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Report on Weston Turville Neighbourhood Plan 2013 - 2033

An Examination undertaken for Aylesbury Vale District Council with the support of Weston Turville Parish Council on the January 2018 submission version of the Plan.

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Date of Report: 21 May 2018

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Main Findings - Executive Summary

From my examination of the Weston Turville Neighbourhood Plan (the Plan) and its supporting documentation including the representations made, I have concluded that subject to the modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- the Plan has been prepared and submitted for examination by a qualifying body – Weston Turville Parish Council;
- the Plan has been prepared for an area properly designated – the Weston Turville Neighbourhood Area – Figure 1 in the Plan;
- the Plan specifies the period to which it is to take effect - 2013 - 2033; and
- the policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

1. Introduction and Background

Weston Turville Neighbourhood Plan 2013 - 2033

- 1.1 Weston Turville is a village and civil parish within Aylesbury Vale district in the county of Buckinghamshire. The area lies between Aylesbury and Wendover and is bordered by the villages of Aston Clinton, Halton and Stoke Manderville. The A413 Wendover Road forms the southwestern boundary of the area whilst towards the northern boundary, the A41 Aston Clinton Road (Akeman Street – Roman Road) crosses the neighbourhood in a generally west-northwest to east-southeast direction. The parish covers about 930 hectares and has a population of approximately 3,127.
- 1.2 There are three main concentrations of development. The main village of Weston Turville lies in the centre of the southern part of the parish. There is development in depth, mainly residential, behind Marroway and Brook End which run through the centre of the village. In addition, frontage development extends along both Wendover Road and Aston Clinton Road. New Road links Aston Clinton Road with the centre of Weston Turville. New residential development is under construction either side of New Road.

- 1.3 The developed parts of the parish are separated by a fairly flat landscape made up predominantly of large open fields in agricultural use. The remaining main physical feature of the area is Weston Turville Reservoir which lies on the southeastern boundary of the parish and features wildlife, sailing and fishing.
- 1.4 As indicated below, initial work towards preparation of the Neighbourhood Plan began in 2015. Designation in August 2016 was followed by many meetings, launch events, surveys and feedback sessions. The submitted plan represents some three years of detailed work by those involved. There is a vision covering the period to 2033; also, objectives under eight broad topics. The objectives address main issues raised during consultation with local residents and set the context for the subsequent policies.

The Independent Examiner

- 1.5 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Weston Turville Neighbourhood Plan by Aylesbury Vale District Council, with the agreement of Weston Turville Parish Council.
- 1.6 I am a chartered town planner and former government Planning Inspector with over forty years' experience. I have worked in both the public and private sectors. I am an independent examiner and do not have an interest in any of the land that may be affected by the draft plan.

The Scope of the Examination

- 1.7 As the independent examiner, I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
 - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
 - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.8 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ("the 1990 Act"). The examiner must consider:
- whether the Plan meets the Basic Conditions;

- whether the Plan complies with provisions under Section 38A and Section 38B of the Planning and Compulsory Purchase Act 2004 (as amended) (“the 2004 Act”). These are:
 - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;
 - it does not include provisions and policies for “excluded development”;
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;
 - whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to referendum; and
- such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) (“the 2012 Regulations”).

1.9 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

1.10 The “Basic Conditions” are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with and not breach European Union (EU) obligations; and
- meet prescribed conditions and comply with prescribed matters.

- 1.11 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the neighbourhood plan should not be likely to have a significant effect on a European Site (as defined in the Conservation of Habitats and Species Regulations 2017) or a European Offshore Marine Site (as defined in the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007) either alone or in combination with other plans or projects.

