



AYLESBURY VALE DISTRICT COUNCIL Democratic Services

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28 August 2019

DEVELOPMENT MANAGEMENT COMMITTEE

A meeting of the **Development Management Committee** will be held at **1.00 pm on Thursday 5 September 2019** in **The Diamond Room, Aylesbury Vale District Council, The Gateway, Gatehouse Road, Aylesbury, HP19 8FF**, when your attendance is requested.

Contact Officer for meeting arrangements: devcon@aylesburyvaledc.gov.uk;

Membership: Councillors: T Mills (Chairman), A Bond (Vice-Chairman), J Brandis, M Collins, P Cooper, N Glover, R Khan, S Morgan, M Rand, Sir Beville Stanier Bt, D Town and P Strachan (ex-Officio)

AGENDA

1. APOLOGIES

2. TEMPORARY CHANGES TO MEMBERSHIP

Any changes will be reported at the meeting.

3. MINUTES (Pages 3 - 6)

To approve as correct records the Minutes of the meetings held on 4 July 2019 and 15 August 2019 (copies attached as an appendices).

4. DECLARATION OF INTEREST

Members to declare any interests.

5. QUARTERLY PERFORMANCE REPORT - QUARTER 1 (Pages 7 - 24)

To note the Quarterly Performance report for Quarter 1 (April – June 2019)

Contact officer: Hazel Hutt (hhutt@aylesburyvaledc.gov.uk)

NOT BEFORE 1.15 PM

6. OVERVIEW REPORT - AUGUST 2019 - UPDATED HLS (Pages 25 - 34)

7. 19/02250/APP - 2 AYLESWATER, WATERMEAD, AYLESBURY (Pages 35 - 44)

Demolish existing garage and rebuild.

Case officer: Jack Spence – jspence@aylesburyvaledc.gov.uk

8. 19/01281/APP - 5 CURLEW, WATERMEAD (Pages 45 - 50)

Proposed two storey side/rear extension

Case officer: Janet Mullen – jmullen@aylesburyvaledc.gov.uk

9. 19/01900/APP - 16A CRAFTON LODGE ROAD, CRAFTON (Pages 51 - 58)

Retention of the existing barn and the operation of a dog home boarding and day care business from parts of the site (Retrospective)

Case officer: Janet Mullen – jmullen@aylesburyvaledc.gov.uk

10. 18/04377/APP - LAND WEST OF WHADDON ROAD, NEWTON LONGVILLE (Pages 59 - 84)

Temporary use of land as a construction compound (Compound B5) incorporating storage area, site offices and car parking.

Case officer: David Wood – dwood@aylesburyvaledc.gov.uk

11. 19/00097/AOP - LAND ADJ. 38 EYTHROPE ROAD, STONE (Pages 85 - 118)

Outline planning application Proposed development of up to 5 bungalows including access.

Case officer: Danika Hird – dhird@aylesburyvaledc.gov.uk

12. SITE VISIT ARRANGEMENTS

13. HUMAN RIGHTS ACT (Pages 119 - 120)

14. SPEAKERS LIST (Pages 121 - 122)

Public Document Pack Agenda Item 3

DEVELOPMENT MANAGEMENT COMMITTEE

4 JULY 2019

PRESENT: Councillor T Mills (Chairman); Councillors A Bond (Vice-Chairman), M Collins, P Cooper, N Glover, R Khan, M Rand, S Renshell (in place of J Brandis), Sir Beville Stanier Bt, D Town and P Strachan (ex-Officio). Councillor J Blake attended also.

APOLOGIES: Councillors J Brandis and S Morgan.

1. MINUTES

RESOLVED –

That the Minutes of the meetings held on 26 April 2019 and 13 June 2019 be approved as correct records.

2. DECLARATION OF INTEREST

Minute 4 (Application 18/03976/APP) – Councillor Cooper declared a prejudicial interest as he had previously expressed a view on the application. He spoke on the application as Local Member and left the meeting whilst the application was being discussed.

Minute 6 (Application 19/01498/APP) – Councillor Collins declared a prejudicial interest as his daughter was the applicant. He left the meeting whilst the application was being discussed.

3. 19/01033/APP- 14 ARCHER DRIVE, AYLESBURY - SITE VISIT REPORT

The Committee received a report on the site visit held on 18 June 2019.

RESOLVED –

That the application be **Refused** for the following reasons:-

- (1) The proposed rear dormer, by virtue of its scale, siting, massing and bulk, would result in a visual intrusion to an otherwise simple and linear roofslope of the dwelling, and would appear incongruous with neighbouring dwellings when viewed from adjacent highways in the estate and from neighbouring gardens. As such, the proposal does not harmonise with the existing dwelling nor does it respect the surrounding built form and is therefore contrary to policies GP9 and GP35 of the Aylesbury Vale District Local Plan, the Council's Residential Extensions Design Guide and the National Planning Policy Framework.
- (2) The proposed rear dormer, by virtue of its scale, siting and proposed fenestration, would result in an overbearing structure at second floor level where none currently exists and result in overlooking to the rear gardens and elevations, including first floor bedroom windows, of No.'s 24, 25 and 26 Shepherd Close, reducing their level of amenity below that which they could reasonably expect to enjoy. Therefore, the proposal is contrary to policy GP.8 of the Aylesbury Vale District Local Plan and contrary to the National Planning Policy Framework.

4. 18/03976/APP - CARPENTERS ARMS PH, HORTON ROAD, SLAPTON

RESOLVED –

That the application be **Approved** as per the Officers' report.

5. 19/00980/APP - 160 HIGH STREET NORTH, STEWKLEY

RESOLVED –

That the application be **Approved** as per the Officers' report.

6. 19/01498/APP - 22 STATION ROAD, STOKE MANDEVILLE

RESOLVED –

That the application be **Approved** as per the Officers' report.

**7. 17/03101/APP - WOODLANDS BARN, CRAFTON LODGE ROAD, CRAFTON
(WITHDRAWN)**

This application was withdrawn from committee as Mentmore Parish Council had written withdrawing their objection to the application.

DEVELOPMENT MANAGEMENT COMMITTEE

15 AUGUST 2019

PRESENT: Councillor T Mills (Chairman); Councillors A Bond (Vice-Chairman), J Brandis, M Collins, P Cooper, N Glover, S Morgan, M Rand and P Strachan (in place of Sir Beville Stanier Bt).

APOLOGIES: Councillors R Khan, Sir Beville Stanier and D Town.

1. OVERVIEW REPORT - AUGUST 2019 - UPDATED HLS

RESOLVED –

That the overview report be noted.

2. 18/04521/APP - LAND SOUTH OF BLETCHLEY ROAD, NEWTON LONGVILLE AND NEWTON ROAD, BLETCHLEY

RESOLVED –

That the application be **Approved** subject to the conditions in the Officer's report and corrigendum, and an updated Condition 10 to include approval of signage for traffic routing.

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Report to Development Management Committee

Workload and Performance Review for Quarter April to June 2019

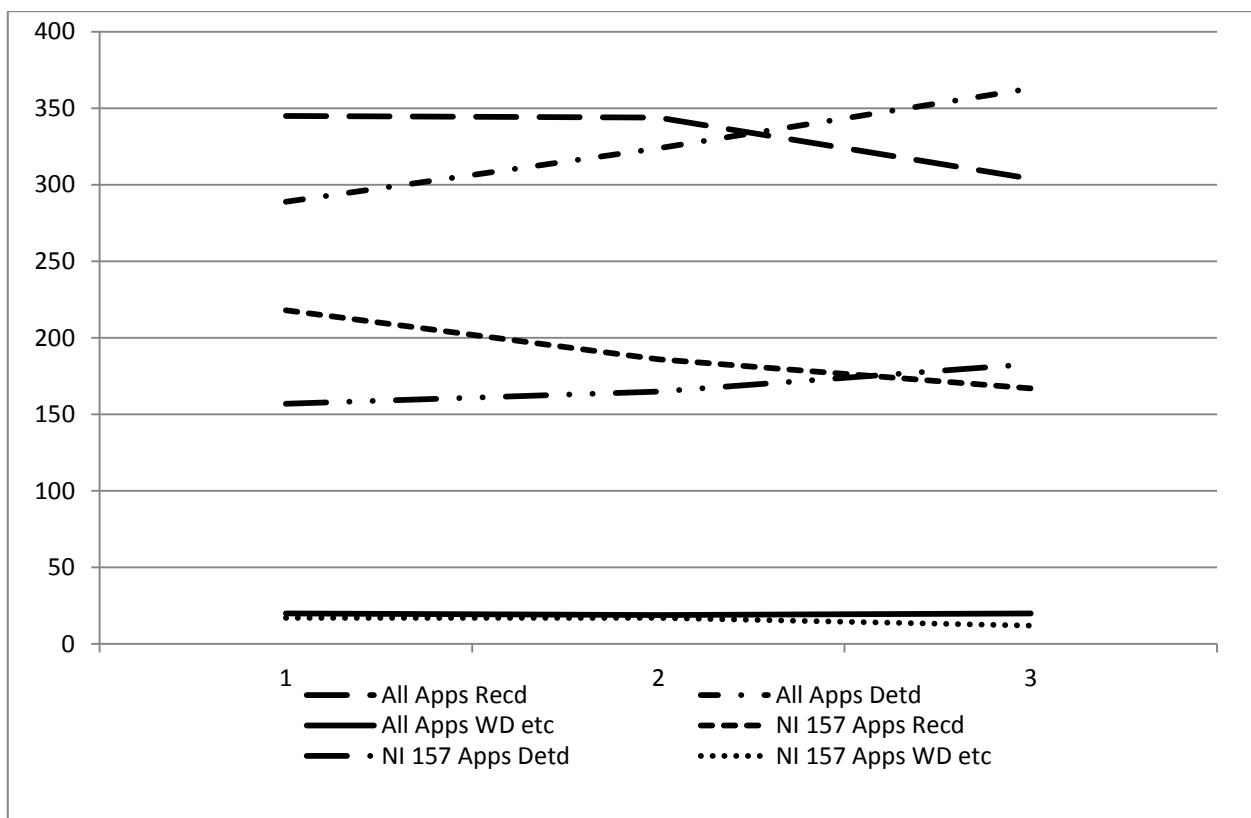
Introduction

This is a report to the Development Management Committee which provides a summary of performance in four key areas of work, planning applications, appeals, enforcement and informal enquiries, together with a brief commentary on each section.

Section 1: Applications received and determined

Our application caseload comprises applications which form the basis for our performance measured against the Government performance target NI157 and other applications which are excluded from these categories and relating to proposals amongst which are applications from the County Council, Notifications for Agricultural, Telecommunications and works to trees. This is set in the context of the rolling 12 month period.

Applications Received and Determined



	Apr	May	Jun
All Apps Recd	345	344	304
All Apps Detd	289	324	363
All Apps WD etc	20	19	20
NI 157 Apps Recd	218	186	167
NI 157 Apps Detd	157	165	183
NI 157 Apps WD etc	17	17	12
All O/Standing			
NI 157 O/Standing	942	946	918

Major Applications Received: 20
 Minor/Other Applications Received: 163

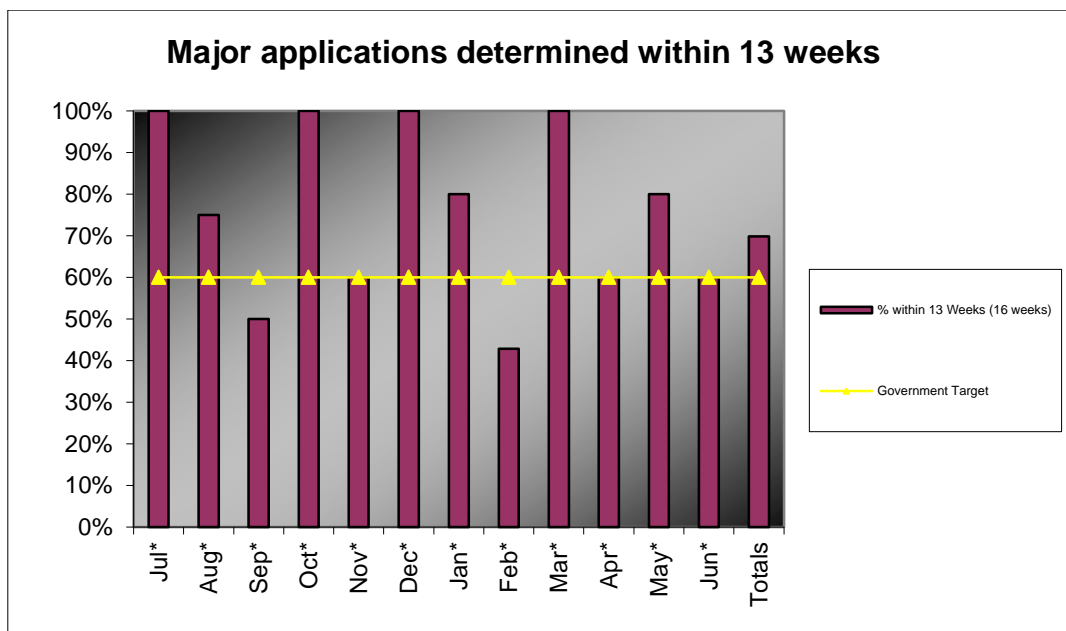
Major Applications Determined: 15
 Minor/Other Applications Determined: 490

Major Applications Outstanding: 125
 Minor/Other Applications Outstanding: 793

Section 2: NI 157 – Speed of Determination of applications

Introduction

This section sets out information regarding our performance in speed of decision for each of the 3 categories of applications, which are measured against the performance target – NI157 (a) major, (b) minor, and (c) other.



	Jul*	Aug*	Sep*	Oct*	Nov*	Dec*	Jan*	Feb*	Mar*	Apr*	May*	Jun*	Totals
Number of Major Applications Decided	1	4	6	2	5	5	5	7	3	5	5	5	53
Number within 13 Weeks (16 weeks) inc. Ext of time*	1	3	3	2	3	5	4	3	3	3	4	3	37
% within 13 Weeks (16 weeks)	100%	75%	50%	100%	60%	100%	80%	43%	100%	60%	80%	60%	70%
Government Target	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%

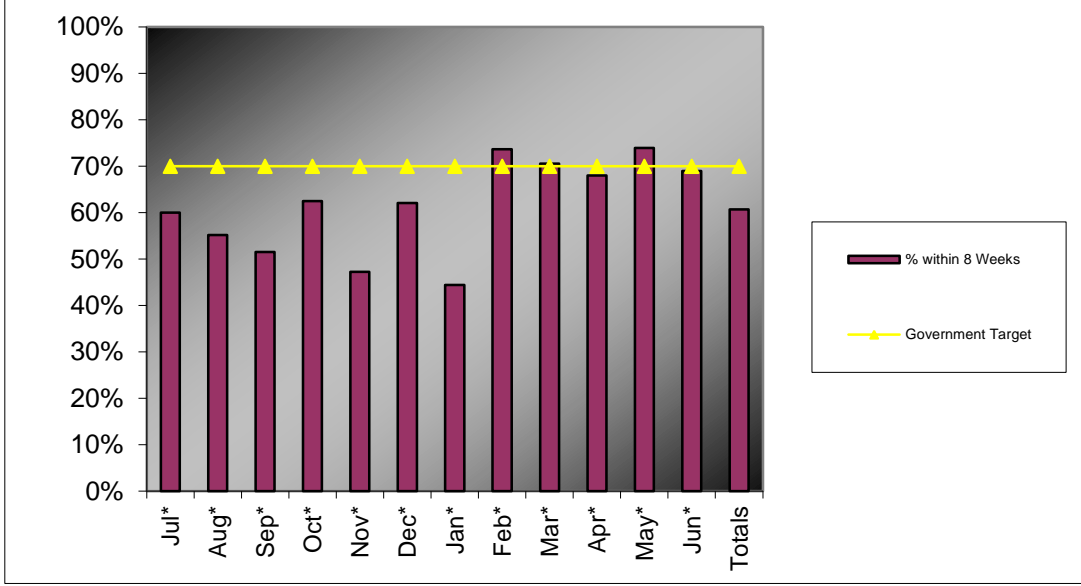
*Including extensions of time & PPAs

The quarterly performance achieved are:

April to June: 67%

Rolling 2 year average: 77%

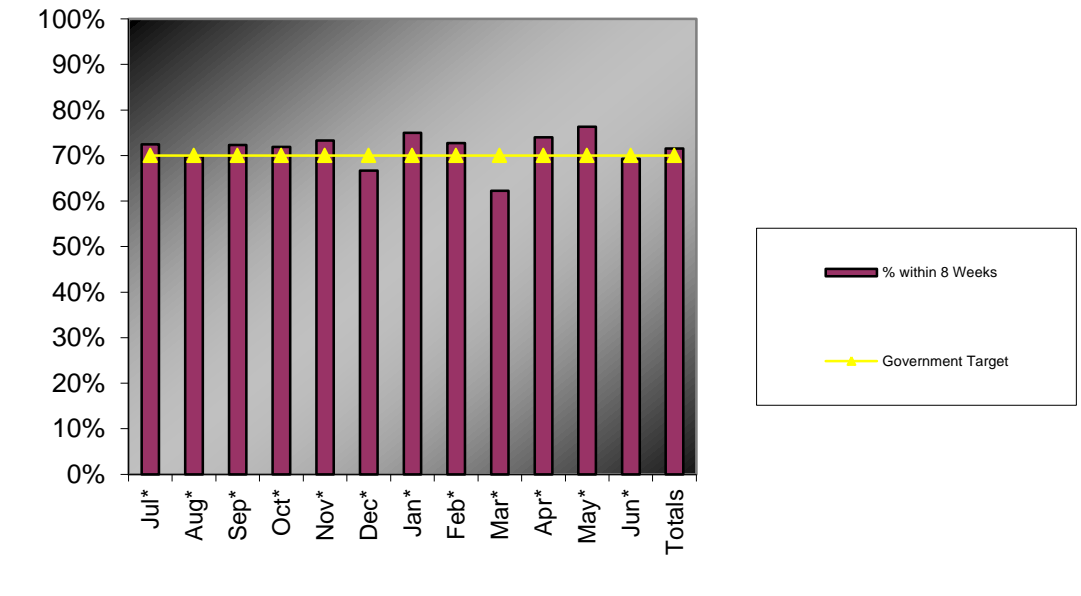
Minor applications determined within 8 weeks



	Jul*	Aug*	Sep*	Oct*	Nov*	Dec*	Jan*	Feb*	Mar*	Apr*	May*	Jun*	Totals
Number of Minor Applications Decided	40	29	33	40	36	29	27	19	34	25	23	29	364
Number within 8 Weeks inc. Ext of time*	24	16	17	25	17	18	12	14	24	17	17	20	221
% within 8 Weeks	60%	55%	52%	63%	47%	62%	44%	74%	71%	68%	74%	69%	61%
Government Target	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%

*Including extensions of time

Other applications determined within 8 weeks



	Jul*	Aug*	Sep*	Oct*	Nov*	Dec*	Jan*	Feb*	Mar*	Apr*	May*	Jun*	Totals
Number of Other Applications Decided	109	126	112	121	105	66	108	121	106	123	131	140	1368
Number within 8 Weeks inc. Ext of time*	79	88	81	87	77	44	81	88	66	91	100	97	979
% within 8 Weeks	72%	70%	72%	72%	73%	67%	75%	73%	62%	74%	76%	69%	72%
Government Target	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%

. From 1 April 2018 a government target of 70% has been set for minor and other applications..

For the quarter April to June we achieved

Minors: 70% within the time period against a target of 70%
 Others: 73% against a target of 70%
 Joint minors and others: 73% against a target of 70%
 Joint rolling 2 year average: 72% against a target of 70%

Appendix 1 details the Major applications determined in the quarter.

Outstanding applications beyond determination date and without or an expired PPA/extension of time in place as at 11 July 2019.

Majors: 100
 Minors and Others: 416

The first planning authorities subject to the Government's "special measures" regime for under-performing authorities were designated in October 2013, and performance data was published by the Department for Communities and Local Government (DCLG). Designations will be reviewed annually. Poorly performing authorities will be "designated" based on speed and quality:

- * Speed: less than 60% of majors determined within 13 weeks averaged over a two year period; or within such extended period as has been agreed in writing between the applicant and the local planning authority.
- * Quality: 10% or more of major applications that have been overturned at appeal (appeals allowed) over a two year period.

Authorities could be designated on the basis of either criteria or both. The current performance over this 2 year period exceeds the threshold for speed and is less than the threshold for quality and thus does not fall within the poorly performing designation.

Section 3: Appeals against refusal of planning permission

Introduction

This section deals numerically with our performance in relation to appeals against refusal of planning permission. Whilst there is no government performance target a benchmarking measure is that we should seek to achieve success in 65% or more of appeals against planning decisions.

Determined	Dismissed	21
	Allowed	10
	Withdrawn/NPW	0
	Split	0
	Turned Away	0
	Varied	0

Costs	Against AVDC
	For AVDC

*Split decisions are counted as an Allowed appeal

In the quarter between April and June a total of 39 appeals were determined, 31 of which were against refusals of planning permission. Of the 31 appeals against refusals of planning permission which are used for reporting purposes 32% were allowed which is below the Council's target of not more than 35% appeals allowed.

Attached at Appendix 2 is a list of all of the appeal(s) which are used for reporting purposes against refusals of planning permission that were allowed. As there are a large number of appeals a summary on all has not been provided. There is a summary on some highlighted for awareness and learning points.

The government statistics published in August 2017 for quality show that the percentage of major applications that have been overturned at appeal is 2.4% and that for minor and other developments overturned at appeal is 1.1% for AVDC during the period of 24 months from July 2014 to June 2016. This is well below the governments threshold of 10% overturned for quality.

Section 4: Enforcement

Introduction

This section details statistics relating to Enforcement matters and details the numbers of complaints received, cases closed together with the number of cases which have led to Enforcement action. Enforcement appeals are also dealt with separately and performance can be assessed accordingly.

Cases on hand at beginning of quarter	531	Cases on hand at end of quarter	522
Cases Opened	171	No of Cases closed	182
No. of Enforcement Notices Served	1	No. of Temporary Stop Notices Served	0
No. of Stop Notices Served	0	No. of Breach of Condition Notices Served	0
		No. of Planning Contravention Notices Served	0

In the 3 month reporting period 116 cases were resolved as follows:

Performance Figure	Notes
25% of complaints were resolved within 14 days	Generally more straightforward cases where a yes/no decision is required following initial evidence gathering
37% of complaints were resolved within two months.	Normally requiring more extensive evidence gathering and/or consultations involving 3 rd parties.
66% of complaints were resolved within 5 months.	On top of the actions identified above these cases normally require some formal action or an application for retrospective planning permission.
Remainder	Where formal legal action is involved it can take many years to resolve complaints and can include appeals and further judicial review.

