

# **WINGRAVE WITH ROWSHAM PARISH NEIGHBOURHOOD PLAN 2013 - 2033**

## **REGULATION 14 REPORT**

**NOVEMBER 2015**

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# **WINGRAVE WITH ROWSHAM NEIGHBOURHOOD PLAN REGULATION 14 REPORT: NOVEMBER 2015**

## **Purpose**

1. The purpose of this report is to summarise the outcome of the consultation period on the Pre Submission Wingrave with Rowsham Neighbourhood Plan (WRNP) held from Wednesday 1 April 2015 to 6pm Sunday 17 May 2015.. The report makes some recommendations on how the WRNP should proceed in the light of representations made.
2. The report will be published by Wingrave with Rowsham Parish Council (WRPC) and it will be appended to the Consultation Statement that will accompany the submitted WRNP in due course, in line with the Neighbourhood Planning (General) Regulations 2012.
3. During the consultation period there were many representations made by local people, by the statutory consultees developers/landowners and by other local and interested organisations. The responses from the local community have been reviewed and analysed by the WRNP Steering Group and its summary of those responses is reported separately.
4. This report therefore summarises those representations made by the statutory consultees, developers/landowners and other interested organisations in relation to the extent to which the proposed land use policies meet the basic conditions as required by the Regulations. Details of the full representations made will be included in the Consultation Statement in due course.

## Consultation Analysis

5. The local planning authority – Aylesbury Vale District Council (AVDC) – has provided officer comments. WRPC has been in regular dialogue with AVDC during the preparation of the WRNP. AVDC has raised issues on some of the proposed policies and has made a number of suggestions on how the final document may be improved. These issues relate to:

- Policy 1 – make clearer that the policy relates only to Wingrave and not Rowsham; explain application of policy to countryside beyond boundary
- Policy 2 – specify number of car parking spaces and manage through a planning obligation; require bat survey
- Policy 3 – confine development to front half of site; require provision of an equipped play space
- Policy 4 - specify number of car parking spaces and manage through a planning obligation ; require newt survey; identify heritage assets setting as consideration
- Policies 2, 3 and 4 – bring affordable housing references in line with AVDC policy; refer to 'up to' instead of 'approximately' in housing capacity
- Policy 5 – define 'proximity' and plot size for infilling
- Policy 6 – add site boundaries to Policies Map; add viability test to justify loss
- Policy 7 – explain how viability will be tested and specify that replacement will be acceptable
- Policy 8 – disagree with Knoll site proposal; add evidence to show that proposed spaces meet the criteria of NPPF; amend final sentence to comply with NPPF on development in Green Belt
- Draft SEA – add explanation of how policies and reasonable alternatives have been assessed and compared and conclusions have informed the WRNP; alternatives must include all sites considered
- Site Assessments Report – requires more detail for each site
- General – consider extending the plan period to cover 2013 – 2033 to align with the VALP

6. The County Council has raised no objections to the WRNP but has made suggestions for improvements in respect of the local cycle route network and green infrastructure. It has also confirmed that there is capacity at the primary school to meet the demand arising from the quantum of housing proposed. In addition, it has suggested the WRNP is more positive about planning for renewable energy beyond the settlement boundary.

7. Historic England (formerly English Heritage) has raised no objections to the WRNP but has suggested improvements to identify the heritage asset affected by Policy 2, to provide for landscape views in Policy 3 and to explain the historic relevance of the nearby assets in Policy 4. It has suggested that

Policy 6 be improved to favour good build design and that Policy 7 is amended to better reflect national guidance on harm to heritage assets.

8. Natural England has raised no objections to the WRNP and has welcomed the provisions of policies 2 and 3 for public open space, the footpath and access to the countryside. The Environment Agency had no comment to make.

9. Anglia Water raised no objections to the scale or distribution of development in respect of the capacity of the existing utilities infrastructure, though it noted that some improvements to the network may be necessary for the Policy 3 allocation. Thames Water has proposed that a new policy should be added on infrastructure and utilities provision in the absence of an up-to-date Local Plan.

