

Inspectors Question 58:

I would welcome the Council's response to representations 767, 768, 769, 770, 771, 772, 773 from Tim Coleby of Peter Brett Associates concerning the detailed provisions of allocation D-AGT3, representation 796 from Mr Alvin Mark Lindley of Clearwater Properties, representation 1738 from Christopher Roberts and 1765 from Taylor Cherett, both of Turley on behalf of persimmon Homes Ltd and CALA homes Ltd.

Representation:

(Tim Coleby - Peter Brett)

767

In addition to the uses listed it should include "around 3,500 sqm leisure facilities (A1/A3/A4)" as this is part of the agreed Woodlands development.

The reference to hotel and conference centre should refer to "around 6,000 sqm" not '5,000'.

The references against 'Open Space' (12th bullet point) are inappropriately detailed, especially when the form of development within the Manor Farm, Westonmead Farm and College Farm areas is not yet known. This bullet point should simply read "Supporting open space including play areas, informal open spaces, allotments/ community orchards and woodland."

Response:

The reference to hotel and conference centre should refer to "around 6,000 sqm" not "5,000". This is noted as a typographical error and will require a minor modification.

The reference relating to Open Space has been worded consistently with the outline application masterplan submission which will provide the relevant detail.

768

The way this section is structured needs reconsideration as, with four 'sub' developments it is not clear which of them should address the site specific requirements listed. By way of example, it is not clear to which of the development areas sub-sections 'o', 'p' and 'q' relate.

The final sentence in the introductory paragraph also needs rewording, for the same reason.

Response:

The concern effecting the first paragraph is unclear. Each criterion identified in the policy will relate to either all parcels where it is generic or the particular section of land the provision relates to. This is the rationale behind a masterplan approach in bringing the site forward.

Similarly, the concerns regarding the final paragraph a illustrate are resolved when one considers that the entire site allocation needs to deliver the separate elements within the criterion.

769

In point a), whilst BA understands the sense of maintaining the individual identity of the villages referred to, this does not apply to the 'existing urban edge' and this reference should be omitted as in fact a 'new urban edge' will be created as a result of the allocated development.

Response:

AVDC disagree with this point, there is an existing urban edge that the site allocation needs to consider. Its new urban edge will need to consider the individual identity of the existing villages - perhaps the inclusion of the wording '**new urban edge**' rather than the omission of the existing urban edge could be considered if the Inspector considers such an amendment to be necessary.

770

In points b) and c), it appears that the Woodlands development may be expected to provide infrastructure and facilities without which housing development on the other three development areas (and potentially other developments in the locality) would not be sustainable. Account needs to be taken of the financial burden on the Woodlands development and the effect that has on development viability. A mechanism should be identified to cross-fund such supporting infrastructure/facilities.

Response:

Indeed, the ELR is cross funded and a school is required to accommodate the pupil yield generated by Woodlands.

771

In point g, it is unclear what is meant by the 'Garden Community' and this should be clarified.

In point h, the meaning of "town-wide" flood defences is unclear. The Woodlands development does not increase flood risk to third parties, and provides as much betterment as is possible but is limited by the local hydraulics and land ownership. We suggest the reference to "town-wide" is removed therefore.

Response:

To include '**town**' before community.

Noted – will remove reference to 'town-wide'.

772

In point 'k' the words "should be preserved as green space" would more appropriately be phrased "should be laid out for uses compatible with these Flood Zones". Otherwise the wording is too restrictive and not compatible with the wording of point 'm'.

In point t), this should read "provision for ..." (rather than 'of').

Response:

The suggested amendments have been acknowledged and agreed and appropriate action will follow. Both points noted.

773

Under 'Implementation Approach', "towards the latter end of the Plan period" does not apply to Aylesbury Woodlands, where BA hopes to start in 2019 with commencement of construction of the first Phase (in summary, the ELRS and business area) and follow on soon after with residential phases. This section therefore needs restructuring.

