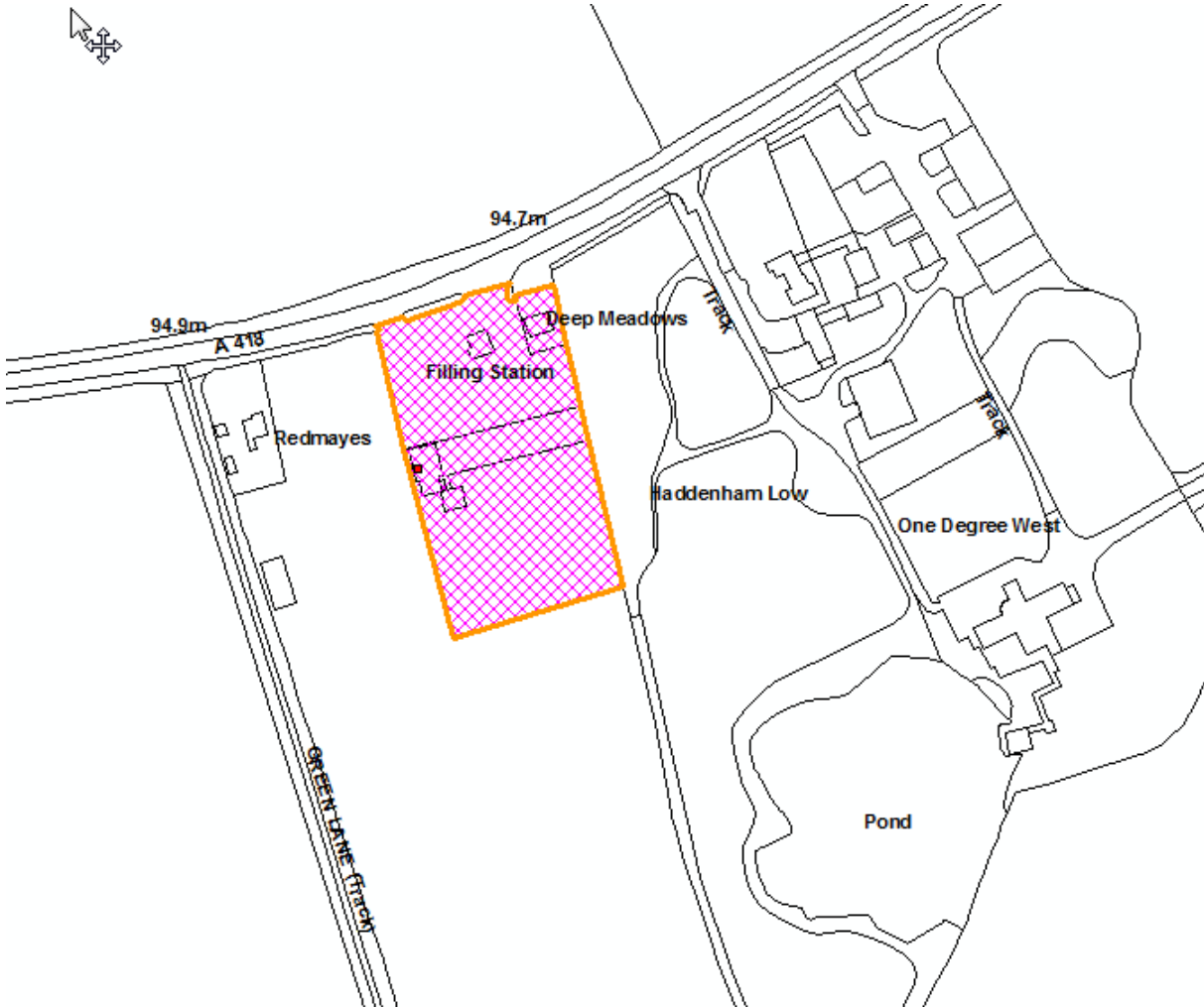


18/00618/APP



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REFERENCE NO	PARISH/WARD	DATE RECEIVED
18/00618/APP	HADDENHAM	19/02/18
DEMOLITION OF EXISTING OFFICE BUILDING, ERECTION OF NEW OFFICE BUILDING AND EXPANSION OF THE DEPOT TO 57 BUSES (VARIATION OF CONDITION 9 OF PLANNING PERMISSION 16/00229/APP).	The Local Members for this area are: - Councillor Judy Brandis Councillor Michael Edmonds Councillor Brian Foster	
RED ROSE TRAVEL AYLESBURY ROAD HP17 8TT		
MR TAJ KHAN RED ROSE TRAVEL LTD		
STREET ATLAS PAGE NO.113		

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.**
- b) Whether the proposal would constitute a sustainable form of development:**
- Building a strong competitive economy
 - Promoting sustainable transport
 - Promoting healthy and safe communities
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment
 - Making effective use of land
 - Achieving well designed places
 - Meeting the challenge of climate change and flooding
 - Supporting high quality communications
 - Impact on existing residential amenity

