

AVDC Response to Discussion Document D5 Acting on Interim Findings

1. The Council is grateful for the Inspector's Discussion Document D5 'Acting on Interim Findings' and the helpful clarifications that document made to the Interim Findings. In this Response, the Council sets out its proposed actions to address the Inspector's Interim Findings.

Proposed Action 1: Undertaking an early review

2. The Council considers now that there is no justification for immediately updating the content of Vale of Aylesbury Local Plan ("VALP"). For the reasons set out here, it considers that a normal updating process can take place to deal with the matters described as more detail emerges. The Council therefore intends to revise the VALP to remove references to an early review or an updating process.
3. The Council's original intention was to commence the process of updating, or reviewing, the VALP immediately after its adoption in order to address the implications of such matters as the Oxford Cambridge Expressway, the Oxford Cambridge Arc, the new NPPF and the new housing figures derived from the Government's Standard Method.
4. The Council's approach was queried in the Interim Findings as to whether a plan could be found sound if it needed to be reviewed immediately after adoption, on the basis that known impacts should be addressed rather than delayed for a future plan.
5. The Inspector's Discussion Document D5 and other developments since the submission of the VALP now have a bearing on this matter. Taking account of Government announcements, the Inspector has determined that the Oxford Cambridge Arc does not need to be reflected in the housing figures of the VALP. This is because the Government proposes, amongst other things, a strategic vision for the Arc and will commission further studies into such matters as the location of new settlements. On that basis, the Council considers there is no longer justification for the immediate updating of the VALP to take account of the Arc's impacts.
6. The Government has announced the creation of a single council for Buckinghamshire. This will have implications for future plans which will replace the VALP. A future plan will need to encompass the whole of the county. The Council expects that plans for Aylesbury Vale and Wycombe will be adopted, and the plan for Chiltern and South Bucks will have been submitted, before the formation of the new single council. As a result, it will be for the new council to determine the process for replacing the three local plans with one new local plan. Consequently, the Council does not consider that the determination of a new timetable for a replacement local plan is the responsibility of the current councils. This further explains why there is no longer any the justification for any early update of the VALP.

7. Following the publication of the preferred corridor for the Expressway, Highways England has announced¹ that the preferred route will be announced in Autumn 2020. This will be followed by consultation and preparation of orders, to be followed by an Examination and decision. This timetable indicates that the final route of the Expressway will not be confirmed until at least 2021. Construction is then anticipated to start in 2025 with completion in 2030. The Council considers that this build timetable removes the Expressway as a reason for an early update of the VALP as it can be addressed in the new single local plan process as more detail emerges.
8. The transitional provisions in Paragraph 214 of the 2018 NPPF mean that the VALP is examined under the 2012 NPPF and the associated national planning guidance. Paragraph 213 of the 2018 NPPF makes it clear that where the VALP policies reflect the 2018 NPPF, they should not be considered out of date and can be given significant weight where appropriate. The 2018 NPPF is therefore not a reason for an early update of the VALP.
9. Lastly, one important aspect of the 2018 NPPF is the introduction of the new standard method for calculating Local Housing Need (“LHN”). The NPPF states at Paragraph 33 that reviews earlier than every five years are likely to be required “if local housing need is expected to change significantly in the next few years”. The Government has consulted on how to address the significant effect of the most recent 2016 based household projections on the LHN calculation with a view to reverting to those based on the lower 2014 based household projections. The figure arising from those earlier projections for Aylesbury Vale is 1,499 homes per annum which is in accord with the annual rate for housing delivery in VALP. It is therefore considered that there is no justification for an earlier review based on the standard method introduced by the 2018 NPPF.

