

## **Inspector's question 27 & 55**

**Question 27:** *"I would appreciate the Council's observations on the representations by Mr Adrian Harford of AOTRA (a) concerning the extent of the defined Aylesbury PSA (representation 392) and (b) concerning the factual matter of the extent of committed site AYL058 (representation 442)"*

**Question 55:** *"My Q27 asked for the Council's observations on the representation from Mr Adrian Harford of AOTRA concerning the extent of the defined Aylesbury PSA. I would welcome the Council's observations on the related points made by Keith Robinson of the Aylesbury Society (2527) and on the soundness of policies D1 and D6."*

## **AVDC's Response to Inspector's question 27 & 55**

Mr. Adrian Harford on behalf of Aylesbury Old Town Residents Association (AOTRA) has made representations relating to the extent of the AYL058 commitment as presented on the 'Central Aylesbury' policy map. The Council can confirm that the extent does not accurately reflect the actual extent and will amend this by way of a minor amendment to the Central Aylesbury policies map.

Mr. Keith Robinson of AOTRA has submitted separate representations, of which some relate to the soundness of policies D1 Delivering Aylesbury Garden Town and D6 Town, village and local centres to support new and existing communities.

Mr. Robinson comments on the principles the Aylesbury Garden Town should adhere to. He argues that in contrast to what is stated in paragraph b. infrastructure will not be provided at the right time as per the Infrastructure Delivery Plan (IDP). Specifically, he points out that the IDP marks most of the proposed Aylesbury link roads as 'critical' for completion by 2023 and several of these are funded via 'developer contribution'. The Western Link is described as critical but 'funding could be an issue'. The North East Link is described as 'necessary' rather than 'critical', with no explanation for this.

These criticisms of Mr Robinson are not accepted. The proposed Southeast Link Road has achieved full funding and will be able to mitigate the negative effects the HS2 funded Stoke Mandeville Bypass will have on the transport network. The Western Link Road and the North-eastern Link Road have not yet seen full funding, however, they have been identified as schemes that may benefit from funding from the Housing Infrastructure Fund. The other proposed link roads have either seen full funding or are already under construction. The council is therefore confident that the link roads will be delivered to the expected timescales. The North East Link is described as 'necessary' rather than 'critical' for the reason that it is not directly connected to any development allocated in this plan and funding cannot be justified. It is identified that the road is still necessary for the long term well-being of the transport system of Aylesbury, but it is not critical in enabling the delivery of necessary development in VALP. Its position will be reviewed in the proposed early review of the local plan.

Mr. Robinson also comments on paragraph h. of the same policy, arguing that a 'sub-policy' is required to prevent residential encroachment by fencing hedging or construction onto local green infrastructure.

The Council acknowledges this point, but it is considered that the risk of green infrastructure being encroached upon by residential fencing, hedging or construction is low, as this would constitute a change of use of land. This change of use of land would require formal planning permission, which will not be granted by the Local Planning Authority in accordance with the site specific policy. Enforcement powers can be used to deal with any encroachment that does occur in such situations.

Mr. Robinson comments on policy D6 Town, village and local centres to support new and existing communities, stating that a clause setting limits to non-retail uses in the town centre retail areas is required.

The Council acknowledges this point. It is assumed that the 'town centre retail areas' referred to are the Primary and Secondary Shopping Frontages as set out in policy E6 Shop and business frontages. It is the Council's ambition to ensure that the Aylesbury town centre stays vital and healthy with a range of varied retail options. Policy E6 already sets out limitations to uses within the primary and secondary shopping frontages. At ground floor level within primary shopping frontages only use classes A1 (shops and retail outlets), A2 (professional services) and A3 (food and drinks) would be permitted. Within secondary shopping frontages the development, improvement or expansion of retail and appropriate non-retail uses, and/or change of use of retail premises to appropriate non-retail uses will be permitted provided the proposal is considered to contribute positively to the vitality and viability of the area, would not result in more than three non-A1 uses in a row and would not result in the loss of an A1 use on a visually prominent site. For both primary and secondary shopping frontages, residential development will be encouraged above floor level.

The VALP does have restrictions on non-retail uses in the town centre of Aylesbury. These restrictions take into account a number of factors to ensure the vitality and well-being of the town centre. However, to conform to national planning policy on town centres plans must take a balanced approach and make provision for non-retail uses in town centres such as leisure, commercial, office, tourism, cultural, community and residential uses. As such, the Council deems it not necessary to amend policy D6 to add greater protection for retail uses as a sufficiently balanced approach is being taken.