

Vale of Aylesbury Local Plan – Main Modifications

Response from Stoke Mandeville Parish Council to the Consultation on the Main Modifications

Paragraph Number (as per revised draft)	Comment
Policy S2	Policy S2 makes clear in sub-para (a) that Aylesbury Garden Town comprises the area of Aylesbury town and parts of surrounding parishes, many of which have or are developing a Neighbourhood Plan. This acknowledgement that Aylesbury Garden Town is a composite settlement subject to a variety of development documents is not, however, reflected in other parts of the Plan, leading to inconsistency and inaccuracy.
3.22	We welcome the changes to this paragraph. However, the authority's stated policy in this paragraph of seeking to prevent the character and identities of settlements being degraded by development that would negatively affect their individual identities is in direct contradiction of other policies for Stoke Mandeville Parish set out in other paragraphs. This internal inconsistency needs to be resolved for the plan to be effective.
3.38	While we welcome the proposed broader definition of green infrastructure in principle, we query whether ancient monuments, footpaths, cycleways and other recreational routes can be accurately classed as "open green spaces" within the definition of green infrastructure. This unclear drafting needs to be improved. Ancient monuments are protected by legislation in order to preserve and protect them for the future; we suggest that they are removed from the definition of green infrastructure.
3.73	We welcome the correction of this paragraph to match the statutory requirement. However, the paragraph should be more positively worded.
3.75	It would be more appropriate for this paragraph to explain that neighbourhood Plans also form part of the Development Plan and that their policies have full weight in the decision making process. The difference between local and strategic policies should be clarified
4.6	<p>It is not legally or procedurally correct to use a supplementary planning document to make policy which ought properly to be set out in the development plan, whether the VALP or NP. AGT1 is a strategically important site, proposed to deliver 6% of all the Aylesbury Garden Town growth. Yet, owing to its nature and complexity, there is considerable uncertainty over its deliverability. Factors which remain outstanding and impact on deliverability include:</p> <ul style="list-style-type: none"> • Essential parts of the site are not yet promoted for development and other sites, including non-Plan sites, are being built-out or have permission for development, threatening cohesive or sustainable development

	<ul style="list-style-type: none"> • There is neither a developer consortium nor a masterplan in existence • The delivery of the rediverted A4010 to link with the projected SEALR is dependent on the progress of HS2, which is itself under review. • The delivery and design of the SEALR is dependent on future policy decisions by the Dept of Transport and highways authority about the future route of the A41 between the M25 and the projected East-West Expressway • The strategic development of the AGT1 site is dependent on a careful phasing and management of crowded sites all dependent on road infrastructure which is already overburdened <p>The VALP proposes to deal with this high level of uncertainty and deliverability by in effect delegating future policy to a ‘masterplan SPD’. This, we submit, is an incorrect and illegal use of an SPD which will mean that the SPD is open to challenge. SPDs can only supplement policy, meaning that the key policy issues for AGT1 must be dealt with explicitly in the development plan to give clarity for developers. If AVDC do not wish to delay the VALP until matters are clarified, the Stoke Mandeville Neighbourhood Plan offers another vehicle for policy to be developed, entirely appropriately as the AGT1 area falls wholly within Stoke Mandeville parish. The VALP is neither justified nor effective in this regard.</p>
4.26	<p>The changed wording of this paragraph is unclear and offers insufficient detail to guide development. It appears that a separate non-development plan document, the ‘Aylesbury Garden Town Prospectus’ will contain (although not comprise?) a ‘strategic narrative and vision’ which will ‘act as a supporting document alongside the AGT Framework and Infrastructure SPD’. This does not make the relative status or weight of these documents clear. If the ‘strategic narrative and vision’ is to have any weight, it should be a strategic policy in VALP; if it is excluded from the VALP, it can have no weight in planning or development terms and is therefore of doubtful value. Equally, the SPD can only clarify and expand on the development plan (the VALP and any relevant Neighbourhood Plans).</p> <p>It is also unclear why the vision for AGT builds on the Town and Country Planning Association principles of sustainable development. It would be clearer to refer to the principles of sustainable development which form the basis of national policy set out within the NPPF – particularly as one of the tests of soundness is conformity with the NPPF.</p>
4.30	<p>The changed wording of this paragraph is unclear and offers insufficient detail to guide development, i.e. the meaning of the phrase ‘connects back into existing residential communities’.</p>
Policy D1	<p>The changed wording of sub-para (a) is unclear and offers insufficient detail to guide development, i.e. the meaning of the phrase ‘...communities which support and enhance existing communities’. More clarity and detail are required. It would be in keeping with Policy S2 and para 3.22 for this changed wording to acknowledge the composite nature of Aylesbury Garden Town and refer directly to the parish communities most affected by the AGT development areas.</p>
Heading to 4.32	<p>While this paragraph is not included in the main modifications, the heading of this section - ‘South Aylesbury’ – is factually incorrect and misleading. All of the area of AGT1 falls within Stoke Mandeville parish and it would be factually correct and in keeping with the evolving Stoke Mandeville Neighbourhood Plan and the principles of placemaking inherent in garden town planning that this strategic development area be renamed ‘Stoke Mandeville’.</p>

