

WINGRAVE WITH ROWSHAM PARISH NEIGHBOURHOOD PLAN

Modification Proposal Statement

Prepared in accordance with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) in respect of the Modification Proposal to the made Wingrave with Rowsham Neighbourhood Plan.

January 2019

Table of Contents

Introduction	3
Background	4
Modification	6
Conclusion	8

Introduction

As a 'Qualifying Body', the Wingrave and Rowsham Parish Council ("the Parish Council") proposes to modify the made Wingrave with Rowsham Neighbourhood Plan ("the Made Plan") of September 2016. It has completed a pre-submission consultation on the proposed modified Neighbourhood Plan ("the Modified Plan") and submits to the Local Planning Authority, Aylesbury Vale District Council ("the District Council"), the Modified Plan for examination alongside this Modification Proposal Statement, a Basic Conditions Statement and a Consultation Statement, in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended).

Both the Parish Council and the District Council consider that this is a material modification to the Made Plan, but it is not one that is so significant or substantial as to change the nature of the Made Plan. It is therefore more in the nature of a material update, which can be made without a referendum in accordance with the the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017/1243. Regulation 15 of the amended 2012 Regulations requires:

"in relation to a modification proposal, a statement setting out whether or not the qualifying body considers that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the qualifying body is of this opinion".

This Statement serves this purpose and notes the following additional requirements in the Planning Practice Guidance (PPG) :

- the qualifying body must (at the pre-submission publicity and consultation stage and when the modified plan is submitted to the local planning authority) state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons
- the local planning authority must (when sending the modified plan to the independent examiner) state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons. The local planning authority must also submit a copy of the original plan to the independent examiner
- the qualifying body must decide whether to proceed with the examination after the examiner has decided whether the modifications proposed change the nature of the plan

In accordance with the requirements of the PPG as stated above, this document is therefore setting out the background reason to this modification, sets out what the modification is and will set out the reasons as to why the parish council believe that this modification of the plan is not so significant or substantial as to change the nature of the plan.

Background

The Made Plan covers the period 2013 – 2033. The designated neighbourhood area covers the same area as the Parish Council. On 30 September 2016 it was agreed by the District Council to ‘make’ the Wingrave with Rowsham Neighbourhood Plan, following a referendum which took place on Thursday 22 September 2016. The results showed 78% of those who voted were in favour of the plan.

The development site on Land South of Leighton Road in Policy 4 of the Made Plan is stated to be 1.4 Hectares and the policy allocates the site for approximately 30 dwellings. Due to an error in the preparation of the Made Plan Policy Maps, the Policy Map 4 shows only approximately 1 Hectare.

Since the making of the plan, a developer (Rectory Homes Ltd) has submitted a planning application (Ref: 17/04425/APP) to develop 29 dwellings on the site but wishes to have a low housing density with 29 dwellings in 1.4 Hectares as shown in Figure 1.



Figure 1. Proposed Development by Rectory Home

At the pre-application stage in 2017 Parish Council was consulted by the developer and it sought advice from the District Council as to how to proceed. At that stage, the District Council was minded to consider the proposal as acceptable so the developer could proceed to submit a planning application. Subsequently, the Parish Council welcomed the Rectory Homes proposal and did not object to the planning application.

However, the District Council reviewed its earlier advice and, concerned that the scheme was not sufficiently in accordance with Policy 4 of the Made Plan, it advised that a material modification to the wording of Policy 4 and to its definition of the site boundary on the Policies Map of the Made Plan would be necessary.

The Parish Council established a Leighton Road residents working group, to liaise with the developer to ensure that the development was as compliant as possible with the interests of existing residents. At the initial meeting with Rectory Homes it was pointed out by Rectory Homes that Policy map 4 only enclosed 1 Hectare and they believed there were a number of options that could be considered:

1. a high-density development in the as drawn 1 Hectare,
2. a negotiation to extend the site to allow development in 1.4 Hectares containing amenity and green space, or
3. for a housing development in 1.4 Hectares and the remaining part of the 2.2 Hectare field being the amenity and green space.

The view of the residents' Working Group was that option 3 was their favoured choice and is the reason for the modification to the Neighbourhood Plan.

This option results in a well-proportioned, low-density development that maintains views across the Vale of Aylesbury to the Chilterns and Dunstable Downs. The residents' Working Group had a number of meetings with Rectory Homes and the eventual final layout of the development was agreed.

