

Buckinghamshire Council Response to

Maids Moreton Neighbourhood Plan Regulation 16 Consultation

Team/officer who commented	Policy or Para	Page	Comment(s)
DM Team Comments			
DM Officer	1.2	5	The adopted Local Plan should be named for clarity, we would recommend that you add "Vale of Aylesbury Local Plan 2013-2033" to end of first sentence.
DM Officer	3.1	15	<p>The text refers to narrow country roads, which are not all narrow. College Farm Road for instance is generally capable of accommodating two-way traffic.</p> <p>We suggest that 'limited services' should also refer to Buckingham.</p> <p>There are more than 'very limited' opportunities for employment in Buckingham.</p>
DM Officer	3.4	18	In reference to the sentence 'and not breaching the centuries-old historic settlement boundary on the northeast.', Manor Park was developed in the 1960's to the north-east. There are no details or maps included for the term 'historic settlement boundary'.
DM Officer	4.2	23	In reference to the sentence 'It is noteworthy that flats were almost universally felt to be inappropriate', we believe that the number of people who disagreed with the development may have been exaggerated.
DM Officer	6.1 - Rationale after list of VALP policies (Para 5)	31	We suggest that the title of VALP policy D-MM0006 should be added for ease of reference of the reader, e.g., "Land east of Walnut Drive and west of Foscode Road".

DM Officer	6.1	32 Para 3 Para 5	Where the text says, 'The existing boundaries of the settlement envelope need to be maintained to prevent development sprawling into the open countryside of the Maids Moreton Plateau to the north and west, the Foscoote valley to the northeast and east and the Local Landscape Area Ouse Valley to the southeast.' We suggest adding the strategic site allocation MMO006 in VALP, as not including the strategic site allocation is misleading as it also has an outline planning permission.
DM Officer	Map	34	<p>Reference to planning "consent" should be changed to planning "permission".</p> <p>The plan should identify the VALP allocation (D-MMO006) and not just as having planning consent - Not started.</p> <p>Also, for outline permission at Scotts Farm Close, 18/01385/AOP.</p> <p>Perhaps the Neighbourhood Plan could have a policy which designates the settlement boundary, to avoid any confusion over the status of Plan 2 - This was not a point picked up previously. Wording could be added to Policy MMG1 to say "The Neighbourhood Plan designates a settlement boundary for the purposes of ... [to direct future ...development] – See other Neighbourhood Plan examples.</p>
DM Officer	Policy MMG1	35	<p>Point 1: The policy supports residential development of brown field sites and within the settlement boundary. It is silent on residential development outside the boundary such as the VALP allocation D-MMO006. It would therefore represent a clear conflict with the strategic allocation D-MMO006.</p> <p>The justification in the preamble to the policy (page 32) for excluding the VALP allocation from the settlement boundary because it is not yet built is noted, however provision should be made for this and</p>

		<p>for the planning permission granted on the HELAA (Housing and Economic Land Availability Assessment) site MMO005 within this the policy (Please see suggested wording below).</p> <p>It is not clear what development is allowed outside the settlement boundary - See also later points on points 4 and 5 (See suggested wording below).</p> <p>It also fails to deal with rural buildings such as barn conversions (See also comment on point 4 below). This will lead to ambiguity and would represent a conflict with the policies H2, H3, H4 in VALP (Please see suggested wording below).</p> <p>Point 3: We believe this is a negatively worded condition which signposts to policy MME2, which may not be necessary. DM Policy MME2 is clear, so there is no need for this point 3.</p> <p>Point 4: The policy allows for supporting the rural economy and agricultural diversification projects, it would not allow conversion of rural buildings not linked to agricultural diversification. To ensure consistency with VALP policies H3 and H4 and NPPF (National Planning Policy Framework), it is suggested to insert the following <i>“including meeting an essential need for a rural worker, replacement dwelling and the re-use of redundant or disused buildings”</i>. It does not make a distinction between development within or outside the settlement boundary. This was not fully picked up previously.</p> <p>It also does not allow for rural exceptions sites in conflict with policy H2 of VALP, and this should be included. Again, this was not a point picked up previously.</p> <p>Point 5: Would preclude any development between existing development and the settlement boundary as small scale rounding off within the settlement</p>
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		<p>boundary and any redevelopment of existing dwellings. There would therefore be a discord between point 1 and point 5, and a conflict with VALP policy D3 which is a strategic policy which allows for such development. This was not fully picked up previously.</p> <p>Suggested wording should be added before 4 and 5 and subsume those points with amendments as suggested to read:</p> <p><i>4. Development outside the defined settlement boundary be supported in the countryside where:</i></p> <ul style="list-style-type: none"> i. <i>it is allocated for development in the adopted Vale of Aylesbury Local Plan;</i> ii. <i>is the subject of an extant planning permission for such development;</i> iii. <i>it is necessary to support the rural economy or to diversify agriculture including meeting an essential need for a rural worker, replacement dwelling and the re-use of redundant or disused buildings providing there is no significant loss of best and most versatile agricultural land (Grade 3A and above) and no significant adverse impact on the amenity of nearby residents or the historic and rural character and economy of the area.</i> iv. <i>It is infilling of small gaps within existing built frontages gaps or consolidates existing settlement patterns, subject to:</i> <ul style="list-style-type: none"> a. <i>Complementing the village character, meeting the requirements of design, heritage and other policies in this plan;</i> b. <i>Providing sufficient garden space for new dwellings and maintaining sufficient garden space for existing dwellings.</i> <p>Point 7: Planning cannot require provision of superfast broadband within the site. It can only ensure that development is built with the ability to connect to the infrastructure when it becomes available from companies. This Point 7 should be amended to refer to</p>
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			facilitating super-fast broadband. The provision of suitable ducting etc to enable efficient broadband connections to existing networks is covered by policy I6 in the VALP.
DM Officer	Policy MMG1 Interpretation	35	<p>See above comments which will require amending the interpretation.</p> <p>Employment use class E includes light industrial, research and development and offices, formerly known as B1.</p> <p>Thus, B1 has been deleted and subsumed into Class E. Perhaps this read B2 general industrial and B8 storage and distribution instead?</p> <p>The explanation as to why B2 and B8 are excluded is not sufficient as it may not necessarily conflict with residential uses or heritage considerations.</p> <p>Infilling is being suggested as even more restrictive in the interpretation prohibiting development that does not front the same highway as existing. It also suggests this is limited to one or two dwellings, but this is not substantiated by evidence to support such restrictions. See also the points above which need to be reflected. The policy should stand on its own without such interpretation.</p> <p>Missing words - 'Adverse impacts from development on amenity could include noise, disturbance, dust, vibration and other, less quantifiable impacts such as, privacy and amenity, as well...'</p>
	Last para	36	
DM Officer	Policy MMG2		As referred to in the supporting text, the HEDNA is the most recent up to date evidence for housing mix within Buckinghamshire. Therefore, unless there is more recent and localised evidence, the housing mix of

