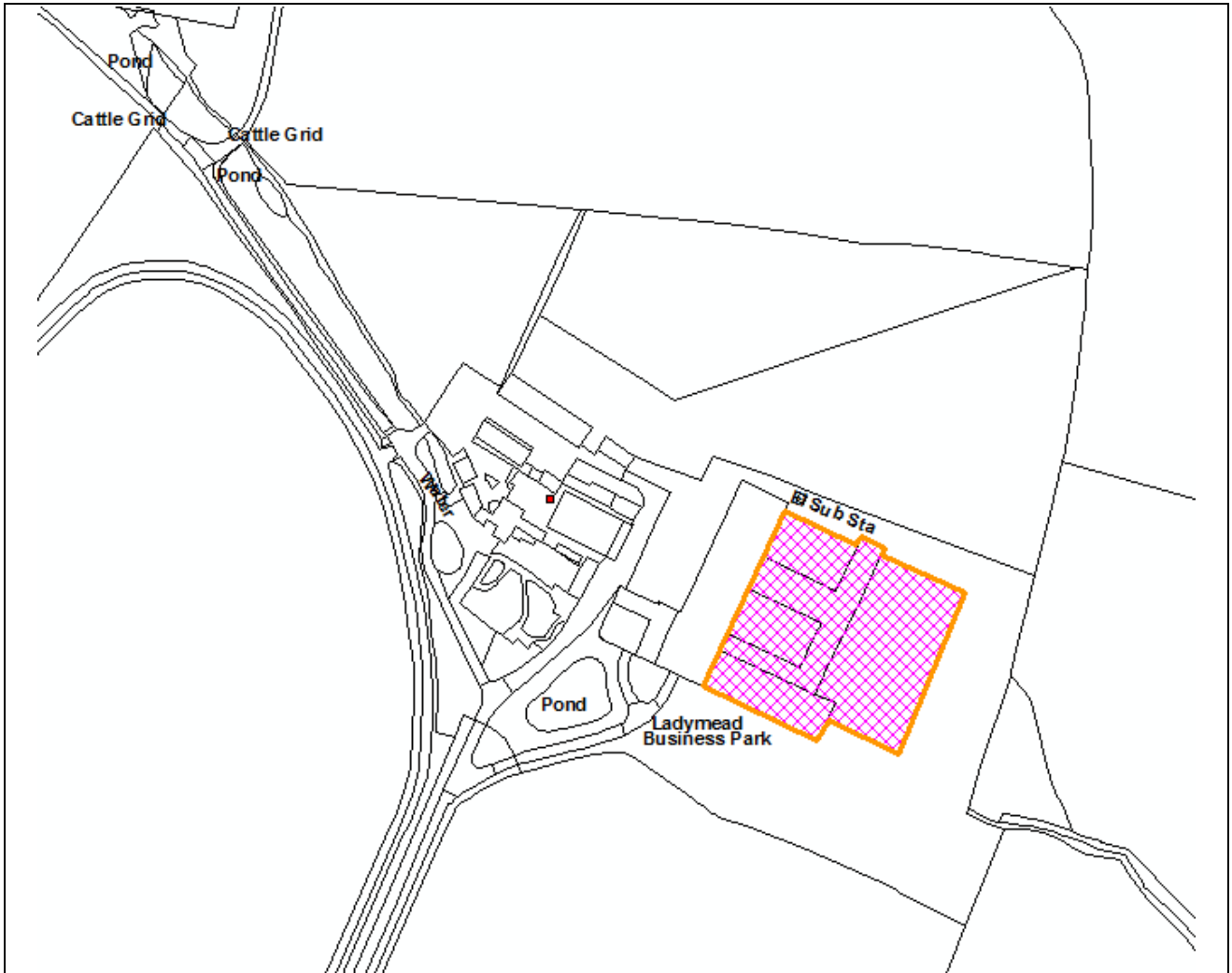


17/03253/APP



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REFERENCE NO	PARISH/WARD	DATE RECEIVED
17/03253/APP	QUAINTON The Local Member(s) for this area is: - Cllr Scott Raven	22/08/17
ERECTION OF NEW B1 UNIT TOGETHER WITH REGULARISATION OF BUILDING SIZES AND FENESTRATION TO UNITS 11, 12 AND 13 WITH LANDSCAPING AND PARKING. LADYMEAD FARM DENHAM HP22 4AN		
MR ANTONY BARRETT		
STREET ATLAS PAGE NO. 87		

1.0 The Key Issues in determining this application are:-

a) The planning policy position and the approach to be taken in the determination of the application.

c) Whether the proposal would constitute a sustainable form of development:

- Building a strong competitive economy
- Good design
- Conserving and enhancing the natural environment;
- Promoting sustainable transport including Parking;
- Meeting the challenge of climate change and flooding;
- Impact on residential amenities;

The recommendation is that permission be **GRANTED** subject to conditions.

CONCLUSION AND RECOMMENDATION

- 1.1 The application relates to an existing industrial site outside Quainton village. The principle of development is acceptable to extend the existing employment floorspace to provide new jobs. The proposal has been evaluated against the 'made' Quainton Neighbourhood Development Plan (QNDP), the AVDLP and the NPPF. Officers have assessed the application against the core planning principles of the NPPF and whether the proposals deliver "sustainable development." Paragraph 14 of the NPPF requires that where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.
- 1.2 In terms of the details set out in the application the proposed development would make a positive contribution to the local economy and bring temporary construction jobs and longer term employment benefits and this proposal should be given considerable positive weight in the planning balance. The retention of the elevational changes to existing units 11, 12 and 13 are considered acceptable.

