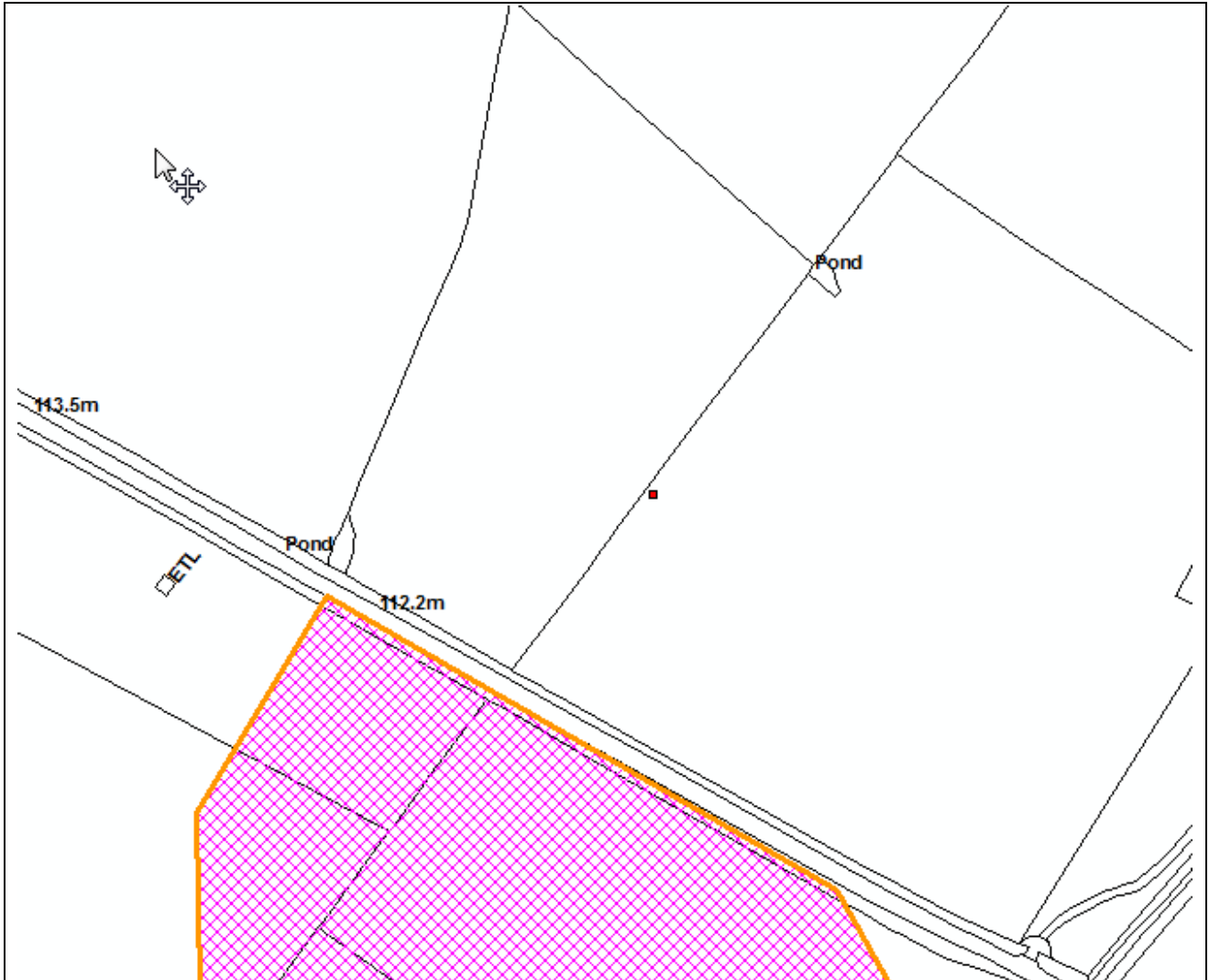


18/04377/APP



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REFERENCE NO	PARISH/WARD	DATE RECEIVED
18/04377/APP	NEWTON LONGVILLE THE LOCAL MEMBER(S) FOR THIS AREA IS/ARE: -	10/12/18
TEMPORARY USE OF LAND FOR THE CONSTRUCTION ONLY OF A CONSTRUCTION COMPOUND (COMPOUND B5) INCORPORATING STORAGE AREA, SITE OFFICES AND CAR PARKING. (EXCLUDES OPERATION OF)	COUNCILLOR N BLAKE COUNCILLOR B EVERITT	
LAND WEST OF WHADDON ROAD MK17 0AT NETWORK RAIL		
STREET ATLAS PAGE NO.57		

1.0 The Key Issues in determining this application are:-

- a) Purpose of the Application
- b) 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
 - Effective use of land
 - Building a strong competitive economy
 - Promoting sustainable transport
 - Requiring good design
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment
 - Meeting the challenge of climate change and flooding
 - Residential Amenities

The recommendation is that permission be **APPROVED**, subject to conditions

1.0 Conclusions and Recommendation

1.1 This application has been evaluated against the extant Development Plan which is the starting point for all decision making. The Development Plan comprises of the Local Plan and the report has assessed the application against the core planning principles of the NPPF and whether the proposals deliver sustainable development

1.2 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are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing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.