Enforcement Appeals

Lodged	PI (Public Inquiry)	0	Determined	Allowed	0
	IH (Hearing)	0		Dismissed	0
	WR (Written responses)	0		W/Drawn	0
	Total	0		Varied	0
				Total	0
Costs	For AVDC	0		Against AVDC	0

Enforcement Summary

The volume of planning enforcement cases received is high and increasing and geographically reflects the areas where the delivery of development is highest. In the last financial year, AVDC has received more enforcement cases than BCC and WDC combined, and over 10% further cases than the CDC and SBDC joint-service received. Our service has seen a 27% increase in the number of cases received over the last 3 years and the current team caseload is in the region of 450 open cases. Our response to cases is prioritised based on the level of harm the suspected breach is causing. This means that 'low' category cases will take longer to resolve than those that are causing a 'high' level of harm. We have recently recruited a Performance and Communications Officer to support our team, and we have engaged a new Senior Enforcement Officer.

Section 5: Other Workload

Introduction

In addition the teams have dealt with the following:-

Discharge of Conditions and non material amendments.

Quarter – Out	215
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Chargeable Pre-Application Advice, including commercial

Quarter - Out	123
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Non chargeable Informals

Quarter - Out	14
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Conclusion and Recommendation

It is recommended that the Committee **NOTE** the report.

This report primarily intends to give details of factual information based on statistical data.

It is hoped that Members find the report's content helpful.

Major Applications Determined: Quarter April to June 2019

Bold numbers denote applications determined outside the target period. Performance for this quarter is 67% which is below target; * denotes those applications that had an extension of time request agreed. The small number of applications mean that performance is volatile and in this quarter involved applications where securing the right outcome outweighed the need to meet targets and applications where the revocation of the regional spatial strategy required a reassessment of the scheme.

Reference	Off	Received	Proposal	Address	Valid	Decision Date	Decision
17/03538/ADP*	SAMDEW	09/09/2017	Approval of reserved matters pursuant to outline permission 15/03786/AOP relating to appearance, landscaping, layout and scale for a residential development comprising up to 93 residential units, with associated access, landscaping and parking.	Land South Of Aylesbury Road Aston Clinton Buckinghamshire	18/10/2017	16/05/2019	Details Approved
18/01857/ADP*	SP	25/05/2018	Application for approval of Reserved Matters pursuant to Outline Planning Permission (15/04341/AOP) for the residential development of 117 dwellings, with appearance, landscape, layout and scale to be considered and introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation	Land East Of Lower Road Stoke Mandeville Buckinghamshire	29/05/2018	19/06/2019	Details Approved
18/04097/ADP*	NKJ	16/11/2018	Approval of reserved matters pursuant to Outline permission 16/02806/AOP relating to Approval of appearance, landscaping, layout and scale and associated works for 100 dwellings	Land West Of Mentmore Road, Partridge Close And Barkham Close Cheddington Buckinghamshire	16/11/2018	17/05/2019	Details Approved

Reference	Off	Received	Proposal	Address	Valid	Decision Date	Decision
18/02908/ADP*	LAUASH	14/08/2018	Application for Reserved matters (Appearance and Landscaping) pursuant to outline planning permission 17/03384/AOP (Revised Plans received 27/11/2018)	Land Adjacent To Bushmead Road Whitchurch Buckinghamshire	14/08/2018	04/04/2019	Details Approved
19/00532/ADP	NICWHE	13/02/2019	Reserved matters application for the Silverstone Hotel, drop off and associated car parking pursuant to condition 2 of outline planning permission 17/01840/AOP layout, scale, appearance, the access, and the landscaping of the site with regards to condition 7 (details of highway, estate roads and manoeuvring, pedestrian and cycleway, communal car, cycle and vehicle parking provision, open storage/yards and functional services. 8 (details of materials, elevation treatment, lighting, security and crime prevention measures, signage and way-marking, energy strategy) and 9 (hard and soft landscaping)	Silverstone Motor Racing Circuit Silverstone Road Biddlesden Buckinghamshire NN12 8TN	13/02/2019	14/06/2019	Details Approved
17/00832/AOP*	DANRAY	07/03/2017	Outline application with access to be considered and all other matters reserved for the erection of up to 35 dwellings, a replacement Scout Hut accessed from Church Hill and new vehicular access from Station Road.	Land Off Mentmore Road And Station Road Cheddington Buckinghamshire	10/03/2017	14/06/2019	Outline Permission Refused

Reference	Off	Received	Proposal	Address	Valid	Decision Date	Decision
17/01467/AOP*	JONBIS	19/04/2017	Outline application with access to be considered and all other matters reserved for the demolition and clearance of existing buildings to allow for a residential redevelopment comprising up to 64 dwellings with associated car parking, access, internal roads and footpaths, public open space, landscaping drainage and other associated infrastructure (Revised Supporting Documents and Parameter Plan submitted 16th August 2017)	Land At Swallowfield Stables Townside Edlesborough Buckinghamshire	19/04/2017	31/05/2019	Refused
16/02673/APP*	NBU	19/07/2016	Residential development comprising 73 dwellings following demolition of 4 existing bungalows with new access road off Eskdale Road, parking and associated works.	Land Rear Of 17 To 55 Eskdale Road And 47 To 63 Station Road Stoke Mandeville Buckinghamshire	09/12/2016	10/05/2019	Approved
17/04668/ADP*	SAMDEW	08/12/2017	Approval of the reserved matters details of the external appearance of the buildings, the landscaping of the site, layout and scale for each phase or part of the development together with discharge of conditions 2 (phasing) and 6 (design code) pursuant to outline permission 15/01218/AOP for consideration of means of access to provide up to 400 Residential Dwellings (including Affordable Housing), Open Space including Play Areas and sports and related recreation facilities, Landscaping, New Vehicular and Pedestrian Accesses, Engineering (including Ground Modelling) Works, Infrastructure	Land North Of A421 Tingewick Road Buckingham Buckinghamshire	27/12/2017	12/04/2019	Approved

Reference	Off	Received	Proposal	Address	Valid	Decision Date	Decision
			Works (including Drainage Works and Utilities Provision) and Demolition (including Site Reclamation), Car Parking and Lighting.				
18/01772/APP*	SP	21/05/2018	Development of a local centre comprising a nursery (D1), retail unit (A1), and seventeen residential apartments (C3)	Land North Of Pegasus Way Haddenham Buckinghamshire	21/05/2018	05/04/2019	Approved
18/02832/APP*	SCOHAC	10/08/2018	Conversion of buildings to B1/B8 use with associated car parking and landscaping	Land Between Nash Road And Cross Roads Kennels Nash Road Great Horwood Buckinghamshire	10/08/2018	02/04/2019	Approved
18/03345/APP*	DANRAY	13/09/2018	Proposed two storey side and single storey front extensions to provide 26 bedroom hotel and entrance/reception area. Single storey rear "orangery" extension to bar (retrospective), new site entrance feature walls with recessed golf club signage, improvements to existing car park and new soft landscaping.	Weston Turville Golf Club New Road Weston Turville Buckinghamshire HP22 5QY	17/10/2018	03/06/2019	Approved
18/04045/APP*	DANRAY	13/11/2018	Variation of Conditions 7 (Use of Ground Floor), 8 (Mezanine Floor) and 9 (Approved Plans) of planning permission 18/01951/APP (Construction of garden studios and offices showroom unit with associated office space)	Land Adjacent To Building H4 Westcott Venture Park Westcott Buckinghamshire HP18 0XB	26/11/2018	16/04/2019	Approved

Reference	Off	Received	Proposal	Address	Valid	Decision Date	Decision
18/04394/APP*	MICDAV	10/12/2018	Redevelopment of plot No. 4 within Crendon Industrial Park to provide new light industrial / warehouse building subdivided into 2 units with ancillary office areas, associated parking and service yard areas (B1c, B2 and B8 Use Classes).	Plot 4 Crendon Industrial Park 1 Lea Lane Long Crendon Bucks MK18 9BA	10/12/2018	14/06/2019	Approved
18/04338/APP*	BMO	04/12/2018	2 No. outdoor dressage arenas, a new barn to provide office, storage and communal areas and new vehicular access.	Twyford Equestrian Centre Twyford Mill Twyford Mill Road Twyford Buckinghamshire MK18 4HA	10/01/2019	17/05/2019	Approved

Appeal performance – Quarter April to June 2019

In the quarter between **April** and **June** a total of 39 appeals were determined, 31 of which were against refusals of planning permission. Of the 31 appeals against refusals of planning permission which are used for reporting purposes 32% were allowed which is below the Council's target of not more than 35% appeals allowed.

A list of all the reportable allowed appeals in this quarter is set out below. Given the number of appeals, comments are provided on key decisions.

Application Reference: 16/03068/APP	Decision: Delegated
Site: Hollingdon Grange Grove Farm Lane Hollingdon Soulbury Buckinghamshire LU7 0DN	
Development: Erection of a building for indoor equestrian exercise and storage of associated tack on land previously used for outdoor equestrian exercise and grazing.	

Application Reference: 17/02868/AOP	Decision: Delegated
Site: Land Rear Of 34 To 58 Eskdale Road Stoke Mandeville Buckinghamshire	
Application in outline with access to be considered and all other matters to be reserved for the erection of five dwellings.	
<p>The main issue in this appeal related to the effect of the proposal on the character and appearance of the area.</p> <p>The application was refused on the grounds that the proposed development would result in an urbanising obtrusion in to the open countryside reducing open land that contributes to the form and character of the settlement, with adverse impacts on the landscape character and appearance of the site and its surroundings, and on receptors experiencing local views of the site from the footpath on Eskdale Road, from adjacent housing and the community play facilities located to the west.</p> <p>A second reason for refusal related to the grounds that the proposal would result in the introduction of an excessively dense form of modern residential development into a rural settlement edge location that would fail to integrate with the existing settlement pattern and surrounding built form.</p> <p>In considering the appeal the Inspector considered that the degree of enclosure of the site means that it appears more visually contained and associated within the village rather than appearing as part of the wider countryside around it. The Inspector considered that the proposal would not expand further into the countryside than the existing houses along Eskdale Road and therefore would neatly 'round off' the existing built form, maximising the use of a redundant strip of land that makes no positive contribution to the countryside or the settlement in its existing state.</p> <p>During the site visit the Inspector observed that the site is heavily screened by vegetation on almost all sides and that views into it are limited. Therefore, they did not consider that any harm would be caused to the publicly available views towards the site from Eskdale Road or the community play facilities.</p> <p>The Inspector was satisfied that a development could be constructed to achieve adequate separation distances between the proposed dwellings and those backing onto the site and that additional mitigating landscaping could be secured as part of a Reserved Matters application.</p> <p>In respect of density the Inspector concluded that the proposals would result in a density of 22</p>	

dwellings per hectare, which would be a low-density development.

For the above reasons, the Inspector concluded that the proposed development would integrate with the existing settlement character without resulting in any unacceptable intrusion to the countryside and would not harm the character and appearance of the area. As such, it would accord with saved policy GP35 of the AVDLP and the NPPF.

The appeal was allowed and outline planning permission was granted, subject to the conditions.

Costs Application

An application for costs was made against Aylesbury Vale District Council on three main grounds:

- They claim that the Council have prevented or delayed development, which should clearly be permitted having regard to its accordance with the development plan, national policy and other material considerations.
- They consider that the Council has not determined similar cases in a consistent manner and
- that the Council have not reviewed their case promptly following the lodging of an appeal against the refusal of planning permission.

In reviewing the case in detail the Inspector concluded that the Council did not prevent or delay development, which should have clearly been permitted. The appeal site lies within open countryside as determined by the Development Plan and therefore the Council determined the application in accordance with the Development Plan albeit applying a different planning judgement to that of the appellant.

The Inspector notes that all applications are determined on their own merits and that the schemes referenced by the appellant were much larger residential proposals and as such, it is reasonable to conclude that the Council would have reached different conclusions on those larger schemes.

On the third ground the Inspector concluded that the Council reviewed their case promptly following the lodging of an appeal as they met with all statutory timeframes.

The Inspector noted that the absence of specific evidence from the Council responding to all of the appellant's evidence does not mean that the appellant has unnecessarily submitted that information or that the Council would have withdrawn part or all of its objections to the proposed development as a result of it.

Therefore in light of the above the Inspector concluded that unreasonable behaviour resulting in unnecessary or wasted expense, as described in Planning Practice guidance, has not been demonstrated.

The application for an award of costs was refused.

Application Reference: 17/02935/APP	Decision: Delegated
Site: Spring Cottage 28 Spring Lane Great Horwood Buckinghamshire MK17 0QW	
Demolition of existing dwelling and outbuildings and the erection of a replacement thatched cottage, together with access and amenity space.	
This was for a replacement dwelling, although with only just overlapping footprints, located outside of Great Horwood Settlement Boundary. The main issues in this case related to:	
<ul style="list-style-type: none">• the effect of the proposal on the setting of 24 Spring Lane and whether it preserves or enhances the character and appearance of the Great Horwood Conservation Area (GHCA) and	

- whether the development is in appropriate location having regard to the policies of the Great Horwood Parish Neighbourhood Plan (GHPNP) and other relevant policies of the development plan.

The Inspector did not agree with the LPA position that the proposal would harm the character and appearance of the CA, but instead found the existing buildings to be incongruous, by virtue of its squat design and bland appearance and that the development would improve the situation by opening up views of the heritage assets. On this matter the Inspector concluded that the proposal would preserve or enhance the character and appearance of the CA and that the effect on the setting of 24 Spring Lane would be neutral. In this respect the proposal would accord with the GHPNP and the objectives of the Framework.

Turning to the second matter, the Inspector concluded that the replacement dwelling did not amount to “growth” of the settlement, which Policy 1 sought to constrain, and as such did not therefore conflict with this policy.

The Inspector concluded that this one-for-one replacement dwelling is not ‘growth’ and that the GHPNP contains only strategic policies which were not intended to substitute for the design, amenity and other non-strategic policies usually found in a development plan. Therefore, the Inspector was not persuaded that the ultimate paragraph of Policy 1 can be read as precluding every type of development other than that falling within the language of that paragraph. The Inspector stated that to apply Policy 1 in that way regardless of the benefits of a (non-strategic and non-growth) proposal such as that here appealed is not consistent with the principles of sustainable development set out in the Framework. As such the Inspector considered the GHPNP to be silent on the matter of replacement dwellings and the proposal not in conflict with Policy 1.

The appeal was allowed and planning permission was granted subject to conditions.

Application Reference: 17/03970/APP	Decision: Committee
Site: 3 Newell Close Aylesbury Buckinghamshire HP21 7FE	
Erection of dwelling with associated access and landscaping	
<p>The main issue in this appeal related to the effect on the character and appearance of the surrounding area. The council refused permission on the basis that the proposed dwelling would result in a cramped and over intensive form of development that would be visually incongruous, intrusive and out of keeping with the surroundings. It was felt the location of the dwelling would significantly breach the building line along Turnfurlong Lane to the North-East which would exacerbate the intrusive nature of the development.</p> <p>In considering the appeal the Inspector noted that the proposed development would comprise a four bedroom property, similar in style to the existing dwelling, the plot would be divided providing each property with its own private rear garden. Furthermore, the Inspector noted that the location of the proposed new dwelling is tucked away and the hedge and trees on the boundary obscure it from Newall Close.</p> <p>The Inspector noted the varying architectural styles along this side of Turnfurlong Lane and concluded as a result that the building line was not particularly uniform. No 3 is unusual in that it is at a right angle to Turnfurlong Lane. It creates a change to the layout of the street leading to the setting back of properties around the open green space. The inspector placed little weight on the issue of the building line and disagreed with the Councils view that there was an established pattern. For these reasons the Inspector considered that the proposed development would have limited impact on the building line and the street layout would not be adversely impacted.</p>	

The Inspector noted that the boundary of shrubs and trees shield the garden from views from Turnfurlong Lane and the majority of these would be retained, which would mean the view of the new dwelling would be obscured. The impact on the visual aspect of Turnfurlong Lane would be limited and it would not be out of place with the other buildings in that location.

The Inspector considered that the new dwelling would reflect the character of the adjoining property, being of similar style and layout. It would have an adequate garden, whilst No 3 would also retain a reasonably sized garden. Therefore the proposed dwelling would not appear cramped and would be reflective of the predominate form of development in the area.

For the reasons given, the Inspector concluded that the proposal would not harm the character and appearance of the surrounding area and would accord with Policy GP35 of AVDLP and the guidance in the NPPF.

The appeal was allowed and planning permission was granted subject to conditions.

Application Reference: 17/04041/AOP	Decision: Delegated
Site: 151 And Land To Rear Of 151 Station Road Quainton Buckinghamshire HP22 4BX	
Outline application (with all matters reserved except access) for the erection of up to 40 dwellings with associated access, open space, landscaping and associated works.	
<p>The main issues in this appeal related to 3 main issues:</p> <ol style="list-style-type: none">1. Did the proposal accord with Quainton Village Neighbourhood Plan Policy H12. Was the proposal contrary to GP35, principally was the proposed development in depth harmful to the character and appearance of the immediate and wider area, as well as landscape character, and;3. Tilted balance, and did the Council demonstrate a 5 year housing land supply. <p>The Inspector concluded that, it remains unclear to whether the published version of the NDP is the lawfully made NDP. Nonetheless, the Inspector noted that they were required to determine the appeal in accordance with the development plan in force at the time of their decision and this includes the NDP as it stands. The Inspector noted following the site visit that the appeal site was next to the settlement boundary which runs along the rear boundaries of properties on Station Road. As such in any reasonable interpretation based on the wording of the policy it <i>'adjoins the settlement boundary along Station Road'</i> and there is nothing in the NDP or evidence before the Inspector to persuade them the test should be restricted to a site that <i>'adjoins Station Road'</i>.</p> <p>The Inspector concluded that regardless of the precise wording of the policy (as intended by the examiner or as is published), the proposed development accorded with Policy H1 having concluded that the site <i>'adjoins the settlement boundary along Station Road'</i> and as such backland development was acceptable subject to a distinct boundary being achieved with the countryside.</p> <p>Regarding GP35 and the impact on the countryside, despite the Council's argument that there clearly isn't development in depth such as what was proposed as part of this appeal, the Inspector noted some development in depth and the linear pattern, which is present, is not as clearly defined as put forward by the Council. The Inspector concluded that changes to the landscape, in the context of the development according with Policy H1 and the significant changes taking place due to HS2 and nearby allocation sites (NP allocations), that the level of change would barely be perceptible with the landscape able to accommodate the development with the visual impact highly localised. The proposal therefore accords with GP35.</p>	

In finding that Policies H1 and GP35 were the policies of most importance in the determination of this appeal and that the proposal accorded with these policies, the Inspector did not engage the tilted balance (11d of the NPPF) and subsequently made no observations on housing land supply as the proposal accorded with adopted policy.

The appeal was allowed and outline planning permission is granted for development, subject to conditions.

Application Reference: 18/01658/APP	Decision: Delegated
Site: Land East Of Station Road Marsh Gibbon Buckinghamshire	
Erection of stable block and menage with new access	

Application Reference: 18/01820/COUAR	Decision: Delegated
Site: Barn At Brissenden Farm Ickford Road Worminghall Buckinghamshire HP18 9LA	
Determination as to whether prior approval is required in respect of transport & highway impact, noise, contamination risk, flooding and locational considerations for the conversion of an agricultural building into two dwellings (Class Q(a)) and in relation to design and external appearance of the building (Class Q(b))	

Application Reference: 18/02166/APP	Decision: Delegated
Site: The Old Barn Lenborough Road Gawcott Buckinghamshire MK18 4BP	
Proposed single storey rear extension and erection of carport/workshop	

Application Reference: 18/02772/APP	Decision: Delegated
Site: Land East Of Station Road Marsh Gibbon Buckinghamshire	
Erection of stable block and manege with new access	

Application Reference: 18/03740/COUAR	Decision: Delegated
Site: Barns At Green End Farm Green End Granborough Buckinghamshire MK18 3NT	
Determination as to whether prior approval is required in respect of transport & highway impact, noise, contamination risk, flooding and locational considerations for the conversion of an agricultural building into two dwelling (Class Q(a)) and in relation to design and external appearance of the building (Class Q(b))	
Note:	

Overview Report:

Introduction

This report has been provided to assist members in the consideration of reports relating to major planning applications for development at settlements in the district. The report summarises the policy framework for the assessment of each development proposal for members consideration in addition to the detailed report relating to each individual application.

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

- 1.1 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.

The Development Plan

- 1.2 The overall strategy of the Aylesbury Vale District Local Plan (AVDLP) is to seek to concentrate the majority of growth (65% housing and employment) at Aylesbury with the remaining 35% in the rural areas. The latter was to be concentrated at a limited number of settlements. Insofar as this overall strategy is one which is based on the principle of achieving sustainable development, it is considered that this is still in general conformity with the NPPF.
- 1.3 Policies RA13 and RA14 relating to the supply of housing district wide form part of that overall housing strategy, and BU1 in respect of Buckingham, are now out of date, given that these identified housing targets for the plan period up to 2011 and the evidence relating to the districts need has changed significantly since these policies were adopted, and are not consistent with the NPPF policies to significantly boost the supply of housing based on up to date evidence. RA 13 and RA14 sought to take a protective approach to development and can only be given very limited weight when considering proposals within or at the edge of settlements identified in Appendix 4. Development proposals on sites are to be considered in the context of policies within the NPPF which sets out the presumption in favour of sustainable development at paragraph 11.
- 1.4 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 GP2, GP8, GP35, GP38 - GP40, GP59, GP84, GP86, GP87, GP88 and GP94. There are a number of other saved policies which might be relevant in a rural context including RA2, RA4, RA6, RA8, RA29, RA36 and RA37. Specific general policies relating to development at Aylesbury include AY1, AY17, AY20, and AY21. Other relevant policies will be referred to in the application specific report.

