

MURSLEY NEIGHBOURHOOD PLAN 2021–2040

SUBMISSION VERSION - MARCH 2022



**'Acting today
for a better
tomorrow'**

Published by Mursley
Parish Council for
examination under
Neighbourhood Planning
(General) Regulations
2012 (as amended)

You said...

We did...

Guide to Reading this Plan

Of necessity, this Neighbourhood Plan is a detailed technical document. The purpose of this page is to explain the structure and help you find your way around the plan.

1. Introduction & Background

This section explains the background to this Neighbourhood Plan and how you can take part in and respond to the consultation.

2. The Neighbourhood Area

This section describes the designated area.

3. Planning Policy Context

This rather technical section relates this Plan to the National Planning Policy Framework and the planning policies of Buckinghamshire Council.

4. Community Views on Planning Issues

This section explains the community involvement that has taken place.

5. Vision, Objectives & Land Use Policies

This is the key section. Firstly, it provides a statement on the Neighbourhood Plan Vision and Objectives. It then details Policies which are proposed to address the issues outlined in the Foreword, Introduction and in Section 4. These Policies are listed on page 2. There are Maps related to a number of the policies and additional information in the Appendices to which the policies cross reference.

6. Implementation

This section explains how the Plan will be implemented and future development guided and managed. It suggests projects which might be supported by S106 funding and a future Community Infrastructure Levy over which the Parish Council will have some influence. Finally, it comments on a number of issues which, although relevant, are outside the scope of a Neighbourhood Plan.

Supporting Documents

There are supporting documents to this Plan, including reports, maps and detailed technical data, all of which can be found under **Key Documents** in the **Documents** section of the Mursley Neighbourhood Plan web site www.npmursley.wordpress.com. Key documents are:

- Mursley Environment: Green Infrastructure
- Mursley Environment: Heritage and Design
- Site Assessment Report
- Strategic Environmental Assessment
- A Selection of Recent Planning Applications
- Consultation Statement
- Basic Conditions Statement

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Acronyms and technical definitions used in this document

Acronym	Description
AVDLP	Aylesbury Vale District Local Plan (2004)
VALP	Vale of Aylesbury Local Plan (2013-2033)
NPP	National Planning Policy
LPP	Local Planning Policy
SEA	Strategic Environmental Assessment
SAC	Special Area of Conservation
NPPF	National Planning Policy Framework
MNP	Mursley Neighbourhood Plan
BREEAM	Building Research Establishment Environmental Assessment Method
POE	Post Occupancy Evaluation
Passivhaus Standard A 1990's German originated <u>housing design standard</u> to construct homes with as low a heat demand as possible, which consequently lowers the heating costs and carbon footprint. Section 106 Agreement An agreement made under section 106 of the Town and Country Planning Act 1990 between a local authority and a developer. The agreement will contain a <u>planning obligation</u> to enable the local authority to secure, or the developer to offer, restrictions on the use of the land or the operation of the development or to make contributions towards the local infrastructure and facilities. Rural Housing Exception Sites are small patches of agricultural land outside a village boundary that would not otherwise get planning permission for housing. Under the scheme, a landowner provides land at below market value on the basis the land is used to build affordable homes for local people. A Community Right to Build Order is a type of neighbourhood planning tool introduced in the Localism Act 2011. It can be used to grant planning permission for community-led developments such as shops, businesses, affordable housing for rent or sale, community facilities or playgrounds.	

Foreword

The Parish of Mursley lies within the former Aylesbury Vale area in the County of Buckinghamshire.

To ensure that continued growth and development is in line with parishioners' expectations, the Parish Council appointed a Steering Group of councillors and residents to investigate and prepare a Neighbourhood Plan.

Neighbourhood Plans offer a great opportunity for parishioners to participate in the shaping of their community.

Our parishioners have responded with both enthusiasm and interest and I would like to thank them for their encouragement and engagement. I would also like to thank all the people who have given hours of their time to researching, gathering, collating, and distributing all the evidence received.

The efforts of all who have participated are embodied in this Mursley Neighbourhood Plan, which is fit to shape our community until 2041.

This process has resulted in identifying two sites for residential development during the period of the Plan as detailed in section MUR2 of this document.

The Neighbourhood Plan process provides an opportunity for the Parish Council to review the Plan after five years to ensure that it is still appropriate to Mursley's needs at that time, an opportunity that the Parish Council will take advantage of.

Ian Hook
Chair, Mursley Parish Council

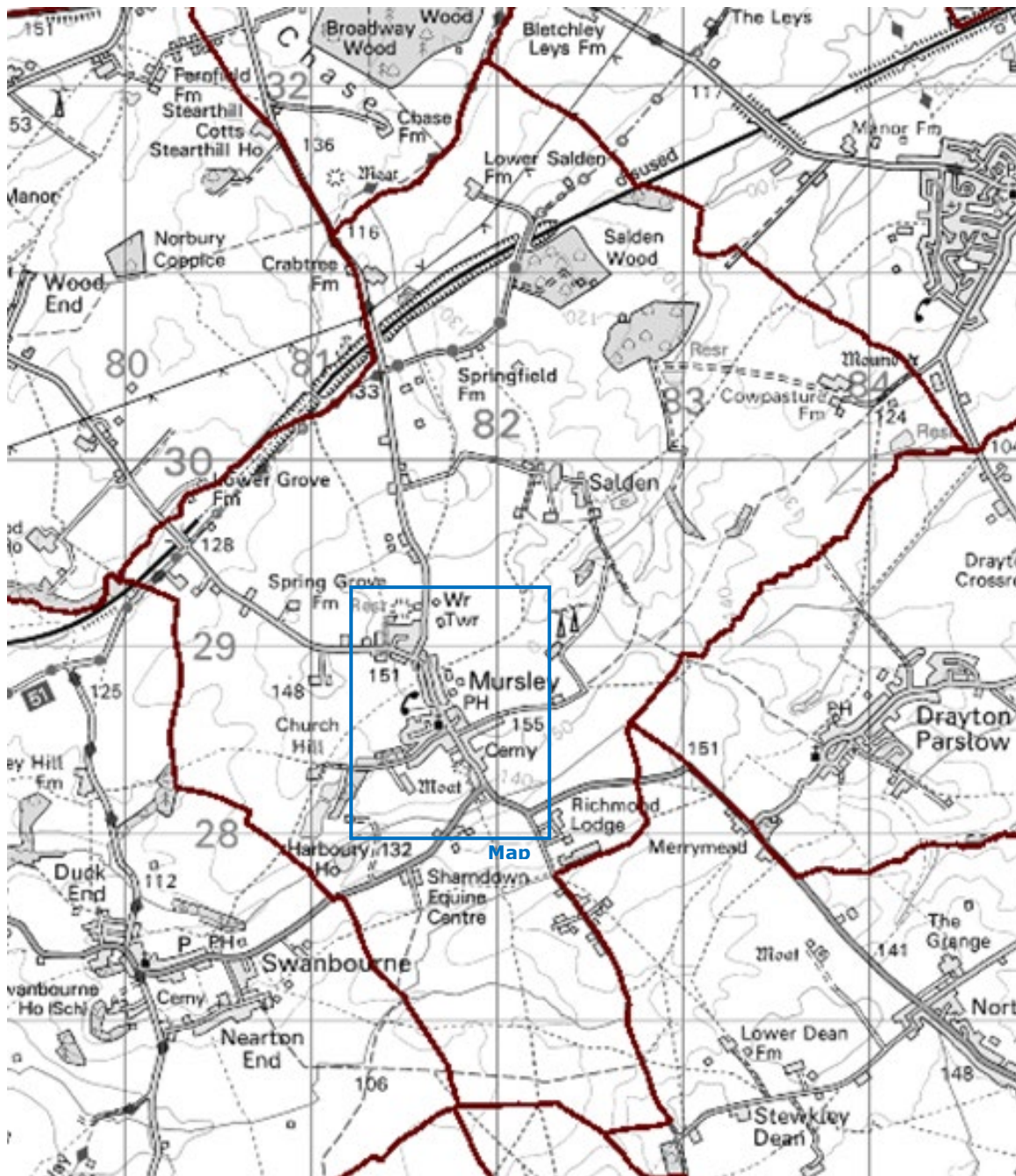
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1. INTRODUCTION & BACKGROUND

1.1 Mursley Parish Council has prepared a Neighbourhood Plan (MNP) for the area designated by the former local planning authority, Aylesbury Vale District Council, on 12 July 2017, and in accordance with the Neighbourhood Planning (General) Regulations of 2012 (as amended). Since commencing work on the Plan, the District Council has been replaced (in 2020) by Buckinghamshire Council.

1.2 The Neighbourhood area coincides with the parish boundary (see Map A below) and is centred on the village of Mursley.



Map A Neighbourhood Plan Area within Parish boundary (inset is location of Map B)

1.3 The purpose of the MNP is to set out a series of planning policies that will be used to determine planning applications in the area in the period to 2040. The Plan will form part of the development plan for the Parish, alongside the adopted Vale of Aylesbury Local Plan 2013-2033 (VALP) adopted in 2021 by the new planning authority.

1.4 Neighbourhood Plans provide local communities, like Mursley, with the chance to manage the quality of development of their areas. Once approved at a referendum, the MNP will become a statutory part of the development plan for the area and will carry full weight in how planning applications are decided for as long as it remains up to date. Plans must therefore contain only land use planning policies that can be used for this purpose. This often means that there are important issues of interest to the local community that cannot be addressed in a Plan if they are not directly related to planning.

1.5 Although there is considerable scope for the local community to decide on its planning policies, Neighbourhood Plans must meet all the 'basic conditions'. In essence, the conditions are:

- Is the Plan consistent with the national planning policy (NPP)?
- Is the Plan consistent with local planning policy (LPP)?
- Does the plan promote the principles of sustainable development?
- Has the process of making the plan met the obligations of European law that remain incorporated into UK law?

