

## Longwick-cum-Ilmer Neighbourhood Development Plan

### Examiner's questions – response from WDC

Latest position regarding progress on the WDC Local Plan:

A full Council meeting of WDC was held on 9 October 2017 to approve the Publication (reg. 19) version of the new Local Plan. The publication period of consultation on the Plan started on 16 October 2017 and will finish on 27 November 2017. The Council expects to submit this Plan to the Secretary of State in March 2018.

WDC also wish to draw to the examiner's attention that detailed planning permission was granted on site L1 (17/06562/REM) on 31 October 2017. The grant of permission was informed by the submission version of the Longwick NDP and policy L1 therein. This might imply that policy L1 is no longer needed, however WDC suggest that policy L1 is retained in the event of planning permission lapsing.

#### Question 1

Red Kite Development Consultancy (007) provided detailed information about the current and past usage of the Shoulder of Mutton Public House, including the claim that use as a public house ended in 1996, and all current uses are residential only. I am informed that the site is previously developed land where redevelopment should be generally acceptable, etc. Please would the Councils comment on this information, and advise whether Policy A6 (and Policy A4) should be amended in the light of fresh evidence?

#### Response

WDC's view is that the existing use of the land as a pub has not changed. We have not issued a certificate of lawfulness for a change of use to residential, nor has one been sought.

Previous pre-app advice from WDC for the prospective conversion of the pub to residential has focused on the need to constrain the maximum number of dwellings, because of the unsustainable location; in the reg 19 Local Plan, policy DM29 is relevant (retention of community facilities); DM44 1(j)(Development in the Countryside outside of the Green Belt); and DM45 (Conversion of existing buildings in the Green Belt and other rural areas). NPPF 55 (sustainable development in rural areas) is also relevant. WDC's view is that unless it can be clearly demonstrated that the current permitted use of the pub is inappropriate or impractical, the loss of this use through redevelopment for residential would be contrary to policy. Therefore WDC support the NDP's policy to restore the pub to active use if possible.

With regard to policy A4, WDC is happy to accept the proposed changes.

## Question 2

Framptons (008) commented that Wycombe District Council has recently resolved to grant planning permission for residential development on a site at Rose Farm, which is the subject of NP Policies L4a and L4b. Framptons are critical of these policies' criteria regarding access, community facilities and landscape and boundaries. In view of progress on the recent planning application and the comments made, do the Councils think modifications should be made to Policies L4a and L4b?

## Response

WDC granted outline consent for site L4b on 3 November 2017 (16/06673/OUT). It has not yet received an application for site L4a. Where possible WDC has been guided by the content of the submission version of the Longwick NDP in determining the application for L4b. Certain parts of the policy remain relevant for consideration of detailed matters. WDC notes that Framptons representation is incorrect in quoting Criterion 2 under their point '1) Access'. The criterion quoted is from Policy L1. WDC assumes that the representor intended to quote criterion 2 from Policy L4a/b: '2. Use the existing vehicle access point on Thame Road to serve the development, but not to provide a link beyond this site to the west.' WDC's grant of outline permission currently supersedes some of the policy criteria, and in this context the representor may be satisfied. However, other criteria in the policy remain relevant for detailed matters and for the determination of any application on site L4a and should be retained. In the event that planning permission lapses on this site, WDC recommend that all criteria are retained for any future possible decision. WDC are content with the minor change suggested to criterion 4. WDC understand Longwick's intention in criteria 10 and 11. The plan is clear on the justification for these under the headings 'CLEAR SETTLEMENT BOUNDARIES' and 'DESIGN AND LAYOUT'.

On the matter of the provision of a hub, WDC recognises that it is difficult to justify the allocation of land from this site but are sympathetic to the Parish's ambitions in the creation of a facility that may improve the sustainability of Longwick as a location for growth. The appendix to the plan acknowledges that this site may come forward in other ways (for example, as a conversion of an existing building) and sets aside funds for its delivery.

## Question 3

Thames Water (009) drew attention to the potential cumulative effect of development on water supply and wastewater. It raised some specific concerns about proposed allocations L1, L2 and L4. Do the Councils think that the NP should be modified in light of these comments?

**Response**

The provision of expanded drainage and waste water requirements are normally a matter of direct negotiation between the developer and the utility provider. However, WDC consider it may be advisable to include a note in the supporting text to say that early engagement with Thames Water to discuss network capacity is important.

**Question 4**

Bellwood Homes (010) referred to the appeal decision of 23<sup>rd</sup> August 2017 for development on land at Ivy Farm, Lower Icknield Way, and the Inspector's acceptance that Wycombe District Council could not demonstrate a 5 year housing land supply. Bellwood Homes also noted that land adjoining the Policy L3 site, which it proposes for inclusion in the NP, was assessed as suitable for housing development in the Longwick Capacity Study. It would assist me to understand both the Parish Council's and Wycombe District Council's views on this information.

**Response**

The new Local Plan for WDC was approved for Regulation 19 by the full Council on 9 October 2017. This Plan sets out a housing requirement of 10,925 across the District for 2013-33. During the course of the Plan's preparation, it has become clear that, because the District is heavily constrained by the Metropolitan Green Belt and the Chilterns AONB, the Plan would be unlikely to meet the full OAN of 13,200 homes and WDC has therefore reached agreement through a signed MoU with Aylesbury Vale District Council that the unmet need of 2275 will be incorporated into AVDC's plans. It is clear that WDC has maximised the possible requirement for homes in the District, otherwise agreement could not have been reached with AVDC. WDC's Plan allocates a requirement of 300 homes to the Longwick NDP (policy RUR5) and it leaves it to the discretion of the Parish Council to decide how these homes are distributed. In the event, most of the sites promoted by this NDP have been granted planning permission, at least in outline. WDC would like to emphasise that an increase of 300 homes for a settlement the size of Longwick is proportionately an extremely positive response to the housing needs of the District.