The recommendation is that permission be **REFUSED**

2.0 CONCLUSION and RECOMMENDATION

- 2.1 The application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the core planning principles of the NPPF and whether the proposals deliver 'sustainable development'. Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking this 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are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing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 any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 2.2 The proposal would conflict with GP35 of AVDLP which is up to date and consistent with the NPPF and is the most important AVDLP policy for the consideration of this application and related criteria in policy RA29 in that it fails to respect its rural setting and have an urbanising impact upon the site detrimental to the appearance and character of the countryside. This is a significant harm in landscape terms. There would also be a limited negative harm in terms of air quality arising from the increased activity on the site.
- 2.3 It is acknowledged that there would be economic benefits in terms of the construction of the development, its operation to which moderate positive weight is afforded.
- 2.4 Compliance with some of the other objectives of the NPPF have been demonstrated or could be achieved in terms of the impact on the highway and highway safety, parking provision, trees and hedgerow, biodiversity, contamination, historic environment, health and safe communities, design of the building itself, climate change and flooding, impact on residential amenities and communications. However, these matters do not represent benefits to the wider area but demonstrate an absence of harm to which weight is attributed neutrally.
- 2.5 There are relevant development plan policies which are consistent with the NPPF and it is considered that whilst the proposal complies with GP8, GP24 and GP95, there is a conflict with the most important policies GP35 and RA29 and there are no material considerations that indicate a decision other than in accordance with the development plan.
- 2.6 It is therefore recommended that the application be **REFUSED** subject to the following reasons:-
1. The proposal would fail to comply with the objectives of the NPPF to recognise the intrinsic character and beauty of the countryside, to conserve and enhance the natural environment and use land sensitively. The proposed 2 storey office building due to its siting, size, bulk and massing would introduce a visually intrusive and incongruous addition which would detract from the pastoral character of the rural landscape and appear prominently in the skyline. It is therefore considered that would fail to respect its rural setting detrimental to the appearance and character of the countryside and is contrary to AVDLP policies GP35 and RA29 and the NPPF.

3.0 WORKING WITH THE APPLICANT/AGENT

- 3.1 In accordance with paragraphs 38 and 39 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal.

AVDC works with applicants/agents in a positive and proactive manner by:-

- offering a pre-application advice service,
- up-dating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

3.2 In this case, there are fundamental conflicts with development plan policies and advice in the National Planning Policy Framework and no material considerations are apparent to outweigh the matters described above. The Council has therefore considered the application as submitted and the application has been refused.

4.0 INTRODUCTION

4.1 The application needs to be determined by committee as Councillor Llew Monger has request a call-in so that application reference 18/00618/APP can be considered by committee for the following reasons:.

- The application would secure existing employment and generate additional employment. In doing so the application complies with the requirements of Para 83 of the new NPPF which states, inter alia, that 'Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;'
- There are no objections from BCC Highways
- There are no objections from the other statutory consultees except for Haddenham Parish Council
- There are no objections from members of the public

4.2 One of the local members, Cllr Judy Brandis has requested that the application is determined by committee if the officer recommendation is to approve, for the following reasons:

"There are already more buses on site than the 32 coaches allowed for in the previous planning application which means there has already been extension into the countryside without planning permission. The office accommodation may be detrimental to the countryside location. The old buses start up at 4.00 am and run on site until 5.00 am disturbing the neighbour's peace and polluting the air. Air pollution is something that is now taken very seriously and the fact that the vehicles are old means they are prone to giving out more gases."

4.3 Haddenham Parish Council have also objected to the application and requested to speak at committee.

5.0 SITE DESCRIPTION

5.1 The application site comprises of an existing coach/bus depot on land which was formally used for, amongst other things, a petrol station, car sales yard and transport café. It lies in the open countryside and occupies a roughly rectangular shaped parcel of land fronting onto the A418 Aylesbury Road. Mature trees and hedgerow planting enclose the western, eastern and southern boundaries, with the nearest residential property, Redmayes approximately 50m to the west.

5.2 Turning to the layout of the site itself, there is an existing office building and bus wash area situated on the northern proportion of the land, with a maintenance shelter constructed from shipping containers located in the south-west corner. The applicant has confirmed that this will be demolished and the materials removed from site once work on the new

maintenance shed has been completed. An existing bungalow known as 'Deep Meadow' is positioned to the north-east of the main access and is owned and operated by Red Rose Travel as staff accommodation. The remaining part of the land is given over to bus/coach parking, together with staff car parking facilities adjacent to the site frontage. Currently, the applicant has consent to park 37 buses on the land.

6.0 PROPOSAL/DESCRIPTION OF DEVELOPMENT

- 6.1 This application comprises of two main components. The first relates to the demolition of the existing single storey office building on the northern part of the site and its replacement with a new two storey structure to be used for the same purpose. The new office building would extend forward of the structure it is replacing, fronting onto the main A418. It would feature a curved wall at its eastern end with a curving pitched roof which the applicant anticipates will provide an architectural statement at the entrance to the site. The building would be set back approximately 4.1m from the northern boundary of the site and be 18.6m long and between 6.6m-8.1m deep. It would have a maximum height of 7.4m. The new structure would be constructed from facing brick and provide modern office facilities for both Red Rose and Red Eagle Buses which operate out of the site.
- 6.2 The second main element of this application seeks to expand the size of the approved depot, with capacity to be increased from 37 to 57 buses. In effect, this application proposes to vary condition 9 of planning permission 16/00229/APP which sought to restrict the number of buses/coaches to be parked on site at any one time to 37. This involves the re-ordering and extension of the existing bus and staff parking areas to provide the additional 20 bus/coach spaces (55 marked bus coach spaces and 2 buses parked overnight in the maintenance workshop). Although the proposal would increase the number of parking spaces, it would not extend the existing hard-surfacing area on the land or beyond the existing enclosed boundaries of the site (i.e. it would not encroach into the surrounding open countryside).
- 6.3 The supporting documentation states that Red Rose Travel currently operate from the application site with the benefit of a Public Service Vehicle Operator's License issued by VOSA (Vehicle & Operator Services Agency). This license authorises Red Rose Travel Ltd. to operate 31 buses. Red Eagle Buses has a Public Service Vehicle Operator's License issued by VOSA. This license authorises Red Eagle Buses Ltd. to operate 20 buses. In order to operate this service, taking into account regular vehicle maintenance, more major repairs and to have buses available as a contingency, Red Rose require 4 spare buses in addition to its license for 31. Within the terms of the license, only 31 of these buses will be on the road at any one time, but each license disc is transferable between vehicles. Thus, for its present operations, Red Rose needs to park 35 buses on the site. Allowing for spares and maintenance, Red Eagle needs to be able to park 22 buses on the site, hence the total requirement for Red Rose Buses and Red Eagle Buses to operate at the site is for 57 buses.
- 6.4 In accordance with its Vehicle Operator's License, Red Rose Travel operates a number of bus services for Buckinghamshire County Council, Hertfordshire County Council, Oxfordshire County Council and Milton Keynes Council. Red Rose employs drivers on a shift system to operate their full range of services. Employees include those that are casual and part-time as well as full-time drivers, who normally work 5 or 6 days a week but operations are over 7 days. It is understood that due to shift patterns there is never a time when all drivers are in the depot on the same day. Most duties contain journeys on more than one route. On Mondays to Fridays there are 39 duties which effectively means that there will be 39 drivers arriving at the depot up to 15 minutes before the duty start time and leaving the depot in a bus between 5 minutes before and 5 minutes after the duty start time. There will then be 39 drivers arriving back at the depot in a bus at a few minutes

either side of the duty finish time and 39 drivers leaving up to 15 minutes after the duty finish time.