			<p>applications will be determined through policy H6a: Housing Mix of the Vale of Aylesbury Local Plan (VALP) which is a strategic policy in VALP (see paragraph 1.23-1.24 in VALP). The strong wording of ‘must reflect the needs of the area by comprising predominantly smaller housing (mix of 1, 2 and 3 bedrooms) ...’ within the draft neighbourhood plan policy is not justified by robust local evidence and therefore there is no justification which demonstrates a local need for this housing mix.</p> <p>We suggest that the use of the term “down sizing” should be deleted, if there is a mix of units as this would enable this in any event and does not add any clarity.</p> <p>Point 4: Requires storage space – We believe this may be straying beyond planning powers and should be deleted.</p>
DM Officer	Policy MMG2 Interpretation	39	<p>Reference to Housing space standards as “useful in securing compliance” should be deleted. The written ministerial statement published in March 2015 states that; “The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the National Planning Policy Framework and Planning Guidance. Neighbourhood plans should not be used to apply the new national technical standards.” Therefore, it is beyond the remit for neighbourhood plans to require new residential buildings to be built to the nationally described space standards. This suggestion should therefore be removed from the neighbourhood plan.</p>
DM Officer	Policy MMC1	41	<p>Point 2 Typo - “that that”.</p> <p>Point 2 this would benefit to have reference to similar or better facility “both in quality and quantity terms in a suitable location” to be consistent with VALP and the NPPF. It would also benefit from the inclusion of a</p>

			<p>requirement to be marketed for a minimum period of 12 months at a price commensurate with its use. Again, this would be consistent with VALP and should not dilute its requirements. This was not a point picked up previously.</p>
DM Officer	Policy MMC1 Interpretation	41	<p>There is a difference between a facility being viable and the need for marketing for sale and the tests for each. The marketing test should be included in the policy and not left in the interpretation - See above. This would otherwise undermine VALP policy I3 and weaken the tests for assessing the loss of such facilities. The reference to the offer for sale should be added to by including leasing as an alternative. This was not a point picked up previously.</p> <p>Missing words - 'Adverse impacts from development on amenity could include noise, disturbance, dust, vibration and other, less quantifiable impacts such as, privacy and amenity, as well...'</p>
DM Officer	6.4 Rationale para 5 1 st bullet point	42	<p>It is not as clear as it could be that Foscoote reservoir is only partly in the Neighbourhood Plan area.</p> <p>Should also include reference to NE2 and NE5 from VALP</p>
DM Officer	Policy MME1	45	<p>Points 2, 3, 4 and 6 should refer to "significant" harm to be consistent with VALP. This was not fully picked up previously.</p> <p>Point 4 refers to notable species and lists those - Are the notable species included in the evidence base recorded as being found in the area? As notable species do not have the same level of protection as "protected" species.</p>

