The Parish Council is mindful of its obligations to the local community, but also recognises the NPPF provisions on deliverability and flexibility. The benefits have been defined sufficiently broadly for the most part to allow some degree of flexibility as specific proposals are formulated. Its goal is to establish the most important 'fixes' among many other variables to ensure a genuinely sustainable development is delivered in this sensitive location.

However, the Parish Council proposes the following suggested modification:

On phraseology:

A. Proposals for the redevelopment of Policy Area A will be supported provided the scheme is in accordance with the vision and objectives of the Thorney Business Park Sketch Framework Plan and has regard to the following guidelines:

B. ...and proposals supported if the scheme is in accordance with the vision and objectives of the Thorney Business Park Sketch Framework Plan and has regard to the following guidelines:

The Parish council accepts the remaining suggested modifications from Savills and would welcome the examiner's suggestion for a modification reflecting this.

Q14

The representation from Turley includes a small number of suggested changes to the text and policies of the TINP. Can the Parish Council comment on the appropriateness, or otherwise, of the suggestions?

Q14 Response

A recommended response is set out below.

The Parish Council accepts the suggested modification to Policy IV13 from Turley and would welcome the examiner's suggestion for a modification reflecting this. In addition, it considers to suggested modifications to Policy IV15 to have been addressed in answering Q4 above.

Q15

The representation from Thames Water proposes the inclusion of additional text with regard to proposed water/waste-water infrastructure and surface water drainage. What are the views of the Parish Council on such a modification?

Q15 Response

A recommended response is set out below.

The Parish Council is advised that Thames Water makes this same representation to all neighbourhood plan consultations. It notes that the matter is already adequately covered by a combination of national policy and the provisions of adopted Core Policy 6: Local Infrastructure Needs in the adopted South Bucks Core Strategy. It wishes to avoid unnecessary repetition of strategic policy and does not therefore consider any modification is necessary.

Q16

Policies IV2 (page 30), IV3 (page 32) and IV4 (page 34) refer to a number of specific buildings but I could not see them identified on the accompanying plans. A decision maker would need to know where these buildings are and therefore is there any reason the plans cannot be up-dated to convey this information?

Q16 Response

A recommended response is set out below.

The Parish Council agrees that this should be corrected through including the relevant information on a revised Policies Map.

Q17

Are requirements D and G of policy IV7 (page 39) regarding the provision of indoor air quality information and electric vehicle charging points, consistent with any advice published by Buckinghamshire Council?

Q17 Response

A recommended response is set out below.

As set out above there is an acceptance that the Ivers Relief Road is no longer a financially viable or nationally (climate change) policy compliant proposal in either its shorter, ineffective form or otherwise, and that this requires a revised approach to mitigating the effects of HGV uses in the Ivers Parish, as set out in paragraph 5.2 of the Basic Conditions Statement. The latest [Air Quality Status Report 2021](#) published by Buckinghamshire Council includes a continued commitment to reduce the impact of HGVs on local areas especially in the Ivers. The Parish Council notes that access to electric vehicle charging points is now a requirement as per Part S to the Building Regulations which took effect on 15 June 2022.

Q18

In policy IV8 B (page 41), what is meant by ‘those tests’?

Q18 Response

A recommended response is set out below.

The policy references the exceptional circumstances and very special circumstances tests in relation to releasing from, and developing land in, the Green Belt. The Parish Council would welcome the examiner’s suggestion for a modification clarifying this.

Q19

In policy IV9 B (page 44), what is meant by ‘new facilities’ and ‘existing facilities’?

Q19 Response

A recommended response is set out below.

Any new uses, or changes of use requiring planning consent as set out in paragraph 5.43 of the TINP. The Parish Council would welcome the examiner’s suggestion for a modification clarifying this.

Q20

The Basic Conditions Statement (page 12) confirms that the owners of land which it is proposed to designate as Local Green Space (LGS), under policy IV12 (page 56), have been consulted and the Consultation Statement in paragraph 7.2.3 includes a copy of the letter sent to landowners (which I assume was sent to the owners of proposed LGS). Paragraph 7.6 of the Consultation Statement refers to the responses received. However, none of the responses appear to directly relate to specific areas

of LGS. Could the Parish Council confirm that all the owners of the proposed LGS were advised of the proposed designations and that no objections were received?

Q20 Response

A recommended response is set out below.

The Local Green Spaces Report November 2021 included in the evidence base supporting the TINP provides further detail to confirm that all the owners of the proposed LGS were advised of proposed designations and that the Parish Council made reasonable follow up efforts to seek a response. Landowners of proposed LGS a. and l. supported the designation. No objections were raised by Buckinghamshire Council as landowners of proposed LGS b.; f.; g.; h.; i.; j.; k.; n.; p.; q.; and r. No responses were received from landowners of proposed LGS c.; d.; e.; m.; and o.