In addition to drivers there are the following staff:-

- 6 mechanics/yard staff who work variable hours. Normally three are working early shift and three late shift but not to set hours;
- 2 night cleaners who work from approximately 11.00 p.m. to 6.00 a.m. but on different days of the week;
- 3 Management and administration staff who also work variable hours but at least one is usually on the premises between 6.00 a.m. and 7.00 p.m.

6.5 In order to service these routes, all Red Eagle buses leave the depot from 05:30 and return to the depot by 20:30. The parking proposed for Red Eagle Buses would allow the company to grow from its present operation to the full complement of 20 buses in accordance with its operator's license.

7.0 RELEVANT PLANNING HISTORY

- 7.1 **80/00917/AV** – Use of Land for car sales – Withdrawn.
82/01502/AV – proposed little chef on petrol filling station site with associated car parking and new septic tank and land drainage for sewage treatment – Withdrawn.
83/00202/AV – Non illuminated canopy over existing pump island – Approved.
83/00926/AV – Erection of single storey side extension to existing building to provide lubrication bay and ancillary storage area – Approved.
97/01323/APP - Change of use from service station with ancillary workshop & café to parking and ancillary maintenance of coaches – Refused.
97/02631/APP – Change of use from service station with ancillary workshop & café to parking and ancillary maintenance of coaches – Refused. Appeal allowed.
06/01051/APP - Change of use from coach depot to use for parking and storage of civil engineering plant and equipment – Withdrawn.
14/01848/APP - Erection of maintenance shed, curtilage extension and variation of condition I of planning permission 97/02631/APP (allowed on appeal) to permit the parking of 37 buses on the site. – Refused. Appeal allowed.
16/00229/APP - Erection of maintenance shed for the servicing and maintenance of buses parked on the depot site and amended bus parking layout – Approved.

8.0 PARISH/TOWN COUNCIL COMMENTS

- 8.1 Haddenham Parish Council – Object. There is a long history on this site of expansion without planning permission and failure to comply with planning conditions. Planning permission was granted on appeal in 1998 for 12 coaches. A further planning application in 2015 was approved on appeal for an extended operation of not more than 32 coaches and included a condition for removal of containers from site.
- 8.2 In 2017 HPC reported to AVDC that the operation had intensified yet again with considerably more than 32 coaches on site plus the containers had not been removed. Enforcement team intervention presumably led to the present application for 57 buses plus a new office building. The Parish Councils objections in 2014 were:-

- (1) Development in open country;
- (2) Access to a major road in the County highway network by a heavy duty user;
- (3) Vehicle noise, fumes and pollutants affecting 3 residential properties in vicinity, the nearest of which is immediately adjacent, 50m away (Redmayes).

- 8.3 The Parish Council stands by these previous objections which it feels are even more valid with this application to further intensify use of the site. The PC is most concerned about the impact of air and noise pollution. Air pollution has become increasingly prominent as a material consideration in considering planning applications, and Government proposals to meet EU requirements have been rejected in a series of high profile Court cases. With 57 buses in a predominantly older fleet unlikely to have clean emissions, plus the additional employees own vehicles, the PC is concerned that acceptable limits of air and noise pollution in the immediate vicinity are being exceeded. The PC understands that the problem is particularly bad in the early hours of the morning when the buses all start up at the same time; and that this happens as early as 4am. Assessments should be carried out to ensure there is no detrimental impact on health of the neighbours due to pollution or noise.
- 8.4 If the application goes to committee, the Parish Council will send a representative.

9.0 CONSULTATION RESPONSES

- 9.1 **Bucks CC Highways** – This proposal seeks to vary condition 9 of planning permission 16/00229/APP (Erection of maintenance shed for the servicing and maintenance of buses parked on the depot site and amended bus parking layout). The Highway Authority raised no objection subject to conditions and the application was permitted by the Local Planning Authority.
- 9.2 It should be noted that application ref. 16/00229/APP followed the previous application ref. 14/01848/APP (Erection of maintenance shed, curtilage extension and variation of Condition 1 of planning permission 97/02631/APP (allowed on appeal) to permit the parking of 37 buses on the site). In the original response, the highway authority objected due to the increase in vehicle movements through an existing access on a section of inter-urban principal road, which forms part of the Strategic Highway Network. The applicant appealed this objection and the Appeal Inspector subsequently allowed the scheme and permission was granted. Within the Appeal Inspector's statement it is written:-

'... there is little evidence to demonstrate that traffic using the appeal site access has resulted in any accidents on the A418.

The absence of recorded accidents at the site is supported by the visibility of the access onto the A418... It was also evident from my site visit that the access is clearly visible and appropriately signed to approaching drivers from both directions...

I recognise that the appeal proposals would result in an increase in the number of vehicles using the existing access, both buses and employees' cars, and that turning movements onto and across the carriageway of the A418 could affect the flow of traffic along this stretch of the road. However, little evidence has been submitted to show that the proposed increase would cause harm to highway safety or a significant reduction in the efficiency of the road.