4.34	<p>Sites which have not been promoted to the council should not be included in strategic allocations, as they fail the tests of deliverability set out in the NPPF. These sites therefore should be excluded from the AGT1 site allocation as there is no certainty that they are available for development. This modification is not effective in terms of the tests of soundness.</p>
4.35	<p>See also our comments on para 4.6 above.</p> <p>While we welcome in principle the idea of master-planning, the revised wording of this paragraph is inadequate. The paragraph is advisory rather than directive; we feel it should clearly state that development cannot proceed except in accordance with the masterplan, once made.</p> <p>Similarly, while we welcome the addition of a reference to the need to coordinate vehicle access, the new wording is inadequate as it is advisory rather than directive; we feel it should clearly state that development cannot proceed except in accordance with the coordinated vehicle access arrangements set out in the masterplan. To be effective this wording should be included within the policy wording, rather than the supporting text.</p>
4.38	<p>See also our comments on para 4.6 above.</p> <p>The wording of this new paragraph is unclear and offers insufficient detail to guide development.</p> <p>The nature of the new infrastructure ‘related to the development of HS2’ needs to be clear and the impact of delay, cancellation or change to that infrastructure needs to be specified. . At the current time, there is no certainty whether HS2 will go ahead at all, or in what form. If the AGT1 site is to be deliverable and the VALP in this regard to be sound, there must be detailed contingency planning within the VALP to cover differing policy outcomes, especially as the Masterplan SPD can only provide additional detail about the policies set out in the VALP. The SPD cannot make new policy with regard to any changes which might be required.</p>
4.40	<p>In referring to a Masterplan SPD, we feel the wording should make clear the factual and legal situation, namely that the SPD will supplement and expand the policies set out in the development plan, which will consist of both the VALP and the Stoke Mandeville Neighbourhood Plan. An SPD cannot be used to establish policy, such as for site layout or land-use principles.</p>
Policy D-AGT1 South Aylesbury	<p>As noted above, the title of this strategic allocation - ‘South Aylesbury’ – is factually incorrect and misleading. All the area of AGT1 falls within Stoke Mandeville parish and it would be factually correct and in keeping with the evolving Stoke Mandeville Neighbourhood Plan and the principles of placemaking inherent in garden town planning that this strategic development area be renamed ‘Stoke Mandeville’.</p> <p>This strategic allocation falls within the designated area for the Stoke Mandeville Neighbourhood Plan and AVDC are amply aware that the evolving Neighbourhood Plan will make (strategically consistent) policies with regard to this allocation, for example relating to the need for a parish centre, employment allocations, improved community and green infrastructure and parish connectivity. It would be more appropriate for the Policy to explain that a Neighbourhood Plan will also form part of the Development Plan for this allocation and that development proposals will therefore need to comply with relevant NP policies as well as those policies already listed.</p> <p>The changed wording of this policy is vague and ineffective and in places factually incorrect and unsound.</p> <p>As a general point, the policy includes a number of sub-paras making detailed provision for various local matters. These sub-paras largely merely duplicate the detailed provisions of the NPPF, which have precedence in any case. We submit that these sub-paras are otiose and</p>

inappropriate for inclusion in a strategic policy. Where local clarification is needed, we submit that these are detailed local matters best left to the evolving Stoke Mandeville NP.

