



AYLESBURY VALE DISTRICT COUNCIL

Democratic Services

Please ask for: devcon@aylesburyvaledc.gov.uk
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14 November 2017

STRATEGIC DEVELOPMENT MANAGEMENT COMMITTEE

A meeting of the **Strategic Development Management Committee** will be held at **1.00 pm on Friday 24 November 2017** in **The Oculus, 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: M Edmonds (Chairman), B Foster (Vice-Chairman), C Adams, N Blake, J Blake, J Bloom, A Bond, R King, L Monger, Sir Beville Stanier Bt and C Paternoster

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AGENDA

4. DECLARATION OF INTEREST

Members to declare any interests.

5. OVERVIEW REPORT (Pages 3 - 12)

6. 17/01488/ADP - LAND OFF WAINWRIGHTS, LONG CRENDON (Pages 13 - 36)

Approval of reserved matters pursuant to outline permission 15/03650/AOP relating to appearance, landscaping, scale and layout for the erection of 19 dwellings and associated garages, open space and all enabling works. (Amended Scheme)

Case Officer: Simon Dunn-Lwin



a) Speakers List

7. HUMAN RIGHTS ACT (Pages 37 - 38)

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, and BU1 in respect of Buckingham, are now out of date given that these identified housing targets for the plan period up to 2011. 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 14.
- 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.
- 1.5 It is considered that policy GP35 is consistent with the policies of the NPPF and is applicable to an outline proposal which is a view supported by the Secretary of State's recent appeal decision at Glebe Farm, Winslow (ref 13/01672/AOP) and also by the Secretary of State and Inspector in considering the schemes subject to the conjoined Inquiry (Hampden Fields/Fleet Marston and Weedon Hill North).

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

- 1.6 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 will be considered by Council on 18 October 2017. The pre submission consultation is timetabled for November/ December 2017. The adoption of the Vale of Aylesbury Local Plan is planned to be in 2018.
- 1.7 Currently this document cannot be given weight in planning decisions as it is still too early in the planning making process, 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 NPPF published in March 2012. At the heart of the NPPF is the presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking.
- 1.9 The NPPF states that there are three dimensions to sustainable development: economic, social and environmental. They are not to be undertaken in isolation, because they are mutually dependant. Therefore, to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.
- 1.10 Paragraph 17 sets out the core planning principles. It sets out 12 core planning principles which should underpin decision taking, which in summary state that planning should:
- be genuinely plan-led, empowering local people to shape their surroundings through succinct up-to-date plans setting a positive vision for the future of the area;
 - be a creative exercise to improve and enhance the places in which people live their lives;
 - proactively drive economic growth to deliver homes, business and infrastructure and that every effort should be made to objectively identify and then meet the housing, business and other development needs of an area and respond positively to wider opportunities for growth, take account of market signals and set out a clear strategy for allocating sufficient land suitable for development;
 - seek a high quality of design and a good standard of amenity.
 - take account of the different roles and character of different areas, including recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
 - support the transition to a low carbon future;
 - contribute to conserving and enhancing the natural environment and reduce pollution, allocating land for development based on a preference for land of lesser environmental value;
 - encourage effective use of brownfield land;
 - promote mixed use developments and encourage multiple benefits from the use of land;
 - conserve heritage assets in a manner appropriate to their significance;
 - actively manage patterns of growth to make fullest use of public transport, cycling and walking and focus significant development in locations which are or can be made sustainable; and
 - take account of and support local strategies to improve health, social and cultural wellbeing for all and deliver facilities to meet local needs.
- 1.11 The Government's view of what "sustainable development" means in practice is to be found in paragraphs 18 to 219 of the NPPF, taken as a whole (paragraph 6).
- 1.12 The presumption in favour of sustainable development in decision-taking is explained at paragraph 14 of the NPPF. It means, unless material considerations indicate otherwise:
- Approving development proposals that accord with the development plan without delay; and
 - Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
 - specific policies in the NPPF indicate development should be restricted.

- 1.13 Local planning authorities are charged with delivering a wide choice of high quality homes 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 (paragraphs 47-49). NPPF paragraph 49 states that “*Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.*” The issue of housing supply is considered in more detail below.
- 1.14 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 wide choice of high quality homes
 - Requiring good design
 - Promoting healthy communities
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment
- 1.15 The NPPF sets out that transport policies have an important role to play in facilitating sustainable development and in contributing to wider sustainability and health objectives and that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
- 1.16 Paragraph 32 of the NPPF explains that decisions should take account of whether:
- a) The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure
 - b) Safe and suitable access to the site can be achieved for all people Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.
 - c) Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 1.17 Paragraph 119 of the NPPF states “The presumption in favour of sustainable development (paragraph 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.”
- 1.18 The NPPF superseded all national policy contained in the former Planning Policy Guidance Notes (PPG’s) and Statements (PPS’s). On 6th March 2014 the Planning Practice Guidance (PPG) suite was published online to replace and update a number of previous planning practice guidance documents which were consequently cancelled. The PPG is therefore also of relevance when assessing the scheme.