2. Approach to the Examination

Planning Policy Context

- 2.1 Planning policy for England is set out principally in the National Planning Policy Framework (NPPF). In addition, Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A draft revised NPPF and draft revised PPG were published for consultation purposes in March 2018.¹ The draft revised NPPF does not yet constitute national policy and, as such, I have considered the draft Neighbourhood Plan in the context of the operative version.
- 2.2 The Development Plan for this part of Aylesbury Vale District Council, not including documents relating to excluded minerals and waste development, includes the saved policies from the Aylesbury Vale District Local Plan 2001 - 2011 as adopted in January 2004.
- 2.3 Also of relevance is the emerging Vale of Aylesbury Local Plan 2013 – 2033. This has been submitted to the Secretary of State for examination. PPG makes clear that whilst a draft neighbourhood plan is not tested against the policies in an emerging Local Plan, the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the Basic Conditions.² Paragraph 184 of the NPPF also provides, “The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider area”. As such, I make reference to the emerging Local Plan in this report.

Submitted Documents

- 2.4 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the draft Weston Turvill Neighbourhood Plan 2013 - 2033 dated January 2018;

¹ View the documents at: <https://www.gov.uk/government/consultations/draft-revised-national-planning-policy-framework>

² PPG Reference ID: 41-009-20160211.

- a map which identifies the area to which the proposed neighbourhood development plan relates (within the Neighbourhood Plan);
- the Consultation Statement dated January 2018;
- the Basic Conditions Statement dated January 2018;
- all the representations that have been made in accordance with the Regulation 16 consultation;
- the Strategic Environmental Assessment Screening Report prepared by Aylesbury Vale District Council; and
- the response dated 9 April 2018 from the Parish Council to the questions set out in my letter of 27 March 2018.³

Site Visit

2.5 I made an unaccompanied site visit to the Neighbourhood Plan Area on 11 April 2018 to familiarise myself with it and to visit relevant sites and areas referenced in the Plan and evidential documents.

Written Representations with or without Public Hearing

2.6 This examination has been dealt with by way of written representations. There were no requests for an appearance amongst the Regulation 16 representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum.

Modifications

2.7 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

3.1 The Weston Turville Neighbourhood Plan has been prepared and submitted for examination by Weston Turville Parish Council which is a qualifying body for an area that was designated by Aylesbury Vale District Council on 24 August 2015.

³ <https://www.aylesburyvaledc.gov.uk/weston-turville-neighbourhood-plan>

- 3.2 It is the only neighbourhood plan for the plan area. It does not relate to land outside the designated neighbourhood area.

Plan Period

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2013 to 2033.

Neighbourhood Plan Preparation and Consultation

- 3.4 Details of plan preparation and consultation are set out in the Parish Council's Consultation Statement, January 2018. Application for designation as a neighbourhood area was made in July 2015. Following statutory publicity, the neighbourhood area was approved by Aylesbury Vale District Council on 24 August 2015.

Key plan preparation and consultation activities, carried out after formal designation, include:

- the sending of a leaflet and letter to all households in the parish;
 - a series of launch events (April to June 2016);
 - invitations to put forward ideas on a variety of topics;
 - a call for suggestions for the draft vision;
 - invitations to join the steering group;
 - following the completion of all consultation events, analysis of comments and use in the production of draft objectives;
 - production and promotion of a questionnaire and circulation to all households (and on-line);
 - the holding of an event following analysis of the questionnaire results allowing for feedback and comments on the draft vision and objectives;
 - formal consultation under Regulation 14 starting on 8 September 2017; and
 - formal consultation under Regulation 16 ending on 14 March 2018.
- 3.5 The Consultation Statement records some 66 comments received on the Regulation 14 draft Plan consultation from members of the public and five main issues from developers and landowners. There are three further responses from statutory consultees. Several changes to the Plan were made to address the representations, all as documented in the Consultation Statement.
- 3.6 At the Regulation 16 stage, representations were received from 16 different parties. These include a response from Historic England (HE) which has no record of having been consulted at the Regulation 14 stage. In addition, a further individual states that he was not consulted until the last minute and was then advised that the Plan could not be amended.
- 3.7 Given the comprehensive nature of the Regulation 16 responses in both cases and my ability to give full consideration to the representations, I am

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satisfied that there has been no prejudice. In all other respects, at both stages, the consultation process has met the legal requirements and I consider that due regard has been had to the advice in the PPG on plan preparation and engagement.

Development and Use of Land

3.8 The Plan sets out policies in relation to the development and use of land in accordance with Section 38A of the 2004 Act.