1.3 The assessment of the application has concluded that while the development would have some harmful impact on the natural environment, however with appropriate landscaping mitigation it is not considered unduly harmful to the Area of Attractive Landscape (AAL) and limited negative weight is afforded in the overall planning balance.

1.4 Compliance with QNDP policies H1, LE1, NE2, T2, I1, relevant saved AVDLP policies GP8, GP35 and RA8, and the core planning principles of the NPPF have been demonstrated. All other considerations in respect of transport, residential amenity and flood risk are considered to have a neutral impact and the proposal is considered sustainable. It is considered that the proposal accords with the development plan and there are no material considerations which indicate a decision otherwise..

1.5 It is therefore recommended that the application be **APPROVED** subject to the following conditions:-

1 The development hereby permitted in respect of building 14 shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out and completed in accordance with the amended plans numbers JP_3_181_B_Rev A, RF-16-1494 Sheet 1 Rev D and RF-16-1494 Sheet 2 Rev D.

Reason: In the interest of proper planning and for the avoidance of doubt.

3 The materials to be used for the external surfaces of building 14, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing industrial buildings. Please also see note no. 5 on the back of this notice.

Reason: To ensure a satisfactory appearance to the development and to comply with policy GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

4 No development shall take place in respect of Building 14 until details of the proposed slab levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land have been submitted to and approved in writing by the Local Planning Authority, with reference to fixed datum point. Building 14 shall be constructed with the approved slab levels. Please also see note no. 6 on the back of this notice.

Reason: To ensure a satisfactory appearance to the development and to comply with policy GP8, RA8 and GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

5 No development shall take place in respect of building 14 hereby permitted until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. For hard landscape works, these details shall include; proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; where relevant. For soft landscape works, these details shall include new trees and trees to be retained showing their species, spread and maturity, planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment);

schedules of plants, noting species, plant sizes and proposed numbers/densities. These works shall be carried out as approved prior to the first occupation of the development so far as hard landscaping is concerned and for soft landscaping, within the first planting season following the first occupation of the development or the completion of the development whichever is the sooner.

Reason: In the interests of the visual amenities of the locality and to comply with policy GP38 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

- 6 Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality and to comply with policy GP38 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

- 7 No HGV or other commercial vehicles shall be driven within the site except between the hours of 08:00 and 18:00 Monday to Friday, 08:00 to 13:00 on Saturday, and at no time on Sundays, Public or Bank Holidays.

Reason: To safeguard the amenity of the area and to comply with AVDLP Policy GP.8 and the National Planning Policy Framework.

- 8 No development shall take place in respect of Building 14 until an acoustic report carried out in accordance with BS 4142:2014 has been submitted to and approved in writing by the Local Planning Authority. This report must detail the noise levels arising from industrial and commercial activities on the site as defined within BS4142:2014 and any required noise mitigation measures. Following mitigation, residual noise levels arising from industrial and commercial activities on the site must not exceed the background noise level at the nearest residential boundary. Any noise mitigation measures identified within the assessment must be implemented prior to the commencement of the uses and thereafter the development must be operated in accordance with these measures unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the amenity of the area and prevent a noise problem for the neighbouring residential occupiers to comply with AVDLP Policy GP 8 and the National Planning Policy Framework.

- 9 Prior to the occupation of Building 14 hereby approved minimum vehicular visibility splays of 151m from 2.4m back from the edge of the carriageway from both sides of the existing access onto The Willows shall be provided in accordance with the approved plans and the visibility splays shall be kept clear from any obstruction between 0.6m and 2.0m above ground level.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access and to comply with the National Planning Policy Framework.

- 10 The scheme for parking, and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of Building 14 hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and to comply with the National Planning Policy Framework.

- 11 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

A water quality assessment as set out in the SUDS Manual C753 (CIRIA, 2015) to demonstrate that the sufficient treatment is prior to the discharge of surface water runoff to the ordinary watercourse. Where adequate treatment is not in place, additional sustainable drainage measures will be required.

Reason: The reason for this pre-start condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 103 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

- 12 No external mechanical plant for the purposes of refrigeration/chilling/HVAC shall be installed on Buildings 11, 12, 13 and 14 without the express consent of the Local Planning Authority.

Reason: To enable the noise environment to be controlled in the interests of the amenities of nearby occupiers of dwellings and businesses and to protect the rural character of the area in accordance with the National Planning Policy Framework and AVDLP policy GP8 and GP95.

WORKING WITH THE APPLICANT/AGENT

- 1.6 In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Aylesbury Vale District Council (AVDC) takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. AVDC works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions. In this case detailed discussions have taken place with the applicant in order to respond to the issues raised during the planning application process. The applicant has submitted amended plans and updated technical assessments as part of this application which was found to be acceptable and approval is recommended.

2.0 INTRODUCTION

- 2.1 The application needs to be determined by committee as Quanton Parish Council has raised material planning objections and requests to speak at the committee meeting.

3.0 SITE LOCATION AND DESCRIPTION

3.1 The application site lies to the north east of Quanton village on a former farm, which has been partly redeveloped as a business park/industrial estate by converting former barns and construction of new industrial buildings since 2007. To the west of the site the original farm house and farm buildings remain and new residential units have been established. The industrial part of the site is located to the east of the former farm yard where three large industrial units (Units 11, 12 and 13) now occupy the site with an intervening car park and office building. A servicing yard separates the industrial units which are rectangular in shape and aligned east to west across the site. The total site area of the industrial estate is approximately 1.08 hectares. The site is located within the Quanton-Wing Hills Area of Attractive Landscape (AAL).