Rectory Homes have actively engaged with the Parish Council, the County Council and the District Council to facilitate the Parish Council's desire for parking in the development for existing residents with no off-road parking and Rectory Homes obtained agreement to optimisation of the splay of access road to the development in line with the residents' request.

The Proposed Modification

To enable the allocation of Land at Leighton Road, Wingrave in Policy 4 of the Made Plan to come forward as a deliverable site, it has been determined that the made neighbourhood plan must be modified. To do otherwise would leave the neighbourhood plan policies in conflict with the planning application. Should the planning application be modified to conform with the existing made version then this would be detrimental to the spirit of the plan and its intention of delivering a sustainable development for the benefit of new and existing residents.

To be compliant with open spaces and amenity land requirements the Parish Council proposes to modify the Settlement Boundary of Policy 1 of the Made Plan, as shown in Figure 2 below, to accommodate the site allocation of Policy 4, which extends to the full field of 2.2 Hectares (see Figure 3). Further, Policy 4 will be reworded to require that the land not used for housing will be designated as public open space (to be held in perpetuity for the benefit of Parish residents), including a car park for Leighton Road residents. These modification proposals are supported by the developer.

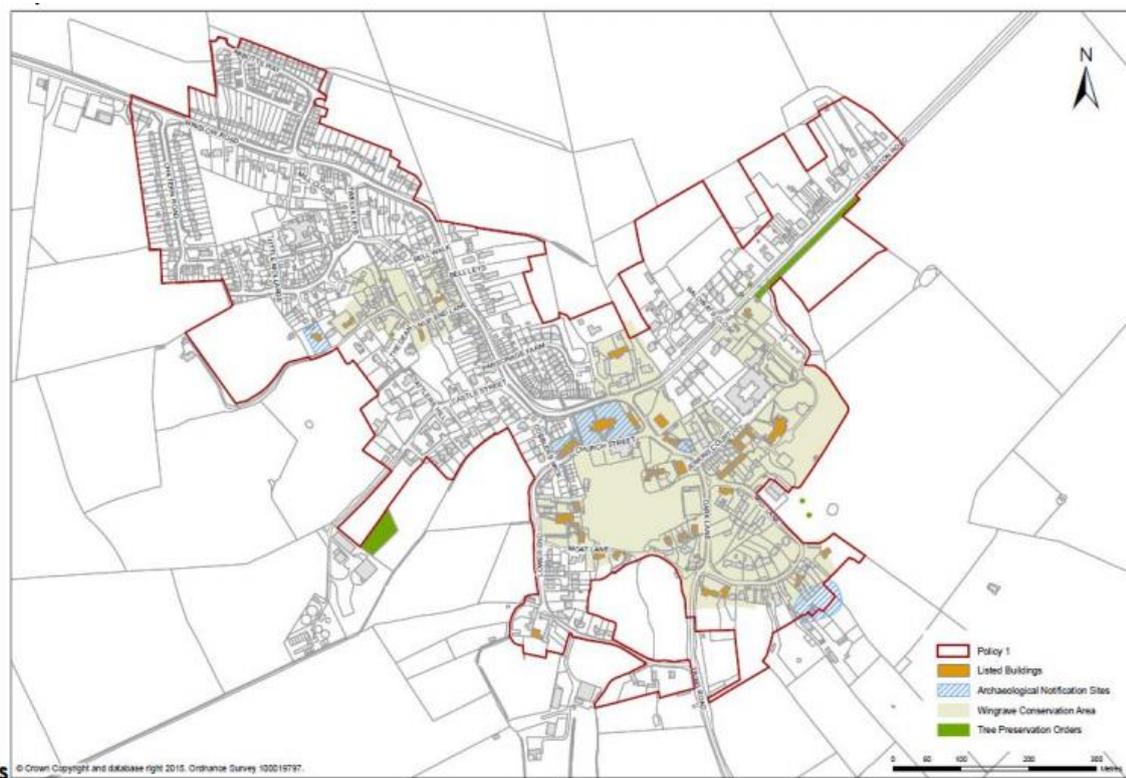


Figure 2. Made Plan Policies Map Policy 1 – Spatial Plan for the Parish

The opportunity has also been taken to amend some of the policy wording to improve its clarity in respect of defining the site and its developable area and land uses. The Parish Council has also chosen to re-instate in an amended form part of the site proposal in the examined version of the Made Plan in relation to the provision of the car park. The proposed wording was inaccurate and led to the examiner recommending its deletion from the referendum version of the Made Plan. The amended policy support, and its explanation in the supporting text, are considered to rectify the previous problem.

