

QUINTON NEIGHBOURHOOD PLAN

Modification Proposal Statement

prepared for pre-submission consultation in accordance with Regulation 15(a) of the Neighbourhood Planning (General) Regulations 2012 (as amended) in respect of the Modification Proposal to the made Quinton Neighbourhood Development Plan.

October 2021

Table of Contents	page
1. Introduction.....	3
2. Background	4
3. QNDP Policy H1 Housing – Location of Development.....	4
4. Allocation of Land for Development.....	6
5. Modifications.....	7
5.1 Modifications to the Settlement Boundary.	
5.2 Replacement of QNDP Policy H1 Housing Location of Development with Policy QP1 Quainton Settlement Boundary.	
5.3 Re-wording of QNDP policies and renamed	
5.4 Inclusion of the Policies Map	
6. Buckinghamshire Council conclusion on the requirement for a Strategic Environmental Assessment (SEA) Requirement.....	14

1. Introduction

Quainton Parish Council wishes to modify the made Quainton Neighbourhood Development Plan (QNDP).

In summary, the modifications proposed are:

1. A replacement of QNDP Policy H1 Housing Location of Development with Policy QP1 Quainton Settlement Boundary.
2. An amendment to the Settlement Boundary to include land allocated or planned for development, and new commitments which have planning consent. This will change the Plan from non-site specific to site specific.
3. An alteration to the Settlement Boundary to further safeguard a heritage asset the Quainton Windmill.
4. A replacement of most of the other QNDP policies with updated wording so they may continue to be in general conformity with the Vale of Aylesbury Local Plan (VALP).
5. The inclusion of a Policies Map to provide a visual representation of the key Neighbourhood Plan policies.

It is considered that these are material modifications, ones which the parish council believes is not so significant or substantial as to change the nature of the Plan and is both practical and pragmatic.

It is more in the nature of a material update, albeit one which does not affect the nature of the Plan and can be made without a referendum but in accordance with the 2012 Regulations amended by the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017/1243. Regulation 14(a)(v) of the 2012 Regulations requires:

“in relation to a modification proposal, a statement setting out whether or not the qualifying body consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the qualifying body is of this opinion”.

This Statement serves this purpose and notes the following additional requirements in the Planning Policy Guidance (PPG) - Neighbourhood planning (revised February 2018):

- the qualifying body must (at the pre-submission publicity and consultation stage and when the modified plan is submitted to the local planning authority) state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons.
- the local planning authority must (when sending the modified plan to the independent examiner) state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons. The local planning authority must also submit a copy of the original plan to the independent examiner.
- the qualifying body must decide whether to proceed with the examination after the examiner has decided whether the modifications proposed change the nature of the plan.

In accordance with the requirements of the PPG as stated above, this document is therefore setting out the background reason to the modifications, sets out what the modifications are and will set out the reasons as to why the parish council believe that the modifications of the Plan are not so significant or substantial as to change the nature of the Plan.

2. Background

2.1 The proposed modified Quainton Neighbourhood Plan (QNP) covers the period 2013-2033. The designated neighbourhood area covers the same area as the Quainton Parish Council. On 31 October 2016 it was agreed by the former Aylesbury Vale District Council (AVDC) to 'make' the Quainton Neighbourhood Development Plan (QNDP), following a referendum which took place on Thursday 22 September 2016. The results showed 78% of those who voted were in favour of the plan.

3. QNDP Policy H1 Housing – Location of Development

3.1 The independent examination in March 2016 concluded that while the Plan met the Basic Conditions, its policies would need modification. Regarding the proposed Policy H1 Housing, it was considered by the examiner without amendment it would demonstrate not to plan positively for local development.

3.2 It was considered the settlement boundary tightly drawn around the existing built form of the Quainton settlement would rarely be likely to be acceptable in the absence of identification of sites to accommodate new housing development to meet local needs.

3.3 While the area of Station Road was identified for additional housing, the examiner was concerned with the stated intention to establish a set of conditions or criteria which in his view would have the effect of severely limiting development.

3.4 The examiner concluded the Plan had not demonstrated that housing needs could be met in the context of the development boundary and the other constraints on development included within Policy H1, and subsequently made recommendations as to how Policy H1 needed to be re-worded to meet the Basic Conditions.

3.5 This led to the examiner's Recommended modification 3:

Proposed Policy H1 Housing	Replace with Policy H1 Location of Development
<p>Within the Settlement Boundary, new homes on infill sites will be permitted where the proposal respect their immediate environments, adjacent residents and their design maintains and contributes to local distinctiveness.</p> <p>Beyond the Settlement Boundary new homes will only be permitted</p> <ul style="list-style-type: none"> • where there is a small gap or infill site between existing dwellings for up to two dwellings. • as linear development along Station Road provided that there is a defensible boundary and existing dwellings either side of the site. <p>Backland development for homes behind existing frontages of housing will be strictly controlled, particularly where there is no defensible boundary to open countryside and where the amenities of residents on the frontage would be adversely affected by overlooking and disturbance by traffic accessing the development.</p> <p>Beyond the Settlement Boundary, in open countryside, development for uses related to the countryside such as agriculture, equestrian uses and recreation will generally be acceptable provided there is no unacceptable adverse impact</p>	<p>Within the settlement boundary, defined on the map on page 10, proposals for new homes will be supported where they respect the character of the immediate locality; contribute to local distinctiveness; and maintain appropriate amenity of adjacent dwellings.</p> <p>Apart from the special circumstances set out in paragraph 55 of the Framework there is a presumption against development of new homes outside the settlement boundary in the open countryside except on sites adjoining the settlement boundary along Station Road, where a distinct boundary to open countryside can be achieved.</p> <p>Proposals for backland development of homes behind frontage dwellings will only be supported where a distinct boundary to open countryside can be achieved and where appropriate amenity of adjacent existing dwellings can be maintained.</p> <p>Development proposals in the open countryside outside the settlement boundary will be supported where they assist the sustainable growth and expansion of a business or enterprise in the countryside area, both through conversion of existing buildings and well-</p>

