

Inspectors Q23

May I have the Council's observations on the representation from Jonathan Lieberman of Boyer Planning on behalf of Wates on the detailed requirements of allocation BUC 046 and the deliverability of BUC 051 on pages 121 and 120 respectively of the submitted plan.

BUC046

The following is a detailed summary of the representations of Boyer/Wates concerning site BUC046.

Wates fully endorses the allocation and the number of dwellings proposed, we would make the following comments with regards to the detailed Policy requirements. Wates have made comments regarding their technical work since the site was promoted to be considered for allocation. Wates also confirm they have further land available beyond the extent of the site allocated in the VALP. Wates have the following specific changes they would like to see to the site criteria of BUC046 new text in bold, deleted text struck through)

Criterion A – No change

Criterion B - Request deletion of Criterion B

Criterion C – Wates supports the requirement

Criterion D - Recommend Policy is re-worded as follows:

“The development must provide a satisfactory vehicular access to be agreed with Buckinghamshire County Council. The primary vehicle accesses should **be off Gawcott Road and Osier Way.** ~~be off Gawcott Road.~~ A transport assessment will be required to demonstrate access and impact are acceptable and achievable by all modes of transport”.

Criterion E - An ecological management plan (EMP) shall be submitted to the Council for approval. Wooded areas on the site ~~have a high ecology impact and these would need~~ **should** be retained along with the provision of ~~20m~~ a **4m** buffer either side of the of the stream and pond.

Criterion F - At the planning application stage, a site-specific flood risk assessment and surface water drainage strategy will be required. Any development must have consideration for its impact on Buckingham and River Ouzel IDB drainage district and be aware of it byelaws. ~~Detailed modelling will be required to confirm the 1 in 20, 1 in 100 and 1,000 year extents and in 1 in 100 year plus climate change on the ordinary watercourse through the centre of the site.~~ Other sources of flooding, particularly surface water flow routes; should be considered as part of a site specific flood risk assessment. Development proposals must meet the 'Guide for site design and making development safe' in the SFRA Level 2.

Criterion G – No comment

Criterion H - Request deletion of Criterion H

Introduction by AVDC to sites BUC046 and BUC051

In terms of site promotion for the VALP, Mr Lieberman of Boyer Planning representing Wates are promoting development on site BUC046. Mr Freer of David Lock Associates for Hallam Land Management and New College Oxford is promoting development on site BUC051.

To demonstrate the deliverability of the allocated sites the council is cooperating with site promoters to produce Site Delivery Statements (SDSs). Both of the sites to which these representations relate have SDSs in draft with comments and contributions to the drafting by the site promoters referred to above. Both SDSs are at an advanced stage with an AVDC draft sent on 22 December 2017 and tracked changes versions with comments produced on 18 January 2018 and 2 February 2018. On both statements the queries and tracked changes are considered to have been responded to by AVDC. However, AVDC has some further updates and an AVDC redraft was sent in March 2018. Mr Lieberman has submitted a response to this on 8 May 2018 and this is being considered by AVDC. Mr Freer is considering a response to the March updated SDS including infrastructure requirements.

The SDSs set out delivery timings of the site and infrastructure requirements. On the timings of delivery there is agreement but there is still discussion on the infrastructure requirements of the site i.e. how the submitted VALP Infrastructure Delivery Plan would apply for specific site requirements on both sites. However it is considered that there is broad agreement between the council and the site promoters regarding the principle of development.

AVDC Response on Boyer/Wates representations to BUC046

AVDC notes the information on site deliverability in paragraph 3.39 of Boyer for Wates representations on the plan:

“In respect to these considerations, the land is under control by Wates and is available now. The site is in a suitable location for development, being on the edge of a strategic settlement in the District and offers a logical location for an urban extension. In addition, development on this site within a five year period is achievable and, subject to reasonable financial contributions being sought, will be economically viable. If the site is allocated within the Local Plan, building work could commence within 2 years of the Plan’s adoption”.

To clarify, the latest SDS sets out full delivery of the 420 homes on the site by the year 2025/26, with development taking 5 years (commencing in 2012/22). AVDC’s view is this is realistic for Buckingham.

