

Inspector's Q76

I would welcome the Council's observations on representations 1440 David Vowles, 1523 Chris Green of Kirkby Diamond on behalf of the Trustees of F.J Wallis and 226 Terry Benwell concerning policy D4.

1440 David Vowles

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

AVDC Response:

Policy H2 is an exception to the general policy position regarding housing development at smaller settlements set out in Policy D4 which has its own policy criteria. The policy is in accordance with paragraph 54 of the NPPF. One of the differences between the two policies is Policy H2 allows for Rural Exception Sites to be sites adjoining the existing developed footprint of the village. Exception sites could also come forward within the villages.

It is not considered necessary to refer to Policy H2 in Policy D4 because H2 is specifically about small scale housing generally delivering affordable housing and on sites supported by the local parish council at any non-strategic rural settlement. Policy D4 is about housing development generally in 'other settlements' which cannot be defined as villages. The plan should also be read as a whole to avoid excessive cross referencing or repetition of policy criteria.

Neighbourhood plans need to be in general conformity with the strategic policies of the local plan. This does not preclude neighbourhood plans allocating sites for development to meet evidenced local need where it can be shown to be sustainable. Nevertheless the VALP and any neighbourhood plan need to be in conformity with paragraph 55 of the NPPF.

1523 Chris Green of Kirkby Diamond on behalf of the Trustees of F.J Wallis

Policy D4 'Housing at Other Settlements' states that:

" ... In other settlements, permission for the construction of new homes will only be granted: in the exceptional circumstances of providing affordable housing to meet local housing needs ...; or infilling of small gaps in developed frontage with one or two homes ... "

Thus the combined effect of Policy S2 'Spatial Strategy for Growth' and Policy D4 'Housing at Other Settlements' is to treat Stoke Hammond (and other such settlements) as 'open countryside'. It places an unnecessarily restrictive approach on new development: not only must there be exceptional circumstances where allocated sites are not coming forward at a sufficient rate; but even in such circumstances, proposals may only be for either affordable

housing, or small infilling. This would preclude any more significant development in the identified settlements. Of particular significance, the application of the restrictions in Policy D4 'Housing at Other Settlements' when other sites are not being delivered, would fail to contemplate and make provision for circumstances where market housing can be appropriately brought forward in settlements when allocated sites are failing to come forward.

We have previously raised concerns in relation to the over reliance upon larger settlements and this remains. Given this, together with the explicit acceptance and an imminent review of the plan will need to be undertaken, it is critical that a more flexible approach should be adopted when considering additional development in settlements over and above the identified allocations, and the approach set out in Policy S2 'Spatial Strategy for Growth' and Policy D4 'Housing at Other Settlements' should be reviewed. We would make the following specific comments:

- Confirmation that additional sites will be considered when allocated land is failing to come forward should be included within Policy S2 'Spatial Strategy for Growth' itself, rather than in supporting text;
- Clarity should be provided about the precise circumstances in which new sites may come forward; and

In such circumstances, the plan should allow for market housing rather than simply applying the restrictive approach in Policy D4 'Housing at Other Settlements', which is primarily aimed at open countryside locations.

AVDC Response:

It is unclear why the representor considers development proposals would be considered around Stoke Hammond under Policy D4 of the VALP when that policy covers 'Other Settlements'. Stoke Hammond is a 'Medium Village' on Table 2/ page 40 of the VALP. So proposals on non-allocated sites at a medium village would be considered against Policy D2.

Nevertheless, AVDC does not consider Policy D4 is overly restrictive. The 'other settlements' are the smallest settlements in the Vale having been assessed for their sustainability credentials in the Settlement Hierarchy Assessment (September 2017) and have been found to be insufficient to qualify as even a smaller village. Paragraph 4.167 of the VALP explains why new housing development needs to be very strictly controlled. This is in accord with paragraph 55 of the NPPF.

The VALP already identified 496 homes being delivered since 2013 at smaller villages and other settlements. There are no specific allocations made in the VALP as the growth needs are being met by the existing commitments generally across the Vale and allocations at more sustainable locations set out in Table 1 of the VALP (page 36).

AVDC is confident all the housing allocations will deliver and has Site Delivery Statements progressing with all the site allocations and in some cases these have been signed and agreed with the site promoter/landowner. Should sites come forward later than expected, the VALP with its allocations and commitments is already providing for a 5.2% buffer above what the total housing requirement is. The VALP acknowledges the need for a review of the plan for the reasons in para 3.75-3.77 and one of those reasons is in the instance of a slow delivery of site allocations.

The representation also ignores the provisions of policy S9 whereby other suitable sites can be “considered favourably” if sufficient capacity is not being realised. The representation also ignores the delivery study produced in support of the VALP which shows that expected delivery rates can be achieved and that the council has 9 years of housing land supply as of August 2017

https://www.aylesburyvalecd.gov.uk/sites/default/files/page_downloads/5YR-HLS-postion-statement-August-2017.pdf

VALP paragraphs 3.14-3.20 explain the spatial distribution and settlement hierarchy, as does the Housing Topic Paper paras 6.9-6.14.

226 Terry Benwell concerning policy D4

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:

AVDC is proposing a change to Policy D4 to avoid a clash between a made neighbourhood plan at an 'other settlement' and the Policy. The change would make it clear that Policy D4 would only apply where there is no made neighbourhood plan.

The 'other settlements' are the smallest settlements in the Vale having been assessed for their sustainability credentials in the Settlement Hierarchy Assessment (September 2017). Paragraph 4.167 of the VALP explains why new housing development needs to be very strictly controlled.

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)