1.6 In addition, the Parish Council will need to demonstrate to an independent examiner that it has successfully engaged with the local community in preparing this Plan. If the examiner is satisfied that it has, and considers the MNP meets the above conditions, then it will go to a referendum of the local electorate. If a simple majority of the turnout votes in favour of the MNP, then Buckinghamshire Council will automatically make the Plan.

The Pre-Submission Plan

1.7 The draft ('Pre-Submission') version of the MNP of March 2021 provided the opportunity for the Parish Council to formally consult on the proposed vision, objectives and policies of the MNP and a number of supporting documents which form its evidence base.

1.8 The Parish Council has considered the representations made on that version of the plan and has sought further comments since on some specific matters. The feedback overall was encouraging though some modifications have been made to this final version. More details are provided in the separate Consultation Statement.

Sustainability Appraisal & the Habitats Regulations

1.9 The District Council confirmed in its screening opinion of September 2019 that the MNP had the potential to give rise to significant environmental effects and a Strategic Environmental Assessment (SEA) has therefore been undertaken in accordance with the Environmental Assessment of Plans & Programmes Regulations 2004.

1.10 A Draft SEA report informed the choice of MNP policies and was consulted on alongside the Pre-Submission MNP. This followed a scoping exercise that involved consultations with the statutory bodies and resulted in a framework of relevant environmental objectives being agreed to measure the attributes of the MNP. The final version of the SEA report has taken account of the modifications of this final version and is published separately alongside the Submission version. It concludes that the MNP policies will not lead to significant environmental effects that cannot be satisfactorily mitigated through compliant planning applications.

1.11 The District Council screening opinion also confirmed that there are no Natura 2000 sites (Special Areas of Conservation or Special Protection Areas) in the Neighbourhood (Parish) Area. The nearest such sites are Ellesborough (Chiltern Beechwoods SAC) 21km away to the south or Ringshall 22km to the southwest (Chiltern Beechwoods SAC) which are far enough away for the MNP to have no impact. The MNP has therefore not needed to be subject to a Habitats Regulations Assessment (as per the Conservation of Habitats and Species Regulations 2017).

2. THE NEIGHBOURHOOD AREA

2.1 The small Parish of Mursley has less than 1,000 residents and is predominantly rural in nature, mostly agricultural with a sprinkling of small, wooded areas. It is situated just a few miles outside and to the south west of Milton Keynes which has a population of over 250,000 (still rapidly growing). Around 80% of the dwellings in the Parish are situated in the village of Mursley, towards the centre of the Parish.

2.2 Many of the residents report that they value the special identity of the village and the rural nature of the Parish as a whole and would not wish to see it fundamentally altered. The expansion planned by Milton Keynes, along with the proposed expressway in the Oxford Cambridge Arc (with associated 1million new homes) and the East/West rail link (currently under construction and passing through the Parish), would see much of the northern half of the Parish become an urban extension to Milton Keynes over coming decades. That process could certainly start within the period covered by this Neighbourhood Plan. Whilst recognising that the preferences expressed by residents in this Neighbourhood Plan would not carry much weight in considering strategic developments such as are envisaged above, it is hoped that Mursley's wishes, as expressed in this Plan, would be recognised, and accommodated as far as possible.

2.3 The following points about Mursley need to be remembered and preserved:

- It has a strong, open, and friendly community spirit.
- It has a long history dating back to before the Domesday book.
- It is a rural community that does not want to see large scale development.
- For a community of its size, it enjoys excellent facilities.
- It has a low crime rate and is a safe place to bring up children with a good choice of secondary education.

2.4 This Neighbourhood Plan recognises that all communities need to accept that some housing development is necessary to avoid stagnation and meet housing needs. However, it still attempts to retain the existing rural feeling that living in the Parish engenders. In preparing this Plan, the wishes of the community have been foremost in deciding the number of new dwellings that would be acceptable and where those properties should be located. The community does not consider any significant further development outside of the village Boundary to be desirable within the Plan period to 2041.

2.4 The development site(s) chosen through this process reflect the community's wishes as much as possible, although it is recognised that none of the available sites could satisfy all views.

2.5 The Parish Council and the community have had to deal with a number of planning issues over recent years. Most of these have related to proposed residential developments of various sizes in and adjacent to the village, but there have also been applications for wind turbines and larger urban sprawl proposals from adjacent Milton Keynes. **A Selection of Recent Planning Applications** can be seen as a supporting document on the website www.npmursley.wordpress.com.

3. PLANNING POLICY CONTEXT

3.1 The parish lies within the Aylesbury Vale area in the county of Buckinghamshire.

National Planning Policy

3.2 The latest National Planning Policy Framework (NPPF) published by the Government in 2021 is an important guide in the preparation of local plans and neighbourhood plans (see www.gov.uk/government/publications/national-planning-policy-framework). The following sections of the NPPF are considered especially relevant:

- Mixed and balanced communities
- Housing needs
- Rural housing
- Local Green Spaces
- High quality design
- Mitigating climate change
- Natural environment
- Biodiversity
- Historic environment

3.3 Another key policy is the protection afforded to made neighbourhood plans in the event that the housing policies of the VALP are deemed out of date. With housing supply and delivery performance in this area being so volatile over the last few years, this specific provision (outlined in NPPF S14) has played a crucial role in the approach taken by the Parish Council in formulating the MNP.

3.4 This states that where a neighbourhood plan has been made within two years and has allocated housing land to meet or exceed its identified housing requirement, then the presumption in favour of sustainable development of NPPF §11 will not be engaged unless the local planning authority cannot demonstrate a three-year supply of housing land or has failed its housing delivery test. Implementation of this is therefore outside of the Parish Council's control.

Strategic Planning Policy

3.5 The MNP must be in general conformity with the strategic policies of the recently adopted VALP. The separate Basic Conditions Statement explains how this has been achieved. In summary, the key strategic policies that have guided the MNP are:

- S2 Spatial Strategy for Growth
- S3 Settlement Hierarchy and Cohesive Development
- D4 Housing Development at Smaller Villages
- H1 Affordable Housing
- H6a Housing Mix
- E9 Agricultural Development
- T5 Delivering transport in New Development
- T7 Footpaths and Cycle Routes
- BE1 Heritage Assets
- BE2 Design of New Development
- NE1 Biodiversity and Geodiversity
- NE4 Landscape Character
- I1 Green Infrastructure
- I3 Community Facilities

3.6 These policies establish Mursley as a 'small village' in the settlement hierarchy of the District (S3), where limited housing growth should come forward through infill schemes and neighbourhood plan allocations. Beyond them the VALP makes clear that development in the countryside should be avoided.

3.7 although not applicable in Parishes with made neighbourhood plans, Policy D4 of the VALP sets out guidance for how housing schemes should be located and designed to fit in smaller villages. The VALP does not itself adopt 'settlement boundaries' on its Policies Map but the policy includes a worded definition that serves the same purpose.

3.8 The remaining development management policies cover a wide range of planning matters. The housing policies set out the general requirements for affordable housing and housing mix and continue to allow for 'rural exception sites'. The design and heritage policies have special relevance to the Mursley Conservation Area and its variety of listed buildings. And its landscape, green infrastructure and transport policies are important in shaping the location and design of site proposals.

3.9 The new Buckinghamshire Council will be obliged to prepare and adopt a new statutory strategic policy framework by 2025. It is currently anticipated that this Plan will cover the period to 2040. As the MNP makes housing proposals that exceed the provisions of the VALP it is justified to extend the MNP to 2040 to cover the same plan period.

3.10 There are other development plans – waste and minerals for example – that apply in the Parish, but none are considered relevant in this Neighbourhood Plan. There is one made neighbourhood plan in the vicinity at Stewkley and other adjacent parishes at Newton Longville and Drayton Parslow are also currently preparing plans.

4. COMMUNITY VIEWS ON PLANNING ISSUES

Details of our consultation and engagement activities can be found in the **Consultation and Engagement Strategy Report** on the website.

In the report, specific measurements of outcomes are identified within each section of activity as follows:

7.1	Consultation Programme - Launch Events	pp 26-31
7.2 & 7.3	Parish Questionnaire	pp 32-33
7.4	Consultation Programme - Sites & Policies	pp 33-39
7.4(a)	AECOM/SEA concurrent with 7.4 (above)	pp 39-40

5. VISION, OBJECTIVES & LAND USE POLICIES

Mursley Neighbourhood Plan

Vision 2021 to 2041

To conserve and enhance the long-established integrity and identity of the Parish of Mursley within its rural setting and its specific historic and architectural character, whilst managing change and embracing appropriate local development which meet the social, economic, and environmental needs of the Parish.

Objectives

5.1 The key objectives of this Neighbourhood Plan are:

- Conserving the historic character of the village and its 'sense of place'
- Preserving the essential landscape setting of the village
- 'Stitching in' new development within the village boundary and in suitable location(s) on its edge
- Providing home types and tenures that meet local needs
- Preserving and improving local biodiversity
- Increasing public access to green spaces and the countryside throughout the Parish
- Preserving and enhancing Community Facilities.

Land Use Policies

5.2 The following policies relate to the development and use of land in the designated Neighbourhood Plan Area of Mursley. They focus on specific planning matters that are of greatest interest to the local community.

5.3 Each policy is numbered and titled, and it is shown in bold italics. After each policy is some supporting text that explains the purpose of the policy, how it will be applied and, where helpful, how it relates to other adopted and emerging development plan policies. A map is included where relevant.

Policy MUR1: Mursley Village Boundary

The Neighbourhood Plan defines a Mursley Village Boundary, as shown on Map B.

In addition to the sites allocated and reserved for housing development in Policy MUR2, proposals for housing development within the Settlement Boundary will be supported, provided:

- they comprise of no more than five houses on a site not exceeding 0.20 hectare, unless evidence can be provided to support a larger scheme***
- buildings are no more than two storeys in height, unless special circumstances can be demonstrated to show there will be no adverse impact on the character and appearance of the area.***

Development proposals on land outside the defined Settlement Boundary will not be supported other than for rural housing exception schemes, uses that are suited to a countryside location such as appropriate leisure and recreational uses, or community right to build schemes. Well-designed proposals for employment, agriculture or forestry and tourism that may help the rural economy will be supported. New isolated homes in the countryside will not be supported, but the creation of new homes through the conversion of barns will be acceptable in principle.