10. Finally, representations have been made by landowners of sites that have not been allocated in Policy 2. Bidwells has objected to the WRNP, on behalf of Careys New Homes to the exclusion of land at Bell Corner from the Plan. It argues that this land provides a more suitable site for housing development than all of those sites proposed. A separate representation relating to the same land has made by Kirkby Diamond on behalf of the current landowner, the John Mason Raven Trust. This makes a similar argument in favour of that land. Finally, Gladman Developments has objected to the WRNP in respect of the settlement boundary provision of Policy 1 and to the lack of reasonable alternatives assessed in the Draft SEA.

## Modifying the Submission Plan

11. The comments made by the statutory consultees confirm that the WRNP meets the 'basic conditions' of making neighbourhood plans, though some further clarity and minor amendments to the submission version of the Plan and the SEA will be helpful.

12. However, it is either unnecessary or unhelpful to address some AVDC comments. In respect of policies 2 and 4, it is not considered necessary to specify the precise number of new public car parking spaces to be provided; this should be left to a planning application to determine as part of the scheme layout and design. But the suggestion to make this provision part of a planning obligation is agreed. On Policy 3, there appears no need to redefine the site boundary to include only the front half of the site. Again, a planning application will have to demonstrate that a satisfactory scheme can be designed to mitigate impact on the countryside to the north. There is no special reason why this site should provide an equipped play space so this cannot be a requirement. On policies 2, 3 and 4, the suggestion that the phrasing be changed from 'approximately' to 'up to' in respect of the housing capacity of each site is not considered appropriate. Many examiners have recommended that the use of such a term is contrary to the NPPF and this would go against that advice. Policy 7, the Knoll site is considered to meet the criteria on Local Green Space designation and should remain in the Plan. In all other respects, the Plan content can be modified to address the matters raised by AVDC.

13. The AVDC, and others', comments on the Draft SEA are disagreed with. There is now considerable experience of relating the provisions of the EU Directive and 2004 Regs on SEA to neighbourhood plans, including elsewhere in the AVDC area. There is no obligation for the SEA to assess all sites submitted for consideration given the relationship in the Plan between the spatial plan of Policy 1 and the allocations of Policy 2. The assessment of reasonable spatial plans for Policy 1 is sufficient to demonstrate the chosen policy will 'contribute to sustainable development' and will 'avoid significant environmental effects'. The fact that this is a different approach from that adopted in Local Plan policy formulation is irrelevant, as has been reinforced by the ruling on the Tattenhall Neighbourhood Plan Judicial Review. There is therefore no need to consult on a revised Draft SEA report before submission. Further content may be added to the Final SEA and Site Assessments Report to explain this further.

14. The views of the County Council are noted but it will not be possible, even if desired, to include a new policy on renewable energy at this stage. This is usually best left to Local Plan and NPPF policies. Similarly, the desire of Thames Water for a new policy on infrastructure and utilities is already met by the provisions of the NPPF and PPG and is better dealt with by the Local Plan, as there is nothing distinctive to this parish in these regards. The Historic England

comments can be accommodated to improve the details of the allocation policies.

15. The objections of those landowners/developers not favoured are not surprising but none are considered sufficient to require a fundamental review of the spatial plan of the WRNP. The sites selected are considered to represent a sustainable means of distributing housing development on the edge of the village to meet with the support of the majority of the local community. Given the Steering Group has taken its responsibility seriously of being positive about housing development in the absence of a clear strategic planning framework for the parish, it is inevitable that the growth of the village to accommodate at least 100 new homes would require compromises in identifying green field sites. None of the sites selected, or those not selected, are free from one environmental constraint or another. Those sites chosen reflected the Steering Group's planning judgement of the technical merits of the assessment and the local community's views in the engagement activities. In addition, each allocation policy, using the SEA analysis, has sought to identify the appropriate mitigation measures as policy requirements to guide future planning applications. It is therefore not considered necessary to allocate any additional sites to meet the basic conditions as the rationale for the proposed allocations is made clear in the policies.

