



# Weston Turville Neighbourhood Plan



## Policy Review

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January 2018

## 1. Introduction

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This document has been prepared by Jennifer Lampert from Jennifer Lampert Associates Ltd in consultation with Weston Turville Parish Council and the Weston Turville Neighbourhood Plan Steering Group. The purpose of this document is to review the extant policies relevant to the Weston Turville Neighbourhood Development Plan and to consider their context.

This review will therefore inform the content of the Neighbourhood Development Plan (NDP) and assist in setting any proposals within the proper context and support the policy framework identified for any proposals.

The following details are provided within the main body of this report:

- What can and cannot be considered within a Neighbourhood Plan, and what must be considered.
- Policy Review: All policies relevant to the Plan and a note of the emerging policies and documents that will influence the eventual plan.

## 2. Legislative Matters: The ‘Basic Conditions’ and ‘Excluded Development’

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Neighbourhood Development Plans must meet the following basic conditions which are set out under Schedule 10 Section 8(2) of the Town and Country Planning Act 1990 as amended and these state that:

1. They must be appropriate having regard to national policy
2. They must be in general conformity with the strategic policies in the development plan for the local area
3. They must be compatible with EU obligations
4. They must be compatible with human rights requirements
5. They must contribute towards achieving sustainable development

The details provided in section 3 of this report consider the relevant planning policies that effect the Weston Turville Parish Council area and which will be material considerations to the policies and proposals put forward in their Neighbourhood Development Plan.

The Basic Conditions as set out above relate to the principle of ‘general conformity with the strategic policies of the area.’ The term ‘general conformity’ is not defined in law but has been discussed in judgements particularly in regard to the relationship between Core Strategies and Local Plans. The adjective “general” would seem to introduce a degree of flexibility which will depend on the planning judgements being made and the particular circumstances of the case. For the purposes of policy making in the context of the Weston Turville Neighbourhood Plan the interpretation of ‘general conformity’ is that Neighbourhood Plans can deviate from the strategic policies of the local plan, provided that they do not conflict with or impact adversely on their deliverability and thus still remain in general conformity.

In this instance the test is to be applied to the new and different tier of policy formulation between the Neighbourhood Development Plan and the Strategic policy of a Local Plan.

The intention of the degree of flexibility is seen in the wording of section 183 of the National Planning Policy Framework (NPPF) which states “neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.” The advice contained in the NPPF is discussed in more detail in the next section.

The process of preparing a Neighbourhood Development Plan is discretionary that is undertaken by the community and the policies of that Plan require some degree of flexibility to ensure that the proposals will make a positive difference for the Community, whilst still remaining within the generality of the overall strategies of the Local Planning Authority. Those policies are identified within the Neighbourhood Development Plan itself and will be examined as part of the separate Basic Conditions Statement.

### 3. Relevant planning policy

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The Development Plan for Aylesbury Vale that is relevant to the Weston Turville Parish Council area consists of the “Saved Policies” of Aylesbury Vale District Local Plan (AVDLP) 2001 -2011 adopted January 2004. That plan had an end date of 2011 and has therefore expired.

The policies that were “saved” by direction of the Secretary of State for Communities and Local Government in 2007 are still operative and are detailed in the subsequent texts set out below.

That Development Plan also refers to the Buckinghamshire Minerals and Waste Local Plan 2004-2016 (adopted 2006) and the Buckinghamshire Mineral and Waste Core Strategy DPD (adopted 2012). This report deals with the documents produced by Aylesbury Vale District Council and not specifically to the two Buckinghamshire County Council documents but if any issues of minerals or waste arise then these documents will be reviewed and assessed if later required.

In addition AVDC have provided a number of non statutory supplementary planning guidance documents to support planning policies. Two of these Supplementary Planning Documents that might be of relevance to the circumstances of Weston Turville NDP are: a) Affordable Housing SDP dated December 2007 and b) Conservation Areas SPD March 2011.

There are also several supplementary planning guidance publications including guidance on car parking standards, sport and leisure facilities and design guides.

