



CHALFONT ST GILES PARISH COUNCIL

UNDERSTANDING THE LOCAL PLAN QUESTIONNAIRE

AND GUIDANCE ON HOW TO RESPOND

The Parish Council has obtained independent advice from Cerda Planning consultants to assist us in understanding the Local Plan questionnaire, and to help us to formulate an appropriate response.

The information included below in black is the advice we received from Cerda which you may find useful. It is NOT the Parish Council's response, which is still being considered.

The Parish Council have added a few comments in orange which add some local knowledge to the above.

Please note that you do not have to answer all the questions if you only have comments to make on some of them

INTRODUCTION

Cerda Planning Limited have been instructed by Chalfont St Giles Parish Council to review the Chiltern and South Bucks Local Plan Initial Consultation (Regulation 18) incorporating Issues and Options, together with associated evidence base which has informed the preparation of the Consultation Draft Local Plan, and prepare a response paper to assist the Parish Council in reviewing their position and lodging formal representations to Chiltern and South Bucks District Councils.

Following a review of the Consultation Draft Local Plan and the various evidence base, a response to each of the 17 questions posed in the Consultation Draft Local Plan has been prepared.

PREAMBLE

Prior to setting out responses to the 17 questions in the Consultation Draft Local Plan, it is appropriate to consider the plan making process and the suggested approach to be taken in respect of the representations to Chiltern and South Bucks District Councils.

Chiltern District Council and South Bucks District Council are, ultimately, seeking to prepare a Local Plan which is found sound and can be adopted to guide development to 2036.

The Government have recently amended the regulations governing plan making and have sought to speed up the process of plan preparation. Nevertheless, the two Councils will need to review the consultation responses to the current Draft Local Plan, prepare a revised (preferred options) consultation draft which is scheduled for October/November 2016 followed by a further draft plan for public consultation in early 2017 prior to submission later in 2017.

At that stage, the submitted Local Plan will be the subject of examination by an independent planning Inspector with a view to being adopted, we would estimate, in early to mid 2018.

In recommending adoption of the Local Plan, the independent planning Inspector must be satisfied that the plan is sound. The tests of soundness are set out in the



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National Planning Policy Framework (NPPF) at paragraph 182. These tests are as follows ;

- Positively prepared – based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
 - Justified – the plan should be the most appropriate strategy when considered against the reasonable alternatives;
 - Effective – the plan should be deliverable over its period;
- And
- Consistent with National Policy – the plan should enable the delivery of sustainable development in accordance with the policies in NPPF.

One of the persistent themes considered in detail in Local Plan examinations is the extent to which a Local Plan is positively prepared. There are numerous examples of Local Plans which have either stalled or worse, had to be withdrawn, because they are not meeting full, objectively assessed housing and other development requirements in the plan period.

It is anticipated that Chiltern District and South Bucks District are alive to this issue and however difficult it is to accommodate development requirements the two Councils will have to tackle challenging decisions.

We raise this point simply to highlight that making representations on the basis that development needs should not be accommodated is unlikely to achieve a great deal of traction. Instead, as a general approach to submitting representations it is far better to find ways in which development requirements can be achieved in a sustainable and justified (using the terminology from the NPPF) manner.

Indeed, this approach is likely to ensure representations are given far greater weight when considered by the two Councils and, ultimately, the independent planning Inspector, since such an approach would be seen as a constructive approach to assisting the process of plan preparation rather than frustrating the objective of drafting a sound plan; it is ultimately a key objective for the planning system for development to be plan led.

Question 1 – Do you have any comments on the definition of housing and functional economic market areas being used, on the Draft Buckinghamshire HEDNA (Housing and Economic Needs Assessment) or on the needs assessment work planned during the next stages of the joint Local Plan process?

As a general comment, it is appropriate for the CDC and SBC to consider, as a starting point for the purposes of plan strategy, the Housing Market Area in which Chiltern and South Bucks sit.

This is important since housing markets are not defined by administrative boundaries but instead can, and often do, extend well beyond a district or borough boundary.

Understanding the housing market area ensures that the Council can give due to consideration to the Duty to Co-Operate which is an important aspect for legal compliance and ensuring that the plan is positively prepared.



