

# **WENDOVER NEIGHBOURHOOD PLAN**

## **POLICY REVIEW**

**MARCH 2017**

**Revised December 2018 to reflect the  
revised NPPF July 2018**

## 1.0 Introduction

Further to recent discussions with Wendover Neighbourhood Plan Steering group this report has been amended to include references to the revised NPPF dated July 2018.

The details of the policies in this report remain the same as they are a record of the currently saved policies of the Aylesbury Vale District Local Plan (AVDLP) 2001 to 2011 adopted in January 2004.

They will eventually be superseded by the policies of the VALP.

A separate note of the policies of the emerging Vale of Aylesbury Local Plan (VALP) was provided on 5<sup>th</sup> December 2017 and we await the Inspector's final report on the Examination of the VALP and any further modifications.

This document has been prepared by Jennifer Lampert from Jennifer Lampert Associates Ltd in consultation with Wendover Parish Council and the Wendover Neighbourhood Plan Steering Group. The purpose of this document is to review the extant policies relevant to the Wendover Neighbourhood Development Plan and to consider their context.

This review will therefore inform the content of the Neighbourhood Development Plan (NDP) and assist in setting any proposals within the proper context and support the policy framework identified for any proposals.

The following details are provided within the main body of this report:

2.0 What can and cannot be considered within a Neighbourhood Plan and what must be considered.

3.0 Policy Review: All policies relevant to the Plan and a note of the emerging policies and documents that will influence the eventual plan.

## Legislative Matters:

### The 'Basic Conditions' and 'Excluded Development'

Neighbourhood Development Plans must meet the following basic conditions which are set out under Schedule 10 Section 8(2) of the Town and Country Planning Act 1990 as amended and these state that:

1. They must be appropriate having regard to national policy
2. They must be in general conformity with the strategic policies in the development plan for the local area

3. They must be compatible with EU obligations
4. They must be compatible with human rights requirements
5. They must contribute towards achieving sustainable development

The details provided in section 3 of this report consider the relevant planning policies that effect the Wendover Parish Council area and which will be material considerations to the policies and proposals put forward in their Neighbourhood Development Plan.

The Basic Conditions as set out above relate to the principle of ‘general conformity with the strategic policies of the area.’ The term ‘general conformity’ is not defined in law but has been discussed in judgements particularly in regard to the relationship between Core Strategies and Local Plans. The adjective “general” would seem to introduce a degree of flexibility which will depend on the planning judgements being made and the particular circumstances of the case. For the purposes of policy making in the context of the Wendover Neighbourhood Plan the interpretation of ‘general conformity’ is that Neighbourhood Plans can deviate from the strategic policies of the local plan, provided that they do not conflict with or impact adversely on their deliverability and thus still remain in general conformity.

In this instance the test is to be applied to the new and different tier of policy formulation between the Neighbourhood Development Plan and the Strategic policy of a Local Plan.

The intention of the degree of flexibility is seen in the wording of paragraph 29 of the revised National Planning Policy Framework (NPPF) which states “neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood Plans can shape, direct and help to deliver sustainable development by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies of the area or undermine those strategic policies.” The advice contained in the NPPF is discussed in more detail in the next section.

The process of preparing a Neighbourhood Development Plan is discretionary that is undertaken by the community and the policies of that Plan require some degree of flexibility to ensure that the proposals will make a positive difference for the Community, whilst still remaining within the generality of the overall strategies of the Local Planning Authority. Those policies are identified within the Neighbourhood Development Plan itself and will be examined as part of the separate Basic Conditions Statement.

## 2.0 Relevant planning policy

The Development Plan for Aylesbury Vale that is relevant to the Wendover Parish Council area consists of the “Saved Policies” of Aylesbury Vale District Local Plan (AVDLP) 2001 -2011 adopted January 2004. That plan had an end date of 2011 and has therefore expired.

The policies that were “saved” by direction of the Secretary of State for Communities and Local Government in 2007 are still operative and are detailed in the subsequent texts set out below.

