



Report to Strategic Planning Committee

Application Number:	19/00148/AOP
Proposal:	Outline Planning Application (with all matters other than means of access reserved) for a residential development of up to 420 dwellings (including affordable housing), and associated infrastructure including provision of open space (including formal playspace); car parking; new pedestrian and cycle linkages; landscaping and drainage works (to include SuDS attenuation) and two new accesses off Osier Way and one new access off Gawcott Road. Includes demolition of the existing pigsty.
Site Location:	Land off Osier Way, East of Gawcott Road and South of Buckingham Ring Road, Buckingham, Buckinghamshire
Applicant:	Wates Developments Ltd
Case Officer:	Philippa Jarvis
Ward(s) affected:	Buckingham West
Parish-Town Council:	Buckingham Town Council and Gawcott Parish Council
Date valid application received:	15 January 2019
Statutory determination date:	24 March 2021

Recommendation

The recommendation is that the application be deferred for approval subject to the satisfactory completion of a legal agreement to secure the following:

- Provision of a minimum of 35% on-site affordable housing (and related controls – tenure mix, pepper potting, timing of delivery etc)
- Provision of custom / self-build (5% to be negotiated depending on evidence of demand)
- Provision of on-site public open space and its future maintenance / management
- Provision and future maintenance / management of off-site biodiversity enhancement
- maintenance / management scheme for SuDS in perpetuity,
- Provision of various off-site highway works and sustainable access improvements

- Financial contributions towards off-site highway works (TRO) and monitoring of Travel Plan
- financial contribution towards the provision of new and/or enhanced bus infrastructure and services or community transport to serve the site
- financial contribution towards primary, secondary and special needs education provision
- financial contribution towards off-site sport & leisure facilities as necessary in accordance with the SPD and accompanying Ready Reckoner

subject to the receipt of no new material representations and conditions as considered appropriate by Officers, or if these are not achieved for the application to be refused.

1. Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1. The application seeks outline permission with only access to be determined at this stage for a development of up to 420 dwellings on a large site of just over 23 hectares located in open countryside to the south-west of the town. It is bounded by Osier Way and various commercial premises and the A421 by pass along its north-eastern boundaries, Gawcott Road to the west and open countryside to the south and south-east. The Buckingham Industrial Park (key employment site) lies to the east, to the south of which is the Buckingham Neighbourhood Development Plan (BNDP) site Q allocated for 10 hectares of employment development. The site lies just beyond the identified boundary settlement area (BSA).
- 1.2. The application site is VALP allocation site BUC046 which is one of two allocations for Buckingham which comprise the strategic allocation for the town in accordance with policy D2. The allocation which relates to a site of 22.7 ha. is allocated for 420 dwellings and green infrastructure / landscape buffer to the southern boundary with a number of criteria to be satisfied.
- 1.3. The first key issue relates to the principle of development on this site. Policy BUC046 is now the most up to date policy of the development plan and takes precedence over the relevant policies of the Buckingham Neighbourhood Development Plan (BNDP). Policy HP1 of the BNDP states that development will be supported within the BSA for new housing at the sites set out in the accompanying table. The table identifies 5 sites providing a total of 617 dwellings with a reserve site of 300 dwellings. The proposed development would therefore be contrary to this policy as it is not one of the identified sites within the BSA. However, given the recent adoption of VALP including policy BUC046, which now provides the most up to date policy in this respect, the conflict with BNDP policy HP1 can only be given very limited weight, and the principle of the residential development of the site is acceptable.
- 1.4. The proposal would deliver both market and affordable housing, with a proportion of self / custom build according to demand, through the S106 agreement. A good mix of size and type of dwellings would be provided and overall the proposal would make a significant contribution to housing supply in the area. The Local Planning Authority can currently

demonstrate a five year supply of housing, albeit this site is relied on as part of that deliverable supply.

- 1.5. The site lies in the open countryside for the purposes of the development plan and national policy. The introduction of built development on the site would result in harm to the intrinsic character and beauty of the countryside, resulting in a significant change of character and incursion of built development into the open countryside, beyond the current built up area of the settlement. However, these impacts would be mainly localised in nature and would be mitigated to a degree by the proposed strategic landscaping that would be provided around the site boundaries and within the site itself, including in particular the open space buffer with tree planting to be provided along the southern boundary. The site is not considered to be a valued landscape and overall, the adverse impacts in this respect should be afforded moderate negative weight.
- 1.6. The Council and the applicants have spent considerable time negotiating the highway and transport impacts and the appropriate mitigation requirements. The main impacts would be on the A421 and its junctions within the vicinity of the site. However, it has been agreed that these can be mitigated through various junction improvements together with a commensurate contribution to the Buckingham Transport Strategy to offset the impacts on the A421/Tesco roundabout through broader measures. With these mitigation measures in place, it is concluded that there will not be severe impacts on the highway network. The site would be served by three new access points, two along Osier Way and one off Gawcott Road. Appropriate visibility splays can be achieved when taking into account the reduction in speed limit that will be sought along the Gawcott Road via a Traffic Regulation Order, to which a contribution will be sought via a S106.
- 1.7. In terms of sustainable transport links, it is recognised that the site is not located in close proximity to facilities in the town centre and in particular, the primary school that is intended to mainly serve the development as that is the only one that has the capacity to extend to accommodate the new pupils. However, in terms of some facilities the site is well located, for instance the Aldi superstore at the junction of Osier Way and the A421, local employment areas and also within reasonable walking distance of the leisure centre and secondary schools. New combined footway / cycleways will be provided, connecting through the site to link with improved footways and cycleways beyond the site towards the town centre, to encourage the use of sustainable modes. However, existing bus stops are beyond the 400m 'walkable' distance therefore a new bus stop along the A421 for the X5 service will be provided. In addition, the development will incorporate a spine road sufficient to accommodate a bus which, together with a contribution towards the provision of a bus service to serve the site or to enable an existing service to be re-directed through it, will ensure that the site is served by public transport.
- 1.8. The majority of the site is located in flood zone 1 though some areas of localised groundwater flooding are known to occur including along the ordinary watercourse that runs through the centre of the site. The LLFA initially raised concerns that the FRA and associated drainage information did not fully address possible flooding risks, particularly in

relation to detailed modelling and ground water flooding risks. Additional information was sought that demonstrates that flood risk can be mitigated and that the flooding issues that occur can be dealt with such as to result in an overall improvement to the current situation. A suitable fully detailed surface water drainage scheme will be required to provide on-site attenuation in accordance with SuDS measures and ensure that there will be no risk of flooding elsewhere.

- 1.9. The proposal will result in the loss of some trees to facilitate accesses and drainage features but there is scope to provide significant new planting to maintain natural capital and contribute to habitat creation. No veteran or ancient trees, nor those of high landscape or biodiversity value are to be removed. Detailed negotiations have secured appropriate net biodiversity gains to include off site mitigation and the applicant has confirmed that the national licence approach will be followed to ensure appropriate mitigation of any impacts on protected species. The proposal will secure good levels of green infrastructure with adequate levels of on-site formal and informal areas, including a NEAP and three LEAPs and overall, it has been demonstrated that a net gain will be achieved.
- 1.10. As mentioned above, the site comprises VALP allocation (BUC046) which requires a landscape led approach and a development layout that is based on a design code, which can be secured via condition. The development is also accompanied by a Transport Assessment and FRA which demonstrate that access, transport and flood risk impacts will be acceptable and that the outline surface water strategy will secure 'design for exceedance' and that the necessary upgrade to sewerage infrastructure can be provided.
- 1.11. No other adverse environmental impacts are envisaged, and whilst there would be impacts on the adjoining residential properties, these would not be significantly harmful and would be outweighed by the public benefits of the development. In addition, commensurate contributions would be secured via S106 to mitigate the impact of the development on local infrastructure.
- 1.12. It is concluded that overall the principle of the proposal would accord with the most up to date part of the development plan, that is policy BUC046 which allocates the site for residential development. There would be a moderate level of harm due to loss of the intrinsic character and beauty of the site and incursion of built development into the open countryside, beyond the existing and planned built up area of the settlement leading to a breach of VALP policy NE4 to which moderate negative weight should be given. Notwithstanding the conflict with this policy and the conflict with BNDP HP1, it is concluded that the proposal would, subject to necessary conditions and obligations, comply with other relevant policies of the development plan, in particular policy BUC046, such that overall there would be no conflict with the development plan.
- 1.13. NPPF paragraph 11 states that in the above circumstances, planning permission should be granted without delay, though it will be necessary to ensure that a satisfactory S106 agreement is completed first. Having regard to S38(6) of the PCPA, it is concluded that

there are no material considerations that indicate a decision other than in accordance with the development plan.

- 1.14. Therefore, it is recommended that the application should be approved, subject to the prior completion of a S106 agreement to secure the matters set out above, with conditions to be deferred and delegated to officers.

2. Description of Site and Proposed Development

Site Description

- 2.1. The application site lies to the south west of Buckingham comprising a site area of just over 23 hectares. It consists of a mixture of arable farmland, some pasture and woodland comprising a large central area and mature tree belts fronting Osier Way. Further mature trees mark the northern boundary with the A421 Buckingham by-pass. The agricultural land comprises approximately two thirds Grade 3a with the remainder Grade 2.
- 2.2. There are no public rights of way within the site but a public bridleway (GAW/18/1) runs along part of the eastern boundary from Osier way, then progressing south within farmland. A further public footpath (BUC/13/1) runs from the same point along Osier Way at the eastern end of the site, but in a south-easterly direction alongside the commercial premises.
- 2.3. The site is bounded by agricultural land to the south, with further woodland areas. To the north-east along Osier Way are a number of modern commercial units including those within the Swan Business Park, which includes an Aldi supermarket, and further to the south Natco Foods. Further commercial units lie to the east further along Osier Way.
- 2.4. Residential properties fronting the northern end of Gawcott Road adjoin the sites north western boundary. To the south west of the site on the other side of Gawcott Road lies a further residential property with adjoining small business estate. The village of Gawcott lies about 1.5km to the south west of the site.

Proposed Development

- 2.5. The application is in outline with only means of access to be determined at this stage. The proposal, which has been amended during the course of the application, now comprises of the following documents:
- a) Site location / boundary plan
 - b) Access plans – Gawcott Road site access (ITB11061-GA-007 Rev D), Osier Way Priority Junction and site access (ITB11061-GA-009 Rev C), Osier Way proposed access with Swan Business Centre Road (ITB11061-GA-013 Rev C)
 - c) Land Use Parameter Plan (2492/A/1200/B)
 - d) Illustrative Master Plan (2492/C/1005/SK/B revised 08.06.21)
 - e) Illustrative Landscape Masterplan (2662-LA-04 REV. P2)

- f) Illustrative Public Open Space Strategy (2662-LA-05 REV. P1) and accompanying note dated May 2021.
- g) Planning Statement (as updated by Addendum dated August 2021)
- h) Design and Access Statement (Updated June 2021)
- i) Flood Risk Assessment, Drainage Assessment, as updated by FRA and Drainage Assessment (March 2019), further response dated June 2019 and
- j) Transport Assessment plus additional information dated October 2020 (junction mitigation options), March 2021 (Transport Technical Note ref: ITB11061-017a)
- k) Framework Travel Plan
- l) Ecological Appraisal dated November 2019, revised mitigation strategy and updated habitat impact assessment calculator dated May 2021
- m) Arboricultural Implications Report dated June 2021, including Tree Protection Plan
- n) Ground Appraisal Report
- o) Landscape and Visual Impact Assessment, addendum July 2019 and update June 2021
- p) Agricultural Land Quality Report, July 2021
- q) Sustainability and energy statement
- r) Noise Assessment Report
- s) Air Quality Assessment
- t) Utilities Report
- u) Heritage Assessment
- v) Archaeological Statement
- w) Statement of Community Engagement

2.6. The development is proposed to be served by two accesses onto Osier Way and by a single access onto Gawcott Road. In addition, there would be two pedestrian / cycle only accesses onto the A421 and one linking to the northern (cul de sac) end of Osier Way adjacent to the Swan Business Park. A potential link to the bridleway running along the eastern boundary is also indicated.

2.7. The Illustrative masterplan indicates that there would be two main areas of built development, the larger to the north-west of the retained central woodland and a smaller area to the south-east. Both areas would be served by areas of green infrastructure incorporating formal and informal play areas and open space, together with attenuation

basin as part of the SUDS drainage. Footway / cycleway routes would run through the central woodland to connect the two areas.

2.8. The Design and Access Statement Addendum sets out the following 'Parameters and Principles' (summarised):

- A varied mix of dwelling types and sizes reflecting the current need in the local area as identified in the HEDNA (Housing and Economic Development Needs Assessment) 2017.
- A range of proposed densities – lower densities towards perimeters of the developed areas (15-30dph) and higher (30-45dph) towards the centre of these areas.
- Buildings will be no higher than 3 storeys (9.5m).
- An outward facing development which overlooks key spaces such as the public open spaces, play areas and retained woodland areas.
- The positioning of built form to maintain key views through the site towards Buckingham to the north.
- Focal buildings are placed at key junctions, nodes and vista stops.
- An informal network of well overlooked and safe streets linking key communal spaces.
- Green corridors along the southern boundary to provide an appropriate interface with the rural edge of the development and other retained woodlands within the site.
- A tree belt adjacent to the existing properties located along Gawcott Road.
- Significant areas of Public Open Space designed to form inclusive and connected additions to the public realm and encourage mixed use activity.
- Creation of new walking and cycling connections through the site that integrate and enhance existing movement networks and public rights of way.

2.9. The design proposals also include the identification of character areas and related typologies and landscape strategy to reflect the characteristics of the site and its relationship with adjoining areas. Sustainability measures include making best use of natural light, provision of private space and home office facilities, using responsibly sourced materials, water efficiency measures and sustainable waste / recycling at both the construction and occupation stages. The design process has also had regard to Secured by Design principles, and this will be taken forward in the detailed design stages.

3. Relevant Planning History

- 3.1. 18/02792/SO – proposed request for an environmental impact assessment in respect of a residential development on a site of 25.8 hectares; EIA not required, dated 11th October 2018.

4. Representations

- 4.1. Buckingham Town Council object to the application on the following summary grounds (the response is set out in full in Appendix 1):

- Many consultee comments have not been addressed
- Concern about location of site notices

- Whilst the housing will assist in meeting needs of those on the housing list, it must be supported by adequate infrastructure
- Site is not allocated in the BNDP Policy HP1 and for good reason as it is outside the settlement boundary, separated from the rest of the town by a business park and busy A421
- Schools, particularly primary, are not within a reasonable walking distance
- Adjoining sites will not provide sufficient employment result in increased use of cars
- Locating development at some distance from amenities, where it would be car dependent, is contrary to principles of good town planning
- Highway Officer still has concerns regarding effect on the bypass roundabout
- No proof that bus improvements will be secured, the Embleton Way service is not well timed for school trips
- Concerns regarding flooding / capacity of existing systems
- Object to use of shared services
- Should LPA be minded to approve set out a number of requirements

4.2. Gawcott with Lenborough Parish Council objects to the application, in summary on grounds that:

- Village needs to retain individual identity
- Does not comply with the BNDP
- In absence of assurances that development will be supported by necessary infrastructure, should be rejected
- Highway concerns, new crossings will cause further delay
- Increase vehicles/HGVs through village – need for a strategic transport plan,
- Full scheme of road and speed limit improvements needed
- Needs proper consideration of education needs, schools are not within easy walking distance and will increase car use
- Without assurances about adequacy and future capacity of water / sewage infrastructure application should be rejected
- Buildings greater than two storeys would be out of keeping on the Gawcott Road
- Social housing must be allocated to local people, the shortage in the north of the district being particularly acute
- Lack of connectivity highlights the inappropriate location
- Fails to meet principles of the NPPF and three dimensions of sustainable development

4.3. The Buckingham Society also object on grounds relating to traffic impacts, lack of connectivity to existing town, insufficient affordable housing, lack of play areas and need for new primary school to serve this and all other new developments on this side of the town.

4.4. A significant number of representations have been received objecting to the application on grounds relating to traffic impacts, highway safety, impact on natural environment, need for development, outside settlement boundary contrary to neighbourhood plan, lack of

and poor connectivity with local infrastructure, particularly schools and health, higher dwellings inappropriate and relationship with existing adjoining dwellings.

5. Policy Considerations and Evaluation

Introduction

- 5.1. For the purposes of the determination of this application the development plan comprises the Vale of Aylesbury Local Plan (2021) (VALP) and the Buckingham Neighbourhood Development Plan (2015) (BNDP). In accordance with S38(6) of the Planning and Compulsory Purchase Act, 1990, the determination must be made in accordance with the development plan unless material considerations indicate otherwise. Therefore, VALP is considered to be an up to date plan, and in accordance with para 220 of the NPPF the plan has been examined in the context of the NPPF 2012 and apply to the policies in this plan.
- 5.2. The National Planning Policy Framework (NPPF) and National Planning Policy Guidance (PPG) are important material considerations.
- 5.3. The main issues to consider are the principle of development in this location, whether it provides for a satisfactory level of affordable, other housing types and a suitable mix to meet community needs, impact on the character and appearance of the countryside, landscape and settlement character, the impact on the transport network and whether it will promote sustainable transport modes, environmental issues including the impact on climate change, flooding and drainage, ecology, use of natural resources and building sustainability, and whether it makes provision for infrastructure contributions to mitigate impacts.

