

Inspector's Question 104

Paragraph 10.14.4 of the Sustainability Appraisal Main Report ([CD/SUB/ 004](#)) advises that the Council/Inspector should give consideration to suggested changes to the policy wording of the submitted plan. The paragraph summarises these, which are made in detail in earlier paragraphs of the document;

- paras 10.2.7 and 10.2.9 – setting detailed requirements for the “biodiversity gain” sought in several site allocations and policy NE2;
- paragraphs 10.3.5 and 10.3.6 – more stringent requirements for low carbon infrastructure in policy C3;
- paragraph 10.4.12 - seeking greater detail of the specific flood mitigation measures envisaged for allocation D-AGT3;
- paragraph 10.5.15 – further consideration to be given to targeted community infrastructure at two large sites, D-BUC046 and D-HAD007;
- paragraphs 10.11.4, 7 and 10 (2nd bullet) – policies dealing with water, noise and air pollution could all feasibly be supplemented with added detail;
- 10.12.7 – AGT policies might discuss links to the town centre more explicitly; and
- 10.13.4 – policy wording be added to ensure that schemes are designed with waste management in mind.

Although many of these appear to be suggestions for improvements, rather than issues of soundness and some are reiterations of suggestions made and considered at earlier stages of plan preparation and sustainability appraisal, others run parallel to matters of soundness which I have already raised in my questions [Q23](#), [Q48](#), [67](#) and [72](#) (allocations BUC 043, 046 and 051 and MMO006 in relation to waste water treatment provision), [Qs24](#), [47](#) and [68](#) (allocation D-HAD007), [Q58](#) (detailed provisions of allocation D-AGT3), [Q95](#) (policy NE2), [Q99](#) (policy C3). I would therefore welcome the Council's responses to the several recommendations made.

AVDC Response

The full text of the referenced paragraphs and the Council's response to each can be found in the table below.

Paragraph	Recommendation	Response
10.14.4	The Council, and the appointed Planning Inspector, can give consideration to these appraisal conclusions during the Examination in Public. Similarly, the Council / Inspector should give consideration to suggested specific changes to policy wording. Suggested changes cover - Biodiversity (including around the matter of setting requirements 'biodiversity gain'); Climate change mitigation (in particular, policy might set more stringent requirements for low carbon infrastructure, albeit viability is constraining factor); Climate	For reference only. Responses to paragraphs related to the specific issues in this section are set out below.

Paragraph	Recommendation	Response
	change adaptation (in particular, detail might be added to policy requirements for 'Land north of A41'); Communities (at two large sites further consideration might be given to targeted community infrastructure delivery); Pollution (policy dealing with water, noise and air pollution could all feasibly be supplemented with added detail); Transport (AGT policies might discuss links to the town centre more explicitly); and Waste (a thematic policy could be added).	
10.2.7	Finally, it is noted that there are three sites where the proposed policy requires 'biodiversity gain'. It is recommended that this term should be applied with caution, ideally with reference to the scale at which the gain should be achieved (e.g. at the site-scale, which will likely be straightforward to achieve; or at the landscape scale, which will likely be more challenging). There is a need to avoid the risk of credit being unduly given for 'biodiversity gain'.	<p>Policy NE2 details the measurement of biodiversity gain using best practice and green infrastructure accounting and so the relevant case studies and precedents should be explored for each site.</p> <p>D-AYL073 The policy criterion states: <i>'The existing trees and hedgerows should be retained to maximise wildlife habitat potential and biodiversity net gain'</i>. The biodiversity gain itself is not a requirement but an aspirational consequence of the policy.</p> <p>D-ICK004 The hard requirement of the policy is to submit an ecological management plan, within which would contain a mitigation strategy with the aim of delivering net biodiversity gain. Once more, the biodiversity gain is an aspiration of the policy.</p> <p>D-MMO006 It should be noted that, as per the response to question 72, it is the intention of the Council to remove policy D-MMO006 from the VALP.</p>
10.2.9	<p>Policy NE2 (Biodiversity and Geodiversity) prioritises matters including</p> <ul style="list-style-type: none"> Achievement of <i>"no net loss and a net gain where possible in biodiversity... measurable using best practice in biodiversity and green infrastructure accounting and in</i> 	The strategic aim of biodiversity gain is covered under the spatial strategy in the VALP in paragraph 2.4(g)(7), which seeks to enhance the biodiversity of Aylesbury and 2.4(i)(1) which seeks to protect and, where possible, enhance the biodiversity assets of the rural areas. The exact mechanisms for delivering