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It is noted at paragraph 2.3 of the Draft Local Plan that Chiltern and South Bucks fall within the Buckinghamshire Housing Market Area and functional economic market area comprising Chiltern, South Bucks, Wycombe and Aylesbury Vale districts.

Consequently, for legal compliance there is a requirement for each of these local authorities to consider the Duty to Co-Operate in meeting objectively assessed needs.

Indeed, paragraph 2.5 of the Draft Local Plan alludes to a Duty to Co-Operate between each of these Buckinghamshire authorities and this is endorsed.

Question 2 – Do you have any comments on the Draft HELAA (Housing and Economic Land Availability Assessment) particularly in relation to whether included sites are likely to be deliverable by 2036 and whether additional sites should be added?

In responding to this question, respondents should be aware that the Housing and Economic Land Availability Assessment (HELAA) identifies only 1 site in Chalfont St Giles. This is site reference 0219, and is a site at Blizzards Yard Car Park, accessed off High Street. The HELAA indicates that between 9 and 12 dwellings could be accommodated with employment uses and that the site is likely to be delivered in one of the later phases of the Plan, years 11-15.

The HELAA is clear that car parking should be retained in any development proposals, and this is a position we are sure that everyone would support.

We note that the site is CDC owned and therefore subject to going through the Council's disposals process, the site could come forward. However, we would suggest that deliverability of the site is by no means certain, given that retention of the car parking in its entirety will likely be a pre-requisite for the Village; consequently development will need to be built over the car parking which creates a number of planning issues.

Firstly, this will inevitably cause any scheme on the site to be for apartments rather than family houses, the apartment market is far less buoyant than the family housing market which would indicate that developer interest in the site will be cool at best. Secondly, there may be viability issues in having to construct a building above an existing car park with the associated challenges/costs of constructing a building on stilts. Thirdly, the relationship to adjoining buildings appears tight, it may not be possible to accommodate a 2 or 3 storey building on the site without adversely affecting adjoining windows, access points and it may be the case that a 2 or 3 storey mass of building in this location would adversely affect the street scene and general character of the area.

This area is also, as we all know, subject to local flooding. You may wish to refer to the comments made by the Environment Agency which are included in the CDC Local Plan Evidence Base: <http://www.chiltern.gov.uk/CHttpHandler.ashx?id=7789&p=0>

It is also within the HS2 safeguarded area, meaning that development is unlikely to be achievable within the timeframe.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/394634/CS236J_Volume2.pdf

Setting this aside, there are no other sites identified in the HELAA in the Village to accommodate housing or other growth in the period to 2036, and there are no other sites known to the community that would be put into the HELAA for consideration as a housing or other allocation.



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The Parish Council are aware that the HELAA also identifies the Chalfont Grove site. But wrongly places this within Chalfont St Peter Parish. This is currently a protected site.

** This is a helpful starting position since the absence of any deliverable sites in the HELAA is such that the Local Plan is not able to allocate sites in the Village since allocations must be drawn from the HELAA evidence base. **

Question 3 – are there existing uses/sites not currently identified in the HELAA and within the built up areas that may be surplus to requirements or where the existing use could be consolidated or re-provided elsewhere such as open spaces, sports and leisure uses?

The Parish Council would not support the development of open spaces, sports and leisure uses; or indeed other important land uses in the Village such as incidental landscaped areas, car parking or other areas of land which have been left open as a deliberate design response as part of the planned nature of the built up area.

The question asks if you have any other suggestions where development may be viable.

Question 4 – Do you agree with the approach to the joint Local Plan Vision and Objectives and if not what changes or additions do you consider are needed? Please explain your reasoning for suggesting any alterations.

The plan Vision and Objectives are reasonably sound so far as they are presently drafted.

However, there is a great deal of detail omitted from the Vision and Objectives and it is appropriate for this detail to be added into future draft versions of the Local Plan.

A useful approach would be to add in the sustainability objectives set out within the Sustainability Appraisal since this will ensure that the Vision and Objectives of the Local Plan are consistent with the Sustainability Appraisal which underpins it; there can, as a consequence, be no criticism that there is inconsistency between the evidence base and the plan itself.