Principle and Location of Development

VALP: S1 (Sustainable development for Aylesbury Vale); S2 (Spatial strategy for growth) and S3 (Settlement hierarchy and cohesive development), BUC046 (Land off Osier Way, south of A421 and east of Gawcott Road)); BE2 (Design of new development).

BDNP HP1 (Allocate land for 617 new dwellings)

- 5.4. The site is allocated in the VALP for residential development (policy BUC046) and this supports the development of the site for 420 homes and green infrastructure / landscape buffer; 130 homes to be delivered 2020-2025 and 290 homes to be delivered 2025-2033. The policy goes on to set out the following site-specific criteria:
 - Provision of at least 420 dwellings at a density that takes account of the adjacent settlement character and identity
 - The development shall be based on a design code to be prepared for the site because it is a large strategic site in a sensitive location on the edge of the settlement
 - The site will be designed using a landscape-led approach. The development design and layout will be informed by a full detailed landscape and visual impact assessment (LVIA) to be submitted and agreed by the council. A landscape mitigation scheme that reduces

wider landscape and visual impact will be required on the southern boundaries of the site

- The development must provide a satisfactory vehicular access to be agreed with Buckinghamshire Council. The access should be off Gawcott Road and Osier Way. A transport assessment will be required to demonstrate access and impact are acceptable and achievable by all modes of transport
- At the planning application stage, a site-specific flood risk assessment and surface water drainage strategy will be required. Any development must have consideration for its impact on the Buckingham and River Ouzel IDB drainage district and be aware of its byelaws. Detailed modelling will be required to confirm the 1 in 20, 100 and 1,000 year extents and 1 in 100 year plus climate change extents on the ordinary watercourse through the centre of the site. Other sources of flooding, particularly surface water flow routes, should be considered as part of a site-specific flood risk assessment. Development proposals must meet the 'Guidance for site design and making development safe' in the SFRA Level 2
- Drainage designs should 'design for exceedance' and accommodate existing surface water flood routes e.g. from Gawcott Fields.
- An assessment of sewerage capacity and water resources and water supply network will be required in consultation with Anglian Water. The water supply network is likely to require an upgrade by Anglian Water to serve the level of growth on the site. The Buckingham Wastewater Treatment Works needs upgrading and the delivery of the site will need to be aligned with investment in Anglian Water's Asset Management Plan.
- A financial contribution will be required towards funding appropriate elements of the Buckingham Transport Strategy.

5.5. The site lies outside the built framework of the town and the identified Buckingham Settlement Boundary (BSB) as designated through the BDNP. It therefore lies in the countryside for the purposes of planning policy.

5.6. BNDP Policy HP1 states that 'development will be supported within the boundary settlement area for new housing as set out in Table 1 and as shown in the site allocation plans..... provided the development meets the requirements set out in the policies of this plan.' The site is not one of the allocated sites and in fact was rejected as a suitable site through the BNDP process.

5.7. Notwithstanding the above, given that VALP has now been adopted and is the most up to date plan the policies within this plan take precedence in any conflict between development plans. Given policy BUC046 of the VALP the development of the site for residential purposes is acceptable in principle as it is supported by the most up to date part of the development plan.,

5.8. In terms of general location relative to the built-up area of Buckingham, it can be noted that the site is somewhat 'cut-off' from a number of the facilities within the main part of the town and particularly the town centre, by the A421. However, it is within reasonable walking distance of some (Aldi, employment areas, facilities in the southern part of the town – leisure centre and some schools) and the proposal incorporates a number of improvements to pedestrian / cycleways to enhance this connectivity as well as

improvements to public transport (as detailed in later sections). Therefore, overall it is in a location which in principle can be made accessible in terms of sustainable transport links. These matters are considered in more detail below.

- 5.9. The BSB runs along the northern boundary of the site and incorporates the existing residential properties along the northern end of Gawcott Road. In settlement pattern terms, it would relate well to the existing built-up areas of the employment development on Osier Way and the residential properties on Gawcott Road, albeit would extend built development further south than currently existing in this area, though not any further south than the nearby BNDP employment allocation (site Q) to the east. Given the open nature of much of the southern boundary of the site, careful treatment will be needed to ensure that an appropriate new countryside boundary is created.
- 5.10. Overall, having regard to the above, it is considered that the principle of development as proposed in this location would be acceptable. Whilst the site is currently only in a reasonably accessible location, improvements can be secured to ensure that this is improved to an acceptable degree. As set out later in the report the Highway Authority are requesting that the S106 includes a comprehensive package of off-site and onsite mitigation measures to improve the sites connectivity by sustainable modes. It is considered that these measures would reinforce the locational sustainability of the site to an acceptable level.

Housing Supply, Affordable Housing and Housing Mix

VALP policies BUC046 (Land off Osier Way, south of A421 and east of Gawcott Road), H1 Affordable Housing, H6a Housing Mix, H6c Accessibility, H5 Custom / self-build

BNDP HP3 (allocate land for self-build), HP4 (Provide diverse housing mix), HP5 (Provide affordable housing)

Housing Supply – General Position

- 5.11. The latest (September 2021) Five Year Housing Supply Position Statement for Aylesbury Vale area shows that the Council can demonstrate a 5.47 years supply of deliverable housing sites. In accordance with NPPF paragraph 73. This calculation is derived from the new standard methodology against the local housing need and definition of deliverable sites set out in the NPPF and NPPG. It also assesses the deliverability of sites against the new definition set out in the NPPF glossary. However, this site is included as one of the deliverable sites in that supply as part of the VALP BUC0046 allocation with delivery of units within the 5-year period and beyond.
- 5.12. The site would therefore contribute to the five-year housing supply as well as the longer term and provide associated benefits in meeting the ongoing need for housing. There is no

reason that the site could not be delivered in line with the identified trajectory period which would be a significant benefit

- 5.13. Further benefits would arise as a result of the related construction jobs and in the longer term to the local economy through the increased population, which would contribute to the local economy, and this matter is afforded considerable weight.

Affordable Housing

- 5.14. VALP Policy H1 states that a minimum of 25% of dwellings on sites of 11 dwellings or more should be affordable. It also sets out a number of additional criteria that will need to be met in relevant circumstances, including that such housing will need to take account of the Council's most up to date evidence of housing need and any available evidence regarding local market conditions.
- 5.15. BNDP policy HP5 requires sites of 1 hectare or over (or 25 dwellings or more) to provide 35% affordable housing, subject to viability, and should be accompanied by an affordable housing plan setting out mix, location and phasing. It also refers to the latest evidence of affordable housing need as set out in the HEDNA.
- 5.16. The VALP Inspector's Report noted that some neighbourhood plans required higher percentages (than in the VALP policy) and that these were justified at the time of the making of those plans. These policies exist side by side and the fact that BNDP policy HP5 requires a greater proportion does not mean that it is inconsistent with VALP policy H1 which sets a minimum requirement. Therefore, in this case, the higher BNDP policy applies.
- 5.17. The applicant has confirmed a willingness to meet this policy requirement and for this to be secured via a S106 agreement. Given that this is an outline scheme, that agreement will set out the key requirements which have been agreed by the applicant (tenure mix – 75% rented and 25% shared ownership, overall mix of housing sizes and types, avoidance of clustering, and 15% Category 3 of Document M wheelchair accessible housing and remainder to meet category 2, accessible / adaptable housing). Details required by the affordable housing plan will also be secured and through S106.
- 5.18. In addition, and in order to further address VALP policy H6c which requires that all development will meet and maintain high standards of accessibility so all users can use

them safely and easily, 15% of the affordable units will be wheelchair accessible. A S106 would need to secure these matters and is being progressed on this basis.

- 5.19. The scheme would therefore provide a policy compliant level of affordable housing subject to the above requirements being secured via S106 agreement. This would be a significant benefit of the development.

Housing Mix / Custom & Self Build

- 5.20. Local and national policy requires a mix of dwelling type and size to be delivered to ensure that it meets current demand and provides for inclusive and mixed communities. In addition, national policy states that local planning authorities should plan for the needs of people with disabilities and the PPG refers to households with specific needs. VALP policy H6a requires a mix of housing to be provided and H6c requires that all development meets and maintains high standard of accessibility.
- 5.21. In terms of the market housing mix, this should satisfy the most up to date evidence at the appropriate time (consideration of reserved matters in this instance); at this time these requirements are set out in the HEDNA and this and any other relevant evidence will be taken into account in the assessment of the reserved matters applications. BNDP policy HP4 requires that on developments of more than 50 dwellings, there should be a wide mixture of housing types from 1 to 5 bed dwellings; this can be secured via condition to be agreed at the reserved matters stage.
- 5.22. This is an outline scheme and therefore the exact mix of housing has not yet been determined. However, the application indicates that a mix of dwelling types are proposed ranging from two to five bedroom dwellings and that these would be distributed across the site through the identified character areas to reflect the different character and constraints of the different parts of the site. To ensure that the final mix which would come forward as part of the reserved matters scheme meet policy requirements, to include a proportion of 1 bed dwellings, a condition can be imposed to ensure that regard is had to BNDP Policy HP4 and emerging policy H6a of VALP and the HEDNA.
- 5.23. In respect of custom / self-build, BNDP policy HP3 supports their provision on sites other than the allocations. VALP policy H5 expects developments proposing 100 dwellings and above to provide a percentage of serviced plots in this regard, the overall numbers/proportion being determined on a site by site basis having regard to the evidence of demand and viability. In this regard, it is considered that a 5% proportion should be sought as a starting point, to be secured via the S106 agreement and the appropriate level varied having regard to the evidence of need at the time. This site is not one of the identified sites in emerging policy H6b relating to housing for older people. Having regard

to this and taking into account the mix of housing to be secured it is considered that policy HP3 and emerging policy H6b are adequately addressed.

- 5.24. Having regard to the above matters it is considered that the development would make a significant contribution to housing supply and the provision of a policy compliant level of affordable housing, all of which could be secured via S106 or conditions as appropriate. Overall, it is concluded that the proposal would provide a good range of housing, with an appropriate percentage of affordable and custom / self-build housing to contribute to meeting the needs of the community and overall housing supply of the district. On this basis the development would accord with the Development Plan policy, in particular VALP policies H1, H5, H6a, H6b, H6c and BUC046 and BNDP policy HP3, and the NPPF, and the benefits arising in this regard should be accorded significant weight.

Countryside, Landscape and Settlement Character

VALP policies BUC046 (Land off Osier Way, south of A421 and east of Gawcott Road), BE2 Design of new development, NE4 Landscape Character and NE7 Best and Most Versatile Agricultural Land

Aylesbury Vale Landscape Character Assessment

- 5.25. The above policies seek to ensure that new development reflects the character of the existing settlement in respect of, amongst other things, local distinctiveness, scale and landscaping; that it respects and complements the physical characteristics of the site and its surroundings, the historic scale and context of setting and the natural qualities and features of the area; and that it includes landscaping to help buildings fit in with and complement their surroundings. Furthermore, development should take a landscape led approach and have regard to Landscape Character Assessments, minimise impacts on visual amenity and be supported by appropriate mitigation to overcome any adverse impacts.
- 5.26. NPPF paragraph 174 seeks to ensure that development contributes to and enhances the natural and local environment by recognising the intrinsic character and beauty of the countryside and wider benefits from the natural capital. VALP policy BUC046 also emphasises that a landscape led approach should be taken, informed by a fully detailed Landscape and Visual Impact Assessment (LVIA) and that a landscape mitigation scheme that reduced the wider landscape and visual impact of the development will be required on the southern boundaries, to maintain the rural character of the new settlement edge created and provide a transition to the countryside.

Countryside / Settlement Character Impact

- 5.27. The site is located within the open countryside outside the settlement boundary and as noted in the BNDP, is part of the open land surrounding the built-up area which contributes to its identity as a rural settlement. The proposed residential development will

inevitably result in the loss of its current open, natural appearance and intrinsic character and beauty as referred to in paragraph 174 of the NPPF.

- 5.28. However, whilst it is not currently accessible by the public, having no public rights of way over it, there are nearby routes, albeit views of the site from those to the east are screened by the existing woodland areas on the eastern edge of the site. It nevertheless sits within an area of open countryside that in settlement pattern terms, is outside the obvious built up limits and separated by existing areas of mature woodland. Therefore, in visual terms, the proposal will be seen as a built incursion of the countryside. However, it will adjoin and relate to the existing development along Osier Way and the residential properties in Gawcott Road.
- 5.29. The proposal will incorporate an open landscaped buffer along its southern boundary with undeveloped areas maintained to reflect existing field patterns. This would comprise a suitable transition to the open countryside beyond and provide an appropriate countryside edge to the development. Overall, whilst extending the built up area to the south west, it is considered that the proposal will relate reasonably well to the existing settlement pattern and the scale of change to settlement character for this part of the settlement as a result of the development would be moderate.

Landscape Character and Visual Impact

- 5.30. As noted above, VALP policy NE4 seeks to ensure that development respects and complements the physical characteristics of the site and its surroundings, the historic context and the natural qualities and features of the area and recognises the individual distinctiveness of particular landscape character areas set out in the LCAs and minimises impacts on visual amenity and avoids the loss of important views and landscape features. Policy BUC046 states that the site should be designed using a landscape led approach with the design and the application supported by an LVIA.
- 5.31. The site is not within an AAL but lies within the *LCA 4.3: Gawcott Ridge (LCA)* as identified in the Aylesbury Vale Landscape Character Assessment. The overall condition of the landscape is defined as weak with visual detractors at the edge of Buckingham; the sensitivity of the landscape is defined as moderate. The character assessments guidelines are to 'restore and enhance'.
- 5.32. The Council's 'Strategic landscape and visual capacity study' provides the following commentary:
- "The site consists of a series of undulating arable fields in varying sizes intersected by boundary hedgerows and bound by housing to the west along Gawcott Road and tall dense native vegetative screening to the north, east, parts of the west and south. To the north east the topography drops away revealing commercial units (such as Travis Perkins, Carpet right and Topps Tiles). Views into the site are limited to properties to the north west (approximately 15 upper storey views into part of the site), 1 scattered farmstead to the south west (with oblique filtered views) and a PROW to the*

south east and south west corner. Though pylons intersect the site the character of the site rural in nature with little evidence of urban fringe character.

- 5.33. The LVIA provides a detailed assessment of the landscape character and visual impacts. The accompanying Illustrative Landscape Strategy sets out how the development of the site will respond to those potential impacts and indicates the areas of existing planting and woodland areas that will be retained as well as identifying new areas of strategic planting within and around the site to seek to minimise the impacts of the development and assist in assimilating the development into this edge of settlement location.
- 5.34. The applicant's LVIA concludes that the sensitivity of landscape and visual receptors has taken due account of the local value attached to the site and adjacent rural landscape and that the development of the site has the potential to respond positively to site character in the context of local landscape and provide appropriate landscape treatments to reduce the residual adverse landscape effects. The permanent loss of greenfield will result in a high magnitude of change to local landscape and significance of effects initially moderate adverse. The permanent change will also result in change to views though mitigation will reduce these impacts and the proposal will respect cultural heritage, enhance GI connectivity and promote healthy living and increase enjoyment of the countryside.
- 5.35. It is considered that the applicant's LVA provides a reasonable assessment of the landscape and visual impacts. The illustrative masterplan shows that the landscape-led approach advocated by VALP policy BUC046 can be achieved with relatively generous areas of GI provided incorporating most of the existing valuable natural features that contribute to the existing character. These would be supplemented by suitable new planting including compensatory planting for those features that necessarily require removal to facilitate the development (e.g. for the site access points) and other tree losses within the site.
- 5.36. The Council's Landscape Officer notes that the site is rural in character and appears part of the landscape context apparent further south. It is agreed that the change from greenfield to housing would be significant for this site and its surrounding landscape, bringing the urban edge further south past existing development into open countryside. There is a risk that it would appear separate from the existing residential areas. In terms of visual impact, it is noted that views would be experienced from Gawcott Road and to an extent, from the PRow to the south. Residents along Gawcott Road will also experience some adverse visual impacts. Lighting impacts are not assessed and a condition to require further details is considered appropriate. It is concluded that the landscape strategy proposals would not be able to fully mitigate the high impact on landscape character. However, this needs to be considered in the context of this being an allocated housing site delivering the strategic growth for the plan. The specific housing policy requires a landscape led approach which this has adopted and was accompanied by a LVIA and a landscape mitigation scheme that reduces wider landscape and visual impact upon the southern boundaries of the site. As

seeks the proposal has an acknowledged impact on the landscape character but is in accordance with the requirements of landscape requirements of policy BUC046. .