The evidence presented by the appellant shows that the proposed increase to 37 buses would generate only 4 additional vehicle movements during the morning peak hour between 07.00-08.00 hours and 1 additional vehicle movement in the evening peak hour between 17.00-18.00 hours. Although there would be an overall increase from 204 to 292 vehicle movements over a 24 hour period, the majority of vehicle movements would be outside of peak hours. When operating at the proposed expanded capacity, the evidence shows that the traffic into and out of the depot would represent only 1.4% of traffic on this stretch of the A418 during the morning peak and 0.5% in the evening peak. At these volumes, it is unlikely that the additional turning movements generated would cause harm

to highway safety.

The original limit of 12 buses which could be parked on the appeal site was imposed by the inspector at that time due to concerns about potential traffic generation and the manoeuvring space within the site. However, I am satisfied, based on the evidence which is before me, that the proposed increase to 37 buses would not have unacceptable implications for traffic generation. It was also evident at my site visit that, with the proposed increase in the curtilage of the site, there would be adequate room to manoeuvre 37 buses within the site...

On this basis, I conclude that the proposed increase in the number of buses parked on the appeal site would not cause unacceptable harm to highway safety. Accordingly it would comply with paragraph 32 of National Planning Policy Framework (the Framework), which states that development should only be refused on transport grounds where the residual cumulative impacts are severe.'

- 9.3 It is evident from the Inspector's comments included above that they have no concerns over the intensification in use of this site, and regardless of continued concerns, the highway authority must be lead by the Inspector's decision. It is noted that the Inspector did include a condition limiting the number of coaches parked on the site to 37, however given the comments preceding this condition, the highway authority does not believe it would be in any position to sustain an objection based on the increased use of the site proposed under this current application.
- 9.4 With regards to the internal layout, this appears to be very awkward and cramped, with vehicles blocking each other in all over the site, however it does appear that there is room within the site for vehicles to manoeuvre without the need to reverse onto the adjoining A418. Furthermore, as part of the Design and Access Statement it suggests that the site will be used at different times by different users and would be unlikely to be completely full at any one time.
- 9.5 Mindful of the above, the highway authority does not believe that it would be able to sustain an objection from a highway perspective, however would insist that a condition is imposed requiring the implementation of the parking and turning area in accordance with the approved plans.
- 9.6 **Environmental Health (General)** – No objections.
- 9.7 **Environmental Health (Contaminated Land)** - Based on the information submitted there is no requirement for any contaminated land conditions to be placed on any permission. However, an informative note should be attached advising the applicant that if during development works contamination is encountered, AVDC Environmental Health Department should be notified.
- 9.8 **Biodiversity Officer** – The recommendations set out in the 2016 original application relating to ecology do not appear to be compromised with this variation of condition. Those recommendations set out in the 16/00229/APP application are still relevant for this application.

10.0 REPRESENTATIONS

- 10.1 None received.

11.0 EVALUATION

11.1 *The planning policy position and the approach to be taken in the determination of the application*

- 11.2 Attention is drawn to the attached Overview Report 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 adopted Aylesbury Vale District Local Plan (and any 'made' Neighbourhood Plans as applicable). 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 (Framework) and the Planning Practice Guidance (PPG) are both important material considerations in planning decisions. Neither change 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 Framework.

11.3 *Haddenham Neighbourhood Plan*

- 11.3.1 The Haddenham Neighbourhood Development Plan (HNP) was made and adopted in May 2015 and now forms an up to date part of AVDC's Development Plan. Although following a High Court judgement on 7th March 2016 the housing, water waste and design policies in chapter 6 of the HNP have been quashed and can no longer be given material weight in planning decisions. Nevertheless and notwithstanding this judgement there are no policies in the HNP which are directly relevant to this current application. Therefore, the proposal will be assessed against the AVDLP and national policy in the Framework.

11.4 *Aylesbury Vale District Local Plan (AVDLP)*

- 11.4.1 Policies GP17, RA29 and RA36 of the AVDLP are of particular relevance to this application. Taking Policy GP17 first, this policy seeks to retain existing employment sites and uses. As the proposal would involve the upgrading of existing facilities and increase the capacity of the site, it would accord with policy GP17.
- 11.4.2 Policy RA29 deals specifically with proposals for new employment uses in the countryside. This policy effectively seeks to resist proposals for new employment buildings and for the expansion of established employment sites in the countryside. Therefore, it is not entirely consistent with the Framework objective to support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well designed new buildings. Nevertheless, RA29 does accept that the Council will have regard to any extant planning permission or lawful use 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. As the proposal would involve the partial redevelopment of the site to provide new office space/increased bus parking it would broadly accord with the above criteria, subject to it not having a detrimental impact on the character and appearance of the area or lead to excessive traffic generation. These matters are discussed in detail later in the report.
- 11.4.3 Policy RA36 states that for development in rural areas, the Council will have regard to the desirability of protecting the characteristics of the countryside from excessive traffic generation, including the need to avoid traffic increases and routing unsuited to rural roads. These objectives closely align with paragraph 32 of the Framework which, amongst other things, seeks to ensure that safe and suitable access to the site can be achieved for all people and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

11.4.4 A number of other saved policies within the AVDLP are considered to be consistent with the NPPF and therefore up to date so full weight should be given to them. Consideration therefore needs to be given to whether the proposal is in accordance with or contrary to these policies. Those of relevance are GP.8, GP.24, GP.35, GP.38 – GP.40, GP.45, GP.84, and RA.8. They all seek to ensure that development meets the three objectives of sustainable development and are otherwise consistent with the NPPF.

11.5 *Emerging policy position in Vale of Aylesbury District Local Plan (draft VALP)*

11.5.1 The Council has laid out proposed policies and land allocations in the draft Vale of Aylesbury Local Plan. This Plan was published and subject to public consultation in summer 2016. Following consideration of the consultation responses, and further work undertaken changes have been made to the draft plan. A report has been considered by the VALP Scrutiny Committee on 26 September and Cabinet on 10 October 2017 on the proposed submission plan. The Cabinet's recommendations were considered by Council on 18 October 2017. The examination hearing ran from Tuesday 10 July 2018 to Friday 20 July 2018. The adoption of the Vale of Aylesbury Local Plan is planned to be in 2018.

