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**From:** Thomas, Nicola [REDACTED]  
**Sent:** 27 March 2019 13:28  
**To:** NewLocalPlan  
**Cc:** Chris Williams  
**Subject:** Response to the consultation on the proposed main modifications to the WD Local Plan

**Importance:** High

Dear Consultation Team,

### **PMM9 and PMM66**

In response to the consultation on the proposed main modifications to the Wycombe District Local Plan, the NEP is content that the modifications suggested at PMM9, related to Policy CP10, and PMM66, related to Policy D34, reflect the proposed amendments agreed with the NEP in the Statement of Common Ground (AP5.1) dated 24 July 2018.

However, we would like to express concern over one sentence at PM66 proposed as a main modification to Policy DM34 (which was not part of the Statement of Common Ground with the NEP covering this policy). Policy DM34 Para 3b relates to canopy cover requirements. The NEP believes that the modified text is unclear and could lead to perverse outcomes. We therefore request the original text is reinstated in order for this to be sound. Details are below:

### **At PM66**

Policy DM34, Para 3b, text (prior to proposed main modifications) stated  
*"...Development...is required as a minimum to...achieve a future canopy cover of **at least 25%** of the site area on sites outside of the town centres and 0.5Ha or more..."*

The proposed modified text removes the "at least" so that canopy cover now could be interpreted as having to be 25% exactly....

*"...Development...is required as a minimum to...achieve a future canopy cover **of 25%** of the site area on sites outside of the town centres and 0.5Ha or more..."*

The NEP is concerned that the proposed modified text could lead to misunderstanding and potentially to perverse outcomes. By removing the "at least" and making the canopy cover requirement (exactly) "25%", could mean (despite the phrase "*as a minimum*" being included before this sentence) that interpreters of the policy see that for a site where canopy cover is already more than 25%, a developer could actually *reduce* canopy cover to 25% with development – and on those grounds the development would be acceptable. Surely, if canopy cover is already greater than 25% prior to development, then the system should be clearly encouraging that, rather than providing a means by which a reduction to 25% would be acceptable for development?

**For this reason we consider this part of Policy DM34 is unclear enough to risk it being misunderstood, and so is potentially unsound.** We therefore urge the Inspector to re-instate the previous text, "at least" 25%.

We look forward to receiving acknowledgement of the NEP's response to the consultation and to how the Inspector intends to respond.

Best wishes

Nicola

Nicola Thomas  
Partnership Manager – Buckinghamshire & Milton Keynes Natural Environment Partnership

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