16. It is recommended that changes are made to ensure that the submitted WRNP meets the Basic Conditions, as follows:

- Policy 1 – make clearer that the policy relates only to Wingrave, and subject to any future review of the plan not Rowsham; explain application of policy to countryside beyond boundary
- Policy 2 – modify to require public car parking spaces are provided through a planning obligation and to require a bat survey
- Policy 3 – no change (other than referred to below)
- Policy 4 - modify to require public car parking spaces are provided through a planning obligation, to require a newt survey; and to identify specific heritage assets' settings
- Policies 2, 3 and 4 – bring affordable housing references in line with AVDC policy
- Policy 5 – define 'proximity' and plot size for infilling in supporting text
- Policy 6 – add site boundaries to Policies Map; modify policy in referring to viability test to justify loss
- Policy 7 – explain how viability will be tested and specify that replacement will be acceptable in supporting text
- Policy 8 – no changes but add evidence to show that proposed spaces meet the criteria of NPPF; modify final sentence to comply with NPPF on development in Green Belt

- Draft SEA – add further explanation of how policies and reasonable alternatives have been assessed and compared and conclusions have informed the WRNP
- Site Assessments Report – add some more detail for each site
- General – amend the plan period to 2013 – 2033

## **Recommendations**

17. It is recommended that:

- The policies and supporting text are changed with only minor modifications as described above
- There are no other sites allocated
- The WRNP is finalised for submission for examination, subject to the completion of its Basic Conditions Statement and Consultation Statement

## APPENDIX

### RECOMMENDED POLICY MODIFICATIONS

#### Policy 1: A Spatial Plan for the Parish

The Neighbourhood Plan designates a Wingrave Settlement Boundary, as shown on the Policies Map, for the purpose of directing **new housing development in the parish** ~~to the village containing physical growth of the settlement~~ over the plan period.

**Rowsham will remain a hamlet in the open countryside without a defined settlement boundary where new infill housing will be permitted subject to other policies in this Plan.**

Development proposals on land outside the defined settlement boundaries **boundary** at Wingrave will not be permitted in the countryside unless it is necessary for the purposes of agriculture or forestry, or for enterprise, diversification or recreation that benefits the rural economy without harming countryside interests. New development in the countryside should not result in the loss of open land that contributes to the form and character of Wingrave and Rowsham.

#### Policy 2: Land South of Twelve Leys, Wingrave

The Neighbourhood Plan allocates 1.62 Ha of land north of Nup End Lane, Wingrave, as shown on the Policies Map, for housing development of approximately 30 dwellings.

Development proposals will be supported, provided they accord with the following principles:

- i. 35% of the total homes provided on site shall be affordable homes **located throughout the scheme**, unless it can be demonstrated that a smaller percentage is required to deliver a viable scheme;
- ii. **the emphasis of open market and affordable dwelling types should be on providing smaller homes suited to newly formed households and to older households;**
- iii. The vehicular access to ~~the remainder of the site~~ shall be off Twelve Leys only;
- iv. The built form shall include a frontage to Twelve Leys, which may include access to driveways;
- v. The built form shall include a frontage to Nup End Lane but shall not include any access to driveways;

- vi. **Parking shall be integrated with the open space and buildings to create a safe and attractive pedestrian environment and to avoid parking problems on local roads;**
- vii. **A private car park shall be provided, either on the site or adjoining the site and fronting Twelve Leys, in order to alleviate parking congestion in the access road leading to the site for the benefit of residents of Twelve Leys; and be provided through a Section 106/Community Infrastructure (CIL) agreement;**
- viii.
- ix. **The site layout shall consider views, and protect privacy and amenity of existing dwellings and back gardens;**
- x. **The detailed design of the scheme should make provision for any bat habitats on the site; and**
- xi. **The layout and landscape shall provide public open space within the site that contributes to the achievement of the Aylesbury Vale Green Infrastructure Strategy and specifically:**
  - a. **Sustains and enhances the significance of the adjoining heritage asset and its setting by providing a buffer between buildings and the asset;**
  - b. **Preserves the public right of way across the site on its existing alignment;**
  - c. **Retains and improves the existing hedgerows and trees on the site boundaries; and**
  - d. **Creates an attractive setting and amenity for the development.**

### **Policy 3: Land North of Baldways Close, Wingrave**

**The Neighbourhood Plan allocates 1.8 Ha of land north of Baldways Close, Wingrave, as shown on the Policies Map, for housing development of approximately 40 dwellings.**