That Development Plan also refers to the Buckinghamshire Minerals and Waste Local Plan 2004-2016 (adopted 2006) and the Buckinghamshire Mineral and Waste Core Strategy DPD (adopted 2012). This report deals with the documents produced by Aylesbury Vale District Council and not specifically to the two Buckinghamshire County Council documents but if any issues of minerals or waste arise then these documents will be reviewed and assessed if later required.

In addition AVDC have provided a number of non statutory supplementary planning guidance documents to support planning policies. One Supplementary Planning Document that might be of relevance to the circumstances of Wendover NDP is the Affordable Housing SDP dated December 2007.

There are also several supplementary planning guidance publications including guidance on car parking standards, sport and leisure facilities and design guides.

The Wendover Neighbourhood Development Plan needs to respect and generally conform with the Adopted Development Plan as well as having regard to the policies in the National Planning Policy Framework (NPPF).

AVDC started work on a revised Development Plan in 2010 called the Vale of Aylesbury Plan but when it reached its examination by a Planning Inspector in December 2013 the Inspector recommended its withdrawal concluding that it failed to meet the duty to cooperate and the growth figures were unsound. The Vale of Aylesbury Plan was withdrawn on 5<sup>th</sup> February 2014.

The Aylesbury Vale District Council do not have an up-to-date Development Plan.

There is now a further emerging Development Plan document for Aylesbury Vale Council called “Vale of Aylesbury Local Plan” (VALP) which was presented in draft form in the Summer 2016 for consultation and comments invited. The replies received have been published but the Council have not completed their analysis of the comments and there has been a further delay due to the need of the Council to further consider the details of the recently published Housing White paper.

At the time of writing this report AVDC have indicated that they intend to hold a VALP Scrutiny Committee followed by a Cabinet meeting in July 2017 at which in the intention is to provide details of the revisions proposed to the VALP. This timetable will be kept under review.

The VALP when finally published for further consultation will include details of the overall strategy for the district, alongside site allocations (where needed) and development management policies. This plan is designed to deal with the period through to 2033.

This emerging new Local Plan is likely to be adopted during the lifetime of the Wendover Neighbourhood Development Plan and ongoing liaison should take place with AVDC.

A commentary on the details of the emerging plan (VALP draft summer 2016) was provided to Wendover Parish Council in August 2016 as a separate document so that they could respond to Aylesbury Vale's invitation to forward comments on that emerging plan within a consultation timetable that expired on 5<sup>th</sup> September 2016.

Those comments are kept as a separate record of evidence gathering in support of the research undertaken for the Wendover NDP.

### **National Planning Policy Framework (NPPF) revised July 2018.**

The NPPF was first published March 2012 and this section has been updated to refer to the latest version as of July 2018.

The basic conditions, as set out in the amended Town and Country Planning Act 1990, mean that the guidance set out in the NPPF provides one of the foremost material considerations against which the neighbourhood plan will be examined. This means that:

*A draft neighbourhood development plan meets the basic conditions if —*

*(a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development*

*plan,*

*(d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,*

The focus of the revised NPPF has re-emphasised the main purposes of planning and amongst other specific advice includes guidance on

Achieving sustainable development: section 2

Advice on plan making: section 3

Delivering a sufficient supply of homes: section 5

Making effective use of land: section 11

Protecting Green Belt land: section 13

Extracts of the above are described below as they provide guidance for the approach to the development of neighbourhood plans.

## **Achieving sustainable development: section 2**

The objective of sustainable development can be summarised as “meeting the needs of the present without compromising the ability of future generations to meet their own needs.”

Paragraph 8 identifies three overarching objectives which are to be pursued in mutually supportive ways.

- a) An economic objective
- b) A social objective
- c) An environmental objective

These objectives should be delivered through the preparation and implementation of plans and application of the policies of the NPPF. The advice found in paragraph 9 states that: “Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.”

Paragraph 11 identifies the presumption in favour of sustainable development and what it means:

for plan making- “plans should positively seek opportunities to meet the development needs of their area and be sufficiently flexible to adapt to rapid change”.