The Weston Turville Neighbourhood Development Plan (WTNDP) needs to respect and generally conform with the Adopted Development Plan as well as having regard to the policies in the National Planning Policy Framework (NPPF).

AVDC started work on a revised Development Plan in 2010 called the Vale of Aylesbury Plan but when it reached its examination by a Planning Inspector in December 2013 the Inspector recommended its withdrawal concluding that it failed to meet the duty to cooperate and the growth figures were unsound. The Vale of Aylesbury Plan was withdrawn on 5<sup>th</sup> February 2014.

The Aylesbury Vale District Council do not have an up-to-date Development Plan.

The emerging Development Plan document for Aylesbury Vale Council is the Vale of Aylesbury Local Plan (VALP) which is at an early stage of preparation. It will include the overall strategy for the district, alongside site allocations (where needed) and development management policies. This plan is designed to deal with the period through to 2033. The Council have indicated that the proposed adoption date is mid 2017.

This emerging new Local Plan is likely to be adopted during the lifetime of the Weston Turville Neighbourhood Development Plan and the WTNDP needs to be “appropriately in line” with that plan. For this reason ongoing liaison should take place with Aylesbury Vale District Council, the Local Planning Authority.

A commentary on the details of that emerging plan was provided to Weston Turville Parish Council on 16<sup>th</sup> August 2016 as a separate document so that they could respond to Aylesbury Vale’s invitation to forward comments on that emerging plan within a consultation timetable that expired on 5<sup>th</sup> September 2016.

### 3.1 National Planning Policy Framework (NPPF) published March 2012

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The basic conditions, as set out in the amended Town and Country Planning Act 1990, mean that the guidance set out in the NPPF provides one of the foremost material considerations against which the neighbourhood plan will be examined. This means that:

*A draft neighbourhood development plan meets the basic conditions if —*

- (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan,*
- (d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,*

The core objectives of the NPPF relate to:

- Balancing the delivery of the most appropriate development (paragraphs 156 and 157)
- Ensuring that development is viable and deliverable (paragraph 173)
- That plans should be positive in nature (paragraph 186)
- That plans should embody the presumption in favour of sustainable development (paragraphs 8 and 183 to 186)

#### **Balancing the delivery of the most appropriate development**

Paragraph 156 of the NPPF identifies “that Local Planning Authorities should set out the strategic priorities for the area in the Local Plan and these should include strategic policies to deliver:

- the homes and jobs needed in the area
- the provision of retail, leisure and other commercial development
- the provision of infrastructure for transport, telecommunications, waste management, water supply, waste water, flood risk and coastal change management and the provision of minerals and energy (including heat)
- the provision of health, security, community and cultural infrastructure and other local facilities and
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.”

Paragraph 157 identifies that Local Plans should plan positively for development, be kept up to date and allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate.

This advice will be followed in the WTNDP.

#### **Ensuring that development is viable and deliverable:**

The NPPF has various references to deliverability including positively seeking development opportunities, providing a practical framework for planning decisions and taking a positive approach to sustainable new development in the countryside and for neighbourhood plans they must be practical.

The emphasis on viability and deliverability is important because it links plan making to a realistic understanding of the development process.

Paragraph 173 succinctly identifies how plans should ensure viability and deliverability and states: “Plans should be deliverable. Therefore the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.” To ensure viability the advice offered is that “the costs of any requirements likely to be

applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.”

**That plans should be positive in nature:**

In paragraph 186 Local Planning Authorities are advised that they should “ approach decision taking in a positive way to foster the delivery of sustainable development,” and in paragraph 187 that “Local Planning Authorities should look for solutions rather than problems, and decision takers at every level should seek to approve applications for sustainable development where possible.”

**That plans should embody the presumption in favour of sustainable development:**

Generally the NPPF confirms that the purpose of planning is to help achieve sustainable development and identifies in paragraph 7 the three dimensions to sustainable development namely:

- An economic role
- A social role
- An environmental role

Paragraph 8 of the NPPF reminds us that these roles should not be taken in isolation because they are mutually dependent and they should be sought jointly and simultaneously through the planning system.