			<p>In addition, previously recommended including the following wording 'Development on or adjacent to non-statutory sites and priority habitats should be avoided.' This would support policy NE1: Biodiversity and Geodiversity within the VALP.</p> <p>Point 5: As written the policy does not allow for the removal of low quality, dead, dying or dangerous trees as well as trees which are not indigenous. The policy is potentially not in conformity with VALP NE8, as it does not allow tree surveys and an impact assessment to be carried out to inform whether the trees make an important contribution to the character and amenity of the area. No loss of trees is unduly restrictive. Also, it may not be possible or practicable to replace a lost tree with one of similar maturity or value, but this could happen over time as the tree grows.</p> <p>The policy should stand on its own without relying on interpretation.</p>
DM Officer	Policy MME1 Interpretation	45-46	<p>Significant harm comments as above. We believe that reference to the loss of open views to the wider countryside should be deleted, as there is no right to a private view towards open countryside.</p> <p>The interpretation includes the need for details of height and density of trees, hedges and planting to be submitted as part of the scheme. This is not appropriate for outline permissions, as this is seeking the principle of development and such details are dealt with at the reserved matters stage. Also, it may be seen as unreasonably burdensome to insist on this at the full planning application stage where this level of detail, as often indicative with full planting details provided through conditions. This is not a matter for interpretation of policy in the neighbourhood plan.</p> <p>Missing word: 'The policy complements requirements in the Local Plan for ecological buffers to watercourses,</p>

		46, First Para	hedgerows and woodland and to avoid fragmentation of wildlife corridors.
DM Officer	Policy MME2	50	Point 2 Significant harm comments as above. Point 3 appears to be more restrictive than NE6 of VALP in that it would restrict any agricultural requirements on the open fields around Scotts Lane. This was not fully picked up previously.
DM Officer	Policy MME2 Interpretation	50	As above.
DM Officer	Policy MME3	52/53	Point 4 - There is no single established pattern in Maids Moreton. This would benefit from the addition of “in the vicinity of the site”. This was not a point picked up previously. Point 5b - It is not clear if this relates to front boundary treatments only – It is not practical to apply where you have corner plots and require privacy through enclosure to side/rear gardens. Point 12 - The requirement for screened bin storage is questioned as the storage is often in back gardens. It might be reasonable to request if provision is being made for communal bins or storage is proposed in front gardens visible in the street scene. Point 13 - Requires separation of properties to allow for maintenance and repair. This is not something we can require through planning policy. It would also be difficult to achieve for terraced houses/small units. Also, we suggest there is more clarity as to whether this applies to new dwellings or proposals for extensions/alterations.

DM Officer	Policy MME3 Interpretation	53	<p>The requirement for landscape planting to be part of submissions and not left to conditions is not appropriate for outline permissions, as this is seeking the principle of development and such details are dealt with at the reserved matters stage. Also, it may be seen as unreasonably burdensome to insist on this at the full planning application stage where this level of detail, as often indicative with full planting details provided through conditions. This is not a matter for interpretation of policy in the neighbourhood plan.</p> <p>Separation for maintenance and repair - As above.</p> <p>Verges and footpaths may often be outside of an application site and out of the control of the applicant.</p>
DM Officer	6.7	54	<p>Should the Aylesbury Value Highway Protocol for Conservation Areas also be listed here?</p> <p>Perhaps reference to non-designated heritage assets as well?</p>
DM Officer	Policy MME4	57	<p>The policy would apply to those developments where there is a heritage asset(s) to consider and would benefit from being clearer.</p> <p>Point 1b - There are many examples of fairly uniform design in Maids Moreton in and adjacent to the conservation area or adjacent to listed buildings to which this policy might be applied, and often the character of an area can be defined by an element of uniformity, so this would benefit from re-wording to delete “with most houses being of individual character rather than uniform design” to “ to achieve a variety of architectural detailing and materials and locally distinctive character” unless it is made clear that it applies to development within the conservation area. This was not a point picked up previously.</p> <p>Point 2 does not consider shared surfaces where there is no “pavement” as such.</p>

			<p>Point 3 is not consistent with the statutory test, VALP policy BE1 or the NPPF which requires an assessment of the significance of a heritage asset and the level of any harm to be considered and needs to weigh any such harm against public benefits.</p> <p>It is not clear as to how the harm to the structural integrity of historic buildings is to be assessed from highway infrastructure and significant levels of traffic? What evidence is available to justify this requirement?</p>
DM Officer	Policy MME4 Interpretation	58	<p>The list of local material states; Roof tiles: Slate/plain clay plain tiles (predominantly red). Should this read Slate/plain clay tiles/plain tiles (predominantly red)</p> <p>Reference to structural integrity again – See above.</p>
DM Officer	6.8	59-60	<p>Reference to T4 of VALP - Should be Aylesbury Vale Highway Protocol for Conservation Areas.</p> <p>Should be Buckinghamshire Council's Local Transport Plan and Climate Change and Air Quality Plan.</p> <p>Question 'limited' employment opportunities in... Buckingham.</p> <p>Paragraph refers to engagement suggesting development not accompanied by adequate infrastructure - This is a sweeping statement and would benefit from some clarity/evidence or deletion.</p> <p>2nd paragraph page 60 - First sentence references Maids Morton streets being used as routes for speeding vehicles avoiding congestion in Buckingham – No evidence has been given to support this statement.</p>