- 5.37. It is of note that the map accompanying BUC046 identifies some areas within the central part of the site and on boundaries as 'not built development' as referred to at (d) of the policy text. Paragraph 1.23 of VALP explains that these areas are required due to flood risk vulnerability and / or the recommendations from the Strategic Landscape and Visual Impact Capacity Study and should normally only comprise GI, landscape or biodiversity mitigation or water compatible development unless a sequential test has been passed. It is considered that the information provided with the application demonstrates that there would be no adverse impacts in terms of flooding or landscape character such as to prevent some built development, albeit the illustrative framework plan indicates that woodland, hedges and trees will nevertheless be retained in these areas.
- 5.38. The development will be accompanied by a detailed landscaping scheme, to be secured as a reserved matter, which will ensure that a suitable scheme of appropriate native species will be provided and implemented as part of the development.
- 5.39. Overall, it is considered that the proposal results in landscape and visual impacts but these have been largely addressed by the approach advocated in the site specific policy BUC046. As such the proposal is in accordance with the relevant policies BUC046 and NE4.

Green infrastructure and networks (including public open space)

VALP Policy I1 Green Infrastructure and BUC046 (Land off Osier Way, south of A421 and east of Gawcott Road)

- 5.40. The provision of multi-functional Green Infrastructure (GI) is an important element of the wider provision of infrastructure necessary to support healthy, sustainable communities in both urban and rural communities and the NPPF states that decisions should enable and support healthy lifestyles through its provision.
- 5.41. In general terms green infrastructure (GI) is the term used to encompass all 'green' elements of a scheme; it comprises a network of ANGsT (Accessible Natural Green Spaces) compliant high quality, multi-functional green spaces that are intended to improve connectivity of towns and villages and the wider countryside, primarily to provide for a connected network of 'green' links providing pathways for humans, animals and plants. It can include a wide variety of uses and habitats including woodland, water courses, ponds, footpaths, cycleways and other recreational routes and uses. The approach set out in BNDP policies is somewhat outdated in that it uses the more traditional approach of securing outdoor space based on standards related to play and recreation rather than the multi-functional approach that is now advocated through the NPPF.
- 5.42. VALP Policy BUC046 states that the site is allocated for 'homes and green infrastructure', highlighting the importance of that use to the overall development of the site. Policy I1

requires all development over 10 dwellings to provide for accessible natural green space to meet standards set out in Appendix C on site.

- 5.43. The standards for ANGst at appendix C, set out the precise type of on-site provision depending on the nature and location of the proposal, existing open space provision in the area and the quantity of space needed. The standards clarify that in addition, the quantitative and access standards for areas of play (LEAPs, NEAPs, MUGAs and skateboard parks) as set out in the Fields in Trust (FiT) publication will be required. These are considered separately below.
- 5.44. The policies of VALP are therefore up to date in terms of the approach in the NPPF which seeks to provide inclusive developments that support healthy lifestyles through the provision of a GI network that comprises of a range of different typologies and performs a range of functions. The standards comprise quantitative and accessibility elements to ensure that such areas are within reasonable distance of people and meet Natural England's belief that everyone should have access to good quality natural GI. Long term stewardship of these areas is vital to ensure that they are maintained to high standards in perpetuity.
- 5.45. The site contains a number of existing natural features, woodland, tree belts and stream, which are to be integrated into the green infrastructure (GI) provision providing a good basis for a network of links which are capable of being retained within any proposed residential development. The application is accompanied by an illustrative public open space strategy which is based on the GI network to meet the above requirements. New footway and cycleway links will be provided throughout the GI network. The illustrative strategy is accompanied by a note which sets out the policy requirements that have been taken into account.
- 5.46. In terms of the overall quantity of space, the Parks and Recreation Officer has confirmed that the POS strategy plan demonstrates that the amount and nature of the GI accords with the required standards in VALP. It makes good use of the existing natural features on the site and will be suitably enhanced through the proposed tree mitigation plan and ecology / biodiversity enhancements (set out in more detail below).
- 5.47. The proposed development would, in principle, provide for an acceptable amount, location and form of GI which can be secured via conditions / obligations with full details to be set out in reserved matters applications. As such the proposal would accord with local and national policy.

Play Areas / Sport and Recreation

BNDP policy CLH2 (Play provision for new developments), VALP Policy I1 and I2 (Sports and recreation) and Appendices C and D, Fields in Trust (FiT) National Guidance

- 5.48. VALP policy fully reflects the current national approach in respect of this issue whereby such provision should be considered as an element of the overall multi-functional GI, albeit

certain elements need to be considered separately and the standards reflect those provided within the FiT guidance. These policies also provide the basis for securing appropriate financial contributions towards off-site sport and recreation facilities that cannot be practically provided on site.

- 5.49. VALP policy I1 states that recreation facilities can be provided on the same site as the publicly accessible GI provided they are compatible with it; such land is in addition to that required as GI. Whilst such facilities can co-exist in a properly master-planned approach they must be treated separately so that they can viably function.
- 5.50. In respect of the FiT guidance, a NEAP and three LEAPs are required to be provided on site as well as a contribution to off-site facilities (Table 2), to be secured as a proportionate financial contribution through the S106 agreement.
- 5.51. The proposed location of the play areas has been the subject of much discussion in order to secure a suitable large area of central open space and to ensure that the facilities are convenient to both the east and west built up parts of the site. The applicant has therefore amended the illustrative POS plan to show a revised location for the NEAP about halfway along the southern boundary which would be connected to both east and west areas by footways and cycleways, in compliance with the distances set out in the FiT guidance. A concern has been raised from an urban design aspect regarding the location of this play area and the extent to which nearby dwellings will be able to provide natural surveillance. However, the illustrative layout indicates that there will be housing on the opposite side of the road which should provide a level of surveillance; in any event, these matters can be addressed at the detailed stage to ensure that a suitable and safe facility can be provided in an accessible location. Otherwise, areas of POS are distributed throughout the site to reflect its shape being some 1,000 m in length (east to west) with one LEAP serving the smaller eastern element and two in the larger western part of the site. Some smaller pocket parks could also be achieved at detailed stage of the design and layout. The laying out and timely provision and maintenance of these spaces will be secured via S106 and conditions.
- 5.52. In respect of other sports and recreation provision, VALP policies allow for such provision to be made through necessary and proportionate contributions to the enhancement of off-site facilities; Appendix D sets out how such off site requirements will be calculated, though the detailed operation of the relevant policies are to be set out in a new SPD. The requirement for such facilities to be provided on site will depend on the nature and location of the proposal, existing facilities in the area and the quantity / type needed. If taking into account the ability of the development site to accommodate the facility required and the ability for such facilities to be more appropriately provided off site, then a financial contribution will be sought.
- 5.53. In respect of this proposal, a small ball court will be provided as part of the NEAP, but no other on-site facilities are proposed. It is noted that a number of representations,

including from the Town Council, suggest that the site should be provided with more on-site facilities. However, the applicant has agreed to make an appropriate contribution towards off-site provision in respect of those facilities that cannot be provided on site. The Council's Parks and GI Officer has confirmed that this requirement is justified and the appropriate contribution which has been calculated in accordance with the previous 'Ready Reckoner' (to the extent that it still provides an up to date basis for the calculation of relevant costs), will go towards relevant local projects, to be confirmed through the S106. At this stage, discussions have focussed on the potential to enhance the Scout Hut & Community Centre on Embleton Way and the Lace Hill Sports and Community Centres. Consideration is also being given to the potential to contribute towards a new Arts Centre to be provided off site, as referred to in the BNDP.

- 5.54. Overall, it is considered that the proposed on-site provision will be appropriate and acceptable and that a contribution towards other facilities, which can only practicably be provided off site, will be justified. This will ensure compliance with VALP policies I1 and I2. It will also accord with the NPPF which seeks to ensure healthy, inclusive communities that promote social interaction and enable and support healthy lifestyles through the provision of safe and accessible green infrastructure and sports facilities and layouts that encourage walking and cycling.

Trees and Hedges

BNDP policy DHE1 (Protect existing trees and provision of trees in development), VALP Policy NE8 (Trees, hedgerows and woodlands)

- 5.55. The northern and eastern site boundaries (along Osier Way and adjoining the bridleway) are marked by woodlands / tree belts with further mature hedgerows and individual trees along the A421 and some internal field boundaries. In addition, there is a significant woodland area within the central part of the site. These natural features are important elements of the site, particularly in the south east part of the site where the existing tree belt provides a natural screen for the development.
- 5.56. BNDP policy DHE1 seeks to ensure that wherever possible existing trees are retained. VALP Policy NE9 takes an approach that is consistent with the balanced approach of the NPPF in that it seeks to ensure that development enhances the district's tree resources, that development resulting in the loss of trees or hedgerows that make an important contribution to the character and amenities of the area will be resisted and that where the loss of trees is considered acceptable, adequate replacement with trees sympathetic to local tree species will be required. The loss of native hedgerows should be compensated for and a net gain achieved and retained / new hedgerows should where possible be protected by appropriate buffers. NPPF paragraph 174 states that decision should contribute to and enhance the natural environment by recognising the wider benefits from

natural capital and ecosystem services, including the economic and other benefits of trees and woodlands.

- 5.57. The application is accompanied by a detailed Arboricultural Impact Assessment which was reviewed by the Tree Officer. He notes that some individual and groups of trees will need to be removed as well as hedgerows, and that full details of the implications for root protection areas is not known at this stage. However, he is satisfied that the indicative layout appears to have given consideration to and be broadly sympathetic to trees whilst providing scope of significant new planting and enhancement. Therefore, it is reasonable to assume that the site can tolerate the level of development proposed. A condition to secure a full arboricultural impact assessment and updated tree survey is recommended.
- 5.58. It is concluded that overall, the proposal will provide appropriate enhancement in terms of tree and hedge cover and will ensure that the new development will be satisfactorily assimilated into its countryside setting, in accordance with policies NE9 of VALP and DHE1 of BNDP and the NPPF.

Ecology

BNDP - DHE2 (Standard of ecological information required to minimise the impact on natural habitats), DHE4 (Protection of movement corridors), DHE5 (Biodiversity in development landscaping), VALP policy NE1 (Biodiversity and geodiversity)

- 5.59. BNDP policies require that development minimises impact on natural habitats and species resulting in net gains to biodiversity; that measures to protect and enhance bat corridors are incorporated as appropriate and that landscaping schemes should maximise benefits to biodiversity through the use of native species.
- 5.60. VALP policy NE1 seeks to help deliver the Buckinghamshire and Milton Keynes Biodiversity Action Plan (BAP) targets in the biodiversity opportunity areas. A long-term monitoring and management plan will be required for biodiversity features on site. It is considered that this policy is generally consistent with NPPF Paragraph 174 seeks to ensure that new development minimises impacts on biodiversity and provides net gains overall. NPPF paragraph 120 seeks to encourage multiple benefits from both urban and rural land and to take opportunities to achieve net environmental gains such as new habitat creation.

Biodiversity Impacts & Net Gain

- 5.61. The submitted ecology report notes the absence of any statutory or non-statutory nature conservation sites on the application site, but there are non-statutory sites within 2km. It concludes that the site is dominated by habitats of low ecological importance though the proposal has sought to retain the majority of features of importance such as hedgerows,

around the watercourse, and where habitats are lost, new habitat creation is proposed to offset losses, in conjunction with landscape proposals.

- 5.62. Furthermore, there is a need to ensure a biodiversity net gain overall, with VALP policy NE1 providing the most up to date local guidance in this matter, as it is considered to be generally consistent with the national guidance in the NPPF and other up to date (DEFRA) guidance. Full detail on the levels of biodiversity net gain (BNG) (through the use of a biodiversity metric) and associated Habitat Impact Assessment calculations have been sought in order to ensure that net gains overall can be achieved. It is of note that whilst a net gain of 10% is often referred to, this is not yet set in either local or national policy and cannot therefore be insisted on.
- 5.63. In respect of the overall BNG, further information has also been requested as the original information did not demonstrate net gains as required. The updated information includes the delivery of additional scrubby woodland and semi-improved grassland within the site as well as off-site provision through the management of woodland plots to the south. These will be improved and managed in accordance with a specific management plan and overall these will achieve a net gain of 14.7%, The Council's Ecology Officer has confirmed that the revised information that has now been received is acceptable and that an appropriate level of net gain can be achieved.
- 5.64. The need for a detailed management plan to ensure that the overall net gain for biodiversity is acknowledged as essential by the applicant and it is agreed that this can be secured via a suitably worded condition to secure a Landscape and Ecology Management Plan for the on-site elements. It is likely that such future management will be undertaken by a management company to be set up for the site and which will be secured through the S106 agreement; the S106 will need to refer to this requirement to ensure that it is properly dealt with in the future.

Protected Species

- 5.65. In respect of protected species, various surveys were conducted (dormouse, bats, badgers and reptiles, invertebrates, etc). The applicant's ecological appraisal notes that the design evolution of the site took into account the various related constraints and many of the identified habitats are unaffected by the development, including the retention of the woodland areas and areas within the 10m buffer of the stream. It also identifies various measures to mitigate and compensate for the impacts on these, including that any badger set impacted will be closed under licence and a new sett provided. A lighting strategy, to be secured via condition, will minimise light spill and potential impacts on habitats. The following measures have also been identified:
- Management of retained woodland
 - Increase size and quality of pond

- New planting of woodland and scrub, planting with attenuation basins to improve biodiversity value,
- Nesting provisions for birds and roosting provision for bats, development permeable for hedgehogs

5.66. Specific mitigation is now proposed for the dormice given that whilst the proposal would result in only small areas of habitat, there would be some fragmentation due to creation of gaps in hedgerows. There may also be disturbance from the new dwellings and higher predation from cats. Mitigation in the form of new planting along the south-western boundary and the retained, enhanced central woodland will be specifically managed for dormice. In addition, the management of the off-site woodlands to improve condition will benefit this species, as well as provide additional permanent nest boxes for others.

5.67. The works proposed with the potential to impact dormice will be covered by an EPSM licence the application for which will commence once planning permission is obtained. Given that protected species have been found on the site which will require the applicant to obtain a licence, the Local Planning Authority should have regard to the three tests that need to be satisfied before such a licence can be issued. These tests are:

1. A licence can be granted for the purposes of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social and economic nature and beneficial consequences of primary importance for the environment.
2. The appropriate authority shall not grant a licence unless they are satisfied “that there is no satisfactory alternative”.

5.68. The appropriate authority shall not grant a licence unless they are satisfied ‘that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range. With regard to the three tests which are required to be satisfied if a licence from Natural England is required, the following is noted:

1. The activity is imperative for the reasons of overriding public interest in order to meet the housing needs of the area, as identified through VALP, and in providing much needed affordable and other housing and contributing to the local economy.
2. This site has been found to be the most suitable site for the planned growth of the town though the VALP process and to that extent other sites were not considered to provide satisfactory alternatives.
3. The submitted Ecological Appraisal demonstrates the favourable conservation status of the species will be maintained though appropriate measures and mitigation.

5.69. The Council’s Ecology officer has confirmed that the further information provided regarding the proposed mitigation / compensation strategy for dormice now properly

supports the previous information and the proposed mitigation and enhancement measures set out in the original Ecology Report. The Council is now satisfied that in the light of the evidence provided to indicate that a protected species licence can be obtained and the recommendations can be satisfactorily secured via condition to prevent the development from proceeding without the EPS licence.

- 5.70. In respect of the other protected species, the submitted appraisal is considered to be a reasonable assessment of the presence of protected species and the mitigation / compensation measures are suitable and necessary to ensure the protection and recovery of these species.
- 5.71. Overall, it can be concluded that the proposal will protect and enhance the biodiversity and geodiversity of the site and provide for a net gain overall. The protected species on site will be appropriately safeguarded through appropriate conditions. Suitable conditions will secure necessary mitigation and compensation and a Landscape and Ecological Management Plan will ensure suitable management of these areas in perpetuity. This will accord with VALP policy NE1, the policies of the BNDP and the NPPF.

Agricultural Land & Soils

VALP policy NE7 Best and most versatile agricultural land (BMV)

- 5.72. VALP policy NE7 states that subject to the development allocations set out in the VALP the Council will seek to protect BMV for the longer term. It seeks to ensure that where BMV is proposed for development, those areas on site should preferably be used as green open space and built structures avoided and that where significant development would result in the loss of BMV consent should not be granted except in certain circumstances.
- 5.73. Paragraph 175 of the NPPF states that plans should allocate land with the least environmental and amenity value, where consistent with other policies in the Framework and that where significant development of agricultural land is demonstrated to be necessary areas of poorer quality land should be preferred to those of higher quality.
- 5.74. The supporting agricultural land report confirms that the site comprises grade 2 and 3a agricultural land. The proposal will therefore result in the loss of BMV. However, the report also confirms that the majority of the land around the town is of a similar quality. In addition, given that the issue of the loss of BMV has already been appropriately considered as part of the process of its allocation through VALP and that the policy above specifically excludes the allocations, there is no objection in this regard and no conflict with local or national policy.