4.0 PROPOSAL

4.1 The proposal comprises the retention of the existing units 11, 12 and 13 as built and construction of a new industrial unit on the site with landscaping and car parking. The unauthorised alterations to units 11, 12 and 13 comprise enlargements to the dimensions of the buildings from the approved dimension and addition of window openings to the side elevation and roof. The approved and built dimensions to units 11, 12 and 13 are set out below:-

Unit	Width Approved (Built)	Length Approved (Built)	Height to Eaves Approved (Built)	Height to Ridge Approved (Built)
11	12m (16m)	50m (49.8m)	6.5m (6m)	8m (8m)
12	18 (19m)	30.4m (31.1m)	4.3m (6m)	6.1m (8m)
13	18.2 (19m)	30.4m (31.1m)	4.5m (6m)	6.1m (8m)

Changes to window openings of the existing units consist of primarily of the following:-

- 5 windows and entrance door added to ground and first floor elevations to all units facing the main car park on the north west elevation.
- Insertion of roof lights to unit 12 and repositioning of service bay roller shutter door from front to side (north-east) elevation with additional 3 windows (2 at ground floor and 1 at first floor) on the same elevation, all facing unit 13.
- Relocation of one side service bay roller shutter door facing unit 12 to the rear elevation and insertion of 2 windows (one at ground level one at first floor level) on the same elevation.
- The remaining changes to reposition and alter openings, including removing doors and windows are minor and considered to be *de minimis*.

4.2 The proposed industrial building is located to the rear of units 12 and 13. It is aligned perpendicular to the existing units, and partially sits on the existing rear concrete yard and partly extending into the adjacent greenfield to the east by approximately 14m.

4.3 The proposal has been amended to respond to the issues raised by the Council's Landscape Officer and concerns expressed by the Parish and community. While the height remains constant and similar to the existing units, measuring approximately 8m to ridge and approximately 6m to eaves, the material amendments can be summarised as follows:-

- The use has been amended to omit B8 storage/warehouse use. It is proposed only for B1 use.

- The building has been moved west by approx. 11.6m closer to the existing cluster of units within the servicing yard, reducing the coverage of the adjacent green field to the rear by approximately 15.6m in depth.
- The width of the building has also been reduced by 5m from 20.7m to 15.7m approx. The length of the building remains the same at 52m. The gross internal area of the unit has been reduced from 1040 sq.m to 820 sq.m approx. 5 service bay roller shutter openings face the servicing yard to the rear of units 12 and 13. The applicant has indicated the building may be subdivided to provide a series of smaller units subject to market demand.

5.0 RELEVANT PLANNING HISTORY

07/01639/APP - Demolition of existing poultry house and erection of replacement building for commercial use. – Approved.

10/02002/APP - Demolition of existing poultry house and erection of replacement building for commercial use (Use Class B1 - Light Industrial) – Approved.

12/01491/APP - Erection of new workshop for commercial use (Use Class B1 - Light Industrial) – Approved.

12/A1491/DIS - Submission of detail pursuant to Condition 5 - Slab level and Condition 6 - Details of the soft landscape works on planning permission 12/01491/APP – Approved.

13/03166/APP - Demolition of two existing stable buildings (Buildings 9 &10). Replacement with new office building with associated parking landscaping and creation of a pond. – Approved.

13/A3166/DIS - Submission of detail Pursuant No.4 Landscaping – Approved.

14/00952/APP - Removal and replacement of B1 Light industrial building. – Approved.

15/00397/ACL - Application for Certificate of Lawful Use for existing use of two linked buildings as three dwellinghouses (Use Class C3). – Approved.

15/01534/COUAR - Determination as to whether prior approval is required in respect of transport & highway impact, noise, contamination risk, flooding and locational considerations for the conversion of one agricultural building into one dwelling (under Class Q(a)) and in relation to design and or external appearance of the building (Class Q(b)). – Refused.

15/01745/COUAR - Determination as to whether prior approval is required in respect of transport & highway impact, noise, contamination risk, flooding and locational considerations for the conversion of one agricultural building into one dwelling (under Class Q(a)) and in relation to design and or external appearance of the building (Class Q(b)). – Refused.

16/04392/APP - Proposed retention of Units 11, 12 for B1 use and Unit 13 for B2 use together with the proposed extension to Unit 13. – Withdrawn.

17/02659/APP - Construction of sand school for private use. – Approved.

6.0 PARISH/TOWN COUNCIL COMMENTS

6.1 Quinton Parish Council's initial response to the application is attached in Appendix A. The

Parish's final comments are set out in full below:-

1. "Introduction

1.1 *The council's further comments will mainly focus on Policy LE1 Local Employment in the Quainton Neighbourhood Development Plan (QNDP). The policy states:*

"Applications to expand premises from businesses within the parish will be supported, provided they do not damage the residential environment and do not create significant additional traffic, nor have an adverse impact on the Conservation Area or landscape.

Proposals will be particularly encouraged if they offer employment opportunities available to parish residents.

All business development will be required to provide adequate on-site parking and manoeuvring space, minimise impact of pollution, including light pollution, noise pollution and not adversely affect the amenities of nearby residents."

1.2 *In relation to development outside the Conservation area, Policy E2 Environment states:*

"All development should conserve and enhance the historic character and heritage assets of the Parish, the landscape around the hills area and the stepping stones."

3.1 *In order not to repeat the council's previous comments, reference will be made to the council's last document submitted on this application dated 22nd September 2017 (previous comments).*

2. Impact on the Rural Landscape

2.1 *There is common ground with the parties that the new B1 unit even in its new position will cause harm to the rural landscape scene and natural environment. The applicant argues it is moderate or minor, and the AVDC Landscape Officer states:*

"...the proposed building would give rise to harmful impacts to the landscape character of the site and to the visual amenity of viewers in the immediately surrounding area..."