on the landscape and local roads.

designed new buildings; promote the development and diversification of agricultural and other land-based rural businesses; or support sustainable rural tourism and leisure developments that benefit businesses in the countryside area, communities and visitors, and which respect the character of the countryside and are appropriate in terms of highway capacity.

- 3.6 Recommended modification 3 was accepted by both the parish council and the former AVDC and became the Policy H1 in the made QNDP, although some wording of the policy was omitted in error in the final published version.
- 3.7 It was always the parish council's interpretation of the meaning of the wording in the 2nd para **except on sites adjoining the settlement boundary along Station Road** that development would only be allowed to maintain the ribbon line of housing along Station Road and not behind existing frontages.
- 3.8 Likewise, the interpretation of the wording in the 4th para **backland development of homes behind frontage dwellings** related to development in back gardens or land within the settlement boundary and not in the open countryside.
- 3.9 Policy H1 was tested in October 2017 when an application for outline planning permission for up to 40 dwellings was submitted at 151 and to the rear of 151 Station Road (AVDC Planning ref. 17/04041/AOP). The plan below shows the proposed layout and location:



- 3.10 The parish council objected to the application on the grounds the application site was outside of the settlement boundary in the open countryside and except for the access was also not along Station Road but behind it and did not comply with Policy H1. The former AVDC concurred and refused the application along with their main reason being the adverse effect the development would make to the character and appearance of the area including the landscape.

3.11 The application went to appeal where Policy H1 was scrutinised at the Inquiry,¹ and subsequently the inspector came to a different conclusion in his appeal decision as to the interpretation of the policy and in allowing the appeal stated:

*“the appeal site is clearly next to the settlement boundary which runs along the rear boundaries of properties on Station Road. As such in any reasonable interpretation based on the wording of the policy it ‘adjoins the settlement boundary along Station Road’ and there is nothing in the NDP or evidence before me to persuade me the test should be restricted to a site that ‘adjoins Station Road’.”*²

3.12 The inspector also went on to comment on the definition of backland development quote:

*“no agreed definition of backland development is before me although the Council considered this was restricted to development of rear gardens. I do not agree with such a restrictive interpretation and as a matter of fact and degree it can amount to any land to the ‘back’ or ‘rear’ of existing development where it adjoins the boundary of that development or property.”*³

It is this appeal decision and re-interpretation of Policy H1 which has prompted the parish council to embark on a modified Plan. The implications of not making the modifications could result in unacceptable over development of the Station Road area, and contrary to the opinion and aspiration of most of the local community as set out in the made QNDP Consultation Statement.

3.13 It has also been decided to modify the Plan from non-site specific to site specific i.e. include land allocated for development which will require a formal modification to the Plan. The modification to Policy H1 will make the settlement boundary policy more straightforward and demonstrate an avoidance of doubt as to where development may be supported.

3.14 The modification maintains the objectives of the made QNDP in protecting the intrinsic character of Quanton, but at the same time positively plan for development. It is for these reasons the parish council believe that this modification and further modifications in this statement are not so significant or substantial as to change the nature of the plan.

4. Allocation of Land for Development

4.1 The Neighbourhood Plan when presented for independent examination in March 2016 was non site specific. The modified Plan will be site specific i.e. it allocates land for development. Therefore, there is no longer a requirement to specify the Station Road area generally for development in the spatial plan for the parish.

4.2 In October 2016, the then AVDC Forward Plans team invited Neighbourhood Plan parishes to work with them to find additional suitable sites to include in the January 2017 Housing and Economic Development Land Availability Assessment Report (HELAA).

4.3 Quanton parish council working proactively with Forward Plans identified potential new sites as shown below and the outcome of that exercise was to double the potential new housing in Quanton.

4.4 The Vale of Aylesbury Local Plan (VALP) allocates specific sites for development in Quanton as part of its contribution as a medium size village in the settlement hierarchy namely:

Site QUA014-016 – Land at sites adjacent 110 Station Road, Melling Farm Station Road and adjacent Leafwood Station Road (24 dwellings)

4.5 The VALP allocated sites will accord with the modified Neighbourhood Plan. When raised by the VALP Inspector, the former AVDC confirmed planned HS2 works affecting Station Road would not be of a scale as to jeopardise the overall housing figures in the VALP and therefore was no requirement to identify

¹ Appeal Ref: App/J0405/W/18/3207382. Inquiry held on 12th to 15th March 2019.

² Para 17-page 4 Appeal Decision Ref: App/J0405/W/18/3207382 1st May 2019.