- 1.3 Compliance with the a number of the key objectives of the NPPF have been demonstrated in terms of promoting sustainable transport and conserving and enhancing the natural and historic environment and residential amenity to which weight should be attributed neutrally. In terms of the context of the site and its surroundings the appearance and scale of the proposed development is considered to be acceptable and attributed neural weight in the planning balance. The proposal would accord with the NPPF which recognises that some undeveloped land can perform many functions. and as such is a matter which is held in neutral weight.
- 1.4 There are outstanding issue relating to flooding, with additional information submitted by the applicant. It is anticipated that these concerns can be overcome satisfactorily.
- 1.5 On 27th July 2018 a Transport and Works Act Order (TWAO) application was submitted for the construction, operation and maintenance of an upgraded and reinstated rail link from Bicester to Bletchley to Bedford and from Aylesbury to Claydon Junction, as well as the construction of new railway infrastructure (including new overbridges, footbridges, a new station and station platforms) and improvements to existing infrastructure (such as platform extensions). Without prejudice to the formal determination of this application by the Secretary of State, the proposed works would provide a satellite construction compound in advance of the Transport and Works Act Order (TWAO) to help ensure that the Project can be constructed in a timely and cost-effective manner.
- 1.6 The early establishment of the eleven main works construction compounds, of which this application is seeking consent for one of them, will facilitate the timely construction of EWR2, once the TWAO is made. The proposed preliminary works will enable a cost-effective transition to the further phases of construction that are the subject of the TWAO, such as the track works and works to platforms and stations. EWR2 is therefore a scheme which has economic benefits which should be attributed significant weight in the planning balance.
- 1.7 Weighing all the relevant factors into the planning balance, and having regard to the NPPF as a whole, all relevant policies of the AVDLP and supplementary planning documents and guidance, in applying paragraph 11 of the NPPF, it is considered that there are benefits to the

scheme and there are no material considerations or adverse impacts to outweigh this.

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

1.9 The following conditions may be appropriate:

- 1.) The development hereby permitted 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 use hereby permitted shall be discontinued and the land reinstated to its former condition as part of the last phase of construction (in accordance with a scheme which shall have first been approved by the Local Planning Authority) on or before the 5th September 2024 . In the event the TWAO is not consented by the SoS a scheme for the reinstatement of the land and a timetable for cessation of the use and reinstatement shall be submitted to and approved in writing. The scheme shall thereafter be implemented in accordance with the approved details. Please also see note no. 6 on the back of this notice.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development and to comply with policy GP8 and GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

- 3.) AMP1 – Amended Plans 133735_2B-EWR-OXD-CC_B5-RP-DH-000001 (received on 19/08/2019), 133735-EWR-REP-EEN-000186_COMPOUNDFRA_B5 ISSUE (received 30/05/2019), 133735-EWR-ASS-EEN-000071 (received 03/07/2019)

Reason: RE39

- 4.) No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall

not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details. Please also see note no. 6 on the back of this notice.

Reason: To safeguard the amenity of the area and to comply with GP8 and GP35 of AVDLP and the National Planning Policy Framework.

- 5.) No development shall take place until details of all screen and boundary walls, fences and any other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details and the buildings hereby approved shall not be occupied until the details have been fully implemented. 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 GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

- 6.) No development shall take place until a detailed scheme for the parking and manoeuvring of vehicles and cycle storage within the site has been submitted to and approved by the Local Planning Authority. The approved scheme shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: To ensure that adequate parking is provided, to maintain safety and convenience of the highway and prevent excess vehicle movements and to comply with the NPPF.

- 7.) The development through the construction phase shall follow measures as set out in the Construction Traffic Management Plan that supports this application: East West Rail Alliance Phase 2 Construction Traffic Management Plan Compound B6 -: Document no:133735-EWR-PLN-MPM-000008 and shall also include the submission of a detailed signage scheme to be agreed by the Local Planning Authority. The approved signage scheme shall be implemented in accordance with the approved details and carried out prior to the commencement of development of the compound.

This includes but is not limited to:

- o Routing to the site for all vehicles to and from the site following agreed EWR route
- o All site operatives', visitors' and construction vehicles accommodated off the highway

- o parking and turning within the site
- o Means for loading, off-loading,
- o Site hoarding
- o Vehicle Marshals
- o Risk assessment of gateman to avoid entering the live carriageway
- o Advanced warning signs of the site
- o Maintenance of visibility splays
- o Safety packs and method statements for all visitors and operatives on the site

Reason: In the interests of highway safety, convenience of highway users and to protect the amenities of residents and safeguard the visual amenities of the locality and to comply with Policy GP8 and GP35 of the Aylesbury Vale District Local Plan and advice contained within the NPPF.

- 8.) Notwithstanding the submitted details; prior to commencement of the development, the detailed design of the proposed access shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall include updated tracking drawings and shall be subsequently carried out in accordance with the approved details.

Reason: In the interests of highway safety and convenience of highway users and to comply with the advice contained within the NPPF.