5.4 Policy MUR1 establishes and defines the Mursley Village Boundary to distinguish the consideration of planning applications within the settlement from those outside the boundary. In doing so, it refines VALP Policy S3 relating to development within the village and in the countryside and is consistent with the wording of other made neighbourhood plans in this part of rural Buckinghamshire. Together with Policy MUR2, it also builds on VALP Policies D4 and BE2 which set out criteria for managing housing development in smaller villages in the District and the design of new development, respectively.

5.5 The policy sets the spatial strategy for the Parish where objectives are to protect the intrinsic character and beauty of the countryside but to allow for sustainable growth to meet local housing needs over the Plan period. The boundary accommodates the two sites allocated and reserved by Policy MUR2. Together, these allocations will deliver 30 new homes and will therefore meet and exceed the indicative housing requirement figure for the Parish.

Policy MUR2: Housing Sites Allocations

A. The Neighbourhood Plan allocates land at Cooks Lane, as shown on the Policies Map, for a scheme comprising residential development and a public open space. Development proposals will be supported, provided they are in accord with the following site-specific requirements and with other relevant policies in the development plan:

- **The residential scheme comprises approximately 20 homes on the eastern part of the site with a mix of housing types of two and/or three bedrooms, one and two stories high and including affordable homes;**
- **The final definition of the developable area and its layout are informed by an archaeological assessment of the local heritage significance of the nearby ridge and furrow and a mitigation scheme is agreed with the local planning authority;**
- **Unless otherwise determined by the archaeological mitigation scheme, the location and layout principles of the residential scheme should accord with the submitted concept plan;**
- **The public open space scheme is laid out on the western part of the site and comprises areas of wildflower and fruit tree planting, a woodland play area and tree planting around the site periphery;**
- **The public open space will be implemented prior to the occupation of the residential scheme and transferred to the Parish Council with an equivalent 25-year commuted sum for its maintenance for the benefit of the community in perpetuity; and**
- **A transport assessment is submitted to include mitigation measures to minimise and harmful effects of vehicles at the junction with Main Street and along Main Street.**

B. The Neighbourhood Plan reserves land off Station Road, as shown on the Policies Map, for a scheme comprising residential development and a public open space. Once released for development, proposals will be supported, provided they are in accord with the following site-specific requirements and with other relevant policies in the development plan:

- **The residential scheme comprises approximately 10 homes with a mix of housing types of two and/or three bedrooms, one and two stories high and including affordable homes;**
- **The location and layout of the residential scheme is in accord with the submitted and assessed concept plan;**
- **The public open space scheme is laid out in the form of a community orchard;**
- **The public open space will be implemented prior to the occupation of the residential scheme and transferred to the Parish Council with an equivalent 25-year commuted sum for its maintenance for the benefit of the community in perpetuity; and**
- **A transport assessment is submitted to include mitigation measures to minimise and harmful effects of vehicles at the junction with Main Street and along Main Street.**

The reserved land will be released for development in the event that the

proposals are made after April 2033 for delivery in the period to 2040 and the housing policies of the Vale of Aylesbury Local Plan are deemed out of date or the housing supply policies of the Buckinghamshire Local Plan require the provision of new homes in the Parish.

5.6 Policy MUR2 serves two purposes in planning for the supply of new homes in the village over the Plan period. Firstly, it allocates land at Cooks Lane for a scheme that will also deliver a new public open space for the village. Secondly, it reserves land off Station Road for a scheme in the later part of the plan period, should further housing be required, that will also deliver a new public space.



5.7 The sites were favoured in the site assessment process, comprising the SEA and a community survey (see the separate **Site Assessment Report** for details). Neither site will harm the setting of the Conservation Area, as defined in MUR4, or the landscape character of the land surrounding the village. Both sites will contribute to meeting the community's needs for additional recreational land and are well located to serve that purpose. The SEA highlighted the proximity of ridge and furrow to the Cooks Lane site, hence the policy requires this to be investigated further and a mitigation scheme agreed as part of a planning application.

5.8 Together, the schemes will enable the village to grow modestly over the Plan period in a way that is compatible with its status as a smaller village in the settlement hierarchy, with few local facilities and being relatively remote from larger centres of population. The new homes will rebalance the existing housing stock by providing generally smaller properties than has been the case over the last few years, including affordable homes.



5.9 Policy MUR2 operates in conjunction with Policy MUR1 to ensure that the future growth of the village is plan led as encouraged by the NPPF. It will deliver a number of homes that exceed the requirement of the VALP in the period to 2033 and provides for a potential requirement in the new Bucks Local Plan for additional homes in the decade beyond that. Should the Local Plan not require additional homes, the Station Road site is only reserved, and the policy will be monitored in subsequent reviews of the Mursley Neighbourhood Plan to determine if its release for development is warranted.

Policy MUR3: Housing Mix

A. In any new residential development scheme of 5 or fewer dwellings only one may have 4 bedrooms, the remainder will comprise dwellings with 2 and 3 bedrooms only. For development schemes of 6 or more dwellings, at least two thirds of the total number of dwellings will be of 2 or 3 bedrooms and remainder will not exceed 4 bedrooms.

B. Proposals for residential development schemes of 10 or more dwellings should comprise at least 25% affordable homes on site.

5.10 Policy MUR3 is intended to give local effect to VALP Policy H6a on housing mix by giving an emphasis to the types of new homes that will help rebalance the current mix of homes to ensure a sustainable community. There are various types of affordable homes, including:

- 'First Homes' for first time buyers at a 30% discount on market sales rates
- 'Rent to Buy' which helps non-homeowners with a total household income of less than £80k to rent properties at 80% of market value
- 'Social Rented Housing' where rents cannot be more than 80% of the local market rent. These schemes are usually delivered by Housing Associations who work with Local Councils to obtain grants and upfront payments from developers to achieve these less than market rate prices for specified eligible households.

5.11 There are 275 homes in the Parish, of which 226 are within the Village Boundary. Table A below compares the types of those homes (by number of bedrooms) with the most recent analysis of what mix of housing types AVDC has planned for to 2033 (targets for later will not be known until the Buckinghamshire Local Plan has been prepared). The data shows a significant imbalance between the number of 4+ bedroom homes (which is almost double the target) and of 3-bedroom homes, which are well below the target (as are 2-bedroom homes to a smaller extent).

	Total no. of existing homes by no. of bedrooms versus target VALP % mix				
	1	2	3	4+	Total
Mursley	10 (4%)	43 (19%)	71 (32%)	102 (45%)	226 (within Village Boundary)
VALP target	5%	22%	49%	24%	-

Table A Comparison of Mursley Housing Stock with VALP New Homes Target Mix
(Sources: MNP Housing Stock Survey 2019 and Bucks HEDNA Addendum, 2016, ORS)

5.12 To an extent, this is to be expected of a small village that has seen little development over the last few years. As is also common, on the few occasions that infill schemes have been consented in that time, they have been primarily for 4 or 5+ bedroom homes through other recent schemes (at Taylors Corner for example) show that 2 or 3 bedroom properties can be delivered viably and are in demand. Without this policy to intervene in shaping the mix of the allocated sites or rare infill schemes, the market will continue this trend. Hence, whilst the policy does not require all new homes to be of this target type, it will correct this imbalance and help build a more sustainable, varied housing stock over the Neighbourhood Plan period.

5.13 In respect of affordable housing, the policy modifies the adopted VALP policy (H1) by lowering the threshold at which the policy applies from schemes of 11 to 10 or more dwellings. This brings the policy up to date with the NPPF (S64) and its definition of 'major development'. This is not considered a change to strategic policy that would be inconsistent nor that requires Parish-specific viability testing.

Policy MUR4: Design Strategy

A. All proposals for development including new buildings, alterations, extensions, changes of use and demolitions, that are located in the Mursley Conservation Area, as shown on the Policies Map, should seek to conserve the Area in a manner appropriate to its significance, including its setting, and seek enhancement wherever possible.

B. In setting out their design proposals, applicants should also have full regard to the following characteristics of the Conservation Area in that each are significant in forming its special character and appearance, where they are relevant to the location of the proposal:

- ***The open panoramic view from Cooks Lane eastwards and to the southwards.***
- ***Long views to water tower as a defining feature of the village, which is otherwise only revealed at the northern gateway.***
- ***Interest created by the variety of spaces along the length of Main Street as a result of sequences of common but slightly different building lines which are generally close to the road but are occasionally set back.***
- ***This interest is heightened by the gentle curves in Main Street that result in (often historically significant) buildings terminating a long view.***
- ***In the Conservation Area, almost all building plots front on to a main road and almost all are narrow with long rear gardens with little precedent for back land development. There is also a variety of building, fenestration and roof forms but almost all are two storeys in red/orange brick with relatively simple detailing.***
- ***Clay tile and some thatch roofs predominate though there are groups of buildings and higher status individual buildings with slate.***
- ***Tall brick walls in either Flemish or Raking stretcher bond and with generally segmented coping along Main Street which along with Cooks Lane and Church Lane create a tight sense of enclosure.***
- ***The Village Green open space at the junction of Whaddon Road with Main Street affording views of the cluster of buildings in The Lane and Station Road.***
- ***Distinctive belt of poplars along Church Lane.***
- ***Occasional very tall mature trees and mature hedgerows help frame and punctuate the streets-scene.***
- ***A series of driveways/entrances have open design gates giving views of gardens, outbuildings and land to the rear of houses.***

C. In setting out their design proposals, applicants should also have

full regard to the following characteristics of the setting of the Conservation Area in that each are significant in forming its special character and appearance, where they are relevant to the location of the proposal:

- **the views offered to the rear of buildings in Main Street from the public footpaths to the west of the village and from Swanbourne Road and Whaddon Road**
- **the view of the Church tower and foreground buildings in Church Lane**
- **the view of Old Timbers, Chase House and Manor Farmhouse around the junction with Cooks Lane.**

D. Proposals for development outside the Conservation Area and its setting should reflect in their building forms, materials and styles the rural vernacular of the Parish.