Excluded Development

3.9 The Plan does not include provisions and policies for “excluded development”.

Human Rights

3.10 In the Basic Conditions Statement, the Qualifying Body confirms that the Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act. From my independent assessment, I see no reason to disagree with this conclusion.

4. Compliance with the Basic Conditions

EU Obligations

4.1 The neighbourhood plan was screened for Strategic Environmental Assessment (SEA) by Aylesbury Vale District Council. The report concluded that SEA is not considered to be necessary and my own assessment supports this conclusion.

4.2 The SEA report also considered whether an assessment of future development would be required under Article 6 or 7 of the Habitats Directive. No assessment was deemed to be necessary. The site is not in close proximity to a European designated nature site and Natural England agreed with this conclusion. From my independent assessment of this matter, I have no reason to disagree.

Main Issues

4.3 Having regard for the Weston Turville Neighbourhood Plan, the consultation responses and other evidence (including the response to my questions from the Parish Council), and the site visit, I consider that there are six main issues relating to the Basic Conditions for this examination. These are:

- Issue 1: Whether the housing policies provide an appropriate basis for the promotion and management of housing development in the area;
- Issue 2: Whether the Plan addresses adequately local heritage matters;
- Issue 3: Whether the areas proposed for designation as Local Green Space are identified clearly and satisfy the criteria set out in national policy;
- Issue 4: Whether the policies on education and health provide an appropriate basis for developer contributions;
- Issue 5: Whether in all other respects the policies provide an appropriate basis for decision taking; and
- Issue 6: Whether the Plan contributes to the achievement of sustainable development.

Issue 1: Whether the housing policies provide an appropriate basis for the promotion and management of housing development in the area

- 4.4 The Plan’s provisions regarding housing follow the lead given by the emerging Vale of Aylesbury Local Plan. Here, Weston Turville is identified as a “medium village” and Medium villages are described in Table 2 Proposed settlement hierarchy and housing development, as being moderately sustainable locations for development. In this regard, draft Policy S3 states, “The scale and distribution of development should accord with the settlement hierarchy set out in Table 2 and the site allocation policies that arise from it. Other than for specific proposals and land allocations in the Plan, new development in the countryside should be avoided...”.
- 4.5 Medium villages are expected to make a contribution (totalling 1,963 dwellings) towards overall housing need. At each medium village, there has been an assessment of completions and commitments. In addition, allocations are made at some of the villages. These allocations are based on the capacity of the settlement to accommodate housing growth. Suitable Housing and Economic Land Availability Assessment sites are allocated at medium villages apart from Bierton and Weston Turville due to their proximity to the growth of Aylesbury Garden Town.
- 4.6 Paragraph 2.4 of the draft Neighbourhood Plan states that, “The emerging Vale of Aylesbury Local Plan (VALP) states that Weston Turville Village is not required to take any additional housing provision due to its proximity to the growth of Aylesbury, part of which is within the parish of Weston

Turville". The submission version of the Local Plan is less categorical, and having regard to the advice in the PPG, it is therefore necessary to align the Neighbourhood Plan as in proposed modification **PM1**. Nevertheless, the emerging Local Plan is not reliant upon housing allocations at Weston Turville. Indeed, other than for specific proposals and land allocations in the Local Plan, new development in the countryside would be precluded under the terms of draft Policy S3.

- 4.7 The draft Neighbourhood Plan has a criteria-based policy that would allow developments of up to 12 houses within the defined settlement boundaries of Weston Turville. I appreciate that the suggested settlement boundary could be varied to allow for allocations of housing land and a greater variety and quantum of housing. Nevertheless, it appears to me that the Plan makes appropriate provision for future housing in line with the strategic needs and priorities of the wider area and locally assessed preferences.
- 4.8 With regard to affordable housing, Policy H4 requires 30% of the total number of dwellings for any development greater than 10 units to be provided as affordable homes (or in line with AVDC policy, whichever is the greater). The relevant policy in the emerging Vale of Aylesbury Local Plan (Policy H4) requires a minimum of 25% provision. The Parish Council, in its answers to my questions, wish to encourage provision of affordable housing suitable for younger families and first time buyers, hence the higher figure.
- 4.9 The objective of the Parish Council is laudable. However, the overall numbers would be, at best, very small. More particularly, there is no evidence that the 30% figure would be viable in the context of Weston Turville. As such, reference to 30% should be removed as in proposed modification **PM 30**.
- 4.10 Subject to this modification, I am satisfied that the approach to housing provision is in general conformity with the strategic policies of the Local Plan and aligns with the emerging Local Plan and thus the Basic Conditions are met.