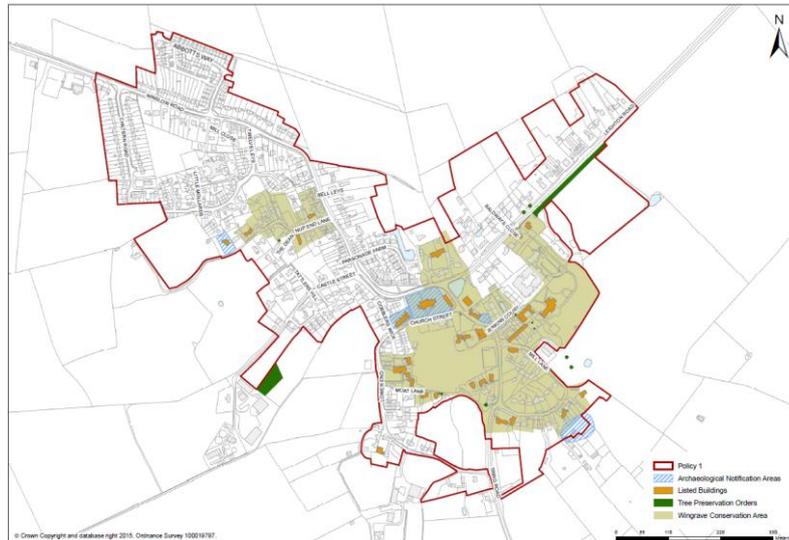


Figure 3. Modified Plan Policies Map Policy 1 – Settlement Boundary

Through this modification proposal, the intended development at Land South of Leighton Road, Wingrave will encompass a larger area of land than was originally allocated in the Made Plan. This modification resolves an inconsistency between the policies and the planning application by Rectory Homes to deliver a successful scheme.

This is in conformity with the spirit and stated intentions of the original policy and thus is not so substantial nor so significant to warrant consideration as a change to the nature of the plan. As such overall the modifications set out below in table 1 are considered essential in enabling the neighbourhood plan to deliver on its allocation intentions and ensure the site Land South of Leighton Road, Wingrave allocated for in Policy 4 is deliverable with the attainment of maximum community benefits as set out in the policy requirements.

The amended Policy 4 now reads:

On land south of Leighton Road, Wingrave, as shown on Policy Map 4, the Neighbourhood Plan allocates 1.4 Ha for housing development of approximately 30 dwellings and 0.8Ha of public open space.

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. The scheme layout shall provide for buildings with their principal elevation facing towards, but with no vehicular access, to Leighton Road to provide a positive street edge;***
- v. 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;***
- vi. The landscape scheme shall create a strong, attractive and distinct long-term settlement edge on its three boundaries to the open countryside beyond;***
- vii. The detailed design of the scheme should make provision for any bat habitats on the site; and***

- viii. ***The layout and landscape scheme shall provide public open space within the site scheme that contributes to the achievement of the Aylesbury Vale Green Infrastructure Strategy and specifically shall:***
- 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 special regard to sustaining and enhancing the significance of proximate heritage assets and their settings including the listed buildings at Nos. 22 – 28 (odd) Leighton Road and the gates, walls and railings to Mount Tabour House;***
 - d. ***Improve the quality and management of the landscape area to the Leighton Road frontage; and***
 - e. ***On land within the site and fronting Leighton Road offer to provide a specific community benefit in the form of a private car park for the use of residents of Leighton Road.”***

Strategic Environmental Assessment

The District Council has reviewed the proposed Modified Plan and agrees that it is not so significant or substantial as to change the nature of the Made Plan. As a result, it has also concluded that the proposals do not alter the plan in such a way that would require a revised strategic environmental assessment to be undertaken.

Conclusion

In summary the modification is proposing to amend:

- the Settlement Boundary of Policy 1 as shown on the Policies Map to accommodate the modified Policy 4 allocation site
- the policy wording, supporting text and site allocation boundary on the Policies Map for Policy 4 - land South of Leighton Road, Wingrave

The proposed modification ensures the deliverability of the plan in relation to Policy 4 as intended. The modification is in conformity with the spirit of the plan and is not so significant or substantial as to change the nature of the plan.