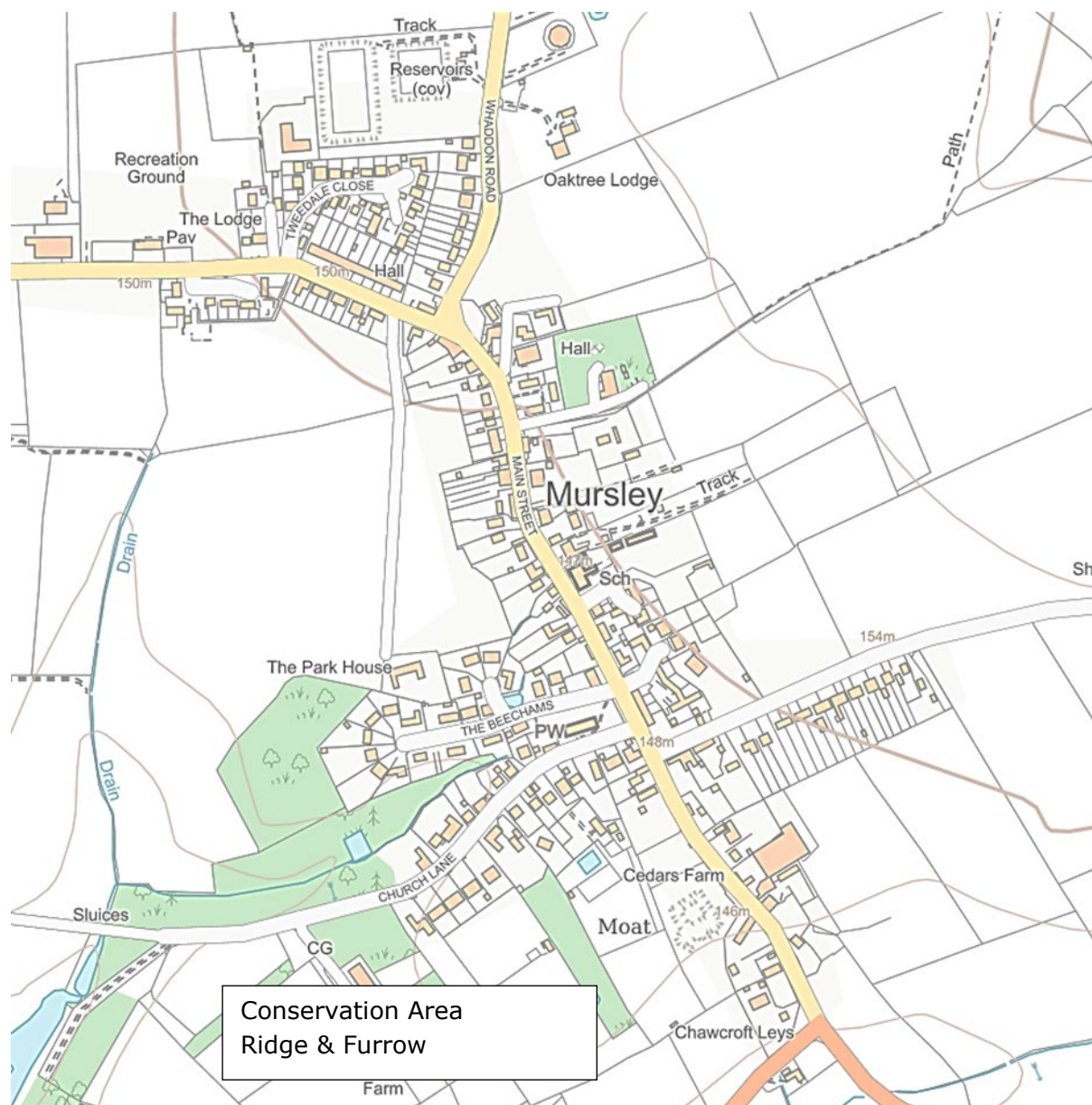
E. Proposals that use sustainable materials and methods of construction, especially the use of timber, are encouraged.

5.14 Policy MUR4 refines VALP Policies BE1 and BE2 by setting out a design strategy for the Parish in line with the approach recommended in the National Design Guide. It acknowledges that the village comprises two character areas: the designated Mursley Conservation Area and the remainder of the village within the Village Boundary (parts of which form part of the setting of the Conservation Area).

5.15 It is not prescriptive in expecting specific architectural styles. Rather, it identifies those essential features of the historic village, designated a Conservation Area, and requires applicants to demonstrate they have both understood the significance of those features and have positively responded to them in their design proposals. This does not preclude modern design solutions but will discourage the type of pattern book, 'estate' development schemes of larger house builders.

5.16 Outside the Conservation Area, Policy MUR4 identifies a small number of views within its setting that play an important part in defining its historic significance. Again, the expectation is that applicants should take care in ensuring the design of their proposals acknowledge these special views. Otherwise, here and beyond the village, the policy simply encourages proposals to reflect the rural character of the Parish and its vernacular (in materials for example). There is, therefore, a greater degree of flexibility in how proposals are designed than will be the case in the Conservation Area.

5.17 In addition, Policy MUR4 encourages all proposals to adopt sustainable methods of construction. Given the benefit of embedding carbon in the use of timber in building construction, it makes a special reference to it. Although high standard buildings are incentivised, not every site will be suited to that method.



Map C Mursley Conservation Area and remaining Ridge and Furrow fields

Policy MUR5: Local Heritage Assets

A. This Neighbourhood Plan identifies the following buildings and structures as Buildings of Local Interest:

- **The Old Forge, 8 Main Street**
- **St Mary's House, 5 Main Street and boundary wall to Main Street**
- **Chase House, 10 Main Street and boundary wall to Main Street**
- **Boundary wall to Main Street and Church Lane at Old Stocks**
- **2 Church Lane**
- **Telegraph House, 6 Church Lane**
- **1 & 9 Manor Close**
- **9 & 11 Main Street**
- **Mursley C of E Primary School and School House, Main Street**
- **The Green Man Public House, Main Street**
- **Setting to 26 Main Street and front garden building and boundary wall to Main Street**
- **27 Main Street**
- **Barn adjoining Sunnyside, 31 Main Street**
- **40-42, 55-59, 63-67 & Baptist Chapel, Main Street and 1, 5-9 & Myrtle Cottage, The Lane**
- **Water Tower, Whaddon Road**
- **Agricultural Buildings at Salden Farm**
- **Windmill Cottages, No.7 (formerly PH) and 2 Swanbourne Road**
- **Beechams Row, Station Road**

Proposals that will result in unnecessary harm to, or loss of, a Building of Local Interest, will be resisted.

B. This Neighbourhood Plan identifies fields of Ridge and Furrow on the edge of the village, as shown on the Policies Map, as Local Heritage Assets. Proposals that will result in harm to, or unnecessary loss of, these fields will be resisted, unless it can be demonstrated that there is a public benefit that outweighs the harm or loss.

5.16 Policy MUR5 identifies as Buildings of Local Interest a number of buildings and structures in the Parish that have local heritage importance, either because of their architectural or their historical/social and/or their village-scape value. It also identifies those fields that contain the most historically significant examples of Ridge and Furrow in the Parish as local heritage assets.

5.17 In that regard, Policy MUR5 is intended to inform decision makers of the presence of what are technically referred to as 'non-designated heritage assets' when judging the effects of a development proposal in line with S197 of the NPPF. A description of each building on the list is included in Appendix A. 'Listed Buildings' are already subject to protection by the Listed Buildings & Conservation Areas Act 1990 and by national policy as designated heritage assets and are not therefore identified in this policy.

Policy MUR6: Local Green Spaces

This Neighbourhood Plan designates the Village Green at Main Street/Whaddon Road and the field known as The Hangings, on the footpath from Church Hill farm towards Dodley Hill Farm - as Local Green Spaces, as shown on the Policies Map. Proposals for development of these sites will be refused unless very special circumstances can be demonstrated. Proposals adjoining a Local Green Space must be able to demonstrate that they will not compromise their special value to the community.



Map D Proposed Local Green Spaces

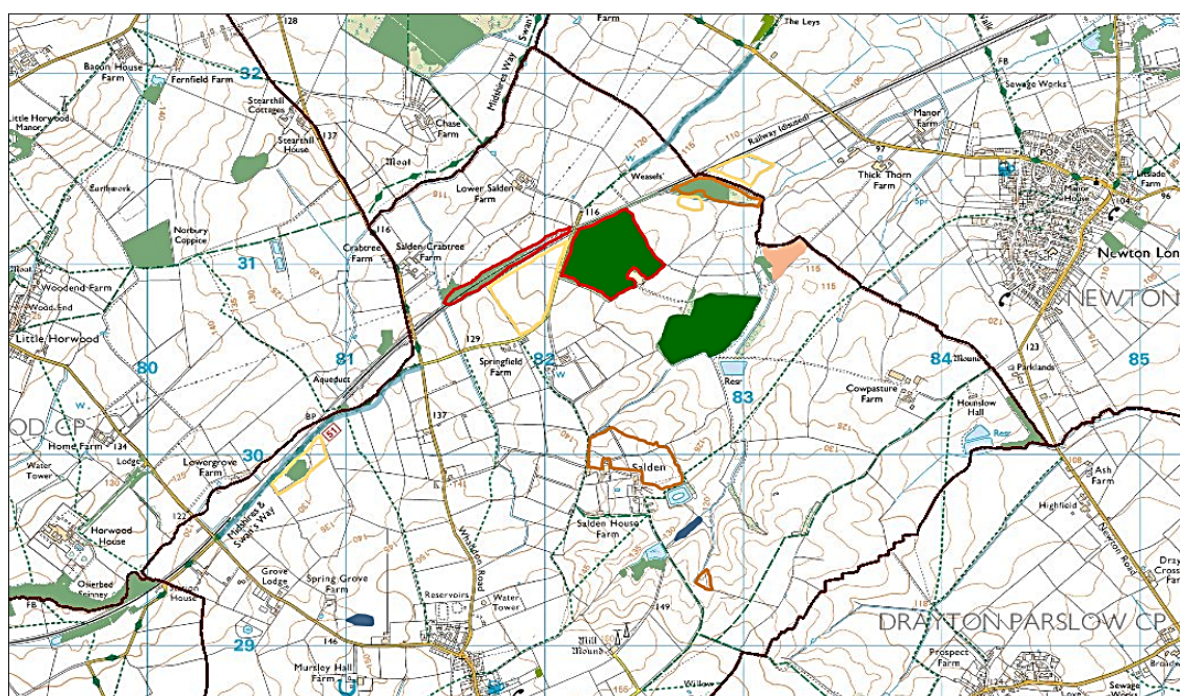
5.18 Policy MUR6 proposes that these two places are protected from development by their designation as Local Green Spaces in accordance with S102 of the NPPF. The policy has the effect of managing development proposals in line with the NPPF provisions in the Green Belt. The Village Green has a historic value as a social space and continues to play an integral part in the enjoyment of the village and is therefore special to the community. The Hangings is the last remaining patch of florally diverse semi-improved grassland in the Parish, with a complex intersecting ridge-and-furrow pattern probably dating from a pre-enclosure large field system, and is an easily accessed area where wildflowers, insects and other wildlife can be enjoyed.

