

Inspectors Q75

I would welcome the Council's observations on representations 659 from Mr Raymond Kilsby of the W R Davidge Planning Practice on behalf of Mr Paul Dobson, 1138 David Vowles, 1141 Mr Gareth Sibley of RCA Regeneration Ltd on behalf of Malvern Homes Ltd, 1339 Rebecca Howard of Ingleton Wood LLP on behalf of Ikram Haq of High Barrow Holdings, 1838 Tim Northey of Rectory Homes Ltd, 2728 Mr David Howells of Shanly Homes Limited and 226 Terry Benwell concerning policy D3.

659 from Mr Raymond Kilsby of the W R Davidge Planning Practice on behalf of Mr Paul Dobson

These representations relate to the provisions of this Plan as they concern the village of Adstock.

Although we concur with the classification of it as a "Smaller village", and that it cannot rate highly in any sustainability assessment, at the same time the village is closely and conveniently related both to immediate centres (i.e. Buckingham and Winslow), as well as to Milton Keynes, Leighton Buzzard and Aylesbury.

In addition the Local Plan seeks to accommodate some 35% of its housing growth in the rural areas, against the background of an acknowledged national shortage of housing land supply.

Consequently we consider the terms of Policy D3 to be unduly prescriptive, potentially negative in impact, and not fully recognising the scope for appropriate additional limited development (our underlining for emphasis) which unquestionably exists in a village such as this.

AVDC Response:

AVDC is satisfied with assessment of the robustness of the Settlement Hierarchy Assessment 2017 (CD/MIS/003) and how it has considered the sustainability credentials of Adstock. Given the acceptance of the village as a smaller settlement in the representation it is not understood how a higher level of development than that envisaged in the plan can be justified unless there is a widespread loosening of the settlement hierarchy. It is considered that such a loosening would not accord with NPPF paragraph 55.

The VALP effectively plans in Policy S2 to meet the housing growth requirements contributing to the needs of the Housing Market Area identified in the HEDNA and paragraphs 3.14-3.17 set out the reasoning for the preferred spatial strategy for growth which directs development to the most sustainable locations and concentrates particularly on the most sustainable location of Aylesbury. This avoids distribution of development across the district in locations where essential services would be difficult to deliver and travelling by private car would be the only realistic means to access most services.

Para 4.164 of VALP sets out why the smaller villages are restricted to small scale developments though the Council does not restrict neighbourhood plans for smaller villages going further than 5 homes and many villages are accepting development through the production of neighbourhood plans.

1138 David Vowles

Policy should be clarified to take into account the Rural Exceptions Policy (H2)

AVDC Response:

Policy H2 is an exception to the general policy position regarding housing development at smaller villages set out in Policy D3 which has its own policy criteria. One of the differences between the two policies in their criteria is that Policy H2 allows for Rural Exception Sites to be sites adjoining the existing developed footprint of the village which is not the case in D3. Exception sites can also come forward within D3 settlements.

It is not considered necessary to refer to Policy H2 in Policy D3 because H2 is specifically about small scale affordable housing generally delivering 100% affordable housing and on sites supported by the local parish council. Policy D3 is about housing development generally in smaller villages. The plan should also be read as a whole to avoid extensive cross referencing and repetition.

1141 Mr Gareth Sibley of RCA Regeneration Ltd on behalf of Malvern Homes Ltd

The existing wording of Part (a) of D3 would be too limiting and restrict all development in smaller settlements. It is unlikely that there will be many sites that are within the developed footprint that have not already been developed and by shoehorning in development this would likely result in the loss of open space within the centre of the villages.

With villages like Shabbington which are sustainably located near to several other villages and does not have a 'made' neighbourhood plan, the current policy would severely restrict development in Shabbington and the surrounding settlements which would not support the vitality of those rural communities.

The wording of the policy would be to preclude development in villages where there is no neighbourhood plan as there are limited opportunities within the developed footprint. There needs to be a policy hook to allocate sites or approve development outside of the developed footprint where no neighbourhood plan is 'made' for smaller settlements.

Part (c) has been reworded as by limiting development to only 5 dwellings this would preclude larger sites which are better placed to provide much needed affordable housing in the smaller settlements. By limiting development to 5

dwelling this may result in multiple sites coming forward for development in a village where a single larger site may be more appropriate.

It is therefore considered that the policy is inconsistent with national policy.

AVDC Response:

It is unclear where the assumption has come from to assert that there would not be sites within the built form of the smaller villages. The Housing and Economic Landscape Availability Assessment (2017)(CD/HOU/007) has looked at the capacity of smaller villages (identified on pages 8 and 9) and shows there have been sites put forward for consideration either as planning applications or as 'Call for Sites' for the VALP. The smaller villages certainly do have constraints like other settlements though and the HELAA has considered a number of promoted sites at smaller villages to be unsuitable for housing or economic development.

The HELAA study does illustrate how it can be difficult to accommodate sites of 5 homes or more in constrained smaller villages – sites were instead put forward beyond the village footprints, adjoining or within. In general terms sites beyond the village footprint were deemed harmful to the established settlement character. The settlement hierarchy also establishes that smaller villages have a low level of facilities available and are therefore not suited to significant development which can be accommodated in more sustainable settlements in accordance with NPPF paragraph 55.

It is considered 5 homes is a reasonable sized development proposal on a single site in the defined smaller villages based on AVDC's experience of planning applications. It is also considered that in many smaller settlements the alternative threshold often used of 10 dwellings would actually represent a significant development in the smaller villages. The other criteria in the policy can help to ensure development can harmonise with the village.

Reasonable alternatives to the VALP have been considered in the Sustainability Appraisal and alternative sites to those allocated were considered in the preparation of the HELAA and also the Sustainability Appraisal.