DM Officer	Policy MM12		<p>Point 2 - 'Secure, covered storage for cycles and personal vehicles must be provided within development' - We would not normally expect this for development comprising extensions or alterations.</p> <p>Point 3 – Parking provision should address those standards set out in VALP.</p> <p>Point 4 and 5 cover the same points. The requirement of no harm is not consistent with VALP policy BE1 and the NPPF in assessing the significance of the heritage asset and the level of harm and needs to weigh any such harm against public benefits. There may be tensions between the impact on historic/rural character and highway safety and free flow of traffic that need to be considered.</p> <p>Point 6 – Suggest adding 'as appropriate' at the end. Not all roads may require access by public service vehicles, for example, there could be bin collection points.</p>
DM Officer	Policy MM12 Interpretation	61	<p>This should refer to VALP parking standards as the Buckinghamshire Parking Guidance does not apply in this area. Note: The wrong advice was given in the Reg 14 response.</p> <p>4th para 2nd line – The words 'such as roundabouts' is not appropriate, particularly when one of the VALP allocated sites does propose this type of junction which was appropriate in the conservation area. Reference instead could be given to the guidance given in the Aylesbury Vale Highway Protocol for Conservation Areas.</p>
DM Officer	7.1	63	<p>Typos – youths; but for active travel; full stop at end of bullet points not;</p>

DM Officer	8	69	List of roofing materials - See above heritage comments.
Ecology Team Comments			
Ecology Officer	Summary of whole document	-	<p>It is welcomed that biodiversity and the natural environment has been taken into consideration of the neighbourhood plans aims and that there is a specific policy (MME1) for the rural and natural environment. Previous Buckinghamshire Council Ecology comments dated 15th July 2022 have been considered in this latest version of Maids Moreton Neighbourhood Plan. Such as, the policy MME1 refers to particular priority habitat and protected species which are to be avoided by negative impacts. Along with identifying the importance of protecting wildlife corridors and ecological buffers to avoid fragmentation. Furthermore, the importance of integrating species specific enhancement features within proposed development.</p> <p>Some comments previously have not been identified within the proposed neighbourhood plan therefore, the comments below repeat previous ecological recommendations.</p>
Ecology Officer	MME1	45	<p>It is positive that biodiversity net gains are included within point 1 of the policy. In accordance with the NPPF, Local Plan, Biodiversity Net Gain SPD and the Environment Act 2021 biodiversity net gains must be measurable.</p> <p>The Local Plan Policy 'NE1 Biodiversity and Geodiversity' of the Aylesbury Local Plan 2013-2033 states that: <i>"Protection and enhancement of biodiversity and geodiversity will be achieved by the following c. A net gain in biodiversity on minor and major developments will be sought by protecting, managing, enhancing and extending existing biodiversity resources, and by creating new biodiversity resources. These <u>gains must be measurable</u> using best practice in biodiversity and green infrastructure accounting and in accordance with any methodology (including a biometric calculator) to be set out in a future Supplementary Planning Document"</i>.</p>

			The Neighbourhood Plan should reflect and be in accordance with the above documents to secure <u>measurable</u> biodiversity net gain within the Parish.
Ecology Officer	MME1	45	For point 2 it is worth mentioning that development should follow the mitigation hierarchy in accordance with CIEEM (Chartered Institute of Ecology and Environmental Management) guidelines (Avoid, minimise, restore, offset/compensate, enhance). Where development is proposed to cause harm to flora and fauna, <u>avoidance should be the first option if this is possible before mitigated.</u>
Ecology Officer	MME1	45	In relation to point 5 planting should be of ' <i>local provenance</i> ' whereby native species are sourced locally and planted in appropriate areas.
Planning Policy Team Comments			
Planning Policy Officer	1.1	5	Should add here that 'On 1 April 2020 Aylesbury Vale District Council/Buckinghamshire County Council ceased to exist and were replaced by Buckinghamshire Council. Nevertheless, this plan has been prepared over such time that references to the legacy council names and documents still exist' (to understand the references that appear in the plan to 'Aylesbury Vale'). This means that the Aylesbury Vale area is now part of Buckinghamshire Council planning area.
Planning Policy Officer	6.2	37	First Homes were not part of the Vale of Aylesbury Local Plan as that plan was at examination when the Government's Transitional Arrangements for First Homes policy applied. The Transitional Arrangements set out that a plan at examination in summer 2021 would not be required to make provision for First Homes. That said, the neighbourhood plan is able to have a policy on First Homes and be consistent with the Government's guidance on First Homes First Homes - GOV.UK (www.gov.uk) and otherwise be consistent with the National Planning Policy Framework latest version (currently 2021).