Transport matters and accessibility

BNDP policies I1 (New disabled access requirement for new pedestrian routes)

VALP: T1 (Delivering the Sustainable Transport System), T2 (Supporting and Protecting Transport Schemes), T4 (Capacity of the transport network to deliver development), T5

(Delivering transport in new development), T6 (Vehicle parking), T7 (Footpaths and cycle routes), T8 (Electric Vehicle Parking), and BUC046 (Land off Osier Way, south of A421 and east of Gawcott Road)

Impact on highway network

- 5.75. Policy BUC046 requires a Transport Assessment (TA) to demonstrate that the impact of the development is acceptable and that a financial contribution towards the appropriate elements of the Buckingham Transport Strategy (BTS) will be required. The site will take access directly off Osier Way (two separate access points) and off Gawcott Road. The Highway Authority (HA) has been in lengthy negotiations with the applicant to ensure that there is an appropriate and relevant amount of information relating to the assessment of the impact of the development to support and clarify the information already provided in the TA.
- 5.76. As set out in the consultee response, this has demonstrated the need for a number of off-site mitigation works to ensure that there is no adverse impact on the local highway network, and the A421 in particular. Specifically, these works include:
- A421/Gawcott Road – widening and increased flare length of Gawcott Road and Embleton Way
 - A421/Osier Way – widening of all arms, additional lane to western arm and increased flare lengths to Embleton Way
- 5.77. Improvement works are not proposed to the A421 / Tesco roundabout as it was concluded that any changes would simply impact on other arms of the roundabout, therefore a contribution to the BTS is sought instead to seek other sustainable enhancements to seek to reduce the use of the private car.

Safe and suitable access

- 5.78. Access is to be determined at this outline stage. As noted above, the proposed development would be served by two access points off Osier Way and one off Gawcott Road. It is concluded that they would provide safe and suitable accesses subject to necessary visibility splays being provided. These new access points do result in the need to remove some existing trees and vegetation, but as indicated above, satisfactory compensatory planting can be achieved.
- 5.79. There is also a need to reduce the speed limit along the Gawcott Road which is currently 60mph. This would be secured via a Traffic Regulation Order, the cost of which should be borne by the developer, to be secured via the S106 agreement. This would involve the introduction of a gateway feature along Gawcott Road just to the south of the proposed

access, to the north of which the speed limit would be reduced to 30mph (though subject to full safety audit).

Sustainable transport links

- 5.80. The policies of VALP reflect the key objective of government policy in the NPPF which is to achieve sustainable development and a vital part of this is to ensure that development, particularly significant development, is in a location that is or can be made sustainable from a transport aspect. A key consideration is that policies should provide for high quality walking and cycling networks and that sites are in locations where the number of journeys can be minimised and are supported by sustainable transport.
- 5.81. The policies of the VALP seek to ensure opportunities to maximise the use of sustainable modes is achieved and that otherwise development provides for any necessary improvements. The BNDP includes amongst its objectives to improve movement into and around the town in a healthy and safe manner, specifically promoting cycling, walking and ease of access for the disabled. A further objective is to secure developer contributions to provide and enhance cycle and pedestrian connections.
- 5.82. There have been a number of concerns expressed by the representations received that the site is in a poor location in respect of its accessibility to local services and facilities with the A421 considered to be a barrier to facilitating connectivity. However, it is considered that the site can be considered in principle, through its VALP allocation, to be in a generally sustainable location but significant improvements will be required to ensure that it can be made fully sustainable in terms of encouraging sustainable modes of transport. In accordance with NPPF, priority should be given to pedestrian and cycle movements and to facilitate access to high quality public transport.
- 5.83. In addition to the main points of access noted above, additional pedestrian / cycle points of access will be provided, two onto the A421 and one onto the northern (cul-de-sac) end of Osier Way. A further potential link to the bridleway running along the eastern boundary is also shown.
- 5.84. This has been the subject of detailed negotiations between the highway authority and the applicant to ensure that as far as possible and reasonable, good quality routes are provided, or existing ones enhanced. The following specific off-site improvements in respect of pedestrian and cycle access are therefore proposed:
- A footway connection at the proposed Gawcott Road access to link with the existing footway on its eastern side.
 - A 3.0m wide shared footway/cycleway on the northern side of the access road of the proposed Osier Way primary access, crossing Swan Business Park and continuing further along Osier Way to the north by widening of the existing footway, thereby connecting Osier Way to the A421.

- Provision of a 2.0m wide footway on the southern side of the access road of the proposed Osier Way primary access to be continued south on Osier Way and including uncontrolled crossing points on Osier Way.
- Provision of an uncontrolled dropped tactile crossing on the Swan Business Park arm of the proposed new primary Osier Way access roundabout to provide a continual 3.0m wide shared footway/cycleway to the Osier Way north arm of the proposed new primary Osier Way access roundabout. The provision of a dropped tactile crossing to tie in with the existing footway network north of the Swan Business Park arm
- Provision of layby for vehicle parking for the Swan Business Park. The inclusion of double yellow lines around the turning head of this junction to prevent parking.
- Provision of a 2.0m wide footway on either side of the proposed secondary access on Osier Way.
- Provision of a 2.0m wide footway on both sides of the access road to connect with Gawcott Road at the proposed Gawcott Road access. Provision of new 2.0m wide footway north of the access on the eastern side of Gawcott Road, to connect with existing footway network. Provision of a gateway feature to the south of the Gawcott Road access along with road markings such as dragons' teeth and coloured speed roundels to encourage slower speeds on approach to the junction with the A421.
- A new controlled Toucan Crossing to the east of the A421 / Gawcott Road / Embleton Way roundabout, along with improvements to the informal crossing points on the western side of the junction and a footway connection on the southern side of the junction to connect to Gawcott Road.

5.85. The applicant has produced a plan which identifies these proposals and how they provide improved connections with local facilities. In general, these provide improved links to the secondary schools and leisure centre (about a 20 min. walk / 5 min. cycle). Walks to the nearest primary schools are further however, the George Grenville Academy being a 20 min walk and the Lace Hill Academy being around a 25 min. walk. However, whilst these are the nearest primary schools in the town, the site is actually within the catchment of Buckingham Primary School (Page Hill) which is a considerable distance from the site (around 2 miles) and not within practical or easy walking distance, particularly given that the last part of the journey is uphill. The information also shows that the infant school in Gawcott would be a 20-minute walk, but there are no footways along Gawcott Road to serve this route therefore this is considered to be impractical.

5.86. However, some facilities are much closer, with the Aldi supermarket and employment areas on Osier Way itself within a very short walk.

5.87. The site itself will also incorporate a network of footways and cycleways to promote use of the sustainable modes and provide convenient links to the improved off-site routes. Overall, it is considered that these enhanced routes will provide safe and attractive

connections to maximise these sustainable modes, albeit recognising that the use of the car for some journeys will remain the preferred option.

Public Transport

- 5.88. The site is outside a reasonable walking distance of existing bus stops therefore this mode also requires considerable improvement. This matter has also been the subject of detailed discussions between the HA and the applicants. This has resulted in agreement to provide a pair of new bus stops on the A421 along the site frontage, to include bus shelters and Real Time Passenger Information (RTPI).
- 5.89. In addition, negotiations have secured the expansion of the existing 131/132 service to cover the site, Mount Pleasant, Tingewick Road and potentially Gawcott village. To facilitate this the internal spine road within the development site will be designed with minimum carriageway of 6m. An annual contribution for 5 years would also be required to fund a new bus service, allow for extension of existing service or provide community transport.
- 5.90. The proposal is also supported by a framework travel plan which sets out a number of measures to ensure that the residents of the site are fully informed of the sustainable options to provide knowledge and information of a good choice of modes of transport. Whilst this did not include all the important elements sought by the HA, a fully detailed TP would be required by condition in any event.

Parking

- 5.91. At this outline stage, the adequacy of car and cycle parking provision cannot be assessed as there are no detailed layouts to consider. However, it will be appropriate to secure suitable levels as per the new adopted VALP standards and a condition will be needed to ensure that the reserved matters applications provide for such parking to meet the Council's latest standards and policy. Conditions are recommended to secure provision in accordance with the Council's standards.

Refuse Collection

- 5.92. In respect of the collection of refuse, further detail on this matter would be assessed at the reserved matters stage. However, it is likely that bins would be provided for in external areas in a convenient location within the garden for the dwellings and communal bin collection areas will also be provided as appropriate.

Conclusions in respect of transport matters / accessibility

- 5.93. It is concluded that the proposal would not have a harmful impact on the local highway network and would be served by safe and suitable access points and a range of sustainable transport choices to connect to local amenities and facilities, subject to appropriate conditions and obligations. Whilst the location of some amenities means that it is likely

that residents would use their car, the proposal would secure the provision of an onsite bus service that would connect with the town centre, providing a reasonable and practical alternative to the car for many trips.

- 5.94. Therefore, subject to appropriate obligations and conditions, the proposal would accord with local and national policy, in particular with the aims of VALP policies T1, T4, T5, T6, T7 and T8 and with the NPPF. It could be implemented without harm to highway safety and convenience and sufficient parking, cycle parking and electric vehicle parking can be provided. On this basis transport matters should be afforded neutral weight.

Flooding and drainage

BNDP I6 (Rainwater collection), I5 (Sewage Management)

VALP policies BUC046 and I4 (Flooding) and I5 (Water Resources and Wastewater Infrastructure) and NPPF (section 14 in particular) and NPPG

- 5.95. National policy seeks to ensure that flood risk in an area is managed and reduced through the local plan by undertaking a strategic flood risk assessment, together with a sequential approach to development, locating vulnerable developments in areas at lower risk of flooding. Development proposals will be assessed through flood risk assessments where appropriate, a sequential approach to site appraisal and where necessary the exceptions test as set out in the NPPF and NPPG. Tables within the NPPG set out the relative vulnerabilities of types of development to flooding relative to the flood zones. Development will only be permitted in areas of flood risk when there are no reasonably available sites in areas of lower flood risk and the benefits of the development outweigh the risks from flooding. Defended areas should be sequentially tested as though the defences are not there. BNDP policy I5 states that Buckingham has an evidenced sewage drainage problem and where necessary to serve the development proposal, an appropriate solution must be demonstrated.
- 5.96. VALP Policy I4 requires, amongst other things, the submission of site-specific flood risk assessments (FRAs) where the development is over 1 hectare in size or includes areas of flood zones 2 or 3. All development must demonstrate that the sequential test has been passed; the exception test will not apply to sites allocated in the plan. It goes on to require that development layouts are informed by drainage strategies including SuDS and including demonstration that surface water will be effectively managed and will not increase flood risk elsewhere taking into account climate change modelling and effects.
- 5.97. VALP policy BUC046 states that a site-specific FRA and surface water drainage strategy will be required, and sets out criteria to be met, including detailed modelling to reflect climate change requirements and other sources of flood risk in accordance with the SFRA. Drainage designs should 'design for exceedance' and accommodate existing surface water flood routes, e.g. from Gawcott Fields. In addition, an assessment of sewerage capacity and water supply will be required. The need for the upgrading of the Buckingham

Wastewater Treatment Works is identified and the delivery of the site will need to be aligned with the related investment plan.

- 5.98. The Local Lead Flood Authority (LLFA) originally commented that the submitted FRA and drainage strategy were incomplete in that they did not appear to take into account that the site is at risk of fluvial flooding, that outputs of modelling were missing, and that appropriate mitigation measures had been omitted. There was also a lack of a detailed assessment of existing surface water flood risk, the LLFA noting that the central water course was in an area of low to high risk and the ditches towards the eastern boundary were at high risk of surface water flooding, though noting that some works to these was proposed. Risks associated with ground water flooding were also inadequately assessed. Further information and detail of the Surface Water Drainage Strategy was also requested.
- 5.99. The applicant therefore submitted further updated assessments and the LLFA has now removed their initial objection. The updated information includes various mitigation measures to reduce flood risk, including raising crests to protect the drainage scheme, raising of finished floor levels and increased the size of the culvert on Osier Way. The information also incorporates measures to deal with flows from Gawcott Fields and additional measures in the event of groundwater emergence. In terms of the surface water drainage scheme, the principles are considered to be acceptable, though at the detailed design stage, further investigations of SuDS measures should be undertaken, including the use of permeable paving and rainwater harvesting, the latter being a requirement of BNDP policy I6.
- 5.100. The LLFA's original concerns regarding the level of information provided to demonstrate that the site can be served by a satisfactory surface water drainage scheme have been overcome through the submission of further information and they now have no objection subject to the imposition of appropriate conditions. These conditions will secure a fully detailed surface water drainage strategy, applying SuDS features as appropriate and necessary. As such it is considered that the development would be appropriately flood resilient and that surface water drainage has been accounted for.
- 5.101. With regard to foul drainage, Anglian Water has confirmed that the proposed strategy is acceptable and that in terms of Water Recycling Centre capacity, the applicant has provided phasing plans which will feed into their investment programme to ensure that the necessary upgrades are undertaken to meet the needs of the development.
- 5.102. It is concluded that the proposal will make appropriate provision for surface water and foul drainage and will secure measures to avoid / improve flood risk and will not result in increased flood risk elsewhere. It will therefore satisfy national policy and guidance and local policy in the BNDP and VALP policies BUC046 and I4.

Historic Environment / Archaeology

VALP policy BE1 Heritage Assets

- 5.103. The BNDP has an objective to conserve and enhance the town's historic environment and its setting but does not contain any specific policy in this regard. The NPPF recognises that the effect of an application on the significance of a heritage asset (including its setting) is a material planning consideration. VALP policy BE1 requires all new development to conserve heritage assets in a manner appropriate to their significance, including setting, seeking enhancement where possible.
- 5.104. The site does not lie within a conservation area, nor would its development affect the setting of any conservation area or listed building. The submitted Heritage Assessment concludes that there could be slight/negligible changes in relation to views from St Peter and St Pauls Church and similar neutral/slight impact on Hill Farm to the south-east. There is no identified impact on Lenborough Manor Farm, the setting of the Gawcott or Radcliffe Conservation Areas and that distance, topography and intervening vegetation suggests the setting of the Stowe Landscape Gardens will not be affected.
- 5.105. An earlier archaeological report submitted by the applicant suggests that there may be moderate potential for Roman remains, with a subsequent geophysical report concluded that a range of possible buried features are likely to survive in the south-east area of the application site, likely dating from prehistoric to medieval period. However, due to the absence of significant archaeology within the trial trenches located on the site, it is concluded that no further work would be necessary in advance of development.
- 5.106. Thus, it is concluded that with the imposition of an appropriate condition, the proposal would ensure appropriate protection for and enhancement of the historic environment and thus complies with relevant national and local policy in this regard.

Raising the quality of place making and design

VALP BUC046 and BE2 Design of New Development

- 5.107. The above policies seek to ensure that development is responsive to its context and provides a high quality, sustainable design. The NPPF also emphasises that development should make effective use of land whilst at the same time safeguarding and improving the environment. The recent updated NPPF also states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The use of design codes is encouraged. Policy BUC046 requires that a landscape led approach be used, and that the development should be based on a design code due to the sensitive edge of settlement location.
- 5.108. The application being outline does not provide any detail to be approved at this stage regarding the layout and built character of the proposal albeit the illustrative landscape strategy and public open space strategy establishes that certain elements including

landscaping, GI / open space will be provided for in suitable locations within the site. The illustrative masterplan also gives an indication of how the site could be laid out.

5.109. In addition, the DAS sets out a number of design principles that are intended to inform the development of the site, and if appropriate, could provide a broad approach to the design code which will be required by condition. It also sets out a number of character areas to reflect the different site areas and context to provide a range of built areas and forms. The DAS sets out a number of principles which are repeated below:

- A varied mix of dwelling types and sizes reflecting the current need in the local area
- A range of proposed densities – lower densities towards perimeters of the developed areas (15-30dph) and higher (30-45dph) towards the centre of these areas.
- Buildings will be no higher than 3 storeys (9.5m).
- An outward facing development which overlooks key spaces such as the public open spaces, play areas and retained woodland areas.
- The positioning of built form to maintain key views through the site towards Buckingham to the north.
- Focal buildings are placed at key junctions, nodes and vista stops.
- An informal network of well overlooked and safe streets linking key communal spaces.
- Green corridors along the southern boundary to provide an appropriate interface with the rural edge of the development and other retained woodlands within the site.
- A tree belt adjacent to the existing properties located along Gawcott Road.
- Significant areas of Public Open Space designed to form inclusive and connected additions to the public realm and encourage mixed use activity.
- Creation of new walking and cycling connections through the site that integrate and enhance existing movement networks and public rights of way.

5.110. The Council's Urban Design Officer has commented that the illustrative layout of built form and open space is generally welcome, though additional areas of open space could be introduced in some areas, with more integration of SuDS and 'edible' landscapes. A number of key design principles are incorporated and these should be reflected in a Design Code which should come forward in advance of reserved matters to ensure that the site not only reflects the key characteristics of the town but also has its own positive and coherent identity. The updated NPPF also emphasises the importance of tree lined streets and that opportunities are taken to introduce trees elsewhere. These elements can also be incorporated in the Design Code.