Proposed Action 2: The housing requirement (Arc effect, migration, affordability)

10. The Council commissioned the attached ORS response which determines what the housing requirement figure should be after excluding an Arc effect and then reconsidering migration and affordability. The ORS response concludes that the appropriate housing requirement figure taking account of the matters raised by the Inspector is 20,600. Once the unmet need from other areas is added the overall housing requirement the plan is 28,600 dwellings. In order to deliver this level of housing the authority considers that on the supply side it is appropriate to apply a 5.2% buffer for uncertainty. The VALP should therefore seek to identify 30,100 dwellings in order to ensure that it meets its housing requirement of 28,600 dwellings.
11. The Council trusts that the revised figure of 28,600 dwellings and its justification is acceptable. Subject to confirmation, the Council will proceed in the preparation of

¹ <http://assets.highwaysengland.co.uk/roads/road-projects/Oxford+to+Cambridge+expressway/Oxford+to+Cambridge+Expressway+Corridor+overview+booklet.pdf>

proposed modifications on the basis of an accepted housing figure of 28,600 dwellings and the land, including a 5.2% buffer, required to meet it.

Proposed Action 3. Spatial development strategy

12. Paragraph 29 of the Interim Findings provides its expected levels of growth for the strategic settlements and Milton Keynes with overall figures for the villages. The Council notes that the 58,740 population figure used for Aylesbury is that for the parish of Aylesbury. The Council does not consider that the parish figure is the appropriate figure to use, as the built up area of the town now substantially exceeds the parish boundary in many areas such as at Fairford Leys, Buckingham Park and Watermead. The appropriate population figure of 71,500 is set out in Paragraph 1.29 of the VALP. This represents 41% of the district population, rather than the figure of 34% given in the Interim Findings.
13. The parishes surrounding Aylesbury contain parts of its built up area and their populations need to be adjusted accordingly to cater for this. As a result, the Council considers that the 49% figure for the villages given in the Interim Findings should be adjusted to 42%.

The Council accepts that this may make no difference to the conclusions in relation to the spatial strategy. Nevertheless, it is considered that these are appropriate adjustments to make.

Proposed Action 4: Milton Keynes

14. For accuracy, it should also be noted that Winslow does not fall within Milton Keynes Housing Market Area as stated in Paragraph 35 of the Interim Findings. CD/HOU/002 'HMAs and FEMAs in Buckinghamshire: Updating the evidence' Figure 7 shows the Functional HMA for Milton Keynes based on the most recent census data and excludes Winslow. In fact, as a result of the updating the Functional HMAs, the Central Buckinghamshire functional HMA has extended further into Aylesbury Vale and now dominates the district. As a result, the proportion of the Aylesbury Vale's population in the Central Buckinghamshire functional HMA has increased from 64.2% in the 2015 analysis to 80.8% in the 2016 analysis using the updated data. Again, the Council accepts that this may not change the conclusions in relation to the spatial strategy, but considers that this further justifies the focus on Aylesbury in the submitted VALP's strategy.
15. As stated in the Interim Findings, a modification to the VALP is required to redress the perceived imbalance between proposed development in the north and south of the district by increasing allocations in close proximity to Milton Keynes.
16. The Council has considered Paragraphs 36 and 37 of the Interim Findings which state that increased commuting from Buckingham and Winslow would be contrary to national policy. The Council has concluded that appropriate sites cannot be found in Buckingham or Winslow, and is therefore concentrating its efforts on those sites

shown on page 255 of the HELAA dealing with the South and West of Milton Keynes/Bletchley.

17. The HELAA information for the sites in question has been updated and is forming the basis of a site assessment process. That process involves the review of a wide range of information including traffic impacts, flood risk and infrastructure requirements. Consultants have been commissioned to carry out parts of the assessment work and the sustainability appraisal is being updated concurrently. The Council will produce proposed modifications to address the need for new sites and supporting evidence for discussion with the Inspector prior to public consultation on the modifications.
18. In the Interim Findings it is stated that the new housing figure should be 31,500. However, the Council's evidence indicates that the new housing figure should be 28,600 with a level of supply of 30,100. As already stated in ED113A 'Housing land supply soundness document (June 2018), the position at March 2018 was that there were 29,589 expected completions during the plan period based on the expected housing trajectory. This means that only 500 homes need to be allocated to provide sufficient supply with an appropriate buffer of 30,100 dwellings to meet the new housing requirement of 28,600 dwellings. As this would not significantly alter the distribution of the housing development defined in the submission VALP, the Council seeks clarification as to whether the allocation of 500 homes in the Milton Keynes area will be sufficient to address the specific recommendation in Paragraph 37 of the Interim Findings. If it is considered to be insufficient, the Council would request that the level of suitable development is specifically defined.

