

Cuddington Neighbourhood Development Plan

Examiner's Clarification Note

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt, matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan provides a clear and concise vision for the neighbourhood area. The relationship between the vision and objectives of the Plan, and the policies is very clear. It provides a robust structure for the Plan. The Plan has helpfully focused on distinctive matters in the parish.

The package of supporting documents is commendably comprehensive. In combination, the appendices impressively underpin the associated policies in the Plan.

The presentation of the Plan is very good. The difference between the policies and the supporting text is very clear. The Plan makes good use of high-quality maps and photographs.

Points for Clarification

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now in a position to raise issues for clarification with the Parish Council.

The comments made on the points in this Note will be used to assist in the preparation of the examination report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

I set out specific policy clarification points below in the order in which they appear in the submitted Plan:

Policy CDN01

This policy has been well-considered. It forms an effective spatial strategy for the neighbourhood area.

The final sentence of the policy (on development outside the settlement boundary) is more restrictive than the approach taken in paragraph 80 of the NPPF and in Policy S2 of the Vale of Aylesbury Local Plan. Did the Parish Council have particular evidence in mind in developing its policy approach?

Policy CDN02

I looked carefully at the proposed Important Local Views during the visit. Their importance was self-evident.

As submitted the policy reads in a negative way. I am minded to recommend so that it takes on a more positive approach (which would require development proposals to be designed and arranged so that they respect the identified views).

Does the Parish Council have any comments on this proposition?

Policy CDN03

How does part of the policy relate to the distinction made between designated and non-designated heritage assets in Section 16 of the NPPF and the harm caused by development proposals?

Should the scope of the policy be broadened so that it balances any harm with the significance of the asset (as set out in paragraphs 202 and 203 of the NPPF and Policy BE1 of the Vale of Aylesbury Local Plan)?

Policy CDN 04

The policy takes a distinctive and very positive approach to Cuddington's historic environment. The implementation of the policy will assist significantly in promoting new development that is distinctive to the character of the conservation area. The policy is impressively underpinned by Appendix D and the wider findings of the Conservation Area Character Appraisal.

For clarity within the Plan period, I will recommend a modification to the wording of criterion 7 so that it relates to the character of the conservation area and not to that of the wider village.

Criterion 18 reads as supporting text rather than as a policy. As such, I am minded to recommend that it is repositioned into the supporting text. Does the Parish Council have any comments on this proposition?

Policy CDN 05

The policy is an excellent local response to the National Design Guide and to the most recent version of the NPPF (2021) and results in bespoke design guidance for the built part of the neighbourhood area. The policy is very well-considered in the way in which it addresses the distinctive parts of the neighbourhood area. In addition, it is directly informed and underpinned by the findings of Appendix D: Built Environment.

Criterion 17 reads as supporting text rather than as a policy. As such, I am minded to recommend that it is repositioned into the supporting text. Does the Parish Council have any comments on this proposition?

Representations

Does the Parish Council wish to comment on any of the representations made to the Plan?

In particular, does it wish to comment on Buckinghamshire Council's suggested changes to certain policies?

Protocol for responses

I would be grateful for responses and the information requested by 25 March 2022. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

In the event that certain responses are available before others, I would be happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled, please could it come to me directly from Buckinghamshire Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

Cuddington Neighbourhood Development Plan.

7 March 2021