For decision taking- “approving development proposals that accord with an up to date development plan without delay”

Where there are no relevant development plan policies or the policies are out of date granting permission unless

- i) the application of the policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed or
- ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12 identifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making and in paragraph 13 the advice is given that “neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial strategies and should shape and direct development that is outside of these strategic policies.”

## **Plan Making: Section 3**

Paragraph 16 provides advice that plans should:

- a) be prepared with the objective of contributing to the achievement of sustainable development.

- b) be prepared positively, in a way that is aspirational but deliverable
- c) be shaped by early proportionate and effective engagement
- d) contain policies that are clearly written and unambiguous
- e) be accessible through the use of digital tools
- f) serve a clear purpose

Paragraph 21 advises that “Strategic policies should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non strategic policies”.

Paragraph 29 advises that “Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.”

Paragraph 30 advises: “Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non strategic policies in a local plan covering the neighbourhood area, where they are in conflict, unless they are superseded by strategic or non strategic policies that are adopted subsequently.”

Paragraph 34 advises that plans should set out the contributions expected from development and it can include details of the levels and types of affordable housing provision required, infrastructure including that needed for education, health, transport and other infrastructure aspects that affect communities.

### **Delivering a sufficient supply of homes: section 5**

In paragraph 69 we are advised that “Neighbourhood planning groups should also consider the opportunities for allocating small and medium size sites (of a size consistent with paragraph 68a) suitable for housing in their area.” Paragraph 68 a) directs consideration to provide at least 10% of housing requirement of the Local Authority to sites no larger than one hectare.

In paragraph 71 the Local Planning Authorities are encouraged to support the use of entry level exception sites suitable for first time buyers or those looking to rent their first home unless that need is already being met within their area.

The provision would be on land which is not already allocated for housing and is adjacent to existing settlements, proportionate in size to them (no larger than 1 hectare in size or exceed 5% of the size of the existing settlement), not compromise the protection given to areas or assets of particular importance in this Framework, and comply with any local design policies and standards.

The paragraph has an advice note that the areas of particular importance to the Framework where entry level sites should not be permitted relate to National Parks, Areas of Outstanding Natural Beauty or land designated as Green Belt.

Paragraph 77 advises that “In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.

Paragraph 77 refers to Rural housing and advises that “In rural areas planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local Planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help facilitate this.”

Under paragraph 78 it states “To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local circumstances.”

### **Making effective use of land: section 11**

Paragraph 119 reinforces previous advice that: “ Local planning authorities and other plan making bodies should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership..”

Paragraph 120 advises that “Planning policies and decisions need to reflect changes in the demand for land”.

Paragraph 121 “Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in the plans, where this would help to meet identified development needs. In particular, they should support proposals to:

- a) use retail and employment land for home sin areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres and would be compatible with other policies in this framework and
- b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.”

### **Protecting Green Belt Land: section 13**

Paragraphs 133 and 134 repeat the importance of having a Green Belt and describes the five purposes of such a designation. This is the same wording as paragraphs 79 and 80 of the NPPF of 2012.

The advice is aimed at retaining the existing green belts and in paragraph 136 “ Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating



of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non strategic policies including neighbourhood plans.”

There is a requirement “to prove exceptional circumstances to justify changes to Green Belt boundaries”

Under paragraph 138 “When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account.” The advice goes on to state: “ Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously developed and or is well served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.”

Paragraph 139 provides advice for defining Green Belt boundaries which is very similar in phrasing to the previous paragraph 85 of the 2012 NPPF.

Paragraph 145 provides advice for the exceptions when construction of new buildings in the Green Belt might be acceptable, and includes:

limited infilling in villages (e)

limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites) (f)

limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use which would

- not have a greater impact on the openness of the Green Belt than the existing development
- not cause substantial harm to the openness of the Green Belt, where development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”

This echoes the advice that was provided by paragraph 89 of the 2012 NPPF.