2.2 *It is suggested that landscape screening may mitigate the harm, and the applicant's Layout and Landscaping Plan shows a substantial amount of planting is required to the north, south and east of the site to try and hide the new and existing units.*

2.3 *It must be assumed that the screen planting to the north of the site for Unit13 completed 5 years ago (12/01491/APP refers) has failed as it now must be 'reinforced' with over 40 trees to provide an effective natural buffer.*

2.4 *Harm is harm and permanent, and exacerbated when the building is of an industrial design which will struggle to blend into a rural environment over time. This may not be so significant in an existing large industrial setting, but this site sits in an Area of Attractive Landscape surrounded by 100 acres of paddock, pasture and open countryside beyond.*

2.5 *The council's previous comments provide further information on the harm to vistas and footpaths.*

2.6 *The 'mitigation' should be no further expansion of the current site.*

3. The Need for Expansion

3.1 *This matter was raised in the council's previous comments, and subsequently the applicant had advised that:*

“The existing tenants on site have already, since the joinery company vacated, expressed a strong desire to occupy Unit 13 together with space in proposed building.”

3.2 *No movement or expansion by the existing tenants has transpired, and Unit 13 continues to be advertised to let on the open market.*

3.3 *Unless the applicant can demonstrate otherwise, it must be assumed the new unit is a speculative development and not a commercial imperative. It therefore cannot be supported by the council as promoting the further development and diversification of agricultural or other land use based rural businesses.*

4. Impact on Residential Amenity

The council's previous comments provide detail on the residential element that exists on site and nearby. Ladymead Farm must be considered a mixed residential/agricultural/light industry site, and the B1 element must be carried out without detriment to the residential amenity to comply with the business classification.

Please refer to section 5 on conditions.

5. Conditions

5.1 *The council's prime position is the new unit be refused, however should permission be granted, the council requests that the following conditions should apply. The level of conditions set will influence the council's continued intention to speak at Committee.*

5.2 *The council understands the need to regularise the specifications of the units due to irregularities reported from the original permissions. The work to regularise must be completed to the satisfaction of the LPA before any works are carried out on the new unit.*

5.3 *It is noted Environmental Health have yet to receive a noise abatement report to cover both the existing residential units on site and surrounding properties which were omitted from previous reports. The council supports EH's position for a condition on the provision of a detailed assessment before any works are commenced.*

5.4 *The council's previous comments petitioned for a condition on hours of operation, and maintain this is still an imperative to afford protection to the amenity of adjacent residential units.*

5.5 *As highlighted in section 2, the proposed landscaping must be of level that will properly mitigate the visual harm of the industrial site. There should also be as part of that condition no alteration or removal of any of the natural screening once planted.*

The new unit is included within the red line curtilage of the site (Red Line Plan refers). A condition should be that no further development be made within the red line site, and no further expansion or change of use to the paddocks and pasture land (Blue Line Plan refers) without planning consent.”

The Parish Council has subsequently verified that they request speaking rights to the committee

as they are fundamentally opposed to the application. A copy of their original comments is attached at Appendix 1.

7.0 CONSULTATION RESPONSES

7.1 BCC Highways – No objection subject to conditions.

7.2 BCC Strategic Flooding and Drainage – No objection subject to conditions

7.3 Landscape Officer – Considers that with appropriate mitigation the harm on the landscape character and visual amenity of the immediate surrounding area would not be regarded as being unduly harmful.

7.4 Environmental Health – No objection subject to noise assessment condition.

7.5 Biodiversity Officer - No objection.

7.6 Environment Agency – No response.

8.0 REPRESENTATIONS

8.1 A total of 34 replies have been received to date objecting to the application on the grounds summarised below: -

- Unsustainable rural location for industrial development.
- Contrary to NPPF guidance, QNDP Policy LE1 and AVDLP Policy RA8.
- Significant harm to the quality of the rural landscape and designated AAL.
- Adverse impact on the visual amenities of the AAL and views from local footpaths.
- Inappropriate development on greenfield site.
- Adverse noise and light pollution.
- Significant increase in HGV traffic on congested narrow country lanes unsuitable for commercial traffic will exacerbate broken local road network.
- Additional car parking will add to traffic congestion.
- Impact on road conditions and traffic noise detracting from tranquil rural area..
- Impact on highway safety issues for local residents/walkers, especially cyclist and horses.
- Adverse Impact on views from the public footpath adjacent to Denham Hill Farm.
- Scale of the proposal is out of keeping with the surroundings.
- Incongruous over-development of the site.
- Loss of agricultural land.
- Further industrial development inappropriate in this rural location.

9.0 EVALUATION

9.1 The main issues for consideration by the Committee in determining this application are:

- ***The principle of the development, the planning policy position and the approach to be taken in the determination of the application;***
- ***Building a strong, competitive economy;***
- ***Good design***
- ***Conserving and enhancing the natural environment;***
- ***Promoting sustainable transport including Parking;***
- ***Meeting the challenge of climate change and flooding;***
- ***Impact on residential amenities;***

The Principle of the development, planning policy position and approach to be taken in the determination of the application

- 9.2 Members are referred to the Overview Report before them in respect of providing the background information to the Policy Framework when coming to a decision on this application. The starting point for decision making is the development plan, i.e. the 'made' Quainton Neighbourhood Development Plan (QNDP) and the adopted Aylesbury Vale District Local Plan. S38 (6) of the Planning and Compulsory Purchase Act 2004 requires that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) are both important material considerations in planning decisions. Neither changes the statutory status of the development plan as the starting point for decision making but policies of the development plan need to be considered and applied in terms of their degree of consistency with the NPPF.