**Development proposals will be supported, provided they accord with the following principles:**

- i. **35% of the total homes provided on site shall be affordable homes located throughout the scheme, unless it can be demonstrated that a smaller percentage is required to deliver a viable scheme;**
- ii. **the emphasis of open market and affordable dwelling types should be on providing smaller homes suited to newly formed households and to older households;**
- iii. **The vehicular access shall be off Baldways Close;**
- iv. **Parking shall be integrated with the open space and buildings to create a safe and attractive pedestrian environment and to avoid parking problems on local roads; and**
- v. **The site layout shall consider views, and protect privacy and amenity of existing dwellings and back gardens;**

- vi. The landscape scheme shall create a strong, attractive and defensible long term settlement edge on its northern, western and eastern boundaries to the open countryside beyond; and
- vii. The layout and landscape shall provide public open space within the site that that **contributes to the achievement of the Aylesbury Vale Green Infrastructure Strategy and specifically:**
  - a. Preserves the public right of way across the site on its existing alignment; and
  - b. Creates an attractive green space and amenity for the development

**Policy 4: Land South of Leighton Road, Wingrave**

The Neighbourhood Plan allocates 1.4 Ha of land south of Leighton Road, Wingrave, as shown on the Policies Map, for housing development of approximately 30 dwellings.

Development proposals will be supported, provided they accord with the following principles:

- i. **35% of the total homes provided on site shall be affordable homes located throughout the scheme, unless it can be demonstrated that a smaller percentage is required to deliver a viable scheme;**
- ii. **the emphasis of open market and affordable dwelling types should be on providing larger detached homes;**
- iii. The vehicular access shall be off Leighton Road in a manner that minimises the loss of the protected trees on the road frontage;
- iv. A private car park shall be provided, either on the site or adjoining the site and fronting Leighton Road, for the benefit of residents of Leighton Road **provided through a Section 106/Community Infra Structure(CIL) agreement;**
- v. The scheme layout shall provide for buildings facing towards, but with no vehicular access, to Leighton Road to provide a positive street edge;
- vi. Parking for houses in the scheme shall be integrated with the open space and buildings to create a safe and attractive pedestrian environment and to avoid parking problems on local roads; and
- vii. The landscape scheme shall create a strong, attractive and defensible long term settlement edge on its three boundaries to the open countryside beyond;
- viii. **The detailed design of the scheme should make provision for any bat habitats on the site; and**
- ix. **The layout and landscape scheme that contributes to the achievement of the Aylesbury Vale Green Infrastructure Strategy and specifically:**
  - a. allow for glimpse views through the site from existing properties on Leighton Road to the open countryside to the south and east of the site;

- b. Create an attractive setting and amenity for the development;*
- c. Have regard to sustaining and enhancing the significance of proximate heritage assets and their setting; and*
- d. Improve the quality and management of the landscape area to the Leighton Road frontage.*

#### **Policy 6: Local Employment**

**Proposals that will lead to additional employment will be supported in the following locations, as shown on the Policies Map, for schemes of high quality commercial buildings:**

- i. Wingbury Courtyard Business Village, provided their traffic impact on Leighton Road and their visual impact on the landscape can be satisfactorily mitigated and sufficient provision is made for additional on-site car parking;*
- ii. Seven Acres/Lower Windmill Farm, provided their traffic impact on Tring Road and their visual impact on the landscape can be satisfactorily mitigated and sufficient provision is made for additional on-site car parking;*
- iii. Manor Road, Rowsham, provided their traffic impact on the A418 junction with Manor Road and their visual impact on the landscape and on the amenities of adjoining residential properties can be satisfactorily mitigated and sufficient provision is made for additional on-site car parking; and*
- iv. MacIntyre School, provided their traffic impact on Leighton Road and their visual impact on the landscape can be satisfactorily mitigated and sufficient provision is made for additional on-site car parking.*

**Proposals that provide infrastructure to enable access to a superfast broadband network to serve the village and properties adjoining the network in the countryside will be supported. New housing development should provide the necessary means for new residents to access the superfast broadband network when it becomes available and if possible, contribute to improvements in the service for existing residents and businesses.**

**Proposals that result in the loss of an existing employment use will be resisted, unless it can be demonstrated that its continued use is no longer viable, which will include evidence that the property has been offered for sale on reasonable terms at open market value for a period of at least two years.**