The evidence base supporting the TINP is available on the Parish Council's website <https://www.iversparishcouncil.gov.uk/theiversneighbourhoodplan/>.

Q21

In policy IV16 i (page 70), what is meant by 'from the outset'? Does it include preventing HGV movements during the demolition and construction phases?

Q21 Response

A recommended response is set out below.

The term 'from the outset' refers to the date at which a new use and operation starts after any demolition or construction phases. The Parish Council would welcome the examiner's suggestion for a modification clarifying this.

Q22

The monitoring and review of Plans is an important component in the plan-making process, in order to ascertain whether or not the policies are effective. I could find no reference in the TINP to the monitoring of the policies or to the future role of the Parish Council in this process. I would welcome the views of the TIPC as to why this issue has not been addressed in the TINP.

Q22 Response

A recommended response is set out below.

Paragraph 3.18 of the TINP sets out the Parish Council's position on reviewing the TINP. The Parish Council accepts that further detail could be provided on its intention to monitor the effectiveness of the TINP policies. The Parish Council therefore proposes the following suggested modification:

New paragraph 6.2 inserted after paragraph 6.1 in Section 6 Implementation, resulting in renumbering the remainder of Section 6 to read:

The Parish Council will monitor the effectiveness of policies in the implementation of the Neighbourhood Plan against the objectives set out in paragraph 5.2 above. The data for some of these measures is collected by Buckinghamshire Council in its planning, or air quality, monitoring reports. In other cases, the Parish Council will endeavour to collect data to report on the progress

of the plan. The Parish Council is likely to commit to an early review of the Neighbourhood Plan as set out in paragraph 3.18 above and it will also be informed by this monitoring activity in considering if and how to update the policies.

Examiner's Questions 23 May 2022

Rather than risk confusion and duplication by assimilating the issues raised by BC into the list of Questions that I have already posed in my letter to BC and the Parish Council (PC) of 19 May 2022, I request that the PC provides me with an independent response to all the issues raised by BC in its Regulation 16 submission.

Many of the points raised by BC relate to matters of clarity, presentation and updating, so I do not anticipate the task to be unduly onerous – particularly because I am sure the PC will already have considered the content of the submission.

One substantive issue concerns Green Belt policy but my Question 4 to both BC and the PC does relate to this matter, so I would expect the issues raised in the Regulation 16 submission to be addressed as part of that response.

Should the PC require a short extension to the date of 15 June 2022 to undertake this task, then please notify the IPe office team accordingly.

Response

A recommended response is set out below.

For ease of reference, the Parish Council has responded to the comments in the attached document.

PROPOSED NEW APPENDIX E

POST OCCUPANCY EVALUATION GUIDANCE

This guidance note sets out how Post-Occupancy Evaluation (POE) should be undertaken and is derived from published guidance and best practice.

E1. Post-Occupancy Evaluation (POE) is the method of obtaining feedback on a building's energy performance 'in use', to ensure it measures up to the commitments made by the team that designed and built it. It offers significant potential to address the performance gap and occupant satisfaction.

E2. Where a monitoring regime to ensure the 'as designed' building performance targets are achieved in practice for all new and refurbished buildings is required, it is important that data is collected robustly, following good practice POE principles. It is therefore recommended that for residential development the POE methodology in section 11.4 of the Home Quality Mark ONE: Technical Manual: England, Scotland & Wales SD239 (2018)58, or as updated, is used as a guide for meeting this requirement. For non-residential buildings the BSRIA Soft Landings and Design for Performance framework (BG 76/2019), or as updated, may be used.

E3. Applicants are required to set out in their Energy Statement how their monitoring regime, based on the HQM, BSRIA or similar methodology, will work in practice and be independently verified by a third party. The Energy Statement to be submitted with the planning application.

E4. As each new or refurbished building comes into use, the developer must ensure performance monitoring and data collection for all relevant parameters for one whole year is carried out once the building is substantially occupied, in line with good POE practice for residential or non-residential uses. This verification process should entail, after appropriate commissioning has taken place, comparison of the 'as designed' parameters (energy, carbon, air quality and overheating risk) to monitoring data under the same categories, to assess and compare actual performance.

E5. In order to account for seasonality, a minimum of 12 months monitoring data is required. On the other hand, to account for actual weather, the modelling results can be adjusted with degree days for the relevant year. A 'performance gap metric', which will compare designed and actual performance (e.g. a percentage difference) for each of the 4 required parameters (energy, carbon, air quality and overheating risk) should be issued at POE stage. This needs to be issued for both the 'central' scenario and the 'lowest acceptable performance /reasonable worst-case scenario' as a minimum, with multiple scenarios considered if at all possible. The process and reporting methodology used for the POE will need to be repeatable, so that performance can be monitored for at least 2 annual space heating cycles.