- 9.) 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:

- Reduction of discharge rate for the 1 in 1 year rainfall event by either:
 - incorporating complex controls
 - Discharging at the QBAR greenfield rate of 6.25l/s
- Demonstration of connectivity between the site, culvert and the existing watercourse
- Infiltration rate testing in accordance with BRE 365 or the principles of Building Regulations 2010 Part H2
- Full construction details of all SuDS and drainage components
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components

- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.
- Flow depth
- Flow volume
- Flow velocity
- Flow direction

Reason: To ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 163 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

- 10.) Prior to the first occupation of the development, a demonstration (such as as-built drawings and/or photographic evidence) of the as-built surface water drainage scheme carried out by a suitably qualified person must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.

Reason: To ensure the Sustainable Drainage System has been constructed as per the approved is designed to the technical standards and to comply with the NPPF.

- 11.) Measures for the mitigation of the impact on protected species and other ecological features of interest shall be implemented in accordance with the details set out in Ecological Impact Assessment - Compound B5: Land South of Newton Road (EWR Alliance, July 2019).

Reason: To comply with the requirements of the National Planning Policy Framework, ODPM 06/2005, The Conservation of Habitats and Species Regulations 2017 (as amended), and the Wildlife and Countryside Act 1981 (as amended).

- 12.) The proposed works shall not in any circumstances commence unless the Local Planning Authority has been provided with a copy of the great crested newt mitigation licence issued by Natural England pursuant to Regulation 53 of The Conservation of

Habitat and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead.

Reason: The reason for this being a pre-start condition is to comply with the requirements of the National Planning Policy Framework, ODPM 06/2005, The Conservation of Habitats and Species Regulations 2017 (as amended), and the Wildlife and Countryside Act 1981 (as amended).

- 13.) The welfare facilities hereby permitted shall not be used for overnight accommodation.

Reason: To ensure that inappropriate uses do not take place in this locality and to comply with the National Planning Policy Framework.

Informative(s)

- 1 It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.
- 2 No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.
- 3 In accordance with paragraphs 38 and 39 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, the applicant/agent was informed of the issues arising from the proposal and given the opportunity to submit amendments/additional information in order to address those issues prior to determination. The applicant/agent responded by submitting amended plans/additional information which were found to be acceptable so the application has been approved.

1.0 INTRODUCTION

- 1.1 The application needs to be determined by committee as the Parish Council has raised material planning objections and confirms that it will speak at the Committee meeting.
- 1.2 The Parish Council does not object to the principle of development, but without changes and being made to the proposal and conditions detailed, it upholds an objection to the development proposal in its current form. The objections are set out in full in the appendices accompanying this report and summarised at section 5 of this report.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The application site is 2.4 ha in area. It is located on land west of Whaddon Road, Newton Longville, approximately 1 km North West of Newton Longville. The surrounding land is predominantly arable and pasture land crossed by a network of hedgerows and mature scattered trees and boundary ditches.
- 2.2 The site is adjacent to the mothballed rail corridor that forms part of the East West Rail (EWR) route, which runs along the south-eastern boundary. The application site comprises an arable field surrounded by vegetation to the south along the rail corridor and hedgerows along Whaddon Road. Embankments for Whaddon Road Bridge are adjacent to the south east of the site.
 - The nearest residential properties to the site are at; The Leys, approximately 330m north and Park Manor Farm, Thick Thorn Farm and Manor Farm approximately 300,350 and 500m respectively to the southeast of the site beyond the railway line
- 2.3 The site is not located within any statutory land designations but the former Swanbourne Sidings that forms part of the access from the site onto the railway is designated as a Local Wildlife Site. There are no designated heritage assets within the Site.
- 2.4 There are no Public Rights of Way within the site. A restricted byway is located to the north of the site crossing Whaddon Road east to west and which forms a part of National (cycle) Route.

3.0 PROPOSAL/DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks planning permission for the creation of a construction compound (B5) that comprises the following main elements:
 - Provision of 6 units x 2 storeys (12 units) site offices/welfare cabins
 - Provision of car parking spaces and cycle parking along with internal haul road
 - Fencing measuring 2.4m in height to Network Rail's specification to ensure the site is secure

- Storage of materials
 - Wheel Wash
 - Provision of security, including a vehicle access barrier, aurora turnstile and gate cabin
 - Ancillary structures such as a concrete cube hut and smoking/va per shelter
 - Compound lighting outside daylight hours between 7am and 6pm; security lighting overnight
 - Formation of a new access from Whaddon Road
- 3.2 Satellite compounds such as Site B5 will provide small offices and welfare facilities, areas for the storage of plant and materials and some material processing. The proposed layout of the compound has been designed to maximise the efficiency of the compound's operation while minimising impact upon the local environment and surrounding land uses.
- 3.3 The construction compound will be temporary and will be removed as part of the last phase of construction. The land will then be restored and returned to its previous use, except for elements that are intended for permanent retention, such as maintenance accesses.
- 3.4 Subject to obtaining the requisite approvals and consents, the start-up date for Site B5 will be June 2019 and the set-up will finish in September 2019. Construction periods will be staggered at adjacent locations to avoid peaks in activity and vehicle movements to minimise effects on the local communities and road network unless the vehicle journeys are planned to serve more than one compound. The proposed working hours will be 07.00 to 18.00 weekdays and 07.00 to 16.00 on Saturdays.
- 3.5 The proposed access/ egress for the site compound will be from Whaddon Road for both light and heavy vehicles. Heavy vehicles will only be able to access the site from the southbound direction of Whaddon Road. A bell mouth will need to be constructed as there is no current access into this site off Whaddon Road.
- 3.6 For the construction phase, It is envisioned that vehicle movements will comprise of daily operative access and initial access for plant / equipment. The numbers of vehicles accessing site has been minimised where possible. It is envisioned that vehicle movements will comprise of daily operative access and initial access for plant / equipment. All deliveries will be between 07:00 and 18:00 hours during weekdays.
- 3.7 The operational element of the site is not for consideration as part of this application and is covered by the Transport Works Act Order (TWAO). However; for clarity once the compound has been set up, it will be used for the following preliminary activities:
- Repairs to bridges (OXD09 -Newton Approach Road bridge)