Response:

With regard to the current planning application and current s106 negotiations it could be prudent to bring the site forward but this needs to be considered in relation to the phasing of the supporting infrastructure and until those discussions are finalised it is not considered that any restructuring can be justified.. We are also still awaiting our latest 5 years housing land supply position statement so may need to consider this further in the light of its content. With these matters in mind AVDC reserve the right to maintain its position with regard to Aylesbury Woodlands phasing until such time that further intelligence can bring the site forward sooner..

Representation:

(Mr Alvin Mark Lindley of Clearwater Properties)

796

1. These representations are prepared by Alvin Lindley representing the interest I have in land at Weston Mead Farm and this site is identified within the Vale of Aylesbury Local Plan at Policy D-AGT3 as being 11.5ha in size and allocated for 60 dwellings, reduced from the previous VALP indicating 120 dwellings and commercial uses upon the Southern part of the site. I understand the reduction was in the main due to concerns of the land being within the floodplain. All of which are now addressed below and in the attached private and public documentation referred to.

2. I write to confirm that Weston Mead Farm Limited has very recently submitted an outline planning application on the southern parcel of land at Weston Mead Farm (south of the Bear Brook) for up to 177 dwellings. The application is currently awaiting validation by the Council.

3. Notwithstanding the Council's proposed approach to land at Weston Mead Farm, we consider that the entire site is developable and accordingly can accommodate up to 280 dwellings (see illustrative masterplan at Appendix 1).

4. In respect of the deliverability of the northern parcel of land at Weston Mead Farm (north of the Bear Brook), the following matters are considered pertinent:

a) The Council's Landscape and Visual Capacity Study identifies that the entire site is developable, other than a very small strip adjacent to the Bear Brook, which is not proposed for development in any event (see Appendix 2). Furthermore, page 60 of the Study states the following in respect of the site:

The site consists of two fields separated by a river with derelict agricultural units and buildings to the east of the river. To the east of the site lies The Old Dairy, the access road to this property runs along part of the eastern boundary with mature formal tree planting. To the north, west and east the site is surrounded by the rural landscape. Views into the site are limited to upper storey views from The Old Dairy and 16 filtered oblique upper storey views from properties to the south. Though the site is elevated its enclosed nature limits its visual relationship with the wider landscape character."

It then concludes that there is:

"Potential to develop 100% of the site as an extension to the settlement edge of Aylesbury."

b) The Aylesbury Level 2 Strategic Flood Risk Assessment for site WTV017 (land at Weston Mead Farm) confirms that it is not located within Flood Zone 3, with only a small part adjacent to the Bear Brook within Flood Zone 2 and where no development is proposed (see Appendix 3).

c) A meeting was held with the Environment Agency on 1st December regarding land at Weston Mead Farm, during which in principle agreement was given to the construction of a new bridge over the Bear Brook (minutes of the meeting can be found at Appendix 4).

d) The northern part of the site will now be surrounded by the recently approved Aylesbury Woodlands scheme (ref. 16/01040/AOP) (see Aylesbury Woodlands masterplan at Appendix 5).

5. Given the above, there is no compelling reason to limit the developable extent of land at Weston Mead Farm to the southern half of the site and restrict its overall capacity to 60 dwellings. Instead, it is considered that the site can accommodate up to 280 dwellings in total, without significant environmental harm.

6. It is therefore considered that Policy D-AGT3 should be amended to remove the restriction on housing development in the northern part of the site and subsequently increase the assumed capacity to 280 dwellings.

7. Without the suggested changes, it is considered that Policy D-AGT3 would be unsound as it would not be justified in failing to be the most appropriate strategy and it would not be consistent with national policy.

AVDC Response:

The Council's Landscape and Visual Capacity Study looked at the Weston Mead Farm site in isolation and not in the context of strategic Green Infrastructure and Garden Town principles. This was not the LVCS's remit.

The proposed expansion of the application site in question would sever a GI and wildlife corridor. The strategic GI context of this area of Aylesbury would be undermined in terms of how it is being delivered through the Garden Town. The applicant would need to demonstrate how they would achieve the Garden Town requirement of 50% GI and it is clear not this can be demonstrated from the representor's proposals.