If this approach were adopted, it would be useful for each of the Sustainability Appraisal objectives to include a short paragraph setting out why the objectives are in place and what they are seeking to achieve. This is helpful since it will enable performance of the plan to be assessed as to whether the Objectives are being met. This is useful since the NPPF is clear that the Plan should be able to deal with rapid change, testing plan performance against the objectives is one helpful benchmark for assessing whether the plan is failing and whether it should be amended through a partial or full review to deal with issues identified.

This approach is therefore forward looking and seeking to positively deal with issues.

So far as the Objectives themselves, we would wholly endorse the need to protect the Green Belt and the Chilterns Area of Outstanding Natural Beauty since these are fundamental principles of the planning system which have been enshrined within local policy for a considerable period of time and, importantly, the NPPF provides full protection for these land use designations.



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As such, objectives which protect the Green Belt and AONB would ensure that the plan is consistent with National Policy which is one of the four tests for soundness.

The need to deliver development and protect the Green Belt and AONB can be mutually compatible. This is on the basis of looking at delivering development in the wider Housing Market Area which could include delivering development in the neighbouring Aylesbury Vale on land outside of Green Belt and AONB which would be an inherently sustainable approach to delivering development. The Plan would be positively prepared in taking this approach and would be justified since it would be delivering the most appropriate strategy when considered against the reasonable alternatives.

Question 5 – What spatial strategy option or options do you think the Councils should consider and what should be the priority order? Are there any other spatial strategy options that the Joint Plan should consider and why?

It is appropriate for the Plan, at this early stage, to consider a range of options for delivering development. The starting point for considering the appropriateness of the options is the evidence base underpinning the plan. In this respect the HELAA is a key component since it identifies what land is available for delivering housing and other development needs in the period to 2036.

In this respect it is firstly necessary to recognise that the overall quantum of land available for development falls short of what the Council consider to be the full, objectively assessed housing needs; and secondly, of the land set out within the HELAA, a number of the sites are undeliverable, cannot be delivered early in the plan period (and such the plan would fail the NPPF requirement for boosting the supply of housing now) or are sites which would not meet the test of sustainability as set out at paragraph 7 to the NPPF (the economic, social and environmental roles).

This further reduces the deliverable supply of housing and employment land which in turn further limits the appropriateness of a number of the options put forward at paragraph 4.7 of the plan.

With this in mind, it is considered that Option A (making more efficient and effective use of land within existing built up areas such as increasing building density or height), Option B (testing of the scope to increase development opportunities by reviewing the purpose and function of existing areas of special control), Option C, D and E (built up area extensions to a range of settlements), Option F (review of settlements within the Green Belt with a view to removing larger settlements to explore development potential), Option G (a detailed review of the inner Green Belt boundaries including small scale release), Option H (allowing limited in-fill within villages and generally built up frontages within the Green Belt), Option I (extensions to other settlements such as the larger villages); Option J (additional sustainable growth options in built up areas) and Option K (specifically to help meet office, warehousing and industrial employment needs) will individually fall well short of the Councils presently identified full, objectively assessed development needs such that the plan will not be positively prepared.

A combination of the above Options would achieve more development potential; however it is fundamental to understand that even if all of the



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deliverable sites in the HELAA were to come forward, there would be a significant shortfall in the quantum of development to be delivered to 2036 when considered against the objectively assessed needs set out by the Councils.

Consequently, the two Councils face a significant challenge; the response to the challenge needs to be, in our view, a radical departure from simple additions to existing settlements and/or intensifying urban areas.

Our approach would be to engage the Duty to Co-Operate and pursue discussions with neighbouring authorities to deliver housing and other needs outside the Chiltern and South Bucks administrative boundaries.

The Draft Local Plan makes reference to discussions already taking place with neighbouring authorities, and indeed it is noted that the two Councils have already submitted representations to the Aylesbury Vale plan to this effect.

Aylesbury Vale could usefully assist in delivering housing and other needs in the period to 2036 given that a number of the larger, sustainable settlements in Aylesbury Vale are positioned close to the administrative boundary with Chiltern District. Specifically, Aylesbury, the largest town within Aylesbury Vale, is unfettered by Green Belt or AONB and is capable of accommodating significant quantities of additional growth within one or more sustainable urban extensions; whilst Haddenham is similarly not fettered by Green Belt or AONB and nor is Aston Clinton, both of which are larger settlements which are capable of accommodating growth in a sustainable manner.