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 (August 2017)
 - 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.

- 1.21 Paragraph 47 refers to the importance of identifying a five years supply of sites to assist in significantly boosting the supply of housing. Where the Council cannot demonstrate a 5 year housing land supply there is a presumption in favour of sustainable development in line with the NPPF and the absence of an NPPF compliant 5 year supply 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. Having an understanding of supply is also key to fulfilling the NPPF requirement to demonstrate the expected rate of housing delivery and how housing targets will be met.
- 1.22 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. This is regularly updated and the latest version is dated August 2017. This version uses the proposed Full Objectively Assessed Need (FOAN) identified in the Buckinghamshire Housing and Economic Development Needs Assessment (HEDNA) Update December 2016 and addendum (September 2017) (970 dwellings per annum). This represents the most appropriate need requirement figure as it considers the district's own objectively assessed needs as well as that within the housing market area. Based on the findings of the HEDNA, the housing land supply document shows we have a 9 year supply this year (compared with 5.8 years previously).
- 1.23 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. This means that paragraph 49 of the NPPF is no longer engaged.. 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 14 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 198 of the NPPF is also relevant.
- 1.24 The recent Written Ministerial Statement, issued on the 13 December 2016, has provided further clarification on this matter and provide more certainty to neighbourhood planning areas. The Statement is a material consideration and sets out that relevant policies for the supply of housing in a neighbourhood plan, that is part of the development plan, should not be deemed to be 'out-of-date' under paragraph 49 of the National Planning Policy Framework where all of the following circumstances arise at the time the decision is made:
- this written ministerial statement is less than 2 years old, or the neighbourhood plan has been part of the development plan for 2 years or less;
 - the neighbourhood plan allocates sites for housing; and
 - the local planning authority can demonstrate a three-year supply of deliverable housing sites.

The statement applies to decisions made on planning applications and appeals from the date it was laid (12 December 2016). It should be read in conjunction with the National Planning Policy Framework and is a material consideration in relevant planning decisions.

Neighbourhood Planning

- 1.25 Paragraph 183- 185 of the NPPF states:

183. Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. Parishes and neighbourhood forums can use neighbourhood planning to:

- *set planning policies through neighbourhood plans to determine decisions on planning applications; and*
- *grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order.*

184. Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.

185. Outside these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area. Once a neighbourhood plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict. Local planning authorities should avoid duplicating planning processes for non-strategic policies where a neighbourhood plan.

Further advice is given at paragraph 198 :

... Where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted.

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.

Further recent advice is also set out in the NPPG (published on 28 July 2017) which states:

What weight can be attached to an emerging neighbourhood plan when determining planning applications?

Planning applications are decided in accordance with the development plan, unless material considerations indicate otherwise. It is for the decision maker in each case to determine what is a material consideration and what weight to give to it. An emerging neighbourhood plan may be a material consideration. Paragraph 216 of the National Planning Policy Framework sets out the weight that may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies. Whilst a referendum ensures that the community has the final say on whether the neighbourhood plan comes into force, as part of the development plan, decision makers should respect evidence of local support prior to the referendum when seeking to apply weight to an emerging neighbourhood plan. The consultation statement submitted with the draft neighbourhood plan should reveal the quality and effectiveness of the consultation that has informed the plan proposals. And all representations on the proposals should have been submitted to the local planning authority by the close of the local planning authority’s publicity period.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a post-examination draft neighbourhood development plan, so far as material to the application.

How should planning applications be decided where there is an emerging neighbourhood plan but the local planning authority cannot demonstrate a five-year supply of deliverable housing sites?

Where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, decision makers may still give weight to relevant policies in the emerging neighbourhood plan, even though these policies should not be considered up-to-date.

Paragraph 216 of the National Planning Policy Framework sets out the weight that may be given to relevant policies in emerging plans in decision taking.

Further assistance to decision makers in these circumstances can be found in guidance on the relationship between a neighbourhood plan and a local plan.

Documentation produced in support of or in response to emerging neighbourhood plans, such as basic conditions statements, consultation statements, representations made during the pre-examination publicity period and independent examiners' reports, may also be of assistance to decision makers in their deliberations.

How should planning applications be decided where there is a made neighbourhood plan but the local planning authority cannot demonstrate a five-year supply of deliverable housing sites?