5.111. Having regard to the above matters and acknowledging that further consideration would have to be given to these matters at the detailed design stage, it is concluded that the development of the site could achieve a high quality, beautiful and sustainable place and a sympathetic and fitting addition to the built form and settlement pattern, the principles of which would be set out within the Design Code to inform all reserved matters applications. It would thereby accord with local and national policy.

Building sustainability

VALP policy C3 (Renewable Energy)

- 5.112. The application is accompanied by a sustainability and energy statement. It states that the dwellings will be constructed using enhanced fabric standards above that required by building regulations, reduced CO2 emissions and enhanced water use standards. Other sustainability measures are considered to be in the form of mixed tenure, provision of outdoor space, high standards of environmental construction and reference to Secured By Design standards.
- 5.113. This will be secured through the Design Code to be required by condition to secure compliance with local and national policy in this regard.

Environment and Amenity of Existing and Future Residents

VALP policy BE3 (Protection of the amenity of residents) and NE5 (Light pollution, air quality and contaminated land)

- 5.114. The relevant policies seek to ensure that a good standard of built environment is provided having regard to a number of factors. In terms of existing adjoining residents, those likely to be most affected are those in Gawcott Road adjoining the north-west of the site. These will experience temporary noise and other related impacts during construction and the completed development will result in a change of outlook to the rear. However, these properties have good sized rear gardens and the landscape strategy includes the provision of a tree buffer along the common boundary. The residents of the property further to the south will experience a change in outlook to the east and there will be increased levels of traffic along this road.
- 5.115. The following matters are also relevant to the future residents:

Noise

- 5.116. The site lies within proximity of a number of employment premises in Osier Way and the submitted noise report concludes that mitigation may be needed for those nearest affected properties. In line with the comments of Environmental Health, a condition is recommended to seek a further detailed scheme of mitigation.

Air Quality

- 5.117. The accompanying air quality report concludes that the local air quality impact of emissions from the traffic associated with the development is predicted to be negligible. Air quality impacts during construction are concluded to be satisfactorily controlled via condition and not significant.

Contamination

- 5.118. The site is understood to have previously only been used for agricultural purposes but includes the demolition of the existing old pigsty building. The submitted report suggests a number of further actions and surveys to include remediation method statement and verification plan to deal with any abnormal conditions and to secure necessary mitigation.

It is considered that in these circumstances, it would be necessary to impose a condition to deal with these matters.

Construction stage impacts

- 5.119. In terms of the construction stage of the proposed development, the workings on the site and associated vehicle movements will have some effects. However, most of these can be controlled through a Construction Traffic Management Plan (CEMP) which will cover a number of matters such as hours of operation, deliveries & construction including vehicle routing, on-site parking and storage, traffic management and measures to prevent damage and inconvenience arising from the use of local roads. This will ensure that such impacts will be minimised.

Lighting

- 5.120. At this outline stage there is no indication of what lighting is proposed but this can be controlled at reserved matters stage to ensure that the impact on the built and natural environment is minimised.

Built environment / living conditions for proposed occupiers

- 5.121. In terms of the proposed occupants, as the application is in outline only it is not possible to specifically assess the quality of the proposed individual dwelling plots and how they relate to each other. However, the DAS and accompanying sketch masterplan show that it should be possible to ensure a good standard of layout and amenity.
- 5.122. In addition, the Design Code to be secured will set out a number of design principles that will be adhered to in providing detailed schemes at the reserved matters stage that will ensure that high quality is achieved. This will include reference to relevant policy and guidance.

Conclusions

- 5.123. It is concluded that overall a good standard of built environment and amenity will be provided for the occupiers of existing and proposed dwellings, in compliance with the above policies.

Employment issues

BNDP EE1 (Allocate land for employment development)

VALP Policy E2 (Other employment sites)

- 5.124. The employment areas around Osier Way are not identified as one of the key employment sites in VALP but are still offered some protection through policy E2 as providing more flexible employment uses, allowing for the introduction of other uses compatible with the continued employment area. In addition, the BNDP allocates a further employment site to

the east of the application site to the south of the existing units on the south side of Osier Way.

- 5.125. It is considered that the proposed residential development will be compatible with and well separated from these and not threaten the continued existing and proposed employment uses in this area.

Supporting high quality communications

VALP policy I6 (Telecommunications)

- 5.126. In accordance with VALP policy I6, developers are also expected to have explored the option of providing on-site infrastructure, including ducting to industry standards in any new residential development for efficient connection to existing networks. This policy accords with paragraph 114 of the NPPF which states that a reliable communications infrastructure is essential for economic growth and social well-being and that policies should prioritise full fibre connections to existing and new developments. A planning condition will ensure that this is adequately addressed.
- 5.127. Paragraph 116 of the NPPF requires Local Planning Authorities to ensure that they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communication services. Given the nature and location of the proposed development, it is considered unlikely for there to be any adverse interference upon any nearby broadcast and electronic communications services as a result of the development.
- 5.128. Overall, it is considered that the proposal would accord with policy I6 of the VALP and with the guidance set out in the NPPF in this regard.

Community Facilities & Infrastructure Impacts and Developer Contributions

VALP policies – I2 Sports and Recreation, I3 Community facilities, infrastructure and assets of community value, Appendix D - The Standards for Sports and Recreation

Guidance: Fields in Trust - Planning and Design for Outdoor Sport and Play (2008);

Guidance for Outdoor Sport and Play (beyond the six acre standard) (England) (2020);

- 5.129. As noted in various sections above, there are a number of specific matters that would need to be secured via planning obligations, as conditions would not be appropriate. These are:
- 35% Affordable housing and 5% self/custom build housing
 - Provision and future management & maintenance of on-site GI and play areas to include commuted sums (should these areas be transferred to the Town Council)

and a bond to enable these areas to be delivered should they fail to come forward as part of the development

- Provision of off-site biodiversity enhancement areas to improve net gain overall, to include future management and maintenance in perpetuity
- Provision and whole life maintenance of the surface water drainage scheme
- Provision of off-site highway and sustainable transport improvements to be carried out by the developer via a Highways Delivery Agreement (including S278 agreement)

5.130. In addition, the development will generate a need for various forms of community and other infrastructure to mitigate its impact. However, some facilities can only be provided off-site as part of wider provision. In the absence of CIL it is necessary and justified to seek a number of financial contributions to provide for these.

5.131. The Community Infrastructure Levy Regulations and the National Planning Policy Framework state that obligations to secure such contributions within a section 106 agreement must meet the following tests:

- Necessary to make the development acceptable
- Directly related to the development, and
- Fairly and reasonably related in scale and kind to the development

Financial Contributions towards Sustainable Transport / off-site highway works

5.132. As indicated in the transport section above, and as set out in relevant policy, the proposal will need to be served by a specific bus service given that it is not located within reasonable distance of existing services. This is an important element of sustainable transport to ensure that the residents of the development have a real choice about how to travel, particularly given the location of the site relative to the town centre and other facilities that the residents will need to access on a daily basis. A contribution to secure either a diversion of existing bus routes or a direct community bus service, is therefore justified. The applicant has agreed to make a financial contribution to provide for this for an initial

period of 5 years to establish the service and this is considered to be proportionate to the impact of the development, taking into account existing means of sustainable transport.

- 5.133. The development also requires that the speed limit along Gawcott Road be reduced and this will also be secured via a proportionate financial contribution, with the Council carrying out the associated TRO and works.
- 5.134. Therefore, contributions towards these, including the necessary Traffic Regulation Order, are justified to enable the Council to undertake the works at the appropriate time. A travel plan monitoring fee will also be necessary to enable annual monitoring and review.

Education

- 5.135. The Education Officer has confirmed that there is insufficient school capacity locally. Secondary schools in the area are currently at capacity with a deficit of places projected. Primary places are close to capacity. There are plans to expand the existing schools to accommodate the increased demand from housing growth and therefore a contribution based on the per pupil cost likely to be generated by the development is therefore necessary and justified. The amount is calculated based on the latest related DfE costs and in accordance with well-established principles.
- 5.136. The Education Officer has confirmed that the contributions will be allocated to the expansion of Buckingham Primary and Buckingham Secondary as capacity is expected to be reached during 2021/22. These schools have the space to expand and plans are currently being progressed at the secondary school to increase the forms of entry with further needs to be monitored as this will depend on the type of families moving into the area and changes in the existing population. A feasibility study for the secondary school indicates that it has the potential to expand by 1fe to meet future growth.

Sport and Recreation

- 5.137. The development will increase demand for the provision of local and wider sport and recreation facilities, including sports playing pitches and hard courts and community centres. It is not feasible to accommodate such facilities on site due to the amount of land that is required and the need to optimise the delivery of housing and there is a lack of capacity in the local area. As noted above, there is the potential for the expansion of existing local facilities as well as the possibility of a local Cultural Arts Centre as referred to in the BNDP. Therefore, under the relevant policies, a proportionate contribution based on the estimated population arising from the development using the Council's Ready Reckoner is justifiably sought to ensure the necessary associated provision. The relevant

projects to be referred to will be agreed through the S106 negotiations having regard to the CIL regulations.

Health Facilities

- 5.138. Policy I3 requires consideration of the need for community facilities and infrastructure including doctor's surgeries. There is no site-specific requirement in policy BUC046 on health

Primary care

- 5.139. The CCG were consulted on 23rd January 2019. They responded on 28th January commenting that the development would result likely result in an increase in population of approximately 1000 new patients as result of the housing growth. In July 2019 NHS Buckinghamshire Healthcare provided a further consultation response and Regulation 122 CIL compliance statement in relation to this application. The response included an Impact Assessment Formula which identified a contribution of £791,650.00 was necessary. This contribution was required to provide additional health care services to meet patient demand which was detailed in their response.

Acute and community healthcare

- 5.140. The impact on acute and community healthcare is a material consideration. The NHS England funds the CCG who commissions the BHT to provide acute and community healthcare services to Buckinghamshire. This includes community, planned and emergency (major trauma and A&E), acute hospital medical and surgical care and specialist and tertiary health care. Part of the BHT catchment extends into Oxfordshire.
- 5.141. Buckinghamshire Hospital Trust (BHT) have requested contributions towards hospital services and the council have been in discussion with the Buckinghamshire Hospital Trust (BHT) regarding contributions sought in general terms towards the cost of providing capacity for the Trust to maintain service delivery during the first year of occupation of each unit of the accommodation on/in the development. In summary, BHT advise that the contract value for their funding is based on months 1 to 6 of the preceding years activity levels and does not take into account future planned housing though some element of demographic growth is factored in. Some additional funding is provided but this can depend on achieving surplus targets / improvement goals. BHT claim there is a 'funding gap' created by the lag between the new residents moving into the area and the date by which the government funding is actually received. The BHT emphasise that the contribution sought is to mitigate the impacts of a permanent gap in funding, not a lag, as the gap is not recovered retrospectively and will have a financial impact on the Trust, thus there is no double counting. Therefore, BHT is seeking funding for the gap period until the

NHS funding system pay the full cost of treating the extra patients and seeks a contribution of £791,650.00.

- 5.142. BHT goes on to say that the Trust's hospitals and community services are at full capacity and frequently experience major pressures and inability to cope with the increasing patient demand, with bed provision a key factor. The BHT considers that the population and household increase associated with the proposed development will significantly impact on the service delivery and performance
- 5.143. The BHT further note that based on the anticipated population from the proposed development, the demands generated over a 12 month period (including in respect of A&E admissions, day care, emergency and outpatient admissions), have been set out and a cost per person generated based on the 'cost per activity'. The BHT emphasise that the costs are related to the specific activities in the area of the site and therefore directly related to the development. They are based on the previous years' activity rates and provide an average figure for the previous 6 months – BHT argue that whilst these cannot be exact it provides a reasonable methodology.
- 5.144. To support their request BHT have provided a number of appeal decisions which have varied outcomes.
- 5.145. In considering any request for a financial contribution, the council would need to be satisfied that BHT has provided evidence and adequate justification to demonstrate in accordance with the CIL Regulations how the sums are necessary to make the development acceptable in planning terms or how they are directly related to the development or fairly and reasonably related in scale and kind to the development. (CIL Regulation 122).
- 5.146. There has been considerable discussion with BHT dating back to early 2019 regarding the request for contributions. Officers have raised concerns that the information provided to date is inadequate to enable the Council to conclude that their request meets the CIL tests in relation to the requested contributions towards service costs.
- 5.147. There are still a number of outstanding concerns relating to the request for contribution towards the cost of running services:
- a) Funding: Evidence used to justify the demand for funding and if directly related to development. Concerns over whether the funding gap is a genuine gap or a lag in funding having regards to the existing national funding mechanism for BHT, including funding for extra patients arising from predicted population flows as planned population increases are included in ONS projections. The ONS projections should be updated over the lifetime of the development including planned population updated.
 - b) Availability of funding from sources other than through the CCG.
 - c) Evidence related to data and methodology used , sources and underlying assumptions, indicators of population per household, assessing the impact of new

development compared to existing infrastructure requirements of the existing population including the appropriate allowance for concealed households and new population not otherwise in the local system.

- d) Evidence in establishing the direct link to development based on activity rates and population attendances / access to each of those activities, and allowance for services provided to residents by other Trusts.
- e) Funding use and monitoring: the need to connect the use directly to the specific development leads to questions over whether the additional funding would benefit the patients from a development, rather than reduce the need for central subsidy or be used to fill an existing deficit, and how the spend can be reasonably monitored and is capable of a reasonable degree of enforcement.
- f) Phasing of any contributions related to anticipated delivery rates

5.148. The Council has been working collaboratively with BHT in order to assess the potential for CIL compliant contributions for alternative provision in the way of capital costs arising from new development rather than revenue costs in light of the concerns raised. There has been some progress on this (capital costs) but there are issues which remain unresolved. No request for capital costs has been submitted in relation to this application

5.149. Paragraph 34 of the NPPF states that plans should set out contributions expected from development, for infrastructure including health. The BHT request for such contributions has not been made through the local plan process leading up to the adoption of VALP. The requested contribution has not been the subject of viability testing through the VALP process. The BHT representations were first submitted in January 2019 in relation to this application. Whilst discussions have taken place with BHT since 2019 the information provided to date is considered inadequate to satisfy the council that CIL Tests are met.

5.150. Officers have taken a judgement as to whether or not it is appropriate to delay the consideration of the application, for information which may or may not satisfy the CIL tests. At this point it is not certain whether a CIL compliant s106 methodology may be able to be achieved and in the case of capital costs a deliverable project, and this may take several months to work through.

5.151. The delay and uncertainty over this matter must be weighed against the potential delay and potential prejudice to the delivery of an important housing allocation at Buckingham to meet the planned growth for this area. It can be seen from the section on housing land supply above that such delay will put further pressure on housing land supply and will create difficulties in relation to the Council's ability to meet a five-year supply. This undermines important objectives in the NPPF which seeks to ensure an adequate supply to meet objective needs. For these reasons it is considered that the BHT request is outweighed as a matter of judgement at this stage by the significant delay and prejudice that would result in determining this application if the issues above were first required to be resolved particularly since, at present, there is no guarantee that the methodology and

contributions will be found to be CIL compliant. In addition, the provision of the, play spaces and other public spaces, with walking and cycling provision, encourages people to adopt a healthier lifestyle which is a net benefit in the round. On balance, the proposed development provides adequately for healthcare facilities in accordance with VALP policy and having regards to the CIL regulations

- 5.152. In the light of the above matters, it is concluded that a contribution towards a 'funding gap' for health facilities has not been fully justified.

6. Weighing and balancing of issues / Overall Assessment

- 6.1. This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 6.2. In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
 - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
 - c. Any other material considerations
- 6.3. Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless
- i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 6.4. It is noted that the proposed development would not accord with BNDP Policy HP1 as the site is outside the settlement boundary. However, National guidance is clear (NPPG para 36) that a neighbourhood plan must be in general conformity with, and plan positively to support, the strategic policies of the development plan. The recently adopted VALP is the most up to date plan and as the Local Plan contains the strategic policies for the plan area. The relevant VALP policy for this site is BUC046 which allocates the site for residential development and is a strategic policy. As such this policy carries greater weight in the decision-making process. This proposal has been assessed against this strategic policy and

found to be in accordance. The proposal has also been assessed against the other relevant detailed policies of both the Neighbourhood Plan and the VALP and found to comply with these policies. In conclusion it is considered that there is no conflict with the development plan and having regard to NPPF paragraph 11, the development should be approved without delay.