If it is felt appropriate to list detailed local matters in the strategic policy, there should be consistency in policy wording across garden town strategic allocations. Policy for AGT2, for example, requires provision for a 'new garden community' which is absent from AGT1, and contributions for grammar schools as well as upper schools. AGT5 requires development to have 'local distinctiveness'. This lack of policy consistency in site allocations supposedly governed by the same Garden Town requirements is not acceptable and goes to the issue of soundness.

The following comments on individual sub-paras are without prejudice to the comments above.

Sub-para (a) refers to the need for development proposals to 'integrate new development with the existing built area of Aylesbury'. This is not practically achievable, because the only built-up part of Aylesbury with which the site connects is that of Stoke Mandeville Hospital. The housing surrounding the site allocation is wholly within Stoke Mandeville and some 3-400 metres from the Aylesbury town border. In addition, the Aylesbury Transport Strategy currently calls for a strategic road link to pass along the southern perimeter of the existing built-up area, making integration unfeasible. As well as being unsound, this policy requirement is also inappropriate for a strategic policy. The evolving Neighbourhood Plan will make policies regarding integration, separation and connectivity and it is submitted that the VALP need not contain this strategic policy at all, as it is a matter best left to the NP.

Sub-para (c) requires development proposals to prioritise the delivery of 'a dual carriageway distributor road'. This policy wording raises two issues. Firstly, the delivery of this strategic road is dependent on funding from HS2 to deliver the railway bridge within AGT1 and a re-diversion of the A4010 to connect with the distributor road. It is unsound and unreasonable to require development proposals to prioritise the delivery of a road which, in reality, is dependent on other factors. At the very least, the requirement to prioritise delivery of the road should be contingent on the HS2 contribution coming forward. Secondly, according to information received from the strategic highways team at Bucks CC, the design of the distributor road is currently under review in the light of numerous policy uncertainties, including HS2 and the route of the A41 between the M25 and the proposed East-West ExpressWay. Given this, it seems unsound and unreasonable to require development proposals to prioritise the delivery of a specific road design such as a dual carriageway while the design of the road is open.

Sub-para (d) requires development proposals to provide access points into the site from the B4443 Lower Road and A413 Wendover Road only, with no vehicular access to or from the South East Aylesbury Link Road (SEALR). Firstly, it is unclear whether the SEALR is in fact that distributor road mentioned in sub-para (b) – the drafting of both sub-paras needs to make this clear. Secondly, the requirement for access not to be found from the SEALR is founded on a design concept in the Aylesbury Transport Strategy for the SEALR as a link road designed primarily to remove through traffic from the centre of Aylesbury as part of an outer link road for the town. However, according to information received from Bucks CC strategic highways team, the nature and design of the SEALR is under review as a number of factors relevant to its design remain undecided – the uncertain HS2 contribution, the delivery of other segments of the overall ring road which remain merely aspirational, the rediverted route of the A41 around Aylesbury, to name but three. It would seem unsound and unreasonable to make a strategic policy to this effect in these circumstances. Thirdly, even if the prohibition of access from the SEALR is sound, the plan

makes no policy provision for the consequential impacts on Lower and Wendover Roads, which are already acknowledged as beyond their capacity owing to new 'off-Plan' development now building out along their lengths. If AVDC wish to make a strategic policy of such consequence, the test of soundness requires that they also set out a way in which development proposals adhering to the strategic policy can be brought forward. Fifthly, it is arguable that this policy requirement is also inappropriate for a strategic policy. The evolving Neighbourhood Plan will make policies regarding integration, separation and connectivity and it is submitted that the VALP need not contain this strategic policy at all, as it is a matter best left to the NP.

Sub-para (g) wording is inadequate. It states that development proposals must 'retain and enhance existing habitats *where practicable...*' It is submitted that the words 'where practicable' are too vague and negative and do not provide sufficient clarity for developers. Additionally, the following text requiring the NPPF to be followed by the 'creation of linkages with surrounding wildlife assets and green corridors linking development with the wider countryside and surrounding communities' is made conditional on the phrase 'where practicable', thus undermining the need to comply with the NPPF. This sub-para requires re-drafting to provide clarity.