The NPPF in paragraph 10 requires that plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas. Paragraph 14 identifies what a “presumption in favour of sustainable development” is and what it means for plan-making and decision-taking.

For plan-making this means that:

“local planning authorities should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs with sufficient flexibility to adapt to rapid change.”  
- unless there are any adverse impacts or specific policies or material considerations indicate otherwise.

For decision-taking this means:

“approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out-of-date, granting permission.”  
- unless there are any adverse impacts or specific policies or material considerations indicate otherwise.

Paragraph 15 advises that policies in local plans should follow the approach of the presumption in favour of sustainable development with clear policies that will guide how the presumption should be applied locally. Paragraph 16 reflects that the application of presumption will have implications for how communities engage in neighbourhood planning. Critically it will mean that neighbourhoods should:

- “develop plans that support the strategic development needs set out in Local Plans including policies for housing and economic development;
- plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan and
- identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.”

Paragraphs 183 to 185 of the NPPF identify the role of Neighbourhood Plans (now referred to as Neighbourhood Development Plans).

Paragraph 183 states “Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.”

The definition of sustainable development has already been identified above and is expressed as a three dimensional role of economic, social and environmental influences.

The Parish can set planning policies through the Neighbourhood Development Plan for the making of decisions on planning applications.

Paragraph 184 identifies that Neighbourhood Development Plans must be in general conformity with the strategic policies of the Local Plan and the relevant policies are discussed below.

Whilst Neighbourhood Development Plans should reflect these strategic policies and be in general conformity with them, paragraph 185 of the NPPF allows that the Neighbourhood Development Plan can provide specific policies of its own which will take precedence over existing non strategic policies of the Local Plan for that neighbourhood.

It is important to note that the NPPF advises in paragraph 186 that “decision taking should be approached in a positive way to foster the delivery of sustainable development”. The decision takers should work with the Neighbourhood Development Plan to ensure deliverability of the proposals in that plan wherever possible.

### **Planning Policy Considerations**

With regards to planning policy considerations, the following ‘basic condition’, as set out in the amended TCPA 1990, sets out the importance of considering the strategic objectives of the adopted development plan when formulating Neighbourhood Plan policies:

*(e) the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)*

Otherwise, recommended best practice, as advised by DCLG, is that Neighbourhood Plans are also ‘appropriately in line’ with emerging strategic policies that are likely to be adopted during the lifespan of the Neighbourhood Plan. This will ensure that communities do not undertake abortive work, due to the presumption towards the more recently adopted policy, where conflict arises, as set out in Section 38(5) of the Planning and Compulsory Purchase Act 2004.

## **3.2 The Adopted Development Plan**

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### **Saved Policies of Aylesbury Vale District Local Plan (AVDLP) 2001-2011 adopted January 2004.**

The Council have produced a list of the saved policies and I refer to some of those policies which may be of relevance when considering the background for the Weston Turville Neighbourhood Plan.

#### **Policy GP2 Affordable Housing:**

This states that the Council will negotiate for the provision of affordable dwellings of a minimum of 20% and up to 30% of the total number of dwellings on developments of 25 or more dwellings on sites of 1 hectare or more regardless of the number of dwellings.

#### **Policy GP3 Low Cost Market housing:**

The Council will negotiate for the provision of low cost market units of a minimum of 10% of the total number of dwellings on developments of 25 or more dwellings or on sites of 1 hectare or more regardless of the number of dwellings.

#### **Policy GP4 Affordable housing on small sites for local needs:**

The Council will grant permission for affordable housing on small sites adjacent to the built up areas of settlements to meet local needs that would not otherwise be met under the policies of the plan.

Note that policies for affordable housing are the subject of change in response to recent Government advice and emerging revised supplementary Planning guidance.

**Policy GP8 Protection of amenity of residents:**

This policy advises that planning permission will not be granted where the proposed development would unreasonably harm any aspect of the amenity of nearby residents when considered against the benefits arising from the proposal.