Policy MUR7: Green Infrastructure Network

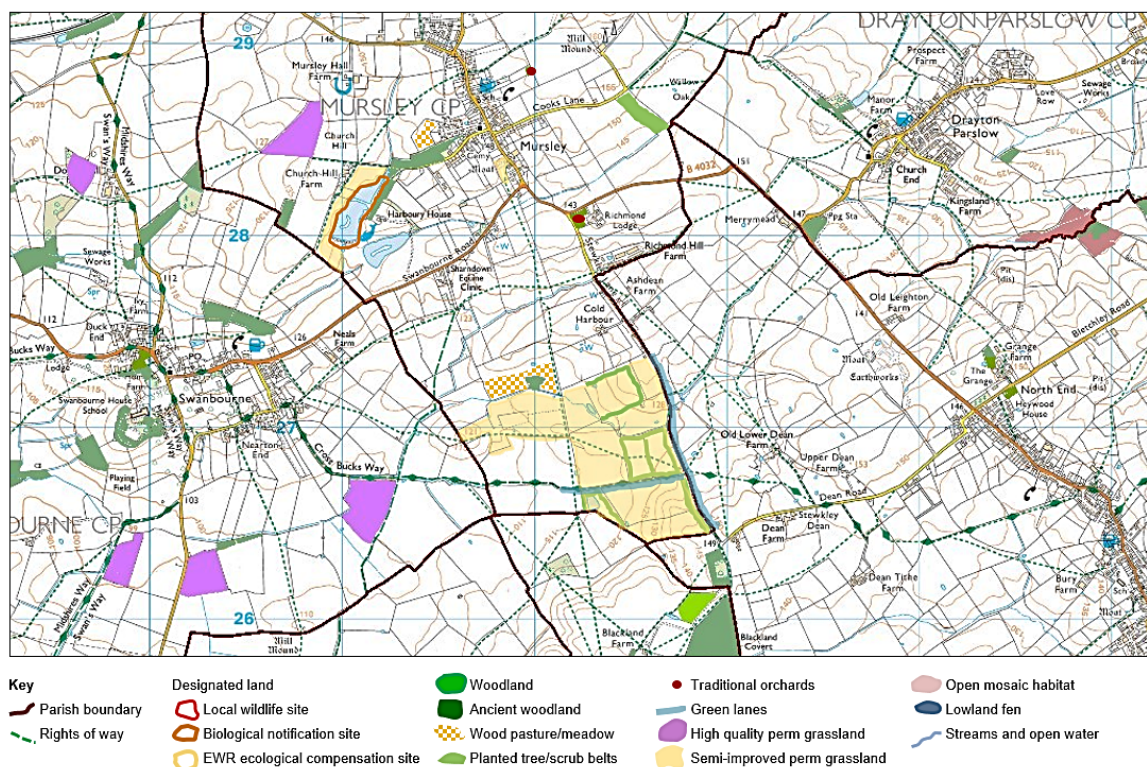
A. The Neighbourhood Plan identifies a Green Infrastructure Network, as shown on the Policies Map, comprising Local Wildlife Sites, Biological Notification Sites, Priority Habitats, open spaces, woodlands, trees, historic field systems, water bodies, hedgerows, green lanes, footpaths, bridleways and cycle ways.

B. Development proposals on land that lies within or adjoining the Network will be required to demonstrate how they maintain or enhance its visual characteristics and biodiversity; and to ensure their landscape schemes, layouts, public open space provision and other amenity requirements (such as pedestrian and cycle connections) contribute to improving the connectivity and maintenance of the Network.

Mursley Parish Green Infrastructure Map



Map E(a) Mursley Parish (North) Green Infrastructure



Map E(b) Mursley Parish (South) Green Infrastructure

5.19 Policy MUR7 supports VALP Policy I1 on Green Infrastructure by defining a network of green infrastructure assets in Mursley as a means of increasing connection to the countryside and of improving local biodiversity through connecting habitats. It also promotes the Green Infrastructure Strategies that cover Aylesbury Vale at varying levels.

5.20 Policy MUR7 requires that all development proposals that lie within or adjoining the Network should consider how they may improve connectivity, or at the very least not undermine the integrity of connecting spaces and habitats. This may mean that scheme layouts, access points, landscape schemes and amenity spaces are designed to contribute to the effectiveness of the Network where possible and without undermining other planning policy objectives. In some cases, proposals will enable the creation of new green infrastructure assets that extend the benefits of the Network. They will be supported provided they are appropriate in other respects.

5.21 New green infrastructure features are being created by farmers to support wildlife and areas acquired by the East-West Rail Alliance to compensate for the loss of wildlife habitat along the rail line – all additional assets of biodiversity value that provide corridors through the Parish for wildlife.

Policy MUR8: Community Facilities

A. The Neighbourhood Plan identifies the following as Community Facilities:

- **Mursley C of E Primary School, Main Street**
- **Mursley Church, St. Mary the Virgin, Main Street**
- **The Green Man, Public House, Main Street**
- **The Village Hall, Main Street**
- **Mursley Sports Association - the Sports Field, the Pavilion and Children's Playground, Station Road**
- **The Parish Allotments, Station Road**
- **Rectory Rooms, Main Street**

B. Proposals for the change of use of community buildings and facilities for which there is a demonstrable local need will be resisted, unless, with the exception of the Green Man PH, the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. Proposals for alternative development or uses must demonstrate that the existing use is no longer viable for a community use by way of the site/use has been marketed for a minimum period of 12 months at a price commensurate with its use together with proof there has been no viable interest, marketing of the building or facility at a price commensurate with its use, the presence of alternative local facilities and the community benefits of the proposed use. Where permission includes converting the use of a building, conditions will be imposed to ensure later resumption of a community use is not excluded.

C. Proposals to expand or alter existing community facilities will be supported where they meet all other relevant plan policies.

5.21 Community facilities are very important in providing opportunities for social cohesion and the wellbeing of the residents of the parish. Both the National Planning Policy Framework and the Vale of Aylesbury Local Plan acknowledge the significant contribution community facilities make to the social and economic life of a community, particularly in a rural area.

5.22 **Mursley C of E Primary School** caters for children from pre-school age to seven years old. The main school is divided into two classes, Foundation Stage and Key Stage 1. Years 1 and 2 are taught separately in the morning for literacy and numeracy. Each class is taught by a class teacher and supported by at least one teaching assistant. The intake number for each year group is fifteen children. Years 3-6 are taught at Swanbourne.

Mursley C of E School is partnered with Drayton Parslow and Swanbourne Church of England Schools.

5.22 **St. Mary the Virgin Church** within Mursley has been active for hundreds of years. The current Christian community meet together on a regular basis and provide a number of opportunities to explore the Christian message and values, and to support each other and the wider community in living this out.

The Christian heritage of the village is reflected in the 14th century St Mary the Virgin Church and the Baptist Chapel, now a private dwelling. St Mary the Virgin Church contains a monument to the Fortescue family, Sir John Fortescue was Chancellor to Queen Elizabeth I. A modern addition to the building is a fine stained-glass window in the chancel to celebrate the 2,000-year Millennium.

5.23 **The Green Man** is a typical village local/pub providing a central location for villagers to have a drink, eat and share stories. It provides a vital contact point for residents to stay in touch with village affairs. With this strong social value, the pub has been registered by the local planning authority as an Asset of Community Value. Policy D7 of VALP resists the loss of local pubs without qualification, hence the provision made in this policy allowing for circumstances where facilities may be lost and/or replaced does not apply to this facility.

5.24 **Mursley Village Hall** is a warm and inviting community facility located in the middle of the village of Mursley. The main hall and committee room were refurbished to a high standard a few years ago, it is a great venue for clubs, parties, receptions, functions, with a large stage.

It is fully kitted out for amateur dramatics, including a large stage with a sophisticated lighting system, and is also suitable for a variety of indoor sports, and activities including Pilates and Yoga. There is a particularly active Table Tennis club.

The large hall can comfortably seat 120 people at tables. The kitchen area in the hall is well equipped, with a large cooker, refrigerators, two sinks and ample preparation space.

There is a small committee room that can be booked separately, capable of seating up to about 20 people. When required, there is a bar serving area adjacent to the kitchen.

5.25 **Mursley Playing Field** (administered by the Mursley Sports Association (MSA)) facilities present a range of unique opportunities for the children and residents of Mursley to connect with the concept of playing sport for fun and to enhance their opportunities to participate and learn with and from others.