- Materials import and storage - materials and plant to do the preliminary work and storage of topsoil from the compound site
- Vegetation clearance along the railway, where this has not already been undertaken as part of recent maintenance, if seasonally appropriate and in accordance with licences
- Track and ballast removal
- Repair works to culverts
- Environmental mitigation works where required (e.g. badger sets, hedgerow planting)

4.0 RELEVANT PLANNING HISTORY

- 4.1 15/00314/AOP - Outline planning application with all matters reserved except for access for a mixed-use sustainable urban extension on land to the south west of Milton Keynes to provide up to 1,855 mixed tenure dwellings; an employment area (B1); a neighbourhood centre including retail (A1/A2/A3/A4/A5), community (D1/D2) and residential (C3) uses; a primary and a secondary school; a grid road reserve; multi-functional green space; a sustainable drainage system; and associated access, drainage and public transport infrastructure. – DECISION PENDING

5.0 PARISH/TOWN COUNCIL COMMENTS

- 5.1 Newton Longville PC objects to the application on the following grounds:
- 5.2 Newton Longville Parish Council does not object to the principle of the development; however It is concerned on various issues.
- 5.3 The PC noted that It is disappointing that the Construction Traffic Management Plan (CTMP) submitted is little more than a generic document with minimal reference to the specific compound and its immediate surroundings. This is not indicative of a positive approach by Network Rail. This particularly applies to the Road Control Principles in section 10.2 and details in section 11.2 for the erection and location of signs clearly indicates what has been put forward is a desktop exercise rather than a site visit with consideration of the actual site. The specification requirement includes: "On un-kerbed roads in rural areas the sign should be at least 600 mm clear of the outer edge of the road shoulder, line of guide posts or face of the guard measured towards the property boundary. The clearance should not be less than 1 m nor more than 5m from the edge of the travelled way...". It will difficult, if even possible to achieve this due to the limited width of verge at

parts of the location. The plans included at Appendix A are not at an appropriate scale to be read in any detail.

- 5.4 These should be replaced by plans which may be read. In B3.2 is: "There is a bridge to the south of the entrance point on Whaddon Road that restricts visibility. This area may require additional traffic management measures to be emplaced to ensure that road users are not taken by surprise by construction traffic when they crest the rise whilst travelling north. These measures will be defined in collaboration with Buckinghamshire County Council Highways Department." Whilst the Planning Authority should take advice from the Highways Authority, it is for the Planning Authority to determine. An appropriate survey should have been carried out. The image in Figure B.5 is from Google StreetView rather than a site visit.

See paragraph 8.23 and 8.30 for response

- 5.5 The measures proposed for traffic management and safety are insufficient. Any matter that requires a Temporary Traffic Regulation Order (TTRO) should be closely linked by being covered by a planning condition requiring the TTRO be in place before any development commences, potentially a 'Grampian' condition. There is no indication of any traffic surveys having been undertaken in the vicinity of the site, had there been, then Network Rail would have been aware of the current issues of speeding, high level of traffic (relative to the road size and designation) and high percentage of HGV traffic.

See paragraph 8.19 for response

- 5.6 The temporary 30 mph speed limit should go from the current end point (just past Hammond Park) to at least Weasel Lane. To only limit the speed in the section proposed is insufficient and is likely to create a hazard which changes of limit within a short distance. Consideration should also be given to a temporary limit of no more than 40 mph between Weasel Lane and the A421/Bottledump roundabout given the hidden dips in the road there. The locations for SLOW signs as shown in Figure 2.1 in the CTMP are only 200m from the current 30 mph end point (to the south) and within the national speed limit section (to the north) - but where the actual vehicle speeds often exceed 60 mph. Whilst the imposition of the temporary speed limits is a matter for the Highway Authority the planning authority should require this to be in place before any development commences.

See paragraph 8.21 for response

- 5.7 As there is a known issue with speeding vehicles on Whaddon Road (traffic surveys available) then there should be a requirement for average speed cameras to be installed and used to enforce the temporary speed limit(s). This should also be required by condition.

See paragraph 9.32 for response

- 5.8 Access to the site by both HGVs and LGVs should only be permitted from the A421 / Bottledump roundabout so be a right turn in and left turn out. No deliveries should be permitted during morning or evening peak hours.

See paragraphs 8.17 and 8.24 for response

- 5.9 There should be provision for wheel washing onsite to ensure no mud is transferred to the road. It is not sufficient to use a road sweeper to clean roads later. (Whilst the archaeological works were carried out significant quantities of mud were transferred to the road.)