Planning Policy Officer	MMG2	39	<p>In terms of First Homes, to avoid having to cross reference to the national Guidance it should be clarified that in Maids Moreton (like in the Guidance Paragraph: 001 Reference ID: 70-001-20210524 First Homes - GOV.UK (www.gov.uk)) that First Homes are required to be at least 25% of the affordable housing being provided. This means the remaining 75% of affordable housing will be required to be delivered as per VALP Policy H1 and the VALP Affordable Housing SPD soon to be adopted in the Aylesbury Vale area of Buckinghamshire.</p> <p>The VALP did not include the Technical Housing Standards nationally described space standards and the supporting text to MMG2 needs to be firmer that what is on p.39 for a planning decision maker on if those standards will be or won't be required through the neighbourhood plan.</p>
Planning Policy Officer	Plan 2	34	<p>The settlement boundary needs to be drawn around site MMO006 in VALP as it is a commitment and also has outline planning permission. The settlement boundary needs to go around that site so as to delineate the future extent of Maids Moreton once that construction has taken place. Otherwise once the development is built then the plan's settlement boundary will no longer be accurate. To exclude the site is also inconsistent with the VALP Policies Map and expected buildout for site Policy D-MMO006 that shows by 2033 (the plan end date) this would be part of Maids Moreton.</p>
Planning Policy Officer	MMG1	35	<p>Policy clause (4) needs to have requirement to submit an Agricultural Land Quality plan to the council to be agreed to confirm the extent of Grade 3a areas.</p> <p>Policy Clause (7) - The Council can require broadband connection infrastructure be provided but the timing of when this happens as part of the development in relation to broadband services being improved is outside the developer's control.</p>

Planning Policy Officer	MME3	51	MME3 (5) the provision of boundary treatments to 1 metre high fronting a highway or 2 metres not adjacent a highway is permitted development so rarely falls under planning controls. The policy needs to reflect what is achievable.
Planning Policy Officer	MME1	45	MME1(4) is inconsistent with the VALP Policy NE2 (d) which sets out a process for managing development if harm cannot be avoided. The policy needs to include the provisions for accepting mitigation or as a last resort, compensation.
Archaeology Team Comments			
Archaeology Officer	Overall	-	We would expect the Neighbourhood Plan to reference the recently adopted Local List, which includes the archaeological site of the Maids Moreton Mound Maids Moreton Mound - Buckinghamshire's Local Heritage List (local-heritage-list.org.uk) .
Archaeology Officer	Final Para	58	Whilst we welcome this reference to archaeology, we would expect a clearer assumption that any development which may impact on the historic environment would consult the HER as a minimum.
Highways DM Team Comments			
Highways DM Officer	Interpretation of MM12	61	Under the heading 'Interpretation of MM12', It reads: 'Parking standards are contained in Buckinghamshire Parking Guidance.' This should be the VALP parking standards; the Buckinghamshire Parking Guidance is not used in the Aylesbury area, the VALP parking standards are used instead.



Historic England

By email only to: Neighbourhoodplanning@buckinghamshire.gov.uk

Our ref: PL00792759

Your ref: Maids Moreton Neighbourhood Plan

Main: 020 7973 3700

e-seast@historicengland.org.uk

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Date: 13/06/2023

Dear Sir or Madam

Maids Moreton Neighbourhood Plan Regulation 16 Consultation

Thank you for inviting Historic England to comment on the Regulation 16 Submission version of this Neighbourhood Plan.

We do not consider it necessary for Historic England to provide detailed comments at this time. We would refer you to if appropriate to any previous comments submitted at Regulation 14 stage, and for any further information to our detailed advice on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here:

<https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>

We would be grateful if you would notify us on eastplanningpolicy@historicengland.org.uk if and when the Neighbourhood Plan is made by the council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed plan, where we consider these would have an adverse effect on the historic environment.

Yours sincerely

Louise

Louise Dandy
Historic Places Advisor



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Telephone 020 7973 3700 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



Date: 04 May 2023
Our ref: 427530
Your ref: Maids Moreton Neighbourhood Plan



Ms Rachael Riach
Buckinghamshire County Council

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Dear Ms Riach

Maids Moreton Neighbourhood Plan – Regulation 16 Consultation

Thank you for your consultation on the above dated 24 March 2023.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have any specific comments on the Maids Moreton Neighbourhood Plan.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours sincerely

Sally Wintle
Consultations Team

Neighbourhood Planning Team
Buckinghamshire Council
Buckinghamshire

May 2023

By email: neighbourhoodplanning@buckinghamshire.gov.uk

Re: Maids Moreton Neighbourhood Plan Submission Version (V10.3)

Dear Sir/Madam,

Introduction

These representations provide Gladman's response to the Maids Moreton Neighbourhood Plan (MMNP) under Regulation 16 of the Neighbourhood Plan (General) Regulations 2012.

Gladman specialises in the promotion of strategic land for residential development and associated community infrastructure and has considerable experience in contributing to the Development Plan preparation process and supporting documents having made detailed representations on numerous Local Plan consultations and participating at Local Plan Examinations across England. It is on the basis of that experience that our comments are made in these representations.

Through these representations, Gladman provides an analysis of the MMNP and the policy choices promoted within the draft Plan. Comments made by Gladman through these representations are provided in consideration of the MMNP's suite of policies and its ability to fulfil the Neighbourhood Plan Basic Conditions as established by paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended) and supported by the Neighbourhood Plan chapter of the PPG.



Legal Requirements

Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The MMNP meets the basic conditions if

‘(a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,

...

(d) the making of the order contributes to the achievement of sustainable development,

(e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),

(f) the making of the order does not breach, and is otherwise compatible with, retained EU obligations, and

(g) prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).’