They aim to promote quality sports and fitness for children and residents through special events and activities by raising public awareness, regular networking with residents, partners and potential fundraisers. The MSA mission is "Helping the children and the residents of Mursley find their place on our playgrounds".

5.26 **The Parish Allotments** is a relatively new feature of village life after many years of requests from Parishioners, 18+ "pitches" were developed in 2019 and now are fully occupied by residents. The site is managed by a member of the Parish Council.

5.27 The two-proposed new Local Green Spaces (see MUR6) should be recognised as community facilities once approved, as should the new public open spaces associated with proposed housing development schemes (see MUR2).

MUR9: Zero Carbon Buildings

A. All development must be 'zero carbon ready' by design to minimise the amount of energy needed to heat and cool buildings through landform, layout, building orientation, massing and landscaping. Consideration should be given to resource efficiency at the outset and whether existing buildings can be re-used as part of the scheme to capture their embodied carbon.

B. Wherever feasible, all buildings should be certified to a Passivhaus or equivalent standard with a space heating demand of less than 15KWh/m²/year. Where schemes that maximise their potential to meet this standard by proposing the use of terraced and/or apartment building forms of plot size, plot coverage and layout that are different to those of the immediate area within which the proposal is located, this will be supported, provided it can be demonstrated that the proposals have had regard to the design principles of Policy MUR4.

C. All planning permissions granted for new and refurbished buildings should demonstrate that they have been tested to ensure the 'as built' performance as predicted and will include a planning condition to require the provision of post occupancy evaluation reporting to the Local Planning Authority within a specified period, unless exempted by Clause B. Where this reporting identifies poor energy performance and makes recommendations for reasonable corrective action, the applicant must demonstrate that those actions have been implemented before the condition will be discharged.

D. All planning applications for major development are also required to be accompanied by a Whole Life-Cycle Carbon Emission Assessment, using a recognised methodology, to demonstrate actions taken to reduce embodied carbon resulting from the construction and use of the building over its entire life.

E. An Energy and Climate Statement will be submitted to demonstrate compliance with the policy (except for householder applications). The statement will include a passive design capacity assessment prepared at the earliest stage of site layout design to demonstrate how opportunities to reduce the energy use intensity (EUI) of buildings over the plan period have been maximised in accordance with the Energy Hierarchy. Designers shall evaluate the operational energy use using realistic information on the intended use, occupancy and operation of the building to minimise any performance gap.

5.28 The policy context for the setting of energy efficiency standards at the Local Plan or Neighbourhood Plan scale is complex. Background information has therefore been set out in Appendix B of the Plan. The policy may also appear rather technical, but it is a temporary measure as in due course, it is expected that the new Local Plan, if not national policy itself, will make such provisions across the County. At present, there is no VALP policy on this matter.

5.29 The policy is in five parts, the combination of which is intended to deliver a step change in the energy performance of all new developments in the Parish and, in doing so, encourage, and incentivise the use of the Passivhaus or equivalent standard of building design. Along with the passive design capacity assessment, it is anticipated that designers will demonstrate compliance using a design for performance methodology such as the Passivhaus Planning package or CIBSE TM34 Operational Energy. Achieving this level of performance will make a significant contribution to mitigating climate change that the Neighbourhood Plan can deliver, and a contribution to wider initiatives at the County level.

5.30 Clause A of the policy requires developers to ensure they address the Government's climate change targets and energy performance at the very initial stages of design. 'Zero Carbon Ready' by design means making spatial decisions on layout and orientation of buildings at the outset to maximise the passive design benefits ('free heat') of a site and avoids leaving this to technical choices and assessment at the Building Regulation stage, by which time the opportunity may have been lost.

5.31 Its Clause B requires all schemes, no matter what their intended use or size other than householder extensions, to use the Passivhaus Planning Package (PHPP) or equivalent design methodology for all buildings where it is feasible to do so. This means that the applicant must demonstrate those factors that make its use unfeasible, for example, the topography and orientation of the site.

5.32 In respect of scheme viability, any extra-over cost of building to the 'zero carbon ready' Passivhaus or equivalent standard will diminish to zero well within the period of this Plan, as the Government's Regulatory Impact Assessments, research by the Passivhaus Trust and the viability assessment of various housing typologies published by Cornwall Council now demonstrates. The policy will also ensure that expensive and unnecessary retrofit costs are not passed down to building occupiers in the future, particularly in an area which has relatively high property values. Scheme viability will not therefore be acceptable as a reason for not using the Standard, unless the applicant can demonstrate the scheme has abnormal costs to accommodate.

5.33 The clause acknowledges that some innovative design solutions to meet the standards of the policy may not be characteristic of the village in their density, form or orientation. It therefore allows for such designs, provided the Design & Access Statement can show how they will continue to meet the design and heritage provisions of Policy MUR4 as relevant to their nature, scale, and location.

5.34 Proposals seeking to apply the PHPP must be able to demonstrate that the Passivhaus standard can be achieved. Prior to commencement a 'pre-construction compliance check' completed by a Passivhaus Designer accredited by the Passive House Institute (PHI) will be required and secured by condition. Upon completion, a Quality Approved Passivhaus certificate for each building will be required prior to occupation, again secured by condition. Clause C therefore requires the developer of a consented housing development scheme of any size to carry out post-occupancy evaluation (POE) reporting including actual metered energy use, and to submit this to the local planning authority. It will be implemented by attaching a planning condition, which will only be discharged once the report has been submitted and any recommended actions to rectify any performance gap with the design stage assessment are carried out by the developer. Passivhaus certified schemes will not fail in this way and they are therefore exempted from this policy requirement.

5.35 Clause D requires all development proposals that are not householder applications to be accompanied by a Whole Life-Cycle Carbon Emissions Assessment. The assessment will enable the design team to understand and respond to the lifetime consequences of their design decisions and to design for adaptability, longevity, and disassembly; contributing to resource efficiency (Clause A) and contributing to the 'circular economy'¹. This requirement will be added to the [LPA] Validation Checklist for outline and full planning applications applying to proposals in the neighbourhood area until such a time that there is a borough-wide requirement.

5.36 Clause E requires an Energy and Climate Statement to be submitted to cover the following:

- an assessment of the proposal to minimise regulated and unregulated emissions, the embodied emissions and the emissions associated with maintenance, repair, and replacement of the new building(s), as well as its dismantling, demolition and eventual material disposal
- a calculation of the energy and carbon emissions covered by the Future Homes Standard and Building Regulations and, separately, the energy demand and carbon emissions from any other part of the development

¹ Design for a Circular Economy Primer; Mayor of London. [Link](#)

that are not covered by the Future Homes Standard or Building Regulations

- the proposal to reduce carbon emissions beyond the Future Homes Standard and Building Regulations through the energy efficient design of the site, buildings and services
- the proposal to further reduce carbon emissions through the use of zero or low emission decentralised energy where feasible
- the proposal to further reduce carbon emissions by maximising opportunities to produce and use renewable energy on-site, utilising storage technologies where appropriate
- the proposal for a demand-side response, specifically through installation of smart meters, minimising peak energy demand and promoting short-term energy storage
- an analysis of the expected cost to occupants associated with the proposed energy strategy

5.37 Every new build or redevelopment project in the Neighbourhood Area, however modest, provides an opportunity to make a difference and a contribution towards meeting our climate change targets for 2050. This new information requirement need not be an unreasonable expectation of even the smallest schemes for new buildings. Land values in the area are high relative to build costs and ought to be sufficient to ensure requirements to tackle improving energy and carbon performance are viable.

6. IMPLEMENTATION

6.1 This Neighbourhood Plan will primarily be implemented by the new Buckinghamshire Council in its consideration and determination of planning applications for development in the Parish. The Parish Council will be active in monitoring how the new Council performs in its decision making.

Development Management

6.2 The Parish Council will use a combination of policies, from the Local Plan and this Neighbourhood Plan, to inform and determine its comments on planning applications. The Parish Council is a statutory consultee on planning applications made in the Parish and it will be made aware of any future planning applications or alterations to those applications by the planning authority. It will seek to ensure that this Neighbourhood Plan's policies have been taken into proper account by applicants and have been correctly identified and applied by planning officers in their decision making.

6.3 The Parish Council will also use the Neighbourhood Plan to inform its discussions with applicants in any pre-application consultations. It will expect applicants to acknowledge which policies are engaged by their draft proposals and to make clear which and how other material considerations may justify any conflict with, or deviation from, the policies. It will ensure that its summary comments on pre-application consultation with the applicant are communicated to the planning authority.

Local Infrastructure Improvements

6.4 Where opportunities arise through Section 106 agreements (or through the Community Infrastructure Levy) to secure financial contributions to invest in improving local infrastructure, the Parish Council will review the evidence base and community consultations for the Neighbourhood Plan to inform its view in liaising with the local planning authorities. This is in addition to the infrastructure projects that are proposed to be delivered through site specific policies in this Neighbourhood Plan.

Other Non-Planning Matters

6.5 During the process of preparing the Neighbourhood Plan, there have been many ideas for improving or addressing current problems in the Parish that lie outside the scope of the land use planning system to control. The Parish Council has noted these issues and will take them forward through its day-to-day business and in partnership with the local community and relevant parties. Issues include:

- Limiting the speed of traffic through the village

- Better control of parking
- Improving pavements and extending the footpath network.

APPENDIX A: BUILDINGS OF LOCAL INTEREST

The policy identifies as 'Buildings of local interest' a number of buildings and structures in the Parish that have local heritage importance, either because of their architectural, their historical/social and/or village-scape value. In that regard, the policy is intended to inform decision makers of the presence of what are technically referred to as 'non-designated heritage assets' when judging the effects of a development proposal in line with S197 of the NPPF.