Paragraph 146 sets out details of certain forms of development which would not be regarded as inappropriate development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

These include reuse of buildings, material changes of use of land such as for outdoor sport or recreation or cemeteries or development brought forward under a Community Right to build order or Neighbourhood Development Order.

The revised NPPF July 2018 also contains detailed advice on other important aspects of planning including the economy, transport, infrastructure and flooding and conservation of both the natural and the built environment and will be considered in the details of the neighbourhood plan.

## **Planning Policy Considerations**

With regards to planning policy considerations, the following ‘basic condition’, as set out in the amended TCPA 1990, sets out the importance of considering the strategic objectives of the adopted development plan when formulating Neighbourhood Plan policies:

*(e) the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)*

Otherwise, recommended best practice, as advised by DCLG, is that Neighbourhood Plans are also ‘appropriately in line’ with emerging strategic policies that are likely to be adopted during the lifespan of the Neighbourhood Plan. This will ensure that communities do not undertake abortive work, due to the presumption towards the more recently adopted policy, where conflict arises, as set out in Section 38(5) of the Planning and Compulsory Purchase Act 2004.

## **The Adopted Development Plan:**

**Saved Policies of Aylesbury Vale District Local Plan (AVDLP) 2001-2011 adopted January 2004.**

The Council have produced a list of the saved policies and I refer to some of those policies which may be of relevance when considering the background for the Wendover Neighbourhood Plan.

### **Policy GP2 Affordable Housing:**

This states that the Council will negotiate for the provision of affordable dwellings of a minimum of 20% and up to 30% of the total number of dwellings on developments of 25 or more dwellings on sites of 1 hectare or more regardless of the number of dwellings.

### **Policy GP3 Low Cost Market housing:**

The Council will negotiate for the provision of low cost market units of a minimum of 10% of the total number of dwellings on developments of 25 or more dwellings or on sites of 1 hectare or more regardless of the number of dwellings.

### **Policy GP4 Affordable housing on small sites for local needs:**

The Council will grant permission for affordable housing on small sites adjacent to the built up areas of settlements to meet local needs that would not otherwise be met under the policies of the plan.

Note that policies for affordable housing are the subject of change in response to recent Government advice and emerging revised supplementary Planning guidance.

**Policy GP8 Protection of amenity of residents:**

This policy advises that planning permission will not be granted where the proposed development would unreasonably harm any aspect of the amenity of nearby residents when considered against the benefits arising from the proposal.

**Policy GP9 Extensions to dwellings:**

This policy advises that proposals for extensions to dwellings will be permitted where they:

- a) protect the character of outlook, access to natural light and privacy for people who live nearby
- b) respect the appearance of the dwelling and its setting and other buildings in the locality
- c) accord with published SPG on residential extensions and the other policies of the development plan

**Policy GP17 Retention in use of existing employment sites**

This policy supports the retention and continued use of existing employment sites.

Changes would only be permitted where the existing use has an adverse impact on amenity of neighbours and its replacement would be an improvement, or where there are appropriate alternative employment opportunities available on other sites or as part of a proposed development, or as part of a larger mixed use scheme.

**Policy GP24 Car Parking guidelines**

New development will be required to provide vehicular parking in accordance with the Council's operative guidelines published as Supplementary Planning Guidance.

These guidelines are intended to promote more sustainable transport options and will establish maximum levels of parking appropriate to the scale, type and location of development.

**Policy GP32 Retention of shops, public houses and post offices**

This policy supports the retention and continued use of buildings currently used as shops, public houses and post offices where possible.

"In considering applications for alternative development or uses the Council will have regard to the viability of the existing use, the presence of alternative local facilities and the community benefits of the proposed use."....

**Policy GP35 Design of new development proposals:**

This policy advises that new development should respect and complement:

- a) the physical characteristics of the site and surroundings
- b) the building tradition, ordering, form and materials of the locality
- c) the historic scale and context of the setting
- d) the natural qualities and features of the area and
- e) the effect on important public views and skylines

**Policy GP38 Landscaping of new development proposals:**

This advises that applications for new development should include landscaping proposals both for hard and soft landscaping to help buildings fit in with and complement their surroundings and conserve existing natural and other features of value as far as possible.