National Planning Policy Framework

The National Planning Policy Framework (the Framework) sets out the Government’s planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role they play in delivering sustainable development to meet development needs. In addition, Planning Practice Guidance (PPG) makes clear that neighbourhood plans should conform to national policy requirements and take account of the most up-to-date evidence. This is so that Maids Moreton Parish Council can assist Buckinghamshire Council (former Aylesbury Vale Council for this settlement) in delivering sustainable development and be in accordance with basic condition (d).

Paragraph 13 of the Framework makes clear that Qualifying Bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development and plan positively to support local development. Paragraph 29 of the Framework makes clear that a neighbourhood plan must be aligned with the strategic needs and

priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.

In this regard, the Development Plan relevant to the preparation of the MMNP and which it will be tested against is the Vale of Aylesbury Local Plan 2021¹. Maids Moreton Parish should be aware that Buckinghamshire Council are in the process of developing a new Local Plan; the Council have recently undertaken a Call for Sites consultation with adoption due by April 2025.

Failure to align with the strategic policies of the emerging Local Plan would render the MMNP quickly out of date in accordance with s38(5) of the Planning and Compulsory Purchase Act 2004. Therefore, in line with the upcoming consultations which could significantly alter the contents of the emerging plan, the Parish Council should be mindful that further information will be released on the strategic policies in which the MMNP should align.

Policy MMG1: Sustainable Growth

The rationale for the contents of this policy largely focuses on the physical development history of Maids Moreton, the strategic allocation in the VALP, and the desired separation of Buckingham and Maids Moreton. The rationale seeks to contend that a) the separation in identity is important and b) that physical separation exists:

‘Separation is currently provided by the band of open ground that flows east from the agricultural landscape west of the village, through the rugby club pitches, across the fields on either side of Scott’s Lane and thence over the school playground, field and spinney to the playing fields and down to the A422 through pastureland (see Green Space map in the Background Document).’

There needs to be acknowledgement of the important relationship between Buckingham and Maids Moreton; while their identity may differ, the physical separation is not as obvious as the MMNP seeks to achieve. Gladman specifically refer to the VALP (2021) Inspector’s Report in which he concluded that:

*‘44. Only six of the nineteen medium villages listed in VALP table 2 have allocations. One of those, taking 16% of the total development expected to take place in medium villages, is Maids Moreton. In many ways this village may be regarded as a part of Buckingham (local residents would disagree) with **which the***

¹ https://buckinghamshire.gov.uk.s3.amazonaws.com/documents/Aylesbury_local_plan_L46JWaT.pdf

village is contiguous. This emphasises the minimal contribution to the development strategy which free-standing medium sized villages are expected to make. High percentages of commitments at Cheddington and at Stoke Hammond may offer an explanation for an absence of allocations in those particular cases. The omission of growth allocations in many of the other larger or medium villages does not even have that explanation.²

...

229. But, [Maids Moreton] is not a free-standing settlement. Residents of Maids Moreton clearly see themselves as separate from Buckingham but, to an independent observer, the two settlements coalesce. Although Buckingham Rugby Union Football Club's grounds to the west and agricultural land to the east cause a break in the continuous line of development along the main A413 and the name of the road changes from Moreton Road (in Buckingham) to Duck Lake (in Moreton), **there is a continuous line of development linking Moreton and Buckingham without a break along the alternative route of Church Street, Glebe Terrace and Avenue Road.** **To an outsider, coalescence between the two settlements has already occurred and, in practical terms of urban landscape, supporting infrastructure and of their capacity to support development, Maids Moreton and Buckingham can draw on each other's resources.** Moreton hosts the Buckingham Rugby Union Football Club which offers a facility serving an area much wider than the village alone. Buckingham provides retail facilities, health facilities and secondary schools at a distance of about a mile and a half from Maids Moreton.'

While this may not be what Maids Moreton Parish Council wish for, the reality is that the two settlements are contiguous, with facilities and residential development in both Buckingham and Maids Moreton providing for residents of both conurbations. It is important that the rationale and policy MMG1 reflect this point to be in conformity with TCPA 1990 basic condition e. The examiner may take issue specifically with MMG1 part 6 given that there is currently landscape separation between Maids Moreton and Buckingham on the west side of the former only. While the introduction of LGS1 either side of Scott's Lane may maintain the current level of openness between Buckingham and Maids Moreton, development to south along Avenue Road, South Hall and Glebe Terrace clearly abuts Buckingham. It is suggested that part 6 of this policy is altered so as to refer to the openness on the west side of Maids Moreton but also to acknowledge the current coalescence.

² <https://www.aylesburyvaldc.gov.uk/sites/default/files/VALP/VALP%20Report.pdf>

Furthermore, it is suggested that Plan 2 is altered so as to reflect the settlement boundary as formalised by the VALP. Again, the examiner may find inconsistencies between presentations of the settlement boundary in the VALP and that in the draft MMNP given basic condition e.

Policy MMG2: Residential Development

Gladman contend that this policy as currently written is not necessary to include within the MMNP. The policy is concerned with ensuring an appropriate housing mix and the provision of affordable housing. Such policies are included within the Vale of Aylesbury Local Plan (H1, H6a and H6b) and also national policy, for instance on First Homes. It is also worth noting that the third paragraph of the rationale for this policy wrongly reference VALP Policy H2 rather than H1 with regard to affordable housing provision.