Building	Description of Local Significance
The Old Forge, 8 Main Street	Street-scene and historical value as a reminder of the village businesses opening directly onto Main Street, in this case the Blacksmiths.
St Mary's House, 5 Main Street and boundary wall to Main Street	A reminder of the grandeur of the Old Rectory and grounds, where the village fete was held for many years. The original house was heavily re-fashioned but retains the proportions of the fine rectory. One iron ring remains in the Rectory wall opposite the Old Forge, where horses were once tied up.
Chase House (10 Main Street) and boundary wall to Main Street	Architectural value as a distinct double-fronted, red/orange brick and low-pitched, slate roof building with unusual window arrangement on front façade and large eaves. It also features an elaborate wirework porch and fencing with an interesting history. Streetscape value in long views along Main Street from the north and along Cooks Lane from the east, and as a group with the listed Old Timbers and Manor Farmhouse.
Boundary wall to Main Street and Church Lane at Old Stocks	Streetscape and architectural group value as the front boundary wall of the former Rectory plot in combination with the listed walls of the Church and Manor Farmhouse opposite and with the wall of No. 5 Main Street and of Chase House opposite.
2 Church Lane	Streetscape value in prominence in Church Lane forward of the building line of modern buildings and in the foreground setting of the listed Church in views from the west along Church Lane and architectural value with distinct white rendered brickwork and vernacular red/orange brick work and clay tile roofs.
Telegraph House, 6 Church Lane	Streetscape value in prominence in Church Lane forward of the building line of modern buildings and architectural value with distinct white rendered brickwork and canted ground floor bays.
1 & 9 Manor Close	Architectural value as a group with the listed Manor

	Farmhouse and barn (No. 1) as an example of former agricultural use and streetscape value in terminating long views across Main Street from The Beechams (together with Nos.1 and 9 Main Street).
9 & 11 Main Street	Street-scene value as a group with listed Candlewyck Cottage opposite. No 11 and the Cottage tighten the Street-scene in this location before it opens out north and south. Both with vernacular red/orange brick and slate roofs. No 11 prominent in punctuating long views along Main Street from the south. No 9 set back from road allowing glimpse views to the Church across the junction with The Beechams and churchyard.
Mursley C of E Primary School, Main Street, including attached schoolhouse	Street-scene and social value as a group with the Green Man PH with vernacular red/orange brick and clay tile roofs. Gable end fronts on to the road serving to punctuate views along Main Street from the north and south.
The Green Man Public House, Main Street	Street-scene and social value as a group with the Primary School with vernacular red/orange brick and clay tile roof. Pub building has no architectural value. The pub sign is prominent in views along Main Street.
Setting to 26 Main Street, front garden building and boundary wall to Main Street	Streetscape value of the front garden space in allowing views from the south on Main Street to the listed 28 Main Street; of the front re/orange brick and segmented coping boundary wall; and of the shed building (former shop). House has no specific architectural value.
27 Main Street	Architectural value with distinct first floor canted bay window and chequerboard brick work and Street-scene value with its position at the back of pavement and gable end on to the road serving to punctuate long views along Main Street from the north.
Barn adjoining Sunnyside, 31 Main Street	Architectural and Street-scene value as a reminder of the agricultural past of the village and in a prominent location in Main Street.
40-42, 55-59, 63-67 & Baptist Chapel, Main Street and 1, 5-9 & Myrtle Cottage, The Lane	Street-scene value as a group with the listed 71 Main Street and the Village Green.
Water Tower, Whaddon Road	Street-scene value as a prominent landmark of the village.
Agricultural Buildings at Salden Farm	Architectural value as a group with the listed buildings of North Salden Farmhouse and Salden House Farm.
Windmill Cottages, No.7 (former PH) and	Street-scene value as a group in a prominent location on a main road approaching the village and social value as a

2 Swanbourne Road	former Windmill P.H. (2, Swanbourne Road).
Beechams Row, Station Road	Architectural and historic value as a group. In the late 1800's Thomas Beecham, who produced the famous Beechams Pills, built Mursley Hall to the west of the Church. He employed many local people and to accommodate them ordered the construction of Beechams Row in Station Road, a terrace of cottages with the date of erection and the initials TB depicted in black on red brick.

APPENDIX B: ZERO CARBON BUILDINGS BACKGROUND NOTE

1. The UK Parliament declared an environment and climate emergency² in May 2019. The Climate Change Act 2008³ is the basis for the UK's approach to tackling and responding to climate change. It requires that emissions of carbon dioxide and other greenhouse gases are reduced and that climate change risks are prepared for. The Act also establishes the framework to deliver on these requirements and commits the UK government by law to reducing greenhouse gas emissions to 'net zero' by 2050. Buckinghamshire Council adopted its own Climate Change Strategy in February 2021.
2. The Government has committed the UK in law to 'net zero' by 2050 as per the Climate Change Act 2008 (as amended)⁴⁵ and emission cuts of 78% by 2035 to bring UK Law in line with the recommendations of the Committee on Climate Change (CCC) Sixth Carbon Budget Report, and the Paris Agreement commitments⁶. The Tyndall Centre for Climate Research Carbon Budget Tool⁷ confirms that for local areas to make their fair contribution to delivering the Paris Agreement's commitment, an immediate and rapid programme of decarbonisation is needed. At 2017 CO₂ emission levels will exceed the recommended carbon budget available until 2050 in 6 years (by 2027).
3. The Energy White Paper published in December 2020 sets out the government's Vision and 10-point transition plan for how the UK will reach the UK target of 'net zero' carbon emissions by 2050. The White Paper confirms the government's intention to ensure significant strides are made to improve building energy performance to meet this target. This means that by 2030 all new buildings must

² 'Emergency' – "a sudden serious and dangerous event or situation which needs immediate action to deal with it"

³ Amended by Climate Change Act 2008 (2050 Target Amendment) Order – SI 2019/1056 - 26 June 2019

⁴ [Insert reference to LP examination and basis on which energy policies examined]

⁵ The Climate Change Act established a long-term legally binding framework to reduce emissions, initially committing the UK to reducing emissions by at least 80% below 1990/95 baselines by 2050. In June 2019, following the IPCC's Special Report on Global Warming of 1.5°C and advice from the independent Committee on Climate Change, the CCA was amended to commit the UK to achieving a 100% reduction in emissions (to net zero) by 2050. 2019 UK Greenhouse Gas Emissions: BEIS Feb 2021([Link](#))

⁶ The Govt communicated to the UN the UK's contribution to the agreement on 12 Dec 2020

⁷ The Tyndall Carbon Budget Tool: Quantifying the Implications of the Paris Agreement for Local Authorities. Dec 2021 ([Link](#))

operate at 'net zero', the means by which this can be achieved is described in the diagram overleaf⁸.

4. Planning plays an important role in minimising our contribution to and increasing resilience to the effects of climate change. It can provide a positive and encouraging framework for change and can resist harmful development. The CCC highlights that we need to build new buildings with 'ultra-low' levels of energy use.

The CCC also makes a specific reference to space heating demand and recommends a maximum of 15-20 kWh/m²/yr for new dwellings⁹¹⁰.

⁸ LETI Climate Emergency Design Guide ([Link](#))

⁹ The UK housing: Fit for the future? report published by the Committee on Climate Change in February 2019 recommends ultra-low levels of energy use and a space heating demand of less than 15-20 kWh/m²/yr. ([Link](#))

¹⁰ The costs and benefits of tighter standards for new buildings report, produced by Currie & Brown and AECOM for the Committee on Climate Change's UK housing: Fit for the future? Report ([Link](#))

Net Zero Operational Carbon

Ten key requirements for new buildings

By 2030 all new buildings must operate at net zero to meet our climate change targets. This means that by 2025 all new buildings will need to be designed to meet these targets. This page sets out the approach to operational carbon that will be necessary to deliver zero carbon buildings. For more information about any of these requirements and how to meet them, please refer to the: UKGBC - Net Zero Carbon Buildings Framework; BBP - Design for Performance initiative; RIBA - 2030 Climate Challenge; GHA - Net Zero Housing Project Map; CIBSE - Climate Action Plan; and, LETI - Climate Emergency Design Guide.

Low energy use

- 1 Total Energy Use Intensity (EUI) - Energy use measured at the meter should be equal to or less than:
 - 35 kWh/m²/yr (GIA) for residential¹

For non-domestic buildings a minimum DEC B (40) rating should be achieved and/or an EUI equal to or less than:

 - 65 kWh/m²/yr (GIA) for schools¹
 - 70 kWh/m²/yr (NLA) or 55 kWh/m²/yr (GIA) for commercial offices^{1,2}
- 2 Building fabric is very important therefore space heating demand should be less than 15 kWh/m²/yr for all building types.

Measurement and verification

- 3 Annual energy use and renewable energy generation on-site must be reported and independently verified in-use each year for the first 5 years. This can be done on an aggregated and anonymised basis for residential buildings.

Reducing construction impacts

- 4 Embodied carbon should be assessed, reduced and verified post-construction.³



Low carbon energy supply

- 5 Heating and hot water should not be generated using fossil fuels.
- 6 The average annual carbon content of the heat supplied (gCO₂/kWh) should be reported.
- 7 On-site renewable electricity should be maximised.
- 8 Energy demand response and storage measures should be incorporated and the building annual peak energy demand should be reported.

Zero carbon balance

- 9 A carbon balance calculation (on an annual basis) should be undertaken and it should be demonstrated that the building achieves a net zero carbon balance.
- 10 Any energy use not met by on-site renewables should be met by an investment into additional renewable energy capacity off-site OR a minimum 15 year renewable energy power purchase agreement (PPA). A green tariff is not robust enough and does not provide 'additional' renewables.

Notes:

Note 1 – Energy use intensity (EUI) targets

The above targets include all energy uses in the building (regulated and unregulated) as measured at the meter and exclude on-site generation. They have been derived from: predicted energy use modelling for best practice; a review of the best performing buildings in the UK; and a preliminary assessment of the renewable energy supply for UK buildings. They are likely to be revised as more knowledge is available in these three fields. As heating and hot water is not generated by fossil fuels, this assumes an all electric building until other zero carbon fuels exist, (kWh targets are the same as kWh_{thermal}). Once other zero carbon heating fuels are available this metric will be adopted.