E6. A report will then be required to be submitted to both building owners/occupiers and to Buckinghamshire Council, which states the performance gap metric and identifies any reasons for deviation from predicted energy usage, carbon emissions, indoor air quality and overheating performance, as well as recommendations for reasonable corrective action that will be taken to reduce or eliminate the performance gap.

E7. The submission of the monitoring report to owners/occupiers and the council must be secured by planning condition, to be determined at the time of application based on case-specific factors. The applicant must demonstrate that the reasonable corrective actions committed to in the monitoring report, and subsequently agreed by Buckinghamshire Council, have been implemented through another annual heat cycle before the condition will be discharged.

Buckinghamshire Council Response to The Ivers Neighbourhood Plan Regulation 16 Consultation

General Comments

Ecology

It is welcomed to see the key objectives including the protection of the semi-rural environment and the Green Belt and the protection and improvement of the quality and connectivity of green infrastructure assets with an emphasis on the valued open and high quality landscapes as part of the Colne Valley Regional Park.

We welcome the statement about the Environment Act and Biodiversity Net Gain but there is no other specific information regarding new developments in the Parish and the minimum biodiversity net gain requirement.  ¹

It does not appear that protected and priority species and priority habitat records have been obtained from the Buckinghamshire and Milton Keynes Environmental Records Centre (BMERC) to be considered in this Neighbourhood Plan. There is no mention of protected and priority species found within the area.  ²

Strategic Transport

We support the aspirations of the Iver Neighbourhood Plan to encourage more sustainable travel, improve air quality and discourage freight movements through Iver. The measures outlined are consistent with the following Council policies set out in Local Transport Plan 4:

- Policy 12: Encouraging Walking for short journeys
- Policy 13: Encouraging Cycling
- Policy 10: Improving our environment
- Policy 9: The role of Freight in Transport
- Policy 19: An effective approach to parking

It is considered that the sustainable travel improvements that are proposed within the Plan will support a move away from reliance on cars for short local journeys and local journeys to the station and will benefit air quality by reducing emissions from private vehicles and cutting congestion.

Summary of Comments on Buckinghamshire Council response to Iver NP_PC response_June 2022 (2).pdf

Page: 1

Number: 1 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:17:04

The minimum biodiversity net gain requirement is a national requirement, and the Parish Council wishes to avoid duplicating national or local requirements within the TINP. The Parish Council therefore considers that no amendments are necessary in this regard.

Number: 2 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:11:14

Policy IV13 of the TINP requires proposals to demonstrate that they will conserve and enhance biodiversity through the protection and management of its species, habitats etc. The Parish Council therefore considers that no amendments are necessary.

When looking at reductions in parking at the Station, please make sure to refer to the Parking Delivery Plan, specifically paragraph 7.3.1. Any parking changes at the station will need to carefully consider the potential impact on local street parking.  1

The Plan acknowledges the high number of Heavy Goods Vehicles (HGVs) which are routed through Iver, and alternative measures to the previously proposed Iver Relief Road are considered. These proposals are consistent with the objectives of the Buckinghamshire Freight Strategy (2018) in reducing the impact of HGVs on residents and are therefore supported.

Neighbourhood plan document sections where comments have been made

A Guide to Reading this Plan 2

This section doesn't appear to have been updated for the submission stage.

1. Introduction & Background - This section refers to the regulation 14 consultation whereas the consultation would have been regulation 16.

3. Planning Policy Context – this section refers to ‘the planning policies of South Bucks District Council, now operating as part of the unitary authority, Buckinghamshire Council.’ Given South Bucks Council has not now existed for two years it is considered that the paragraph would read better with the words ‘the former’ inserted between the words ‘of’ and ‘South’.

5. Vision, Objectives & Land Use Policies – references the fact that the policies are yet to be agreed this gives the impression that the submitted policies have not been agreed by the parish council or that it is intended to mean the policies have not been adopted as part of a ‘made’ neighbourhood plan. however, the real reason is that the wording has not been updated since draft plan stage.

Foreword

List of Policies

1. Introduction & Background

2. The Neighbourhood Area 3

It would be helpful if plan B had a key to identify what the different coloured shading relates to.

Page: 2

-
- Number: 1 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:12:08
Planning consent has already been granted for a new public car park near the station outside of the TINP Policy IV15 site. There is therefore no need for more public parking at the station other than that provided in bullet f. of Policy IV15. There is already a parking scheme in place across the whole of Richings Park. The Parish Council therefore considers that no amendments are necessary.
-
- Number: 2 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 10:51:21
The Parish Council accepts the suggested modifications to 'A Guide to Reading this Plan' and would be happy to agree a modification in that regard.
-
- Number: 3 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:12:31
The Parish Council accepts the suggested modifications to '2. The Neighbourhood Area' and would be happy to agree a modification in that regard.