³ Para 19-page 4 Appeal Decision Ref: App/J0405/W/18/3207382 1st May 2019.

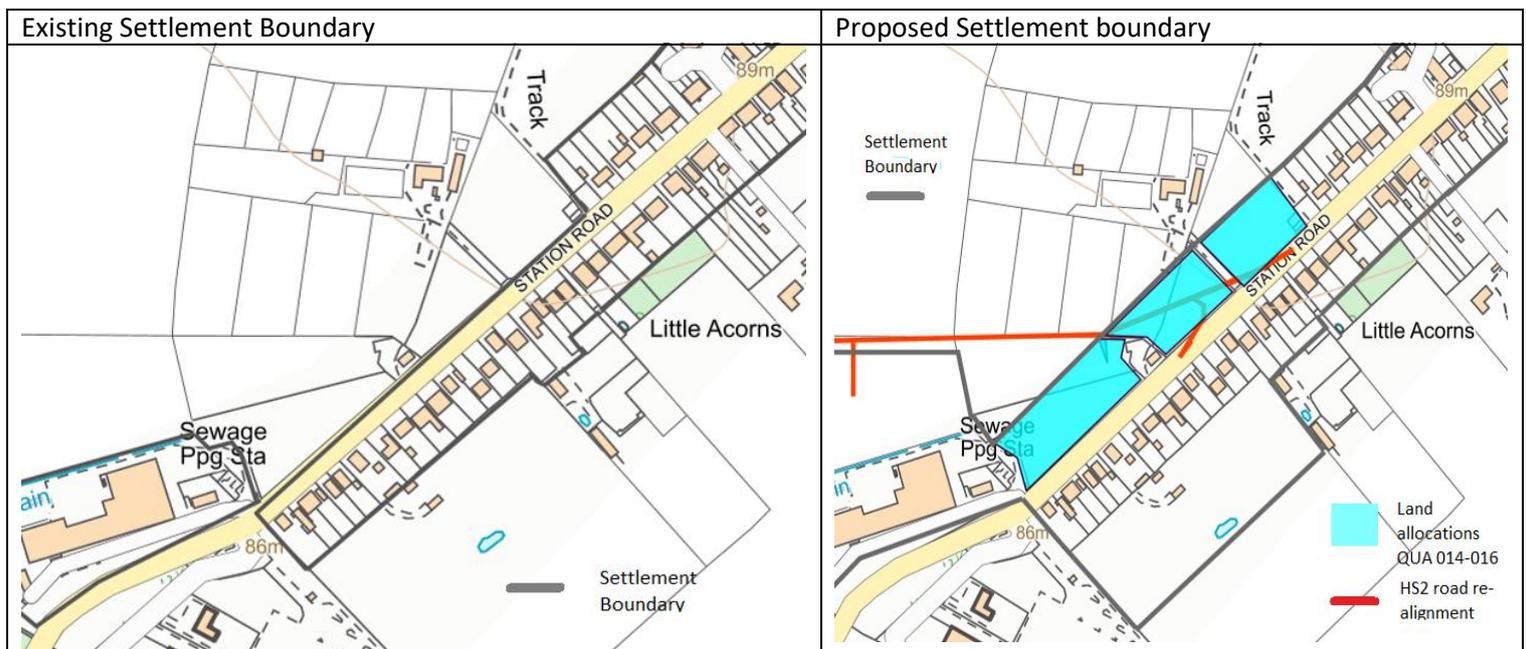
other sites in Quinton. The parish council is also of the view the VALP sites are sustainable provided HS2 return sufficient 'safeguarding land' post road re-alignment completion.

5. Modifications

5.1 Modifications to the Settlement Boundary

5.1.1 Sites QUA014-16 Land North of Station Road

For the reasons set out in section 3, the settlement boundary is to be amended to accommodate these sites so they are identified as being within the settlement boundary as shown on the Policies Map.



5.1.2 Land at North End Nurseries, North End Road

The application (Ref 18/02380/APP) was given planning consent in October 2019.

The design and layout of the application site did not fully fall within the settlement boundary and therefore it was questioned whether it conflicted with QNDP Policy H1. However, balanced against QNDP Policies T1, T2 and E2 the application was supported by the parish council.

To bring the whole development as proposed within the existing settlement boundary would have seriously compromised the quantum of off-street parking provision which would consequently lead to congested highway parking, in turn impacting on the amenity of nearby dwellings.