Neighbourhood Plan:

- 9.3 The Quainton Neighbourhood Development Plan: (QNDP) was made in October 2016 and policies are regarded as being up to date in the context of the NPPF referred to in the overview report. There are a number of QNDP policies relating this development.
- 9.4 Policy H1 Housing : Location of Development states:
"Within the Settlement Boundary, defined on the map on page 9 proposals for new homes will be supported where they respect the character of the immediate locality; contribute to local distinctiveness; and maintain appropriate amenity of adjacent dwellings.

Apart from the special circumstances set out in paragraph 55 of the NPPF (appendix 3) there is a presumption against development of new homes outside the Settlement Boundary in the open countryside except on sites adjoining the Settlement Boundary along Station Road, where a distinct boundary to open countryside can be achieved and where appropriate amenity of adjacent dwellings can be maintained.

Development proposals in the open countryside outside the Settlement Boundary will be supported where they assist the sustainable growth and expansion of a business or enterprise in the countryside area, both through conversion of existing buildings and well-designed new buildings; promote the development and diversification of agriculture and other land use based rural businesses; or support sustainable rural tourism and leisure developments that benefit businesses in the countryside area, communities and visitors, and which respect the character of the countryside and are appropriate in terms of highway capacity."

The site is located outside the settlement boundary of Quainton Village but located within the 'made' Quainton Neighbourhood Development Plan area...

9.5 QNDP Policy LE1 sets out the parameters relevant to the application site. It states:

“Proposals to redevelop a site, where existing businesses are inappropriately located in the village and causing traffic congestion and adverse visual intrusion, will be supported if based on less intrusive uses, provided there is no significant net loss of employment.

Applications to expand premises from businesses within the parish will be supported, provided they do not damage the residential environment and do not create significant additional traffic, nor have an adverse impact on the Conservation Area or landscape.

Proposals will be particularly encouraged if they offer employment opportunities available to parish residents.

All business development will be required to provide adequate on-site parking and manoeuvring space, minimise impact of pollution, including light pollution, noise pollution and not adversely affect the amenities of nearby residents.”

9.6 QNDP Policy NE2 Natural Environment states:

“Development proposals that demonstrate they will conserve or enhance the natural environment including achievement of a positive biodiversity impact or new green infrastructure will be supported.

Proposals will be supported that:

- *Are landscaped and include planting trees that respect the local distinctive landscape character and the proposed development,*
- *Incorporate bird and bat boxes into new dwellings where bordering open space,*
- *Are accompanied by a Tree and Hedgerow Survey and demonstrate sympathetic development around trees of high or moderate quality in accordance with current BS5837 national best practice,*
- *Retain existing hedgerows where at all possible and the hedgerows are replaced if not*
- *Mitigate and compensate for any loss of habitat and enhance wildlife value where possible”.*

9.7 Policy T2 Traffic states:

“Development proposals will be supported where they demonstrate they will not further inhibit the free flow of traffic or add to the problems of parking on the narrow roads along the village”.

Policy I1 relating to infrastructure for water and waste water is also relevant

Adopted Local Plan: AVDLP:

9.8 A number of saved policies within the AVDLP are listed in the overview report and are considered to be consistent with the NPPF and therefore up to date so full weight should be given to them.. They all seek to ensure that development meets the three dimensions of sustainable development and are otherwise consistent with the core planning principles set out at paragraph 17 of the NPPF.

9.9 In addition to these Policy RA29 states “Except where otherwise allowed for in the Local Plan, outside the built-up areas of settlements and identified employment areas, the Council will resist proposals for new employment buildings and for the expansion of established employment sites into the countryside. With the exception of Silverstone Motor Racing Circuit, Westcott, and Newton Longville Brickworks, existing employment sites in the countryside are not defined on the Proposals Map. When considering applications for planning permission made in respect of these non-defined sites, the Council will have regard to any extant planning permission or lawful use or development in order to define the extent of the existing employment site. At these sites permission may be granted for limited building extensions or redevelopment that is not out of keeping with the characteristics of the locality and does not lead to excessive traffic generation.” Policy LE1 of QNDP takes precedence over this policy.

Building a strong competitive economy

9.10 A core principle of the NPPF under Paragraph 7 supports sustainable economic development to deliver industrial units and thriving local places that the country needs. NPPF Paragraph 28 supports a prosperous rural economy by encouraging economic growth in rural areas to create jobs. The NPPF is specific about supporting the sustainable growth and expansion of all types of businesses and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.

9.11 The principle of employment development on this site by the erection of the replacement buildings to units 11, 12 & 13 was established in the grant of planning permission previously. QNDP policies H1 and LE1 give some encouragement to sustainable employment development and expansion of existing businesses outside the settlement boundary. The principle of the development proposed is therefore acceptable subject to the development satisfying the criteria set out in those policies. It is considered that not only would there be short term economic benefits arising from the construction of the development itself, but long term employment benefits for the community and the resultant increase in population contributing to the local economy. While the applicant estimates that up to 10 part-time jobs would be created, the HCA employment density guide¹ suggest the proposed development could generate up to 17 full time jobs through the creation of 820 sq.m of B1(c) light industrial floor space. This factor should be afforded considerable weight.