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

- 1.5 The Council has set out proposed policies and land allocations in the draft Vale of Aylesbury Local Plan. The draft Vale of Aylesbury Local 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 proposed submission was the subject of consultation from, 2 November to 14 December 2017. Following this, the responses were submitted along with the Plan and supporting documents for examination by an independent planning inspector at the end of February 2018. The examination hearing ran from Tuesday 10 July 2018 to Friday 20 July 2018. The Interim Findings have been set out by the Inspector, and consultation on modifications will be required before adoption can take place. Further to this AVDC has provided the VALP Inspector with its suggestions for the Modifications to the Plan and he will consider these over the

next few weeks. The Inspector has set out the timetable for the formal publication of the Modifications and the accompanying consultation. He has confirmed that he expects to review the Modifications before the end of August 2019 after which he will recommend to the Council a Schedule of Modifications which should be published for public representations. That publication is likely to happen in mid-September 2019 and representations can be submitted which he then hopes to consider, along with the Council's response to the representations, in November 2019 before his final comments on VALP are made. The adoption of the Vale of Aylesbury Local Plan is planned to be in 2019.

- 1.7 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. 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 .

National Planning Policy Framework

- 1.8 The most up to date national policy is set out in the revised NPPF published in February 2019 superseding the earlier July 2018 version. At the heart of the NPPF is the presumption in favour of sustainable development (paragraph 11) in both plan-making and decision-taking.
- 1.9 The NPPF states at paragraph 8 that there are three objectives to sustainable development: economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).
- 1.10 These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.(paragraph 9).
- 1.11 The Government's view of what "sustainable development" means in practice is to be found in paragraphs 7 to 211 of the NPPF. Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. 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.
- 1.12 The presumption in favour of sustainable development in decision-taking is explained at paragraph 11 of the NPPF. Plans and decisions should apply a presumption in favour of sustainable development.
For **decision-taking** this means;
- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
- ii. 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.

Foot notes:

6: The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.

7: This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1.

- 1.13 In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:
- a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;
 - b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;
 - c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and
 - d) the local planning authority's housing delivery was at least 45% of that required⁹ over the previous three years.

And subject to transitional arrangement set out in Annex 1

- 1.14 Local planning authorities are charged with identifying a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability (paragraphs 67-70) .
- 1.15 The NPPF sets out the means to delivering sustainable development. The following sections and their policies are also relevant to the consideration of all proposals:
- Building a strong competitive economy
 - Promoting sustainable transport
 - Delivering a sufficient supply homes
 - Achieving well designed places
 - Making efficient use of land
 - Promoting healthy and safe communities
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment
 - Meeting the challenge of climate change and flooding
 - Supporting high quality communications

- 1.16 The NPPF sets out that transport issues should be considered from the earliest stages including the impact of development on the network, opportunities from transport infrastructure, promoting walking, cycling and public transport, environmental impacts of traffic and transport infrastructure, patterns of movement. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. (Paragraphs 102-103)

- 1.17 Paragraph 177 of the NPPF states “The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”
- 1.18 The Planning Practice Guidance (PPG) has not yet been fully updated to reflect the new NPPF.

Local Supplementary Documents & Guidance

- 1.19 Local guidance relevant to the consideration of this application is contained in the following documents :
- Affordable Housing Supplementary Planning Document (November 2007)
 - Supplementary Planning Guidance on Sport and Leisure Facilities (August 2004)
 - Sport and Leisure Facilities SPG Companion Document Ready Reckoner (August 2005)
 - Five year housing land supply position statement (April 2019)
 - Affordable Housing Policy Interim Position Statement (June 2014)
- 1.20 Those documents which have been the subject of public consultation and the formal adoption of the Council can be afforded significant weight insofar as they remain consistent with the policies of the NPPF.

Housing supply

- 1.21 To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 1.22 Paragraph 60 requires that strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.
- 1.23 Where the Council cannot demonstrate a 5 year housing land supply (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years, there is a presumption in favour of sustainable development in line with paragraph 11 of the NPPF. The absence of an NPPF compliant supply or delivery of housing would add to the weight attached to the benefit arising from the contribution made to the supply of housing and boosting the delivery of housing generally. Transitional arrangements for the Housing Delivery Test are set out in Annex 1.
- 1.24 In the absence of a figure for the Full Objective Assessment of Need which will emerge through the plan making process which will also need to consider potential unmet needs from adjoining authorities not within the Housing Market Area, the council has set out its approach in the published five year housing land supply position statement which is regularly updated. It also updates the estimated delivery of sites based on the latest information. The latest Five Year Housing Land Supply Position Statement was published April 2019, based on March 2018 data, which shows that the Council can demonstrate 5.64 years worth of deliverable housing supply against its local housing need. This calculation is derived from the new standard methodology against the local housing need and definition of deliverable sites set out in the NPPF and NPPG.
- 1.25 It is acknowledged that this 5 year housing land supply calculation does not include any element of unmet need, however at this stage it would not be appropriate to do so. Whilst the unmet need figure has progressed, it has not been tested through examination and it would not be appropriate to use a 'policy on' figure for the purposes of calculating a 5 year housing land supply for Aylesbury until the “policy on” figures and general policy approach has been examined and found sound. There are no up-to-date housing supply policies in AVDLP and therefore we still

have to take into account the presumption in favour of sustainable development and apply the planning balance exercise in paragraph 11 of the NPPF. For neighbourhood plans which are considered up to date the starting point for determining such applications is to consider in accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004) and paragraph 14 of the NPPF as set out above is also relevant.

Neighbourhood Planning

- 1.26 Paragraph 29 and 30 states: Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies¹⁶.
- 1.27 Paragraph 30 states that once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.
- 1.28 The Neighbourhood Planning Act 2017 (the “Act”) came into force on 19 July 2017 and makes two provisions which are relevant:

Firstly, Section 1 of the Act amends section 70 of the Town and Country Planning Act 1990 to require a local planning authority or other planning decision-taker to have regard to a post-examination neighbourhood plan when determining a planning application, so far as that plan is material to the application.

Secondly, Section 3 amends section 38 of the Planning and Compulsory Purchase Act 2004 to provide for a neighbourhood plan for an area to become part of the development plan for that area after it is approved in each applicable referendum (a residential referendum and, where the area is a business area, a business referendum). In the very limited circumstances that the local planning authority might decide not to make the neighbourhood development plan, it will cease to be part of the development plan for the area.

- 1.29 Further advice is also set out in the NPPG.

Prematurity

- 1.30 Government policy emphasises the importance of the plan led process, as this is the key way in which local communities can shape their surroundings and set out a shared vision for their area. It also emphasises its importance to the achievement of sustainable development.
- 1.31 Paragraph 49 states that arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:
- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
 - b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.
- 1.32 Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process(paragraph 50)

Conclusion on policy framework

- 1.33 In considering each individual report, Members are asked to bear in mind that AVDLP (and any 'made' Neighbourhood Plans as applicable) constitutes the development plan. The emerging VALP will gather increasing weight as it moves forward but has not yet reached a stage at which it could be afforded any weight in decision-taking nor at which a refusal on grounds of prematurity could be justified. The Council can currently demonstrate a 5 year supply of housing land based on the latest housing land supply calculation.
- 1.34 Therefore, the Council's position is that full weight should be given to housing supply and other policies set out in any made Neighbourhood Plan Decisions should be taken in accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004) and the NPPF as a whole, including paragraph 11 and 14.
- 1.35 Where a Neighbourhood Plan is not in place, decisions for housing developments should be taken in accordance with paragraph 11 of the NPPF, granting permission unless the application of policies in this Framework 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 and where necessary each report advises Members on the planning balance.

Whether the proposals would constitute a sustainable form of development

- Each report examines the relevant individual requirements of delivering sustainable development as derived from the NPPF which are:
 - Building a strong competitive economy
 - Promoting sustainable transport
 - Delivering a sufficient supply homes
 - Achieving well designed places
 - Making efficient use of land
 - Promoting healthy and safe communities
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment
 - Meeting the challenge of climate change and flooding
 - Supporting high quality communications
- 1.36 These are considered in each report and an assessment made of the benefits associated with each development together with any harm that would arise from a failure in meeting these objectives and how these considerations should be weighed in the overall planning balance.

Building a strong, competitive economy / Ensure the vitality of town centres / Delivering a wide choice of high quality homes

- 1.37 Members will need to assess whether the development would will support the aims of securing 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. Paragraph 83 states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; and the development and diversification of agricultural and other land-based rural businesses.
- 1.38 Members will also need to consider whether each development proposal provides for a mix of housing based on current and future demographic trends, markets and community needs, of an appropriate size, type and tenure including the provision of affordable housing. Key to the

consideration of this point is the use of local housing needs assessment targets and the Council's ability or otherwise to demonstrate a 5 year supply of housing land. Further advice is given on affordable housing provision, including the requirement for 10% of the homes to be available for affordable home ownership on major housing development proposals. The definition of affordable is set out in Appendix 2. The new Housing Delivery Test (HDT) applies from the day following publication of the HDT results in November 2018. A transitional arrangement is set out in paragraph 215 and 216 phasing the % threshold where delivery is below of housing required over 3 years increasing from 25% November 2018, to 45% November 2019 and 75% November 2020.

Promote sustainable transport

- 1.39 It is necessary to consider whether these developments are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised, taking account of the policies in the NPPF. Paragraph 108 requires that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be taken up, safe and suitable access to the site can be achieved and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 1.40 The promotion of sustainable transport is a core principle of the NPPF and patterns of growth should be actively managed to make the fullest possible use of public transport, walking and cycling and to focus significant development in locations which are or can be made sustainable.

Conserving and enhancing the natural environment

- 1.41 Members will need to consider how the development proposals contribute to and enhance the natural and local environment through protecting and enhancing valued landscapes and geological interests, minimising impacts on biodiversity and providing net gains and preventing any adverse effects of pollution.
- 1.42 By their very nature, the majority of extensions of a settlement will result in development in the open countryside given that they are generally outside the built limits of the existing settlement. However, the actual and perceived extent to which they 'intrude' into the open countryside will vary and this will need to be assessed having regard to visibility and other physical factors.
- 1.43 In general, it will be important to ensure that the individual setting and character of each settlement is not adversely affected by the outward expansion of the town or village. This will necessarily involve individual assessments of the effects on the specific character and identity of each settlement, but will not necessarily be adverse simply as a result of a decrease in physical separation as any impacts may be successfully mitigated.
- 1.44 Members will need to consider the overall impact of each development assess the ability of the proposed development to be successfully integrated through mitigation.

Conserving and enhancing the historic environment

- 1.45 A positive strategy under paragraph 185 of the NPPF is required for conservation and enjoyment of the historic environment and an assessment will need to be made of how the development proposals sustain and enhance the significance of heritage assets and the positive contribution that conservation of assets can make to sustainable communities as well as the need to make a positive contribution to local character and distinctiveness.
- 1.46 The effects of specific developments will need to be assessed having regard to the site characteristics, specific impacts and ability to successfully mitigate. The Committee will need to consider the significance of any heritage assets affected including any contribution made by their setting. When considering the impact on the significance, great weight should be given to the asset's conservation and the more important the asset the greater the weight should be.

Promoting healthy and safe communities.

- 1.47 Decisions should aim 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.
- 1.48 It will therefore be necessary to consider how each scheme addresses these issues.

Making effective use of land

- 1.49 Section 11 of the NPPF requires that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land. Planning decisions should take into account the identified need for different types of housing and other development, local market conditions and viability, infrastructure requirements, maintaining the prevailing character and setting, promoting regeneration and securing well designed, attractive and healthy places.

Achieving well designed places

- 1.50 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.
- 1.51 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) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 1.52 Permission should be refused for development of 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 in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. Members will need to consider whether these issues have been dealt with satisfactorily.

Meeting the challenge of climate change

- 1.53 Developments will need to demonstrate resilience to climate change and support the delivery of renewable and low carbon energy.
- 1.54 This will not only involve considerations in terms of design and construction but also the locational factors which influence such factors. Development should be steered away from vulnerable areas such as those subject to flood risk whilst ensuring that it adequately and appropriately deals with any impacts arising.

S106 / Developer Contributions

- 1.55 Paragraph 56 of the NPPF states that planning obligations must only be sought where they meet all of the following tests
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development
- 1.56 Paragraph 57 of the NPPF states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage

Overall planning balance

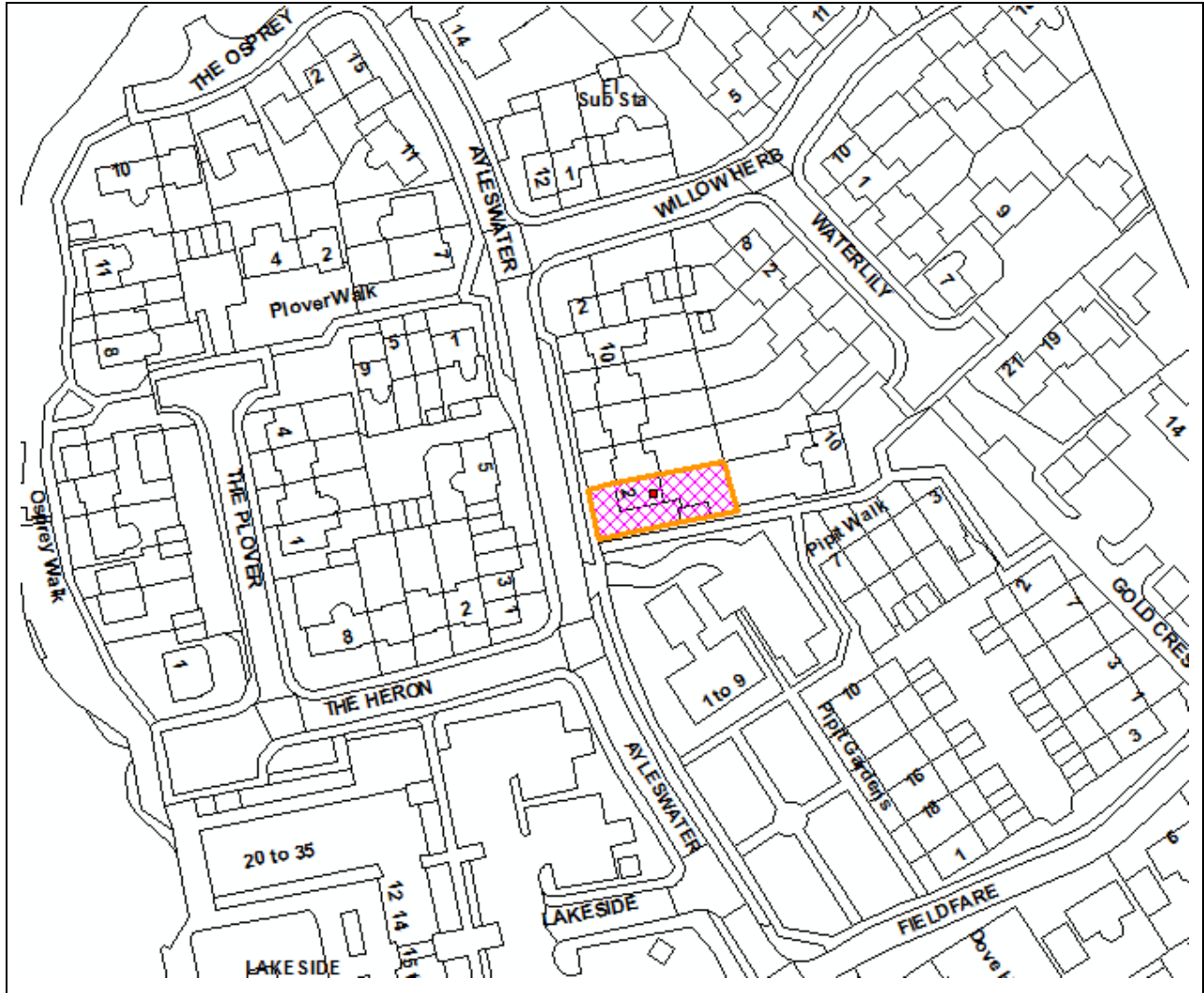
- 1.57 All of these matters, including housing land supply and delivery will need to be taken into account in striking an overall planning balance..

Conclusions

- 1.58 The concluding paragraphs of each report, where Members are asked to either reach a view on how they would have decided or can determine an application, will identify whether the proposed development is or is not in accordance with the development plan, and the weight to be attached to any material considerations. The planning balance will then be set out, leading to a recommendation as to whether permission would have been, or should be, granted (as the case may be), and the need to impose conditions or secure planning obligations or if permission would have been, or should be refused, the reasons for doing so.

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19/02250/APP



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REFERENCE NO	PARISH/WARD	DATE RECEIVED
19/02250/APP	Watermead The Local Member(s) for this area is/are: -	17/06/19
DEMOLISH EXISTING GARAGE AND REBUILD.	Councillor Ashley Bond	
2 AYLESWATER HP190FA MR HEER FRANKS STREET ATLAS PAGE NO. 101		

1.0 The Key Issues in determining this application are:-

- a) Impact on appearance and character of the dwellinghouse, street scene and wider area**
- b) Impact on Residential Amenity**
- c) Impact on Highways & Parking**

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

Conclusion and recommendation

- 1.1 The proposal is considered to be of a scale and form that respects the appearance of the existing dwelling and would not constitute overdevelopment. The proposal would be located partially on the site of the existing garage, but would be set further back towards the rear of the property preventing it from appearing prominent within the streetscene. In addition, it is considered that a two bay garage would not be considered more than reasonable for residential use in relation to the property. Additionally, the proposal would satisfy the Councils SPG Parking Guidelines and would accord with the development plan policies.
- 1.2 It is therefore recommended that the application be **APPROVED** subject to the following conditions:

Conditions:

1. STC5 – Standard time condition
2. US07 – Materials as shown on forms
3. Prior to the occupation of the development hereby permitted, the scheme for parking indicated on the submitted plans shall be laid out and that area shall not thereafter be used for any other purpose.
4. REU1A - The garage hereby permitted shall not be used or occupied for any purposes other than as ancillary to the residential use of the property on the site, currently known as No. 2 Ayleswater.

Reasons:

1. RE03 – To comply with Town and Country Planning Act and Section 51 of Planning and Compulsory Purchase Act.
2. RE11 – Satisfactory appearance
3. To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and accord with GP24 of the Aylesbury Vale District Local Plan.
4. RE20 - To preserve and maintain the residential character of the area in accordance with policy GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

INFORMATIVES

1. 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.
2. 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.

WORKING WITH THE APPLICANT/AGENT

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 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 agent responded by submitting amended plans/additional information which were found to be acceptable so the application has been approved.

2.0 INTRODUCTION

- 2.1 Watermead Parish Council raised material planning objections to the scheme and indicated that they wish to speak at committee.
- 2.2 The Parish Council's objections relate to the character and design of the proposed garage, with large triple garages located within the immediate vicinity it is considered that the proposal would not appear out of place, nor would the double garage result in overdevelopment for the large 3 storey dwelling it relates too.
- 2.3 The Parish Council also raised concerns regarding the commercial use of the garages, however the domestic use of the garages can be secured via a condition.

3.0 SITE LOCATION AND DESCRIPTION

- 3.1 The application site relates to an end of terrace dwelling fronting the public highway on Ayleswater in Watermead. The dwelling is a 3 storey property whilst the other dwellings within the terrace are two storey, the property also has dormers on the southern elevation. The site has a detached single garage set back from the dwelling, which runs parallel to the public footpath which runs west to east along the southern boundary of the site. The dwelling has had no previous extensions, and is of a brick construction. The dwelling is characterised with a tiled gable roof and a gable projection forming the front elevation of the property.
- 3.2 The property is currently accessed from the highway to the west of the site, leading to an area of hardstanding. The dwelling benefits from a detached garage located to the end of this hardstanding area.
- 3.3 The western boundary is marked by a low white metal fence, which is separated from the adjacent highway by a grass verge and footpath. The northern boundary is marked by the same fencing on the front elevation and vegetation to the rear. On the southern boundary the application site is separated from the footpath by a 2 metre high brick wall

and substantial vegetation, there is also some vegetation along the eastern boundary of the site. The site is level throughout.

- 3.4 The dwelling is located within the residential development of Watermead, to the south is a large three storey apartment building, whilst to the north is the row of terraces which the application site is a part of. Opposite the dwelling, on the other side of the highway is a three bay garage which is connected to a detached dwellinghouse.

4.0 PROPOSAL

- 4.1 The application seeks full planning permission for the demolition of an existing single bay garage and the erection of a two bay garage.
- 4.2 The two bay garage would be positioned to the south of the dwelling and would be located towards the eastern boundary. The garage would have a depth of 6.5m, and would have a width of 7m. The garage would have an eaves height of 2.3m and a ridge height of 4.35m. The garage will have a pitched roof with a roof light on each slope.
- 4.3 A door and window would also be introduced to the north elevation of the garage to provide access from the rear garden of the application site.
- 4.4 The proposed garage would be finished partly in brick to match the original building, with wooden cladding on the front elevation above the garage door.

5.0 RELEVANT PLANNING HISTORY

- 5.1 None.

6.0 PARISH/TOWN COUNCIL COMMENTS

- 6.1 Watermead Parish Council have objected to this application.
- 6.2 The full comments received from Watermead Parish Council are appended to this report and a summary of their comments is provided below:
- The proposal does not comply with the character or original design concept for Watermead.
 - The proposal would result in overdevelopment.
 - The proposal does not relate to a domestic use.
 - The proposal may be used for vehicle maintenance and repairs.

7.0 CONSULTATION RESPONSES

- 7.1 BCC Strategic Access Officer – The proposed garage does not affect any public right of way, it is suggested BCC Highways are consulted.
- 7.2 Buckingham and River Ouzel Drainage Board – No Comment
- 7.3 BCC Highways – The proposal would have no material impact on the safety and operation of the adjoining public highway, and therefore has no objection subject to informatives.

8.0 REPRESENTATIONS

- 8.1 None received.

9.0 EVALUATION

The application site is not covered by a neighbourhood plan.

a) Impact on appearance and character of the dwellinghouse, street scene and wider area

- 9.1 Policy GP.9 of the AVDLP states that proposals for extensions to dwellings will be permitted where they protect character of outlook, access to natural light and privacy for people who live nearby; respect the appearance of the dwelling and its setting and other buildings in the locality; and accord with published Supplementary Planning Guidance on residential extensions and the other policies of the development plan.
- 9.2 Policy GP.35 requires that developments respect and complement the physical characteristics of the site and its surroundings, the building tradition of the locality, and the scale and context of the setting, the natural qualities and features of the area and effect of the development on important public views and skylines.
- 9.3 Section 12 of the NPPF sets out the principles for achieving well designed places.
- 9.4 The proposed development would be visible in the street scene and from the public footpath located to the south of the site.
- 9.5 The proposed double garage would be located in the south eastern corner of the application site, covering some of the area of the existing garage. The garage would satisfactorily integrate with the host dwelling and would not appear to overwhelm the original building or the plot, utilising a pitched roof to match that on the existing dwelling. The AVDC Design Guide on Residential Extensions suggests that garages do not

belong in prominent locations, and should not obscure or dominate houses. Freestanding garages which are designed to relate to the house, built of similar materials with a similar or steeper roof pitch are preferred. The proposed garage would be located to the very back of the site preventing it from obscuring or dominating the dwellinghouse. The garage would also utilise a roof pitch which is similar to the existing dwelling, in addition to utilising matching materials throughout the majority of the proposal. In addition to the proposals compliance with the Council's Residential Design Guide, there are several other examples of larger garages within the street scene and wider area, most notably the triple garage which adjoins No. 1 located directly opposite the application site. In addition to the double garage found on Willow Herb Road which adjoins No. 1 and a triple garage which is located between No's. 6 & 8 on the same road. These garages all front the highway directly and are prominent features within the streetscene, therefore the proposal would not appear out of place when viewed from the surrounding area.