In terms of Boyer/Wates comments on the VALP Proposed Submission Plan site allocation criteria for BUC046, AVDC have the following response:

Criterion B on Design Code – AVDC maintains that the BUC046 site is a key gateway site on the south and western approaches to the town, open to several public vantage points and the size of the site and scale of development also makes this development site very significant. A design code as indicated in paragraph 59 of the NPPF is therefore considered to be an appropriate requirement for the site. Site BUC051 is similar and also justifiably has the requirement for a Design Code within the relevant policy. This is not an abnormal requirement and has been applied to appropriate sites in the past. For example the site in Buckingham ‘Land To South Of The A421 And East Of A413 London Road Buckingham’ (sometimes known as Lace Hill or Windsor Park) of 656 homes now fully completed benefitted from an agreed Design Code that was a site requirement as part of granting planning permission. Also the requirement is essentially the same as what is in place for all the Buckingham made neighbourhood plan site allocations, where they all have the requirement in the neighbourhood plan p.62 for a ‘Design Brief’. This Brief must demonstrate how it accords with the Neighbourhood Plan and be discussed with Buckingham Town Council and, as appropriate, with other stakeholders as part of the design process, within a reasonable period of time prior to being submitted as part of any planning application

Criterion D on Highway Access - AVDC would accept the change proposed. The plan was written with the feedback Buckinghamshire County Council Highways provided to the HELAA studies and responded then that the primary highway access should be from Gawcott Road. Since then the SFRA Level 2 study shows areas of flood risk in the middle of the site meaning that a second access off the site (not to Gawcott Road) would be needed unless the flood risk can be removed in mitigation/works to divert the watercourse. In any case the highway accesses for the site would need to be agreed with BCC and AVDC and Boyer/Wates already agree on that.

Criterion E on Ecological Management Plan –

AVDC has reconsidered the site specific requirements regarding the biodiversity constraints on around the site. The ordinary watercourse across the middle of the site requires the 10 metre buffer and long term landscape and ecological management plan as per Policy NE3. The 20m requirement in the existing policy is an error as the woodland areas on and around the site on re-assessment are not of significant ecological value. That said in terms of retaining the woodlands themselves, under criterion(c) the Council may seek their retention as part of a landscaping scheme as the woodland features are a part of the existing landscape.

AVDC recommends that Policy D-BUC-046 criterion (e) be deleted

Criterion F on site specific flood risk assessment – The requirements for this criterion have come from the SFRA Level 2 (page 28) ‘Recommendations for requirements of site-specific Flood Risk Assessment, including guidance for

developers' agreed with Buckinghamshire County Council, the Environment Agency and other stakeholders. Boyer/Wates would need to convince AVDC and relevant stakeholders who were on the SFRA Steering Group why the recommendation for detailed modelling should not be applied, particularly as the approach utilised in the local plan is that set in paragraph 100 of the NPPF for the assessment of flood risk in relation to new development..

Criterion H on water cycle infrastructure – The criterion has come from the Water Cycle Study Phase 1 report and its conclusions regarding water cycle infrastructure serving the site. Page 51 of the report sets out that there is a need for water resources and supply upgrades to serve the site and this would take 12 months to put in. On Wastewater Treatment Works Capacity for Buckingham as a whole, the following assessment was received from Anglian Water (page 90 of the Water Cycle Study)

“In relation to Buckingham Water Recycling Centre (Treatment Works) it is important to note that we are currently progressing a scheme to accommodate growth as part of current Asset Management Plan period (2015 to 2020). Please note that this scheme has a design horizon of 2021. Anglian Water have confirmed that Buckingham WwTW remains as a “red” assessment for both periods years 1-5 and 6-15.” JBA in producing the Water Cycle Study have used a ‘RAG Assessment’ tool scoring Buckingham as a ‘Red’ which means *“ Infrastructure and/or treatment upgrades will be required to serve proposed growth. Major constraints have been identified.”* (page 89 of the Water Cycle Study). In addition at paragraph 10.3.3.2 of the Water Cycle Study (p.135) the following is stated regarding Wastewater Treatment Works Flow Consent Assessments *“Anglian Water has identified that there are significant constraints to the provision of additional treatment capacity at Buckingham and Stanbridgeford.”* At para 10.3.2.4 the following is stated *“Anglian Water have assessed a surface water sewerage systems (where these exist) as red. This is in line with national, local and water company policy to drain new developments to sewerage systems only where it can be proven that discharge to groundwater or a watercourse is not feasible.”* On the basis of the above, AVDC in drafting the VALP criteria for this site have advised that infrastructure upgrades may be needed to serve the housing growth and as BUC046 is part of that growth then it is reasonable for the development to contribute in proportion to any upgrades required. In the first instance, contact is needed with Anglian Water to understand the baseline infrastructure capacity at the time a planning application is being drawn up (expected 2018/19) and where the Anglian scheme in its current Asset Management Plan has got to.