6.5. The concerns and objections of the Town Council and other residents have been mostly addressed in the above report. With regard to outstanding comments and the specific 'conditions' set out in the Ward Councillor, Town Council and Parish Council comments, the following responses are made:

- The lack of any on-site community centre / facility is noted, but this has not been identified as a necessary component of the site development through VALP policy BUC046. The site will be provided with significant areas of POS and play areas; further seating areas can be provided within these areas to encourage community inclusiveness and well-being.
- The issue of a local taxation is noted and whilst not a direct planning consideration, the issue of parish boundaries could be considered further as appropriate
- The Highway Authority is satisfied that the highway impacts can be satisfactorily mitigated and with measures to ensure the timely delivery of sustainable forms of transport so providing a real choice, there should not be a severe impact on the highway network. The TP will ensure that all residents are well informed. The provision of a 'green bridge' over the A421 is not considered a viable option.
- To clarify, the applicant has confirmed that the minimum 35% affordable housing is proposed – this would provide (up to) 147 dwellings, a significant contribution to housing need and provision
- The developer has given full consideration to the relevant biodiversity requirements, including relevant Acts, Regulations and Directives; it is acknowledged that the works affecting protected species will require licence
- The Buckingham Transport Strategy is to be taken forward through VALP but does not include the Western Relief Road as this was dropped for viability reasons and because the original allocation site in this area (BUC051) is not being taken forward
- The further consideration of an Education Strategy is a matter that can be pursued separately as appropriate
- Consultation with the Town Council and Gawcott Parish Councils can be undertaken at the appropriate stage

6.6. The main concerns of local residents are with regard to the highway impacts, conflict with the BNDP, weight to be given to the emerging plan and that such sites should be determined through the neighbourhood plan process, lack of connectivity with the town

and its facilities. It is considered that these matters are addressed in the above report – notably, the position is that now VALP is adopted, it provides the up to date policy context in terms of the principle of the residential development of the site.

- 6.7. With regard to other material considerations, it is of particular note that the site is allocated in the VALP under policy BUC046. The site is in a reasonably accessible location, and can be made suitably accessible through further measures, and will make a valuable contribution to the authority's housing supply both in the short term and medium term as part of the supply over the plan period. The site will also make a valuable contribution to affordable housing and self-build / custom housing. In addition, the site provides a valuable contribution to the 5 year housing supply. Overall, significant weight should be given to the benefits arising including the associated social and economic benefits.
- 6.8. Full and detailed consideration has been given to the specific issues arising from the scheme and, as set out within this report, this demonstrates the suitability of this site and proposal or the means by which it can be made acceptable.
- 6.9. Overall, taking into account the above full assessment, it is concluded that permission should be granted as soon as an appropriate S106 agreement has been agreed.
- 6.10. Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from

socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

7. Working with the applicant / agent

- 7.1. In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 7.2. The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 7.3. In this instance
 - The applicant was provided with pre-application advice,
 - During the course of the consideration of the application, there has been a continual and considerable dialogue with the applicant with a view to seek to resolve issues as they arose.
 - The applicant was provided the opportunity to submit amendments to the scheme/address issues arising.
 - The application was considered by the Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

8. Recommendation

- 8.1. The recommendation is that the application be Deferred for approval subject to the satisfactory negotiation and completion of a S106 agreement to secure the requirements set out in the report, such approval to be subject to any conditions considered appropriate, or to refuse if a satisfactory S106 agreement cannot be completed for such reasons as officers consider appropriate.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Councillor Stuchbury - Raised strong and detailed objections to the application and asked that it be called in to committee irrespective of recommendation. These comments are detailed below:

19/00148/AOP I'm intending to OPPOSE & ATTEND as local member

Outline Planning Application (with all matters other than means of access reserved) for a residential development of up to 420 dwellings

Members will note that at the date of validation of this application, the ruling local plan was the Buckingham Neighbourhood Plan, therefore

1. This application site is outside the settlement boundary, and not a designated site, contrary to Policy HP1. The Secretary of State had already upheld this policy in the matter of Moreton Road Phase III (14/02601/AOP) in July 2017.

2. Should the application nevertheless be approved, the proportion of Affordable Housing should be 35%, not the submitted 25% contrary to policy HP5. This meant a difference of 42 Affordable dwellings. Mention was also made of the DGLG figure (3686 in March 2018, quoted in the Buckingham

& Winslow Advertiser of 1st February 2019) for households on the waiting list in the Vale which showed a clear need for a higher %;

3. Connectivity with the town had not been demonstrated, particularly with respect to the schools. Lace Hill, Bourton Meadow and George Grenville were all an unfeasible walking distance for young children, and the result would be an exacerbation of the parent-car problem already very evident at all three schools;

4. Using the VALP figure of 1.5 working residents per dwelling gives a figure of 630 people seeking employment. Buckingham does not have this number of vacancies so a sizeable number of vehicles out-commuting will be generated at peak times; the applicants appear to think that all can be accommodated in the Industrial Park and thus walk or cycle to work. Members point out that the only employment development is to be at Silverstone and Westcott, neither of which are accessible by public transport or a safe cycleway; there is no cycle shop or repair service in Buckingham.

5. The complete lack - on AVDC's instruction – of any communal facilities other than play areas will reinforce the isolation of this dormitory estate beyond the industrial area and the bypass; there will be no opportunity to build a community spirit or integrate it with the town in the way that has proven successful at Lace Hill (which has a primary school and sport/leisure centre for 700 dwellings). Taken together with the 382 dwellings approved for the adjacent site diagonally across the Gawcott Road roundabout a total of 800 dwellings in this quadrant of the town will have no community meeting place, no facilities other than the Aldi store and no school within walking

distance. It should be noted that the school in Gawcott is for juniors only, its infants department is in Tingewick.

6. The smaller (eastern) housing area is even more isolated, having only a footpath connection to the larger site and a single access on to a rough road; concern was expressed that a single access point was unsafe, in the event of – say – a fire or chemical spill at the factory opposite; an emergency access should be included.

7. Members may note the County Council) do not favour Shared Surface Streets; they are unsafe for pedestrians, children and the visually and physically disabled; if the refuse lorries cannot use them, bins get left out to reduce the hauling distance to the collection point, and they require more maintenance than conventional surfaces.

8. Water supply is inadequate, sewage capacity not mentioned (in the Utilities document) and concern was expressed that the small attenuation ponds might not be adequate for the amount of stormwater run-off, to the detriment of the wildlife dependent on the water courses, both on-site and downstream.

9. Planning Notices had not yet been posted at the site

Further comments following receipt of amended plans:

It is evident that this application is contrary to the Buckingham Neighbourhood Development Plan; it is not a designated site for housing in fact the original intention, not supported by AVDC, was to use of the land for to extend the industrial and employment areas outside the bypass.

The development doesn't cater for its own social and environmental implications in my opinion:

1. Being the far side of the existing industrial areas south of the bypass it is very much an isolated development devoid of natural connections to Buckingham. This will result in large amounts of vehicle journeys from the development to schools and other facilities not available within reasonable walking/cycling distance adding to those already using the over-stretched highway infrastructure around Buckingham. The nearest schools are a half-hour walk away from the nearest primary schools (Lace Hill Academy and George Grenville Academy), which is too far to expect small children to do each end of the day and there is no safe pedestrian route for older children to access any of the education establishments in town which will result in an increase in vehicle journeys at peak times as parents take their children.
2. This development of 420 houses has no social gathering point, further isolating this community with no public open spaces of any size or a community meeting hall. Developments should take consideration of their social impact on the social cohesion, well-being and mental health of all their residents and development which is so isolated with no interior means of social support could without any sort of hub fail to create a new community with the neighbourliness and sense of belonging that is so vital.
3. If the development is agreed the residents of this development will have two areas of local council tax that being Buckingham and Gawcott. With different local taxation, one a village community with no services which are chargeable of note, the other being a market town with the large expenses and responsibilities. One community with differing precepts is a cause for resentment, social division, disagreement and challenge. It would be

prudent, if the development was to be approved, that there was a re-alignment of the parish boundary in favour of the Buckingham.

4. Vehicle access to the community: there is a concern that this development will be a source of aggravation to all local residents if at peak times when the Buckingham bypass is at capacity it limits the scope for residents to access the A421, resulting in rat running through Gawcott seeking alternative routes to get children to school or for residents to access their employment.
5. It is important that the development if agreed recognises the Buckingham Neighbourhood Plan in respect of affordable housing and delivers the 35% in line with the Buckingham Neighbourhood Plan policy as this is the only legal development plan with potency at the current time and takes precedence over and above a now emerging District plan which has been emerging since 2014 and included this site without local consultation after the Neighbourhood Plan was made. Not to deliver 35% affordable housing will mean large sections of the community in the curtilage of Buckingham and surrounding villages will be socially and financially disadvantaged to the profit and benefit of the developer leaving the local authority to cover the social and economical effects of that development being approved with the lower affordable housing number.

Taking these matters above into consideration as the local member I think it is absolutely necessary for the development committee to have a site meeting before making any decisions negative or positive on this application without clear sight of the way this development can be integrated into a settled community when it stands in isolation, adjacent to an Industrial Park with no means of forming itself into a community such as a social meeting point apart from a handful of playgrounds.

6. Environmental considerations of the development/concerns questions and prejudices, I am also concerned whether this development prejudices the well-being of the dormice which inhabit it which are a protected species. Legislation suggests that you cannot re-locate or mitigate the habitats for a protected species. There are legal precedents where developments have had to move further away from the habitat of a protected species because domestic cats from the development have used the wildlife and habitat as a food source and extinguished the protected species. Therefore I ask that the committee consider whether it has taken consideration of article 6 of the Habitat Directive ruling of the European Court of Justice in regards to protected species. In addition to this has full consideration been taken of the implications of article 12 of the Habitat Directive which was agreed in 2005/2006 these matters must be considered in respect to the local dormice. In addition, I seek advice that the officers have considered guidance documents on the protection of animal species of a community interest under the Habitats Directive 92/43/EEC.

I'm also seeking assurance the NPPF policy conserving the natural environment published in March 2012 has been considered in relation to the possible implications to a protected species.

I'm also seeking understanding that the Law Commission Wildlife Law Volume 1 report was cited and discussed in advance of consideration or recommendation of this application (passed into law in 1965, and ordered by the House of Commons to be printed on the 9th of November 2015, and is available thanks to the Law Commissioner the Right Honourable Lord Justice Bean).

I have attached links to all relevant legislation below, and would seek to understand that all the implications, ramifications, directives, advice and protections have been considered before recommendations or determination of this application has been agreed, to see for sure that a protected species adjacent to the community of Buckingham is not prejudiced, resulting in its extinction through development contrary to the ambitions of a local neighbourhood plan.

Councillor Ralph – land is outside the settlement boundary and area designated for housing in the Neighbourhood Plan; apart from modest open space, there are no community facilities such as shop or community centre; residents will have little option except to use car and new crossing on A421 will delay traffic; loss of employment opportunities and inappropriate location for housing which will become a dormitory. (A member at the time of making the comments)

Councillor Howard Mordue – does not fit in with local plan, increased density of residential and commercial traffic unsustainable, outside the current planned growth of the town.

Councillor Charlie Clare – well outside envelope of Buckingham, beyond existing industrial park, should remain independent from Gawcott. Drain on local infrastructure and poorly connected.

Greg Smith MP - I am writing to object to planning application 19/00148/AOP - Address: Land Off Osier Way, East Of Gawcott Road And South Of Buckingham Ring Road.

I am relaying the concerns of my constituents who have contacted me about this application. My constituent's primary objections are:

- 1, The development falls outside of the Buckingham Neighbourhood Plan
- 2, Buckingham does not have the infrastructure to support the continuing development
- 3, Additional traffic in the town is unsustainable
- 4, More green space lost

Parish/Town Council Comments

Original comments:

Buckingham Town Council (BTC) oppose the applications on the following principal grounds:



BUCKINGHAM TOWN COUNCIL

TOWN COUNCIL OFFICES, BUCKINGHAM CENTRE,
VERNEY CLOSE, BUCKINGHAM. MK18 1JP

Telephone/Fax: (01280) 816 426

Email: townclerk@buckingham-tc.gov.uk
www.buckingham-tc.gov.uk

Town Clerk: Mr. P. Hodson



MAJOR PLANNING APPLICATION

19/00148/AOP

OPPOSE & ATTEND

Land Off Osier Way South Of A421 And East Of Gawcott Road

Outline Planning Application (with all matters other than means of access reserved) for a residential development of up to 420 dwellings (including affordable housing), and associated infrastructure including provision of open space (including formal playspace); car parking; new pedestrian and cycle linkages; landscaping and drainage works (to include SuDS attenuation) and two new accesses off Osier Way and one new access off Gawcott Road. Includes demolition of the existing pigsty.

Members noted that at the date of validation of this application, the ruling local plan was the Buckingham Neighbourhood Plan, therefore

1. This application site is outside the settlement boundary, and not a designated site, contrary to Policy HP1. The Secretary of State had already upheld this policy in the matter of Moreton Road Phase III (14/02601/AOP) in July 2017.
2. Should the application nevertheless be approved, the proportion of Affordable Housing should be 35%, not the submitted 25% contrary to policy HP5. This meant a difference of 42 Affordable dwellings. Mention was also made of the DGLG figure (3686 in March 2018, quoted in the *Buckingham & Winslow Advertiser* of 1st February 2019) for households on the waiting list in the Vale which showed a clear need for a higher %;
3. Connectivity with the town had not been demonstrated, particularly with respect to the schools. Lace Hill, Bourton Meadow and George Grenville were all an unfeasible walking distance for young children, and the result would be an exacerbation of the parent-car problem already very evident at all three schools;
4. Using the VALP figure of 1.5 working residents per dwelling gives a figure of 630 people seeking employment. Buckingham does not have this number of vacancies so a sizeable number of vehicles out-commuting will be generated at peak times; the applicants appear to think that all can be accommodated in the Industrial Park and thus walk or cycle to work. Members point out that the only employment development is to be at Silverstone and Westcott, neither of which are accessible by public transport or a safe cycleway; there is no cycle shop or repair service in Buckingham.
5. The complete lack - on AVDC's instruction - of any communal facilities other than play areas will reinforce the isolation of this dormitory estate beyond the industrial area and the bypass; there will be no opportunity to build a community spirit or integrate it with the town in the way that has proven successful at Lace Hill (which has a primary school and sport/leisure centre for 700 dwellings). Taken together with the 382 dwellings approved for the adjacent site diagonally across the Gawcott Road roundabout a total of 800 dwellings in this quadrant of the town will have no community meeting place, no facilities other than the Aldi store and no school within walking distance. It should be noted that the school in Gawcott is for juniors only, its infants department is in Tingewick.
6. The smaller (eastern) housing area is even more isolated, having only a footpath connection to the larger site and a single access on to a rough road; concern was



@buckinghamTC

Twinned with Mouvaux, France



expressed that a single access point was unsafe, in the event of – say – a fire or chemical spill at the factory opposite; an emergency access should be included.

7. Members (and the County Council) do not favour Shared Surface Streets; they are unsafe for pedestrians, children and the visually and physically disabled; if the refuse lorries cannot use them, bins get left out to reduce the hauling distance to the collection point, and they require more maintenance than conventional surfaces.
8. Water supply is inadequate, sewage capacity not mentioned (in the Utilities document) and concern was expressed that the small attenuation ponds might not be adequate for the amount of stormwater run-off, to the detriment of the wildlife dependent on the water courses, both on-site and downstream.
9. Planning Notices had not yet been posted at the site.

Signed.....*K. M. L. P. H. T.*..... Dated.....*6/2/19*.....

Additional comments re: further information submitted in 2021:



BUCKINGHAM TOWN COUNCIL

TOWN COUNCIL OFFICES, BUCKINGHAM CENTRE,
VERNEY CLOSE, BUCKINGHAM. MK18 1JP

Telephone/Fax: (01280) 816 426

Email: townclerk@buckingham-tc.gov.uk
www.buckingham-tc.gov.uk

Town Clerk: Mr. P. Hodson



Interim Council 28th June 2021

Amended Plans

19/00148/AOP

OPPOSE (no change)

Land off Osier Way, East of Gawcott Road and South of Buckingham Ring Road
Outline Planning Application (with all matters other than means of access reserved) for a residential development of up to 420 dwellings (including affordable housing), and associated infrastructure including provision of open space (including formal playspace); car parking; new pedestrian and cycle linkages; landscaping and drainage works (to include SuDS attenuation), two new accesses off Osier Way and one new access off Gawcott Road. Includes demolition of the existing pigsty.

Wates Developments Ltd

Recently added documents:

- Amended Illustrative Master Plan
- (2nd) Response from the Ecology Officer
- (2nd) Response from Parks and Recreation
- An updated Design & Access Statement
- LVIA addendum
- Landscape Plan
- Updated Arboricultural Impact Assessment & Tree Protection Plan
- A Habitat Impact Assessment Calculator, a multi-coloured spreadsheet rating the different habitats on the site
- A note accompanying this from BSG Ecology describing the current revision of the mitigation strategy with a clear map attached
- A File Note with a table of Emerging Policy Requirements for Open Space and Green Infrastructure
- A map accompanying this

At a meeting of the Full Council held on 28th June 2021, Members discussed the new documents and received a report on the consultee reports added to the website document list since their last review of the application in February 2019.

It was noted that many of the consultee requests for additional information had not been addressed in the intervening two years apart from the two new drawings and associated documents. The 'update' to the D&A Statement amounted to little more than changing the date on the front cover, the incorporation of the new Ecology and Open Space drawings and a slightly more artistic treatment of the landscaping on some of the Character Area pages. The statement on p25 about the emerging VALP had not been altered even though clearly incorrect.