Given that the NPPF affords full protection to Green Belt and AONB, and indeed the Draft Plan makes clear that changes to Green Belt boundaries should be considered only in exceptional circumstances, all possible options to explore meeting housing and other needs without the need to amend Green Belt boundaries should be explored.

This is precisely the approach being undertaken in the West Midlands, where Birmingham City is surrounded by Green Belt and is having to export significant quantities of housing to neighbouring authorities with a priority to considering non-Green Belt sites in favour of Green Belt sites. This is precisely why the Duty to Co-Operate is a key plank to the legality of the plan. Whilst the approach to exporting housing to Aylesbury Vale may be radical in the context of Options A-L set out in the Draft Local Plan, the scale of the challenge facing the two Councils is such that radical approaches are required if the plan is to be found sound.

This is where you could point out that Chalfont St Giles does not have any areas available and suitable for large scale development but some in-fill (eg knocking down one large house to build two smaller ones) may be possible provided that it does not over-fill the land available.

State that It is essential that the Duty to Co-Operate is pursued with neighbouring authorities.

Question 6 – Do you have comments on individual options generally or



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specific settlements/site options that could be part of these options?

As set out above, the starting point for considering options is the extent to which deliverable land is available to meet development needs in the areas identified in the Options.

It is clear, for example in respect of Option E (built area extensions to a wider range of settlements including Chalfont St Giles) that there is simply not the land available to deliver any meaningful contribution to housing and other needs in the period to 2036 and this alone is compelling evidence that options seeking to intensify existing urban areas, which in themselves are challenging for local communities to contemplate, are not appropriate in this instance given the scale of development the Councils consider is required and the constraints imposed by Green Belt and AONB in largely rural local authorities.

If you feel that planning permission has been given in the recent past for too many large scale mansions, and that the need is for smaller family sized and affordable homes, mention that here. It would also be appropriate to comment on parking and other infrastructure needs.

It is considered to be risky to mention the land known as Stone Meadow or of the land shown as hatched on the plan attached to the Local Plan, since these areas are not contained within the HELAA and are not currently being considered.

Question 7 – Do you have comments on the suggested level of unmet needs in Chiltern/South Bucks?

The responses to Questions 5 and 6 apply equally in respect of this question.

At paragraph 4.1.0 of the Draft Local Plan the Council cite Green Belt, AONB, other constraints/limitations, delivery considerations and ensuring that sustainable development is achieved could mean that there are unmet needs that cannot be planned for in the Joint Plan.

We would go further, highlighting that evidence set out in HELAA indicates not just that unmet needs may not be planned for in the Joint Plan, but instead it is absolutely clear that development requirements cannot, as a matter of fact, be planned for in the Joint Plan.

It is for this reason, based on the Councils proportionate evidence, we propose that neighbouring authorities deliver significant quantities of the Councils housing and other needs in the period to 2036 through the Duty to Co-Operate.

We suggest that meeting those needs within the Housing Market Area would be consistent with the evidence base of the Plan. A review of Aylesbury Vale indicates that there are a series of high order settlements close to the Joint Plan boundary capable of meeting unmet needs arising from Chiltern and South Bucks, in a sustainable manner with land available to deliver those needs.

Paragraph 4.1.1 of the Draft Plan indicates that through the Duty to Co-Operate discussions, exploratory work is under way to consider exporting 7,500 dwellings and supporting employment needs to Aylesbury Vale. It is not clear how the 7,500 has been identified, and whether decisions have already been



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made on alternative options (discussed at Question 5 above) which results in a residual 7,500 houses being exported.

The Councils must be transparent in this regard if the plan is to be justified and is seen to be responding to consultation responses rather than pre-determining key decisions on options assessments.

You may wish to mention a need for starter homes for young people/families, or a need for a care home facility for the elderly within our community.

Question 8 – Do you have any comments or suggestions on how the Councils can meet its local affordable housing need?

It is recognised there is an acute affordable housing across the two Councils. This is not unique to this area, it is a nationwide issue.

Providing affordable housing as a percentage of open market housing schemes is the primary mechanism for delivering affordable housing. It is important that an appropriate threshold (in terms of site size and number of units) is applied, and that the percentage of affordable housing ensures that housing sites are deliverable whilst making a meaningful contribution to affordable housing provision.