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	<p><i>accordance with any methodology set out in a future Supplementary Planning Document.</i>"</p> <p>The policy goes on to explain that a priority aim, where possible, is to "deliver Bucks and MK Biodiversity Action Plan targets in the Biodiversity Opportunity Areas." It is recommended that Policy might clarify the strategic aim when seeking to implement 'biodiversity gain' outside of the Biodiversity Opportunity Areas.</p> <ul style="list-style-type: none"> • Maintenance of funding for any required mitigation, compensation and enhancement measures in perpetuity. • The need to give consideration not just to impacts to individual SSSIs, but also "any broader impacts on the national network of [SSSIs]." • Achievement of a net gain in biodiversity, where it is the case that impacts to a SSSI or LWS results in the need for compensation. • Identification and maintenance of existing ecological networks, to avoid fragmentation. 	<p>net biodiversity gain are still being developed by the council in conjunction with the NEP and will be detailed in an SPD. The detail is not available to include in VALP at this time.</p>
10.3.5	<p>Policy C3 (Renewable Energy) supports renewable energy development provided that there is no unacceptable adverse impact, for example in terms of landscape. The policy also 'encourages' an Energy Statement to be submitted as part of proposals for major residential developments (over 10 dwellings), and all non-residential development, to demonstrate how 'the energy hierarchy' has been applied. It is recommended that consideration might be given to requiring energy statements to demonstrate how carbon emissions, associated with the development over its lifetime, have been minimised.</p>	<p>On the basis of paragraph 10.3.5, the Council has suggested a policy amendment to C3 Renewable Energy to require energy statements for developments over 10 dwellings. The format of this energy statement is not defined so the suggested factor could be included in guidance relating to such statements.</p>
10.3.6	<p>Perhaps most importantly, the policy 'encourages' a feasibility assessment</p>	<p>On the basis of paragraph 10.3.6, the Council has suggested a policy</p>

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	<p>for district heating and cooling utilising technologies such as Combined Heat and Power (CHP), including Biomass CHP or other low carbon technology for: all residential developments for 100 dwellings or more; all residential developments in off-gas areas for 50 dwellings or more, and all applications for non-domestic developments above 1000m² floorspace. It is recommended that this should be a firm requirement on all applicants (as opposed to something that is 'encouraged'), and also that consideration is given to decentralised electricity supply, in addition to heating/cooling.</p>	<p>amendment to C3 Renewable Energy to require a feasibility assessment for all applications over the already stated thresholds of development. In tandem with this, the requirement for developments to secure at least 10% of its energy from decentralised sources if deliverable and viable has been amended to be encouraged.</p>
10.4.12	<p>In conclusion, there is a need to 'flag' uncertain negative effects, recognising that work remains ongoing to establish precisely how flood risk will be avoided at 'Land north of A41'.</p>	<p>In respect of the proposed site allocation at Woodlands there are opportunities to make provisions for additional flood storage via the link road design. This is being addressed via the planning application. The scheme will be required to be delivered prior to first occupation.</p>
10.5.15	<p>Notable large sites that are <i>not</i> set to deliver on-site strategic infrastructure (other than green infrastructure) are: D-BUC046 (Land off Osier Way (south of A421 and east of Gawcott Road); 420 homes); and D-HAD007 (Land north of Rosemary Lane; 315 homes). The Haddenham site is potentially of note, recognising that Buckinghamshire County Council have highlighted, through consultation (2016) that further investment is needed in Haddenham schools if the village is to become a strategic focus for housing. N.B. an earlier iteration of this appraisal recommended that the 'planning gain' role of these two large sites might be considered further. In response, the Council stated: <i>"We have Policy S5, plus specific infrastructure policies, plus the IDP, plus site specific items in the site allocation policies. However, BUC046 and HAD007 aren't yet planning applications – when they are then the infrastructure items will appear from planning consultations."</i></p>	<p>The Answer to Inspector's Question 24 details work that has taken place around primary school provision in Haddenham. A planning application has now been submitted for HAD007, which is referenced in the response to question 24.</p> <p>The IDP(CD.INF.001 and CD.INF.001a) identifies that there is a requirement of developers in Haddenham to contribute toward the expansion of St Mary's CE Haddenham. The overall cost of the scheme will be in the region of £2m.</p>

