

WINGRAVE WITH ROWSHAM PARISH NEIGHBOURHOOD PLAN

Modification Proposal Statement

prepared for pre-submission consultation in accordance with Regulation 14(a)(v) of the Neighbourhood Planning (General) Regulations 2012 (as amended) in respect of the Modification Proposal to the made Wingrave with Rowsham Neighbourhood Plan.

November 2018

Table of Contents

Introduction	3
Background	4
Modification	6
Conclusion	8

Introduction

The Wingrave with Rowsham Parish Council are undertaking the pre-submission consultation for the modified version of the made Wingrave with Rowsham Neighbourhood Plan (WRNP).

The Wingrave and Rowsham parish council wish to modify the “made” Wingrave with Rowsham neighbourhood Plan.

It is considered that this is a material modification, one which the parish council believes is not so significant or substantial as to change the nature of the plan.

It is more in the nature of a material update, albeit one which does not affect the nature of the NP and which can be made without a referendum but in accordance with the 2012 Regulations amended by the Neighbourhood Planning (General) and development Management Procedure (Amendment) Regulations 2017/1243. Regulation 14(a)(v) of the 2012 Regulations requires:

“in relation to a modification proposal, a statement setting out whether or not the qualifying body consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the qualifying body is of this opinion”.

This Statement serves this purpose and notes the following additional requirements in the PPG :

- the qualifying body must (at the pre-submission publicity and consultation stage and when the modified plan is submitted to the local planning authority) state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons
- the local planning authority must (when sending the modified plan to the independent examiner) state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons. The local planning authority must also submit a copy of the original plan to the independent examiner
- the qualifying body must decide whether to proceed with the examination after the examiner has decided whether the modifications proposed change the nature of the plan

In accordance with the requirements of the PPG as stated above, this document is therefore setting out the background reason to this modification, sets out what the modification is and will set out the reasons as to why the parish council believe that this modification of the plan is not so significant or substantial as to change the nature of the plan.

Background

The WRNP covers the period 2013-2033. The designated neighbourhood area covers the same area as the Wingrave with Rowsham Parish Council. On 30 September 2016 it was agreed by Aylesbury Vale District Council to 'make' the Wingrave with Rowsham Neighbourhood Plan, following a referendum which took place on Thursday 22 September 2016. The results showed 78% of those who voted were in favour of the plan.

The land for development in Policy 4 is designated as 1.4 Hectares in the text of the Neighbourhood Plan and for approximately 30 dwellings. Due to an error in the preparation of the Neighbourhood Plan maps, Policy map 4 encloses approximately 1 Hectare.

The Developer proposes to develop 29 dwellings on the site but wishes to have a low housing density with 29 dwellings in 1.4 Hectares as shown in Figure 1.



Figure 1. Proposed Development by Rectory Home

In 2017 Parish Council sort advice as to how to proceed and were told that provided AVDC and the Parish Council agreed that the Rectory Homes proposal was acceptable it could proceed to Planning Application. The Parish Council approved Rectory Homes proposal and did not object to their Planning Application. Two members of the AVDC planning department reported to Rectory Homes that they did not object. On this basis both Rectory Homes and the Parish Council thought the Planning Application and development could proceed.

In the event this has not been the case and a formal modification to the Neighbourhood Plan is required.

The Parish Council established a Leighton Road residents Working Group, to Liaise with the developer - Rectory Homes of Haddenham, to ensure that the development was as compliant as possible with the interests of existing residents. At the initial meeting with Rectory Homes it was pointed out by Rectory Homes that Policy map 4 only enclosed 1 Hectare and they believed there were a number of options that could be considered:

1. a high-density development in the as dawn 1 Hectare,
2. a negotiation to extend the site to allow development in 1.4 Hectares containing amenity and green space, or
3. for a housing development in 1.4 Hectares and the remaining part of the ~2.2 Hectare field being the amenity and green space.

The view of the residents' Working Group was that option 3 was their favoured choice and is the reason for the modification to the Neighbourhood Plan.