**Policy GP9 Extensions to dwellings:**

This policy advises that proposals for extensions to dwellings will be permitted where they:

- a) they protect the character, outlook and privacy of residents,
- b) respect the appearance of the dwelling and its setting and other buildings in the locality
- c) accord with published SPG on residential extensions

**Policy GP 17 Retention in use of existing employment sites**

This policy supports the retention and continued use of an existing employment site.

Changes would only be permitted where the existing use has an adverse impact on amenity of neighbours and its replacement would be an improvement, or where there are appropriate alternative employment opportunities available on other sites or as part of a proposed development, or as part of a larger mixed use scheme.

**Policy GP32 Retention of shops, public houses and post offices**

This policy supports the retention and continued use of buildings currently used as shops, public houses and post offices where possible.

When considering applications for alternative development regard will be had to the viability of the existing use, the presence of alternative local facilities and the community benefits of the proposed use.

**Policy GP35 Design of new development proposals:**

This policy advises that new development should respect and compliment:

- a) the physical characteristics of the site and surroundings
- b) the building tradition, ordering, form and materials of the locality
- c) the historic scale and context of the setting
- d) the natural qualities and features of the area and
- e) the effect on important public views and skylines

**Policy GP38 Landscaping of new development proposals:**

This advises that applications for new development should include landscaping proposals both for hard and soft landscaping to help buildings fit in with and complement their surroundings and conserve existing natural and other features of value.

**Policy GP39 Existing trees and hedgerows:**

The Council advise that applications for development affecting trees and hedges should be supported by a survey of the site and the trees and hedgerows involved, that they will serve tree preservation orders if appropriate to and they will impose conditions to ensure the retention or replacement of trees and hedgerows of amenity, landscape or wildlife importance.

**Policy GP40 retention of existing trees and hedgerows**

This policy seeks to prevent the loss of existing trees (particularly native black poplars) and hedgerows of amenity, landscape or wildlife value where possible.

**Policy GP53 New development in and adjacent to Conservation Areas:**

Proposals for development will not be permitted if they cause harm to the character or appearance of Conservation Areas, their settings or any associated views of or from the Conservation Area.

Proposals for development or redevelopment must respect the historic layout, scale and form of buildings, street patterns, open spaces and natural features in the Conservation Area that contribute to its character and appearance.



Proposals for alterations, extensions and changes of use must respect and complement the character, materials and design details of the structure and site concerned and its neighbours.

#### **GP59 Preservation of archaeological remains**

In dealing with development proposals affecting a site of archaeological importance the Council will protect, enhance and preserve the historic interest and its setting... and

Where permission is granted for development involving sites containing archaeological remains the Council will impose conditions or seek planning obligations to secure the excavation and recording of the remains and publication of the results.

#### **Policy GP69 Hotel and Motel Development**

Within the built up areas of settlements the Council will permit proposals for the construction of new hotels and motels and the conversion of buildings to such uses, subject to the other policies of the Plan.

#### **Policy GP70 Change of use of rural buildings and historic buildings to hotel use**

Proposals for the change of use of rural buildings to hotels or motels will only be permitted where they are consistent with the principle of protecting the character and appearance of the countryside and the need to reduce car-borne travel.

#### **Policy GP77 Horse related development and Policy GP78 Stables, loose boxes and other related buildings:**

These policies advise on the approach to be taken when considering proposals for equestrian activities and buildings such as stables and other out buildings and the requirement for the Council to assess the suitability of the location, the environmental effects and the impact on the agricultural and rural character of the land.

#### **Policy GP84 Public Rights of Way**

In considering applications for development affecting a public right of way the Council will have regard to the convenience, amenity and public enjoyment of the route and the desirability of its retention or improvement for users including people with disabilities.

#### **Policy GP86 provision of outdoor playing space**

This policy is designed to require new housing proposals to include sufficient outdoor play space to meet the needs associated with the development.

#### **Policy GP87 Application of open space policies**

This policy requires the provision of equipped play areas and sports fields in new housing schemes.