Policy MMC1: Community Facilities

Gladman supports the provision of community facilities and recognises their important role for sustainable living and 15-minute neighbourhoods. However, as per MMG1, the rationale for this policy should reference the facilities within Buckingham that are within the 15-minute walking radius. Gladman suggests that the MMNP reflects the sentiment of the Local Plan Inspector as quoted above.

Policy MME3: Sustainable Design

Gladman support the general principles set out in the above policy, however it is considered that this unnecessary duplication of current and emerging building regulations, as well as VALP policies, and therefore should be deleted in line with paragraph 16(f) of the Framework. In addition, the Design SPD for the Vale of Aylesbury is not referenced; while this is still emerging it is worth sign posting readers to this document for context.

Policy MME4: Historic Character


Gladman would suggest the removal of part 2 of this policy given its relation to highways safety rather than protection and/or enhancement of heritage assets. Again, the removal of part 3 of this policy would be appropriate given the protections afforded to heritage assets and conservation areas under legislation as referenced in the interpretation of this policy on page 57.

Conclusion

Gladman welcome the opportunity to comment on the Maids Moreton Neighbourhood Plan and would like to be kept informed as the Plan is progressed.

Gladman would like to reiterate that the points made above are to ensure compliance with VALP policies, the NPPF and the basic conditions. I hope you have found these representations constructive and should you wish to discuss any of the points raised in detail, please do not hesitate to get in contact.

Yours faithfully,

A handwritten signature in black ink that reads "Oliver Lloyd". The signature is written in a cursive style with a large, flowing 'O' and 'L'.

Oliver Lloyd
Planner
Gladman Developments Ltd
O.Lloyd@gladman.co.uk

Rachael Riach

From: Parish Clerk <parishclerk@akeleyparishcouncil.gov.uk>
Sent: 21 April 2023 15:52
To: Neighbourhood Planning Mailbox
Subject: [EXTERNAL] RE: Consultation: Maids Moreton Neighbourhood Plan

Follow Up Flag: Follow up
Flag Status: Completed

Akeley Parish Council would like to support this very detailed Neighbourhood Plan and congratulates Maids Moreton Parish Council on compiling such a detailed plan.

Kind regards

Helen Butcher
Akeley Parish Clerk

From: Neighbourhood Planning Mailbox <Neighbourhoodplanning@buckinghamshire.gov.uk>
Sent: Friday, March 24, 2023 5:37 PM
To: Neighbourhood Planning Mailbox <Neighbourhoodplanning@buckinghamshire.gov.uk>
Subject: Consultation: Maids Moreton Neighbourhood Plan

Dear Consultee

You are being contacted as, according to our records, you are a statutory consultee for this consultation. If we have the wrong contact details for your organisation please let us know and we will update our records accordingly.

Maids Moreton Neighbourhood Development Plan

Under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012, Maids Moreton Parish Council has submitted their Neighbourhood Development Plan to Buckinghamshire Council.

In accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended), Buckinghamshire Council is inviting representations on the Neighbourhood Plan until **midnight on the 11th May 2023**.

The Plan and supporting documents are available to view via the following weblink:

<https://yourvoicebucks.citizenspace.com/planning/maids-moreton-neighbourhood-plan>

Representations can be made by:

1. completing the online form at the bottom of the consultation webpage;
2. emailing neighbourhoodplanning@buckinghamshire.gov.uk; or
3. by post to Maids Moreton Neighbourhood Plan, Planning Policy Team, Buckinghamshire Council, Walton Street Offices, Walton St, Aylesbury HP20 1UA

Representations must be received by **midnight on 11th May 2023**.

Rachael Riach

From: Diane Clarke <Diane.CLARKE@networkrail.co.uk>
Sent: 25 March 2023 10:32
To: Neighbourhood Planning Mailbox
Subject: [EXTERNAL] bucks-aylesbury Maids Moreton Neighbourhood Plan

You don't often get email from diane.clarke@networkrail.co.uk. [Learn why this is important](#)

OFFICIAL

Network Rail is a statutory consultee for any planning applications within 10 metres of relevant railway land (as the Rail Infrastructure Managers for the railway, set out in Article 16 of the Development Management Procedure Order) and for any development likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway (as the Rail Network Operators, set out in Schedule 4 (J) of the Development Management Procedure Order).

Network Rail is also a statutory undertaker responsible for maintaining and operating the railway infrastructure and associated estate. It owns, operates and develops the main rail network. Network Rail aims to protect and enhance the railway infrastructure, therefore any proposed development which is in close proximity to the railway line or could potentially affect Network Rail's specific land interests will need to be carefully considered.