3. Planning Policy Context

Paras 3.13 to 3.16 – given the Chiltern and South Bucks Local Plan was formally withdrawn by Buckinghamshire Council it has no status in planning terms. As such it is considered unnecessary to describe its contents in the neighbourhood plan as it has no relevance.  ¹

Paras 3.3 and 3.18 - Once the First Homes Position Statement is published (anticipated before end April) the tenure mix of the affordable housing is likely to look like 25% First Homes and the remainder 2/3 rented, 1/3 intermediate. Whilst the neighbourhood Plan states it does not intend to deal with First Homes the parish may want to re-visit this in light of the forthcoming Position Statement. At least then they can seek the 'homes for keyworkers and those with a local connection to the parish' which might in some way satisfy an element of the 40% affordable at least by defining the local criteria for these. They would need to state whether they choose to follow the local criteria in the First Homes Position Statement or provide details of how they propose to define keyworker and/or local connection (e.g. to the parish boundary or name surrounding parishes). Prioritising other affordable homes to keyworkers and those with a parish connection would not otherwise be possible.  ²

Para 3.22 Denham Neighbourhood plan has been Made. It was made by Buckinghamshire Council on 21st January 2022.  ³

4. Community Views on Planning Issues ⁴

Para 4.3 first bullet point – it should be noted that currently there are no Green Belt areas proposed for development/release from Green Belt. suggest the word 'proposed' is changed to 'potential' and the specific area words '77 acres' are also removed.

Second bullet point - The statement that the roads are already classified over capacity is a statement that needs to be checked- are all the roads over capacity, has this been determined through modelling work? This statement should be fact checked before including it.

Fifth bullet point - Please see implementation section for a reminder of comments made at draft stage regarding justification required for secondary school provision.

Page: 3

-
- Number: 1 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:12:59
The Parish Council considers that the information provides a useful context within which the TINP is being prepared and therefore considers that no amendments are required.
-
- Number: 2 Author: The Ivers Parish Council Subject: Sticky Note Date: 28/06/2022 15:29:28
The Parish Council considers that it would be inappropriate to revise the scope of the TINP at this late stage.
-
- Number: 3 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:13:19
The Parish Council accepts the suggested modifications to paragraph 3.22 and would be happy to agree a modification in that regard.
-
- Number: 4 Author: leani Subject: Sticky Note Date: 30/06/2022 13:13:48
The Parish Council accepts the suggested modifications to '4. Community Views on Planning Issues' and would be happy to agree a modification in that regard.

5. Vision, Objectives & Land Use Policies

Para 5.25 while it is clearly an ambition of the parish Council that an Article 4 direction is made by Buckinghamshire council to control permitted development rights it is not considered that a neighbourhood plan can encourage or make reference to such an action. Buckinghamshire council would have to consider the merits of such a proposal alongside other demands on it. Buckinghamshire would have to consider the benefits and enforceability of such a direction if it was minded to proceed and the area it should cover. Given these constraints both in terms of an Article 4 direction's suitability and council resources to put a direction in place and suitably police it there is no certainty that such a direction would be made and hence reference to it in the neighbourhood plan is unnecessary.  ¹

Policy IV3: Design in Iver Village: ²

Paragraph 206 of the NPPF encourages opportunities for new development within conservation areas, to enhance or better reveal the significance of the conservation area. The aim is to encourage high quality design, consistent with design guidance such as the Townscape Character Guidelines, so that proposals for new development positively contributes to significance. It is suggested that the wording in IV3 A incorporates the aim of enhancement, in addition to preservation, of the significance of the Iver Conservation Area to strengthen the requirement for new, high quality design.

Policy IV5: Local Heritage Assets:

1. The test for considering the effect of an application on non-designated heritage assets in the NPPF para 203 goes only as far as "a balanced judgement will be required, having regard to the scale of any harm or loss and the significance of the heritage asset." Policy IV5 imposes a stricter assessment, whereby any harm or loss "will be resisted, unless it can be demonstrated that there is a public benefit that outweighs the harm or loss." It is suggested that consideration is given to amending the policy wording so that it is more closely aligned with para 203 of the NPPF and reflects making a balanced judgement in relation to the scale of harm arising from any proposals.  ³

2. Policy IV5 only refers to Local Heritage Assets identified by the community. The policy could be broadened to include the wealth of designated and non-designated heritage assets and their settings located throughout the parish. The term 'Heritage asset', as defined in the NPPF, is used to include any building, monument, site, place, area or landscapes identified as having a degree of significance meriting consideration in planning decisions. This covers World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area

Number: 1 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:14:19

The Parish Council considers that a Neighbourhood Plan can include actions or ideas for improving or addressing problems in the parish to demonstrate to the local community that the Parish Council have noted the issues raised and will take them forward through the appropriate channels in its day-to-day business. It also accepts that paragraph 5.25 as currently worded is not clear and requires modification. The Parish Council would therefore be happy to agree a modification to paragraph 5.25 and offers the following suggested modification:

5.25 The Parish Council will use the evidence supporting the policy to submit a formal request to Bucks Council for an Article 4 direction removing permitted development rights that would otherwise enable alterations to be carried out to prevent any further deterioration of the essential character of the ASC following the referendum of this Neighbourhood Plan.