See paragraph 8.26 for response

6.0 CONSULTATION RESPONSES

Ecology

Satisfied that the updated ecology supporting information submitted on 03 July 2019 is sufficient to satisfy the initial concerns raised in the consultation response dated 30 January 2019. In order to safeguard ecological features of interest it is recommended that, should the application be granted, appropriate conditions are applied.

LLFA: Made the following comments:

- 1. A Flood risk Assessment is required*
- 2. A method of surface water disposal should be submitted*
- 3. The submitted surface water management plan needs updating to include further details*

Following the receipt of additional information the LLFA made the following comments:

- Satisfied with the submitted flood modelling*
- Require further information regarding the proposed Surface water drainage strategy, but are satisfied this can be secured by condition.*

Anglian Water

Commented that the proposed development will lead to an unacceptable risk of flooding

downstream and have therefore recommended that a condition be applied to any permission requiring the submission of a scheme for on-site foul water drainage works.

Following confirmation from the applicant how foul water will be dealt with and that that no Anglian water sewers will be used, Anglian Water have withdrawn their objection.

BCC Highways:

Following discussion, the Highways Authority are satisfied that the compound can be reached from the A421 via Whaddon Road without any additional mitigation measures put in place.

Have requested that a comprehensive signing schedule be provided and be secured by way of condition in order to outline that routes are not be used for HS2 traffic and to protect Newton Longville.

The drawings submitted in relation to the access arrangements are not of sufficient detail to condition that the access be created in accordance with these drawings. Whilst the supplied drawings show that access can be achieved and two vehicles can pass with the exception of the very largest of HGV's, when the section 278 drawings are supplied, to the Highway Authority will require full tracking to be provided again to ensure that the arrangements are maintained .

The detailed design of the access arrangements shall also be required to demonstrate that the access gates are set 12m from the edge of carriageway.

BCC Rights of Way:

No comments to make

BCC Archaeology:

No objection

Environmental Health:

No comments to make

Internal Drainage Board

No comments to make

7.0 REPRESENTATIONS

7.1 None received

8.0 EVALUATION

a.) Purpose of the Application

- 8.1 On 27th July 2018 a Transport and Works Act Order (TWAO) application was submitted for the construction, operation and maintenance of an upgraded and reinstated rail link from Bicester to Bletchley to Bedford and from Aylesbury to Claydon Junction, as well as the construction of new railway infrastructure (including new overbridges, footbridges, a new station and station platforms) and improvements to existing infrastructure (such as platform extensions). Without prejudice to the formal determination of this application by the Secretary of State, the East West Rail Alliance proposes to set up some of the strategic and satellite construction compounds in advance to help ensure that the Project can be constructed in a timely and cost-effective manner.
- 8.2 The route is divided into three sections as it crosses Aylesbury Vale (named 2A, 2B and 2C, with this site being located in section 2B) and Planning applications will be submitted for each of the eleven compound sites which are proposed in across these route sections. This is because they are at the start of the construction programme and require the existing trackside and adjacent vegetation to be cleared before construction work can begin on upgrading the railway track bed to the required width and standard. This compound would be used for preliminary works in advance of the TWAO and should the Order be granted, it will then be used to facilitate the main works. A temporary planning permission is sought as once the construction works have been completed, the site can revert to its previous use and condition.
- 8.3 If the TWAO is not made, then a scheme of restoration would apply to those elements that are not repair or maintenance works, i.e the main works construction compounds and related highway improvements.
- 8.4 The early establishment of the eleven main works construction compounds, and subsequent undertaking of preliminary works from them, will facilitate the timely construction of EWR2, once the TWAO is made. The proposed preliminary works will enable a cost-effective transition to the further phases of construction that are the subject of the TWAO, such as the track works and works to platforms and stations.

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

- 8.5 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 (NPPF) 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 NPPF.
- 8.6 The overview report sets out the position in relation to the emerging VALP, the stage it has reached and related weight. The Interim Findings have been set out by the Inspector and consultation on modifications will be required before adoption can take place. The adoption of the Vale of Aylesbury Local Plan is planned to be in 2019.

The Development Plan

- 8.7 A number of general policies of 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 GP8, GP24, GP35, GP38 - GP40 and GP59. Other relevant policies will be referred to in the application specific report.

The emerging Vale of Aylesbury Local Plan is due for adoption later in 2019. 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.

Neighbourhood Plan:

- 8.8 There is currently no made neighbourhood plan incorporating this site. Whilst the site does sit within the approved neighbourhood plan area, work has not progressed any further on the plan at this stage.

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

- 8.9 The Government's view of what 'sustainable development' means in practice is to be found in paragraphs 7 to 211 of the Framework, taken as a whole (paragraph 3). The Framework

has a presumption in favour of sustainable development which should be seen as a golden thread running through plan-making and decision-making.

- 8.10 Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. 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 associated with the issues 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.

Making effective use of land

- 8.11 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.
- 8.12 The proposal would accord with the NPPF which recognises that some undeveloped land can perform many functions and as such is a matter which is held in neutral weight.