- 9.6 Concerns have been raised in relation to the proposal resulting in overdevelopment of the site. The garage would be increasing in footprint through the addition of an extra bay for a second car, it is considered that this increase in size to accommodate a second vehicle would not overwhelm the existing dwelling or the plot itself. The size of the dwelling itself would not be increased as a result of this development, the single storey nature of the garage would not appear to overwhelm the existing dwelling.
- 9.7 The local area is a mix of varying styles of dwellings, however the dwellings themselves are all of a modern construction as part of the Watermead development scheme. The scheme would marginally alter the appearance of the plot when viewed from the surrounding area. It is considered that the alterations are modest and the changes would not be unsympathetic to the building itself or the area in general as mentioned above.
- 9.8 The garage would be constructed in materials to match the main dwelling with the addition of a wooden cladded, and would be of a scale and design which would appear to be in keeping with the original character and appearance of the dwelling. It is considered that the addition of this wooden cladding would not appear unduly prominent when viewed from the public realm.
- 9.9 In summary the proposal is considered to be of a scale and design that respects the character and appearance of the existing dwelling and does not overwhelm it. In addition is considered that the proposal would not appear overly prominent within the streetscene

or the locality in general. The proposals are therefore considered to comply with GP9 and GP35 of the AVDLP, the Council's Design Guide Residential Extensions and NPPF.

b) Impact on Residential Amenity

- 9.10 Policy GP8 of the AVDLP states that planning permission will not be granted where the proposed development would unreasonably harm any aspect of the amenity of nearby residents when considered against the benefits arising from the proposal.
- 9.11 The proposal will introduce new openings at ground level on the north elevation of the garage, a door will also be added on this elevation. A roof light would be added on both the northern and southern roof slope. The window and door will face towards the application sites own garden and the neighbouring No. 4. There are no concerns in regards to loss of privacy to any nearby dwellings as a result of the single storey nature of the proposal and due to the existing boundary treatment between No, 4 and the application site which consists of 1.8 metre high wooden closed panel fencing in addition to mature hedging. The roof lights will not afford any views into neighbouring properties.
- 9.12 The proposed garage would be located in the south eastern corner of the site, abutting the rear garden of No. 10 Waterlily. The garage will have an eaves height of approx. 2.2 metres, with a ridge height of 4.3 metres. As a result of the varied ground levels between the application site and No. 10 to the rear, the eaves height of the proposed garage will be approximately the same as the existing boundary treatment consisting of wooden close boarded fence. This relationship combined with a separation distance between the garage and No. 10 in excess of 17 metres means there would be no loss of outlook or over bearing impact.
- 9.13 Due to the relationship of the host dwelling with the surrounding properties there would be no undue loss of light, loss of outlook or over bearing impact as a result of the scheme.
- 9.14 The proposed garage would be located adjacent to the footpath to the south of the site. The boundary between the application site and the footpath is already marked by a 2 metre high brick wall in the location of the proposed garage. With the eaves height of the proposed garage extending only 0.2 metres above this, in addition the roof of the garage will pitch away from the boundary and footpath. The limited additional height of

the proposed garage in addition to the roof design would prevent the garage from appearing overbearing from the south.

9.15 No other properties will be unduly affected as a result of this proposed development and the proposal would accord with policies GP8 and GP9 of AVDLP.

c) Impact on Highways & Parking

9.16 AVDLP policy GP24 and the council's SPG Parking Guidelines stipulates that, for dwellings with four bedrooms, there should be three parking bays provided within the curtilage of the dwelling. These spaces must be, at minimum, 2.4m in width and 4.8m in depth.

9.17 The proposal involves the demolition of an existing garage and the erection of a larger garage which can provide a total of 2 parking spaces. There will be no change to the number of parking spaces at the site or the number of bedrooms within the property.

9.18 Watermead parish council have expressed concerns regarding the possible commercial use of the garage as a workshop for business use. The use of the proposed garage can be secured via a condition to ensure that the use remains ancillary to the main dwelling.

9.19 As such, the proposed development is considered to accord with ADVLP policy GP.24 and the Council's SPG Parking Guidelines and the NPPF.

Case Officer: Jack Spence

Telephone No: 01296 585940

APPENDIX –

APPENDIX 1 – Watermead Parish Council Comments

First of all thank you for agreeing the time extension (due to calendar of PC meetings) to the above mentioned planning application. Watermead Parish Council writes to inform you that at the Parish Council meeting of Thursday 18th July 2019 they agreed to oppose the above planning application for the following reasons:

Impact on Residential Amenity

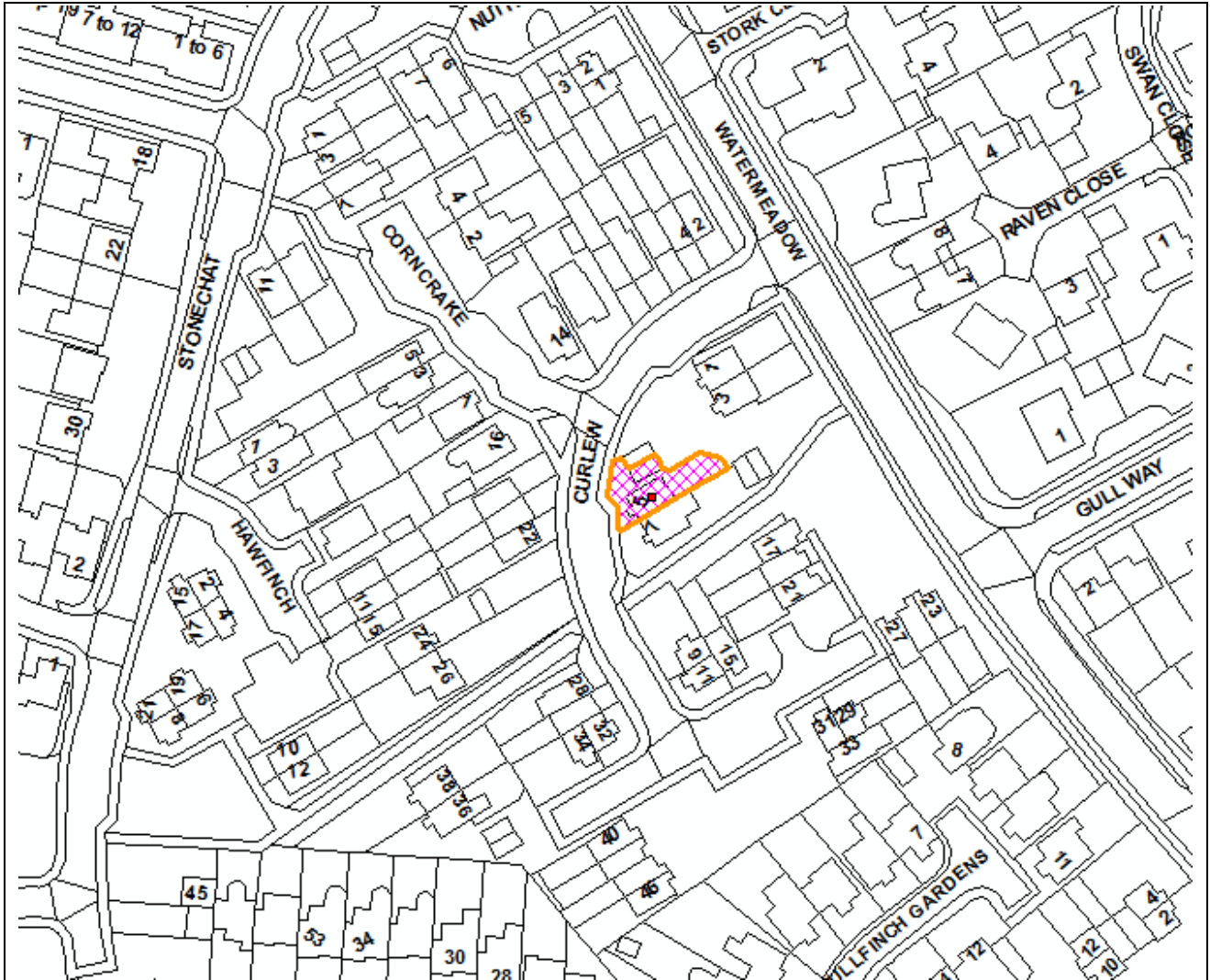
Policy GP8 of the AVDLP states that planning permission will not be granted where the proposed development would unreasonably harm any aspect of the amenity of nearby residents, when considered against the benefits of the proposal. We strongly believe the following should be considered:

The impact on the character/original design concept for Watermead fails. The Parish Council unanimously agreed that this application is overdevelopment to a very large scale. The footprint/dimensions of the proposed garage appears larger than the residential property and we believe the proposed garage is an overdevelopment for domestic purposes.

Concerns have been made to the Parish Council by parishioners relating to the impact of vehicle maintenance/repairs already being carried out at this property. We accept that this it is not a material planning consideration and lies outside of the remit of the Local Planning Authority, however we would very much appreciate your attention and to clarify information of a business being operated from this property.

Whilst writing I would like to confirm that Watermead Parish Council would be available to speak in the event this application is to be considered by the committee.

19/01281/APP



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REFERENCE NO	PARISH/WARD	DATE RECEIVED
19/01281/APP	WATERMEAD The Local Member(s) for this area is/are: -	10/04/19
PROPOSED TWO STOREY SIDE/REAR EXTENSION	Councillor Ashley Bond	
5 CURLEW HP19 0WG		
MR & MRS PETERNEV		
STREET ATLAS PAGE NO.101		

1.0 The Key Issues in determining this application are:-

- a) *Impact on appearance and character of the dwellinghouse, street scene and the wider area***
- b) *Impact on residential amenity***
- c) *Impact on highways and parking***

The recommendation is that permission be **GRANTED**

APPROVED subject to the following conditions:-

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

1. STC5 – Standard time condition
Reason: RE03
2. US04 – Matching materials
Reason: RE11
3. The development hereby permitted shall only be carried out in accordance with drawing No. 1831-PL-02 Rev D received by the Local Planning Authority on the 31 July 2019.
Reason: RE39

WORKING WITH THE APPLICANT/AGENT

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 /agent was informed of the issues arising from the proposal and given the opportunity to submit amendments in order to address those issues prior to determination. The

agent responded by submitting amended plans which was found to be acceptable so the application was considered to be acceptable.

2.0 INTRODUCTION

2.1 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.

3.0 SITE LOCATION AND DESCRIPTION

3.1 The application site comprises a two storey semi detached three bedroom dwelling located within a quiet cul de sac of residential dwellings comprising a mix of terraced, semis and cluster homes.

3.2 The host dwelling faces south west towards the highway and is attached on the south east side to No.7. On the north west side there is a detached block of two garages, one of which belongs to the host dwelling and there is space for one car to be parked to the front of the garage.

3.3 To the rear (north east) is an enclosed rear 10m in depth garden with the parking/garaging area for No's 1 & 3 over the garden wall. The garage and parking space for the host dwelling is accessed from this area.

3.4 The dwelling is set back 2.6m from the highway to the front and the front curtilage of the dwelling is landscaped. There is also a parking bay to the front providing 2 spaces.

4.0 PROPOSAL

4.1 The application seeks consent for the removal of the garage and the erection of a two storey side and rear extension. The existing dividing wall between the two garages would be retained and the new extension would be built abutting this wall.

4.2 The extension would be 3.65m in width at the front, 8.3m in length and 4m in width at the rear wrapping slightly round the rear elevation and projecting 1.05m further to the rear.

4.3 The roof would be gable ended to match the existing roof but set down 200mm and set back 500mm and would have a gable feature to the rear set down 1.1m below the new roofline.

4.4 The new accommodation would provide an extended living room and kitchen/dining room at ground floor and a larger master bedroom with en-suite facilities at first floor. Fenestration would include a ground floor window and obscure glazed first floor window to the front and a ground floor kitchen window and a window to the rear.

4.5 The application as originally submitted sought to increase the number of bedrooms from three to four, however revised plans were submitted which included internal alterations so that only three bedrooms would be provided.

5.0 RELEVANT PLANNING HISTORY

None.

6.0 PARISH/TOWN COUNCIL COMMENTS

6.1 Watermead Parish Council have objected on the grounds that the proposal is not in keeping in the area and be unduly eye catching failing to retain the character and appearance of the area which would conflict with the character of the street and fail to

retain the openness and character of the surrounding area.

- 6.2 They refer to other recent extensions and garage conversions on the estate and the loss of parking has impacted on the character and original design concept for the Watermead estate and have agreed that this application is overdevelopment potentially intrusive to neighbouring properties and would only exacerbate the parking problems on Curlew.

7.0 CONSULTATION RESPONSES

- 7.1 Buckingham and River Ouzel Internal Drainage Board – No comments to make regarding this application.

8.0 REPRESENTATIONS

- 8.1 One letter of representation has been received from the occupier of No. 3 to the rear who has objected on the grounds that it would compromise daylight to the front of the property and result in their lounge window to the front being overlooked.
- 8.2 Another letter has been received from the occupier of No.7 Curlew who has written on behalf of prospective buyers of this dwelling raising concerns that if the space to the front of the existing garage is used, this may cause difficulties for the other 3 dwellings that share the parking court to manoeuvre in and out of their spaces. The author also states that as the boundary line is close to the parking space, some of the land may be owned by No. 7.

9.0 EVALUATION

Impact on appearance and character of the dwellinghouse, street scene and wider area

- 9.1 AVDLP GP9 indicates that proposed extensions should accord with SPG advice, and should respect the appearance of the original dwelling and show respect for the setting of the dwelling and other buildings in the area. AVDLP GP35 requires that development respects and complements the physical characteristics of the site and its surroundings, the building tradition of the locality, and the scale and context of the setting, the natural qualities and features of the area and the effect of the development on important public views and skylines. The NPPF sets out guiding principles including that authorities should always seek to secure high quality design.
- 9.2 The dwelling is set back from the road frontage occupying a corner plot and although the proposed extension would be prominent within the street scene, it is not considered that it would appear overly dominant and therefore not considered to have any adverse impact upon the existing dwelling or the character of the area.
- 9.3 The proposed two storey side extension would be set down and set back from the existing dwelling which accords with the advice contained within the Design Guide and it is considered that the proposal has been designed in such a way as to not appear out of character in terms of the relationship with the original dwelling. The rear roof projection has been set down over 1m from the main roof line and has a gable roof with a matching pitch that would appear subservient in its design and would subsequently retain the character and appearance of the dwelling and would maintain a sufficient degree of subservience in relation to the host dwelling as to not adversely impact upon its character and appearance.
- 9.4 In summary the proposal is considered to be of a scale and design that respects the character and appearance of the existing dwelling and does not overwhelm it. In addition is considered that the proposal would not appear overly prominent within the streetscene or the locality in general. The proposals are therefore considered to comply with GP9 & GP35 of the AVDLP, the Council's Design Guide Residential Extensions and NPPF.

Impact on residential amenity

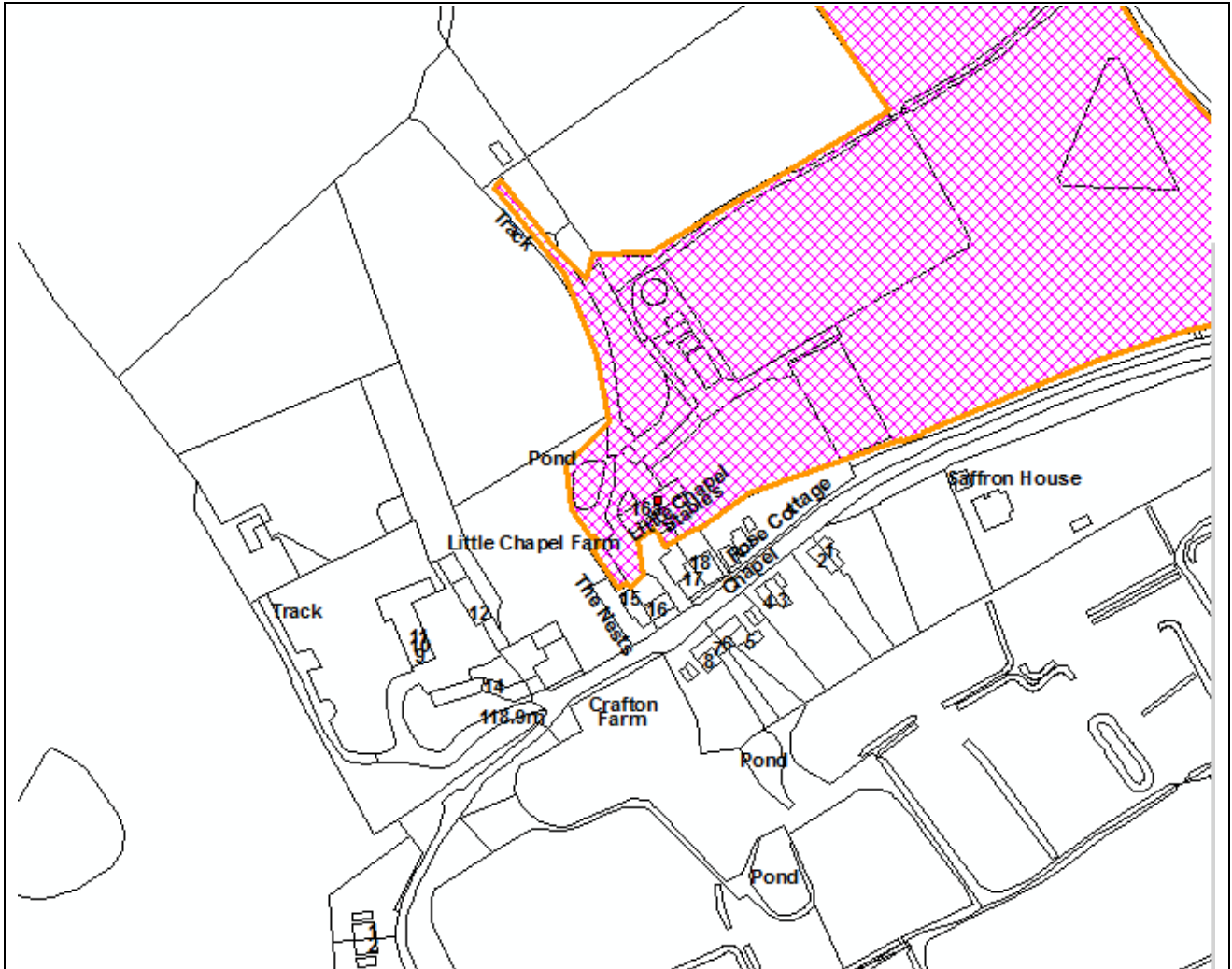
- 9.5 The development would be to the north east side of the dwelling away from the attached neighbour, No. 7, and although the small rear projection would be visible to the occupiers of this dwelling, it would not impact on residential amenities. The proposal would involve the removal of a garage that is attached to the garage of No.7 but the plans show that the dividing wall would be retained and the extension would abut the remaining garage but this would not impact on the garaging arrangements of No.7
- 9.6 To the rear approximately 14.5m from the rear elevation of No.5 are 2 and 3 Curlew, a pair of semi-detached dwellings are present with open plan frontages that face towards No. 5 with a parking area between.
- 9.7 The occupier of No.3 has objected to the proposal stating that the development would overlook their lounge window and result in a loss of light. It is agreed that the proposal would be more prominent in views from these dwellings but given the separation between the two dwellings and limited rear projection, it is not considered that a significant loss of light would occur.
- 9.8 The extension would not be enclosed within the boundary wall of the host dwelling and as such both the ground floor window and first floor window to the rear would be visible to the occupiers of these semi detached dwellings to the north east, however the ground floor window would serve the new kitchen area and look into the parking area and although the first floor window would be closer to No.3 than the existing rear facing bedroom windows, it is not considered that an unacceptable arrangement would take place, given the separation distance, the parking of cars between the properties and the general open public nature of the intervening land.
- 9.9 In summary, given the positioning of the proposal and its relationship relative to the neighbouring properties in terms of scale, position of windows and orientation it is considered that the proposal would not have an unacceptable adverse impact upon the neighbouring amenity. Therefore the proposal accords with GP.8 of AVDLP and NPPF.

Impact on highways and parking

- 9.10 The development would not result in the increase in the number of bedrooms which would remain at three but would result in the loss of one parking space within the garage. The Council's SPG on parking requires that for a 3 bed dwelling, two parking spaces should be provided, with at least one within the curtilage of the dwelling. The amended plans show that the dwelling would retain one parking space to the front of the former garage that is within the curtilage of the dwelling and there is another parking space to the rear that is under the ownership of the applicant. On the basis of this information, it is considered that the parking for the property would be considered to accord with GP.24 of AVDLP and NPPF and the Council's SPG Parking Guidelines.
- 9.11 The occupier of No.7 has raised concerns that the use of the spaces to the rear for parking may cause obstructions to the other users of the parking court. However, this spaces is already being used for parking and with a clearance of 5 metres to the rear of the parking space, it is not considered that a car parked in this spaces would cause obstructions to other users of the parking court. It has also been confirmed that no enclosure would be erected around the parking spaces so as not to impede the use of the adjoining garage.