Number: 2 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 10:56:29

The comment has misunderstood the intent of the policy which is to identify essential features of the character of the area with the aim of ensuring they are preserved. This does not prevent proposals being made with the aim of enhancing the area in line with national and local plan policy. It is therefore not considered necessary to modify the policy.

Number: 3 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:16:36

The Parish Council disagrees with this comment, the policy clearly balances public benefits with loss or harm in the way described by paragraph 203 and therefore considers that a modification is not necessary.

designated under the relevant legislation as well as assets identified by the local planning authority (e.g. local listing assets). Including both 'Local Heritage Assets' and 'Heritage Assets' and their settings within the policy would ensure that a much wider range of assets is addressed.  ¹

3. It would be helpful if it was clarified within the commentary associated with this policy that the Local Heritage Assets set out in Appendix D are heritage assets identified by the community and not statutorily designated heritage assets or Non-designated Heritage Assets (NDHAs) identified by the Council.  ²

Policy IV7 Air Quality ³

Some requirements in this policy appear to be very detailed and it is therefore a concern that the policy will be workable. In particular clause c appears to require internal air quality levels to be worked out in advance of development for all dwellings whereas clause D only requests 10% of the built dwellings to be assessed. As written it would be open to the developer or by then the occupiers to choose 10 % of dwellings they knew would meet the tests rather than face additional costs of rectification.

Para 5.31 starts 'The primary sources of pollution in the South Bucks are transport....' It looks like a word is missing between the words 'the' and 'South' it is suggested the word 'former' is inserted between the two words and the word 'District' is added after the word 'Bucks' this is because South Bucks no longer exists as a district council.

Para 5.32 insert the words 'The former' before the word 'South' for clarity as South Bucks District Council no longer exists and for consistency with the changes suggested for para 5.31.

Para 5.36 – obviously the neighbourhood plan was being produced during the Covid 19 pandemic. However, the plan is intended to cover a longer timeframe and in theory we are told the country has passed through the pandemic and indeed restrictions on free movement are currently suspended. Therefore, it is suggested the wording is amended slightly so that the plan will stand the test of time. The first sentence currently reads 'People typically spend about 90% of their time indoors, this average is compounded even further by the Covid-19 pandemic' suggested the word 'is' is changed to 'was' and the word 'by' is changed to 'during'.

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Number: 1 Author: leani Subject: Sticky Note Date: 30/06/2022 13:17:30

The Parish Council wishes to avoid duplicating national or local requirements within the TINP. The Parish Council therefore considers that no amendments are necessary in this regard.

Number: 2 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:18:28

The Parish Council accepts that an error has been made in the final drafting of para 5.26 and introduction to App D both of which should have contained wording making clear the distinction between the local heritage assets and designated heritage assets like listed buildings. It would therefore be happy to agree a modification.

The Local Heritage Assets set out in Appendix D are regarded as 'non-designated heritage assets'.

Number: 3 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:18:31

Paragraph 5.33 details the origin of the policy. Clause D in particular operates in Milton Keynes Borough. Clause C applies to the design of schemes whereas Clause D applies to the operation of schemes.

The Parish Council accepts the suggested modifications to paragraph 5.31, 5.32 and 5.36 and would be happy to agree a modification in that regard.

Policy IV8 managing traffic

As written the policy almost seems to encourage Green Belt development via exceptional or very special circumstances if it provides road and public realm improvements. Is this the intention of the policy? Both exceptional and very special circumstances would have to be considered on a case by case basis and the policy as worded could imply development proposed in the Green Belt would be permitted if it provided road or public realm improvements. There is currently no strategic policy basis for suggesting Green Belt releases may occur via exceptional circumstances in the former Chiltern and South Bucks areas, as such reference to the possibility of exceptional circumstances could be considered misleading and premature.



1

We support a policy which helps that aims to secure mitigations where possible and sets out potential mitigation schemes to secure funding against. However, we are concerned there is conflict with this policy and the NPPF and it would not be possible to secure mitigation as stated in the policy. Rather than securing mitigation for 'any development, it is likely a relatively small proportion of development proposals will generate significant traffic/sufficient traffic that would justify a requirement for traffic mitigation. Also any mitigation will need to directly relate to the development impact so we cannot state for certain that clause C of the policy will be feasible in all situations due to the planning obligation tests however appreciate the desire to achieve mitigation in key locations wherever possible. The planning obligation tests are as follows:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.



