

# Winslow Neighbourhood Plan 2022-2033



## Modification Statement

Submitted to Buckinghamshire Council – May 2022

# **Winslow Neighbourhood Plan 2022-2033**

## **Modification Statement**

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# 1 Introduction

Winslow Town Council (WTC) is the 'qualifying body' within the meaning of the Neighbourhood Planning (General) Regulations 2012 as amended (the Regulations) with respect to the Winslow Neighbourhood Plan of June 2014 (WNP2014) (as made by Aylesbury Vale District Council on 10 September 2014). It proposes to modify WNP2014 in the manner explained in this Modification Statement.

WTC has completed a pre-submission consultation pursuant to and in accordance with regulation 14 of the Regulations on the proposed modifications and now submits to the Local Planning Authority, Buckinghamshire Council, its Modification Statement for examination. Both WNP2014 and the proposed Modified Plan relate to the Winslow Neighbourhood Area as so designated by Aylesbury Vale District Council on 25 February 2013. A map of that area appears at page 5 of the proposed Modified Plan.

In order to meet the requirements of regulation 15(b), (c) (d) and (e) of the Regulations and to supplement its proposal WTC also submits:

- (a) a Consultation Statement;
- (b) the proposed Modified Plan;
- (c) a Basic Conditions Statement;
- (d) an Environmental Assessment Report; and
- (e) an updated State of the Town Report.

## 2 Background

A short history of Winslow and some relevant statistics are to be found at section 2 of the proposed Modified Plan. The statistics have been updated, so far as possible, from those in WNP2014, but in many cases more recent figures are not available. It is nevertheless not considered that the changes are so great as to call anything in the proposed Modified Plan into question.

WNP2014 was made in September 2014, following extensive consultation and a referendum in which 98% of those voting supported the Plan; that 98% represented an absolute majority of those entitled to vote. At that time the framework within which the Plan was prepared consisted of the National Planning Policy Framework (NPPF) of 2012 and the relevant saved policies of the Aylesbury Vale District Local Plan, adopted in 2004. There have been several updates of NPPF in the subsequent years, and the proposed Modified Plan reflects the most recent iteration, published in 2021. In September 2021 a new Vale of Aylesbury Local Plan (VALP) was adopted which, in several respects, overrides the Policies of WNP2014. The proposed modifications respond to the changes to the Plan mandated by VALP.

In addition, the passage of time and changing circumstances, as well as some legislative amendments and increasing awareness of environmental considerations (the last being emphasised by many of the respondents to the consultations which have preceded the preparation of this document), have led the steering group to propose further modifications.

The steering group, of four WTC councillors (others were invited to put themselves forward for inclusion in the group, but none did so), considered carefully all of the more than 300 responses to the initial, informal, consultation carried out in early 2021, and framed the modifications proposed in the second, regulation 14, consultation carried out in January and February 2022 in the light of those responses. Not all respondents were agreed on what the town requires and where necessary the steering group has exercised its judgment in what it believes is a manner which, while complying with legislative requirements, NPPF and VALP, and respecting the views of residents and other respondents as far as possible, is in the best long-term interests of the town (of which all the steering group members are residents).

The steering group has also been conscious that Buckinghamshire Council is required to adopt a Buckinghamshire-wide Local Plan by April 2025. Thus while the proposed Modified Plan is expressed to run until 2033 (coincident with the end-date set for VALP), it will be necessary to consider further modifications once that new Local Plan has come into existence and, realistically, the currently proposed Modified Neighbourhood Plan will have a fairly short lifespan. For that reason, too, WTC does not consider that it is appropriate to make more significant changes at this time.

The rationale for each proposed modification is set out in further detail below. The Policies in the proposed Modified Plan have been put in what WTC believes is a more logical order than the order adopted by WNP2014, and renumbered accordingly.

### 3 The proposed modifications

This Modification Statement follows the order of the Policies in WNP2014, and identifies the deletion, amendment, replacement, relocation or renumbering, as the case may be, of each Policy in the proposed Modified Plan.

#### **Policy 1: The Presumption in Favour of Sustainable Development**

Chapter 2 of NPPF 2021 provides comprehensive guidance on sustainable development to which a Neighbourhood Plan cannot usefully add. As it is not good practice to repeat policies set out at a higher level this Policy is omitted from the proposed Modified Plan. However, elements of new Policies 1, 4, 5, 6, 9, 12 and 13 contain provisions designed to promote sustainable development tailored to the needs and circumstances of Winslow.