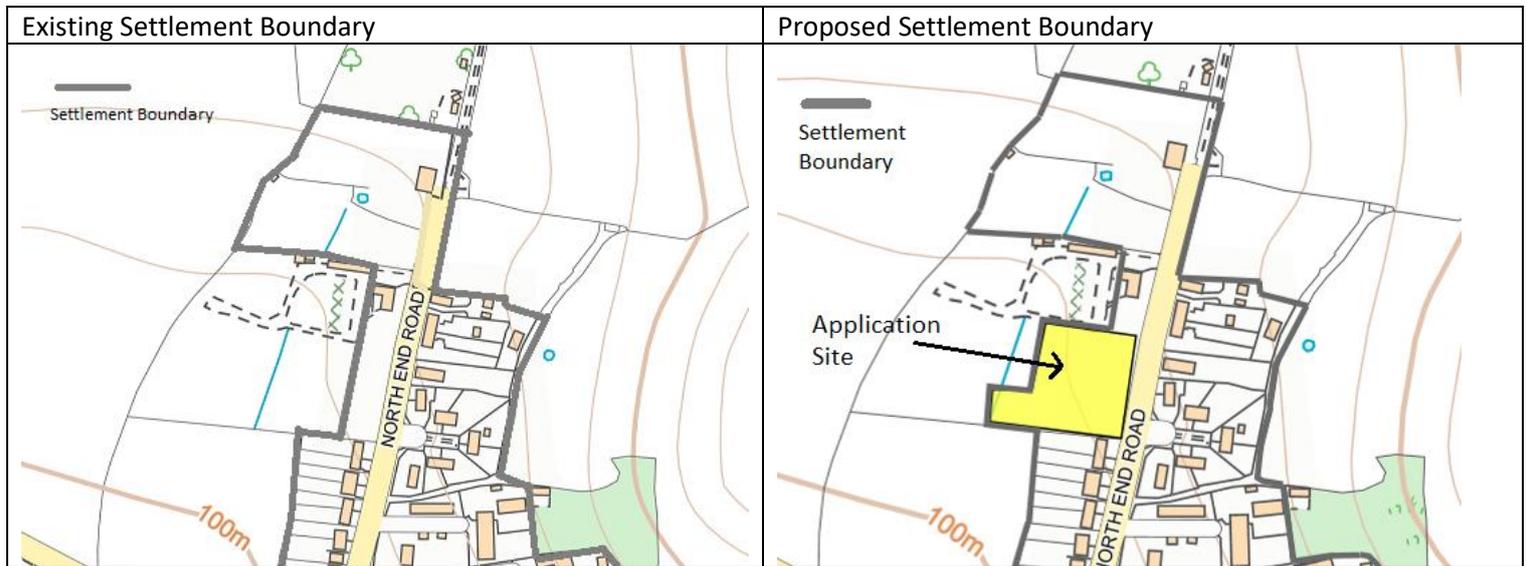
The proposed current 'set back' layout afforded a more sense of space and prevented an overcrowding feel to the immediate area, again reducing any negative visual impact on the amenity of adjacent and nearby properties.

The settlement boundary set out in the made QNDP covering the application site was drawn in good faith based on information available at the time as to the extent of use of land at the rear for horticultural purposes. It was drawn so that any proposed linear development along North End Road would not result in any structures (like polytunnels) being moved or dismantled to make way for housing.

It transpired that where the development at the rear is on land beyond the settlement boundary, it is on an area that will be redundant, and the landowner had confirmed there would be no impact on the operational or financial viability of the existing enterprise.

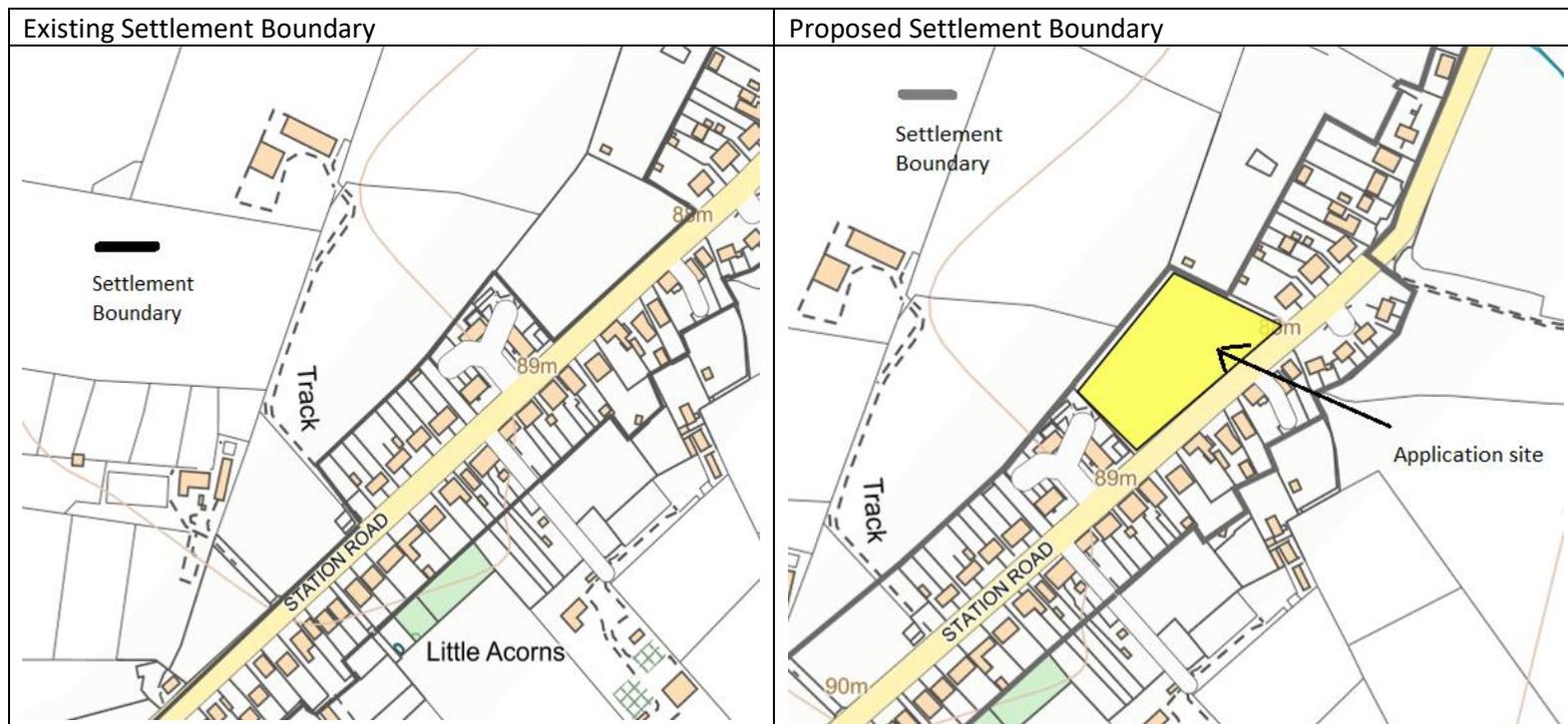
To this end, it is the parish council's intention to modify the settlement boundary so for the avoidance of doubt