Concern was expressed at the sites chosen for the site notices: none in a place where a pedestrian might see them, still less a nearby resident, and thus emphasising the location of the proposed development as separate from the town.

The Town Council noted that Buckinghamshire still has a lengthy Housing List and these houses would help to resolve this, but new housing must be supported by adequate infrastructure and so voted to continue to Oppose this application on the following ground:

- The site is not an allocated site in the Buckingham Neighbourhood Development Plan, which is currently the controlling document, and the proposal does not accord with BNDP Policy HP1.



@BuckinghamTC

Twinned with Mouvaux, France;



Neukirchen-Vluyn, Germany

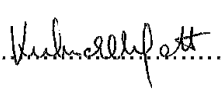


And in addition

- The site is not allocated for housing in the Buckingham Neighbourhood Plan for good reason: it is outside the settlement boundary and separated from the rest of the town and its amenities by a Business Park, an Industrial Park and the very busy A421 bypass;
- It has no provision on which to build a community other than a few play spaces;
- All the local schools are close to capacity; none of the primary schools are within a small child's walking distance, which will lead to car use and further congestion outside the existing schools, which already have a parent-parking problem. Young children have to be delivered into the care of an adult on the school staff, which can take 10-15 minutes. The secondary schools are also a good distance from the estate and struggling to accommodate children from the existing new housing;
- It is an extraordinary assumption that the existing employment areas to the east of the development have some 600 jobs available for the new residents, allowing travel to work by cycle or on foot; and VALP includes only two Employment Development Areas, neither of which are accessible by public transport from Buckingham, which will increase car use on country lanes unsuitable for such additional traffic at peak hours;
- Situating such a large development on top of a hill and so far from any amenities, schools and employment opportunities and thus almost totally dependent on car travel, is contrary to good town planning and detrimental to the longterm aims of improving the environment;
- It was noted that, despite considerable efforts to accommodate the extra traffic necessarily associated with 420 houses, the Highways Officer still had concerns about the effect on the bypass roundabouts (not to mention yet another pedestrian crossing);
- There is no proof that Stagecoach will agree to an extra stop to serve the estate – the X5 is by definition an Express service – and there is no other stop on the bypass on its entire length; the Embleton Way service (two a day, Monday – Friday, plus an extra one on Tuesdays) is not well timed for access to work or school;
- Following the recent serious flooding in December, serious concern was expressed at the capacity of the water supply/sewers/drains to cope with this much housing and related hard landscaping;
- This Council, and the LPA concurs, disapproves of Shared Surface streets.

Should the LPA be minded to approve this application, this Council strongly urges

1. That as the estate will be considered as part of Buckingham, the Affordable Housing will be 35% of the total, per the Neighbourhood Plan;
2. That the Buckingham Transport Strategy be reinstated as a policy to be adhered to for all new developments especially those that directly affect the existing bypass;
3. That an Education Strategy for Buckingham be formulated; noting that few of the primary schools have room to expand, and the senior schools would have to lose playing field space to do so, and that the south-west quarter of the town – with almost 400 new houses at St. Rumbolds Fields being built plus these 420 proposed in addition to the existing population – has no school within walking distance;
4. That the Town Council and Gawcott PC be consulted on the terms of the s106 from initial draft stage.
5. That the Town Council and Gawcott PC be permitted to speak when the application comes before the Committee.

Signed......

Date...2/7/21.....

Gawcott with Lenborough Parish Council - OPPOSE the application for the reasons stated

Parish Councillors considered this application at the meeting on 14th February 2019 and made the following observations:

1. The development straddles the parish boundaries between Buckingham Town and Gawcott with Lenborough with approximately 120 homes proposed within Gawcott Parish. Some concern was expressed about the need to ensure that Buckingham and Gawcott retain their individual identities by ensuring a green buffer between the two communities.
2. Parish Councillors, having been provided with the observations of Buckingham Town Councillors, supported the view that the adopted Buckingham Neighbourhood Plan [BNP] should be regarded as the relevant document for the assessment of this application. **On the basis that the application does not comply with the BNP, it should be rejected.**
3. Councillors observed that yet again when considering large developments in and near Parish boundaries, there is no visibility of strategic planning for infrastructure improvement to accommodate the demands of an increasing population. There has apparently been no consultation by County or District Councils with affected parishes around Buckingham about transport, health, education and utility improvements and so it is assumed that the administrators in Aylesbury expect existing facilities to accommodate the increased demand on services to the detriment of present residents as well as quality of services for newcomers. **In the absence of assurances that the application will be sustainably supported by infrastructure improvements, the application should be rejected.**
4. Great concern was expressed about the traffic implications for Buckingham. The A421 is regularly brought to a standstill at peak times and this development together with the approved scheme at Tingewick Road with another 400 homes, will bring a further increase in vehicle movements. An additional and necessary pedestrian crossing is proposed across the A421, but this will cause a further impediment to the free flow of traffic and increase the number of such impediments in the form of roundabouts and crossings to 12 between the Tingewick Road new roundabout and the Lace Hill development on the A413.
5. Councillors know that this development would result in an increase in vehicles through Gawcott, in addition to those associated with the HS2 and East West Rail projects. Parish Councillors wish to see an overall strategic transport plan which will integrate with the Expressway. The plan must prioritise the removal of through HGV and large vehicle traffic from the A421 around Buckingham with weight restrictions imposed upon rural link roads to keep unsuitably large vehicles off Village streets. Without an overall transport infrastructure strategy not only will the quality of life for Buckingham residents be compromised, but also will the economic well-being of businesses based in Buckingham which rely on reliable transport links.
6. Councillors are very disappointed that the Bucks County Council strategic highways officers have not been in touch with the Parish to discuss Councillors' views on access arrangements for this development onto Gawcott Road [which must be via a mini-roundabout] and the speed limit and other highway changes which increased traffic volumes would require. It is Councillors on the ground who have the day to day knowledge which the highway engineers do not see unless they observe what is happening locally and listen to Parish Councillors. **Without a full scheme of road and speed limit improvements agreed with Parish**

Councillors [rather than unilaterally by those in Aylesbury], the application should be rejected.

7. Councillors observed that no local consultations have taken place about the education needs of the families of new residents. Roundwood School Gawcott and Lace Hill School are approximately equidistant from the proposed development. Whilst there would appear to be expansion space at Lace Hill, the Roundwood site in Gawcott could not expand without investment in additional land to accommodate more buildings. Furthermore, this is a junior site and the infant site is at Tingewick, another two miles distant. The distance on foot from the development to all local schools, will result in an increase in the already chaotic traffic problems for Buckingham when schools gather in the morning and pupils leave in the afternoon. **Without proper consideration of the education needs of new residents and assurances about adequate capacity for existing pupils, this application should be rejected.**
8. Councillors noted that there are concerns raised by utility suppliers about the capacity of the sewage treatment works [a well-known issue in Buckingham] and water supplies. It is assumed that in the consideration of this development, utility suppliers will be required to guarantee that capacity is/would be available to accommodate increases in demand from this further residential development. **Without assurances from utility suppliers about adequacy and future capacity of supply and facilities, this application should be rejected.**
9. Concern was expressed that there has been no dialogue with Aylesbury Vale planners about community and leisure facilities within the development and the increased usage of Gawcott Parish facilities which would occur as a result. Additional investment would be required to accommodate the increased usage of facilities which are presently provided for Gawcott Parish residents from Parish funds.
10. Councillors found it difficult to assess the detail and form of the proposed residential units from the small scale layout plans. It was observed that if it is proposed to place higher than two storey buildings at the Gawcott Road entrance to the scheme, this would meet with strong objections from Parish Councillors. Such buildings would be totally out of keeping on this rural approach to Buckingham. The apparent proposal to provide Shared Surface Streets would also be rejected.
11. Parish Councillors are firmly of the view that the social housing within the scheme [whatever the percentage agreed] must be allocated to local people requiring accommodation rather than to 'all comers' from anywhere in the District. The shortage of social and affordable rural housing in North Buckinghamshire is particularly acute and so the housing in new developments must be allocated to families in this immediate area.
12. Councillors shared the concerns of Buckingham Councillors about the lack of connectivity of this development with the rest of the Town. **It was observed that this highlighted the inappropriate location of the development and on this basis the application should be rejected.**

In conclusion, Councillors felt that the application failed to meet the principles set down in the National Planning Policy Framework. The three dimensions of sustainable development being economic, social and environmental roles are not sufficiently demonstrated as being met in this application and accordingly Councillors are of the view that the application must be rejected.

Further comments following amendments / additional documents (June 2021):

Gawcott with Lenborough Parish Council **OPPOSE** the application and together with Buckingham Town Council would wish to address the Planning Committee at a Committee hearing.

Parish Councillors considered the revised information relating to this application and made the following observations in addition to those previously registered on 19th February 2019:

1. Parish Councillors support the view that the adopted Buckingham Neighbourhood Plan [BNP] should be regarded as the relevant document for the assessment of this application. The site of the proposed development is not allocated in the BNP and so the application should be rejected.
2. Parish Councillors observed that when considering large developments in and near Parish boundaries, there is no visibility of strategic planning for infrastructure improvement to accommodate the demands of an increasing population. There has been no consultation by the County planners with this Parish about transport, health, education and utility capacity and so Councillors assume existing facilities are expected to accommodate the increased demand on services to the detriment of present residents as well as the quality of services for newcomers. In the absence of assurances that the application will be sustainably supported by these infrastructure improvements, the application should be rejected.
3. Great concern was expressed about the traffic implications for Buckingham. The A421 is regularly brought to a standstill at peak times and this 420 home development together with the scheme at St Rumbolds Fields with another 400 homes, will bring a further increase in vehicle movements. The applicants propose a pedestrian crossing for the A421, but this will cause a further impediment to the free flow of traffic and increase the number of such impediments in the form of roundabouts and crossings to 12 between the Tingewick Road new roundabout and the Lace Hill development on the A413. These delays to vehicles passing through Buckingham will have the effect of increased rat-running through villages and the Town Centre by drivers seeking to avoid the lengthening queues.
4. Councillors shared the concerns of Buckingham Town Councillors about the lack of connectivity of this development with the rest of the Town. It was observed that this highlighted the inappropriate location of the development to the south of the A421 and on this basis the application should be rejected.
5. Councillors know that this development would result in an increase in vehicles through Gawcott, in addition to those associated with the HS2 and East West Rail projects. A detailed plan to ameliorate the effect of increased traffic is required, to include calming, speed restrictions, rat-running impediments and a weight restriction to keep out all but essential HGVs. In the absence of a full scheme of road and speed limit improvements agreed with Town and Parish Councillors [rather than unilaterally by those in Aylesbury], the application should be rejected.
6. Councillors observed that no local consultations have taken place about the education requirements of residents in the catchment of Roundwood School, Gawcott. Roundwood and Lace Hill Schools are approximately equidistant from the proposed development. Whilst there would appear to be expansion space at Lace Hill, the Roundwood site in Gawcott could not expand without investment in additional land to accommodate more buildings. Furthermore, this is a junior site and the infant site is at Tingewick, another two miles distant. The distance on foot from the development

to all local schools, will result in an increase in the already chaotic traffic problems for Buckingham when schools gather in the morning and pupils leave in the afternoon. Without proper consideration of the education needs of new residents and assurances about adequate capacity for existing pupils, this application should be rejected.

7. Councillors noted that there are concerns raised by utility suppliers about the capacity of the sewage treatment works, surface water drainage and water supplies. It is assumed that utility suppliers have been consulted and guaranteed that capacity is/would be available to accommodate increases in demand from this further residential development. Without assurances from utility suppliers about adequacy and future capacity of supply and facilities, this application should be rejected.

8. Concern was expressed that there has been no dialogue about community and leisure facilities within the development and the increased usage of Gawcott Parish facilities which would occur as a result. Additional investment would be required to accommodate the increased usage of facilities which are presently provided for Gawcott residents from Parish funds.

9. Parish Councillors are firmly of the view that the social housing within the scheme [whatever the percentage agreed] must be allocated to local people requiring accommodation rather than to all comers. The shortage of social and affordable rural housing in North Buckinghamshire is particularly acute and so the housing in new developments must be allocated to families in this immediate area.

In summary, Councillors are unanimous that the application fails on the sustainability principles set down in the National Planning Policy Framework. The economic, social and environmental dimensions laid out in the Framework are not adequately met in this application and accordingly Councillors strongly recommend that the application be rejected.

Should the Planning Committee be minded to approve this application despite the advice, and against the recommendations of, the Buckingham Town and Gawcott with Lenborough Council, the Parish Council joins with the Town Council in strongly urging:

- That as the development is located largely within the Buckingham Town Council area, the principles set down in the BNP should apply in relation to affordable housing;
- That the policies set down in the Buckingham Transport Strategy should apply to this development as it places immediate and further pressure on the ring road junctions;
- That the applicants be required to plan for a pedestrian bridge over the A421 to provide a more direct and efficient, safer and useable link from this peripheral site to the Buckingham town centre, schools and services;
- That an Education Strategy for Buckingham and surrounding villages be urgently produced in consultation with the relevant Councils, taking account of the near-to-capacity of existing schools, none of which are within easy walking distance of the development;
- That both Buckingham Town and Gawcott with Lenborough Councils be consulted on the terms of s106 and other development agreements from the initial draft stages.

CONSULTATION RESPONSES

EXTERNAL

Environment Agency – *note that part of the application site lies within Flood Zones 2&3 defined by the NPPF and associated guidance as having a medium & high probability of flooding. The submitted FRA confirms satisfactorily that all built development will be located outside the area at risk of flooding, therefore proposal satisfies NPPF and flood risk to the site and surrounding area will not increase, subject to the imposition of a condition to ensure that the development is carried out in accordance with the FRA and the mitigation measures within it, without which the proposal would pose an unacceptable flood risk.*

Further advice to the authority – in accordance with the NPPF the development should not be permitted unless it has been demonstrated that the sequential test has been satisfied. ???

Anglian Water – Buckingham Water Recycling Centre does not currently have capacity but this will be provided if planning permission is granted; various consents are required and appropriate informatives should be added to any decision notice granted. To include need for consultation with regard to potential flooding issues.

Buckingham and River Ouzel Internal Drainage Board – site is outside the Boards district, therefore no comments.

Buckinghamshire Healthcare NHS Trust – a number of separate responses and supporting documents have been submitted. The CCG are aware of proposals for increased housing in the area and developments such as this need to allow for sustainable innovation and integrated health provision and future patients must be properly supported with adequate health provision. A flexible approach to S106 provision is requested so that adequate GP health provision can be provided and the drive towards integrated health facilities to accommodate the new model of care.

The Trust contends that the population and household increase associated with this proposed development will significantly impact on the service delivery and performance of the Trust and thus an adverse effect on their ability to provide on time care delivery within the local area. It is explained that current funding is negotiated on a yearly basis and not dependant on the LPAs housing land supply, housing need or housing projections. There is also a 'gap' before the funding becomes available such that there is an impact from the new residents before any related funding is provided.

It has therefore provided a detailed request for contributions based on the costs of operating their existing services (A&E, acute & surgical care, planned care, secondary care, tertiary care and other support services) over a 12 month period to fund the 'gap'. It is a per person 'cost' based on the overall costs of that service related to the number and frequency of persons likely to need to use the services, itself based on average admissions. In summary, a total contribution of £791,650.

The NHS Trust believes that the supporting documents (appeals and legal opinion) demonstrate that the contributions sought are CIL compliant. They conclude that without securing such contributions, the Trust would be unable to support the proposals and would therefore object. It is stressed that the contribution would be used directly to provide additional healthcare to serve the residents of the development, and that the level of contribution is fairly and reasonably related in scale and kind. The contribution is required prior to / at implementation to ensure that the necessary provision is put in place in a timely manner.

INTERNAL

LLFA (SuDS) – in summary, no objection subject to conditions.

Since original comments, the FRA and design details have been updated and amended; an updated assessment of flood hazards will be required at detailed design stage. A series of flood mitigation measures are included such as raised finished floor levels, raising crests, and an increase in culvert size. Further ground investigations will also be required to include mitigation measure in the event of groundwater emergence.

The overall drainage strategy includes indicative detention basins and swales, and a detailed assessment of site levels and accessibility will be required; use of permeable paving, and/or bio-retention area and rain gardens within communal areas is encouraged. The design principles for the detention basins and swales should be carried forward, with 10m buffer for nature and access.

Conditions to require the submission and approval of a detailed surface water drainage scheme and a demonstration & verification that it has been built as approved are recommended. Details of the whole-life maintenance plan should be secured vis S106.

Highway Authority – there has been a number of consultation responses from the HA and negotiations have been held with the applicant's consultants since the application was first submitted. The concerns have centred around issues of connectivity / sustainable transport options, effect on existing parking in Osier Way, safety of proposed access points, methodology used for the traffic modelling, including consideration of cumulative impacts and in light of the Strategic Model for Buckingham, and mitigation for off-site junction impacts.