2

Policy IV9 Reducing Heavy Goods Vehicles



3

IV9 (A) Operations within the wider use class

This wording seems to undermine the intention – are they trying to restrict changes within the use class? See para 5.42.

IV9 (B) Reference to other commercial vehicle movements could undermine proposals by pubs and shops for smaller scale extensions, etc – is this the intention of the policy?

We are in support of the plan to encourage land use changes that will lead to a reduction in HGV's however, have concerns over Policy IV9 and its statement to not support development should any number of new movements be generated. Para 111 of the NPPF

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Number: 1 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:19:40

The Parish Council disagrees with these comments. The policy is clear that its provisions only apply where the very special circumstances or exceptional circumstances cases have been made, It does not therefore encourage development in the green belt and considers that a modification in this regard is not necessary.

Number: 2 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:20:19

The Parish Council accepts that the policy may need to be modified to qualify the circumstances where mitigation measures to address additional traffic may be necessary and would be happy to agree a modification in that regard.

Number: 3 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:21:05

The policy does not restrict operations within the wider use class.

The Parish Council accepts that the use of the term 'facilities' is misleading and would be happy to agree a modification in that regard.

The Parish Council also accepts that the policy could only refer to HGVs and not to other types of commercial vehicle and would be happy to agree a modification in that regard.

states, Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Policy positions are different, and it is difficult to see how the Neighbourhood Plan draft policies have due regard for the NPPF. If the Neighbourhood Plan policy proposals referred to an unacceptable/significant level of HGV's or an unacceptable/severe impact this would bring the neighbourhood plan policies in closer in line with the National policy specifically relating to transport impacts. Buckinghamshire's concern is if this policy is adopted is how the council would respond to an application which proposed a small increase in HGV's as this could be acceptable in terms of the NPPF and its traffic impact on the network given the negligible highway impact.  1

A small increase any number of HGV's is not likely to present harm on highways safety or capacity grounds and so it would be difficult to defend the policy in appeal situation. I cannot comment on how this policy sits with the National Policies on air quality or any other planning policies.

Para 5.41 – last sentence reads ‘. The Iver’s Traffic and Transport Study from 2016 led to HGV generating sites being identified and is shown on the Policies Maps.’ This would read better if the word ‘is’ is replaced with the words ‘these are’.

Para 5.42 A reduction of 10% of movements against what? - the baseline is not clear.  2

Policy IV10 Community Facilities

Pleased to see that the plan now includes larger scale maps of the community facilities to be protected which should remove any doubt as to the area of the community facility to be protected by the policy.

Policy IV11 Village Centres.

Despite raising concerns about the scale of the mapping used to show the village centres and their functional use, no changes have been made to the maps since draft stage. As such the councils concerns about the maps remain.  3

Buckinghamshire Council has concerns over the extension of permitted development rights and the impact that allowing a change to residential will have on high streets across Buckinghamshire generally. It is agreed that residential has a role to play in town centres but any change of use should take into account factors such as commercial demand, wider town centre plans and ambitions etc. It is not clear however, what the corporate stance is on this and whether there are any plans for Article 4 directives? The specific reference to

Number: 1 Author: leani Subject: Sticky Note Date: 30/06/2022 11:19:28

The Parish Council disagrees that the policy is inconsistent with the NPPF, it is clear from the evidence base that the effect of existing HGV traffic movements in the villages is already severe. This has been a result of many planning applications being able to show that their own traffic effects will not be severe. This has meant that the cumulative effect of these movements over many years has not been taken into account. The Parish Council considers that in this circumstance there is no case for any additional HGV generating uses in the Parish, especially in the light of the Relief Road proposal being abandoned. It does not therefore think that a modification is necessary.

Number: 2 Author: leani Subject: Sticky Note Date: 30/06/2022 11:22:08

The policy will operate in the same way as Policy DM CP4 of the Local Plan.

Number: 3 Author: The Ivers Parish Council Subject: Sticky Note Date: 28/06/2022 16:22:47

The Parish Council agrees that this should be corrected through revised mapping.

the hope that Bucks Council will make an Article 4 direction is not appropriate and not relevant to the neighbourhood plan whilst this is an aim of the parish this is something they should raise with Buckinghamshire Council directly and not through words in the neighbourhood plan.  1

Policy IV12 Local Green Spaces

We remain concerned that all the areas chosen meet the criterion for designation as local green spaces. However, accepting the parish have sought to retain them all the small size of some areas and the scale of mapping used to identify the areas means the precise boundaries will be hard to decipher. So to aid usage of the plan and to stop any possible conflict it is suggested larger scale plans of the Local Green Space areas are provided in the plan, either in the main body of the text or as an appendix.  2

Policy IV13: Colne Valley Regional Park 3

This policy that sets green infrastructure, biodiversity net gain and local nature recovery provisions in the Colne Valley Regional Park (in which the entire Parish lies) is welcomed however there is no specific information of what net gain entails.