Hard landscaping should incorporate materials appropriate to the character of the locality. New planting should be with predominantly native species.

**Policy GP39 Existing trees and hedgerows:**

In considering development proposals affecting trees or hedges the Council will:

- a) require a survey of the site and the trees and hedges concerned;
- b) serve tree preservation orders to protect trees with public amenity value
- c) impose conditions on planning permissions to ensure the retention or replacement of trees and hedgerows of amenity, landscape or wildlife importance, and their protection during construction.

**Policy GP40 retention of existing trees and hedgerows**

This policy seeks to prevent the loss of existing trees (particularly native black poplars) and hedgerows of amenity, landscape or wildlife value.

**Policy GP53 new development in and adjacent to Conservation Areas**

In Conservation Areas the Council will seek to preserve or enhance the special characteristics that led to the designation of the area.

Proposals for development will not be permitted if they cause harm to the character or appearance of the Conservation Areas, their settings and any associated views of or from the Conservation Area.

Proposals for development or redevelopment must respect the historic layout, scale, form of buildings, street patterns, open spaces and natural features in the Conservation Area that contribute to its character and appearance.

Proposals for alterations, extensions and changes of use must respect and complement the character, materials and design and details of the structure and site concerned and its neighbours.

#### **GP59 Preservation of archaeological remains**

In dealing with development proposals affecting a site of archaeological importance the Council will protect, enhance and preserve the historic interest and its setting... and

Where permission is granted for development involving sites containing archaeological remains the Council will impose conditions or seek planning obligations to secure the excavation and recording of the remains and publication of the results.

#### **Policy GP69 Hotel and Motel Development**

Within the built up areas of settlements the Council will permit proposals for the construction of new hotels and motels and the conversion of buildings to such uses, subject to the other policies of the Plan.

#### **Policy GP70 Change of use of rural buildings and historic buildings to hotel use**

Proposals for the change of use of rural buildings to hotels or motels will only be permitted where they are consistent with the principle of protecting the character and appearance of the countryside and the need to reduce car-borne travel.

#### **Policy GP77 Horse related development**

This policy advise on the approach to be taken when considering proposals for equestrian activities and buildings such as stables and other out buildings and the requirement for the Council to assess the suitability of the location, the environmental effects and the impact on the agricultural and rural character of the land. Proposals would be assessed under six specific criteria.

#### **Policy GP78 Stables, looseboxes and other buildings for horses**

This policy provides advice for the design and siting of equestrian buildings and their relationship with the locality and uses.

#### **Policy GP80 The Wendover Arm of the Grand Union Canal**

Development that would prejudice the future restoration of the Wendover Arm of the Grand Union Canal to a navigable waterway will not be permitted.

### **Policy GP81 Development of canal-related facilities**

Proposals for the development of canal-related facilities should respect the character and appearance of the canal, its setting and the surroundings.

In dealing with applications for such development the Council will seek to avoid adverse impacts on:

- a) landscape, ecological interests and the countryside
- b) townscape and the historic environment
- c) residential amenities

### **Policy GP84 Public Rights of Way**

In considering applications for development affecting a public right of way the Council will have regard to the convenience, amenity and public enjoyment of the route and the desirability of its retention or improvement for users including people with disabilities.

### **Policy GP86 Provision of outdoor playing space**

This policy is designed to require new housing proposals to include sufficient outdoor play space to meet the needs associated with the development, based on a standard of 2.43 hectares of outdoor play space per 1000 population.

### **Policy GP87 Application of open space policies**

This policy requires the provision of equipped play areas and sports fields in new housing schemes.

### **Policy GP88 Payment in lieu of providing sports and play areas**

This policy is aimed at encouraging the use of section 106 planning agreements to secure monetary payment for such provision if it is not considered practicable on site or if it is better made elsewhere.