the site falls fully within a re-drawn boundary.



5.1.4 Land South West of 62 Station Road

The site acquired planning consent for 13 homes in October 2018 (Planning Ref. 15/04276/APP). It is referenced in VALP as QUA 001 but is now included in the Completions/Commitments figure of 84 for Quainton.



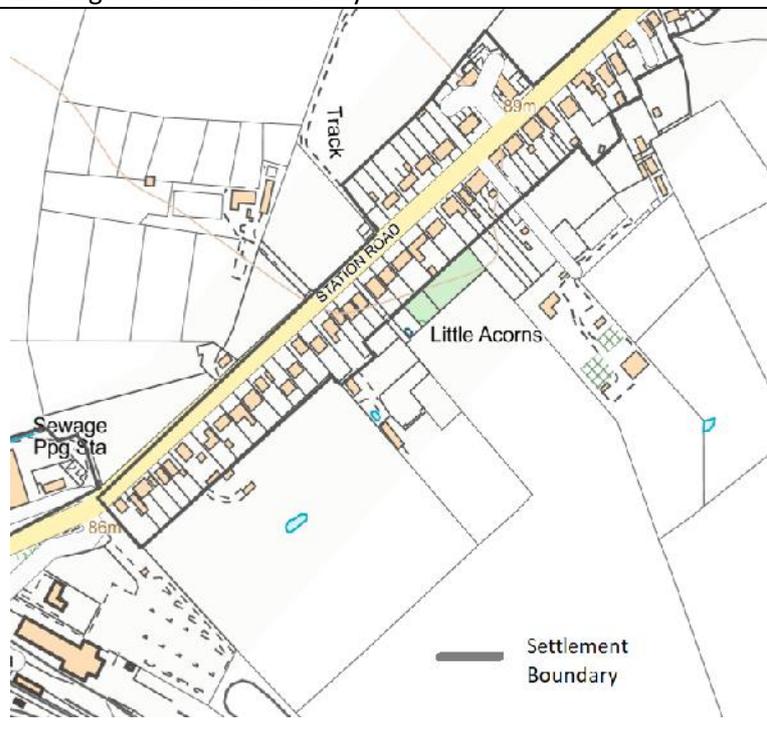
The settlement boundary is proposed to be extended to accommodate the total application site.

5.1.3 151 and Land to the rear of 151 Station Road

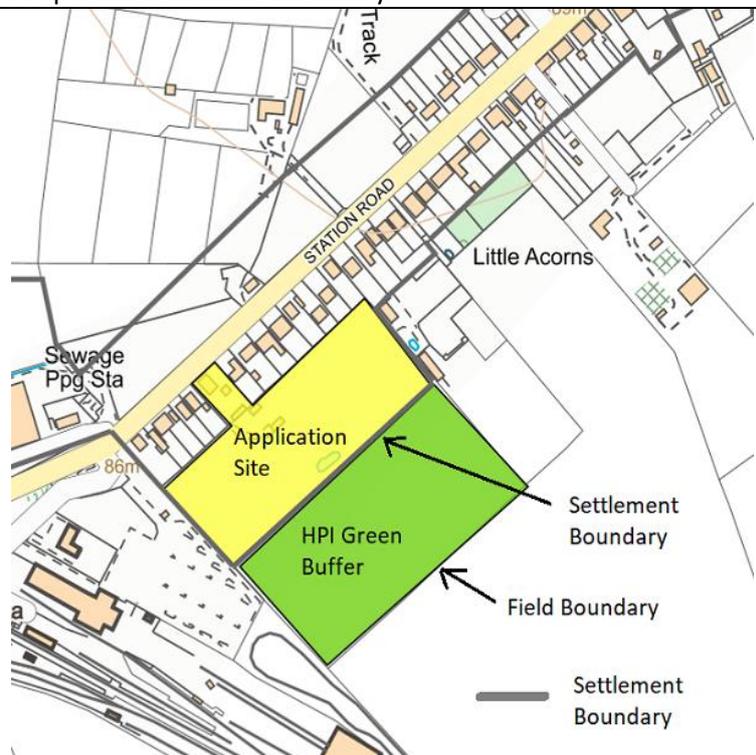
As stated in 2.1 this application was subject to appeal which was subsequently allowed.