Issue 2: Whether the Plan addresses adequately local heritage matters

- 4.11 Planning Practice Guidance gives advice on the treatment of heritage issues in neighbourhood plans. Where relevant, they are expected to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the Local Plan into action at a neighbourhood scale. Similarly, there should be enough information about local non-designated heritage assets including sites of archaeological interest.

4.12 In regard to the above matters, the Plan does not address adequately heritage issues. Various additions to the Plan are necessary as set out below in order that the Plan and its policies has regard to national guidance and is in general conformity with the strategic policies of the Local Plan:

- Reference to archaeological features in the description of Weston Turville Parish;
- Reference to heritage assets within the Vision;
- Inclusion of an objective that covers heritage assets;
- Adding a criterion to Policy H1: Weston Turville Settlement Boundaries to ensure that there is sufficient protection for listed buildings;
- Adding a proviso to Policy H2: Development Design in the Neighbourhood Area addressing the conservation and enhancement of the significance of heritage assets and/or the special interest, character and appearance of the conservation area and their settings; and
- Amending Policy H3: Development within the Conservation Area to recognise potential adverse effects outside the area but within its setting.

4.13 These matters would be addressed through proposed modification **PM2 to PM4, PM6, PM8 and PM10**. With these modification in place, the Plan would address adequately local heritage matters and meet the Basic Conditions.

Issue 3: Whether the areas proposed for designation as Local Green Space are clearly identified and satisfy the criteria set out in national policy

4.14 The areas proposed to be designated as Local Green Space are shown on a plan and inset plan comprising Figure 8 in the Neighbourhood Plan. However, the base map appears to be distorted and the resolution is poor. It is difficult identify precise boundaries. In addition, there is no statement as to the area of the various parcels.

4.15 To rectify this matter, the Parish Council has supplied improved plans and area calculations. The new information should be substituted for that used in the present Figure 8, as required under proposed modification **PM18**.

4.16 Two of the seven areas proposed for designation have proved to be controversial. The first is Manor Farm and the Glebe Fields (wrongly numbered in Policy E1), a large area of open space at the heart of the northwestern part of the Conservation Area. An objection to the proposed designation has been made by one of the four land owners within the proposed designation. Whether or not the national policy approach to designating Local Green Space fetters the rights of a landowner is not a matter for me to consider as an Examiner. Rather, it is clear from a recent

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judgement⁴ that the determining factor is whether or not a proposed Local Green Space meets the NPPF paragraph 77 criteria. Here, and in terms of the criteria set out in the NPPF, the principal objection is that the area is a substantial tract of land (stated to be 6.68 ha in total).

- 4.17 Guidance on this matter is given in PPG.⁵ There are no hard and fast rules. It is stated that blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a “back door” way to try to achieve what would amount to a new area of Green Belt by another name.
- 4.18 To my mind, the proposed Local Green Space does not fall into this category. It is demonstrably special to the local community and holds a particular local significance. Notwithstanding the destruction of some medieval features, the area still has important historical associations. In addition, in response to development pressures, the protection as part of the conservation area would be bolstered by Local Green Space designation. I therefore confirm the Local Green Space designation.
- 4.19 The second controversial area is Land to the rear of Brookside. This is comprised of several parcels including a central fenced field in private ownership but crossed by a footpath. The field is described as “historic” with a pond frequented by ducks and other animals and an ancient walnut tree.
- 4.20 Given the availability of other footpaths, I can imagine that use of the footpath across the field is limited. More particularly, the evidence on local significance is weak and, for my part, I did not form the impression that this is an important local space worthy of designation. I am aware that the field is subject to development pressures and that Local Green Space designation would be incompatible with a new housing scheme. However, such applications will have to be determined on their merits. My own finding is that the central field does not meet the conditions set out in national policy. The area should be deleted as addressed in proposed modification **PM19**.
- 4.21 The remaining sites proposed for Local Green Space designation, the Old Allotment Site, West End, the Land to west of the recreation ground, the Allotments, Church Lane, the Hampden Hall Play Area and the Hampden Hall Amenity Area all meet the NPPF paragraph 77 criteria and should therefore be designated as Local Green Spaces.