Building a strong competitive economy

- 8.13 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.
- 8.14 Whilst the proposal for the creation of compound itself will have limited impact in economic terms, it is required to enable the construction of the East West Railway to be coordinated from a single base. This rail link will enhance east-west connectivity which also has the potential to lead to further growth. Therefore, the indirect economic benefits of the proposal are accorded significant positive weight in the planning balance.

Promoting sustainable transport:

- 8.15 It is necessary to consider whether the proposed development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised and that safe and suitable access can be achieved, taking account of the policies in the NPPF.

Access

- 8.16 Following the receipt of tracking drawings for the access, which detail that simultaneous two way movement of vehicles can be achieved; the Highway Authority commented that the level of detail provided is not sufficient as details of the proposed access have not been provided. Whilst it is noted that the supplied drawings show that access can be achieved and two vehicles can pass, with the exception of the very largest HGV's, further tracking drawings are required to ensure that the access arrangements can be achieved once the detailed access plans have been submitted. It is acceptable to the Highway Authority that this access arrangement can be secured by condition.
- 8.17 In response to the comments made by the PC in relation to the proposed access routes; Highways Officers are satisfied that the compound can be reached from the A421 via Whaddon Road without any additional mitigation measures put in place, given the number of vehicles that would be expected for the creation of this compound.

Traffic Management

- 8.18 In response to comments made by the PC; the application is for the construction of the compound only and all measures contained within the CTMP relating to traffic management for the construction of the compound have been found to be acceptable by the Highways Authority.. for traffic management are appropriate.
- 8.19 Should a Temporary Traffic Regulation Order be deemed necessary by the Highway Authority then this shall be secured by the applicant prior to the commencement of development.
- 8.20 With regards to the PC's comment regarding levels of traffic; A Transport Statement and Construction Travel Plan Statement are provided in Appendix B of the Environmental Appraisal Report. The transport statement outlines the existing transport conditions in the vicinity of Compound B5 and provides a summary of the baseline situation, in terms of the existing highway conditions, public transport provision, walking and cycling provision and a summary of the existing road safety record within the vicinity of the compound. The transport statement also outlines the proposed trip generation and assignment associated with the compound construction and its use for preliminary works.
- 8.21 The existing transport conditions summarised in the transport statement have been based upon a combination of surveys, site visits, engagement with the local highway authorities and desktop research. The Parish Council wishes to see the speed limit reduced to 30mph. The Highway Authority have advise they seek no change in the existing speed limit as it would be unlikely to gain support from statutory consultees should it be sought, and in any

event there would be an extremely limited likelihood of vehicles travelling at such a speed. To be effective a speed limit needs to be self enforcing to a degree. Suitable and appropriate signing will be required to raise awareness of the presence of the access point.

- 8.22 The Highway Authority have advised that a full signing schedule should be submitted for review prior to commencement of works on site. It is considered to be of high importance that this schedule outlines routes that are not to be used for EWR2 construction traffic as well as those that are to be used. Particular regard should be given to the protection of the village of Newton Longville through this schedule. This can be secured by way of condition.

Deliveries

- 8.23 In response to the comments made by the PC; paragraph 3.1.6 of the CTMP, states that where possible, all deliveries are proposed to avoid morning and afternoon peak hour traffic.

Wheel Washing

- 8.24 In response to the comments made by the PC; paragraph 4.1.9 of the CTMP, states that plant and vehicles that need to work within site and are likely to accumulate mud will not exit the site until they have been washed down on site with wheel wash and inspected to ensure the wheels and wheel arches are clean and clear of debris. In addition, there will be a road sweep on call should it be required to clean and maintain the road. The CTMP is to be tied by planning condition and an informative is also proposed to be applied to any permission

Parking

- 8.25 In terms of the levels of car parking provided within the site, only indicative areas have been provided at this stage. The CTMP outlines that a clearly identified temporary parking area will be established and this is reflected within the plans submitted.
- 8.26 The applicant has advised that to provide a detailed parking plan at this stage would risk a condition that cannot be met and whilst it is accepted that there is a reluctance to provide a parking layout or an exact figure for the number of parking spaces; this approach would not be acceptable to the Local Planning Authority and therefore a condition would be applied to any permission which requires the submission of a detailed layout prior to the compound becoming operational. Parking Standards for a non retail storage site would require parking at a ratio of 1 space per 550m² of gross floor area. Whilst the site does propose the creation of any floor space as such, this standard of parking is considered the most appropriate. The site covers an area of approximately 24,000 sq metres which would require parking provision for 43 vehicles. An indicative area of 2170 sq metres has been identified for parking purposes and this would result in space for approximately 39 vehicles.

Given the temporary nature of the application, the shortfall is considered acceptable in this instance. A condition requiring full detail of the parking layout and its subsequent retention can be secured by way of condition.

Internal Site Layout

- 8.27 It is the responsibility of the applicant to ensure that circulation within the site is operated safely, subject to access being maintained as shown in the submitted drawings and suitable wheel washing facilities being maintained at all times.
- 8.28 In terms of the sites capacity, the Highway Authority have advised that they are satisfied the site has the capacity to hold the vehicles that would be travelling to the site.