AVDC considers the Inspector may wish to hear the views of Anglian Water who provided the assessment to AVDC's consultant JBA as part of preparing the Water Cycle Study. Nevertheless it is considered that the criteria is valid as it is supported by evidence as set out above.

BUC051

The following is a detailed summary of the representations of Boyer/Wates concerning site BUC051.

Wates has concerns regarding its suitability and availability, specifically:

- Access is difficult to achieve – both vehicular and pedestrian;
- Traffic from the site will be directed to the already congested areas of town, where no clear mitigation can be achieved;
- Site is within multiple ownership and not controlled by a developer / promoter;
- Significant landscape impacts.
- It comprises 20ha but much of the land is within Flood Zones 2 and 3.

The uncertainty with regards to this site gives added weight to our request for a firm commitment to an early review of the Local Plan or to include a larger allocation on land under Wates control to provide greater in-built flexibility to the Local Plan's housing supply.

AVDC Response on Boyer/Wates representations to BUC051:

Access is difficult to achieve –

Buckinghamshire County Council as highway authority are satisfied an access can be achieved otherwise the site would have been objected to at the Neighbourhood Plan examination stage (it is allocated as a reserve site), the site would also have been found unsuitable in the HELAA studies and BCC would have suggested amendments to the VALP if necessary during engagement when the site criteria were being drafted. At no point in that process was it considered that access would be difficult to achieve. Nevertheless criterion (d) sets out that a Transport Assessment would be needed to demonstrate that access and impact are acceptable and that access will be achievable by all modes of transport prior to planning permission being granted to ensure that a suitable access is achievable.

Traffic from the site will be directed to the already congested areas of town –

The VALP Transport evidence including modelling has considered the site as part of the growth and whilst transport infrastructure improvements are needed and included in the Infrastructure Delivery Plan (See the IDP Appendix A: Infrastructure Delivery Schedule, September 2017, sections 1.1-1.3 pages 2-13), this does not mean the required growth cannot be accommodated in the local traffic network. Criterion (d) sets out that a Transport Assessment would be needed prior to planning permission being granted to demonstrate that and impacts on the network are acceptable.

Site is within multiple **ownership** and not controlled by a developer / promoter –

The Site Delivery Statement for BUC051 sets out the ownership and control situation, AVDC is satisfied the site is achievable and can be delivered. As set out at 12.36 of the made Buckingham Neighbourhood Plan “The landowner has indicated that the site is deliverable if or when required under the plan”. Given the landowner has made this commitment it is unlikely that this allocated site will not be developed.

Significant **landscape** impacts –

The site is already allocated as a reserve site for 300 homes in the made Buckingham Neighbourhood Plan. This means that an independent examiner of that plan has considered landscape and other impacts of the site and was satisfied that the site can be developed without significant impact on the landscape. The council has also considered landscape impacts in both the HELAA and concluded that the site is part suitable, and the Sustainability Appraisal on landscape scored the site an ‘Amber’. The Strategic Landscape and Visual Capacity Study (August 2017) identified a number of landscape and visual impacts at a strategic scale but did not identify a potential developable area which is substantively the same as that shown on the VALP Policies Map. The council agrees there would be some landscape impact from development of the site but considers that LVIA studies can be done for a planning application to inform detailed design, site capacity and mitigation (see Criterion (c) to BUC051. The site is nevertheless as reserve site in the Buckingham Neighbourhood Plan.

Much of the land is within **Flood Zones 2 and 3** –

As set out at 12.35 in the made Buckingham Neighbourhood Plan “Site M has provision within the entire area of providing the number of dwellings required (300) within the parts of the site which are within Flood Zone 1. The HELAA assessed the site as part suitable identifying flooding as a constraint to the wider site promoted to the Council as ‘West Buckingham’ and criterion (e) of the VALP Proposed Submission site allocation criteria for BUC051 makes it clear no development will take place in Flood Zones 2 and 3. SFRA Level 2 pages 29-34 have assessed the site and identified there is a proportion of the site that is not in Flood Zones 2 or 3 or have other flooding constraints. The site also has the potential to incorporate an alleviation scheme to reduce town wide fluvial flooding (See criterion (h) in the VALP criteria). The site was also assessed in the Flood Risk Sequential Test and on page 34 it is concluded that it passes the test. Site criterion (i) then sets out the site specific flood risk requirements from the recommendations in the SFRA Level 2.