A boundary was specified by the appellant and was put forward to be a distinct boundary to comply with QNDP Policy H1. The AVDC Landscape Officer disputed this and contended the boundary was an artificial one and a disassociation of existing hedgerows plus a significant alteration to the setting of the pond. This argument was rejected by the inspector who went on to state in the appeal decision:

Existing Settlement Boundary



Proposed Settlement Boundary



'the boundary would align with the established hedgerow pattern to the north and be parallel (our emphasis) to the existing field boundary'.⁴

Therefore, the parish council contend the inspector has set the boundary to the development site as behind the pond not the existing field boundary.

However, for clarity and to be consistent with the Policies Maps in the Proposed to be Modified (2019) VALP, the rear meadow is shown as a HPI (Habitat of Principal Importance) buffer area as shown below and in the new QNP Policies Map.

5.1.5 Land at Windmill Farm, The Green

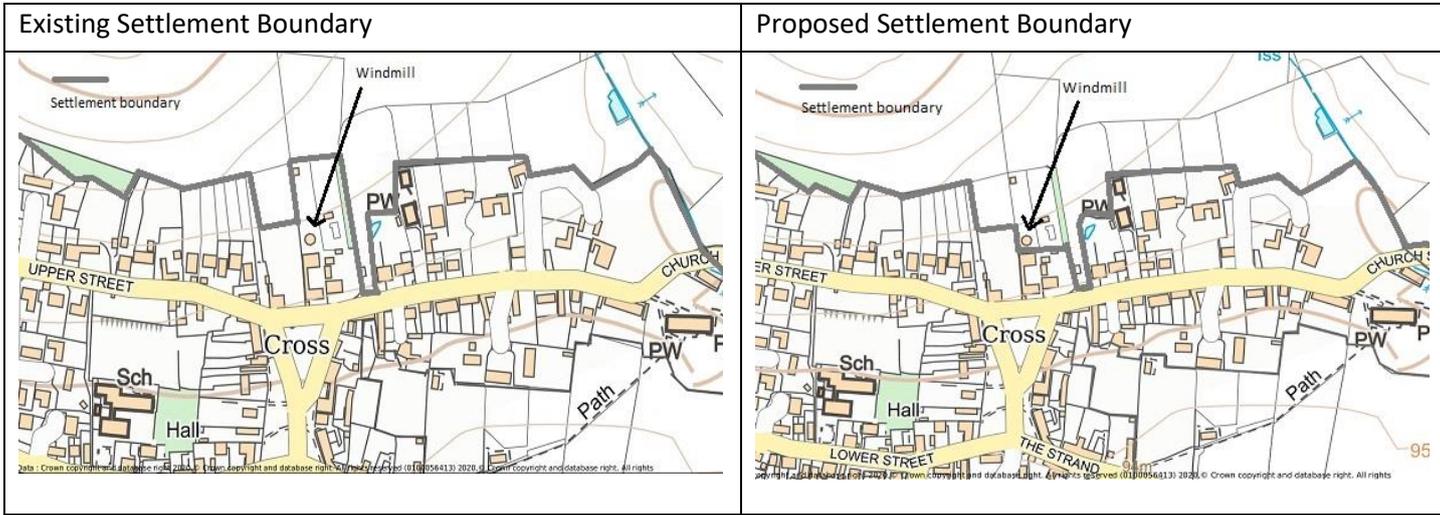
The parish council proposes a settlement boundary change on land where the Quinton Windmill is located.

Standing at a height of 70 feet, the 6 storey windmill is the tallest of its type in Buckinghamshire and is one of the most iconic structures in the Vale of Aylesbury and a prominent landmark. The local school has the image embroidered on their school badge. It features prominently in the parish conservation area review to quote;

*"The windmill at Quinton has arguably become more visually representative of the village than the church and plays an important role as not only a visual landmark, but also as a prominent visual point of reference which increases the legibility of the village."*⁵

It is in support of the above statement that the land to the rear of the windmill site will be outside of the settlement boundary to further protect the surrounding natural character scene and the windmill as a Grade II* heritage asset.

Furthermore, the amended boundary aligns more with land to the north west which is also outside the settlement boundary (see Settlement Boundary Map).