#### **Policy 2: A Spatial Plan for the Town**

This becomes Policy 1 in the proposed Modified Plan. The text has been amended to make it clearer, but without any change of substance. The modifications of the Settlement Boundary proposed are:

1. Extension to the north, to accommodate a housing allocation in VALP (the allocation is not repeated but is referred to at paragraphs 4.9 and 4.20); and
2. Extension to the north-west, to accommodate an enlarged Sports Hub (old Policy 13, new Policy 6) and a relocated employment area (old Policy 7, new Policy 5A(b)).

In order that the line of the boundary should not become unnecessarily tortuous following the extension to the north it has been redrawn so as to include the Local Green Space north of The Spinney (marked 19v on the WNP2014 map), but the land remains Local Green Space. Policy 2C is further explained below.

#### **Policy 3: Housing Allocations**

This becomes Policy 2 in the proposed Modified Plan. The starting date of the period to which the Policy refers is changed from 1 April 2014 to 2022 (as it is not thought appropriate to plan, or purport to plan, for the past) and the end date from 31 March 2031 to 2033, to bring the Policy in line with VALP.

The allocations are modified as follows:

1. Old Policy 3.I: removed, as the development is almost complete;
2. Old Policy 3.II (new Policy 2A(b)): the allocation is amended as investigation has shown that, for ecological protection reasons, the Rugby Field site will not accommodate as many as 75 homes and therefore about 20 homes of the earlier allocation are re-allocated to the adjacent site of the former Winslow Centre, condition a. is slightly reworded, condition b. now appears, differently worded but in substance unchanged, in the final paragraph of the proposed Policy, and condition c. is strengthened;
3. Old Policy 3.III: omitted, as detailed planning permission has been granted and the development of the site has begun;

4. Old Policy 3.IV (new Policy 2A(a)): unchanged save that the proviso now appears in the final paragraph of the proposed new Policy, in different terms;
5. Old Policy 3.V (new Policy 2A(c)): the allocation is increased to 83, in line with VALP. As no planning application has been made the allocation remains even though it duplicates the VALP allocation.

The sites accommodating the allocations at new Policy 2(b) and (c) are contiguous and it is intended that the two developed areas should be separated by an ecological protection area and Local Green Space lying between them, but it is not possible at present to identify a precise area as detailed plans for the site are not yet available.

The new allocation of 315 homes, required by VALP Policy D-WIN001, is not repeated as outline planning permission has already been granted for each of the two parts of the site. The Modified Plan does not seek to add to those permissions or to the applicable section 106 agreements save to include a reference to the proposed footpath and cycle track linking the development to The Spinney.

#### **Policy 4: Affordable Housing**

This has become Policy 3 in the proposed Modified Plan. The modification is material in that it now adopts the NPPF 2021 definition of affordable housing, justifying the retention of the 35% requirement of WNP2014 (by contrast with VALP's minimum of 25%, assessed by reference to an older definition). The reasons for doing so are explained at paragraphs 4.28 and 4.29 of the supporting text. The retention is further justified by the need for Winslow to provide affordable housing for surrounding villages supporting only small development sites. The reference to a Community Land Trust is omitted as no such Trust has been created and there is no proposal that one should be created. The reference to the Aylesbury Vale Local Lettings Policy has also been omitted because there is now a North Buckinghamshire Policy, with no Winslow-specific element, which will be applied whether or not it is mentioned in the Neighbourhood Plan. The cluster distribution Policy expected to be applied under VALP is adopted in place of the aspirational approach of WNP2014, and a requirement that local people should be granted priority in the allocation of First Homes has been introduced.

#### **Policy 5: Housing Design**

This has become Policy 4 in the proposed Modified Plan. The Policy as modified repeats, with some clarification and expansion, the Policy of WNP2014 but does not seek to effect any material change.

#### **Policy 6: Land South of Buckingham Road and Policy 7: Land North of Buckingham Road**

These Policies are brought together as new Policy 5, providing a single employment allocations Policy. Of the allocations in WNP2014 Policy 6, only I is retained, as new Policy 5A(a), since detailed planning permission has been granted for II (and work on the railway station is well under way) and the school for which III provided has been complete and in use for several years. The allocation of old Policy 7 and repeated at new Policy 5A(b) is of the same surface area, but has been moved to the west in order to accommodate the larger site for a Sports Hub for which old Policy 13 and new Policy 6 provide. The reference to a master plan reflects the close proximity of the sites at new Policies 5A(a) and (b) and at 6 to each other.

The school and the railway station with its ancillary facilities referred to at old Policy 6.II.b, c and d have been or are being constructed pursuant to detailed planning consents which have taken account of the conditions set out at old Policy 6.IV, V, VI and VII.