### **Policy GP90 Provision of indoor sports facilities**

In considering applications for residential development the Council will have regard to the need for the provision of indoor sports facilities arising from the proposal.

### **Policy GP91 Provision of amenity areas**

The design of new housing and other building proposals should include suitable informal amenity open space appropriate to the character of occupation of the development.

#### **Policy GP92 Safeguarding of allotment land**

The Council will protect working allotment gardens from adverse development and only in exceptional circumstances would a change of use from allotment purposes be granted in cases where:

- a) there is no demonstrable allotment demand; and
- b) where suitable alternative provision can be made; and
- c) where the allotment facility would be enhanced through the development.

#### **Policy GP93 Safeguarding of community buildings and facilities**

The Council will resist proposals for the change of use of community buildings and facilities for which there is a demonstrable local need.

#### **Policy GP94 Provision of community facilities and services**

In considering applications for residential development the Council will have regard to the need for the provision of community facilities arising from the proposal.

#### **Policy GP95 Unneighbourly Uses**

In dealing with all planning proposals the Council will have regard to the protection of the amenities of existing occupiers. Development that exacerbates any adverse effects of existing uses will not be permitted.

#### **Policy RA2 Loss of open gaps and consolidation of settlements**

Other than for specific proposals and land allocations in the Local Plan, new development in the countryside should avoid reducing open land that contributes to the form and character of rural settlements.

In considering applications for building in rural areas the Council will have regard to maintaining the individual identity of villages and avoiding extensions to built-up areas that might lead to coalescence between settlements.

#### **Policy RA4 Considerations for countryside recreation**

This policy provides guidance when considering proposals for the recreation use of land outside the built-up areas of settlements including considering the siting and design of any building and the accessibility of the site including public transport links and walking or cycling networks.

### **Policy RA6 Development in Metropolitan Green Belt**

Within the Metropolitan Green Belt there is a presumption against new building development except for the purposes of agriculture or forestry, essential facilities for outdoor sport and recreation, cemeteries and other uses of land which preserve the openness of the Green Belt.

The re-use of buildings of permanent and substantial construction may be permitted where there is no greater impact on the openness of the Green Belt and the form, bulk and design of any conversion is in keeping with the surroundings and does not involve major or complete reconstruction.

### **Policy RA8 Development in the Areas of Attractive Landscape and Local Landscape Areas**

Development proposals in these areas should respect their landscape character. Development that adversely affects this character will not be permitted, unless appropriate mitigation measures can be secured.

### **Policy RA11 Conversion of buildings in the countryside**

Outside the built-up area of settlements the Council endorses the conservation and re-use of buildings that are of permanent and substantial construction and generally in keeping with the rural surroundings, for non-residential purposes that fortify the rural economy.

The scale of such schemes should not conflict with the strategy of concentrating development in the main settlements.

Conversion works should not involve major reconstruction or significant extensions and should respect the character of the building and its setting.

Proposals should not give rise to other planning objections.

Permission for residential re-use is unlikely but may be granted exceptionally as part of an acceptable business conversion scheme or where genuine attempts to secure business re-use have been unsuccessful.

### **Policy RA13 Development within settlements listed in Appendix 4.**

(Wendover is one of the settlements that is listed in Appendix 4)

Within the built-up areas of settlements listed in Appendix 4 of the Plan residential development will be restricted to small scale areas of land. Subject to other policies of the Plan, permission will only be granted for residential or mixed use development comprising:

- a) infilling of small gaps in developed frontages with one or two dwellings in keeping with the scale and spacing of nearby dwellings and the character of the surroundings.



- b) Up to five dwellings on a site not exceeding 0.2 ha that consolidates existing settlement patterns without harming important settlement characteristics, and does not comprise the partial development of a larger site.

Such development should use land efficiently and safeguard existing employment uses and significant open spaces and buildings. In Buckingham, Wendover, Haddenham and Winslow larger schemes may be permitted.