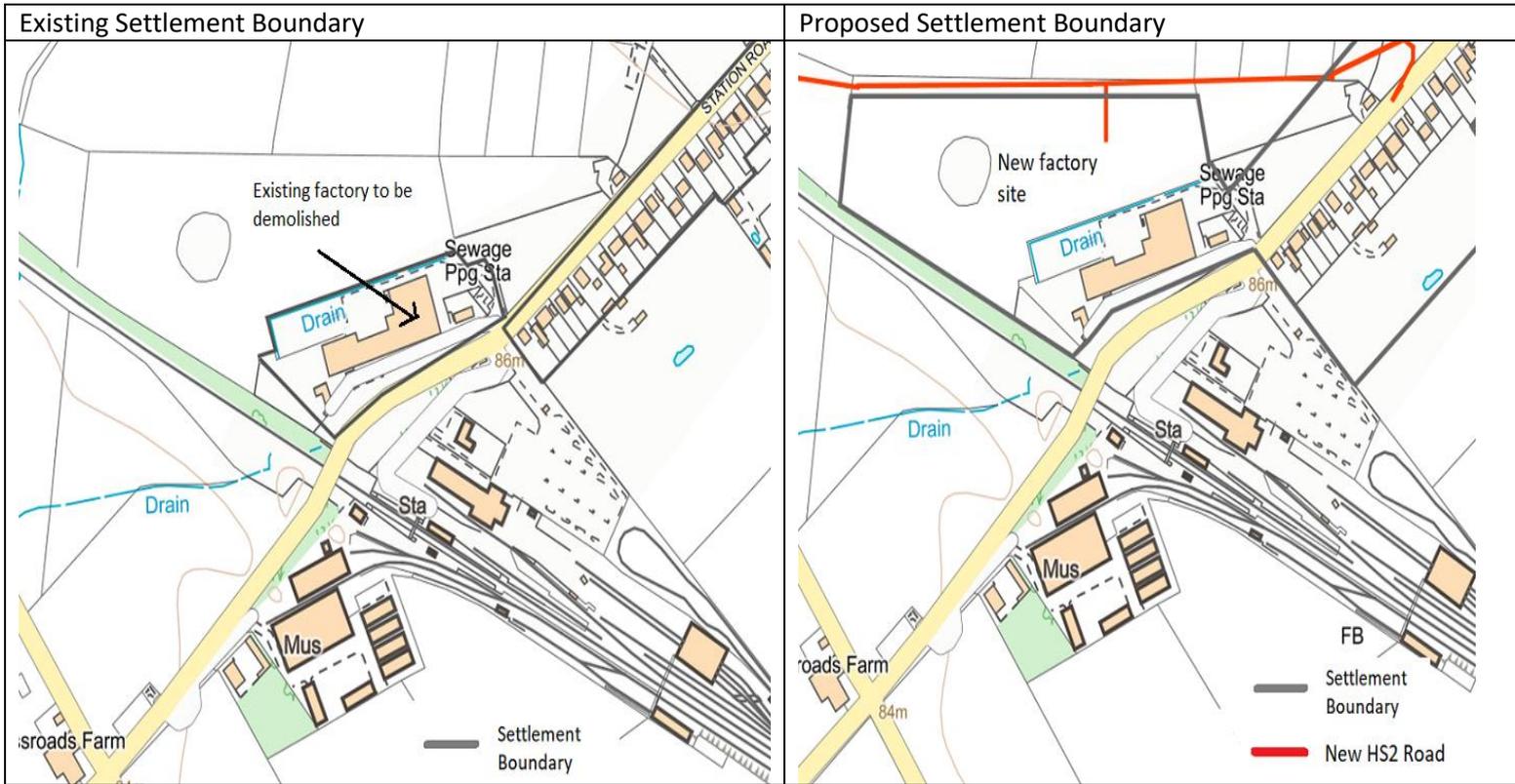


5.1.6 Faccenda Hatchery Station Road

It is proposed to build a replacement factory and use most of the curtilage of the existing factory area. The site was referenced as QUA005 in the Final Aylesbury Housing and Economic Development Availability Assessment Report (January 2017) as suitable for Sui Generis use.

A planning application for a new factory was submitted in 2019 (Planning reference 19/03480/APP).

The change to the Settlement Boundary is shown below:



5.2 Replacement of QNDP Policy H1 Housing Location of Development with Policy QP1 Quinton Settlement Boundary.

Due to the reasons detailed in section 3, it is proposed to re-name and modify Policy H1 to:

Policy QP1: Quinton Settlement Boundary

(a) The Neighbourhood Plan designates a Quinton settlement boundary as shown by Figure 5 Settlement Boundary Map within which proposals for development will be supported where they respect the character of the immediate locality; contribute to local distinctiveness; and maintain appropriate amenity of adjacent dwellings.

(b) Apart from the special circumstances set out in paragraph 80 of the NPPF there is a presumption against development of new homes outside the settlement boundary.

5.3. Re-wording of QNDP policies and renamed

5.3.1 New Policy name	Former Policy name
QP2 Design in the Conservation Area and its setting	E1
QP3 Design beyond the Conservation Areas	E2
QP4 Housing Mix	H2
QP5 Business Enterprise and Local Employment	LE1
QP6 Community Facilities	CF1
QP7 Parking and Traffic	T1, T2
QP8 Local Green Spaces	NE1
QP9 Green Infrastructure and Biodiversity	NE2