11.5.2 Whilst the VALP hearing has taken place there are a number of unresolved objections to the housing strategy and other policies. Paragraph 48 of the NPPF advises on the weight to emerging plans depending on the stage of preparation, unresolved objections and consistency with the NPPF. In view of this the policies in this document can only be given limited weight in planning decisions, however the evidence that sits behind it can be given weight.

11.5.3 Of particular relevance are the Settlement Hierarchy Assessment (September 2017). The Housing and Economic Land Availability Assessment (HELAA) (January 2017) is an important evidence source to inform Plan-making, but does not in itself determine whether a site should be allocated for housing or economic development or whether planning permission should be granted. These form part of the evidence base to the draft VALP presenting a strategic picture.

a) Whether the proposal would constitute a sustainable form of development.

- ***Sustainable location***

11.6 The Government's view of what 'sustainable development' means in practice is to be found in paragraphs 7 to 211 of the NPPF, taken as a whole (paragraph 3). The National Planning Policy Framework (NPPF) has a presumption in favour of sustainable development for both plan-making and decision-making.

11.6.1 It is only if a development is sustainable when assessed against the NPPF as a whole that it would benefit from the presumption in paragraph 11 of the NPPF. The following sections of the report will consider the individual requirements of sustainable development as derived from the NPPF and an assessment made of the benefits together with any harm that would arise from the failure to meet these objectives and how the considerations should be weighed in the overall planning balance.

11.6.2 In terms of its broader location, the site lies in the open countryside, approximately 1.5 kilometres to the north-east of Haddenham. Haddenham is identified as a 'strategic settlement' in the Council's Settlement Hierarchy Assessment 2017, meaning that it is one of the Districts most sustainable locations with a range of essential services and facilities including a railway station.

11.6.3 The site itself is situated on the A418, a main arterial route linking Aylesbury with

Thame/Oxford. Frequent bus services are also available to the aforementioned towns along the A418. Although the nearest bus stop is approximately 1 kilometre from the site and there are limited public footpaths in the vicinity, given its relative proximity to Haddenham, it is considered that the site is positioned in a reasonably accessible location for pedestrians, cyclists and a range of public transport modes (i.e. bus and train services). Moreover, as a public transport operator, drivers can access existing services in the area, and the site has been operating as a bus depot for over 20 years. However, the proposal still needs to be considered not only in terms of its broad location but also in terms of the wider capacity of the site and the surrounding highway network to accommodate increased vehicular movements associated with the development and its impact on the infrastructure and local services and the community itself. These issues are considered in more detail in the relevant sections of this report.

- ***Build a strong competitive economy***

11.7 The Government is committed to securing and supporting sustainable economic growth and productivity, but also that this would be achieved in a sustainable way. Paragraph 80 states that planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

11.7.1 The proposed expansion of the existing bus depot will increase the number of employees based at the site from 70 to 95, an up lift of approximately 25 full-time positions. This represents an economic and social benefit of the scheme which is a significant benefit. There would also be further economic benefits to the local area in terms of the construction of the development itself and the resultant increase in employees based at the site who would contribute to the local economy (i.e. use local services, shops etc. whilst they are at work). It is therefore considered the economic benefits of the scheme due to the scale of the proposed development would attract moderate weight.

- ***Promoting sustainable transport***

11.8 *Highway safety*

11.8.1 The main access to the application site is directly onto the A418, which is a busy arterial road between Aylesbury and Thame/the M40, with a speed limit of 50 mph. The highway authority seeks to maintain an efficient strategic road network to support the county's economy and a key objective of the Buckinghamshire Local Transport Plan (LTP) is to reduce the risk of death or injury on the county's highways. The site is an existing transport depot, which has been in use for the parking and maintenance of buses for over 20 years. Whilst the original 1998 permission limited the number of buses parked on site to 12, the applicant has subsequently obtained approval for up to 37 buses to be parked at any one time. The applicant's (Red Rose Travel Ltd and Red Eagle Buses) combined current operating licence is for 51 buses, hence the request to allow up to 57 buses to be parked on site at any one time (the additional 6 spaces would relate to buses being repaired etc). The position of the site on the A418 provides easy access to bus operating routes in Buckinghamshire and adjacent counties.

11.8.2 In terms of the recent background to the development of the depot, in allowing up to 37 buses to be parked on site, the Inspector concluded that the increase in the number of buses would not have unacceptable implications for traffic generation and there would be adequate room to manoeuvre 37 buses within the site. Consequently, it was found that the proposed increase in the number of buses parked on the site would not cause unacceptable harm to highway safety.

11.8.3 This application would allow an additional 20 buses to be parked on site and provide 207.6 sq.m of B1 office space to be used in connection with the existing business, an uplift of 146 sq.m when compared to the existing building on site. The applicant has submitted a Transport Statement (TS), including the results of traffic surveys which were undertaken in October 2017. These surveys reflect the operation of the site with both Red Rose and Red Eagle buses operating from the site, as by this date Red Eagle had relocated to the Red Rose Depot site. The surveys were a repeat of the surveys done in 2014 for planning application 14/01848/APP which was subsequently allowed on appeal and comprised of the following:-

- A week long Automatic Traffic Count (ATC), which measured volume, type and speed of traffic on the A418 near the access point to the bus depot. This was conducted for the week from Wednesday 11 October to Tuesday 17 October 2017 inclusive;
- A 24 hour Junction Turning Count, which measured movements into and out of the site. This was conducted on Wednesday 11 October 2017.