Comments on further information provided following above (dated May 2021) –

Junction impacts - it was found that the revised assessments (as required by the HA) showed that all three affected junctions on the A421 operated over capacity in 2022 with significant impacts also observed on minor arms. The mitigation measures proposed for A421/Gawcott Road and A421/Osier Way/Embleton Road in the form of increased flare lengths and entry widths on minor arms showed improvement and were therefore acceptable. Further detailed consideration was given to the A421/London Road roundabout as initially proposed options for mitigation appeared to simply displace problems of queueing to other arms, particularly the eastern arm. Therefore, in view of the aims of the Transport Strategy to encourage the use of the ring road to alleviate traffic

congestion in the town centre, it was suggested that the impacts should be mitigated more strategically by a contribution towards the Buckingham Transport Strategy (BTS).

Public Transport – the existing bus stops on Embleton Way and London Road are in excess of the recommended walking distance of 400m. The Council's Passenger Transport Section advise that bus stop facilities should be provided within 250-400m of all dwellings and the applicant has provided details of potential sites for two bus stops with laybys on the A421 for an additional X5 stop and potential for expansion of the 131/132 service covering the site, Mount Pleasant, Tingewick Road and potentially Gawcott. To facilitate this the internal spine road will be designed with minimum carriageway of 6m. An annual contribution for 5 years would also be required to fund a new bus service, allow for extension of existing service or provide community transport.

Pedestrian / cycle access – a new 3m wide shared footway / cycleway to connect with the Osier Way footway which will also be widened is proposed; a new toucan crossing facility on the A421 close to the junction of Embleton Way and new 3m shared footway/cycleway to link to the existing footway. The extension of the existing footway along Gawcott Road to link to the site access is also proposed.

Vehicular Access – the accesses onto Osier Way have been amended to take on board previous concerns; the main access becoming the priority with Osier Way to the east becoming the minor arm. The design for the secondary Osier Way access has now been amended to show suitable vision splays. With regard to the Gawcott Road access, a gateway feature just to the south is proposed and from this point the speed limit will need to be reduced to 30mph.

Travel Plan – the original plan did not include reference to some important elements but these can be sought at the detailed stage.

A summary of the S106 obligation requirements is as follows:

- **A Full Travel Plan** – to be submitted and agreed by the Local Planning Authority following consultation with the Local Highway Authority to be in general accordance with "Buckinghamshire Council Sustainable Travel Plans Guidelines for Developers". The approved Travel Plan shall be implemented prior to occupation of the proposed development.
- **Travel Plan review fee** - £5,000 towards the auditing of the travel plan (£1,000 per annum for a minimum period of five years).
- **Public Transport Contribution** – Five year developer contribution with the annual cost being £100,000 would be required to fund a new bus service and / or bus service interchange and allow for the extension of the existing service and / or provision of Community Transport.
- **Contribution towards the Buckingham Transport Strategy** – A contribution of £840,000 towards the funding of elements of the strategy.
- **Traffic Regulation Order** – £15,000 towards a TRO for the relocation of the speed limit transition point to 30mph south of the proposed site access on Gawcott Road and for double yellow lines around the turning head of the proposed new primary Osier Way/site access staggered junction.
- **Highway Works Delivery Plan** – To secure the following off-site highway works:

Pedestrian and Cycle access

- A footway connection at the proposed Gawcott Road access as shown in principle on drawing number ITB11061-GA-007C.
- A 3.0m wide shared footway/cycleway on the northern side of the access road of the proposed Osier Way primary access, crossing Swan Business Park and continuing further along Osier Way to the north by widening of the existing footway, thereby connecting Osier Way to the A421 as shown in principle on drawing number ITB11061-GA-013B.
- Provision of a 2.0m wide footway on the southern side of the access road of the proposed Osier Way primary access to be continued south on Osier Way and including uncontrolled crossing points on Osier way as shown in principle on drawing number ITB11061-GA- 013B.
- Provision of an uncontrolled dropped tactile crossing on the Swan Business Park arm of the proposed new primary Osier Way access roundabout to provide a continual 3.0m wide shared footway/cycleway to the Osier Way north arm of the proposed new primary Osier Way access roundabout. The provision of a dropped tactile crossing to tie in with the existing footway network north of the Swan Business Park arm as shown in in principle on drawing number ITB11061-GA-013
- Provision of layby for vehicle parking for the Swan Business Park. The inclusion of double yellow lines around the turning head of this junction to prevent parking as shown in principle on drawing number ITB11061-GA-019A.
- Provision of a 2.0m wide footway on either side of the proposed secondary access on Osier Way as shown in principle on drawing number ITB11061-GA-009 Rev C.
- Provision of a 2.0m wide footway on both sides of the access road to connect with Gawcott Road at the proposed Gawcott Road access. Provision of new 2.0m wide footway north of the access on the eastern side of Gawcott Road, to connect with existing footway network. Provision of a gateway feature to the south of the Gawcott Road access along with road markings such as dragons' teeth and coloured speed roundels to encourage slower speeds on approach to the junction with the A421, all as shown in principle on drawing number ITB11061-GA-007C.
- A new controlled Toucan Crossing to the east of the A421 / Gawcott Road / Embleton Way roundabout, along with improvements to the informal crossing points on the western side of the junction and a footway connection on the southern side of the junction to connect to Gawcott Road as shown in principle on drawing number ITB11061-GA-011.

Public Transport

- Provision of a pair of new bus stops on the A421 along the site frontage as shown in principle on drawing number ITB11061-GA- 20, to also include Bus Shelters and RTPi.

Junctions

A421/Gawcott Road

- Delivery of Toucan crossing and other proposed improvements for the Gawcott Road/A421/Embleton Way roundabout as shown in principle on Drawing ITB11061-GA-028.

- Improvement works on the Embleton Way (Gawcott Road north arm) in the form of widening from 7.27m to 8.9m and increase in flare length from 11.2m to 11.5m as shown in principle on drawing number ITB11061-GA-029.
- Improvement works on the Gawcott Road south arm in the form of widening from 7.27m to 8.4m and increase in flare length from 8.7m to 14.3m as shown in principle on drawing number ITB11061-GA- 029.

A421/Osier Way

- Widening of the A421 western arm from 7.27m to 10.8m to create an additional approach lane and associated merge on A421 east as shown in principle on the Drawing no ITB11061-GA-030.
- Improvement works on the Embleton Way by increasing the entry width from 6.78m to 8.4m and increase in flare length from 18.7m to 20.3m with island amendments as shown in principle on drawing number ITB11061-GA-031.
- Improvement works on the Osier Way arm which include increasing the entry width from 7.41m to 9.3m and increasing the flare length from 12.9m to 16.8m as shown in principle on drawing number ITB11061-GA-031.

It should be noted that all highway works are subject to detailed design, including Stage 1 and Stage 2 Road Safety Audit. Unless otherwise agreed by the County Council, each Highway Agreement shall be subject to the following requirements:

- Payment of a bond, cash deposit, surety or other form of guarantee or security in respect of the works;
- Payment of the County Council's legal costs in preparing and setting the Highway Agreement;
- Payment of the County Council's engineers' fees in the administration and inspection of the works that are subject to the Highway Agreement;
- Payment of any costs associated with new or amended Traffic Regulation Orders and commuted sums for further maintenance of adoptable highway items

Conditions will also be required to deal with the following:

- Full details of access construction details to be approved
- Access ways and visibility splays along Osier Way / Gawcott Road to be provided before other development commences
- Full details of adoptable estate roads, to include provision of main spine road to accommodate buses, to be constructed prior to occupation of units which they serve
- To require details of parking, garaging and manoeuvring to be provided with RM
- To require the submission and approval of a Construction Traffic Management Plan prior to commencement

Affordable Housing – the Buckingham Neighbourhood Plan requires a minimum of 35% affordable housing; therefore, expect to see at least 147 affordable housing units. The applicant should liaise with the Buckingham Town Council regarding the status of the Community Land Trust. AH units

should be reflective of the overall needs of the district – there is currently a greater need for 2b / 4p and 3b/5&6p houses, slightly less for 1 and 4 beds. Tenure mix should be 75% rented and 25% shared ownership (2 then 3 bed houses preferred). Units should be accessible and adaptable to comply with emerging policy and be in line with the Nationally Described Space Standards and be indistinguishable from the market units. Clusters of no more than 15 dwellings or 18 if including flats should be provided. An affordable housing plan will be required and no more than 50% of the market units should be occupied before the AH units have been completed and transferred to a Housing Association.

Landscape & Urban Design - The proposal would alter the landscape character of the baseline plot from open countryside to housing, this change would be irreversible and significant for the site and the surrounding landscape. The site allocation boundary leads to the subdivision of an existing greenfield, introducing an urban character on this rural edge, despite mitigation. The development would further increase the developed urban edge of Buckingham in addition to the industrial/commercial buildings. The proposed development in combination with the existing commercial development would further erode the existing rural character at the periphery of the town, which would irreversibly alter the landscape character in this area. The development proposal extends built form south past the existing settlement boundary into the open countryside. There is a risk that this development would appear separate and nucleated from the existing residential areas. In visual impact terms, whilst the rolling topography of the site and surrounding landscape and mature vegetation will visually contain the site and development to a degree, there will be visual impacts from Gawcott Road and from some PROWs to the south. There will also be some nighttime effects.

The LVIA is noted in particular that there will be high impacts on the local landscape and an adverse change in visual impact terms. These impacts will not be fully mitigated in respect of landscape character. A further assessment is needed to ensure appropriate mitigation of any lighting impacts.

The elements of the illustrative masterplan are welcomed; but concern with regard to the location of the NEAP in terms of natural surveillance and consideration should be given to the incorporation of additional areas of open space with the built development such as pocket parks and inclusion of 'edible' landscapes as well as SUDS features as appropriate.

In summary, the development proposal will alter the appearance and character of the base line site and its setting. The supporting LVIA identifies the high adverse impact on landscape character and visual amenity as a result of the proposed development.

On this basis, I would recommend that the landscape and visual harms identified should carry proportionate negative weight against the scheme in any consideration of the planning balance of the proposed development.

If successful at outline, progressing to detail design I would like to see a design code come forward in advance of a reserved matters masterplan. The design code should be agreed early in the design process so that it can meaningfully inform the layout and design of the development.

Ecology (original comments March 2019) – the scheme does not deliver biodiversity net gain (BNG) and therefore needs to be reconsidered. Further consideration with regard to farmland birds, the importance of the dormouse population and impact of the scheme are requested.

Comments on further information received – the application is supported by an updated Habitat Impact assessment and a revised Ecological Mitigation strategy from the ecological consultant BSG Ecology dated June 2021. The measures detailed in these two documents outline the ecological enhancement measures required in site post development to establish a Biodiversity Net Gain (BNG) in line with current and emerging local & national planning policy. The measures to deal with the dormouse population are in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended).

The enhancement measures detailed in the June 2021 BSG documents will need to be secured with a Landscape & Ecological Management Plan (LEMP) condition if this application is approved. Further to this, the measures detailed in the initial Ecological Appraisal from BSG dated November 2020 will also require a planning condition to ensure the mitigation and compensation elements are established on site.

Trees – No objection - Further information required at reserved matters stage.

Due to the outline nature of the application, and the uncertainty arising from the age of the tree survey data, it is not possible to accurately assess the likely significance of impacts to trees. However, although revised information would be extremely useful at this time, I do not consider that the arboricultural concerns would constitute a reason for refusal at this stage. Beyond the age of the survey data, the majority of the concerns are intrinsic to the technical design stage, and all are potentially resolvable.

Further, it is clear that consideration has been given to existing trees and the constraints they may pose, and that there is significant scope for new planting. Therefore it is possible to state with confidence that the proposal is feasible without significant detriment to the tree stock – subject to appropriate mitigation and continued consideration of trees throughout the design process.

Accordingly, should the balance be in favour, it would be appropriate to attach conditions to any permission to secure a full AIA of the individual phases and full details of new planting to include information to demonstrate that there is sufficient space to the trees to achieve full growth potential.

Recycling / Waste – no details provided at this stage; refer developer to advisory note.

Archaeology – concur with applicant’s assessment which concludes that there are archaeological features that could potentially be affected by the development; therefore, there is potential for harm and suitable conditions are required to secure appropriate investigation, recording, publication and archiving to conform with NPPF paragraph 199.

Parks & Recreation – (*original comments*) – fails to provide for required on-site sport and leisure provision for a development of this size in Buckingham which should include open space, equipped play facilities, youth shelter and MUGA. In accordance with the Ready Reckoner a full contribution will also be required to off-site facilities; in addition a bond to ensure the delivery of the on-site scheme will be required.

Comments on amended plans – the revised POS Strategy plan (2662-LA-05 Rev. P1) demonstrates that the minimum open space and equipped play facilities can be provided on site in accordance with VALP policy I1. A sport and leisure contribution will be required in accordance with Ready Reckoner (VALP policies I1, I2 & I3) towards facilities not provided on site.

The LEAPs and NEAPs must adhere to guidance related to buffer distance, areas and play value assessment score.

Education – a financial contribution towards existing primary, secondary and special schools provision would be required to mitigate the impact of the development. Schools in the area are currently at close to or at capacity and there are plans to expand the existing school to accommodate the increased demand from housing growth. (Details of the contribution amounts required per dwelling are set out).

Environmental Health – no objection subject to the imposition of a condition to secure a detailed scheme of mitigation against noise from adjoining commercial units.

Contamination - The applicant’s report suggested a number of further actions (targeted soil testing, gas monitoring, asbestos survey of dilapidated building, investigation to locate former well, remediation method statement to include verification plan with regard to any ground gas protection measures, elevated metals and asbestos identified and discovery strategy such that any abnormal conditions are identified, the impact assessed, and any necessary mitigation measures secured).

REPRESENTATIONS

Amenity Societies/Residents Associations

The Buckingham Society has several objections – the A421 has been poorly maintained and will require significant improvement; insufficient local employment; poorly connected to existing facilities, new footways and cycleways are needed; insufficient affordable housing; loss of farmland birds; Design Code needed; no equipped play areas of public open space indicated; together with other planned developments, there is a need for a new primary school this side of the town and secondary schools are also at full capacity.

Other Representations

61 representations have been received objecting to the original proposal which in summary are on the following grounds:

Original:

- Rear boundaries of adjoining properties vulnerable
- Traffic data only provided for a single day and traffic data used in assessments appears too low
- Significant increase in traffic along roads that have yet to experience full impact of adjoining / nearby developments
- Access onto Gawcott Road would be particularly harmful as this is a small country road and would not relieve traffic levels on main A421
- Increased traffic to local schools in particular
- Insufficient local education and health care provision
- Adverse impact on the natural environment / blot on countryside
- These new developments lack character and area unaffordable unless shared ownership
- SuDS calculations need to take into account drains piped under Gawcott Fields
- Existing trees along boundary with adjoining residential properties should be retained with similar treatment as at Tingewick Park; suitable treatment for this boundary is needed
- Outside settlement boundary and would lead to joining up with Gawcott village
- No need for another 420 houses
- Serious effects on health and wellbeing
- Adverse pollution effects during construction and in future, inconvenience to local residents
- Loss of grade 2 and 3a agricultural land and impact on right to roam
- Permanent loss of ecology, trees and hedgerows
- Adverse impact on views approaching from Gawcott
- Adverse impact on character of town
- Hydrology of the area will be adversely affected
- The adverse impacts related to large scale dormitory migration are significant, and will result in increased car journeys
- Similar development in Maids Moreton turned down by planning Inspectorate
- Schools not within walking distance
- The site will remain isolated from the town and have lack of community cohesion
- The traffic generated will use Gawcott village to avoid congestion on A421
- Additional pedestrian crossings will impede flows on the A421

- Dwellings higher than two storey out of keeping with countryside edge / views from Gawcott Road
- Policy principles of NPPF / VALP / BNP not met
-

In response to the amended plans & additional information submitted in 2021, a further 28 objections were received, noting the following:

- Site has previously been rejected through the neighbourhood plan process; site is in the wrong place
- It is disconnected from the town centre and its services and amenities
- Necessary infrastructure not in place
- That site is in emerging VALP being used to support the application
- Security issues
- Contrary to HP1 as not one of the designated sites in the neighbourhood plan, is outside the settlement boundary,
- Not sustainable in terms of infrastructure, connectivity, employment , education, drainage, sewage, noise, and impact on local ecology
- Local roads already over capacity, development permitted at Tingewick Road and HS2 traffic have all added recently to traffic levels; the priority junction proposed onto Gawcott Road is unsafe inevitably leading to accidents – should be a roundabout
- Lack of community services
- No plans to extend nearest schools, pupils will have to be taken to school in cars
- Lack of sufficient local employment
- Sewage treatment capacity inadequate
- Air quality concerns
- Open space adjacent to residential dwellings would leave boundaries vulnerable to unauthorised access
- Inadequate boundary treatment for adjacent properties and adverse effect on light and privacy due to proximity of 3 storey dwellings
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APPENDIX B: Site Location Plan