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19/01900/APP	
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REFERENCE NO	PARISH/WARD	DATE RECEIVED
19/01900/APP	MENTMORE The Local Member(s) for this area is/are: - Councillor P Cooper	20/05/19
<p>RETENTION OF THE EXISTING BARN AND THE OPERATION OF A DOG HOME BOARDING AND DAY CARE BUSINESS FROM PARTS OF THE SITE (RETROSPECTIVE)</p> <p>16A CRAFTON LODGE ROAD, CRAFTON LU7 0QL</p> <p>MR & MRS PURNELL</p> <p>STREET ATLAS PAGE NO.89</p>		

1.0 The Key Issues in determining this application are:-

- a) Impact on appearance and character of the dwellinghouse, street scene and wider area
- b) Impact on the setting of the conservation area
- c) Impact on residential amenity
- d) Impact on highways & parking

The recommendation is that permission be **GRANTED**

APPROVED subject to the following conditions:-

1. The use of the building hereby permitted shall be used for dog day care only and when the building is no longer required for dog day care, the use hereby permitted shall revert back to agricultural storage use.
Reason: To ensure that inappropriate uses do not take place in this locality and to comply with the National Planning Policy Framework.
2. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out within one month of the date of permission being granted, and that area shall not thereafter be used for any other purpose.
Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and to comply with the National Planning Policy Framework.

2.0 INTRODUCTION

- 2.1 The application needs to be determined by committee as Mentmore Parish Council has raised material planning objections in respect of noise, residential amenity and the impact on the Conservation Area and confirms that it will speak at the Committee meeting.

3.0 SITE LOCATION AND DESCRIPTION

- 3.1 The application relates to an isolated two storey barn building located to the north of the main dwelling well within the curtilage of 16A Crafton Lodge Road.
- 3.2 The site is accessed via a shared driveway off the main road and there is a gates access within the shared parking and turning area through a 5 bar gate. There is further parking for the host dwelling to the south of the building and there is a stable to the east with paddock land beyond.

4.0 PROPOSAL

- 4.1 The application seeks consent for the retention of a dark stained timber barn building with tiled roof as built and the change of use of the barn from agricultural storage to use as a dog day care business.
- 4.2 The barn was originally granted permission under planning reference 13/00373/APP with a condition that the building only be used for agricultural purposes. Permission is sought retrospectively for the change of use of the barn to use in connection with a dog day care business that has been in operation since 2016.
- 4.3 The barn was built to the width and depth as approved but with a 5.7m ridge height and an eaves height of 2.25m as oppose to the approved 5m ridge height and 2m eaves height. The structure has also be located slightly further to the north than approved and has been altered externally comprising the replacement of the timber doors to the south west side with full height glazed doors and three rooflights in the north east roof slope

5.0 RELEVANT PLANNING HISTORY

- 82/00916/AV - Establishment of riding school – Approved.
- 89/00812/APP - Demolition of farm buildings erection of one dwelling – Approved.
- 96/02294/APP - Conversion of a stable block to a dwelling - Refused
- 97/00344/APP - Retention of 5 l. p. g. tanks – Refused.
- 97/01171/APP - Agricultural building – Refused.
- 97/01578/APP - Agricultural building – Refused.
- 97/02153/APP - Installation of one LPG underground storage tank – Approved.
- 98/00143/APP - Conversion of stables to dwelling – Approved.
- 98/00858/APP - Conversion of stables to dwelling – Approved.
- 98/02359/APP - Change of use of agricultural building to use as stables (Little Crafton Farm) – Approved.
- 13/00373/APP - Erection of agricultural storage building with associated hardstanding – Approved.
- 15/04110/APP - Erection of replacement porch to rear – Approved.
- 02/02521/APP - Erection of greenhouse – Approved.
- 19/01769/APP - New vehicular access road - Pending

6.0 PARISH/TOWN COUNCIL COMMENTS

- 6.1 The Parish Council have objected on the grounds of noise and residential amenity stating that the barn is located too close to other residential dwellings and being within the Conservation Area, would cause unwarranted noise and disturbance. They recommend that an adequate sanitaire of 75 metres be conditioned to protect residents
- 6.2 They also comment that the business brings extra traffic along a single track road which is unsuitable given its location within the conservation area.

- 6.3 They go on to highlight that the title of the application is misleading as the retention of a barn is in fact the retention of a barn without permission to a dwelling and query why the application is not two separate applications, one for the conversion of the barn to a dwelling and the other for the change of use to a dog boarding business as these are two separate issues. They see the building clearly used as a dwelling and are concerned that the pending application for the new access is an attempt to split the property into separate dwellings and request that this be controlled by condition.

7.0 CONSULTATION RESPONSES

- 7.1 Rights of Way Officer – Notes that a public footpath runs to the west of the application site and has concerns regarding the parking arrangements that could potentially obstruct the footpath. A parking plan has been provided and, in conjunction with the Highway Officer, it recommends that a condition be included that the parking spaces be laid out in accordance with the approved plans and permanently maintained.
- 7.2 Highways – Following receipt of a traffic survey, noted that although the highway network approaching the site is narrow and would not accommodate simultaneous two way vehicle flow, given the lightly trafficked nature of the road, it is not thought that a refusal on highway grounds would be sustainable.
- 7.3 Heritage – Verbally confirmed that there are no objections.
- 7.4 Economic Development – Welcomes the application to continue the use of the building as dog boarding and day care stating that the application agrees with AVDLP 2004, policy RA11 with the reuse of a permanent structure for non residential purposes. It also is supported by NPPF paragraph 83 for the sustainable growth for all types of business in rural areas but would like more information on the number of staff.
- 7.5 Archaeology – The nature of the works are unlikely to significantly harm the archaeological significance of the nearby Schedule Ancient Monument. No objection.
- 7.6 Environmental Health – Given the separation between the unit and the nearest residential properties, no objection.
- 7.7 Buckingham & River Ouzel Drainage Board – The site is outside the board's district and therefore no comment.

8.0 REPRESENTATIONS

- 8.1 Seven letters of objection have been received from the occupiers of dwellings within the hamlet who oppose the application on the grounds of
- Noise of barking dogs while being dropped off and pick up would impact on the neighbours
 - Extra vehicular movements, especially at peak time, would cause a hazard to other road users
 - Use of the site and barn for dog care purposes is inappropriate within the Conservation Area and adjacent to the Schedule Ancient Monument
 - Close proximity of the use in relation to the neighbouring dwelling inappropriate resulting in a noise nuisance. Has rooms close to where dogs can roam freely
 - Inappropriate for a business to operate within such a small rural hamlet and would set a precedent.
 - The alteration to the barn could lead to the change of use to a residential unit
 - The wooden fence screening from the public footpath unsuitable and unacceptable in this location

- 8.2 The occupier of Rose Cottage has advised that they share a rear boundary with the application site and that dogs roam freely on open land to the north of the boundary only 5m away from the rear elevation of Rose Cottage. However, the plans provided show although there is a large area of land belonging to the applicant adjoining the rear garden of Rose Cottage, this land is residential curtilage for Little Chapel Stables. The land and business associated with Little Chapel Stables does not form part of this application. Whilst the development the subject of this application is also for the day care of dogs, this is a separate entity and already benefits from planning consent. Any issues arising from the existing business associated with Little Chapel Stables (i.e. not this proposal) is not material to the determination of this application.

9.0 EVALUATION

Impact on appearance and character of the dwellinghouse, street scene and wider area

- 9.1 Policy GP35 of AVDLP requires that new development should respect and complement the physical characteristics of the site and surroundings, existing development in the locality and the natural and historic features of the site. Policy RA2 of AVDLP identifies that new development in the countryside should avoid reducing open land that contributes to the form and character of rural settlements. Advice contained within the NPPF seeks to support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing building and well designed new buildings and to promote the development and diversification of agricultural and other land-based rural businesses.
- 9.2 The building has been constructed to the west of an existing larger stable building which is larger in size than the building the subject of this proposal and the application site is in part obscured by mature hedging.
- 9.3 The building the subject of this retrospective planning application is set away from the public footpath by 16m but protected by 2m high timber fencing. The materials used are dark stained timber weatherboarding to the elevations set under a clay tiled pitched roof with three sets of full height glazed doors opening into the amenity area, three rooflights on the north eastern roof slope, a door and a window in the south eastern side elevation and a single window in the north west facing side elevation.
- 9.4 Policy RA8 of the AVDLP relates to proposals within an Area of Attractive Landscape and advises that development that adversely affects the character of the area will not be permitted unless appropriate mitigation measures can be secured and the Council will impose conditions or seek planning obligations to ensure the mitigation of any harm caused to the landscape interest.
- 9.5 Whilst the proposed building was not constructed in accordance with the approved details (13/00373/APP) and alterations to fenestration have taken place, it is considered that the building has been constructed from appropriate materials for the rural area and does not appear visually intrusive within the AAL, therefore the revised building is considered acceptable and accords with policy GP35, RA2 and RA8 of the AVDLP. In addition, in visual terms, the use of the structure does not result in any discernible harm in the context of these policies and harm to the character and appearance of the area.

Impact on the setting of the conservation area

- 9.6 Policy GP53 of the AVDLP seeks to ensure that development proposals respect the character and appearance of the Conservation Area and Section 16 of the NPPF relates to conserving and enhancing the historic environment.

9.7 The building is a relatively modest size, being only slightly taller than the approved scheme, that is located on part of a small paddock alongside a stable building to the north east and is shielded all round by fencing and existing vegetation and there are no view of the building from the wider area. The use of the building would be limited to a maximum of 12 dogs that have use of both the indoor and outdoor space (the paddock area immediately adjacent to the building). Information provided states that these dogs are pre-assessed as suitable for day care in terms of their temperament and behaviour and it is not considered that this use (the functions taking place within the building and the exercise/outdoor area where dogs would be present) would not be detrimental to the setting of the surrounding conservation area.

9.8 The building as built is considered appropriate for its setting and has a minimal impact on the character and appearance of the surrounding area and countryside with no adverse impact upon the Crafton Conservation Area and does not appear out of keeping with the rural area.

Impact on residential amenity

9.9 Policy GP8 of the AVDLP seeks to preserve the residential amenities of neighbouring properties by protecting their character of outlook, access to natural light and privacy and GP95 seeks to protect the amenities of existing occupiers from the adverse affects of existing uses.

9.10 The building is sited within a small paddock area to the north of the existing development that fronts Crafton Lodge Road and in relation to the closest properties there would be a separation distance of approximately 30m in relation to Little Chapel Stables which is within the applicant ownership and approximately 70m from the nearest neighbouring properties which comprise No's 15 and 17 Crafton Lodge Road which front the highway and are either side of the access.

9.11 Given the substantial separation between the business and with no views of the building from these dwellings, it is not considered that the extra height of the building or the use would give rise to a loss of residential amenity in terms of loss of light, overlooking, overshadowing or overbearing impacts to the neighbouring dwelling thus complying with GP8 of the AVDLP.

9.12 With regard to the new use of the building, although the neighbours have highlighted the noise nuisance, information has been provided to state that the dogs would not be left unsupervised therefore reducing the likelihood of barking and the dog day care business would be on the parcel of land separated from the neighbouring dwelling and although it is accepted that barking will be heard, it is not considered that is would be at an unacceptable level therefore in compliance with GP95 of AVDLP. The Environmental Health department has advised that they did receive a complaint regarding noise in 2016 which they investigated and it was reported back that steps had been taken to reduce the noise to an acceptable level and there have been no further complaints since. On this basis, EH have offered no objection. Should a noise issue occur in the future, then this would be investigated under the appropriate legislation.

Impact on highways & parking

9.13 GP24 of AVDLP seeks that new development is required to provide vehicular parking in accordance with the SPG on Parking Guidelines.

9.14 The property is served by an access off Crafton Lodge Road which is an unclassified road subject to a 30mph limit. A Vehicle Movement Survey has been submitted with the application and the Highway Officer has commented that although the access approaching the site is narrow, the limited vehicle movements associated with the current business use does not generate excessive traffic use and therefore has no objection.

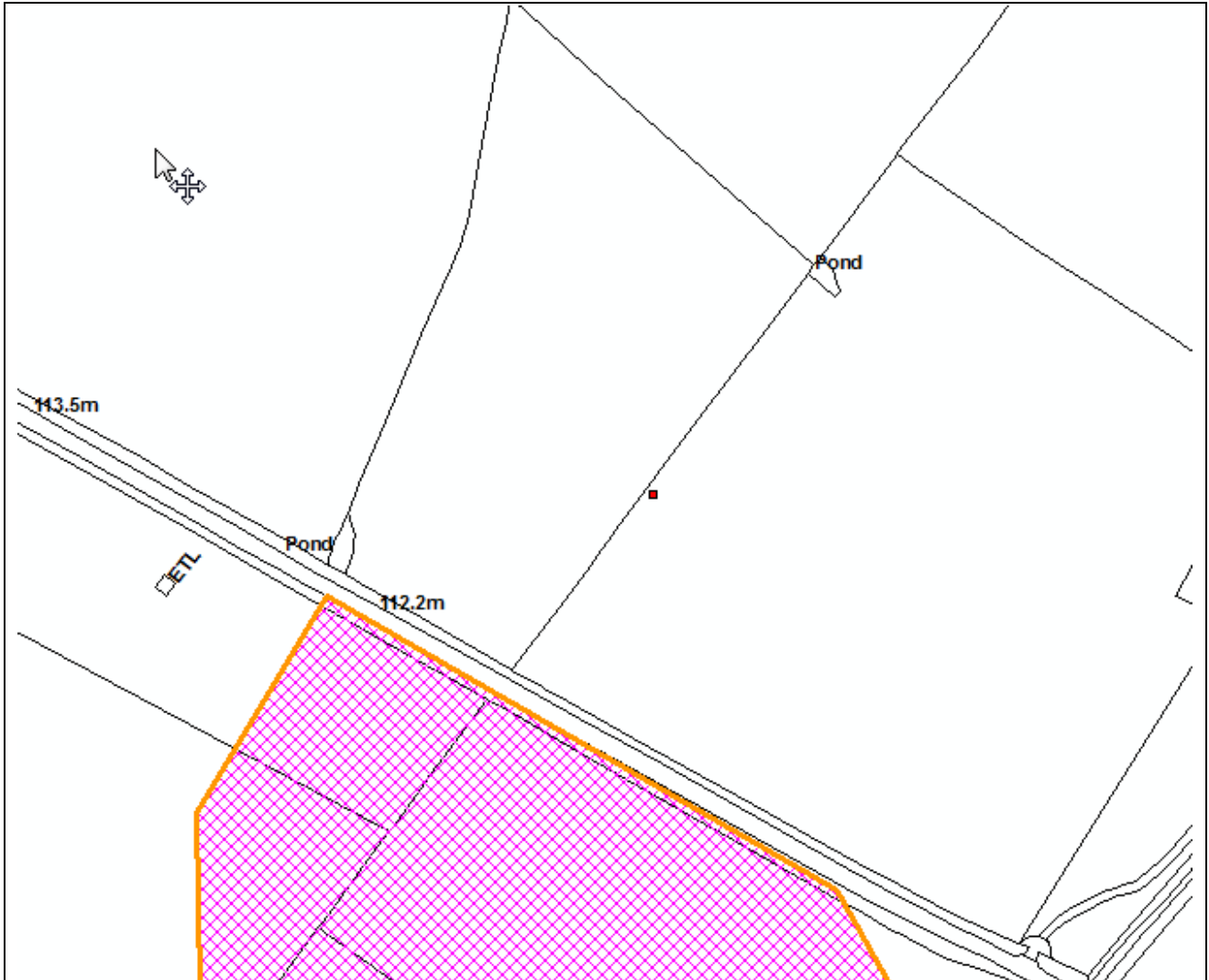
- 9.15 The site is accessed through a shared courtyard with parking for three cars within the courtyard and a further three cars can be parked to the front of Little Chapel Stables. Given the amount of visitor expected, the parking is considered adequate and visits would be by appointment and therefore can be staggered to lessen the impact
- 9.16 The Rights of Way Officer has concerns that parking may occur to the front of the public footpath but following the receipt of a revised parking plan, has no objections subject to the condition suggested by the highway officer.
- 9.17 Having regard for the above, it is considered that the development would accord with Policy GP24 of the DLP, the Council's SPG on Parking Guidelines and the NPPF.

Other matters

- 9.18 The Parish Council have concerns that it is intended to convert the building into a separate unit of accommodation and although with the insertion of first floor, the building is capable of providing a separate unit of accommodation, there is no evidence that the building is being used for this purpose and the application provides no indication that this is the intended case. However, for the avoidance of doubt, a condition is considered appropriate limiting the use of the unit for use in connection with the dog day care business only.

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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 22.271/s. The second option is to have one discharge rate; this would be the greenfield QBAR rate of 6.251/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,

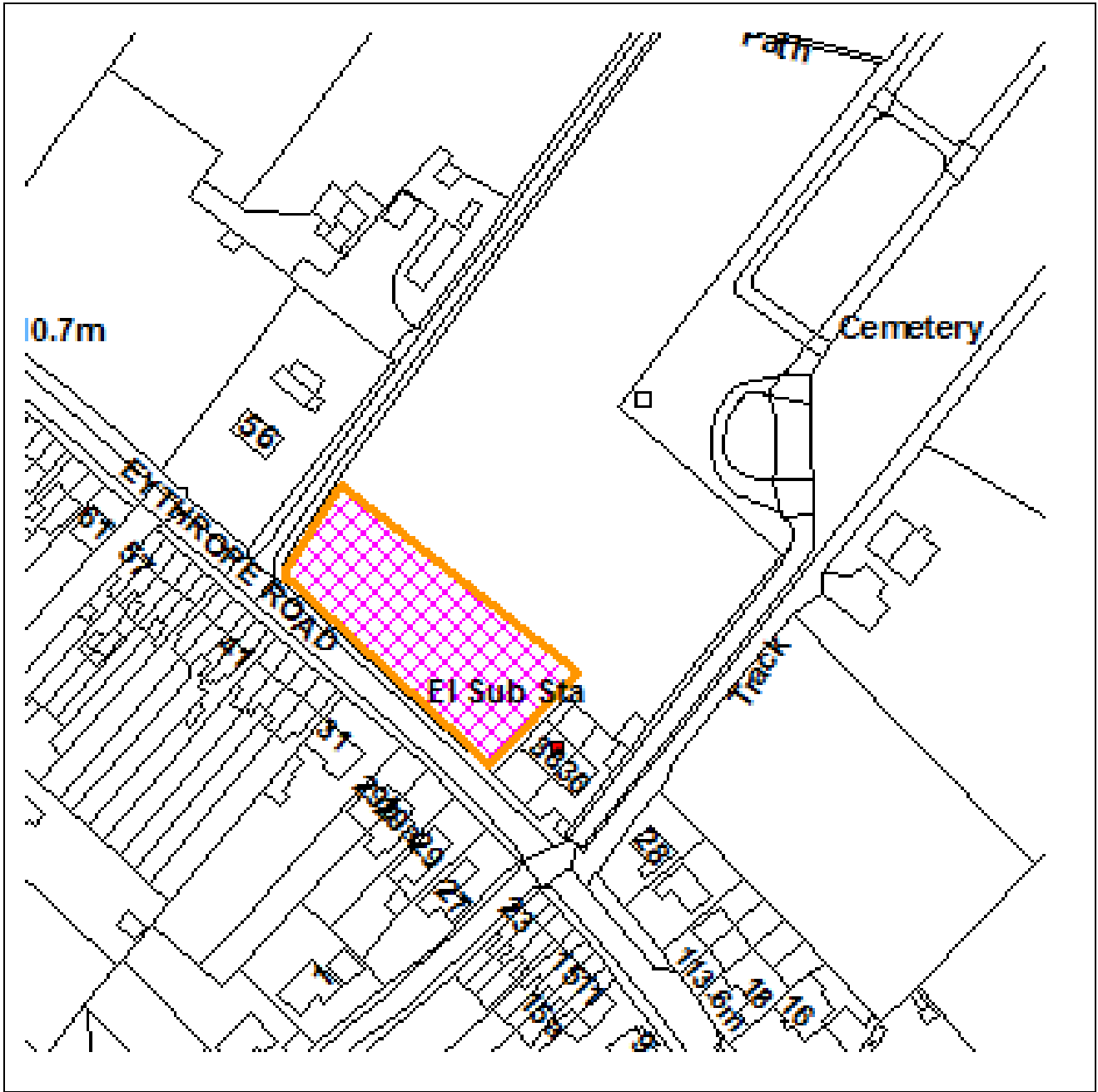
which does not support the use of such measures. This has led to the withdrawal of proposals for temporary speed restrictions. The enforcement of speed limits is beyond the gift of the applicant.

- 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.

Case Officer: David Wood

Telephone No:01296 585218

19/00097/AOP	
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REFERENCE NO	PARISH/WARD	DATE RECEIVED
19/00097/AOP	STONE BISHOPSTONE AND HARTWELL	11/01/19
Outline planning application Proposed development of up to 5 bungalows including access.	The Local Member(s) for this area is/are: - Councillor Brian Foster	
Land Adj To 38 Eythrope Road, HP17 8PG	Councillor Mrs J Brandis	

STREET ATLAS PAGE NO.114

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
- Delivering a sufficient supply of homes
- Making effective use of land
- Conserving and enhancing the natural environment
- Promoting sustainable transport
- Promoting healthy and safe communities
- Achieving well-designed places
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the historic environment
- Supporting high quality communication

c) Impact on Residential Amenity

d) Other Matters

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

PLANNING BALANCE AND RECOMMENDATION

The application has been evaluated against the Development Plan, which comprises of Aylesbury Vale District Local Plan (AVDLP) and the NPPF and the Authority has assessed the application against the planning principles of the NPPF and whether the proposals deliver 'sustainable development'. Paragraph 11 of the NPPF planning permission should be granted 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.

As part of the above assessment it is acknowledged that there would be economic benefits in terms of the construction of the development and those associated with the resultant increase in local population. Furthermore, the development of up to 5 dwellings would make a contribution to

the housing land supply which would be a significant benefit. Whilst these benefits have been identified, given the small number of dwellings proposed these benefits are tempered to limited positive weight in the overall planning balance.

Moderate negative weight is afforded to the proposal for up to 5 dwellings, which would result in the scheme extending the settlement into open countryside, causing a permanent loss and unnatural divide of a greenfield site. The proposal could not adequately mitigate the effect on a number of visual receptors and the adverse impact the scheme would have on the open, rural character of this section of Eythrope Road, a parcel of land positively contributes towards providing an attractive setting at the edge of Stone. Furthermore, the loss of the best and most versatile agricultural land is afforded limited negative weight.