Visibility

- 8.29 The latest vehicle access drawings are 133735_2B-EWR-OXD-CC_B5-DR-CH-012002 and 133735_2B-EWR-OXD-CC_B5-DR-CH-012002. This drawing shows visibility according to a design speed of 70kph in accordance with highway standards. The visibility splay is entirely within the highway boundary and no development is proposed therein.
- 8.30 With regards to the access to the site and other highway matters, Highways officers have raised no objections subject to conditions, this should be afforded neutral weight in the planning balance.

Requiring Good Design

- 8.31 Policy GP35 of AVDLP is particularly 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.
- 8.32 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.
- 8.33 The application proposes the erection of a construction compound along with ancillary buildings. The maximum height of the two storey buildings within the site would be 5.8m and will be well screened by the existing vegetation which surrounds the site. It is acknowledged that the site is visible from Whaddon Road, however views would be limited from the wider landscape by the intervening hedgerows and vegetation along the Railway Corridor.
- 8.34 In terms of the context of the site and its surroundings the appearance and scale of the proposed development is considered to be acceptable and in accordance with policy GP35

of the AVDLP and NPPF guidance and should be attributed neutral weight in the planning balance.

Conserving and enhancing the natural environment

- 8.35 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 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. Paragraph 109 seeks to provide net gains in biodiversity where possible and enhance the natural environment.
- 8.36 Policy GP35 of 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.
- 8.37 In respect of the landscape impact, this development will be viewed within the context of the existing development and rail corridor. The site is presently occupies an area of agricultural land and is identified as Sub-grade 3a land which is classes as best and most versatile land. The temporary compound will take less than 20ha of sub-grade 3a land and is considered to be of negligible magnitude and significance.
- 8.38 Whilst the site would be visible from Whaddon Road from the bridge over the disused railway to the south, views would be limited from the wider landscape by intervening hedgerows and vegetation alongside the railway corridor. Details of further boundary treatments which may be considered necessary have not been submitted at this stage and it considered appropriate to require the imposition of a condition to require the submission of these details.
- 8.39 Having regard to the temporary nature of the development (and the scheme for remediation which can be secured by condition) it is considered that the proposal would not result in any significant landscape impacts. It is considered therefore that the development would comply with Local Plan policy GP35 and with the NPPF such that this matter should be weighed as neutral in the planning balance.

Ecology

- 8.40 To conserve and enhance the natural environment, NPPF paragraph 170 raises the importance of development's contribution to enhancing the local environment. This includes protecting and enhancing sites of biodiversity in a manner commensurate with

their statutory status. Part (d) also highlights the minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- 8.41 Officers are satisfied with the survey and mitigation measures contained in the Ecological Impact Assessment and the subsequent management proposals for the site detailed in the Ecological Impact Assessment – Compound B5: Land South of Newton Road (EWR Alliance, July 2019).
- 8.42 With the requirement for the applicant to obtain a NEPS Licence, the Local Planning Authority has to have regard to the three tests that must be satisfied before Natural England can issue such a licence; these tests are:
1. A licence can be granted for the purposes of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social and economic nature and beneficial consequences of primary importance for the environment.
 2. The appropriate authority shall not grant a licence unless they are satisfied "that there is no satisfactory alternative".
 3. The appropriate authority shall not grant a licence unless they are satisfied "that the action authorised will not be detrimental to the maintenance of the population off the species concerned at a favourable conservation status in their natural range."
- 8.43 The Council's Ecologist is satisfied with the nature of the proposed works subject to a copy of the GCN mitigation license being supplied to the LPA prior to the commencement of works in order to ensure the development is not detrimental to the maintenance of the population of GCNs on and around the site.
- 8.44 Overall, the Ecological Impact Assessment demonstrates that the proposed development would result in net gains for biodiversity. This matter is assigned neutral weight

Trees and Hedgerows

- 8.45 Policies GP39 and GP40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value.
- 8.46 Whilst the site would be visible from Whaddon Road from the bridge over the disused railway to the south, views would be limited from the wider landscape by intervening hedgerows and vegetation alongside the railway corridor. Details of any further boundary treatments have not been submitted at this stage and it considered appropriate to require the imposition of a condition to require the submission of these details.

8.47 The proposal is for a temporary use and would be reverted back to its former condition following completion of the project. It is considered therefore that the development would comply with Local Plan policy and with the NPPF such that this matter should be weighed as neutral in the planning balance.

8.48 Overall it is considered that satisfactory landscaping provisions have been made in terms of the context of the site and its surroundings. The appearance and scale of the proposed development is considered to be acceptable and in accordance with policy GP35 of the AVDLP and NPPF guidance and should be attributed neutral weight in the planning balance

Conserving and enhancing the historic environment

8.49 The NPPF requires consideration of the historic environment and seeks to ensure the impact on the significance of heritage assets is considered. Paragraph 128 requires consultation with the Historic Environment Record.

8.50 There are no known heritage constraints likely to prohibit the proposed works and it is considered that the development would comply with Local Plan policy and with the NPPF such that this matter should be weighed as neutral in the planning balance.

Meeting the challenge of climate change and flooding

8.51 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.

8.52 With regards to the Surface Water Flood Risk; It has been confirmed by the applicant that the proposed detention basin is located out of an area of surface water flood risk.