⁴ Legard, R (On the Application Of) v The Royal Borough of Kensington and Chelsea, Court of Appeal - Administrative Court, January 12, 2018, [2018] EWHC 32 (Admin).

⁵ PPG Reference ID: 37-015-20140306.

Issue 4: Whether the policies on education and health provide an appropriate basis for developer contributions

- 4.22 Policies HE1 (Improvements to Health facilities by contributions from developers of new housing and employment schemes) and HE2 (Access to Education provision), as currently drafted, would seek financial contributions / developer contributions to fund improvements or new facilities. However, under the Community Infrastructure Levy Regulations 2010 (as amended), contributions for development of less than 10 dwellings cannot be required unless that development exceeds a floorspace of 1,000 sq m.
- 4.23 In the case of both policies, the position would be regularised and the policy strengthened for the purposes of decision making if an alternative form of wording were used. Proposed modifications **PM24 and PM25** refer.

Issue 5: Whether in all other respects the policies provide an appropriate basis for decision taking

4.24 There are several instances where the policies, as presently worded, could have unintended consequences or where the information provided is inadequate for the purposes of consistent development management. PPG Reference ID: 41-041-20140306 states that "A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications". With this advice in mind I propose a number of amendments to the Plan, both policy and text which are itemised below:

- Policy H1: Loose wording could lead to well-designed new buildings being treated as an exception to the settlement boundary provisions, contrary to the intention.
- Policy H2 refers to "distinctive local landscape features" and "the distinctive qualities of the special and attractive areas of open space within the village." To aid interpretation, reference should be made to the Conservation Area document and to the Local Green Spaces Report.
- Policy H3 refers to *positive* features of the existing area. To aid interpretation, reference should be made to the Conservation Area document.
- In Policy H4, there is no indication of the proportion of houses that would need to be suitable for older person households.
- In Policy H4, there is uncertainty over what is meant by designs suited to occupancy by older person households.
- In Policy T1, there is an unacceptable requirement for agreements to be met in consultation with the Parish Council.

- In Policy T1, there is uncertainty over what is meant by “current planning policies and in accordance with the Local Highway Authority”.
- In Policy T2, there is unclear reference to “current industry standards and the Highways Authority policies”.
- In Policy T3, it is not clear what are the “DfT thresholds” and “current industry standards and the Highways Authority policies”.
- In Policy T3, there is an unrealistic expectation that *all* new development should be no more than 400m from a bus stop.
- In Policy E2, there would be an unintended requirement to assess views in relation to all development proposals, not just where an important view would be affected.
- In Paragraph 6.21, clarity is needed with regard to “suitably qualified people to accepted national standards”.
- Use of the Biodiversity Impact Calculator, as envisaged in Paragraph 6.22 and Policy E3, would take a disproportionate amount of monies from planning obligations.
- In Policy C2, the listed facilities include a church and a chapel. Active marketing should only take place where appropriate.
- In the absence of evidence on marketing, the effectiveness of Policy B1 is questionable. Policy B2 would be strengthened by reference to a 12-month marketing period.
- In Policy B3, there is uncertain reference to “industry standards” and to the Aylesbury Vale Broadband Company (now dissolved).

4.25 Necessary amendments are set out in proposed modifications **PM5, PM7, PM9, PM11 to PM17, PM20 to PM23 and PM26 to PM29 and PM31** and once modified the policies will meet the Basic Conditions.

Issue 6: Whether the Plan contributes to the achievement of sustainable development

4.26 There have been objections to the Plan on the grounds that (a) it does not have regard to the NPPF presumption in favour of sustainable development and (b), it does not contribute to the achievement of sustainable development.