Compliance with some of the other objectives of the NPPF have been demonstrated or could be achieved in terms of making effective use of land, trees & hedgerows, biodiversity, contamination, promoting sustainable transport, parking, promoting healthy communities, achieving well-designed places, meeting the challenge of flooding, conserving & enhancing the historic environment, supporting high quality communication and residential amenity. However, these matters do not represent benefits to the wider area but demonstrate an absence of harm to which weight should be attributed neutrally. 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 the tilted balance of paragraph 11d) of the NPPF, the adverse impacts outlined above, caused by the proposal are considered not to significantly and demonstrably outweigh the benefits of the scheme. It is therefore recommended that the application be **APPROVED** subject to the following conditions:-

- 1) Approval of the details of the layout, scale, appearance and landscaping of the site (hereafter called 'the reserved matters') shall be obtained in writing from the Local Planning Authority before the development is commenced.
Reason: The application is for outline planning permission.
- 2) Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of 18 months from the date of this permission.
Reason: To prevent the accumulation of planning permissions: to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 3) The development hereby permitted shall be begun before the expiration of 18 months from the date of approval of the last of the reserved matters to be approved.
Reason: To prevent the accumulation of planning permissions: to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 4) No development shall take place above slab level on the building(s) hereby permitted until samples/details of the materials proposed to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.
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.
- 5) No development shall take place on the building(s) hereby permitted until full details

of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority. For hard landscape works, these details shall include; proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; where relevant. For soft landscape works, these details shall include new trees and trees to be retained showing their species, spread and maturity, planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. These works shall be carried out as approved prior to the first occupation of the development so far as hard landscaping is concerned and for soft landscaping, within the first planting season following the first occupation of the development or the completion of the development whichever is the sooner.

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

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

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

- 8) No development shall take place until the applicant, or their agents or successors in title, have undertaken archaeological evaluation in form of a geophysical survey and trial trenching in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. Where significant archaeological remains are confirmed these will be preserved in situ. The works shall be carried out in accordance with the approved scheme.

Reason: To record or safeguard any archaeological evidence that may be present at the site and to comply with policy GP59 of the Aylesbury Vale District Local Plan and with National Planning Policy Framework.

- 9) Where significant archaeological remains are confirmed, no development shall take place until the applicant, or their agents or successors in title, have provided an appropriate methodology for their preservation in situ which has been submitted by the applicant and approved by the planning authority. The works shall be carried out in accordance with the approved details.

Reason: To record or safeguard any archaeological evidence that may be present at the site and to comply with policy GP59 of the Aylesbury Vale District Local Plan and with National Planning Policy Framework.

- 10) Where archaeological remains are recorded by evaluation and are not of sufficient significance to warrant preservation in situ but are worthy of recording no development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. The works shall be carried out in accordance with the approved scheme.

Reason: To record or safeguard any archaeological evidence that may be present at the site and to comply with policy GP59 of the Aylesbury Vale District Local Plan and with National Planning Policy Framework.

- 11) Prior to the occupation of the development the new accesses to Eythrope Road

shall be sited and laid out in accordance with the approved plans. The access shall be constructed in accordance with; 'Buckinghamshire County Council's Guidance note, "Private Vehicular Access Within Highway Limits" 2013 and retained thereafter.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to comply with the National Planning Policy Framework.

- 12) No development shall take place above slab level until details of the dropped kerb crossing points have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the dropped kerb crossing points have been implemented in accordance with the approved details and shall be retained thereafter.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to comply with the National Planning Policy Framework.

- 13) The details submitted pursuant to Condition 1 above shall include parking and manoeuvring details to be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the development has been laid out within the site in accordance with the approved details. This area shall be permanently maintained for this purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway The details submitted pursuant to Condition 1.

- 14) Prior to the occupation of the development minimum vehicular visibility splays of 43m from 2.4m back from the edge of the carriageway from both sides of the new accesses onto Eythrope Road shall be provided in accordance with the approved plans and the visibility splays shall be kept clear from any obstruction between 0.6m and 2.0m above ground level.

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

- 16) No development shall commence until a Construction Transport Management Plan, to include details of:

- parking for vehicles of site personnel, operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials
- programme of works (including measures for traffic management)
- HGV deliveries and hours of operation
- vehicle routing
- measures to prevent the deposit of materials on the highway
- before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: To minimise danger and inconvenience to highway users and to comply

with the National Planning Policy Framework.

- 17) Before any site clearance or development works commence on site, details shall be submitted to, and approved by the Local Planning Authority to demonstrate how all trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected during construction work. Such details shall follow guidelines and standards set out in BS5837:2012 and should include:
- a tree protection plan (TPP) showing the location and nature of tree protection
 - measures appropriate working processes in the vicinity of trees
 - details of an auditable system of site monitoring
 - details of the design of building foundations where these may impact trees
 - details, including dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policy GP38 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework. Details must be approved prior to the commencement of development to ensure the development is undertaken in a way which ensures a satisfactory standard of tree care and protection.

- 18) Prior to the occupation of the development hereby approved, the development shall be implemented in accordance with the with the agreed mitigation/compensation/enhancement plan (Preliminary Ecological Assessment, March 2018).

Reason: To comply with the requirements of the National Planning Policy Framework, ODPM 05/2006, The Conservation of Habitats and Species Regulations 2017 (as amended), and the Wildlife and Countryside Act 1981 (as amended)

- 19) No development shall take place until an Ecological Design Strategy (EDS), addressing detailed enhancement measures, has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:
- Purpose and conservation objectives for the proposed works.
 - Review of site potential and constraints.
 - Detailed design(s) and/or working method(s) to achieve stated objectives.
 - Extent and location/area of proposed works on appropriate scale maps and plans.
 - Type and source of materials to be used where appropriate, e.g. native species of local provenance.
 - Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
 - Persons responsible for implementing the works.

- Details of initial aftercare and long-term maintenance.
- Details for monitoring and remedial measures.
- Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details prior to the occupation of the development and all features shall be retained thereafter.

Reason: The reason for this pre-start condition is to ensure that biodiversity net gains can be achieved as a result of the development and to comply with the requirements paragraph 170 of the National Planning Policy Framework, ODPM 05/2006, The Conservation of Habitats and Species Regulations 2017 (as amended), and the Wildlife and Countryside Act 1981 (as amended).

20) 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 and retained thereafter. The scheme shall also include:

- Assessment of SuDS components as listed in the CIRIA SuDS Manual (C753) and provide justification for exclusion if necessary
- Demonstrate that water quality, ecological and amenity benefits have been considered
- Ground investigations including:
- Infiltration in accordance with BRE365
- Groundwater level monitoring over the winter period
- Subject to infiltration being inviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the hierarchy listed in the informative below.
- If groundwater is encountered on the site then shallow infiltration components must be used to provide a 1 m freeboard between the base of the infiltration component and the water table.
- 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: The reason for this pre-start condition is to ensure that a sustainable

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

- 21) Development shall not begin until a "whole-life" maintenance plan for the site has been submitted to and approved in writing by the local planning authority. The plan shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SuDS component) during and following construction, with details of who is to be responsible for carrying out the maintenance. The plan shall subsequently be implemented in accordance with the approved details. If the road is to be adopted, the developer will agree to enter into a deed of easement pursuant to Section 38 of the Highways Act 1980 to allow the Highway Authority to access the SuDS system to preserve the integrity of the highways system, for the purpose of emergency repair and maintenance.

Reason: The reason for this being a pre-start condition is to ensure that maintenance arrangements have been arranged and agreed before any works commence on site that might otherwise be left unaccounted for and to comply with the National Planning Policy Framework.

- 22) Development shall not commence until a contaminated land assessment and associated remedial strategy, together with a timetable of works, has been submitted to and approved in writing by the Local Planning Authority. The agreed remediation works shall be fully completed before any other construction work commences.

a) The contaminated land assessment shall include an intrusive site investigation as recommended within the Preliminary Contamination Risk Assessment, report reference P16-091 pra written by Paddock Geo-Engineering. This must include relevant soil, soil gas, surface and groundwater sampling and shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

b) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The works shall be of such a nature as to render harmless the identified contamination given the proposed end- use of the site and surrounding environment including any controlled waters. The Local Planning Authority shall approve in writing such remedial works as required prior to any remediation works commencing on site.

Reason: To ensure that the potential contamination of the site is properly investigated, the risks to the planned end user group(s) quantified, and its implication for the development approved fully taken into account in accordance with the National Planning Policy Framework. This is required prior to the commencement of development to avoid any unnecessary risk of introducing new contamination pathways or enabling contamination to be disturbed and further distributed as a result of any works being undertaken on the site that may cause potential harm to human health, property and the wider environment.

- 23) Prior to the first occupation or use of any part of the development, the agreed approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then this additional contamination shall be fully assessed in accordance with the requirement of Condition 1 (b) above and an appropriate remediation scheme shall be submitted to and agreed in writing by the

Local Planning Authority.

Reason: To ensure that the potential contamination of the site is properly dealt with and the risks to the planned end user group(s) minimised in accordance with the National Planning Policy Framework.

- 24) Prior to the first occupation or use of any part of the development, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include details of the completed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology, Details of any post-remedial sampling and analysis to demonstrate that the site has reached the required clean-up criteria shall be included in the validation report together with documentation detailing the type and quantity of waste materials that have been removed from the site.

Reason: To ensure that the potential contamination of the site is properly dealt with and the risks to the planned end user group(s) minimised in accordance with the National Planning Policy Framework.

- 25) No development above slab level 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.

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority and to comply with policy GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

- 26) The details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (1) above shall include details of the proposed slab levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land, with reference to fixed datum point. The building(s) shall be constructed with slabs at levels that have been approved in writing by the Local Planning Authority.

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.

- 27) Works on site shall not commence until details of the proposed means of disposal of foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved scheme of drainage.

Reason: In order to ensure that the development is adequately drained and to comply with the National Planning Policy Framework.

- 28) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement of any dwelling nor the erection of any garage shall be carried out within the curtilage of any dwelling the subject of this permission, no dormer windows, no buildings, structures or means of enclosure shall be erected on the site which is the subject of this permission other than those expressly authorised by this permission.

Reason: In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for enlargement of the dwelling or erection of a garage having regard for the particular layout and design of the development, in accordance with policy GP35 of Aylesbury Vale District Local Plan.

- 29) The dwellings hereby permitted shall only be a single storey dwelling, which for the avoidance of doubt does not include habitable accommodation in the roof space or a chalet bungalow.

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

- 30) The occupation of the development hereby approved shall be limited to a person(s) of 55 years and over or a widow or widower of such a person and to any resident dependants.

Reason: For the avoidance of doubt and because the Local Planning Authority would not accept additional dwellings on this site due to the open countryside location and to comply with the National Planning Policy Framework.

INFORMATIVES

- 1) The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 8 weeks is required to draw up the agreement following the receipt by the Highway Authority of a completed Section 184 application form. Please contact Highways Development Management at the following address for information:

Highways Development Management
6th Floor, County Hall
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
Telephone: 0845 2302882
Email: dm@bucksc.gov.uk

- 2) 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.
- 3) 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.
- 4) To comply with paragraph 080 of the Planning Practice Guidance (PPG) 'the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:
- into the ground (infiltration);
 - to a surface water body;
 - to a surface water sewer, highway drain, or another drainage system;
 - to a combined sewer.

WORKING WITH THE APPLICANT/AGENT

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, 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 application was acceptable as submitted and therefore required no further assistance.

2.0 INTRODUCTION

- 2.1 The Local Member, Cllr David Lyons has requested that the application be considered by the Committee for the following reasons:

“The above planning application is pending and is supported by Stone Parish Council but objected to by many residents and others. I lodged an objection before I was elected as a councillor. I would like to object to it as a councillor and ask for it to be called in on the following grounds:

It significant impacts on an area of attractive landscape in the historic Eythrope and Waddesdon area. The grounds for the refusal on previous application on this site are still relevant. The development does not sit within the councils development plan policy.

Given the contentious nature of the proposal I believe residents should have the opportunity to see the proposal considered by the development planning committee.”

3.0 SITE LOCATION AND DESCRIPTION

- 3.1 The site comprises of a largely rectangular parcel of land, covering approximately 0.61 hectares of land to the north-east of Eythrope Road in Stone. The land is agricultural land and consists mainly of grass.
- 3.2 To the north of the site lies two detached residential dwellings (Littleworth Cottage and Willow Springs) which are accessed via a track to the north-west of the application site. This track also serves No.56 Eythrope Road a residential dwelling to the west of site. Beyond the properties to the north are fields of agricultural land. Located to the east of the site lies a cemetery and allotments which are also abutted by agricultural fields, with a pair of semi-detached, residential properties being located to the south-east of the site (No.36 & No.38 Eythrope Road). To the south of the site, across the Eythrope Road are residential properties forming the built-up area of Stone.
- 3.3 The site lies at the southern edge of Brill-Winchendon Hills Area of Attractive Landscape and the site is situated approximately 120 metres to the north of Stone's conservation area.

4.0 PROPOSAL

- 4.1 This application seeks outline planning permission for residential development of up to five bungalows with all matters reserved for subsequent approval except access. Access for the proposed development is sought via Eythrope Road. Whilst it is noted that matters in respect of appearance, layout, scale and landscaping are reserved, an indicative layout has been submitted as part of this application showing frontage development. The

supporting information advises that the development will be of a single storey, consisting of two and three bedrooms. The dwellings are intended to be occupied by person(s) of 55 years and over.

4.2 This application is a re-submission of a previously refused application 18/00034/AOP which sought the erection of up to 9 bungalows in an in-depth arrangement. This previous application was refused on the following grounds:

- 1) *The proposal would fail to comply with the core principles of the NPPF to recognise the intrinsic character and beauty of the countryside, to conserve and enhance the natural environment, securing high quality design and to reuse land that has been previously developed. The proposal would fail to respect and complement the established predominately linear character and pattern of residential built development on the edge of Stone. The development in its current form would be an intrusion into the open countryside and result in significant adverse impacts on the rural character and appearance of the site and surroundings, the character of the streetscene and the settlement character and setting of the village. Insufficient information has been provided to demonstrate whether the re-profiling of the site's ground levels would exacerbate this harm further. The proposal would constitute an unsustainable form of development contrary to GP.35 and RA.8 of the Aylesbury Vale District Local Plan and the NPPF).*
- 2) *Had the above reasons for refusal not applied, it would have been necessary for the applicant and the Local Planning Authority to enter into a Section 106 Agreement to secure a financial contribution towards off site sport and leisure facilities and primary education (if occupancy was not conditioned). In the absence of such a provision, the Local Planning Authority is not satisfied that the proposal will constitute sustainable development that fulfils a social economic and environmental role. The proposal is contrary to the requirements of policies GP86-91 and GP94 of AVDLP and the objectives of the National Planning Policy Framework to achieve sustainable development.*

4.3 This application was subsequently appealed (APP/J0405/W/18/3215629) and dismissed by the Planning Inspector on 10th July 2019 on the grounds that the 'in-depth' arrangement of the previous scheme as shown on the indicative plans would '*suggest a cul-de-sac development which would have an overtly suburban character. To my mind, such an approach would not be an appropriate response to the linear characteristics of Eythrope Road. It would lead to physical development throughout the appeal site which would be out of context with the prevailing spatial characteristics of the street and would create an undesirable and unsuitable pattern of development*'.

4.4 When compared to the previously refused scheme 18/00034/AOP, which was subsequently dismissed at appeal, the changes sought as part of this current application comprise of a reduction in the quantum of development proposed (from the previously sought up to 9 unit to up 5 units) which has in turn resulted in the indicative layout changing from an in-depth arrangement to frontage development only. Amended plans have also been received as part of this application, removing the siting of garages on the indicative plans.

5.0 RELEVANT PLANNING HISTORY

- 5.1 16/04282/AOP - Outline planning application, with access to be considered and all other matters reserved for proposed development of up to 21 dwellings including access – Withdrawn
- 5.2 18/00034/AOP - Outline planning application, for the proposed development of up to 9 bungalows, including access to be considered and all other matters reserved. – Refused and subsequent appeal was dismissed. A copy of the appeal is attached as an appendix to this report.

6.0 PARISH/TOWN COUNCIL COMMENTS

- 6.1 Stone with Bishopstone and Hartwell Parish Council:-

“Stone with Bishopstone and Hartwell Parish Council decided at its meeting on 4th February 2019 to offer support for the following reasons:

- *Issues raised with the previous application have all been addressed.*
- *Now as five single storey properties for those ages 55+, it meets a demand for those wishing to downsize and provided a spacious and peaceful environment*
- *Blocked views from the neighbours should be minimal*
- *Homes should blend in and suit the area in which they are being built”*

7.0 CONSULTATION RESPONSES

- 7.1 **Buckingham and River Ouzel Drainage Board:-** Raised no comments
- 7.2 **CLH Pipeline:-** Confirmation that the application site is located within close proximity to the CLH-PS Pipeline but is not directly impact upon the apparatus.
- 7.3 **Ecology:-** Raised no objection subject to condition. The preliminary ecological appraisal submitted with this application would suggest that the likelihood of protected species or habitats being present is very low. A series of ecological mitigation measures to protect the features identified and enhancement measures have been presented in the recommendation section of the appraisal which should be condition. In addition, an Ecological Design Strategy should be condition setting out the measures required to ensure the development generates the net ecological gains required as part of the NPPF.
- 7.4 **Environmental Health:-** Raised no objection. The site is a reasonable distance from the nearest major road (A418) and it approximately 1.4km from the proposed HS2 railway route. There are no industrial or commercial developments close to the site. Considered unlikely that environmental noise will have a significant adverse impact on the future occupiers of the site.
- 7.5 **BCC Archaeology:-** Acknowledge the inclusion of an archaeological desk based assessment which the summary advises that no heritage assets have been recorded on the site, but a large number of archaeological remains and find spots of prehistoric, Roman, Saxon, medieval and post-medieval date have been discovered within the study area. If planning permission were to be granted for this development then it may harm a heritage asset's significant and therefore a condition should be applied to require the developer to carry out appropriate investigation, recording, publication and archiving of the results in conformity with the NPPF.
- 7.6 **BCC Highways:-** Raised no objections subject to conditions regarding the access, footway, parking/ manoeuvrability, visibility splays and Construction Transport Management Plan. The development would be served by 3 new accesses off of Eythrope Road. Acknowledge previous applications, in which the most recent was refused however no objection was raised from a highway perspective and therefore do not wish to raise a

highways objection as part of this application which is for a reduced quantum of development. Request a footway is provided to the front of the site.

7.7 **Parks & Recreation Officer:-** As the total internal floorspace of the dwellings and their garages does not exceed 1,000m², this application does not generate an off-site sport and leisure contribution.

7.8 **SUDs:-** At present, the scheme falls below the threshold for the Lead Local Flood Authority to provide comment. Comments received as part of 18/00034/AOP were as follows:

Raised no objection subject to conditions requiring a surface water drainage scheme for the site, a “whole-life” maintenance plan and a verification report.

The information provided shows that within the southern parcel (in the red line boundary) infiltration is a feasible method of surface water disposal, the report overcomes concerns of the feasibility of infiltration. In regards to the groundwater, it is believed that by conditioning the use of shallow infiltration components; such as permeable paving, the risk of groundwater ingress will be significantly reduced. Further winter groundwater monitoring in the winter will be required and depending on these results the applicant may still need to raise the land to overcome the groundwater issues. Would also like to make you aware at detailed design stage we may request changes to the layout of the site to ensure that the area with demonstrated better rates infiltration are used for infiltration components.

7.9 **Heritage Officer:-** Verbally advised that the application site is located a sufficient distance from any nearby designated heritage assets for there to be any concern from a heritage perspective.

7.10 **Arboricultural Officer:-** No comments received as part of this current application.

Comments received as part of 18/00034/AOP were as follows:

Raised neutral comments subject to further information being required at reserved matters stage. A tree survey is included with the supporting documents for the application, it shows tree cover is mainly to the boundaries of the site, with the most important features to the eastern boundary. It does not appear that any trees will need to be removed to allow the development to proceed, although due to proximity there is potential for harm to occur. Requested conditions for a full Arboricultural Impact Assessment and planting design statement to be provided at reserved matters stage.

7.11 **Pollution Control Officer:-** No comments received as part of this current application.

Comments received as part of 18/00034/AOP were as follows:

Raised no objection subject to condition. There was one contaminated land report submitted with this application. This report concludes that the current and historical land use of the site itself gives a low risk for potential contamination to be present at the site. However there are a couple of historical land uses surrounding the site which do have the potential to cause contamination and it is further concluded that there is a moderate risk present to future residential site users from these uses. In particular landfill gas migration from a nearby landfill site located approximately 150 meters south west of the site is of the most significant risk. With regards to the cemetery it is mentioned within the report but it is not highlighted as a potential source of contamination and it is agreed that this has the potential for contamination to be present at the site from then cemetery is relatively low.

As a moderate risk has been identified it is recommended that further assessment of the site is required which is supported. This further assessment would also pick up on any potential contamination present at the site from the neighbouring cemetery or any other sources surrounding the site. If contamination or any risks to the health of future residents of the site were identified following this further assessment then works would have to be completed to remediate/mitigate this.

8.0 REPRESENTATIONS

8.1 32 Third Party representations were received raising the following objections:

Highway Matters:

- Eythrope Road is in a terrible state of repair already, with huge potholes & dips
- Construction traffic causing extra damage to the road surfacing & congestion
- Increase in traffic with future residents
- Access will be terrible to and from the development on Eythrope Road
- Oxford Road struggles at peak times with serious traffic congestion through the village.
- This will be around the time HS2 will start construction, further adding to traffic congestion
- Large number of cyclists/pedestrians using the road causing safety risks
- Existing on-street parking issues
- Existing traffic issues due to Methodist chapel, local school and nursery

Character & Appearance:

- Development intrudes into open countryside
- Development will ruin the peaceful, natural beauty of the area
- Impact on valued landscape, Area of Attractive Landscape
- Development proposal cannot be mitigated
- Land represents an important transitional zone between the built area of Stone and the open countryside beyond.

Residential Amenity:

- Increase in noise
- Development will impact on the enjoyment of peoples homes
- loss of privacy
- Loss of light
- Loss of Views

Other Matters:

- Acknowledge the proposal is considerably scaled down from the previous application of 9 dwellings
- Land is adjacent to not at 38 Eythrope Road
- Reference to previous application and appeal
- Impinges oil pipeline
- Development is for 5 bungalows for the over 55 age group, which is unenforceable unless strong condition/ caveats area applied.