Representation:

(Christopher Roberts and Taylor Cherett of Turley on behalf of Persimmon Homes Ltd and CALA Homes Ltd) and (Taylor Cherett of Turley on behalf of Persimmon Homes Ltd and CALA Homes Ltd)

1738, 1765

Aylesbury North of A41 (D-AGT3) This proposed allocation concerns land at the eastern side of Aylesbury and seeks to deliver 1,660 dwellings, 60 extra care units, a 4,000 sq m local centre, a conference centre / hotel. A two form entry primary school, a sports village, as well as strategic flood defences and a strategic link road and also envisaged.

At paragraph 4.60, the Proposed Submission Local Plan indicates that “development of this site will commence within the first five years of the Plan period and be complete by the end of the Plan period”. Yet, the Plan period started in 2013, and outline planning application Ref. 16/01040/AOP, which seeks to deliver 1,100 dwellings, has yet to be approved. The policy itself however states that “Development of the Aylesbury north of the A41 strategic site allocation will come forward towards the latter end of the Plan period, in accordance with the Masterplan and Delivery SPD for the allocation that has been prepared and adopted by the Council.”

The policy and the supporting text appear to be contradictory, and it is therefore unclear over what period the Council expects the site to come forward. This raises further questions in terms of phasing. For example, assuming that outline planning application Ref. 16/01040/AOP is approved, the wording of the proposed policy suggest that the Council would be reluctant to facilitate the approval of subsequent reserved matters / discharge of conditions before the Masterplan SPD is in place.

As with many of the proposed strategic allocations, the land north of the A41 is associated with a requirement for substantial infrastructure provision. The site is partially constrained by flood risk and there is an identified requirement for investment in strategic flood defences. With respect to transport, there is a requirement for the introduction of a new strategic link road. The requirement to provide such infrastructure likely means that the proposed allocation will deliver slowly and at the latter end of the Plan period. The risk of the allocation failing to deliver as intended, and within the timescales envisaged, is therefore high.

Response:

A Site Delivery Statement has been produced that includes confirmation of build out rates from site promoters for all 4 parcels of land the largest of which is WTV018. All the WTV018 development area is under option or owned by Buckinghamshire Advantage. Peter Brett Associates are the agents for the outline application for this site. The site is available immediately and has no known, insurmountable, constraints to delay housing being delivered on the site. Delivery of housing will follow construction of the Easton Link Road South (ELR(S)) through the site and commencement of the Enterprise Zone and will be linked to a Joint Infrastructure Delivery Plan with the nearby Hampden Fields site, including delivery of the Southern Link Road (SLR). The latest delivery information from the Buckinghamshire Advantage in July 2017 was used to inform the assumptions made on build out rates used for VALP, this information set out that housing completions are projected from 2022/23 after the opening of the Eastern Link Road (ELR) in 2021 with a 12 year build out timeframe and a annual delivery rate of 100 dwellings per annum after a two

year lead in time with lower delivery. 100 of the units are timetabled to complete in 2033/34 so are outside of the plan period and not therefore included in the allocated figure of 1,660. The Local Centre, including the Primary School, would be delivered alongside the housing during the Plan period. The ELR(N) is required to be completed no later than 5 years after commencement of development of the Aylesbury East site and with development having commenced in March 2016, this would indicate the latest completion of the ELR(N) as March 2021. Therefore, to ensure a complete Eastern Link Road (ELR) delivery of the ELR(S) is likely to be in place by January 2021, establishing a north-south connection across the site with additional accesses at the Grand Union Canal Bridge (enabling linkage northwards to the ELR(N)) and southwards to the Aston Clinton Road (A41). Therefore, an amendment to the implementation approach wording can be made to reflect this. This should include the following wording under 'Site –specific Requirements' point b – 'Provision of a distributor road between the ELR (N) and the A41 Aston Clinton Road and any relevant highway improvements to be delivered within 5 years of development commencement'.

In relation to flood mitigation stalling the sites delivery, this will be addressed in the phasing plan to ensure that relevant mitigation is costed and implemented at the appropriate and critical stages.