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Our ref: Policy/ Neighbourhood Plans/ Kimble
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David Hogger
Neighbourhood Development Plan Examiner

Dear Mr. Hogger

Wycombe District Council response to the Great and Little Kimble cum-Marsh Neighbourhood Development Plan - Reg 16 consultation

Wycombe District Council broadly supports the Great and Little Kimble cum-Marsh Neighbourhood Development Plan and welcomes the efforts made by the Great and Little Kimble cum-Marsh Parish Council in producing the neighbourhood plan. The Parish Council and District Council have worked closely over the preparation of the plan.

I do however have the following comments and observations to make on the proposed Neighbourhood Plan.

Legal Matters

The legislation and guidance (PPG) sets out clearly that, NDPs must meet certain requirements in terms of both legal and basic conditions. It is considered that there are some issues where further work is required. These are considered in more detail below.

With regards to legal matters, it is clear that the draft Neighbourhood Plan must include land use planning policies that can be used in the determination of planning applications.

The Planning Practice Guidance on Neighbourhood Plans elaborates on this, stating in para. 041 that policies “should be drafted so that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise

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and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning content of the specific neighbourhood area for which it has been prepared.”

My concern is that in a few areas this requirement hasn't been met. I think that it would be difficult for decision makers to implement parts of some of the policies in the Kimble Neighbourhood Plan in their current form.

Housing Site Allocations (KIM3)

The Plan allocates sites for 110 dwellings; 36 homes have already been built or committed which leaves a shortfall of 14 dwellings. It is intended that this shortfall will be made up by dwellings coming forward on site 15, Land South of Grove Lane and also through windfall developments in the Parish area.

Site 15 is estimated to have a developable area of 0.7 hectares but this area could be impacted by the Area of Comprehensive Development (Policies PR3 and PR8 of the adopted Wycombe District Local Plan (WDLP)) and possible twin tracking of the railway in this vicinity (Policy DM47 of the WDLP).

The supporting text for the allocation of this site sets out (paras.5.15 and 5.17) that the site should not be released for development until the details of the Grove Lane infrastructure improvements and the land required for the potential twin tracking of the railway have been finalised. This site is in effect a reserve site (as set out in para. 5.17). I would like to see some reference to its 'reserve site' status included within the policy itself and not just in the supporting text, to give the policy more weight in decision making.

A phasing mechanism is also included within Policy KIM3, for the delivery of housing over the Plan period. This phasing mechanism stipulates that in the order of 50 dwellings should be delivered in each of the four year periods covered by the Plan. Given that site 10, Land at the Laurels, Marsh Road has outline permission for 14 dwellings and that so far 21 further dwellings are either under construction or committed in the 2019/2020 baseline at this means that only in the order of 15 more dwellings can be permitted in the Parish up to 2023/ 24.

I am not sure how realistic it is for the Council's Development Management officers to refuse applications on the basis of prematurity, as appears to be suggested by this policy, and would appreciate further guidance on this issue to be included in the Plan.

Design Principles (KIM2)

I have previously expressed some concerns with regards to a number of the detailed design principles, set out in Policy KIM2, with regards to their implementation. It is recognised that

some changes have been made but nonetheless I don't feel that these changes fully reflect these concerns.

I have summarised my main concerns with regards to these principles below:

- Bullet point 4 – How will a Development Management officer know where it is appropriate to maintain views to the open countryside? This principle needs to be more specific. It is assumed that the site capacities have taken this requirement into consideration in coming up with indicative housing numbers for the sites.
- Bullet point 5 – This is extremely difficult to interpret and needs to be written a lot more clearly. The following points should be considered: should it say 'not less than 15 metres'? A situation could arise whereby a blank wall could be just 1m from a window and comply with this principle. Does the blank wall need to form part of a house? The inclusion of a diagram would also help. More specifically it would be useful to clarify what this principle is trying to achieve and why it is considered that the Council's adopted Householder Planning and Residential Design SPD and Residential Design Guidance SPD aren't sufficient to address this issue.
- Bullet point 6 - Surely it would be better to suggest that either a suitably endowed management company is set up to manage and maintain the space, or it is passed to the Parish Council with a suitable sum to contribute to its maintenance? Is the intention for this to be controlled by an s106 agreement? It also needs to be clear how long this maintenance will be in place for 30 years/ the lifetime of the development?
- Bullet point 7 – how is a 'nearby property' defined for Development Management purposes? If a nearby property has a garage in the front garden does this mean that you can bring forward a new house to this level? Would it be better to suggest instead that 'setbacks from the highway follow the general pattern in the area'?
- Bullet point 9 - If a site has links to a shop or is providing a shop then we might need a contribution to improving the local footpath/ cycle network. There should be a list of proposed improvements needed and a cost associated with these improvements and then all sites make a commensurate contribution.
- Bullet point 10 - This is at odds with best practice and the Buckinghamshire County Council parking guidance on developments of 10 or more dwellings, which provides for unallocated visitor parking on the highway to give flexibility of provision. It might be better to suggest that at least some of the number of spaces needed per dwelling is provided on plot.
- Bullet point 14 – Should this say 'amenity space' as opposed to 'garden space' for instances where dwellings are in the form of flats or maisonettes and a balcony might constitute that space.