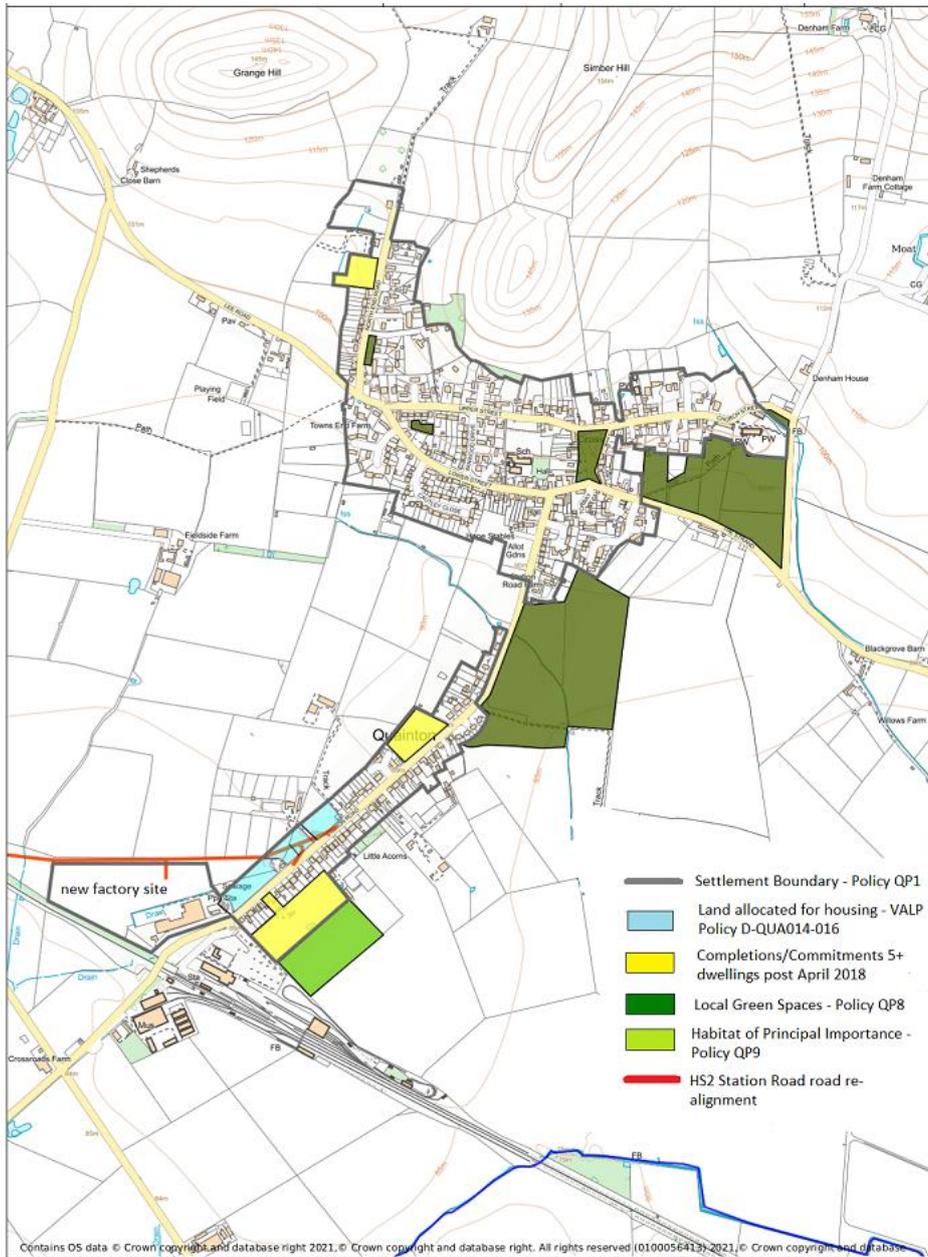
The Modification Proposal Schedule details the re-wording and re-naming of the policies in the made QNDP which in the main is a 'housekeeping' exercise to revise the wording of the policies but not to the extent the objective of any policy is fundamentally changed.

Some of the modified NP policies may be superseded by the Vale of Aylesbury Plan (VALP) which was adopted by Buckinghamshire Council on 15th September 2021. While there may be some duplication, it is the parish council's view all the NP policies remain relevant and in general conformity with VALP.

5.4 Inclusion of the Policies Map

The made QNDP did not have a Policies Map and one is included on page 25 of the modified QNP. The map provides a visual representation of those areas in the Quainton settlement impacted by QNP and VALP policies.

Policies Map



6. Buckinghamshire Council conclusion on the requirement for a Strategic Environmental Assessment (SEA) Requirement

- 6.1 The modifications to the Quainton Neighbourhood plan are limited to the settlement boundary policy now numbered QP1 and with some revision which has no substantive change in implications for SEA terms, inclusion of the two Vale of Aylesbury Local Plan site allocations QUA001 and QUA014-16 that have already been SEA screened and a Sustainability Appraisal was carried out to meet SEA requirements for the VALP in 2017. The VALP was adopted on 15th September 2021.
- 6.2 A policies map includes other committed sites with planning permission and the HS2 diversion of Station Road.
- 6.3 Renumbering of existing policies in the originally made neighbourhood plan. The modified plan intends to contain policies to restrict housing to within the existing Quainton village and to ensure harm to the wider environment is avoided.
- 6.4 Local Green Spaces will be designated for their special value and will have protection against other non-conforming uses. There will be wider plan policies including on environmental protection and areas such as harm from increased traffic. The policies in the adopted Local Plan (VALP) will also apply.
- 6.5 This screening opinion can be revisited once if the plan changes in any significant extent as it moves through the later stages towards being made. When taken together (as is required by law) with relevant policies from the Local Plan policy and national planning policy, it is considered that the plan currently intended currently would NOT be likely to give rise to significant environmental effects.
- 6.6 Therefore, a Strategic Environmental Assessment (SEA) is NOT needed. The consultation response from Natural England concurs with this view.

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