It is fair to say that WDC's housing land supply against the full OAN amounts to 4.95 years of supply; however, against the requirement set out in the Publication version of the Plan this equates to 6.2 years of supply.

The allocation of site L3 in the Longwick NDP is based on the assessment of site 'L' in the Tibbalds capacity study; however L3 does not allocate the whole of site 'L', restricting it to the northern section. The reasoning for this is:

- To conform to the preferred linear growth strategy for the village, as set out in the Sustainability Appraisal;
- To reduce the sensitivity of the site in long views of the village (from the Chilterns AONB) – see the Tibbalds Capacity study, site 3, p.52

#### **Question 5**

Rectory Homes (O15) also drew attention to the recent appeal decision permitting 9 units at Ivy Farm. Should this be acknowledged in the NP, possibly with a new policy and/or amendments to Policies Maps? Rectory Homes also referred to the removal of the rural green gap, proposed in Policy A3, by the previous Examiner of the earlier NP. It would be helpful to know the Council's views on the Examiner's recommendation and the retention of this proposed designation.

#### **Response**

WDC received the decision of the appeal inspector to allow the Ivy Farm proposal on 23 August 2017. However, WDC had argued during the course of the appeal that this proposal should be rejected as it would compromise the proposed green gap between the settlements of Longwick and Princes Risborough. WDC is proposing a major expansion of Princes Risborough to help meet the housing need for the District and the inspector's decision, by compromising this green gap, prejudices the major expansion of Princes Risborough and the delivery of around 2500 homes. WDC has therefore submitted a claim for Judicial Review on the grounds of:

- (1) The Inspector failed properly to take into account the consequences of granting permission for development on the Appeal Site or failed to grapple with these consequences, namely, the important consequences the loss of the Appeal Site as part of a green buffer to protect the character and identity of Longwick would have for the Draft Princes Risborough Town Plan ("the PRTP") and the intended delivery of the expansion of Princes Risborough ("the Expansion Area") as a primary source of housing in the District.
- (2) Further, or alternatively, the Inspector failed to give proper, adequate and intelligible reasons for his dismissal of the Council's concerns surrounding the consequences of the loss of the Appeal Site as a green buffer for the Expansion Area and the consequences for future housing delivery.

WDC awaits to hear whether these claims have been accepted by the Court. In this context, WDC does not support the inclusion of this site in the Longwick NDP.

The examiner of the previous version of the Longwick NDP argued that the proposed gap would not achieve separation between the settlements because it has already been developed; and that there was nothing to demonstrate that sustainable development could not take place on land to the south of (Lower) Icknield Way. WDC's view is that while there may be some dwellings within the gap, these are largely scattered and low density; the character of the area is predominantly rural; and that this area is severed from the main settlement by the B4009. The importance of the green gap to both the Longwick NDP and to WDC's publication Local Plan is set out above, and WDC supports the broad intention of A3.

#### **Question 6**

Savills (012) advised that the Princes Risborough Town Plan, referenced on Page 30 of the NP, will be included in the emerging Wycombe District Local Plan. Savills suggested that there were some inconsistencies between the NP and the emerging Local Plan, notably between draft Policies PR4 & PR5 and Policy A3 of the NP. What is Wycombe District Council's and the Parish Council's perception of this?

#### **Response**

Policy PR4 of the Local Plan sets out the main expansion area development framework for Princes Risborough. Clause 5 sets out a fixed element for the framework in the location of the green gap between development and Longwick, illustrated by the Concept Plan (figure 26, p. 181).

Policy PR5 sets out a settlement boundary and strategic buffer for Princes Risborough, to reinforce the principle of separation between settlements. Clause 2 of this policy requires that open space uses within the expansion area and essential infrastructure to support the expansion of the town will be permitted outside the settlement boundary. Clause 3 of this policy requires that other development within the strategic buffer be of a small scale, to protect rural character. Policy A3 of the Longwick NDP requires that: 'The development of new transport and other community infrastructure associated with the growth of Longwick and Princes Risborough will need to be designed to reflect the area's rural character and amenity.' WDC does not see a conflict between the requirements of PR5 and of A3, however it does recognise a need for clarity in the supporting text.

There is a conflict in the scope of the two policies, in that the boundary of the area set out in A3 and the boundary of the area set out in PR5 are not entirely consistent, in the area of two

properties south/west of Mill Lane and south of the Lower Icknield Way. The A3 boundary follows the parish boundary; the PR5 boundary crosses into the Longwick parish area by a small extent, in order to achieve a reasonable developable area of land to the north of the proposed relief road, so meeting good place-making objectives. WDC support the modification of the A3 boundary to be consistent with the PR5 boundary, to give clarity and longer term certainty.

**Question 7**

Gladman Developments Limited (013) criticised Policy A3 and the rural green gap concept. In addition, it stated that land at Boxer Road/ Barn Road subject to Policy L2 had been granted planning permission on appeal, and questioned the need for a policy in the NP. Has the policy been superseded by this appeal decision? Do the Councils think that Gladman is correct that criteria for design and landscape principles are overly onerous, and more flexibility is needed so as not to undermine the viability of development? Please advise whether or not the policy should be retained or modified in the light of these considerations.

**Response**

Detailed planning permission on the land at L2 (17/06691/REM) was granted on 19 October 2017. The grant of permission was informed by the requirements of the submission version of the Longwick NDP. In this context, Gladman's concerns may no longer be an issue for the examination of the plan. WDC suggests that policy L2 be retained against the event of the lapse of planning permission. It will be for future applicants to demonstrate why the proposals are not viable. Regarding the comments on A3, we refer you to the answer set out to Q 5 above.