



## Corrigendum to Central Buckinghamshire Area Planning Committee

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<b>Application Number:</b>	20/03343/AOP
<b>Proposal:</b>	Outline planning permission for demolition of the former football club and redevelopment of the site for residential use (up to 42 dwellings) including land re-profiling and new public open space, with access to be considered at this stage. and appearance, landscaping, layout, and scale forming reserved matters.
<b>Site Location:</b>	The Stadium, Buckingham Road, Aylesbury, Buckinghamshire,
<b>Applicant:</b>	GPS Estates Ltd
<b>Case Officer:</b>	Mrs Nina Hewitt-Jones
<b>Ward(s) affected:</b>	AYLESBURY NORTH
<b>Parish-Town Council:</b>	AYLESBURY
<b>Date valid application received:</b>	01 October 2020
<b>Statutory determination date:</b>	8 <sup>th</sup> January 2024
<b>Recommendation</b>	The recommendation is that the application be deferred and delegated to the Director of Planning and Environment for APPROVAL subject to the satisfactory completion of a S106 agreement to secure the matters set out in the report, subject to the receipt of no new material representations, and the conditions as proposed and any other considered appropriate by Officers, or if these are not achieved for the application to be refused under delegated authority.

### Condition Update

Condition 23 amended in order to correct a finished floor level figure from 73.09 to 73.90. The condition is to read:

23) The development shall be carried out in accordance with the submitted flood risk assessment and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 73.90 metres above Ordnance Datum (AOD)

- Compensatory storage shall be provided as outlined in Section 6.5 and Figure 12 of the FRA. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided in accordance with Vale of Aylesbury Local Plan policy I4 and the NPPF.

Condition 4 reason amended to read:

4) The details of the reserved matters submitted pursuant to condition 1 above shall be carried out in general accordance with the illustrative drawings SK08 rev 04 (26/7/2023), SK09 rev 02 (24/7/2023), SK10 rev 02 (dated 24/7/2023), and SK11 rev 02 (dated 21/7/2023) in so far as such details relate to the with the maximum building storeys and layout indicated, the overall quantum of landscaping to be provided, including existing features and / or areas for retention, new areas of planting, areas of public open space and any associated green infrastructure.

Reason: In order to comply with policies BE2, BE3, I1, and I4 of the Vale of Aylesbury Local Plan, and the guidance set out in the NPPF

### Amendments to Report

Para 1.14 and 5.21 are amended to read:

1.14 Given the Council's current lack of a robust 5yr HLS, VALP policy D3 can be attributed limited weight at this time. However, other policies within the VALP are to be given full weight, e.g., VALP policy S7 supports the effective and efficient use of previously developed land, supports the supply of new housing and has a presumption in favour of sustainable development. It sets out the need to support economic growth, taking into account both local business needs and wider opportunities for development. The NPPF places provision of new homes at the heart of sustainable development, recognising that a range of homes to meet the needs of present and future generations is key to meeting the overarching social objective. Delivering a sufficient supply of new homes is a key objective of the NPPF, and affordable homes should be sought on all major developments. This proposal is able to meet the sustainable development objectives set out in the NPPF.

5.21 The application represents a proposal for a non-allocated housing site in the strategic settlement of Aylesbury. Given the number of dwellings proposed, when considered in the context of Aylesbury, the scheme is small-scale and thus part 1 of policy D3 is relevant. Criteria 1(b) of policy D3 states that subject to other policies in the Plan, permission will be granted for "development that consolidates existing settlement patterns without harming important settlement characteristics, and does not comprise partial development of a larger site". In this

instance the site is located on the northern edge of the built-up area of Aylesbury, although it would replace a part brownfield site the site relates well to the existing pattern of development and would not extend into open countryside. As such, the principle of residential development of this site is considered acceptable. Councillor attention is directed to the fact that the Council's current lack of 5yr HLS (paragraph 5.7 above) means that this policy is out-of-date in so far as it seeks to restrict housing supply, the policy can be afforded limited weight in the consideration of this proposal. However, in the view of officers the current lack of 5yr HLS only strengthens the need for housing within the area on this otherwise already acceptable site. Had the Council been able to demonstrate a 5 yr HLS officers confirm that the principle of development would still have been supported.

*The paragraphs have been amended so as to alter the weight given to policy D3 from originally stated 'no weight' to 'limited weight'. This change does not alter the overall weighting assessment made for this scheme.*

#### Point of Clarity

##### Para 5.26 – Council Playing Pitch Strategy

The Draft Playing Pitch Strategy has not been formally adopted by the National Governing Bodies/The Council. The draft PPS for the AV area is a base of local information with the input from respective governing bodies that's provided the Council with a data base that is helpful guidance, rather than a formal draft document. The Council will be completing a document covering the whole council in the future, date unknown.

The football pitch at this site has been vacant for 17 years with no apparent prospect of being brought back into use. The report identifies a limited negative weight regarding the loss of the pitch. The considerable positive housing and economic benefits of the proposal would significantly and demonstrably outweigh the limited negative harm of the loss of the vacant pitch.

#### Additional Public Representation

Since the Committee Report was published 2 further representations need to be reported.

Cllr Morgan has submitted a series of photographs showing localised flooding – dates of photographs and locations are not specified.

A letter of objection has been received commenting on flood risk increase and an increase in congestion at Horse and Jockey junction.

#### Possible update to the NPPF

The Council are aware that a statement has been made by a government representative that a revised NPPF is to be issued within the next few weeks – precise date unknown. It is expected the revision will contain further guidance on matters relating to 5 year land supply.

This statement carries no weight in the assessment of this application; however, members are reminded that officers are of the view that the significant and demonstrable benefits highlighted relating to this development outweigh the acknowledged harm. Had Policy D3 been assessed to carry full weight the scheme would have met policy requirements and would have remained acceptable in principle.