#### **Policy GP91 Provision of amenity areas**

The design of new housing and other building proposals should include suitable informal amenity open space appropriate to the character of occupation of the development.

#### **Policy GP92 Safeguarding of allotment land**

The Council will protect working allotment gardens from adverse development and only in exceptional circumstances would a change of use from allotment purposes be granted in cases where:

- a) there is no demonstrable allotment demand; and
- b) where suitable alternative provision can be made; and
- c) where the allotment facility would be enhanced through the development.

#### **Policy GP93 Safeguarding of community buildings and facilities**

The Council will resist proposals for the change of use of community buildings and facilities for which there is a demonstrable local need.

#### **Policy GP94 Provision of community facilities and services**

In considering applications for residential development the Council will have regard to the need for the provision of community facilities arising from the proposal.

### **Policy GP95 Unneighbourly Uses**

In dealing with all planning proposals the Council will have regard to the protection of the amenities of existing occupiers. Development that exacerbates any adverse effects of existing uses will not be permitted.

### **Policy RA2 Loss of open gaps and consolidation of settlements**

Other than for specific proposals and land allocations in the Local Plan, new development in the countryside should avoid reducing open land that contributes to the form and character of rural settlements.

In considering applications for building in rural areas the Council will have regard to maintaining the individual identity of villages and avoiding extensions to built-up areas that might lead to coalescence between settlements.

### **Policy RA8 Development in the Areas of Attractive Landscape and Local Landscape Areas**

Development proposals in the above areas should respect their landscape character. Development that adversely affects this character will not be permitted, unless appropriate mitigation measures can be secured.

### **Policy RA11 Conversion of buildings in the countryside**

Outside the built-up area of settlements the Council endorses the conservation and re-use of buildings that are of permanent and substantial construction and generally in keeping with the rural surroundings, for non-residential purposes that fortify the rural economy.

The scale of such schemes should not conflict with the strategy of concentrating development in the main settlements.

Conversion works should not involve major reconstruction or significant extensions and should respect the character of the building and its setting.

Proposals should not give rise to other planning objections.

Permission for residential re-use is unlikely but may be granted exceptionally as part of an acceptable business conversion scheme or where genuine attempts to secure business re-use have been unsuccessful.

### **Policy RA13 Development within settlements listed in Appendix 4.**

(Weston Turville is one of the settlements that is listed in Appendix 4)

Within the built-up areas of settlements listed in Appendix 4 of the Plan residential development will be restricted to small scale areas of land. Subject to other policies of the Plan, permission will only be granted for residential or mixed use development comprising:

- a) infilling of small gaps in developed frontages with one or two dwellings in keeping with the scale and spacing of nearby dwellings and the character of the surroundings.
- b) Up to five dwellings on a site not exceeding 0.2 ha that consolidates existing settlement patterns without harming important settlement characteristics, and does not comprise the partial development of a larger site.

Such development should use land efficiently and safeguard existing employment uses and significant open spaces and buildings..

### **Policy RA14 Development at the edge of Appendix 4 settlements**

On the edge of the built-up areas of settlements listed in Appendix 4 of the Plan permission may be granted for residential or mixed use development of up to 5 dwellings on a site not exceeding 0.2 ha where:

- a) the site is substantially enclosed by existing development
- b) the proposal would satisfy complete the settlement pattern without intruding into the countryside and
- c) the proposal does not comprise the partial development of a larger site.

Proposals should use land efficiently and create a well-defined boundary between the settlement and the countryside. Permission will not be granted for development that impairs the character or identity of the settlement or the adjoining rural area.

## **Policy RA29 Proposals for new employment uses in the countryside**

Outside the built up areas of settlements and identified employment areas, the Council will resist proposals for new employment buildings and for the expansion of established employment sites into the countryside.