#### **Policy RA14 Development at the edge of Appendix 4 settlements**

On the edge of the built-up areas of settlements listed in Appendix 4 of the Plan permission may be granted for residential or mixed use development of up to 5 dwellings on a site not exceeding 0.2 ha where:

- a) the site is substantially enclosed by existing development
- b) the proposal would satisfy complete the settlement pattern without intruding into the countryside and
- c) the proposal does not comprise the partial development of a larger site.

Proposals should use land efficiently and create a well-defined boundary between the settlement and the countryside. Permission will not be granted for development that impairs the character or identity of the settlement or the adjoining rural area.

#### **Policy RA17 Replacement dwellings in the Metropolitan Green Belt and special landscape areas**

The replacement of existing dwellings in the Green Belt by new dwellings that are not significantly larger in the area or volume, and which do not have a greater effect on the openness of the Green Belt, may be permitted subject to other relevant policies of the Plan.

#### **Policy RA29 Proposals for new employment uses in the countryside**

Except where otherwise allowed for in the Local Plan outside the built up areas of settlements and identified employment areas, the Council will resist proposals for new employment buildings and for the expansion of established employment sites into the countryside.

#### **Other guidance:**

In addition to the saved policies identified above the Council produced a number of non statutory supplementary planning guidance documents to support planning policies. These include:

### **Affordable Housing SPD December 2007:**

This SPD has been prepared to provide guidance to housing developers and interested parties about the interpretation and application of the Council's Affordable Housing policies. The main points contained in the SPD are:

It defined affordable housing as social rented and intermediate housing provided to specific eligible households whose need are not met by the market.

Intermediate housing includes intermediate rented, discounted sale, shared equity and shared ownership.

Affordable housing is needed to meet both general needs as well as those for people with special needs and those that require supported housing.

Affordable housing is to be provided on sites with more than 15 properties or in excess of 0.5 ha in area.

A minimum of 40% affordable housing is to be negotiated on sites above this threshold.

The baseline mix is for 75% of the total affordable housing to be affordable rented accommodation and 25% to be intermediate housing.

It is accepted that there may be exceptional circumstances where an element of affordable housing on site would not be the best solution.

The design and quality of affordable housing must be of the highest standard

The Council will require controls over occupancy and nominations to the affordable housing.

Note also that the Housing Department of AVDC have prepared a note "Neighbourhood Plan Guidance on Affordable Housing September 2014" which further updates the position regarding affordable housing and also makes reference to a report "The County Wide allocations policy" dated 2014", which has amended some of the criteria that was in the SPD.

One amendment is to require "on all planning applications for housing development with 25 or more dwellings (or 1 hectare and above) there is a requirement to deliver 30% affordable housing."

Further guidance regarding affordable housing will also be provided by AVDC as part of the background evidence in support of the emerging Vale of Aylesbury Local Plan.

The Council also published supplementary planning guidance relating to car parking, sport and leisure facilities and design guides and reference should be made to these documents if required when considering under the relevant topic headings.

### **The Draft Vale of Aylesbury Plan 2013:**

Work was started on this plan in 2010 as the new planning system was evolving and addressed localism and locally assessed housing need. However when that plan reached examination in December 2013 the Inspector recommended its withdrawal concluding it failed to meet the duty to co-operate and the growth figures were unsound. The Vale of Aylesbury Plan was withdrawn on 5<sup>th</sup> February 2014.

### Vale of Aylesbury Local Plan (VALP)

This is to be the new Local Plan and it will, once adopted, replace the 2004 AVDLP. A draft Consultation version was presented in the Summer 2016 but a final version is expected to be published in July 2017.

The details will include

1. Housing and jobs numbers for the Local Plan period which is through to 2033
2. Development Management Policies - including design policies, affordable housing, housing mix, employment, infrastructure delivery, green belt policy/criteria for assessing proposals within, tourism, gypsy and travellers, change of use, renewable energy and climate change
3. Community facilities and delivery of these
4. Site allocations (if required) for housing, employment, retail and gypsy and traveller sites

See section 2 of this report for the current position.

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