Proposed Action 5: Villages

19. The Council agrees that a modification is required to the text of paragraphs 4.122, 4.145 and 4.154. It will propose a modification in favour of the text in policies D2 and D3 to remove the apparent restriction on future development. The Council will also propose modifications to policy D2 as described in the Interim Findings. In relation to Paragraph 54 of the 2018 NPPF, which deals with rural exception housing, it is considered that including a cross reference to policy H2 'Rural Exception sites' in the supporting text for policies D2 and D3 will address the requirement in the Interim Findings. The Council will ensure that the text of policy H2 is consistent with policies D2 and D3.
20. In response to Paragraph 39 of the Interim Findings, the Council is undertaking a review of development proposals relating to villages on unallocated sites. As stated the council has broadly considered capacity based the position in the settlement hierarchy. It has also reviewed individual sites to determine their deliverability and the content of neighbourhood plans before deciding whether a settlement should have sites allocated for development. The Council will now review whether any of the rejected development proposals have offered infrastructure or facilities improvements that would improve the sustainability of a village. The Council will also review the scoring of settlements in the Settlement Hierarchy to determine whether any of the settlements could be elevated to a higher category if missing facilities could be provided in association with development. This review will also need to take account

of the fact that villages near to strategic settlements will have their sustainability improved by development associated with those settlements.

21. The Council considers that these reviews will meet the requirements set out in Paragraph 41 of the Interim Findings and allow the Settlement Hierarchy to be refined. However, as local plans are required to be based on proportionate evidence, it is not considered that it would be practical for the Council to speculate on the future provision of services or the capacity of facilities in a village to accept further development. This is because there is no exact scientific basis for determining capacity for development, particularly in relation to specific facilities. Moreover, the work required is described as being at the margins of the approach and the Council considers that further detailed work cannot be undertaken without entering into unjustified speculation. Furthermore, undertaking such a micro-planning exercise for each settlement would undermine the role set out for neighbourhood plans in national planning guidance which makes clear that once strategic policies have been defined, “neighbourhood plans will be able to shape and direct development in their area”.
22. For the reasons set out above, the level of new housing required to meet the district’s revised housing needs is lower than that that in the Interim Findings. In relation to allocations in close proximity to Milton Keynes, the Council would welcome clarification of how the last sentence of Paragraph 41 of the Interim Findings should be addressed. Given that the required increase in housing numbers only equates to 500 homes and this can be met through allocations in close proximity to Milton Keynes, it seems clear that there is no need to allocate additional land for housing in the villages particularly as this was identified as an improvement, rather than a soundness, point in respect of VALP.
23. In relation to neighbourhood plans, the finding that the VALP’s relationship to them is essentially sound is welcome. The Interim Findings nevertheless indicate that the VALP should be more encouraging towards neighbourhood plans identifying development opportunities that would increase sustainability or provide affordable housing. This is in accord with paragraph 16 of the 2018 NPPF which states that neighbourhood plans should “plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the local plan” and paragraph 185 of the NPPF which encourages neighbourhood plans “to shape and direct sustainable development in their areas” once strategic policies have been defined. The Council will therefore propose a modification to VALP policy S8 ‘neighbourhood plans’ to ensure that the policy more closely reflects the content of the NPPF.