Section 106 Agreements (KIM9)

As set out previously, with regard to the Regulation 14 draft of the Plan, planning obligations must only be sought where they meet the tests of necessity, relation and scale, included in para. 56 of the National Planning Policy Framework.

The need for s106 financial contributions to be made is specifically set out in the bullet points for sites 1 and 17a but not for the other allocated sites. A consistent approach needs to be taken across all of the allocated sites.

Similarly, whilst some of the schemes that might be covered through s106 agreements are referred to in paras. 5.31 and 6.5. However, as set out above with regard to Policy KIM2 Bullet point 9, a comprehensive list of proposed improvements is needed for each allocation. Some of this detail is included in the allocations, for example, site 10 refers to the need for the provision of a new footpath; site 14 includes a requirement for the provision and management of a public open space, but this detail isn't consistent and more details of the necessary infrastructure needs to be built into each of the site allocations.

As set out previously, with regard to the Regulation 14 draft of the Neighbourhood Plan, the Council's view is that if there is a need for a village shop in the Parish then an additional policy should be included in the Neighbourhood Plan which specifically allocates it, in a central accessible location. The best site for a shop is considered to be site 14. Section 106 contributions will be needed from each of the 5 development sites in order to pay for this facility.

Detailed comments

| Where in the document? | Specific issue |
|-------------------------|---|
| Bullet point 1 of KIM2 | Test in S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is to 'preserve or enhance'. |
| | "where practical" is at odds with Adopted Policy (DM34) which requires all proposals to enhance biodiversity. |
| Bullet point 3 of KIM2 | Using the same plants might not be the best option e.g. if existing hedging plants are a single species hedge a mixed native hedge might be preferable. |
| | Should say 'adverse effect'. |
| Bullet point 10 of KIM2 | 'Permeable surface finish that mitigates surface water run off risk' is a different issue to the quantity of car parking spaces required for a site and so should have its own bullet point. |
| | The Buckinghamshire County Council standard for a garage of 3 x 6m includes an allowance for an element of storage. It would be better to say garages only count if they meet the minimum size in the guidance. |

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|---------------------------------|---|
| Bullet point 12 of KIM2 | If you have a side gate with access to a rear garden where bins can be stored is it still necessary to have an enclosed or screened area for bin storage? |
| Bullet point 14 of KIM2 | Link to emerging Air Quality SPD which includes provisions for electric vehicle charging. |
| Bullet point 15 of KIM2 | This needs to be clearer that what is required is no discernible difference in design quality between private and affordable housing. |
| KIM3 Site 10 Bullet point 4 | The only way that all new buildings can front onto Marsh Road is if the development is delivered as a block of flats. This is unlikely to achieve the desired form and scale of the rural village character. |
| KIM3 Site 10 Bullet point 8 | The scheme can only address issues of foul and surface water drainage arising from the development, and not any pre-existing issues elsewhere. |
| KIM3 Site 14 Bullet point 4 | Refer to hectares not acres. Also, the Parish Council would not be a party to any agreement so it would not have the power to approve anything. |
| KIM3 Site 14 Bullet point 5 | Same point as for site 10 above i.e. not all houses can front onto these roads if they want approx. 45 dwellings on the site. Also the text is somewhat contradictory in that if the new dwellings front onto the road would they not have to have individual access points onto the road? This would presumably be contrary to bullet point 7? |
| KIM3 Site 14 Bullet point 7 | There is no obvious reason why having more than one point of access would be harmful. |
| KIM3 Site 17A Bullet point 8 | This isn't the best location for a shop as it is well away from the heart of the village. In addition, if successful there may be traffic issues as it would result in passing traffic intensifying the use of the junction with the A4010 compared to just residential development. |
| KIM6 Bullet point 4 | It's not just the access that is the issue – the nature of the highway network is as well. Some of the lanes in the parish are narrow, single track, and not suitable for larger vehicles and HGVs. |
| KIM6 Bullet point 8 | Presumably some of the site boundaries will already be there and won't necessarily include a habitat corridor so not sure how this can be achieved. Therefore suggest the inclusion of 'where possible' at the start of this bullet point. |

Yours sincerely



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