Good design

9.12 The NPPF sets out that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development.

9.13 H1 and LE1 of the QNDP seeks development to respect the character of the countryside and do not have an adverse affect on the landscape. Policy GP35 of AVDLP is relevant and requires new development to respect and complement the physical characteristics of the site and surroundings; the building tradition, ordering, form and materials of the locality; the historic scale and context of the setting; the natural qualities and features of the area; and the effect on important public views and skylines.

9.14 The final layout of the proposed building has been amended to respond to local concerns and technical issues. This includes the relocation of the proposed building closer to the cluster of buildings within the site to read as a group. It is aided by the reduction in scale. The built form is set in further away from the eastern boundary and the foot print significantly reduced in width to minimise the encroachment into the green field to the rear and hereby reducing the impact on the openness of rear. The dimensions and

¹ Homes and Communities Agency (2015) Employment Density Guide, 3rd edition. London.

measurements of the proposed new building is set out above. The height of the building is consistent with the existing and its appearance will be in keeping with the existing units in terms of its architecture, materials and finish.

- 9.15 The layout therefore complements the existing buildings on site and with the reduction in scale, it would be read as a single cluster of industrial units around a service yard rather than disparate units. The proposal also includes a stronger landscape buffer with intense planting of hedges, trees and ground cover providing further foliage to soften the appearance of the units within the countryside setting. It would appear as a contemporary and functional building, which is considered acceptable in design terms.
- 9.16 The alterations for which retention is sought to Units 11, 12 and 13, as set out in detail in a comparison table of measurements above under paragraph 4.1 comprise minor variations of 1m or less in length, width (with the exception of Unit 11 with a 4m variation) and height (with the exception of Units 11 and 12 with up to 2m change). The result is that all units appear similar in scale and finish (ground floor brick plinth with metal cladding above with a metal roof) with window openings for the internal ancillary office space at ground and first floor level. The impact of the variations in terms of appearance is however not considered to detract from the commercial context to warrant refusal. The uniformity and consistency of the end result is considered acceptable.
- :
- 9.17 The proposed development is considered in keeping with the scale, height and character of the context of existing industrial units within the estate and the variations in design for retention are also considered acceptable in planning terms, to accord with the general design principles set out in policy H1 and LE1 of the QNDP in respecting the character of the countryside and GP35 of the AVDLP and compliant with the NPPF.

Conserving and enhancing the natural environment;

- 9.18 Regard must be had to how the development proposed contributes to the natural and local environment through protecting and enhancing valued landscapes and geological interests, minimising impacts on biodiversity and providing net gains where possible and preventing any adverse effects of pollution, as required by the NPPF. H1 and LE1 of the QNDP seeks development to respect the character of the countryside and do not have an adverse affect on the landscape. Policy NE2 seeks to conserve or enhance the natural environment including achievement of a positive biodiversity impact or new green infrastructure will be supported. AVDLP policy RA8 requires that development proposals in the AAL should respect their landscape character and that development that adversely affects this character will not be permitted, unless appropriate mitigation measures can be secured. Policies GP39 and GP40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value.
- 9.19 The application site partly comprises an open field adjoining the rear servicing yard to the existing industrial units, which is surrounded to the north and south by agricultural grazing land separated by hedges and trees. The existing greenfield to the rear of the industrial units adjoining the servicing yard forms peripheral land also enclosed by boundary hedging and trees and scribed as a 'grass paddock' by the applicant. It is not in agricultural use.
- 9.20 The site historically formed a farm with a farm house to the west, still in use as a dwelling by the current owner. Recent additions of residential units to the west in former barns site adjacent to the industrial units separated by the car park and a series of smaller barns used for general storage purposes that lie outside the redline application site boundary. The industrial estate plot on the eastern end of the larger estate that includes surrounding fields, include a B1 office unit located at the entrance to the industrial estate and car park.

- 9.21 The site lies within the designated Quanton-Wing Hills Area of Attractive Landscape (AAL) where the issue of development and the adverse landscape and visual impacts on views to have been fully considered within the supporting Landscape and Visual Impact Assessment. The Council's Landscape Officer has considered the proposal and recommended changes to ameliorate the impact of the proposal on the AAL. While acknowledging that any development on this partly greenfield site will inevitably have a landscape and visual impact, particularly from the surrounding Public Rights of Way (PRoW) that crisscross the estate from Quanton and surrounding countryside, the proposed industrial unit should be viewed in the context of the existing cluster of industrial units on the site.
- 9.22 Attention has been paid to soft landscaping along the sensitive edges to the north and east where it abuts open countryside. While progressive landscaping has occurred over time along the sensitive edges this would be complemented by additional buffering to create a thicker edge to soften the impact of the large industrial buildings on the site. The mitigation to the landscape and visual impacts within the AAL is shown within the soft planting scheme. The landscaping details shown on the submitted plans provide suitable mitigation and it is considered that the impact on the natural environment is adequately mitigated.
- 9.23 Together with the reduction in the scale of the proposed unit as set out above, the Landscape officer concludes that whilst the proposed building would give rise to harmful impacts to the landscape character of the site and to the visual amenity of viewers in the immediately surrounding area, with appropriate mitigation these would not be regarded as being unduly harmful to the particular landscape features and qualities of this part of the area of attractive landscape within which it lies.
- 9.24 The application has also been considered by the Council's Ecologist who is satisfied that the proposal is unlikely to impact on any ecological interests. The proposal would not give rise to any loss of trees or hedges. The proposal is therefore considered to comply with QNDP policies H1, LE1 and NE2 and AVDLP Policy GP35, GP39 and GP40, and RA8 and the NPPF.