Proposed Action 6: Infrastructure

24. The Council will propose modifications which will insert the key infrastructure requirements upon which the delivery of the VALP depends, particularly in relation to transport infrastructure. Where specific alignments are shown for transport proposals, the Council will ensure that the proposed alignment and reasonable alternatives to it are subject to sustainability appraisal. However, where road alignments are already

approved as part of a planning permission, as is the case for D-AGT6: Kingsbrook, alignments will not need to be subject to sustainability appraisal.

Proposed Action 7. Clarity and predictability

25. The Council is preparing modifications to address the requirements of Paragraph 53 of the Interim Findings. In relation to the requirements of Paragraph 56, the Council has reviewed the proposed development of Supplementary Planning Documents ("SPDs") alongside the VALP and considers that the number of SPDs can be reduced to eight. These will be as follows:

- a. SPD1 – Aylesbury Garden Town (incorporating AGT Masterplan & AGT Strategic Delivery Infrastructure)
- b. SPD 2 - Aylesbury South (D-AGT 1) – develop masterplan to ensure comprehensive development of the strategic allocation.
- c. SPD 3 – RAF Halton (D-HAL003) - to ensure a comprehensive development of this important heritage site that is likely to extend beyond the plan period
- d. SPD 4 - Affordable Housing – detailed guidance and operation of Policy H1.
- e. SPD 5 – District Design Guidance - detailed guidance and operation of Policy BE2 and other relevant policies.
- f. SPD 6 – Biodiversity & Geodiversity - detailed guidance and operation of Policy NE1/2 – Bucks wide approach, SPD prepared by NEP
- g. SPD 7 - Sport, Leisure & Community Facilities - detailed guidance and operation of Policy I2
- h. SPD8 – For new site(s) in close proximity to Milton Keynes.

26. Relevant policies will also be modified to clarify their relationship to associated SPDs. The content of the proposed SPDs which are no longer required, vehicle parking standards for example, are being incorporated into the VALP through modifications which are currently being prepared

Proposed Action 8: A mix of housing

27. The finding that the dwelling mix element of policy H6 is sound is welcome. As recognised by the Council during the hearings, the elements of policy H6 relating to older persons housing and accessible housing will need to be revised. The Council is preparing modifications to address the issues identified in the oral hearing into this policy. This will involve the creation of new policies to deal with each element. In relation to the provision of student housing, it is only Buckingham University that needs to be considered. However, as the University provides accommodation for all its students there is no need to make specific provision for student housing in Aylesbury Vale.

Proposed Action 9: Employment policies

28. This matter will be addressed through the Council's response to the Inspector's Discussion Document D3 Gatehouse Industrial Estate which will allow the Inspector to confirm or revise his conclusions on this matter.

Proposed Action 10: Site allocations

29. The Council is preparing modifications to address the requirements set out in Paragraphs 68 to 71 of the Interim Findings.

Proposed Action 11: Leighton Linlade

30. The Inspector has helpfully confirmed that he has identified no reason to consider the Council's proposals in relation to this site to be anything other than sound. The Council has noted the Inspector's concerns relating to Paragraphs 82, 83 and 84 of the 2012 NPPF.
31. As set out above, the Council's position is that the housing requirement for Aylesbury Vale should reduce to 28,600 homes, which gives rise to a supply figure with an appropriate buffer of 30,100 dwellings and which will only require the identification of a site for 500 homes. The Council expects that sites more closely related to Milton Keynes will be able to meet this extra requirement. On that basis, the Council maintains that it is unnecessary to consider this site, which lies 3.5 miles away from Milton Keynes.
32. Further, the site is noted to be unsuitable for development in the HELAA due to significant potential landscape impacts. This evaluation was supported by two appeal decisions which affirmed the HELAA's evaluation. A further recent appeal decision has again supported the Council's rejection of proposed housing development on the basis of the landscape impacts of developing the site. On this basis, the Council considers the site is correctly categorised as not deliverable as defined by Paragraph 47 and Footnote 11 of the NPPF. It follows that the site cannot be considered as a potential allocation in the VALP, and asks that the Inspector endorses the site as Green Belt.