We welcome the statement “Conserve and enhance biodiversity within the Park through the protection and management of its species, habitats and geological features and enhancement of habitat connectivity”. Some more explanation can be provided relating to this statement so it can set the principles for new developments.

Under 5.56 it is stated “Where proposals include provision for landscaping, new means of access or new layouts, there may be an opportunity to relate the land better to the Park, for example in complementing existing biodiversity value through the design of the landscape scheme.” More information can be included on how new development will complement existing biodiversity value through the design of the landscape scheme e.g. retaining and enhancing existing habitat within development site, habitat creation targets, provision of biodiversity enhancements such as installation of bat and bird boxes (e.g. swift boxes) etc.

Plan U: Existing Green Infrastructure Network and opportunities for its enhancement

The green hashed areas are welcomed as target areas to enhance landscape/wildlife value/create public open space.

In these areas native plant species should be used of local provenance (native species that are sourced locally).

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- Number: 1 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 11:23:15
The Parish Council considers that a Neighbourhood Plan can include actions or ideas for improving or addressing problems in the parish to demonstrate to the local community that the Parish Council have noted the issues raised and will take them forward through the appropriate channels in its day-to-day business.
-
- Number: 2 Author: The Ivers Parish Council Subject: Sticky Note Date: 28/06/2022 16:25:30
The Parish Council directs Buckinghamshire Council to The Local Green Spaces Report November 2021 included in the evidence base supporting the TINP which provides further detail and agrees that LGS mapping should be corrected through revised mapping.
-
- Number: 3 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:23:18
The Parish Council does not agree and considers that no further amendments are required in relation to Policy IV13.

The main blue hashed area as opportunity area to enhance waterscape/watercourse may be extended to the north as other four waterbodies exist to include a larger waterscape area.

It is not clear if the existing Priority Habitats - Habitats of Principal Importance within the Parish have been considered in this plan, such as Traditional Orchards. There are several small parcels of Priority Habitat Traditional Orchard in the Parish.

Policy IV14: PassivHaus Buildings:  ¹

The goal to improve energy performance in new and refurbished buildings is welcomed. The policy appears to relate predominantly to new development, although refurbishment is also referred to. In terms of designated heritage assets, there may be situations where achieving high energy performance conflicts with preserving the significance of a building. It would be helpful to clarify this, perhaps by referring to “All new development...” throughout the policy wording or by providing some level of flexibility where there may be a conflict between energy performance and the preservation of heritage significance.

Policy IV15: Thorney Business Park  ²

Part B of the policy

Whilst it is appreciated that the wording of this policy has been altered since the draft policy version the policy is still hinting at the neighbourhood plan being supportive of Green Belt boundary changes. It is therefore worth repeating that NPPF para 140 indicates that Green Belt boundaries can only be altered through the plan making process and where exceptional circumstances can be fully evidenced and justified. It further indicates that detailed Green Belt boundary changes can only occur in a neighbourhood plan where strategic policies justify a change to the Green Belt is required. Given the withdrawal of the Chiltern and South Bucks Local Plan and before the adoption of the replacement Buckinghamshire Local Plan there is no strategic policy basis for the neighbourhood plan to consider Green Belt changes. Indeed, para 141 of the NPPF indicates that before concluding changes to the Green Belt boundary are required the Strategic Planning Authority (Buckinghamshire Council) should be able to show it has looked at all possible alternatives to accommodate its development needs. As this work across Buckinghamshire will form part of the work on the emerging Buckinghamshire Local Plan it is by no means certain that Green Belt changes will be required or in the Thorney lane area. given this it is not considered appropriate for the neighbourhood plan to be promoting development of Green Belt land which would be inappropriate and only possible if very special circumstances can be demonstrated.

A landscape and biodiversity strategy is welcomed but again there is no specific information of what will be included e.g. target habitat creation/enhancement and target species enhancements.

Number: 1 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:23:34

The Parish Council accepts the suggested modification and would be happy to agree a modification in that regard.

Number: 2 Author: The Ivers Parish Council Subject: Sticky Note Date: 28/06/2022 17:52:28

See Joint Response 1. & 4.

While the land north of Iver Station area was allocated in the withdrawn Local Plan one of the benefits of this site was the potential for satellite office development based on the Crossrail/Elizabeth Line link to London? It is considered that a mixed use development, that generates some employment (particularly that which is not reliant on HGV movements) would be our preference.