The district still sees new neighbourhood plans coming forward allocating sites for development even in the smaller villages in accordance with NPPF paragraphs 183 to 185. Exception sites can also come forward which can deliver some market housing in accordance with NPPF paragraph 54. Supply will also arise through windfall development in accord with paragraph 48 of the NPPF.

1339 Rebecca Howard of Ingleton Wood LLP on behalf of Ikram Haq of High Barrow Holdings

Policy D3 places a general restriction on developments in excess of five units within smaller village settlements. This blanket restriction therefore fails to

consider all realistic and reasonable alternatives for development within such locations. The VALP, through this policy takes the view that smaller villages have relatively poor access to services and facilities and are therefore only suited to accommodating small-scale development. This is not considered to be predicated upon fact, and fails to consider the implications of larger sites that that could produce and improve on the sustainability of an area, through provision of additional infrastructure, retail and community facilities. Point f) of Policy D3 notes that new housing development at smaller villages will be supported where it can be served by existing infrastructure. It is not appropriate to limit sites based on potential to be capacitated within existing infrastructure; this strategy prevents sites which may seek to contribute to, and provide new networks within existing settlements from coming forward. Again, all reasonable alternatives are therefore not being considered, and fails to positively plan for sustainable growth in settlements that could accommodate it.

AVDC Response:

The content of policy D3 is certainly predicated on fact – a robust evidence base - as set out in the settlement hierarchy. The hierarchy is based on a detailed assessment of the relative suitability of the rural settlements to accommodate growth in accordance with NPPF paragraph 55.

The Housing and Economic Landscape Availability Assessment (2017)(CD/HOU/007) has looked at the capacity of smaller villages (identified on pages 8 and 9) and shows there have been sites put forward for consideration either as planning applications or as 'Call for Sites' for the VALP. The smaller villages certainly do have constraints like other settlements though and the HELAA has considered a number of promoted sites at smaller villages to be unsuitable for housing or economic development.

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The district still sees new neighbourhood plans coming forward allocating sites for development even in the smaller villages in accord with NPPF paragraphs 183 to 185 and exception sites can also come forward which can deliver some market housing in accord with NPPF paragraph 54. Supply will also arise through windfall development in accord with paragraph 48 of the NPPF.

Reasonable alternatives to the VALP have been considered in the Sustainability Appraisal and alternative sites to those allocated were considered in the preparation of the HELAA and also the Sustainability Appraisal.

1838 Tim Northey of Rectory Homes Ltd

Policy D3 seeks to constrain development at smaller villages to five dwellings and on sites within the development footprint of the village. This scale of development will not benefit the village in terms of delivering important social benefits such as affordable housing, nor supporting the viability of local services and facilities. There is no reason to suggest affordable housing is not required at small villages. Growth in the district needs to be distributed more evenly.

Smaller villages with at least some community facilities can sustainably accommodate a number of small development sites and in most cases the impact of such development on the environment and the community will be minimal and there will be resulting positive benefits. A greater emphasis on smaller sites accords with the Government's commitment to make it easier for small and medium sized house builders to compete.

AVDC Response:

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The settlement hierarchy in the district in the VALP is covered under Policy S3 and the preferred strategy is justified at paras 3.19-3.24. The Housing Topic Paper at paras 6.9-6.18 also explains why the VALP is the Council's preferred distribution of housing growth.

2728 Mr David Howells of Shanly Homes Limited

Shanly Homes objects to the wording of policy D3 on the grounds that it is restrictive in its consideration of future development of the smaller villages. By limiting future development to small scale development of not more than 5 dwellings, it is not allowing for efficient use of land that is available and complies with all of the other criteria of the policy.

Moreover, the policy also puts unnecessary pressure on Neighbourhood Plans to be produced, and unless an area has sufficient resources to do this, then one may not ever be produced.

AVDC Response:

It is considered 5 homes is a reasonable sized development proposal on a single site at the defined smaller villages based on AVDC's experience of planning applications. The other criteria in the policy can help to ensure development can harmonise with the village. It is also considered that in many smaller settlements the alternative threshold often used of 10 dwellings would actually represent a significant development in the smaller villages.

The district still sees new neighbourhood plans coming forward allocating sites for development even in the smaller villages in accord with NPPF paragraphs 183 to 185 and exception sites can also come forward which can deliver some market housing in accord with NPPF paragraph 54. Supply will also arise through windfall development in accord with paragraph 48 of the NPPF.

Para 4.164 of VALP sets out why the smaller villages are restricted to small scale developments.

226 Terry Benwell concerning policy D3

The proposal under this policy is too prescriptive and would not necessarily accord with Made Neighbourhood Plans for Other Settlements. The Policy in the Vale of Aylesbury Local Plan states 'for infilling of small gaps in developed frontages with one or two homes in keeping with the scale and spacing of nearby homes'. This policy therefore if adopted could be in conflict and contradict the policies in Neighbourhood Plans for Other Settlements.

AVDC Response:

Policy D3 applies to smaller villages only, which have more population, services, facilities, public transport and other features assessed in the Settlement Hierarchy Assessment 2017 (CD/MIS/003) compared to 'other settlements' which are smaller and less sustainable. Therefore it is considered that infill at a smaller villages can accommodate more development than infilling at an 'other settlement'. However it is considered that a revision to policy D4 as suggested below would clarify the position in relation to neighbourhood plans for 'other settlements'

Where neighbourhood plans come forward, once they are made (or have passed referendum) then they have full weight in planning decisions.

Recommended change to plan suggestion to Examiner (new text in bold):

Policy D4 – Housing development at smaller villages

In other settlements, **where there is no made neighbourhood plan in place**, permission for the construction of new homes will only be granted:
(Continue with existing policy criteria)