- AVDC is meeting its current housing need and there are a number of properties for sale on Eythrope Road.
- Development will set a precedent
- Impact on Wildlife
- Not the infrastructure or service to support development
- Proximity to the cemetery
- Reference to comments received on previous applications
- Querying whether any restrictions would be put in place for the remainder of the land if this development were approved.
- Developer intentions
- Eythrope Road represents one of the key access points to designated heritage assets
- Harm to designated heritage assets
- Reference to surrounding appeals
- Development not identified in the neighbourhood plan and its speculative application from land owner wishing to make a buck
- Emerging policies in VALP
- Development not for first time buyers, which means they will be expensive and certainly not the affordable housing that is being suggested.
- No control over who can purchase the properties
- Housing quota in stone has already been allocated
- the site is open space and provides associated benefits to health and well-being
- This piece of land should never be allowed to be built on

9.0 EVALUATION

- 9.1 ***a) The planning policy position and the approach to be taken in the determination of the application.***
- 9.2 Members are referred to the Overview Report before them in respect of providing the background information to the Policy. 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.
- 9.3 Stone does not have a 'made' neighbourhood plan and therefore consideration falls on the relevant policies in AVDLP in the context of paragraph 11(d) of the NPPF.
- 9.4 ***b) Whether the proposal would constitute a sustainable form of development:***

- Sustainable Location

- 9.5 The Government's view of what "sustainable development" means in practice is to be found in paragraphs 7 to 211 of the NPPF. Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.
- 9.6 It is acknowledged that the NPPF promotes sustainable development and encourages consolidation of smaller rural settlements where it will enhance or maintain the vitality of rural communities. In terms of its broader location, Stone is identified in AVDLP as an Appendix 4 settlement implying that this is considered to be appropriate to allow "limited small scale development" within the settlement.
- 9.7 In the Settlement Hierarchy Assessment 2017, Stone is identified as a 'larger village'. Larger villages are considered to typically have a population of between 2000 to 3000 and have between 8 to 10 of the key criteria (*within 4 miles of a service centre, employment of 20 units or more, food store, pub, post office, GP, village hall, recreation facilities, primary school, hourly or more bus service and train station*). Stone itself has been identified as having a large population which is fairly well connected to a large service centre, less than 3 miles from Aylesbury, with an hourly or more bus service. Stone has some employment provisions and has 6 of the key criteria. It is therefore considered that larger villages are more sustainable settlements within the District. On this basis, it is therefore accepted that Stone is a more sustainable location with scope for small scale development subject to the scale of growth that could reasonable be considered sustainable not only in terms of its impact on the localised site and surrounding but also in terms of the wider capacity of the village to accept further population growth, having regard to its impact on the infrastructure and local services and the community itself.
- 9.8 Also in association with the progression of VALP a number of sites have been assessed in the HELAA (May 2016) in terms of whether they could contribute towards the supply of housing for the District. The HELAA is an important evidence source to inform plan-making but does not in itself determine whether a site should be allocated for housing or whether planning permission should be granted. The site was identified within the HELAA (ST0001) as unsuitable for housing or employment development as *"development of this site would result in the loss of long distance views out of the settlement. The site is also in an area of Attractive Landscape and development would also be likely to have a harmful landscape and visual impact. There are also biodiversity impacts to be addressed with semi improved grassland surrounded by hedge with mature trees. Site has access issues and pedestrian/footway improvements would be required"*.
- 9.9 ***Building a strong, competitive economy***
- 9.10 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.
- 9.11 There would be economic benefits derived from this development in terms of the construction of the development itself and the resultant increase in population contributing to the local economy. These benefits include the creation of jobs during construction, extra demand for goods and services and increased local spending from the resultant increase in population, which would be positive and long lasting to the local economy. It is therefore considered that the proposal would give rise to future economic benefits which should be afforded limited positive weight in the overall planning balance, given the scale of the development proposed.

9.12 ***Delivering a sufficient supply of homes***

- 9.13 Local planning authorities are charged with delivering a wide choice of sufficient amount of and variety of land and to boost significantly the supply of housing by identifying sites for development, maintaining a supply of deliverable sites and to generally consider housing applications in the context of the presumption in favour of sustainable development. In supporting the Government's objective of significantly boosting the supply of homes, paragraph 61 states that within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes). Key to the consideration of this point is the use of local housing needs assessment targets and the Council's ability or otherwise to demonstrate a 5 year supply of housing land.
- 9.14 Based on the findings of the HEDNA, the housing land supply document shows Aylesbury Vale District Council to have a 5.64 year supply this year.
- 9.15 As a result of the proposed development, the scheme would provide a contribution of up to 5 dwellings to the housing supply for the District which is a significant benefit which is tempered by the small scale of this development and would assist in boosting the District's housing supply. It is considered that the scheme could be delivered within a reasonable time, subject to approval due to the development being small scale.
- 9.16 In respect of affordable housing the scheme does not meet the threshold for securing such provision on site as outlined in AVDLP policy GP2 which refers to the provision of 25 dwellings or more or a site area of 1 ha or more. The revised NPPF introduced a requirement for 10% of the homes to be available for affordable home ownership on major housing development proposals. As the proposed development seeks the erection of up to five dwellings, the scale of the development does not fall within the outlined categories within the policies for requiring affordable housing.
- 9.17 Whilst the residential mix of the proposed development will be considered as part of any subsequent reserved matters application, it is noted that the submitted design and access statement indicates that the proposed dwellings will provide of two and three bedroom properties.
- 9.18 Furthermore, the submitted planning statement advises that the proposed new dwellings are to be bungalows for the occupation of people which aged 55 years and over. As part of the previously refused application 18/00034/AOP for a larger number of units, Officers considered that there was no policy basis for securing the occupation of the units in perpetuity via a suitably worded condition or obligation. Application 18/00034/AOP was subsequently appealed and dismissed on 10th July 2019, within the Planning Inspectorate's decision it was advised that *'if the appeal was to be allowed, then a condition could reasonably be applied limiting occupation of the bungalows to the over 55s'*. In accordance with the recent appeal decision relating to this site it is therefore considered to be reasonable to impose a condition limiting the occupation of the units to person(s) over 55 years old.
- 9.19 Overall, the proposed development is considered to be compliant with policy GP2 of the NPPF and the advice within the NPPF and would make a positive contribution towards the supply of deliverable housing land in the District. This matter should therefore be afforded limited positive weight in the overall planning balance given the relatively low number of dwellings proposed.

• ***Making effective use of land***

- 9.20 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.

- 9.21 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.
- 9.22 The proposed development seeks the erection of up to 5 dwellings which would contribute to the District's housing supply. The site area as set out in the application form is stated as 0.23hectares and therefore the proposal would provide a density of approximately 21 dwellings per hectare. Given the rural nature of the site, this density is likely to be towards, if not the maximum density which could be supported on the site subject to all other matters being acceptable. The need to consider the prevailing character and setting, landscape, transport, amenity, heritage assets and securing well designed, attractive and healthy places is dealt within the following section(s) of the report. This matter is therefore afforded neutral weight in the overall planning balance.

- **Conserving and enhancing the natural environment**

Landscape

- 9.23 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.
- 9.24 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.
- 9.25 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.
- 9.26 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.
- 9.27 The comments received from the Landscape Officer make reference to comments provided as part of previous applications, 16/04282/AOP for outline planning permission for up to 21 dwellings and 18/00034/AOP for outline planning permission for up to 9 bungalows. The in principle concerns raised by the Landscape Officer remain and therefore the comments provided as part of this application focus on the amendments to the proposal.
- 9.28 The village of Stone lies on the edge of National Character Area 109- Midvale Ridge. This site exhibits key characteristics of the character area, notably; Mixed pastoral and arable landscape with large geometric fields divided by hedges and regularly spaced hedgerow trees.

- 9.29 The A418 is a notable feature in this landscape as it runs along the ridge, in the location where a major route would have historically run. Predominantly the landscape is made up of arable fields with smaller paddocks around the settlement. The village of Stone is located between the great estates of Eythrope to the north west and Hartwell to the south east.
- 9.30 The site itself is located within the Area of Attractive Landscape, Brill- Winchendon Hills (AAL). There is a strong sense of place, the landscape undulates around the settlement which is located on the ridge, highly distinctive of this landscape character. RA8 of the AVDLP states that "development proposals in these areas should respect their landscape character. Development that adversely affects this character will not be permitted, unless appropriate mitigation measures can be secured". It is recognised that the application site itself contributes to a sense of place and has scenic qualities which would be impacted as a result of the proposed development. Nevertheless the recent appeal decision (APP/J0405/W/18/3215629) relating to the application site, which sought a larger quantum of development, advised that *'due to the built form around the site and its resultant separation from the broader open countryside'* and therefore *'whilst it is acknowledged that the site is within the AAL , I do not consider that the development of this site would have an adverse effect on the character of the AAL or a valued landscape. I therefore find that the appeal proposal would be acceptable in accordance with saved Policy RA8 of the AVDLP'*.
- 9.31 In addition concerns were raised previously with regard to whether the ground levels will need to be altered and this further exacerbating the impact of the proposed development. As the proposed development is for bungalows, which can be secured via condition this impact would be reduced when compared to 'typical' residential development which tends to be at least two storeys. In addition, a condition can be imposed requiring slab levels details to be provided at reserved matters stage to ensure the development is built at a suitable height.
- 9.32 LCA 9.9 landscape guidelines seek to 'Conserve and Enhance' the characteristics of the landscape that makes up the LCA, as described above. Statements of relevance with regard to this application are;
- Conserve the overall balance of irregular shaped field parcels and mature hedges over the rolling landform to the eastern end.
 - Maintain the condition and extent of improved and semi-improved grassland wherever possible.
 - Maintain and improve the connectivity of habitats, particularly woodland fragments and neutral and unimproved grassland
- 9.33 This area of land to the north of Eythrope Road is rural in character and provides an attractive setting at the edge of the village, positively contributing to the character of this section of Eythrope Road. It is acknowledged that there are residential properties located to the north of Eythrope Road, however they are largely sited to the east of the site. As you move from east to west along Eythrope Road to the north, the density of dwellings decreases providing an transitional area between the built-up area of Stone's village to the rural countryside. As such, whilst it is acknowledged that there are residential properties, to the north of Eythrope Road, surrounding the site, these are sporadic and therefore contribute to transitional character of the site. Eythrope Road is considered to be a physical boundary between the main built-up area of Stone to the south and rural edge to north. As such, a formal arrangement of residential dwellings on this site would have an impact on the open and rural character of the application site and surrounding area.
- 9.34 The settlement has a strong linear form, which is a characteristic of villages through the district. The indicative layout submitted as part of the schemes previously sought did not respond to this prevailing form and layout of the village, with in-depth arrangements being shown. As outlined within the appeal decision (APP/J0405/W/18/3215629), the appeal was

dismissed on the grounds that *‘the ‘up to’ quantum of the development proposed, the depth that the appeal site leads into the existing field and the location of the site entrance centrally within the appeal site frontage to Eythrope Road, suggest that future built form would be highly likely to be undertaken in a tandem manner at a potential subsequent stage. This is reflected in the indicative plans submitted, which suggest a cul-de-sac development which would have an overtly suburban character. To my mind, such an approach would not be an appropriate response to the linear characteristics of Eythrope Road. It would lead to physical development throughout the appeal site which would be out of context with the prevailing spatial characteristics of the street and would create an undesirable and unsuitable pattern of development. I therefore find that the appeal proposal would result in a significant adverse impact upon the character and appearance of the area and would be inconsistent with Policy GP35 of the AVDLP and Section 12 of the Framework.* In order to address the reason the appeal was dismissed, the quantum of development has been reduced to up to 5 units in order to allow frontage development along Eythrope Road only, as shown on the accompanying indicative layout for this application. This reduction in the number of units has resulted in the scheme being able to achieve frontage development which is reflective of the form and layout of dwellings within the direct vicinity of the site, Stone and the wider, predominant character of the District. It is therefore considered that this amendment has addressed the reason the previous appeal reason for dismissal.

- 9.35 Notwithstanding this, the Council’s Landscape Officer acknowledges that the scheme is for bungalows only with a reduced number of units, however maintains their objection with the scheme extending the settlement in the open countryside, the loss of rural character at the periphery of the village and the potential adverse impact on the landscape character of the AAL. With the Landscape Officer arguing that development on site would impact on the experience of a number of receptors as well as adversely impacting the intrinsic landscape qualities of the site which could not be adequately mitigated. In addition to the scheme resulting in a partial sub-division of the of the existing baseline site, this change would be irreversible for the site and the immediate landscape setting. The Landscape Officer does however acknowledge that the removal of the garages shown on the indicative layout does allow for greater permeability through the scheme, allowing for greater views of the broader rural landscape.
- 9.36 The appeal decision (APP/J0405/W/18/3215629) relating to an earlier submission is a material consideration in the determination of this application. It is acknowledged that the Landscape Officer maintains their objection to the proposed development for the reasons outlined above. Whilst this is noted, the appeal was dismissed on the grounds of the quantum of development, leading to an tandem arrangement which would be detrimental to the prevailing character and appearance of the local area only. As such, the Inspector’s decision did not attribute significant harm to the in principle concerns raised by the Landscape Officer. Nevertheless there would undoubtedly be a negative impact on the landscape, as a result of siting residential development on a greenfield site which would need to be weighed in the overall planning balance. Therefore, whilst this harm was not found to be significant by the Inspector it is acknowledged there would be some degree of harm and the scheme would therefore fail to accord with policy GP35 of AVDLP. This matter should be attributed moderate negative weight in the overall planning balance.

Agricultural Land

- 9.37 Paragraph 170 of the NPPF advises that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land and, where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. There is no definition as to what comprises ‘significant development’ in this context but the threshold above which Natural England are required to

be consulted has been set at 20 hectares so the site (0.23ha) falls well below this threshold.

- 9.38 The application is not accompanied by evidence to demonstrate the agricultural land classification. Council records indicate the land is within category 2 (very good quality agricultural land). As such it is considered that the site could comprise the best and most versatile agricultural land (i.e. Grade 3a or better) and the application has not been supported by a site-specific Agricultural Quality Assessment to clarify otherwise. The proposal would result in the permanent loss of the greenfield land from agricultural production and, in the absence of evidence to the contrary, this loss of potentially versatile agricultural land (albeit at the moderate end of the scale and a relatively small amount) would be in conflict with paragraph 170 and 171 of the NPPF. The loss of agricultural land is a matter that should be afforded limited negative weight in the planning balance.

Trees and hedgerows

- 9.39 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.
- 9.40 Landscaping is a matter which has been reserved. There are a number of existing trees and hedgerow around the perimeter of the site. The supporting tree survey has outlined that the most important features of the site are the eastern boundary. From the information provided, there does not appear to be any trees which would need to be removed in order to accommodate the proposed development, however due to the proximity of the trees, the proposed development may have an impact. Whilst this is noted, the indicative plans show there is potential for new planting and therefore the development could result in positive arboricultural impacts. To ensure that the development does not have an adverse impact, any reserved matters application would need to be submitted with a full Arboricultural Impact Assessment and Planting Design Statement, which would be conditioned and considered as part of a future reserved matters submission. As such, this matter has been afforded neutral weight in the planning balance.

9.41 *Biodiversity/Ecology*

- 9.42 Paragraph 170 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity.
- 9.43 A preliminary ecological appraisal accompanied this application which suggested that the likelihood of protected species or habitats is very low at present. Nevertheless within the appraisal a number of mitigation, compensation and enhancement measures were suggested which the Council's Ecologist has recommended be secured via a condition. In addition, in accordance with the NPPF's requirements for development to provide net ecological gains, a condition has been recommended requiring the submission of an Ecological Design Strategy which would address the detailed enhancement measures and this can be considered as part of a future reserved matters submission.
- 9.44 Subject to the recommended conditions being imposed, it is considered that the proposed development would accord with the advice within the NPPF at this stage and therefore this matter is afforded neutral weight in the planning balance.

Contamination

- 9.45 A further consideration in the NPPF is 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.

- 9.46 As part of this current application no comments have been received from the Council's Pollution Control Officer in respect of contamination. Whilst this is noted, comments were received as part of the previous application and given there has been no change in circumstances since, the previous comments remain applicable. This application was accompanied by a contaminated land report which concludes that the current and historical land use of the site itself gives low risk for potential contamination. There are however surrounding land uses which have the potential to cause contamination, in particular landfill gas migration from a nearby landfill site located approximately 150 metres to the south-west of the site. In addition the site is located adjacent to a cemetery however this is considered to be relatively low risk.
- 9.47 Due to the moderate risk identified it is recommended that further assessment is required. This would also allow for any potential contamination present at the site from the adjacent cemetery or other surrounding uses to be identified. If this further assessment revealed contamination or any risks to the health of future residents of the site further assessment works would be required and completed to remediate/ mitigate this. Subject to conditions securing further assessment and where necessary, any relevant remedial/ mitigation works, the proposal is considered to accord with the advice within the NPPF. This matter is therefore afforded neutral weight in the overall planning balance.

- **Promoting sustainable transport**

- 9.48 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. Paragraph 108 requires that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be taken up, safe and suitable access to the site can be achieved and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.49 Policy RA36 of AVDLP states 'in considering proposals for development in the 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'.
- 9.50 Access is a matter for determination at this stage and the proposed development would be accessed via three new accesses off Eythrope Road, which is an unclassified road subject to a 30mph speed limit. There is a pedestrian footpath to the south-west of the application site on Eythrope Road. There are no public transport links within the vicinity of the site, with the nearest bus stops being located over the desired 400m minimum walking distance on the main A418 Aylesbury Road outside Stone Village Hall. Whilst this is noted, it is considered that on balance the proposed site would be considered to be sustainable in terms of transport.
- 9.51 This application is a re-submission of a previously refused application 18/00034/AOP for a greater quantum of development (up to 9 dwellings). Whilst it is acknowledged that this application was previously refused, none of the reasons for refusal related to highway matters. The assessment in respect of highways as part of application 18/00034/AOP was as follows:
- 9.52 *'The submitted Transport Statement includes a cumulative impact of the developments in Stone and the affects these will have on the junctions in the area. Especially the Bishopstone/ Oxford Road/ Eythrope Road junction. A concern has been raised by Bee Highways in regard to the Bishopstone Road arm of the junction and that by 2021, with all*

the developments, the assessment has shown that this junction would be operating over capacity. The Highways Engineer has confirmed that this concern is not as a result of the additional traffic associated with this particular development, it is therefore considered that a reason for refusal on this basis could not be sustained.

- 9.53 *The indicative plan shows the provision of a footpath within the site. The proposed footpath is shown to stop at the site's access rather than extending to meet the existing footway which is located to the east of the site, which starts outside No.24 Eythrope Road. Given the character of the area there has been a concern with requesting the footways to meet and therefore dropped kerb crossing point would need to be provided either side of the access to the footway on the opposite side. This provision alone would not alleviate the concerns with the development's connectivity to the rest of the village and as such, contributions towards passenger transport and cycling would be required in order to alleviate this matter. The off site highway works and mitigation in the form of dropped kerb crossing point on either side of the access to the footway on the opposite side would be secured via an obligation.*
- 9.54 *A number of concerns have been raised in terms of increased traffic, capacity of the road, highway safety for all users (vehicles, pedestrians and cyclists) and access for emergency services. The impact of these matters has been assessed as part of this application by Bucks County Council Highways who has raised no objection to the proposed development. A number of matters which have been raised relate to existing issues within the area which could be increased as a result of the development. It is unreasonable for Local Planning Authorities to try and resolve existing issues within an area for a development of this scale. The Local Planning Authority can only seek to address matters which directly relate to the development. It is therefore considered that in this instance, due to the scale of the development, matters would not be significantly increased to warrant the refusal of this application when compared to the existing arrangement.'*
- 9.55 *As part of this current application, the comments received from BCC Highways seek the provision of a footway to be provided along front of the site. As outlined above, it was considered as part of the previous application that the provision of a footpath in this instance would not be appropriate. Given this proposal is for a reduced quantum of development it therefore considered that it would be unreasonable to request the provision of a footpath. In accordance with the previous advice from BCC Highways as part of application 18/00034/AOP, dropped kerb crossing points will need to be secured via a condition and requiring details to be submitted as part of any subsequent reserved matters application. As part of application 18/00034/AOP it was also suggested that contributions should be sought in relation to passenger transport and cycling, however due to the reduction in unit numbers and the relatively small scale nature of the proposed development it is no longer considered that contributions could be sought in regard to this matter. Subject to this condition and others relating to the access, visibility, parking/manoeuvrability and a construction transport management plan, BCC Highways raise no objection to the proposed development. This matter is therefore afforded neutral weight in the planning balance.*

Parking

- 9.56 *AVDLP policy GP24 requires that new development accords with published parking guidelines. SPG 1 "Parking Guidelines" at Appendix 1 sets out the appropriate maximum parking requirement for various types of development.*
- 9.57 *As part of application 18/00034/AOP, concerns were initially raised by BCC Highways in regard to the displacement of parking on Eythrope Road. In regard to this matter the assessment was as follows: "A further concern raised by BCC Highways was in regard to the displacement of parking on Eythorpe Road. A parking survey was submitted as part of this application, however there were discrepancies with the survey and the transport assessment which was submitted and therefore the Highways Engineer carried out an independent assessment. This assessment considered available on-street parking (excluding driveways), proposed site access and the Aylesbury Vale Parking Standards.*

From this assessment it is considered that the proposed scheme would not have a significant impact in regard to displaced parking.

9.58 *As outlined above, the access for existing driveways was taken into consideration when assessing the availability of on-street parking as a result of the proposed development. The development itself is therefore not considered to cause disturbance to residents using their driveways."*

9.59 The supporting information for this application advises that the proposed development seeks to provide a mix of 2 and 3 bedroom properties which would require the provision of two parking spaces per property. Amended plans were received as part of this application removing the siting of garages from the indicative streetscene drawing. Therefore parking for each of the properties is indicatively shown in the form of driveway, located to the side of the property, which would allow for two spaces to be achieved in a tandem arrangement, in accordance with the Council's parking standards. Notwithstanding this, as the layout and mix of dwellings are form part of the reserved matters, further consideration would be given at a later stage with regard to the acceptability of the development parking arrangements. At this stage, from the information which has been provided, it is considered that an appropriate scheme could be achieved which would meet the requirements outlined within SPG 1 "Parking Guidelines", according with policy GP24 of AVDLP. As such, this matter is afforded neutral weight in the overall planning balance.

- **Promoting healthy and safe communities**

9.60 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.

9.61 Policies GP86-88 and GP94 of the Local Plan seek to ensure that appropriate community facilities are provided arising from a proposal (e.g. school places, public open space, leisure facilities, etc.) and financial contributions would be required to meet the needs of the development.