Sub-para (o) requires the provision of 'buffer' between the new development and Stoke Mandeville to maintain the setting and individual identity of the village. This policy wording is confused and inaccurate. Stoke Mandeville consists of the housing areas of Stoke Grange, Stoke Leys and the village, all of which abut the strategic allocation area. It is submitted that the word 'the village' needs to be replaced by the words 'existing settlements of Stoke Mandeville' so that all residents of Stoke Mandeville enjoy the benefit intended by this strategic policy. See also our comment above about 'South Aylesbury'.

Sub-para (p) refers to developer contributions toward upper school provision, but other policies in the VALP require, additionally, contributions towards grammar school provision. Sub-para (p) should be changed to create consistency.

Sub-para (q) refers to the 'provision of land, buildings and car parking for a new local centre', which we welcome. However, we would prefer the reference to be to a 'parish centre', reflecting the under-provision of services and lack of cohesion across the whole of Stoke Mandeville, as explained in the Neighbourhood Plan.

Sub-para (r) requires the provision of financial contributions towards, specifically, 'off-site health facilities'. It seems inappropriate and unnecessary to make this stipulation as part of a strategic policy. While we understand that Bucks CCG is currently considering a 'super-surgery' policy where GP facilities are concentrated on one site rather than being co-located with housing, the wording of this policy needlessly ties the hands of developers should, in the event, an on-site health facility is preferred by the CCG or if, indeed, Stoke Mandeville is chosen for the site of a super-surgery. We submit that the reference to on or off-site should be deleted.

Sub-para (u) requires the retention of the Grade II listed Magpie Cottage 'within an appropriate setting'. This is no more than the NPPF requirement, but the singling-out of Magpie Cottage is odd, given that there are more listed buildings in the vicinity of the allocation. Either the policy should list all listed buildings individually, or generically refer to all of them. Otherwise, the policy risks sending contradictory messages and failing to comply with the NPPF.

The policy goes on to state that development of this site allocation will 'come forward towards the latter end of the Plan period'. This is unacceptably vague. A specific time range should be set out to give clarity for development, as is done for other garden town allocations. If this cannot be done, then it is arguable that the whole strategic allocation should be withdrawn from the VALP as it is undeliverable.

	<p>Similarly, the policy states that development of this strategic allocation should occur ‘only once an AGT1 Masterplan SPD for the allocation has been prepared and adopted by the council’. However, given the evolving Neighbourhood Plan which will set local development policies which will need to be reflected in the SPD, the policy should state that development cannot commence until <u>both</u> the Neighbourhood Plan and SPD are in place.</p> <p>There are so many concerns with this policy that we question whether or not it is deliverable – it is therefore not justified or effective in terms of the tests of soundness and should therefore be removed from the VALP.</p>
<p>Policy D – AGT2 – south west Aylesbury</p>	<p>The title of this proposed allocation is misleading. There is no recognition that some of the site is located within Stoke Mandeville Parish. There is also considerable uncertainty regarding the deliverability of the site given its dependence on HS2. This uncertainty means that the site’s trajectory is not clear and that its contribution towards meeting the housing requirement cannot be relied upon.</p> <p>The changed wording of this policy is vague and ineffective and in places factually incorrect and unsound. The area of the site that is within Stoke Mandeville Parish should be planned via local policies set out within the emerging Stoke Mandeville Neighbourhood Plan.</p> <p>Sub-para a) makes no mention of Stoke Mandeville but merely refers to the site being integrated with Aylesbury.</p> <p>Sub-para g) is poorly worded and refers to the site being ‘opened up to a range of open spaces’. The meaning of this is unclear.</p> <p>Sub-para r) again refers to integration with the built up area of Aylesbury and makes no mention of Stoke Mandeville Parish.</p> <p>Sub-para s) requires financial contributions to off-site health facilities; it is unnecessary to include reference to contributions within the policy as this will be taken forward through the planning application process.</p> <p>Sub-para v) requires the protection of Grade II listed buildings in the vicinity; this protection is required both by law and by the NPPF so it is unnecessary to include this requirement within the policy.</p>