## **4. Other guidance**

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In addition to the saved policies identified above the Council produced a number of non statutory supplementary planning guidance documents to support planning policies. These include:

### **Affordable Housing SPD December 2007:**

This SPD has been prepared to provide guidance to housing developers and interested parties about the interpretation and application of the Council's Affordable Housing policies. The main points contained in the SPD are:

- It defined affordable housing as social rented and intermediate housing provided to specific eligible households whose need are not met by the market.
- Intermediate housing includes intermediate rented, discounted sale, shared equity and shared ownership.
- Affordable housing is needed to meet both general needs as well as those for people with special needs and those that require supported housing.
- Affordable housing is to be provided on sites with more than 15 properties or in excess of 0.5 ha in area.
- A minimum of 40% affordable housing is to be negotiated on sites above this threshold.
- The baseline mix is for 75% of the total affordable housing to be affordable rented accommodation and 25% to be intermediate housing.
- It is accepted that there may be exceptional circumstances where an element of affordable housing on site would not be the best solution.
- The design and quality of affordable housing must be of the highest standard
- The Council will require controls over occupancy and nominations to the affordable housing.

Note also that the Housing Department of AVDC have prepared a note " Neighbourhood Plan Guidance on Affordable Housing September 2014" which further updates the position regarding affordable housing and also makes reference to a report "The County Wide allocations policy" dated 2014", which has amended some of the criteria that was in the SPD.

One amendment is to require "on all planning applications for housing development with 25 or more dwellings (or 1 hectare and above) there is a requirement to deliver 30% affordable housing."

Further guidance regarding affordable housing will also be brought forward with the emerging evidence gathering in support of the Vale of Aylesbury Local Plan 2016 to 2017.

### **Conservation Areas SPD adopted 4<sup>th</sup> March 2011.**

This document has been prepared provide additional guidance regarding the interpretation and application of National Conservation Area policy and legislation and the Council's environment policies. The Conservation Area SPD explains the policy framework for this guidance and summarises the process by which Conservation Areas within AVDC are designated, appraised, monitored and managed.

Weston Turville has two areas of Conservation Areas CA68 Weston Turville West and CA69 Weston Turville East.

The Council also published supplementary planning guidance relating to car parking, sport and leisure facilities and design guides and reference should be made to these documents as required under the relevant topic headings.

### **The Draft Vale of Aylesbury Plan 2013:**

Work was started on this plan in 2010 as the new planning system was evolving and addressed localism and locally assessed housing need. However when that plan reached examination in December 2013 the Inspector recommended its withdrawal concluding it failed to meet the duty to co-operate and the growth figures were unsound.

The Vale of Aylesbury Plan was withdrawn on 5<sup>th</sup> February 2014.

### **Vale of Aylesbury Local Plan (VALP)**

This is the new Local Plan and it will once adopted replace the 2004 AVDLP. This document is still under development but it will contain:

1. Housing and jobs numbers for the Local Plan period which is through to 2033
2. Development Management Policies – including design policies, affordable housing, housing mix, employment, infrastructure delivery, green belt policy/criteria for assessing proposals within, tourism, gypsy and travellers, change of use, renewable energy and climate change
3. Community facilities and delivery of these
4. Site allocations (if required) for housing, employment, retail and gypsy and traveller sites

The Council are carrying out an initial appraisal of sites that could be considered to be included within this emerging new Local Plan, based on a series of objective environmental and social criteria.

This appraisal will result in a list of sites being suggested in various parts of the Borough that may be appropriate to be allocated for development in the Local Plan and worthy of further more detailed assessment.

It is understood that as part of the Local Plan consultation documents the Council have provided additional reports:

- a) Aylesbury Vale Housing and Economic Development Needs Assessment Report (HEDNA) June 2015.
- b) 5 Year Housing Land Supply Position Statement July 2015
- c) "Housing and Economic Land Availability Assessment, Version 4" (HELAA), 2017

These reports are stated as being key components of the evidence base to inform the preparation of the VALP.

In the summer 2016 Aylesbury Vale Council produced the Vale of Aylesbury Local Plan Draft Plan for Consultation and comments on that draft plan were requested by 5<sup>th</sup> September 2016.