It is a concern about what happens to the businesses located on the existing business park if this is redeveloped as the neighbourhood plan desires? It is accepted there are issues with HGV traffic, but this is a site that provides employment. We should be looking for a balance between housing and employment and if residential is to increase, should thought not also be given to where these residents might be able to work?

Clause B ii. a.

It is suggested the text is clarified to indicate whether at least 40% 'affordable' homes and homes for keyworkers and those with a local connection means 40% affordable housing as per the core strategy and then additionally other homes for keyworkers and those with a parish connection, or including.

Para 5.72 the NPPF reference is incorrect it should now be para 148 and not 144 as written.

Policy IV16 Link Park Heathrow & Thorney Mill Sidings  ¹

As with policy IV15 above, what happens with the existing businesses on the site?

IV17: Pinewood Studios  ²

A number of significant planning applications have been made on the Pinewood Studios site in recent years including on areas of land adjacent which fall outside of the Local Plan site designation. Thus whilst the aim of the Neighbourhood plan is supported it's likely that the major developments proposed on the Pinewood studios site will be reliant on whatever planning conditions were applied to the proposals to control traffic movement rather than the neighbourhood plan being able to limit car use. Because the policy makes reference to the adopted Local Plan policy E2 its not immediately clear to the reader if the policy map reference is to the Local Plan policies map allocated E2 area or the more extensive area identified as Pinewood Studios in the Neighbourhood Plan inset policy map. Additionally, as written the policy would only control development which occurs within the designated area of the Pinewood Studios site and not any development beyond the currently defined area. Therefore, the neighbourhood plan policy needs to clearly indicate the area to which it is

Number: 1 Author: The Ivers Parish Council Subject: Sticky Note Date: 28/06/2022 16:31:18
See Joint Response 1. & 4.

Number: 2 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:23:55
The policy applies to the existing operational area of Pinewood Studios. The Parish Council accepts that the policy requires modifications to make this clear and would be happy to agree a modification in that regard.

applicable and should allow for future expansion of the pinewood studios beyond whichever policies map boundary is identified as the area covered by the policy.

This is probably addressed in the Section 106 with Pinewood and may already be covered in the wording about not worsening traffic and air quality, but from an economic view as well as mitigation measures, it's also about trying to maximise local benefits from the expansion (jobs, training etc)

6. Implementation

Local Infrastructure Improvement 1

Para 6.4 makes reference to community Infrastructure levy or section 106 money being used to fund a secondary school as explained in detail at draft plan stage there is currently no justification in terms of pupil numbers for an additional secondary school in the area unless significant additional housing development is proposed in the area the existing spare school place capacity is considered likely to meet future demand for school places.

Policies Map & Insets

Policies map - as stated at draft plan stage although inset maps have been provided these still seem to be shown at too small a scale for the many proposed designations to be clearly identified by the users of the Neighbourhood plan. Policies maps or inserts to them have to be at a useable scale so that developers and landowners can see all the applicable policies that may apply to their site in one place.  2

Appendix A: Landscape Appraisal: Local Gaps and Corridors of Significance 3

Para 2.02 refers to the London Borough of Cowley. There is no such borough.

Appendix B: Iver Heath Area of Special Character Design Code

Appendix C: The Ridings Area of Special Character Design Code

Appendix D: Local Heritage Assets Analysis 4

This schedule provides detailed information about the identified Local Heritage Assets within the parish. It is welcomed as a valuable resource for the local community, applicants and decision makers.

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- Number: 1 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:24:09
The Parish Council notes the position on secondary school provision and would be happy to agree a modification in that regard.
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- Number: 2 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:24:34
The Parish Council published higher resolution versions of the maps alongside the TINP to allow more detailed analysis as described.
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- Number: 3 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:25:29
The Parish Council accepts the comment and would be happy to agree a modification in that regard.
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- Number: 4 Author: The Ivers Parish Council Subject: Sticky Note Date: 30/06/2022 13:26:29
The Local Heritage Assets set out in Appendix D are regarded as 'non-designated heritage assets'. The Historic England criteria have already been taken into account and the Parish Council would expect these local heritage assets to be included on the Local List for Bucks in due course.

The Heritage Team would encourage the Ivers Parish Council to share this schedule of Local Heritage Assets for inclusion in the Buckinghamshire Council Local List of heritage assets of local or historic interest. We are asking for members of the public to nominate candidate sites for the Local Heritage List. These candidate sites will be assessed against Historic England criteria for inclusion in the Local Heritage List. They would then be categorised as a NDHA and taken into consideration in the planning process. For those assets in that Appendix D Schedule of Local Heritage Assets that are already nominated or included within the Local List, the information set out in the schedule would assist the Local List project team in enriching the list.

Please see the [Local Heritage List Project](#) or contact our Local Listed project Officer for further information: localheritagelist@buckinghamshire.gov.uk

[Appendix E: Schedule of Evidence](#)