It is unrealistic for the Plan to 2036 to address an affordable need which has been in play for many decades. Consequently, it would not be appropriate to increase the overall housing target to seek to meet affordable housing needs which would be expressed as a percentage of each housing site; to do so would perpetuate an already challenging situation in seeking to meet development needs.

This situation is not unique to these authorities and we are not aware of any other plans in other authorities where the overall housing target has been increased to seek to deal with the affordable need in the forthcoming plan period.

There are alternative ways to deliver affordable housing. The Council can be clear on an exceptions policy which could allow small scale affordable housing on individual sites either within or adjoining the built up area.

The Councils could also review their own landholding and, subject to all other planning considerations being met, seek to deliver affordable housing either as a single tenure proposal or as part of a mixed tenure or mixed use development.

So far as the quantum of affordable housing to be delivered off each development site, it is clearly the case that larger sustainable urban extensions are more viable propositions than smaller sites, not least since land values on significant tracts of agricultural land are lower than existing use values in urban areas. Consequently, it is considered that delivering significant quantities of housing on non-Green Belt sustainable urban extensions as part of the Duty to Co-Operate is capable of delivering greater quantities of affordable housing than other options available to the Councils.

This question deals specifically with “affordable” housing and how it can be



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incorporated within the range of open market housing. Consideration of *where* any development might be possible is dealt with elsewhere.

Question 9 – Do you have any comments on the above options to meet the needs of Gypsies, Travellers and Travelling Showpeople?

No specific observations are offered in relation to this question. It is clearly a more sustainable option, and reinforces social cohesion in existing Gypsy, Traveller and Travelling Showpeople communities to seek to intensify existing plots on existing sites rather than seek to meet what the Councils consider to be unmet needs on new sites which could be some distance from existing sites.

Question 10 – How do you think the Joint Local Plan can best meet specialist elderly accommodation needs, both in terms of general and affordable needs?

We would support the need to deliver a range of housing needs meeting the full range of demographics across the plan area.

This is an approach endorsed by the NPPF at paragraph 50 which requires local planning authorities to plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community (such as older people and people with disabilities).

The HEDNA sets out that there is a need for specialist accommodation; it is appropriate and indeed necessary for this need to be met wherever possible.

The Councils can deliver specialist housing through the imposition of a minimum requirement on each allocated site. For example, other councils require 10% specialist housing on strategic housing allocations.

The Councils may also wish to set out a Development Management policy dealing with wider housing mix issues to ensure that the Plan delivers the full range of housing needs as set out within the HEDNA, such needs to include elderly accommodation. This is an approach utilised by numerous other councils, and notably Stratford Upon Avon District recently concluded their plan examination with a housing mix policy which was not the subject of any specific concerns raised by the independent planning Inspector.

If you agree that there is a need in Chalfont St Giles for specialist elderly accommodation you may wish to say so, and comment on how and where it can be incorporated into the local area.

Question 11 – Do you have a view on the Heritage Strategy - for example views on our local heritage assets, how heritage contributes to quality of life, and our sense of place and community?

Heritage assets are a key consideration both in terms of plan making and decision taking. The NPPF recognises the importance of protecting heritage assets and, indeed, this is borne out by the NPPF now making reference to the protection of not only designated heritage assets but also undesignated heritage assets.

For the plan to be consistent with National Policy heritage assets must



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therefore be given high levels of protection.

It is important that the full range of heritage assets are considered. Traditionally this has related to Conservation Areas and Listed Buildings, consideration should also be given to Scheduled Monuments, Registered Parks and Gardens, World Heritage Sites together with below ground assets and land form features such as ridge and furrow.

The setting to designated and undesignated heritage assets should also be given protection.

Question 12 – Are you aware of any currently unprotected local heritage assets that should be identified and if so, why is the heritage asset important locally?

Please list any heritage assets that you are aware of and explain why you believe they should be protected (ie give evidence) For example, Emma's cottage, Maud's Cottage and Ivy's cottage which together give rise to the name of the local hamlet Three Households

Question 13 – Local Green Space designations can be made as part of the Local Plan and so local residents, community groups and other local stakeholders are asked to identify areas that they would like to be considered? Importantly, any nomination should include supporting evidence.