11.8.4 The results of the traffic surveys conclude that there is sufficient capacity on the A418 and surrounding highway network to safely accommodate the additional vehicle movements associated with 20 extra buses being parked on site. In a worst case scenario this would equate to a maximum of 4-5 trips in the PM peak and a total of 65 extra trips in a 24 hour period (increase from 250 current movements to 315). The highway authority broadly agrees with the findings of the TS and has not objected to the application on this basis. The lack of any recorded accidents on this stretch of the A418 also indicates that the access arrangements to the site are satisfactory and do not present any highway safety issues. However, to prevent any further intensification in the use of the site which may adversely impact on highway safety, it is necessary, as with the previous applications and appeals on the site, to restrict the number of buses to be parked to 57. This is a matter that could be secured by condition.

11.8.5 With regards to the internal layout, although the highway authority has commented that it is rather awkward and cramped, however, they are satisfied that there is sufficient space within the site for vehicles to manoeuvre without the need to reverse onto the adjoining A418. The implementation of the parking layout can be secured by condition.

11.8.6 For the reasons set out above, and notwithstanding comments raised by the PC and a local Councillor, the proposed increase in the number of buses parked on the site and use of the additional office space would not cause unacceptable harm to highway safety. Accordingly, it would comply with paragraph 108 and 109 of the Framework, which states that development should only be refused on transport grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. This is a neutral factor in the determination.

11.7 *Parking standards*

11.7.1 Policy GP24 of the AVDLP requires that new development accords with published parking guidelines. SPG1 "Parking Guidelines" at Appendix 1 sets out the appropriate maximum parking requirement for various types of development. SPG1 does not refer to bus/coach parking standards and the level of provision must therefore be assessed against the operational requirements of the enterprise. In this case the 55 marked bays and 2 overnight spaces in the maintenance building is considered to provide appropriate provision for the business. Turning to staff parking facilities, 30 on-site spaces would be provided. This would provide sufficient parking provision for office staff working in the new building (7 spaces required under SPG1) and drivers employed by the company. Again,

this is a neutral factor in the determination.

- **Conserving and enhancing the natural environment**

11.9 Landscape

- 11.9.1 In terms of consideration of impact on the landscape, proposals should use land efficiently and create a well-defined boundary between the settlement and countryside. Regard must be had as 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. The following sections of the report consider the proposal in terms of impact on landscape, agricultural land, trees and hedgerows and biodiversity.
- 11.9.2 Section 15 of the NPPF states planning policies and decision should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.
- 11.9.3 Policy GP.35 of the AVDLP 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. This policy is considered to be consistent with the NPPF.
- 11.9.4 Policy GP.38 states that development schemes should include landscaping proposals designed to help buildings fit in with and complement their surroundings, and conserve existing natural and other features of value as far as possible.
- 11.9.5 Policy GP.84 states that development affecting a public right of way the Council will have regard to the convenience, amenity and public enjoyment of the route and the desirability of its retention or improvement for users, including people with disabilities. Planning conditions will be imposed on planning permissions, or planning obligations sought, to enhance public rights of way retained within development schemes.
- 11.9.6 Policy RA.8 of the AVDLP states that development proposals in these Local Landscape Areas should respect their landscape character. Development that adversely affects this character will not be permitted, unless appropriate mitigation measures can be secured.

11.10 Landscape Character Impacts and Landscape Visual Impacts

- 11.10.1 The application site lies in the open countryside with the Area of Attractive Landscape (AAL) to the north of the land on the opposite side of the A418.
- 11.10.2 The site lies within the Aylesbury Vale Landscape Character Assessment (LCA) character area 9.9 “A418 Ridge” and landscape character type “Low Hills and Ridges”. This is described as locally prominent low ridge with contrasting sides in terms of settlement, tree cover and topography. The A418 ridge is overlooked by the ridge on the north side of the Thames valley. There is a distinctive transition from a more mature, wooded landscape with settlement in the east towards an open intensively arable landscape with well trimmed hedges in the west. This is exaggerated by the openness of the landscape around Haddenham airfield. This also applies to the ridge where it extends towards Bishopstone.

The northern face of the ridge generally has steeper slopes with grassland areas and narrow fields and paddocks running down the valley sides particularly noted at Gibraltar and also around the settlement of Dinton. There are also narrow shelter belts that run down the valley sides in harmony with the field pattern. In contrast the shorter Bishopstone ridge is predominantly arable land however, the pattern is interrupted around the settlement where there is a greater concentration of smaller fields in pastoral land use

11.10.3 The surrounding area, particularly on the northern side of the main road comprises of predominately open agricultural land sloping down from the A418 ridge before rising up the north side of the Thame valley. The pastoral character of the landscape is broken up on the southern side of the road in this part by the existing bus depot, adjoining farm with its complex of large modern portal framed buildings and the two storey residential property, known as Redmayes immediately to the west.

11.10.4 The existing single storey office building would be replaced by a new office building positioned closer to the front of the site and would be clearly visible from the A418 in both directions in this rural area, with open views through the entrance into the site towards this 2 storey modern curved building which measures 18.6m long x 6.6m deep x 7.4m max roof height. The existing building is low key and set back from the frontage. That proposed would appear as a very prominent and strident building on this frontage. Set on the ridge it would appear unduly imposing or detract from the landscape character of the area.

11.10.5 The proposal would be clearly visible from the AAL land to the north with views looking up towards the ridge and the site. The existing 2 storey dwelling at Redmayes to the west of the site already sits prominently in the skyline. The proposed 2 storey office building would be positioned at the front of the site on the ridge and would be highly prominent in views from the AAL sitting on the skyline, and consolidating development in those views and thus of greater prominence than existing. This would result in a significant adverse visual impact on wider distant views and the locality itself contrary to policy GP35 of the AVDLP and to the guidance contained in the NPPF.