Promoting sustainable transport including Parking;

- 9.25 Policy T2 and LE1 of the QNDP supports development which will not further inhibit the free flow of traffic, do not create significant additional traffic, or add to the problems of parking on the narrow roads along the village. The application is not supported by a Transport Statement (TS). Given it is an existing facility a TS was not considered necessary. Bucks County Council as the Highway Authority have considered the proposal and comment that the site is not considered sustainable in the context of the transport requirements of the NPPF, and would be reliant on the use of the private motor vehicle, against the aims of local and national policy. It is recognised that other policies of the Framework support the principle of farm diversification and that accessibility by non-car modes will not be as good in rural areas as urban areas. The site is considered to be in a rural location where there are existing employment uses and the diversification versus sustainable development issue is a matter for the local planning authority to weigh in the planning balance.
- 9.26 The existing access track off the Willows is proposed to serve this development. BCC advise that it must be ensured that the access complies with visibility splays of 151 metres either side of the access, measured from a point 2.4 metres back along the centre line of the access to the nearside kerb, which can be secured by way of condition.
- 9.27 The applicant proposes 42 additional parking spaces to address the demands of the development taking the parking provision to 83 spaces within the site. This provision

for the proposed unit at 42 spaces is in excess of the 25 spaces required (1 space per 33 sq.m of business class floor space) to comply with the Councils Parking SPG, but when all units are considered together (total floor space of 2795 sq.m) the maximum required spaces amount to 85 car parking spaces. Given that the standard is for maximum provision, the deficit parking provision at 2 spaces is considered acceptable particularly as the employment density indicates that up to 17 jobs would be created by the proposed unit with a maximum demand of 17 spaces is likely to occur and allowing for visitor spaces.

- 9.27 While concern has been expressed by the local community about the traffic generation and the impact of commercial and additional cars on the surrounding road network, the Highway Authority acknowledge that the trip rates generated by the proposal is unlikely to materially impact on the local highway network. In addition, it is also considered that there is sufficient turning and manoeuvring space within the site. In conclusion the Highway authority has no objection to the proposal on highway impact/safety grounds subject to recommended conditions. It is considered that the proposal accords with QNDP policy T2 and AVDLP Policy GP24.

Meeting the challenge of climate change and flooding

- 9.28 The NPPF at Section 10, 'Meeting the challenge of climate change, flooding and coastal change' advises at paragraph 103 that planning authorities should require planning applications for development in areas at risk of flooding to include a site-specific flood risk assessment to ensure that flood risk is not increased elsewhere, and to ensure that the development is appropriately flood resilient, including safe access and escape routes where required, and that any residual risk can be safely managed. Development should also give priority to the use of sustainable drainage systems. QNDP Policy I1 states that developers will be required to demonstrate that there is adequate water supply and waste water capacity both on and off the site to serve the development and that it would not lead to problems for existing or new users.
- 9.29 The proposed development is located partially on a greenfield site in Flood Zone 2 and at risk from fluvial and surface water flooding from a small tributary source that runs in a west-east direction to the south of the site. Units 11 and 12 are located within the flood risk area. Proposed Unit 14 would also lie within this area. The application is supported by a Flood Risk Assessment (FRA). The Lead Local Flood Authority (Bucks County Council) has considered the FRA and drainage strategy which has been updated. The LLFA is now satisfied that, with the use of the recommended condition at the start of this report, an appropriate surface water drainage scheme can be achieved on the site. It is concluded that the proposed development will not increase the risk of surface water flooding on the site or elsewhere in its surroundings.
- 9.24 In light of the above, it is considered the proposed development would be resilient to climate change and flooding in accordance with the NPPF and this factor should be afforded neutral weight in the overall planning balance.

Impact on residential amenities

- 9.25 QNDP Policy LE1 seeks to ensure that development does not damage the residential environment. Policy GP8 of AVDLP seeks to protect the residential amenity of nearby residents whilst a core planning principle of the NPPF also seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings. The layout and scale of the proposed development in respect of the new B1 industrial unit marked as

unit 14 has been assessed in relation to the nearest residential properties within Ladymead Farm. This comprises three dwellings referred to as cottages 1, 2 and 3, within the farm yard to the west of the industrial units which consisted of a barn. They are located adjacent to the car park serving units 11 to 13 at a distance of approximately 51.5m from unit 12 to the nearest end residential unit at Cottage 3.

- 9.26. The proposed unit 14 would be located to the rear existing industrial units 11 to 13 and therefore hidden and screened from the existing residential units at cottages 1 to 3. The distance between nearest residential unit Cottage 3 and proposed B1 unit 14 is approximately 92.5m. It is not envisaged that any adverse impacts would arise to the amenities of existing residential cottages within Ladymead Farm from the proposed development with regard to noise, outlook or light. However, the servicing of the site by HGV lorries could cause disturbance and potentially impact on amenities through the servicing of the site from noise generated by the movement of forklift trucks and engine noise. This is an issue identified by the Environmental Health officer who recommends a noise report as a condition before the development starts. Additionally limitations on the servicing hours by delivery vehicles is also recommended to safeguard residential amenity as set out in the recommended conditions above. This has been agreed with the applicant.
- 9.27 Local residents living in the surrounding countryside higher up the hillside to the north west and north-east have also raised objections to the impact of light pollution and solar glare, arising from the variations to the scale and window openings to Units 11 and 13, particularly on the addition of roof lights, as well as the cumulative impact from the addition of proposed unit 14. Objections are also raised on visual amenities and noise impact of activities at the industrial estate.
- 9.28 On the latter, noise pollution arose from the previous use of external plant and machinery by the business at Unit 13. The previous tenant in Unit 13 vacated the premises in July 2017 and the external plant has since been removed. Nevertheless, the Environmental Health officer has considered the likely impact of the alleged noise and light pollution on the nearest neighbouring residents at Denham Hill Farm on the hillside to the north-west at a distance of approximately 431m away in a direct line from the nearest unit on the north-western boundary (Unit13). After careful consideration of the same issues while the plant was operating at unit 13, it was concluded by the Environmental Health officer under the previous similar application (reference 16/04392/APP) that 'noise from the extraction system is unlikely to have a significant adverse impact at the Ladymead Farm house or at any off-site noise sensitive premises when, as currently, operating in the open air. The enclosure of the extraction equipment will reduce the noise levels further. Light pollution is also unsubstantiated, particularly when considered in the context of light spill from barns to existing farms in the countryside.' Nonetheless a condition is recommended to be applied to the consent to ensure that express consent is required to install any plant on the buildings that are the subject of this planning application. This will ensure that the noise environment can be monitored and controlled to avoid any harmful noise and/or disturbance.
- 9.29 In view of the above, it is considered that no adverse amenity impacts arise from the proposal subject to recommended conditions to safeguard potential impact on residents living in Cottages 1 to 3 in Ladymead Farm. The proposal accords with QNDP policy LE1, Policy GP8 of the AVDLP and NPPF guidance.