An assessment of the emerging policies from the Vale of Aylesbury Local Plan was prepared for Weston Tuville neighbourhood plan steering group dated 10<sup>th</sup> August 2016 as a separate document to this report and is attached in Appendix A.

## Appendix 1 - Assessment of emerging policies from the Vale of Aylesbury Local Plan Draft for Consultation

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### Background

The new Vale of Aylesbury Local Plan is intended to manage and direct growth up to 2033 and the number of houses set to be built in that time span is predicted to be about 33,300 new homes along with opportunities for employment and investment in other aspects such as community facilities.

This assessment identifies the emerging policies that have might have relevance to the circumstances of Weston Turville's neighbourhood plan and is provided as background evidence to assist the Parish Council in making representations to that consultation.

Comments on the emerging policies are made against the background of the following advice:

The National Planning Policy Framework refers particularly to Plan making and Decision Taking and identifies in paragraph 151 that "Local Plans must be prepared with the objective of contributing to the achievement of sustainable development" and in paragraph 182 advice is provided for the examining of Local Plans and to consider whether such plans are sound. To be "sound" a plan should be :

- Positively prepared
- Justified
- Effective
- Consistent with national policy

The total predicted housing figure includes a recognition by AVDC that they have a formal duty to cooperate over strategic issues which cross their boundaries and they have to engage positively with neighbouring councils and other organisations about issues such as housing numbers and employment requirements.

The evidence upon which this emerging plan is based has referred to:

- A joint housing needs assessment
- A joint assessment of employment land requirements
- A joint review of the green belt
- A joint report on a best fit housing market area
- An agreed methodology over the assessment of land availability

The figure of 33,300 homes includes an allowance of 12,000 homes that is the collective unmet need for homes from councils to the south of AVDC. The AVDC Council have indicated that they "will be robustly challenging the level of unmet need, but that their draft local plan has to be based on this requirement as a worse case scenario." (paragraph 1.13 of VALP)

The overall strategy of AVDC to meet housing need is to direct sustainable levels of development to its existing settlements through the implementation of a settlement hierarchy as well as considering other different approaches that could include a new settlement, designate Aylesbury as a garden town and releasing sites from the Green Belt.

Weston Turville is identified as a VALP medium Village in the proposed District Key Diagram and the implications of this designation will be explored in the following consideration of the draft text.

Vision and objectives: the AVDC overall vision is "To secure the economic, social and environmental well-being of the people and businesses in the area"

To meet their spatial vision AVDC suggest under item j of paragraph 2.4 that “the rural areas will have accommodated proportionate growth focussed at Winslow, Haddenham, Wendover and larger sustainable villages.” (Weston Turville is not designated as a large village so it is expected to take much less growth).

In addition the subtext of paragraph 2.4 j then identifies that the rural areas will remain predominantly rural in character, with continuing economic growth, growth to be proportionate and to reflect community aspirations in terms of scale, phasing, type and design of growth and further details to come through neighbourhood plans in most cases.

Within the details of the strategic objectives of VALP under paragraph 2.6 the Council have indicated that development will be distributed across Aylesbury Vale and they identify the most sustainable locations being at Aylesbury, Buckingham, Haddenham, Winslow and Wendover, but they also add “together with an appropriate level of development at the most sustainable settlements in the rural areas and a sustainably located new settlement.”

Considering this objective against the details shown in the District Key Diagram Weston Turville is therefore not identified as a settlement that is chosen to take additional sustainable growth.

Policy S1 Sustainable development includes the premise that there is a presumption in favour of development where there are no policies relevant to the application site unless material considerations indicate otherwise taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole or
- Specific policies in the NPPF indicate that development should be restricted.

Policy S2 identifies the spatial strategy for growth and describes the proposed sustainable locations predominantly for Aylesbury Town via a Aylesbury Garden Town on adjacent parts of the surrounding parishes. However as indicated under policy S2 i) the medium villages listed in Policy S3 there would be housing growth of 19% at a scale in keeping with the local character and setting. The Council state that “this growth will be encouraged to help meet local housing and employment needs and to support the provision of services to the wider area.”