11.10.6 With regard to the parking of buses on the open site, whilst the number of coach and staff parking spaces would be increased, consolidated and re-ordered in 7 parking blocks, the existing parking extends along the western and eastern boundaries and that proposed would be contained within the extent of the existing parking the site and would not therefore encroach into the open countryside as PC and other third parties suggest. Nor would the amended parking layout impact on existing trees and hedgerows along the boundaries of the land.

11.11 Impact on Public Rights of Way (PRoW)

11.11.1 There is a public right of way running north - south along the boundary with Redmayes to the west before joining the footpath running west- east linking Haddenham and Westlington, Dinton. Views towards the site would again be looking up towards the A418 ridge with the building featuring prominently in the skyline.

11.11.2 Users of the PRoW routes would be directly impacted by development on this site. The site at present lies within an area which is rural in character. If the application were to be successful, this experience would be altered towards a prominent office building in this rural area, with a permanent loss of a visual connection to the countryside beyond.

11.12 Conclusion on landscape impact:

11.12.1 For the reasons set out above, the proposal would fail to preserve the landscape character of the area, contrary to Policy GP35, of the AVDLP which, amongst other things, seek to

ensure that development respects and complements the physical characteristics of the site and surroundings, and preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value. This would represent a significant harmful impact. As a consequence of the conflict with GP35 it would inter alia also conflict with policy RA29. These policies broadly align with the Framework objectives to recognise the intrinsic character and beauty of the countryside..

11.13 Trees and hedgerows

11.13.2 Policies GP.39 and GP.40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value.

11.13.3 The proposal would not result in the loss of trees or hedgerow and this matter should be afforded neutral weight.

11.14 Biodiversity/Ecology

11.14.1 Paragraph 170 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity.

11.14.2 The proposal seeks to expand the existing depot. However, the new office building and amended parking layout would not extend beyond the existing built up part of the site. Therefore, the Biodiversity Officer has confirmed that there is not a reasonable likelihood of protected species being affected by the proposal but has requested enhancements in accordance with advice in the Framework. This matter should also be afforded neutral weight.

11.15 Contamination

11.15.1 A further consideration in the NPPF in relation to the need to conserve and enhance the natural environment is contamination, and the guidance states in paragraph 178 that planning decisions should ensure that the site is suitable for its new use taking account of ground conditions.

11.15.2 No objections are raised by environmental health on this matter and this should be afforded neutral weight.

11.14 Conserving and enhancing the historic environment

11.14.1 The NPPF recognises the effect of an application on the significance of a heritage asset is a material planning consideration. Paragraph 193 states that there should be great weight given to the conservation of designated heritage assets; the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset, or development within its setting. Any harm or loss should require clear and convincing justification. Paragraph 189 extends this provision to non-designated heritage assets with an archaeological interest. Policy GP.53 of AVDLP requires new developments in and adjacent to conservation areas to preserve and enhance the character and appearance of the Conservation Areas.

11.14.2 There are no heritage assets in close proximity to the site and therefore overall it is considered that this matter should be afforded neutral weight.

11.15 Promoting healthy and safe communities

11.15.1 The NPPF seeks to achieve healthy, inclusive and safe places, promoting social interaction, safe and accessible development and support healthy life-styles. This should include the provision of sufficient choice of school places, access to high quality open spaces and opportunities for sport and recreation and the protection and enhancement of public rights of way, and designation of local spaces.

11.15.2 The proposal would contribute to promoting healthy and safe communities. It is currently secured by fencing and planting along the boundaries with secure gates to the frontage. This matter should be afforded neutral weight

11.16 Making effective use of land

11.16.1 Section 11 of the NPPF requires that planning policies and decisions should promote an effective use of land while safeguarding and improving the environment and ensuring safe and healthy living conditions, maintaining the prevailing character and setting, promoting regeneration and securing well designed, attractive and healthy places.

11.16.2 Paragraph 122 of the NPPF relating to achieving appropriate densities states that in supporting development that makes efficient use of land, it should taking into account of the importance the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it.

11.16.3 Whilst the proposal would represent effective use of the land for reasons set out above it would fail to safeguard and improving the environment or maintaining the prevailing character and setting of this rural area, contrary to policy GP35 and RA29 of the AVDLP.

11.17 Achieving well designed places

11.17.1 The NPPF in section 12 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

11.17.2 Planning policies and decisions should ensure that developments will function well and add to the overall quality of the area over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space).

11.17.3 Permission should be refused for developments exhibiting poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides. The overview report sets out Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments comply with key criteria.

11.17.4 Policy GP35 is also relevant and which 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; the effect on important public views and skylines.

Thus, this policy broadly accords with the core planning principles of the Framework listed above.

11.17.5 The site lies on the southern side of the A418 to the north-east of Haddenham. Currently the existing single storey office building and bus wash area is set back from the site frontage behind a staff parking area. This application seeks to demolish the existing structure and erect a new two storey office building on the staff car parking area directly fronting onto the A418. The new structure would have a curved feature wall at its eastern end with a curving pitched roof that will provide an architectural statement at the entrance to the site and whilst it would represent an improvement in pure design terms over the existing flat roof structure, it would be a modern office style building which would be prominent feature in this rural area.

11.17.6 It is acknowledged that the office building would appear taller and more imposing than the structure it is replacing. It would be visible in views and its impact would not be mitigated by the existing hedgerow planting along the boundaries and thereby would not preserve the character and appearance of the rural area and conflict with AVDLP policy GP35 and the Framework. This would be a significant harm in landscape terms which weighs against the scheme.

11.18 Meeting the challenge of climate change and flooding

11.18.1 The NPPF at Section 14, 'Meeting the challenge of climate change, flooding and coastal change' advises at paragraph 163 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.

11.18.2 Air Pollution

11.18.3 The previous inspector considered that the increase from 12 to 37 buses and level of NO₂ would be increased by 7% have a negligible impact on Remayes and was satisfied that there would be no harmful impact in terms of air quality or odour. The submitted TS confirms that the proposal would not significantly increase the number of vehicular movements into and out of the site, with the revised layout of the premises allowing for a more efficient operation of the business. Therefore, whilst it is inevitable that there would be a slight increase in air pollution associated with the development, this impact is not considered to be significant to justify a refusal, and would not conflict with policy GP8 or GP95 of AVDLP. Nevertheless, some limited negative weight should be attached to such concerns.