As above, please list ANY green spaces which you feel should be protected from development and give evidence as to why. For example, the fields between Chalfont St Giles and Chalfont St Peter should be protected because they serve to provide a green separation between the two villages which is necessary for them to retain their unique identity, and because the fields form the surrounding to the River Misbourne chalk stream and are an important habitat for abundant wildlife.

This may also include other green spaces such as playing fields, park land or other open areas which are currently a design feature of the street scene.

Question 14 – Do you have any nominations for Local Measures?

Local measures can relate to Neighbourhood Plans.

Work on the Chalfont St Giles Neighbourhood Plan stalled when 75% of the Parish Council changed at the last election. A decision has yet to be made on whether to proceed to completion of the Neighbourhood Plan, which still requires considerable work to completion and would then require a village referendum on adoption. The agreed plan could then be submitted for adoption to the Local Plan under Local Measures. Alternatively the views that you expressed during the Neighbourhood Plan consultation can be included within the answers to this questionnaire.

Question 15 – Do you have a view on the scope of policies proposed in Appendix 7?

At this stage we have no observations to make in relation to the scope of policies proposed at Appendix 7 to the Draft Plan.



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Critical to the acceptability of policies is, however, the precise wording of how the policies weigh in the balance having regard to the NPPF.

Consequently, we reserve the right to comment upon the precise wording of policies in due course and, dependant on the Councils approach to policy drafting, we may at that time propose additional policies outside of the scope as presented in Appendix 7 to this Draft Local Plan.

Question 16 – Do you have any comments on the Settlement Infrastructure Capacity Study, infrastructure needs or issues and CIL?

We note that the Settlement Infrastructure Capacity Study is a useful, evidence based document to inform the preparation of the Local Plan.

It is a document which many authorities use in plan preparation and its importance in informing further iterations of the plan cannot be underestimated.

Whilst the six criteria utilised in the assessment of settlement capacity is a useful starting point, the assessment should be broadened to consider Local Green Space strategies and the extent to which there is a quantitative and qualitative short fall or surplus in open spaces within each settlement. The assessment should also consider landscape sensitivity analysis, which in part informs the Green Belt assessment work but should also be seen as a standalone document to assist in establishing local communities views on open countryside adjoining and in proximity to urban areas, which are often a key component to quality of life. The assessment should also have regard to social cohesion, which is a material consideration as expressed within the NPPF together with case law (for example appeal decisions at Alderton and Feniton) since it is not just the physical changes to the built environment but how this can have a dramatic impact upon the way an area functions over time.

So far as infrastructure delivery, it is clear in respect of Chalfont St Giles that the evidence base points to significant constraints in being able to deliver any quantity of development at the Village. Given that, in our view, the Settlement Infrastructure Capacity Study is a key component of the evidence base underpinning the Local Plan, the overall plan strategy should reflect the difficulties of delivering development in Chalfont St Giles and consider alternative means to delivering necessary development growth. It is in part for this reason that we are proposing that the Councils pursue the Duty to Co-Operate which is already the subject of consideration.

Question 17 – Do you have any other points you would like the Councils to take into account in the preparation of the Joint Local Plan? For example are there any challenges or opportunities you think the new Joint Local Plan will need to address?

We are largely content that the issues set out in responding to questions 1-16 deal with the communities considerations on the Draft Local Plan.

We would however raise a key issue in respect of process. The Parish Council are a key stakeholder in the preparation of the Local Plan and it is important both for the transparency in plan making and to ensure buy in from all parts of the community that the Councils work closely with their residents in evolving the Local Plan. We would request that workshops are arranged in order that stakeholders such as the Parish Council have a genuine opportunity to inform



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the plan making process and it is not left to the statutory consultation stages for representations to be made.

As set out at paragraph 155 of the NPPF, meaningful engagement and collaboration with neighbours, local organisations and business is essential to plan making to ensure that, as far as possible, a Local Plan reflects a collective vision and set of agreed priorities for the sustainable development of the area.

The Parish Council would like to re-iterate that the report reproduced above in black is NOT the Parish Council's response to the questionnaire, but will be used to inform it. We hope that you will find it useful in putting together your own response.