4.27 On ground (a), I note that a site’s sustainability is not necessarily the criterion against which provision has been made within the Plan. Nevertheless, as determined above, I consider the approach to housing provision meets the Basic Conditions. In addition, most of the policies within the Plan are expressed in positive terms or set out development management requirements. In my view, the Plan pays appropriate regard to national policies and advice and, in particular, Paragraphs 11 to 16 of the NPPF.

4.28 On ground (b), the representor argues that the Plan does not take into account the opportunities to contribute towards sustainable development

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afforded by a particular proposed housing allocation. I repeat my finding that the Plan's approach to housing provision accords with the Basic Conditions. In addition, I note that the contribution to sustainable development is summarised in Section 5 of the Plan and Section 4 of the Basic Conditions Statement. Having regard to all these matters, I conclude that the Plan contributes towards the achievement of sustainable development.

Other Policies

- 4.29 The foregoing text addresses the majority of the policies. There remain two policies under the heading of community facilities - Policy C1: Retention and enhancement of community services; and Policy C3: Public Rights of Way.
- 4.30 Policies C1 is consistent with Government policy on delivering sufficient community facilities to meet local needs. Policy C3 accords with national policy on protecting and enhancing rights of way and adding links to the network. No modifications are necessary. The policies are compliant with the Basic Conditions.

5. Conclusions

Summary

- 5.1 The Weston Turville Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the Plan and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The Weston Turville Neighbourhood Plan as modified has no policy or proposals which I consider significant enough to have an impact beyond the designated neighbourhood plan boundary requiring the referendum to extend to areas beyond the plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated neighbourhood plan area.

Overview

- 5.4 It is evident that a considerable amount of time and effort has been devoted to the development and production of this Plan and I congratulate all those who have been involved. The Plan should prove to be a useful tool for future planning and change in Weston Turville over the coming years.

Andrew S Freeman

EXAMINER

Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 6	In the first sentence of Para 2.4, substitute "indicates" for "states".
PM2	Page 7	Add the following new paragraph after Paragraph 3.2: "In recent years several archaeological excavations have taken place ahead of development in the parish and the results have indicated archaeological potential for Roman and Medieval finds. Excavations near Akeman Street to the north of the parish uncovered numerous late Iron Age and Roman farmsteads on either side of the road. In 2012 a significant Roman site was discovered on the "Hampden Fields" development area which will be protected from development of the site."
PM3	Page 10	In the second paragraph of the Vision, delete "landscaping and green spaces" and replace with "landscaping, green spaces and heritage assets".
PM4	Page 12	Add the following to the objectives under the Environment, Heritage and Conservation heading: "To conserve and enhance the significance of the heritage assets in the parish and their settings, including the special interest, character and appearance of the conservation area."
PM5	Page 17	In Policy H1, criterion II, substitute "or the replacement of an existing building with a well-designed new building" for "and well-designed new buildings".
PM6	Page 17	At the end of Policy H1, add the following criterion: "IV they meet other policies in this Neighbourhood Plan and the adopted Local Plan."

PM7	Page 17	After Paragraph 6.7, add the following new paragraph: "In interpreting Policy H2, reference will be made to the Weston Turville Conservation Area document and to the Local Green Spaces Report." As footnotes, provide links to these two documents.
PM8	Page 18	In Policy H2, replace the fifth bullet point with the following: "It conserves and enhances the significance of any heritage asset and/or the special interest, character and appearance of the conservation area and their settings."
PM9	Page 18	In the second sentence of Paragraph 6.8, add "and its positive features" after "The importance of this area". Add a footnote reference to the Conservation Area report.
PM10	Page 19	In the second sentence of Policy H3, replace "Development within it" with "Development within it, or affecting its setting,".
PM11	Page 20	For the fourth bullet point of Policy H4, substitute the following: "In developments with over 10 units of market or affordable housing, at least one of the units shall be designed to be accessible for those with limited mobility". Add a footnote referencing the advice of Age UK.
PM12	Page 21	In Policy T1, delete ",in consultation with the Parish Council,".
PM13	Page 21	In Policy T1, where there is reference to "current planning policies and in accordance with the Local Highway Authority", add a footnote referencing the Aylesbury Transport Strategy. For Section 106 "agreement", substitute "obligation".
PM14	Page 21	In Policy T2, add a footnote reference to the Buckinghamshire County Council Local Transport Plan and to the