8.53 With regards to surface water drainage; It is proposed to manage surface water runoff generated by the site via a network of ditches and an attenuation basin situated to the south east corner of the site. Surface water runoff will then be discharged to an existing culvert and watercourse in the south of the site. The attenuation basin will be sized to attenuate the 1 in 100 year rainfall event plus 5% climate change allowance, the lower climate change allowance is due to the temporary nature of the development. It is proposed to discharge to the existing watercourse and culvert at the 1 in 100 year greenfield runoff rate of 22.27l/s, discharging at this rate is not acceptable and not compliant with S2 of the Non-Statutory Technical Guidance for Sustainable Drainage

Systems (Defra, 2015) which states 'for greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event should never exceed the peak greenfield runoff rate for the same event'. The applicant therefore must reduce the discharge rate for the 1 in 1 year rainfall event, to achieve this there are two options; complex controls can be used, surface water runoff will be discharged at lower rates for the higher frequency rainfall events, for example for the 1 in 1 year rainfall event the discharge rate will be 5.441/s and for the 1 in 100 rainfall event the discharge rate will be 22.27l/s. The second option is to have one discharge rate; this would be the greenfield QBAR rate of 6.25l/s.

- 8.54 The LLFA have advised that Calculations must be provided to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 year rainfall event plus climate change allowance should be safely contained on site. These calculations must include details of critical storm durations, and demonstrate how the proposed system as a whole will function during different storm events. If any flooding occurs for the 1 in 100 year rainfall event plus climate change allowance, then we require details of where this flooding will occur and the volume of the flooding.

Based on the mapping held by the LLFA the connectivity between the outfall and under the existing railway culvert to the existing watercourse is not clear, therefore the applicants required to provide demonstration of the connectivity. The LLFA have suggested this evidence is presented using an annotated map supported with photographic evidence.

The drainage strategy identifies that infiltration is unviable due to the presence of Oxford Clay Formation, at detailed design stage infiltration rate testing in accordance with BRE 365 or the principles of Building Regulations 2010 Part H2 must be undertaken to support this. If results show that infiltration is possible the surface water drainage scheme should be redesigned to incorporate this method of drainage disposal in accordance with Planning Policy Guidance.

- 8.55 The LLFA are satisfied that this can be dealt with by way of a condition in line with the recommendations above.
- 8.56 Subject to the above, it is considered that the proposed development could be resilient to climate change and flooding in accordance with NPPF guidance and this factor should therefore be afforded neutral weight in the planning balance.

Residential amenities

- 8.57 Section 15 of the NPPF seeks to prevent unacceptable levels of noise pollution in addition to policies GP8 and GP95 of the AVDLP 2004 (saved policies) seek to protect neighbouring and existing occupiers' amenity.

8.58 The nearest residential property to Compound B5 are located approximately 330m to the north and between 300 and 500m to the south-east of the site (beyond the railway Line). Given these substantial distances, the proposed development is considered not to result in any significant adverse impact in regard to light, visual intrusion, outlook and privacy. As such the proposed development would comply with policy GP8 and GP95 of the AVDLP and the advice within the NPPF. This matter should be afforded neutral weight in planning balance.

9.0 Other Matters

9.1 In response to the comments made by the Parish Council; these have been addressed within the report and an overview of the responses provided is set out below:

1.) There are many similarities between the 11 temporary construction compounds for which planning permission is sought, and a standard template is followed for many of the supporting documents for these applications. The application is for the construction of the compound only and the development through the construction phase shall follow measures as set out in the Construction Traffic Management Plan that supports this application: East West Rail Alliance Phase 2 Construction Traffic Management Plan Compound B5 -: Document no:133735-EWR-PLN-DEL-000028.

2.) Signage: A scheme requiring the detailed submission of signage scheme is required by condition

3.) Traffic Management:

Should a TTRO be deemed necessary by the Highways Authority then this shall be secured prior to the commencement of development.

A Transport Statement and Construction Travel Plan Statement are provided in Appendix B of the Environmental Appraisal Report. The transport statement outlines the existing transport conditions in the vicinity of Compound B5 and provides a summary of the baseline situation, in terms of the existing highway conditions, public transport provision, walking and cycling provision and a summary of the existing road safety record within the vicinity of the compound. The transport statement also outlines the proposed trip generation and assignment associated with the compound construction and its use for preliminary works.

The existing transport conditions summarised in the transport statement have been based upon a combination of surveys, site visits, engagement with the local highway authorities and desktop research.

A number of temporary speed reductions have been proposed to enable construction of the EWR2 scheme, however these have met with objection from the Highway Authority,

which does not support the use of such measures. This has led to the withdrawal of proposals for temporary speed restrictions. The enforcement of speed limits is beyond the gift of the applicant.

- 4.) Issues relating to speeding vehicles are not a matter for the Local planning Authority to consider.
- 5.) Deliveries: As set out in paragraph 3.1.6 of the CTMP, where possible, all deliveries will be planned to avoid peak hour traffic (morning and afternoon).
- 6.) Wheel Washing: As set out in paragraph 4.1.9 of the CTMP, plant and vehicles that need to work within site and are likely to accumulate mud will not exit the site until they have been washed down on site with wheel wash and inspected to ensure the wheels and wheel arches are clean and clear of debris. In addition, there will be a road sweep on call should it be required to clean and maintain the road. An informative can ensure that this requirement is upheld.

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