9.62 However, the NPPG was amended in May 2016 such that tariff-style s106 contributions should not be sought from developments of 10 units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. In this case, the proposed development would not exceed the threshold of 10 dwellings and from the limited information which has been provided in respect to the floorspace it is unlikely that the proposed development would exceed 1000sqm. Notwithstanding this, the information required to establish the floorspace of the proposed development fall within reserved matters. Therefore, financial contributions towards cannot be sought at this outline stage and would be reserved for consideration as part of any subsequent reserved matters application. Furthermore, the appeal decision APP/J0405/W/18/3215629 relating to the previously refused scheme 18/00034/AOP advised that the occupation of the units could be secured via a condition. As the occupancy would be for person(s) of 55 years and older, it is unlikely there would be any additional demand for education or sports and leisure facilities as a result of the proposed development.

9.63 At present, the proposed development is therefore considered to accord with policies GP86-88 and GP94 of AVDLP and the advice within the NPPF with this matter being afforded neutral weight in the overall planning balance.

- **Achieving well-designed places**

9.64 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.

- 9.65 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).
- 9.66 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. Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments comply with key criteria.
- 9.67 Policy GP.35 of the AVDLP which requires development to respect and complement the physical characteristics of the site and the 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. Policy GP.45 is also relevant and that any new development would also be required to provide a safe and secure environment for future occupiers of the site.
- 9.68 The detailed design, scale and appearance of the development are reserved matters however an indicative streetscene has been submitted to provide some insight into the intended appearance of the dwellings. When compared to application 19/00097/AOP, the proposed changes have not altered the indicative, design, scale and appearance of the proposed dwellings. Within the local area the dwellings are predominately two-storey with a handful of bungalows visible. The description of the development and the indicative streetscene shows the development to be of a single storey only which can be controlled through condition and therefore the scale is considered to be acceptable as bungalows can be found in the local area. The built form within the immediate area is typically detached properties or rows of terraces. The indicative layout shows that the site dwellings are to be detached which is reflective of the built form, however it is noted that directly to the south of the site there are a number of terraced properties forming a strong character. The local area is characterised by mixture of property appearances and therefore the indicative appearance of the dwellings is considered to be acceptable.
- 9.69 With this in mind, the indicative design and appearance of the new dwellings are considered to be acceptable. This factor is afforded neutral weight in the overall planning balance.

- **Meeting the challenge of climate change, flooding and coastal change**

- 9.70 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.
- 9.71 The application site is located within Flood Zone 1. As part of the previous application 18/00034/AOP concerns were raised by the Lead Local Flood Authority (LLFA) (SUDs Officer) in regard to insufficient information being submitted by the applicant to

demonstrate a viable method of surface water disposal. Prior to Members of the Development Management Committee determining application 18/00034/AOP, discussions took place between the LLFA and the agent, with further information being submitted to demonstrate that infiltration is a feasible method of surface water disposal. Subsequently the LLFA previously raised no objection to the scheme subject to a number of conditions. No formal comments have been received LLFA as part of this current application, however it was previously demonstrated and accepted by LLFA that infiltration was a feasible method of surface water disposal at the site. In addition, the changes proposed as part of this application do not include amendments to the method of surface water disposal and given the amendments proposed will have a limited impact on flooding matters, it is considered that proposed development accords with the advice within the NPPF subject to the conditions being imposed which were requested by LLFA as part of the previously refused application 18/00034/AOP. This matter should therefore be afforded neutral weight in the planning balance.

- **Conserving and enhancing the historic environment**

- 9.72 Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local authorities to pay special regard to the desirability of preserving the Listed Building, its setting and any features of special architectural or historic interest in which it possesses. In addition to paying attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 9.73 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. With paragraph 194 stating any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Paragraph 196 states 'where a development will lead to less than substantial harm to the significance of a designated asset, this harm should be weighed against the public benefits of the proposal'.
- 9.74 Whilst it is acknowledged that Eythrope Road forms a key access point to Eythrope's Historic Park and Garden for the reasons outlined above the proposal is considered not to have an adverse impact on the landscape, with the development being reflective of the form of development (frontage development) along Eythrope Road and Stone itself. Careful consideration will be given to the detailed matters of the scheme at reserved matters stage to ensure the development to ensure views to the countryside are achieved with the buildings reflecting the character and appearance of the dwellings in the local area. Furthermore, the proposed development is located a sufficient distance from Stone's conservation area, nearby Listed Buildings and surrounding Historic Parks and Gardens (Hartwell House a Grade II* and Eythrope a Grade II) to ensure the proposed development would not have an adverse impact on any designated or non-designated heritage assets.
- 9.75 Overall, it is considered the proposed works would have a neutral impact on the character of the Conservation Area, setting of nearby listed buildings and the surrounding Historic Parks and Gardens. Consequently, there is no requirement to offset the impact of the proposals against any public benefit. Great weight has been applied to the consideration of this application and the impact it would have on any designated heritage assets. As such it is considered that the local authority has discharged their statutory duty to pay special regard and attention to the desirability of preserving the setting of nearby listed buildings and the desirability of preserving or enhancing the character or appearance of the conservation area, as required by section 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990. It has been concluded that the development would preserve the character and appearance of the conservation area, the setting of nearby listed

buildings and the surrounding historic park and gardens would be preserved. In addition, it is considered no harm would be caused to the significance of these heritage assets, and as such the proposal accords with policy GP53 of AVDLP and the guidance contained within the NPPF. This matter is therefore afforded neutral weight in the overall planning balance.

Archaeology

- 9.76 Paragraph 189 of the NPPF advises that where a site on which development is proposed includes, or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. This is further supported by policy GP59 of AVDLP which states 'in dealing with development proposals affecting a site of archaeological importance the Council will protect, enhance and preserve the historic interest and its setting. Where research suggests that historic remains may be present on a development site planning applications should be supported by details of an archaeological field evaluation. In such cases the Council will expect proposals to preserve the historic interest without substantial change'.
- 9.77 Accompanying the was an archaeological desk based assessment which identifies that no heritage assets have been recorded within the application site, however within the 500m radius a larger number of archaeological remains and find spots of prehistoric, Roman, Saxon, Medieval and post-medieval date have been discovered. As the proposed development has the potential to cause harm to a heritage assets significance a number of conditions have been recommended by BCC Archaeology to ensure appropriate investigation, recording, publication and archiving of the investigation results.
- 9.78 Subject to the recommended conditions being imposed, the proposal is considered to have an acceptable impact on archaeology in accordance with policy GP59 of AVDLP and the advice within the NPPF. As the development has been identified as having a neutral impact on the archaeological interests of the site, there is not a requirement to offset the impact of the proposal against any public benefits of the scheme. Archaeology matters should therefore be afforded neutral weight in the overall planning balance.

- **Supporting high quality communication**

- 9.79 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.
- 9.80 The proposed development is to be located near to existing residential properties and the erection of up to 5 dwellings would be small scale, therefore 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. This matter is considered to accord with the advice within the NPPF and is therefore given neutral weight in the planning balance.

c) Impact on Residential Amenity

- 9.81 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.
- 9.82 The proposal is for residential development comprising of up to 5 dwellings. When compared to the previously refused application 18/00034/AOP, the changes comprise of a reduction in the quantum of development (from up to 9 units to up to 5 units) and the proposed indicative site layout shows frontage development, rather than development in

depth. No significant harm was identified with regard to residential amenity as part of application 18/00034/AOP and given the current proposal represents an overall reduction, the proposal changes are considered to have a limited impact on residential amenity. Therefore in terms of residential amenity, the assessment remains.

- 9.83 The indicative siting of the dwellings and the separation from the nearest properties would ensure that no loss of amenity would occur in terms of access to light, overshadowing, outlook and privacy. These impacts are further mitigated by the development being of a single storey. The detailed layout submitted with any subsequent reserved matters application would assess the amenities for future and existing occupiers but it appears from the indicative plans that adequate separation distances can be achieved to ensure that a satisfactory level of amenity is achieved.
- 9.84 The proposed development is considered not to be of a scale which would raise any significant concern in regard to air pollution, noise and disturbance due to the additional number dwellings and the vehicle trips associated with the development. The new access being located adjacent to existing residential properties is to serve a relatively small number of dwelling and therefore is considered not to have any adverse impacts in regard to light pollution or noise disturbance to these adjacent properties from the vehicles entering and leaving the access. As such, it is considered that the proposal will not significantly reduce the amenities currently enjoyed by neighbouring properties, impact their health or well-being.
- 9.85 Overall, it is considered that the proposal would have an acceptable impact on residential amenities in accordance with saved policy GP.8 of AVDLP and the advice within the NPPF, and this is attributed neutral weight in the planning balance.

d) Other Matters

- 9.86 State/ Maintenance of Eythrope Road & construction exacerbating the issue: This is an existing issue which cannot be taken into consideration of part of this current application. Furthermore the Construction Management Transport Plan which has been condition includes a requirement for surveys of the highway before and after the development with a commitment to fund the repair of any damage caused. This will allow the Local Planning Authority to oversee whether any damage is caused by construction vehicles, and where necessary, the relevant remediation will be sought.
- 9.87 Not the infrastructure or services to support development: The proposed development seeks a relatively low number of units and therefore is considered not to have an adverse impact on existing infrastructure or services.
- 9.88 Land is adjacent to not at 38 Eythrope Road: The site address has been amended to reflect this.
- 9.89 Impinges oil pipeline: Comments have been received in respect of the pipeline advising that the proposed development would effect the nearby pipeline.
- 9.90 Reference to comments received on previous applications, AVDC is meeting its current housing need and there are a number of properties for sale on Eythrope Road, AVDC is meeting its current housing need and there are a number of properties for sale on Eythrope Road, this piece of land should never be allowed to be built on, reference to surrounding appeals: Each application is determined on its individual merit and the Local Planning Authority has a duty to determine each application submitted on the basis of the information supplied.
- 9.91 Querying whether any restrictions would be put in place for the remainder of the land if this development were approved: It would be unreasonable to place a restriction on the remainder of the land if this development were to be approved for the reason given in paragraph 9.96 of this report.

- 9.92 Development not for first time buyers, which means they will be expensive and certainly not the affordable housing that is being suggested: There is no policy requirement for affordable housing to be provided due to the scale of the development proposed or the units to be available for first time buyers.
- 9.93 Development not identified in the neighbourhood plan and its speculative application from land owner wishing to make a buck: There is no neighbourhood plan 'made for this area at present, consideration is given to the merits of the scheme and the impacts which are weighed into the overall planning balance.
- 9.94 Housing quota in stone has already been allocated:
- 9.95 The following matters raised are not material considerations:
- Development will set a precedent
 - Developer intentions
 - Loss of Views

Case Officer: Danika Hird

Telephone No:



Appeal Decision

Site visit made on 27 February 2019

by J Evans BA(Hons) AssocRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th July 2019

Appeal Ref: APP/J0405/W/18/3215629

Land adjacent to 38 Eythrope Road, Stone, Buckinghamshire HP17 8PG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Aldbury Homes against the decision of Aylesbury Vale District Council.
 - The application Ref 18/00034/AOP, dated 03 January 2018, was refused by notice dated 17 July 2018.
 - The development proposed is the development of up to 9 bungalows, including access.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published on 19 February 2019. The revisions do not alter the national policy approach in respect of the issues raised in this appeal and therefore the main parties have not been prejudiced by the updates to this document.
3. The application was submitted in outline with all matters reserved aside from access. I have treated the appeal in the same manner, and have thus treated all plans submitted as indicative, except those relating to access.
4. The description on the original application form, the appeal form and the local planning authority's decision notice refer to the 'proposed' development. This reference in the description is superfluous and I have removed the term from the description.
5. The address of the appeal site on the original application form and the appeal form refer to '38 Eythrope Road, Stone HP17 8PG'. However, the appeal site does not specifically relate to this property or its associated garden, but concerns land adjacent to it. I consider that 'Land adjacent to 38 Eythrope Road, Stone HP17 8PG' is a more accurate description of the appeal site, and I have therefore used this address in my decision.

Main Issues

6. The main issues in this case are the effect of the development on:
 - the character and appearance of the area and on the open countryside; and
 - off site sport and leisure facilities and primary education.

Reasons

Character and appearance of the area and the open countryside

7. The appeal site relates to an undeveloped section of land situated part way along Eythrope Road, a predominately residential street which leads out of the settlement of Stone into the open countryside.
8. Eythrope Road is characterised by a linear run of development, with a prevailing character of street facing facades set behind small front gardens. Whilst siting is consistent, design varies, with two storey dwellings and bungalows set amongst groups of traditional terraces.
9. Opposite the appeal site development is built up and further dwellings can be found accessed via side streets leading from and set behind Eythrope Road itself. The side of Eythrope Road upon which the appeal site is located is not as dense and becomes more sporadic and rural in character at the point of the appeal site, as Eythrope Road leads out from the settlement into the open countryside.
10. Nonetheless, there is built form between the appeal site and the broader rural landscape, including the property 56 Eythrope Road adjacent, which is separated from the appeal site by a small lane which provides access to further buildings and a single storey dwelling. There is also a cemetery located to its rear. The cemetery is access via a track leading to the side of the properties 36 and 38 Eythrope Road which are located towards the settlement side of the appeal site. These two properties read as a physical cut into the field in which the appeal site is located.
11. The appeal development proposes up to nine bungalows. The appeal site steps further away from Eythrope Road than the gardens of the adjacent bungalows at Nos.36 and 38 but to a similar depth as the curtilage of No. 56. An undeveloped gap would be retained between the appeal site and the cemetery.
12. Saved Policy GP35 of the Aylesbury Vale District Local Plan Written Statement Part 1 2004 (AVDLP) states, amongst other matters, that the design of new development proposals should respect and complement the physical characteristics of the site and its surroundings, the building tradition, ordering, form and materials of the locality and the historic scale and context of the setting. The AVDLP predates the Framework, however the contents of Policy GP35 are consistent with the design aims contained within Section 12 of the Framework, which under paragraph 127, amongst other matters, seeks to ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting and establish or maintain a strong sense of place.
13. The 'up to' quantum of the development proposed, the depth that the appeal site leads into the existing field and the location of the site entrance centrally within the appeal site frontage to Eythrope Road, suggest that future built form would be highly likely to be undertaken in a tandem manner at a potential subsequent stage. This is reflected in the indicative plans submitted, which suggest a cul-de-sac development which would have an overtly suburban character.
14. To my mind, such an approach would not be an appropriate response to the linear characteristics of Eythrope Road. It would lead to physical development

throughout the appeal site which would be out of context with the prevailing spatial characteristics of the street and would create an undesirable and unsuitable pattern of development. I therefore find that the appeal proposal would result in a significant adverse impact upon the character and appearance of the area and would be inconsistent with Policy GP35 of the AVDLP and Section 12 of the Framework.

15. Further to the above, the appeal site falls on the edge of the Brill-Winchendon Hills Area of Attractive Landscape (AAL). Saved AVDLP Policy RA8 requires that development proposals in these areas should respect their landscape character and that development which adversely affects this character will not be permitted, unless appropriate mitigation measures can be secured.
16. The Council have also referred to paragraph 170 of the Framework which explains that decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. The appellant has referred me to an appeal decision (APP/J0405/W/16/3142524) at Long Crendon whereby the Inspector, for a number of reasons, concluded that a site within the same AAL, did not amount to a valued landscape for the purposes of the Framework and that development upon it would not undermine the AAL designation.
17. Whilst I do not have any further information on the background to this appeal decision, and thus I do not attribute this decision significant weight in my determination, I do nevertheless reach a similar view with regard to the appeal proposal before me and the resultant effects it would have upon the AAL and landscape character. This is primarily due to the built form around the site and its resultant separation from the broader open countryside. Whilst it is acknowledged that the site is within the AAL, I do not consider that the development of this site would have an adverse effect on the character of the AAL or a valued landscape. I therefore find that the appeal proposal would be acceptable in accordance with saved Policy RA8 of the AVDLP and paragraph 170 of the Framework.
18. However, these conclusions on landscape character do not override the significant concerns I have more broadly about the ability of the proposal to integrate acceptably with the character and appearance of Eythrope Road.
19. On this first main issue I conclude that the proposal would be significantly harmful to the character and appearance of the area and would therefore conflict with Policy GP35 of the AVDLP and Section 12 of the Framework.

The effects of the development on off site sport and leisure facilities and primary education

20. The Council contend that notwithstanding the first grounds for refusal, the appeal proposal would be required to provide a financial contribution through a planning obligation made under Section 106 of the Town and Country Planning Act 1990, as amended, towards off site sport and leisure facilities and primary education.
21. The appellants have contested the need for a planning obligation. As a consequence, no such obligation is before me to take into account in reaching my decision.

22. Whilst I acknowledge the representations from the Council's education officer, I have not been provided with further information to substantiate their comments. Furthermore, I have no detail as to the necessity of the off site sport and leisure facilities contribution and where this would be targeted. I therefore do not have information before me to conclude that without a contribution, the appeal proposal would result in a harmful effect in terms of the provision or availability of off site sport and leisure facilities and primary education.
23. Paragraph 56 of the Framework explains that planning obligations must only be sought where they meet all of the following tests as set out in Regulation 122(2) of the Community Infrastructure Levy Regulations (CIL Regs) 2010, as amended: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.
24. Saved Policies GP88 and GP94 of the AVDLP are consistent with the Framework in so far as they require contributions for off-site outdoor place space and facilities and community facilities to be, amongst other matters, reasonably related to the scale and kind of housing proposed. For the reasons outlined above, I am unable to conclude, on the information before me, that the contributions sought in this case are necessary or reasonably relate to the proposal. Therefore, it has not been demonstrated that a planning obligation securing financial contributions meets the tests within Regulation 122 of the CIL Regs and the paragraph 56 Framework.
25. In any event, it seems to me that if the appeal was to be allowed, then a condition could reasonably be applied limiting occupation of the bungalows to the over 55s. In such a situation, the proposal would not place pressure on sports and leisure provision, or primary education, in the way new housing unfettered by such a condition would. In such a situation, contributions would not be necessary.
26. In that overall context, and on the basis of the information before me, a financial contribution towards off site sport and leisure facilities and primary education has not been demonstrated as reasonable or necessary. I therefore find that the proposal would not conflict with Saved Policies GP88 and GP94 of the AVDLP and paragraph 56 of the Framework.

Conclusion

27. As set out above, I have found that the proposal is contrary to the development plan. However, the parties agree that in this case, the tilted balance in paragraph 11 d) of the Framework applies on the basis that the Council do not have up-to-date housing policies in the AVDLP. On my application of that tilted balance, I find that the significant adverse impact the proposal would have on the character and appearance of the area would significantly and demonstrably outweigh the benefits that would accrue from 9 dwellings of the nature proposed, when assessed against the policies of the Framework considered as a whole.

J Evans

INSPECTOR

THE FOLLOWING ADDITIONAL ISSUES HAVE BEEN TAKEN INTO ACCOUNT IN PREPARING THE REPORTS ON THIS AGENDA

DETERMINATION OF PLANNING APPLICATIONS

The Council is required in all cases where the Development Plan is relevant, to determine planning applications in accordance with policies in the Development Plan unless material considerations indicate otherwise.

HUMAN RIGHTS ACT 1998

The determination of the applications which are the subject of these reports is considered to involve the following human rights:-

1. Article 8: Right to respect for private and family life; and
2. Article 1 of the First Protocol: Protection of Property

The evaluation section of each report considers in detail the competing rights and interests involved in the application. Having had regard to those matters in the light of the Convention rights referred to above, it is considered that the recommendations in the reports are in accordance with the law, proportionate and balances the needs of the Applicant with the protection of the rights and freedoms of others in the public interest.

SECTION 17 CRIME AND DISORDER ACT 1998

In reaching the recommendations set out in each report, due regard has been given to the duty imposed upon the Council under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in its area.

EQUALITY ACT 2010

In dealing with planning applications on this agenda and in reaching the recommendations set out in each report, proper consideration has been given to the duty imposed on the Council under the Equality Act 2010 to have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by that Act; to advance equality of opportunity and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Act are a person's age, sex, gender assignment, sexual orientation, disability, marriage or civil partnership, pregnancy or maternity, race, religion or belief.

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Agenda Item 14

DEVELOPMENT MANAGEMENT COMMITTEE APPLICATIONS TO BE CONSIDERED

ON 5 September 2019
IN THE DIAMOND ROOM, AVDC, THE GATEWAY, GATEHOUSE ROAD, AYLESBURY
STARTING AT 1.00 PM

Application number and location: 19/02250/APP – 2 Ayleswater, Watermead, Aylesbury			
Proposal: Demolish existing garage and rebuild.			
Case Officer: Jack Spence			
Councillor/Local Member(s) 5 minutes each	Parish Council(s) 5 minutes shared	Objector(s) 5 minutes shared	Agent/Applicant/Supporters 5 minutes shared
Application w/d from Agenda as Watermead PC w/d their objection to the application			

Application number and location: 19/01281/APP – 5 Curlew, Watermead, Aylesbury			
Proposal: Proposed two storey side/rear extension			
Case Officer: Janet Mullen			
Councillor/Local Member(s) 5 minutes each	Parish Council(s) 5 minutes shared	Objector(s) 5 minutes shared	Agent/Applicant/Supporters 5 minutes shared
	Cllr Sue Severn (Watermead PC)		

Application number and location: 19/01900/APP – 16A Crafton Lodge Road, Crafton			
Proposal: Retention of the existing barn and the operation of a dog home boarding and day care business from parts of the site (Retrospective)			
Case Officer: Janet Mullen			
Councillor/Local Member(s) 5 minutes each	Parish Council(s) 5 minutes shared	Objector(s) 5 minutes shared	Agent/Applicant/Supporters 5 minutes shared
	Cllr Peter Brazier (Mentmore PC)	Robert Fletcher Robert Sharp	Jennifer Smith (Agent)

Application number and location: 18/04377/APP – Land West of Whaddon Road, Newton Longville			
Proposal: Temporary use of land as a construction compound (Compound B5) incorporating storage area, site offices and car parking.			
Case Officer: David Wood			
Councillor/Local Member(s) 5 minutes each	Parish Council(s) 5 minutes shared	Objector(s) 5 minutes shared	Agent/Applicant/Supporters 5 minutes shared
	Mike Galloway (Clerk – Newton Longville PC)		Thomas Bode (Agent)

Application number and location: 19/00097/AOP – Land Adj. 38 Eythrope Road, Stone			
Proposal: Outline planning application Proposed development of up to 5 bungalows including access.			
Case Officer: Danika Hird			
Councillor/Local Member(s) 5 minutes each	Parish Council(s) 5 minutes shared	Objector(s) 5 minutes shared	Agent/Applicant/Supporters 5 minutes shared
Cllr David Lyons		Simon Milliken Jerome Beagle	Rhys Bradshaw (Agent)