Asset Protection Comments:

Developments in the policy area should be notified to Network Rail to ensure that:

- (a) Access points / rights of way belonging to Network Rail are not impacted by developments within the area.
- (b) That any proposal does not impact upon the railway infrastructure / Network Rail land e.g.
 - Drainage works / water features
 - Encroachment of land or air-space
 - Excavation works
 - Siting of structures/buildings less than 2m from the Network Rail boundary / Party Wall Act issues
 - Lighting impacting upon train drivers' ability to perceive signals
 - Landscaping that could impact upon overhead lines or Network Rail boundary treatments

- Any piling works
- Any scaffolding works
- Any public open spaces and proposals where minors and young children may be likely to use a site which could result in trespass upon the railway (which we would remind the council is a criminal offence under s55 British Transport Commission Act 1949)
- Any use of crane or plant
- Any fencing works
- Any demolition works
- Any hard standing areas

For any proposal adjacent to the railway, Network Rail would request that a developer constructs (at their own expense) a suitable steel palisade trespass proof fence of at least 1.8m in height.

All initial proposals and plans should be flagged up to the Network Rail Town Planning at the following address:

Email: TownPlanningLNW@networkrail.co.uk

Railway Station

Consideration should be given in Transport Assessments to the potential for increased footfall at Railway Stations as a result of proposals for residential development / employment areas within the neighbourhood area. Location of the proposal, accessibility and density of the development, trip generation data should be considered in relation to the station. Where proposals are likely to increase footfall and the need for car parking, the council should include developer contributions (either via CIL, S106) to provide funding for enhancements as part of planning decisions.

Level Crossings

Developments within the neighbourhood area should be accompanied by a TS/TA which includes consideration of the impact of proposals upon any level crossings with mitigation implemented as required. We would encourage the Council to adopt specific policy wording to ensure that the impact of proposed new development (including cumulative impact) on the risk at existing level crossings is assessed by the developer(s), and suitable mitigation incorporated within the development proposals and funded by the developer(s). TS/TAs should be undertaken in conjunction with the local highways authority with advice from Network Rail. Contributions will be sought where proposals impact on level crossings to mitigate the impacts of those developments. Where level

What is your interest in this consultation? - Interest	What is the name of your organisation? - Organisation	What is your full name? - Name	Please indicate whether you support or object to the submitted Neighbourhood Plan. - Support/Object
Resident	Not Answered	Jane Wood	I support the submitted Neighbourhood Plan but do not wish to make any comments or suggest changes
Organisation	Leckhampstead Parish Council	Joanna Taylor	I support the submitted Neighbourhood Plan but do not wish to make any comments or suggest changes
Organisation	David Wilson Homes (South Midlands)	Pritesh Shah	I object to the submitted Neighbourhood Plan and will provide comments to explain my reasons

Please provide your comments, suggested changes or reasons for objecting. - Comments

Not Answered

Not Answered

I would like to add my support to the Neighbourhood Plan that the Parish are making, however I have concerns regarding the content. In terms of the principle, in accordance with the Planning Policy Guidance (PPG) at paragraph 009, a draft Neighbourhood Plan should be in general conformity with the strategic policies of the development plan. As per paragraph 004 of the PPG, a neighbourhood Plan should also support the strategic policies set out in the local plan.

In this regard the site which benefits from planning consent 16/00151/AOP (Land off Walnut Drive and Foscode Road) should be recognised in the Neighbourhood Plan as an allocated site in the adopted Local Plan under Policy D-MMO006. This site should be located within the village boundary of the Neighbourhood Plan. Furthermore the Neighbourhood Plan does not explore further appropriate and sensitive residential development within or adjacent to the village boundary and no further residential development sites are allocated within the Neighbourhood Plan.

As supported by the application 16/00151/AOP, the Agricultural Land Classification Report states that most of the land within the former Aylesbury Vale is Grade 3 and this is certainly the case for land around Maids Moreton. Point 4 of Policy MMG1 doesn't allow for development on Grade 3A and above which if the Neighbourhood Plan is adopted will be against the paragraph 38 of the NPPF as the approach to development making by Local Authorities for any proposed development in Maids Moreton will not be approached in a positive way.

Policy MME1 at point 3 states 'Development should conserve or enhance and cause no harm to connected habitat throughout the area, including hedgerows and wildlife corridors'. This statement is contrary to part 5 of the same policy which does allow mitigation to take place.

Policy MME4 at point 3 states 'Development must not harm the character, amenity and structural integrity of the Conservation Area and other historic assets through the impacts of highway infrastructure and the generation of significant additional traffic movements and parking in Main Street'. The approved application 16/00151/AOP has access off Walnut Drive which is accessed off Main Street. This development will naturally generate additional traffic tested and approved at outline stage with appropriate mitigation. The wording of this Neighbourhood Plan Policy is therefore contrary to the Local Plan through the allocation of this site.

With respect to parking on Main Street, this should be controlled outside of the remit of the Neighbourhood Plan through traffic management with the Local Planning Authority. Impacts on Historic Assets such as Conservation Areas should be assessed as part of a planning application and the NPPF at paragraph 194 requires applicants to do this. Paragraph 200 and 201 deals with applications that harm heritage assets such as Conservation Areas and Listed Buildings where applicants need to demonstrate substantial public benefits to a scheme that outweigh any harm to heritage assets. Policy MME4 is therefore considered to be contrary to the NPPF and should therefore be re-worded.

For the reasons above I would urge the Neighbourhood Plan not to be adopted in its current state and needs to be tweaked to conform to the adopted Local Plan and the NPPF.