This option results in a well-proportioned, low-density development that maintains views across the Vale of Aylesbury to the Chilterns and Dunstable Downs. The residents' Working Group had a number of meetings with Rectory Homes and the eventual final layout of the development was agreed.

Rectory Homes have actively engaged with the Parish Council, Bucks County Council and Aylesbury Vale District Council to facilitate the Parish Council's desire for parking in the development for existing residents with no off-road parking and Rectory Homes obtained agreement to optimisation of the splay of access road to the development in line with the residents' request.

Modification

To enable the allocation of Land at Leighton Road, Wingrave in Policy 4 of the WRNP to come forward as a deliverable site, it has been determined that the made neighbourhood plan must be modified. To do otherwise would leave the neighbourhood plan policies in conflict with the planning application. Should the planning application be modified to conform with the existing made version then this would be detrimental to the spirit of the plan and its intention of delivering a sustainable development for the benefit of new and existing residents.

To be compliant with open spaces and amenity land requirements the Parish Council wishes to extend the Settlement Boundary as shown in Figure 2 below, enclosing the full field of ~2.2 Hectares and the land not used for housing will be designated as Amenity Land held in perpetuity for the benefit of Parish residents and this has been agreed in writing by the developer.

Policy 1 – Spatial plan for the Parish

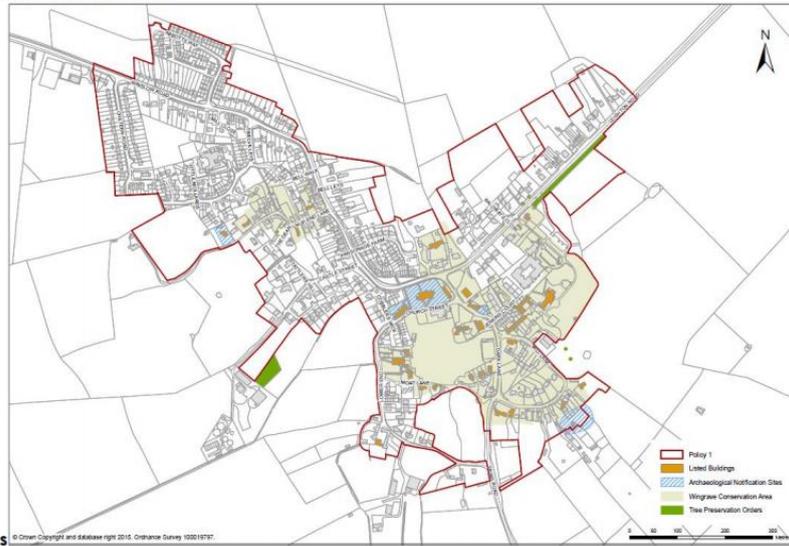


Figure 2. Policy 1 – Spatial Plan for the Parish, the currently ‘made’ version of the settlement boundary

Policy 1 – Settlement Boundary

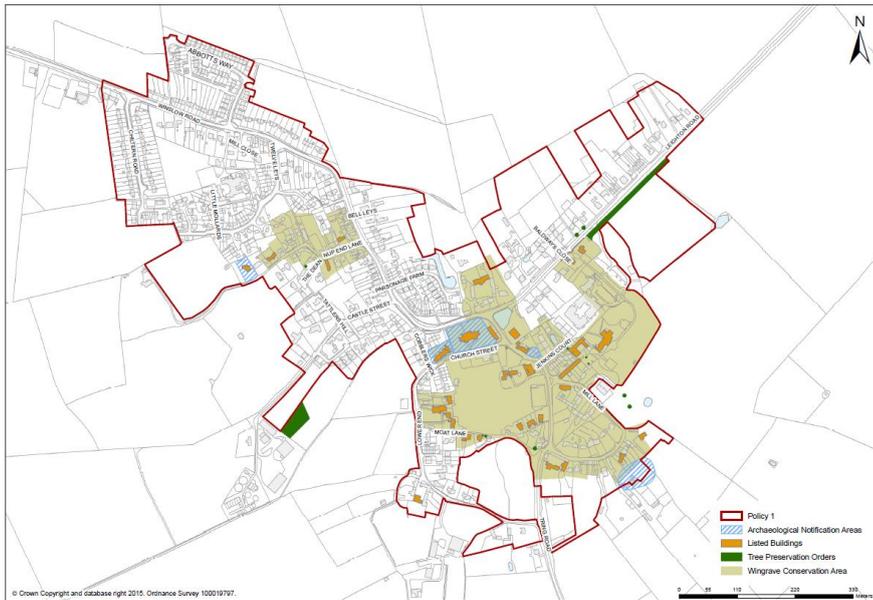


Figure 3. Policy 1 – Settlement Boundary, the modified version of the settlement boundary.