11.18.4 Flood risk/drainage

11.18.4 The development falls in Flood Zone 1 and is therefore considered to be at low risk of flooding. It is not considered that the proposed development would materially increase or exacerbate flood risk on the site nor in the wider locality. Therefore, the proposed development would be resilient to climate change and flooding in accordance with the Framework. This matter should therefore be afforded neutral weight.

11.19 Impact on residential amenities.

11.19.1 The NPPF at paragraph 127 sets out guiding principles for the operation of the planning system. One of the principles set out is that authorities should always seek to secure high

quality design and a good standard of amenity for all existing and future occupants of land and buildings. AVDLP policy GP.8 states that permission for development will not be granted where unreasonable harm to any aspect of the amenities of nearby residents would outweigh the benefits arising from the proposal.

- 11.19.2 There are three dwellings near to the appeal site. Redmayes lies approximately 50 metres to the west, the farmhouse at Haddenham Low around 85 metres to the east and One Degree West is approximately 160 metres to the south east. Saved Policies GP.8 and GP.95 of the Local Plan seek to protect the amenities of nearby residents and to resist development which exacerbates any adverse effects of existing uses. Despite the presence of intervening mature tree and hedgerow planting and the location of the main vehicular access to the application site being on the eastern side of the plot, the proposed increase in bus parking and activity associated with the new office building has the potential to adversely impact on the residential amenities of these property, with particular regard to noise, disturbance and fumes/air quality generated by any increased vehicular movements/activity.
- 11.19.3 It is acknowledged that unlike the 2014 application and subsequent appeal increasing the number of buses parked on the site to 37, a noise assessment has not been submitted with this application to gauge the potential impact on neighbouring residents. However, at that time there was no acoustic fence along the western boundary of the site with Redmayes, to mitigate against noise generated by the increased number of buses. The Inspector in allowing the appeal scheme, considered that, given the background noise levels from traffic on the A418 and subject to a condition requiring the erection of an acoustic fence along the western boundary, noise generated by the increased number of buses using the site would not cause material harm to the living conditions of Redmayes. This acoustic fence has now been installed. The proposal would not increase the number of bus parking spaces along this boundary, with the additional vehicles being parked towards the centre and along the eastern boundary of the site. Thus, a combination of the existing acoustic barrier and layout of the bus parking area would ensure that any noise and disturbance generated from the starting of engines and manoeuvring of buses would not cause material harm to the amenities of Redmayes. This is reflected in the Environmental Health Officers (EHO) comments who raises no objections to the proposal on this basis.
- 11.19.4 Turning to the impact on Haddenham Low and One Degree West, the eastern boundary of the site screened by a substantial wooded area. The Inspector in allowing the 2015 appeal concluded that the presence of this heavily wooded area provided sufficient mitigation against noise generated by the parking of 37 buses on the site. Although the current scheme would increase the number of buses parked on the land to 57, given the separation distance involved and presence of this substantial landscaped buffer, it is not considered that any noise and disturbance from the additional vehicle movements would harm the residential amenities of these properties. Again, this is supported by the 'no objections' raised to the application by the EHO.
- 11.19.5 With regard to fumes and odours, in allowing the 2015 appeal for 37 buses to be parked on the site, the Inspector determined that the proposal would lead to a 0.7% increase in the level of NO₂ experienced at Redmayes, the significance of which would be negligible and which would still meet the EU directive on air quality. In terms of odour, he concluded that: *'the results of the submitted air quality and odour impact assessment indicate that at a distance of more than 12 metres from a line of idling buses, no odour would be detected. Given that the nearest property at Redmayes is around 50 metres from the western boundary of the depot, this suggests that the impact of the proposals on odours would also be imperceptible. I also noted on site that there is a significant tree and hedge screen along the western boundary of the appeal site and a substantial conifer hedge on the eastern*

boundary of Redmayes, which would assist in reducing the effect of emissions.. Therefore, I conclude that the proposals would not cause unacceptable harm to the living conditions of the occupiers of Redmayes or other nearby residential properties.'

11.19.6 Whilst an air quality and odour impact assessment has not been submitted with this current case, taking account of the results of the previous survey and uplift in the number of buses, the 50m separation distance to the nearest property (Redmayes) would ensure that no odour would be detected from this or other nearby properties. The existing landscaping along both the eastern and western boundaries would further assist in reducing emissions. Thus, the proposal would not cause unacceptable harm to the residential amenities of nearby properties, with particular regard to fumes and odours.

11.19.7 The new office building would occupy a central position along the site frontage. Whilst it would be a larger and more imposing structure than the building it is replacing, it would be at least 70m from the nearest residential property, Redmayes, with the intervening landscaping largely screening views of the new office building from this property. Thus, it would not adversely impact on the outlook of this property. The revised staff car parking area would occupy a similar position and not increase the number of spaces. Consequently, there would not be a material increase in the level of noise and disturbance associated with this element of the scheme to nearby residents.

11.19.8 For the reasons set out above, it is considered that the proposed development would not have an adverse impact upon the living conditions of nearby properties. The proposals therefore accord with policy GP8 of the AVDLP which seeks to preserve the residential amenities of neighbouring properties. These objectives are broadly consistent with one of the objectives of the Framework, to always seek to secure a good standard of amenity for all existing and future occupiers of land and buildings. Again, this is a neutral matter

11.20 Supporting high quality communications

11.20.1 Paragraph 114 of the NPPF requires LPA's to ensure that they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services.

11.20.2 Given the 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. It is therefore considered that the proposal would accord with the guidance set out in the NPPF, and this factor is afforded neutral weight.

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