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10.11.4	This is quite a clear conclusion, regarding the constraint to growth at Buckingham and Maids Moreton , and this is further commented on below.	<p>It should be noted that, as per the response to question 72, it is the intention of the Council to remove policy D-MMO006 from the VALP.</p> <p>The IDP states that Anglian Water have identified a need for further investment at Buckingham Water Recycling Centre (previously known as Wastewater Treatment Works) through their Asset Management Plan. They are currently working to identify the extent to which improvements are required to serve additional growth and ensure the water environment is protected.</p>
10.11.7	With regards to site specific policies for the Aylesbury urban extension sites, it is noted that policy for South West Aylesbury includes a focus on “Consideration of the impact of HS2 and flood risk on the site.” Policy D-AGT2 (South West Aylesbury) goes on require: <i>“Buffer zone for HS2 and noise mitigation.”</i> N.B. an earlier iteration of this appraisal recommended that the potential extent of the necessary buffer zone might be given. In response, the Council stated: <i>“... the size and form of the buffer will depend on a number of factors – the details of the HS2 infrastructure at South West Aylesbury and on the VALP site how high buildings are, how solid a ‘barrier’ the buildings will create , where the road and green infrastructure go etc.”</i>	The Council’s position remains the same as that stated in paragraph 10.11.7.
10.11.10	Policy NE7 (Pollution, air quality and contaminated land) covers noise pollution, light pollution, air quality and contaminated land. It prioritises a range of matters, including - <ul style="list-style-type: none"> • “Where necessary, planning conditions will be imposed and / or a planning obligation sought in order to specify and secure acceptable noise limits, hours of operation and attenuation measures.” • <i>“Developments requiring planning permission that may have an adverse impact on air quality will be required to prove through a submitted Air Quality</i> 	<p>It should be noted that policy NE6 covers pollution, air quality and contaminated land.</p> <p>The Council’s position remains the same as that stated in paragraph 10.11.10. and it is considered that text adequately deals with the comment.</p>

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	<p><i>Impact Assessment that: The effect of the proposal would exceed the National Air Quality Strategy Standards (as replaced); or The surrounding area would not be materially affected by existing and continuous poor air quality.” N.B. an earlier iteration of this appraisal recommended that this policy be expanded, to reflect the potential for air quality impacts beyond ‘the surrounding area’ (i.e. the potential for offsite air quality impacts as a result of traffic generated). In response, the Council stated: “Air Quality issues are considered to be localised either to an Air Quality Management Area where quality is poor or just the surrounding area to a site allocation/planning application . The nature of Aylesbury Vale as a rural area is we don’t have extensive areas with poor air quality. The Garden Town SPD may say more about how through traffic is re-routed</i></p>	
10.12.7	<p>With regards to site specific policy, perhaps of greatest note is the proposed vision presented as part of D-AGT3 (Land north of A41), which states: “<i>This will provide a self-contained, employment-led, highly sustainable, community giving people who choose to live or work here easy access on foot or cycle to day to day facilities, all within an exceptional environment.</i>” Much of the proposed scheme will be beyond 3km distant of Aylesbury Town Centre, and so it will be important to ensure not only a high degree of ‘self-containment’, but also excellent links by public transport. It is recommended that the vision might be supplemented, to clarify how / to what extent the scheme will be linked to Aylesbury Town Centre.</p>	<p>The proposed site allocation will provide for strategic sustainable links by foot and cycle to Aylesbury through a network of existing and proposed cycleway, footway and bridleways including the Strategic Grand Union Canal Triangle cycle path. Much of this is already being addressed through planning applications on the site. It is also proposed that a masterplan will inform delivery of the site.</p>
10.13.4	<p>Waste management is not referenced in thematic policy within the VALP. It is recommended that policy wording be added to ensure that schemes are designed with waste management (e.g. facilities for waste sorting and storage) in mind.</p>	<p>Bin storage capacity has been identified in the IDP as an on going consideration. New regulations are coming out into bin collection due to the new waste fleet management changes. The IDP stipulates that housing developers are required to build in adequate waste/ recycling/ compost bin storage capacity.</p>

Paragraph	Recommendation	Response
		Space should be allocated for 1 x 140 litre bin (residual waste), 1 x 240 litre bin (co-mingled dry recyclables), 1 x 40 litre bin (food waste caddy) and 1x 240 litre garden waste bin (for households with gardens).