The new Policy 5 mentions for completeness an existing light industrial area at Tinkers End. The site remains outside the settlement boundary but the steering group considers that a proposed redevelopment of the site, for the same class of uses, should be supported.

### **Policy 8: Cycle Routes, Policy 9: Bus Services and Policy 10: Traffic Management**

These three Policies have been brought together as new Policy 11, as it is considered they are more suitably treated as a single overarching Policy. The Policy now makes a more detailed provision for improvements to bus services designed to inform developers of the standards they will be expected to meet and is more prescriptive than WNP2014 in its requirements for the provision of cycle paths. The accompanying text reminds developers of the requirements of VALP Policies T6 and T8, relating to parking and the provision of electric vehicle charging points without seeking to add to them. The combination of the former Policies into one is not intended to effect any further change.

### **Policy 11: Winslow Community Centre**

This Policy has been omitted, as it has proved impractical to construct a community centre on what is now Tomkins Park and Arboretum (formerly The Paddock), for which the former Policy provided, or on any other site. Instead, WTC proposes to enlarge and improve the town's Public Hall and to replace the existing Sports Club building with a larger building serving the sporting activities (football, cricket and croquet) undertaken on the Recreation Ground and also providing a function room and a social space to complement the facilities which will be available in the Public Hall. As neither of those proposals requires land allocation (though note item 4 at Policy 19 below) no Policy catering for them is needed but instead new Policy 8, The Heart of Winslow, seeks to preserve and enhance those and other facilities within a defined area in the town centre.

### **Policy 12: Winslow Medical Services Centre**

This Policy is retained as new Policy 7, though is re-worded to reflect the facts that the construction of a new medical centre on the former Winslow Centre site will not now take place and that proposals for an interim solution providing for the needs of Winslow and its surrounding villages are at an advanced stage, while recognising that a long-term plan is required in order to meet the medical needs of an increasing population attributable to the additional housing prescribed by VALP.

### **Policy 13: Sports Facilities**

The WNP2014 Policy catered only for the replacement, on a site to the west of Great Horwood Road and north of Buckingham Road, of those sporting facilities that were to be displaced from the former Winslow Centre site and the rugby field. Further investigation has shown that the allocated site includes an area which requires protection for ecological reasons and that the remaining area would not be sufficient to accommodate the displaced facilities. Buckinghamshire Council, the owner of all three of the sites (Winslow Centre, rugby field and Sports Hub) now proposes to utilise a much larger area in the same location, capable of accommodating the ecological protection site, the displaced facilities and several others besides. In order to reflect those changes former Policy 13 is replaced by a more expansive new Policy 6.

### **Policy 14: Childcare Nursery**

This Policy has been removed as there is adequate nursery provision within the town now.

### **Policy 15: Play Facilities for Young People**

The rather vague provisions of this Policy are replaced by the more specific provisions of new Policies 6 (the Sports Hub) and 8 (the Heart of Winslow). Other requirements respecting the provision of play areas appear in VALP and a Neighbourhood Plan cannot add to them.

### **Policy 16: Assets of Community Value**

This Policy has been omitted as those listed in WNP2014 were not accepted for designation as Assets of Community Value and as it cannot usefully add to VALP Policy I3. Some of the assets previously listed are mentioned elsewhere in the proposed Modified Plan: the library (new Policy 9), the sports facilities (new Policy 6), Tomkins Park and Arboretum (formerly the Paddock) (Policies 8 and 12C(c)) and The Spinney (Policy 12C(e)). The Youth Centre has been demolished in anticipation of the proposed Winslow Centre redevelopment and the TSB Bank now offers only a weekly advisory service from WTC's own offices. The building it formerly occupied is within Winslow's Conservation Area where it is classed as a Local Note Building (and is a candidate for designation by Buckinghamshire Council as a Non-Designated Heritage Asset) but it is not listed.

### **Policy 17: Winslow Shopping Area**

This Policy is to be retained (as new Policy 10) but in a materially modified form, because subsequent legislative changes make it impossible to follow the existing Policy. The proposed new Policy seeks to preserve and encourage retail and similar use of suitable town centre properties while recognising the change in national policy.

### **Policy 18: Small Supermarket**

This Policy is omitted. Once it was found impractical to construct a community centre in Tomkins Park and Arboretum (see Policy 11 above) it was decided by WTC that it should instead extend and improve the Public Hall. In the meantime the existing small High Street supermarket operated by the Co-op has been extended, removing the need for a new supermarket.