		Government's technical guidance on cycling and walking infrastructure.
PM15	Page 21	In Policy T3, substitute "Local Highway Authority guidance" for "DfT thresholds". Add a footnote reference to the guidance.
PM16	Page 21	In Policy T3, where there is reference to "current industry standards and the Highways Authority policies", delete "current industry standards and". Add a footnote reference to the Local Highways Authority guidance.
PM17	Page 21	Delete the third paragraph of Policy T3. Substitute the following: "New development should be proximate to a bus stop and linked to that stop by a suitable public footpath." Retain the footnote reference to "Inclusive Mobility".
PM18	Page 22	Delete Figure 8. Replace with the depiction as shown on "Weston Turville Neighbourhood Plan – Local Green Spaces" dated 04/04/2018.
PM19	Page 23	In Policy E1, delete reference to "Land to the rear of Brookside" (and in Figure 8). Change the first sentence of the policy to refer to Figure 8.
PM20	Page 24	In Policy E2, at the beginning of the second sentence, insert the words, "where an important view is likely to be affected,".
PM21	Page 25	For Para 6.21, substitute the following: "In order to determine whether no net loss and enhancement to biodiversity can be delivered by a development, an ecological assessment by a suitably experienced ecologist should be undertaken. Surveys should be completed following relevant good practice guidance; any departures from such guidance should be justified. Mitigation and enhancement measures should be appropriate to the local area, detailed and with a commitment to delivery. Funding may be required to ensure delivery of long-term management of biodiversity assets to

		<p>secure a long-term net gain where possible.</p> <p>Examples of good practice guidance are:</p> <ul style="list-style-type: none"> • CIEEM⁶ Guidelines for Preliminary Ecological Appraisal • CIEEM Guidelines for Ecological Impact Assessment in the UK • Bat Conservation Trust Bat surveys for Professional Ecologists: Good Practice Guidelines 3rd Edition (Collins 2016)."
PM22	Page 25	Delete Para 6.22. Insert "In achieving net gains to biodiversity, reference should be made to the District Council's proposed Supplementary Planning Document together with guidance from Natural England."
PM23	Page 25	In the first bullet point of Policy E3, delete "the Biodiversity Impact Calculator" and insert "an appropriate recognised mechanism to achieve no net loss and a net gain".
PM24	Page 27	Replace the text of Policy HE1 with the following: "Developer contributions will be sought in relation to residential development in accordance with the Community Infrastructure Regulations 2010 (as amended) to fund improvements to service capacity for health facilities where the Clinical Commissioning Group has demonstrated that the development will create pressure on service provision and a requirement can be justified."
PM25	Page 27	Replace the text of Policy HE2 with the following: "Developer contributions will be sought in relation to residential development in accordance with the Community Infrastructure Regulations 2010 (as amended) towards the funding of new school places to expand the capacity of existing schools or provision of new education facilities."

⁶ Council of the Institute of Ecology and Environmental Management.
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PM26	Page 27	In the second paragraph of Policy B1, insert the following words after "viable": ".This will require evidence that the property has been actively marketed, commensurate with its use, at an open market value for a period of at least 12 months and the proposal accords with Policy C2."
PM27	Page 28	In Policy B2, replace "18 months" with "12 months".
PM28	Page 28	In Policy B3, where there is reference to "industry standards" in the second bullet point, add a footnote reference to the Open Reach industry standards.
PM29	Page 28	In Policy B3, final bullet point, delete, "such as BDUK/Aylesbury Vale Broadband Company and the LPA through a new homes".
PM30	Page 20	In Policy H4, first bullet point, substitute 25% for 30%.
PM31	Page 26	In Policy C2, after "actively marketed", insert "where appropriate".