Note 2 – Commercial offices

With a typical net to gross ratio, 70 kWh/m² NLA/yr is equivalent to 55 kWh/m² GIA/yr. Building owners and developers are recommended to target a base building rating of 6 stars using the BBP's Design for Performance process based on HABES.

Note 3 – Whole life carbon

It is recognised that operational emissions represent only one aspect of net zero carbon in new buildings. Reducing whole life carbon is crucial and will be covered in separate guidance.

Note 4 – Adaptation to climate change

Net zero carbon buildings should also be adapted to climate change. It is essential that the risk of overheating is managed and that cooling is minimised.

Developed in collaboration with:



Supported by:



5. A 'net zero' carbon building is therefore first and foremost an energy efficient building in which the amount and cost of energy used for heating or cooling is minimised, as is the demand on the energy supply network.
6. This approach unequivocally focuses on the Energy Hierarchy – [BE LEAN, BE CLEAN, BE GREEN, BE SEEN](#) – the latter requiring comprehensive post occupancy monitoring, verification and rectification (if necessary) to ensure buildings perform in the way approved at design stage, ensure planning commitments are delivered and any 'performance gap' issues are resolved.
7. There is a significant weight of evidence that buildings rarely live up to their designers' expectations when completed and occupied and depart significantly from the standards against which they were certified at design stage. This is known as the 'performance gap' and is a widely acknowledged problem¹¹. Research indicates this gap in in-use energy consumption can be anything from 2 to 5 times higher than designed for¹².
8. The consultation on the 'Future Buildings Standard' announced in January 2021 aims to 'radically improve' the energy performance of new homes ensuring they are 'zero carbon ready' by 2025. This means having high levels of energy efficiency and fabric performance that produce 75 to 80 per cent lower carbon emissions than houses built to current standards.
9. By 'Zero Carbon Ready' the Government has confirmed this means that no further retrofit work for energy efficiency will be necessary to enable them to become zero carbon homes¹³. To do otherwise, as the Consultation Impact Assessment (CIA)¹⁴ confirms, would create homes which are not fit for purpose and would pass on a significant financial liability to future building occupiers or homeowners, many of whom may be struggling to meet the purchase price or rental costs of their new home in the first place. It could also unnecessarily push householders into fuel poverty. A Climate Change Committee Report in 2019¹⁵ confirmed the costs of achieving higher energy performance standards via retrofit can be five times the cost (about £25000 per home) compared to designing these requirements into new buildings from the outset.

¹¹ Section 3.3. The Future Buildings Standard consultation, Jan 2021 ([Link](#))

¹² UK Green Building Council response to Future Buildings Standards consultation, April 2021 ([Link](#))

¹³ Government response to Recommendation 4 of HCLG Select Committee, 13 January 2022 ([Link](#))

¹⁴ Paragraph 1.7 The Future Buildings Standard consultation impact assessment, Jan 2021 ([Link](#))

¹⁵ The Costs and Benefits of tighter standards for new buildings; Final Report for Climate Change Committee 2019 ([Link](#))

10. The lack of a current VALP policy will mean that retrofitting of new buildings will be necessary which will result in disturbance to future occupiers and may contribute to pushing householders into fuel poverty. A recent appeal decision¹⁶ notes *"It seems to me folly to build new houses now that will commit owners to potentially expensive and disruptive alterations as the UK moves to decarbonise heating of its housing stock"*. East Hampshire District Council have also confirmed that it will demand zero-carbon homes in its new Local Plan with the Leader of the Council echoing the Planning Inspector's position: *"It is ridiculous that homes being built now will need to be retro-fitted with energy-saving measures in 10 or 15 years' time. Today's homes should be built to meet tomorrow's challenges"*¹⁷.
11. In January 2021, the Government in their response to the Future Homes Standard (FHS) consultation¹⁸, acknowledged the legislative framework had moved on since the publication of the Written Ministerial Statement (WMS) in March 2015 (HCWS488). The response confirmed that to provide certainty in the immediate term, the Government would allow local energy efficiency standards for new homes to be set locally. This is further supported by the legal opinion supplied by the Environmental Law Foundation in relation to the North Hinksey Neighbourhood Plan which confirms that the WMS from March 2015 appears to have been superseded by subsequent events and should not be read in isolation¹⁹. To all intents and purposes, the WMS is no longer relevant to plan making.
12. The NPPF states at paragraph 148 that:
*"The planning system should support the transition to a low carbon future in a changing climate...it should help to shape places in ways that contribute to **radical** reductions in greenhouse gas emissions..." (Plan emphasis)*
13. The NPPF also makes clear that 'landform, layout, building orientation, massing and landscaping' all contribute to well-designed places which are both efficient and resilient to climate change. The Government's Net Zero Strategy: Build Back Greener - October 2021 confirms a commitment to review the NPPF to make sure it contributes to climate change mitigation and adaptation as fully as possible.

¹⁶ APP/K1128/W/20/3252623 paragraphs 59 and 60: 15 November 2021 [Link](#)

¹⁷ Council calls for zero-carbon homes, November 2021 ([Link](#))

¹⁸ The Future Homes Standard : 2019 Consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for new dwellings. Summary of response received and Government response; MHCLG. Exec Summary Page 4. ([Link](#))

¹⁹ Appendix 1 Evidence and arguments for binding Energy Efficiency policies in neighbourhood plans ([Link](#))

14. There are therefore a number of ways in which climate change may be mitigated in a local area using land use and development management policies. Neighbourhood plans are well suited to providing this policy framework in the interim, where there is an absence of up to date strategic policies at the Local Plan level. Aside from ensuring sustainable patterns of land uses in settlements, policies can be used to minimise the energy demand of buildings, to store carbon and to generate renewable energy. National planning policy encourages each of them but does not specify precisely how a local area should go about realising opportunities.
15. There are practical ways that each can be delivered in a local area. The Passivhaus standard has been shown to be an effective means of designing for significantly improved energy performance of new and existing buildings. The more buildings, of all uses, that meet this standard, the better. And storing emitted carbon in plant life can reduce atmospheric carbon dioxide that is increasing global temperatures. The more that storage capacity in the local area is increased, the greater the contribution to reducing the pace of temperature increases.
16. The Government's Heat and Building's Strategy highlights the need for a local, as well as national, response to achieve 'Net Zero' and refers specifically to the 'Local Climate Action' chapter in the Net Zero Strategy. A key commitment of that Strategy being to promote best practice...and share successful net zero system solutions. Policy MUR9 is therefore intended as an interim measure until the new Buckinghamshire Local Plan is adopted, assuming it has such a policy.
17. Policy MUR9 will ensure the updated legal framework will apply in the Parish, whereas in the intervening period since its adoption, the VALP has become inconsistent with this framework and hence falls short of the Local Planning Authority's duty to act under Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and reflected in NPPF (2021) paragraphs 152 and 153 and footnote 53 ("Plans should take a proactive approach to mitigating and adapting to climate change", "in line with the objectives and provisions of the Climate Change Act 2008"). As such, the Parish Council will willingly offer this policy to Buckinghamshire Council to help frame a County-wide policy in the new Local Plan.
18. Furthermore, Policy MUR9 also applies the 'precautionary principle' which provides the basis to anticipate, avoid and mitigate threats to the environment. Hence, the policy acknowledges the CCC's Sixth Carbon Budget recommendation that delaying action or a failure to follow the critical dates in the 'balanced pathway'²⁰ will require costly corrective action in the future²¹.

²⁰ The Sixth Carbon Budget: The UK's Path to Net Zero; Committee on Climate Change, December 2020. Table 3.2a page 112. ([Link](#))

²¹ *ibid* (vi): Paragraph 5.3 'Retrofit Costs'.

19. The Government addressed the CCC's recommendation head on in their response to the Future Homes Standard consultation²². Confirming that 'it is significantly cheaper and easier to install energy efficiency and low carbon heating measures when homes are built, rather than retrofitting them afterwards'. Failure to implement Policy [no.] on new development will add to the existing and costly retrofit burden that will be required of the existing housing stock in the Parish; only adding to the costs across the area as a whole.
20. In respect of the impact of Policy MUR9 on scheme viability, any extra-over cost of building to the 'zero carbon ready' Passivhaus or similar Standard is becoming marginal as skills and supply chains begin to mature. Recent viability evidence for residential development prepared for Cornwall Council by Three Dragons²³ concludes that the additional costs associated with building new dwellings to the standards required in their Sustainable Energy and Construction policy (SEC1) which sets stretching energy use targets very similar to Policy MUR9 can be met without jeopardising viability in most cases. This compares favourably with earlier evidence which indicated that costs associated with building to Passivhaus levels are already less than 5% and will fall to zero well within the period of this Neighbourhood Plan, as per both the Government's and CCC's impact assessments and research by the Passivhaus Trust. The policy will ensure that expensive and unnecessary retrofit costs are not passed down to building occupiers in the future, particularly in an area which has relatively high property values. Scheme viability will not therefore be acceptable as a reason for not using the Standard, unless the applicant can demonstrate the scheme has abnormal development costs to accommodate.
21. Policy MUR9 only applies to Mursley Parish and is therefore, by definition, non-strategic (*NPPF §28*), and with no VALP policy with which to be in general conformity (*NPPF §29*). The NPPF confirms "all plans should" mitigate climate change (*NPPF §11a*). The policy has both 'regard to' the NPPF and advice issued by the Secretary of State, including the Government's response to the FHS consultation, while also supporting and upholding the general principles of development management of the VALP, while providing "a distinct local approach" (*PPG ID:41-074*)²⁴. It supports the [Local Plan] 'as a whole' including its vision and objectives which require the delivery of high environmental standards and mitigating climate change.

²² Ibid (vii): Paragraph 1.4 'Net zero emissions and climate change.

²³ Cornwall Council Climate Emergency Development Plan Viability Assessment Update: Three Dragons November 2021 ([Link](#))

²⁴ Ibid Footnote 17