AVDC consider that because their housing land supply is to be met by large sites they are likely to be only able to demonstrate a 3.9 years supply of housing.

Table 3 shows the proposed settlement hierarchy which shows Weston Turville to be within the medium village category with no separate specific amount of housing development. However this is because the requirements for Weston Turville of 240 dwellings are added to the Aylesbury requirement.

Clearly the location(s) for this growth and its relationship to the parish and the neighbourhood plan itself will need to be explored in more details and representations made not only to the VALP consultation process but as part of the consideration of the housing evidence of the neighbourhood plan.

Policy S3 guides the principles for sustainable growth and states that allocations will be made in accordance with that policy and policies D1, D2, D3, D4, D5, D6, D7 and D8.

Policy S5 indicates that when established the Council will use Community Infrastructure Levy (CIL) to meet future needs but that until it is established and adopted they will continue to apply section 106 agreements to obtain community benefits from development.

Policy S8 advises that the AVDC will encourage the reuse of previously developed land in sustainable locations to make an efficient and effective use of land.

The emerging plan contains an explanation and policy S9 relating to the delivery of development through neighbourhood plans. Paragraphs 3.82 to 3.90 explains the relationship between the made and emerging neighbourhood plans and the emerging policies of the VALP and identifies a time table for the role of reserve sites.

The VALP identifies the justification for the delivery of housing sites and in the circumstances of Weston Turville the additional housing allocation of 240 dwellings is regarded by AVDC as being provided as an integral growth of Aylesbury. This might be achieved as part of the envisaged new garden town status of Aylesbury.

Policy D6 relates to development in medium villages and the supportive table identifies a housing requirement at Weston Turville of 240 dwellings of which 85 dwellings are already commitments, leaving the residual figure of 165 dwellings to be provided as part of Aylesbury's requirement.

Policy D10 identifies that in local and village centres proposals which provide access to jobs or homes and convenient access to everyday shops, services and local community facilities will be supported provided the proposal is of an appropriate scale and does not compromise the character of the area and of the functionality of the centre.

Local and village centres will also be encouraged to grow.

Policy H1 identifies the criteria for affordable housing where residential development of 11 or more dwellings gross will be required to provide a minimum of 31% affordable homes on the site and subject to specific criteria and subject to an affordable housing supplementary planning document.

Policy H2 provides details of the circumstances when planning permission would be given for rural exception sites for affordable housing on land within or adjoining the existing development footprint of the village and number and type of housing is established through a housing need survey.

Policy H6 provides details on preferred housing mix market housing, affordable housing and specialist housing for older people and specific needs.

Policy E4 supports working from home subject to no adverse effects on amenity.

Policy E7 is aimed at promoting tourism and leisure and visitor facilities and policy E8 encourages proposals for hotels and guest houses in rural areas within established settlements in the medium tier of the settlement hierarchy.

Chapter 7 deals with transport and parking issues. Including the development of footpaths and cycle routes in policy T2.

Chapter 8 focusses on the built environment, with policy BE1 advising on heritage assets and BE2 the design of new development and policy BE3 protection of the amenity of residents.

The policies for the natural environment are identified in chapter 9. Policy NE1 refers to protected sites such as SSSI's and ancient woodlands and policy NE2 biodiversity. Policy NE3 refers to landscape character and locally important landscape areas. Policy NE4 refers to the Chilterns AONB and setting. Policy NE6 deals with Local Green Space to reflect the advice about the use of a designation of a "local green space" to identify locally important land for special protection in accordance with the guidance in the NPPF.

Policies relating the countryside are identified in chapter 10 and include policies for the conversion of rural buildings, policy C1 and equestrian development, policy C2.

Details of policy for strategic green infrastructure are provided in chapter 10.

The provision of additional facilities for sports and recreation and community projects are detailed in chapter 11.

Appendix A provides details of potential sites to be allocated with details of sites around Aylesbury, and these should be reviewed to ascertain if they have any specific planning implications for Weston Turville.

Jennifer Lampert  
10<sup>th</sup> August 2016  
(Updated January 2018)