### **Policy 19: Local Green Spaces**

This Policy is retained (as new Policy 12) but it is modified by:

1. omitting the land adjoining the former Winslow Centre (though with a stated intention to designate part of that site as Local Green Space at a future date);
2. omitting the land alongside National Cycle Route 51 (which is not appropriate for designation as Local Green Space);
3. segregating the Recreation Ground and Three Hills (which are not contiguous); and
4. slightly redefining the area of the Recreation Ground which is designated in order to accommodate the proposed larger building and attendant car park.

### **Policy 20: Infrastructure Investment**

This Policy is omitted. Sub-Policy I is redundant, for the reasons already given under old Policy 11 above. Sub-Policy II is in part redundant: a cycle track between Winslow and Buckingham has been

created and is in use. A proposal for a cycle track between Winslow and Great Horwood appears at paragraph 4.20. The proposal for a cycle track between Winslow and Granborough is not thought to be a realistic aspiration within the foreseeable future. Sub-Policy III is considered too vague to merit retention.

**New Policy 13** has been added in response to the large number of observations on environmental measures received during the informal consultation, and to give guidance to developers on good practice as it is seen within the town.

## 4 Regulation 15(1)(f) statement

Regulation 15(1)(f) of the 2012 Regulations requires a qualifying body submitting a Modification Statement to state whether or not it considers that the modifications contained in the Statement, if implemented, are so significant or substantial as to change the nature of the neighbourhood development plan, and to give reasons why the qualifying body is of that opinion.

WTC considers that the proposed modifications are not so significant or substantial as to change the nature of WNP2014. In its opinion the modifications fall into three categories:

1. those required to reflect legislative change, the evolving requirements of the National Planning Policy Framework or allocations made by the Vale of Aylesbury Local Plan adopted in September 2021 (VALP);
2. those which reflect the passage of time or previously unforeseen changes of circumstance; and
3. those which reflect the weight of public opinion as determined during the consultation process.

WTC has determined to make no further change at this stage but to review the Plan again when the forthcoming Buckinghamshire Local Plan is nearing adoption.

The modifications which fall within the first category (legal and policy driven) are attributable to the actions of other bodies. The Plan merely reflects (as it must) those changes so far as they affect the parish, and the changes would affect the parish in the same way even if the Neighbourhood Plan were not modified. The modifications in this category are more fully described above but are, in summary and with brief reasons for their inclusion, as follows:

1. Omission of former Policy 1 (NPPF);
2. Extension of settlement boundary (part) (VALP);
3. Increase in number of extra-care homes (VALP);
4. Affordable housing (part) (NPPF and VALP);
5. Housing design (part) (national policy);
6. Traffic etc (part) (VALP Policies T5 and T6);
7. Old Policy 16 omitted (VALP); and
8. Old Policy 17I and II omitted (legislative change).

The modifications within the second category (passage of time) are proposed in order to reflect changes of circumstance since WNP2014 was made. They include the omission of Policies or parts of Policies which are spent or which have become incapable of performance, consequential amendments and changes which for some other reason cannot be avoided. In WTC's opinion these modifications adapt the Plan to those changed circumstances while retaining its character. They are again more fully described above but are, in summary and with brief reasons for their inclusion, as follows:

1. Extension of settlement boundary (part) (to accommodate a larger sports area);
2. Omission of housing allocations (to reflect construction completed or in progress);
3. Amendment of allocation of housing on the Rugby Field (ecological requirements);
4. Affordable housing (part) (to maintain the current requirement so far as possible);

5. Employment allocations (to reflect construction completed or in progress and the need to accommodate a larger sports area);
6. Amendment of the medical facilities Policy, to reflect a material change of approach by the NHS and other providers;
7. Traffic (part) (to bring the Policy up to date);
8. Community Centre (to reflect the impossibility of implementing the former Policy);
9. Childcare (no longer needed); and
10. Small supermarket (redundant).

The third category consists of modifications intended to reflect evolving public opinion, particularly that of the town's residents, and in some cases to impose more clearly stated but not materially different requirements on developers. In WTC's opinion these modifications build on but do not change the nature of WNP2014. They too are more fully described in this Modification Statement but are, in summary and with brief reasons for their inclusion, as follows:

1. Housing design (part) (to reflect increasing environmental awareness); and
2. New Policy 13 (to reflect increasing environmental awareness).

It is accordingly WTC's opinion that paragraph 10(2) of Schedule A2 of the Planning and Compulsory Purchase Act 2004 does not apply, and that it is subject to the requirements of paragraph 11 of that Schedule, which are dealt with by the Basic Conditions Statement submitted with this Modification Statement.