In Summary the modification is proposing to amend:

- Policy 1 – a spatial plan for the parish, and
- Policy 4 - Land South of Leighton Road, Wingrave

so that the area allocated in policy 4 referred to as “Land South of Leighton Road, Wingrave” for development is 2.2ha, with 1.4ha as residential and the rest 0.8 ha as amenity land. A modification that does not materially change the nature of Policy 4 as it still provides for 30 dwellings, albeit on a larger extent of land.

Through this modification proposal, the intended development at Land South of Leighton Road, Wingrave will encompass a larger area of land than was originally allocated in the previously made version of the Wingrave with Rowsham neighbourhood plan. This modification resolves an inconsistency between the neighbourhood plan policies (1&4) and the proposed development (Map 1) outlined by Rectory Homes in relation to planning application 17/04425/APP - Land Off Leighton Road Wingrave.

This modification is being undertaken as policies 1 & 4, as “made” prevented the allocation of Land Off Leighton Road, Wingrave from coming forwards through the planning application process due to a conflict between the policy as made and the planning application. The policy originally allocated 1.4ha but the issue was that the settlement boundary encompassing the allocation only gave a provision of 0.9ha. Initially it was believed that this was a simple mapping error that could be rectified under the Section 61M(4) of the Town and Country Planning Act 1990, as a minor (non-material) update that could be made in consultation between the Local Planning Authority and the Parish Council.

However, after further liaison between the parish council, Aylesbury Vale District Council and Rectory homes it was agreed that in order to deliver on the policy objectives as intended, the policy would need to be modified to accommodate the open spaces and amenity land requirements. This is in conformity with the spirit and stated intentions of the original policy and thus is not so substantial nor so significant to warrant

consideration as a change to the nature of the plan. As such overall the modifications set out below in table 1 are considered essential in enabling the neighbourhood plan to deliver on its allocation intentions and ensure the site Land South of Leighton Road, Wingrave allocated for in Policy 4 is deliverable with the attainment of maximum community benefits as set out in the policy requirements.

AVDC Statement on the Wingrave with Rowsham Neighbourhood Plan proposed modification and SEA Requirements

Aylesbury Vale District Council has reviewed the proposed modifications outlined for the Wingrave with Rowsham neighbourhood plan as set out in the modification proposal and consider that the proposed modifications materially affect the policies in the plan but would not be so significant or substantial as to change the nature of a plan. It is therefore our conclusion that the proposals do not alter the plan in such a way that would require a revised strategic environmental assessment to be undertaken.

The council will however be re-screening the plan before submission to an independent examiner in accordance with the regulations,

It is ultimately the responsibility of the LPA (and not the Examiner) to ensure that all the regulations appropriate to the nature and scope of a neighbourhood plan proposal submitted to it have been met in order for the proposal to progress. The LPA must decide whether the neighbourhood plan proposal is compatible with EU obligations (including obligations under the SEA Directive):

1. When it takes the decision on whether the neighbourhood plan should proceed to referendum, and
2. When it takes the decision on whether or not to make the neighbourhood plan (which brings it into legal force).

The likelihood is that this screening will come to the same conclusion as the original as the number of houses in the allocation has not changed.

Conclusion

In summary the modification is proposing to amend

- Policy 1 – a spatial plan for the parish, and
- Policy 4 - Land South of Leighton Road, Wingrave

The proposed modification ensures the deliverability of the plan in relation to Policy 4 as intended. The modification is in conformity with the spirit of the plan and is not so significant or substantial as to change the nature of the plan.