QUANTON PARISH COUNCIL

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To: AVDC Development Management

22nd September 2017

Re: Planning Application:

17/03253/APP – Erection of new B1 & B8 unit together with regularisation of building sizes and fenestration for units 11, 12 and 13.

Ladymead Farm Denham Quanton HP22 4AN

Consultee Comments

The parish council (the council) has the following comments to the above application.

1. Regularisation of building sizes and fenestration for units 11, 12 and 13.

The council understands that the need for an application to regularise the specifications of the units is due to irregularities reported from the original permissions namely:

The units are of a larger footprint
The ridge heights are 1.9 m higher
Greater fenestration on all units

The council was not aware of the planning irregularities on site, and had these matters been brought to its attention earlier would have made representations as to the negative visual impact of larger than permitted units. The council also notes the previous residents' complaints relating to excessive noise and light pollution citing the design and position of the units as a contributing factor.

However, given the units have existed for some years, and after careful consideration of Policy LE1 in the Quanton Neighbourhood Development Plan (QNDP), it will not on this occasion oppose the application, but this is conditional on an agreement being reached with the applicant on the following:

Hours of operation to be Mon – Friday 0800 – 1800 hours' maximum.
Alterations to the fenestration to suppress light pollution.
Modifications to the internal environment to prevent windows and doors being left open during the industrial process.

The above conditions would also apply to the proposed new B1/B8 unit should it be granted consent.

2. Erection of new B1 & B8 unit

2.1 The council is opposed to the proposed new unit as it does not meet the requirements of QNDP Policy LE1 for the following reasons:

2.2 Ladymead has diversified from sole agricultural to the addition of equestrian facilities and Class B1 light industry. A large residence exists at Ladymead Farm, 3 residential dwellings were created in 2012, and more recently appeals were granted to add 2 more dwellings by further conversion of agricultural buildings. There is also an additional hard standing equestrian area being constructed. Therefore, Ladymead should be considered a mixed residential/light industry site.

Class B1 is classified as:

Use for all or any of the following purposes—

*(c) for any industrial process, being a use which can be carried out in any residential area **without detriment to the amenity** (our emphasis) of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.*

2.2 Referring to the original B1 classification given to units 11, 12 & 13 the permission notices only state use as B1 Light Industrial, which would accord with some diversification of use. The introduction of a unit for B8 use has the potential to fundamentally change the industrial activity on site.

2.3 The D & A statement gives insufficient reasons for the need for the new building. It states it is intended for the expansion of existing businesses, but unit 13 is currently vacant, and the current commercial activity has reduced since the demise of the joinery business.

2.4 There has been no detail as to the storage or distribution activity expected, no hours of operation are specified or any traffic assessment which may flow from B8 use regarding possible increased vehicle movements.

2.5 There is no indication of what local employment opportunities will arise.

2.6 The proposed extension is disproportionate in size compared to existing units. Historically 2 units replaced the footprint of unused agricultural buildings, and a third added in 2012 of similar size formed a linear line of buildings which mitigated the visual impact.

2.7 The new unit is nearly double the size of the existing 3 units and separate in location on site. This site falls within the Quainton - Wing Hills Area of Attractive Landscape, and it will have a detrimental impact on long distance views at medium to high level particularly from the public footpath QUA 43 on the northern slope to the site (Denham Hill Farm to Carters Lane) also within an Archaeological Notification Area.

2.8 The amenity land surrounding Ladymead will be further compromised visually as the site is bordered in a triangular set of public footpaths (Matthews Way, Swans Way, and footpath QUA 18). The area is referenced in the QNDP Local Green Spaces Report as a valued area to the community. Many of the 24 public objections are from local people who utilize the area for a variety of leisure activities e.g. walking, horse riding.

2.9 It is proposed to provide 42 additional parking spaces making a total of 83. Given the unit is designed for B8 use it must be assumed the applicant anticipates a material increase in traffic movements not only by private cars but also heavy goods vehicles. The council request BCC Highways reconsider whether there is safe and suitable access from the existing single unclassified road given B8 use and not B2 as stated in their comments.

2.10 The council has determined that on the evidence provided in the application, the additional building is not sustainable. Should the applicant require a new large unit, the council consider there are more suitable general industry sites readily available without having to impact negatively on valued open and tranquil countryside at Ladymead.

Brian Fludgate
Clerk to Quainton Parish Council