Neighbourhood plans are an important part of the plan-led system. The government's policy intention when introducing neighbourhood planning was to provide a powerful set of tools for local people to ensure they get the right types of development for their community, while also planning positively to support strategic development needs.

Decision makers may find themselves considering applications in an area with a neighbourhood plan that has passed referendum and been brought into force, and thus forms part of the development plan, but where the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites.

In such instances paragraph 49 of the Framework is clear that "relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites." Paragraph 49 applies to policies in the statutory development plan documents which have been adopted or approved in relation to a local planning authority area. It also applies to policies in neighbourhood plans that have been brought into force.

Where the development plan is absent, silent or the relevant policies are out of date, paragraph 14 of the Framework states that the presumption in favour of sustainable development requires the granting of planning permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.

In this situation, when assessing the adverse impacts of the proposal against the policies in the Framework as a whole, decision makers should include within their assessment those policies in the Framework that deal with neighbourhood planning.

This includes paragraphs 183–185 of the Framework; and paragraph 198 which states that where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted.

- 1.26 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.
- 1.27 Current Government policy on prematurity is contained in the PPG published in March 2014, which states:

“.. in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations 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 Local Plan or Neighbourhood Planning; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local 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. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.”

Conclusion on policy framework

- 1.28 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 9 year supply of housing land based on the latest housing land supply calculation.
- 1.29 Given the recently updated housing supply statement, the Council’s position is that full weight should now 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 14 and 198.
- 1.30 Where a Neighbourhood Plan is not in place, decisions should be taken in accordance with paragraph 14 of the NPPF, granting permission unless any adverse impacts of doing so, would significantly and demonstrably outweigh the benefits, or specific policies in the NPPF indicate development should be restricted when assessed against the NPPF as a whole and where necessary each report advises Members on the planning balance.

Whether the proposals would constitute a sustainable form of development

- 1.31 Each report examines the relevant individual requirements of delivering sustainable development as derived from the NPPF which are:
- **Build a strong competitive economy and deliver a wide choice of high quality homes**
 - **Promoting sustainable transport**
 - **Conserving and enhancing the natural environment**
 - **Conserving and enhancing the historic environment**
 - **Promoting healthy communities**
 - **Good Design**
 - **Meeting the challenge of climate change and flooding**

- 1.32 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

- 1.33 Members will need to assess whether the development would will support the aims of securing economic growth, but also that this would be achieved in a sustainable way.
- 1.34 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, tenure and range including the provision of affordable housing. Key to the consideration of this point is the use of locally based housing targets and the Council's ability or otherwise to demonstrate a 5 year supply of housing land against those targets

Promote sustainable transport

- 1.35 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. It will also be necessary to consider whether the mix of uses provides opportunities to undertake day-to-day activities including work on the site, with key facilities located within walking distance of most properties, and to ensure that the opportunities for sustainable transport modes have been taken up. It will be necessary to consider whether they would support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport. The development will also need to ensure that safe and suitable access to the site can be achieved for all people, and that improvements can be undertaken that effectively limit the impacts albeit that development should only be refused on transport grounds where the residual cumulative impacts are severe.
- 1.36 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

- 1.37 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 where possible and preventing any adverse effects of pollution.
- 1.38 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.
- 1.39 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.
- 1.40 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

- 1.41 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.
- 1.42 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.

Promoting healthy communities.

- 1.43 In facilitating social interaction and creating healthy, inclusive communities the proposals should aim to achieve places which enable communities to integrate and come together, including through mixed use developments and strong neighbourhood centres and active streets; safe and accessible environments and developments.
- 1.44 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. This should in particular address the need to sufficient green infrastructure which provides value in many ways.
- 1.45 It will therefore be necessary to consider how each scheme addresses these issues.

Good Design

- 1.46 The NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Development should function well and add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development and provide for an appropriate mix of uses, respond to local character and history, create safe and accessible environments which are visually attractive.
- 1.47 The size of the developments is such that it is important that there is a cohesive design approach and layout plan that demonstrates the above and Members will need to consider whether these issues have been dealt with satisfactorily.

Meeting the challenge of climate change

- 1.48 Developments will need to demonstrate resilience to climate change and support the delivery of renewable and low carbon energy which is seen as central to the economic, social and environmental dimensions of sustainable development.
- 1.49 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

- 1.50 An assessment is required to conclude whether each proposal will be a sustainable development and that any adverse impacts can be satisfactorily addressed through appropriate mitigation. This will include on and off site provision of infrastructure and facilities to provide for the needs of the residents as well as providing for any specific site specific mitigation.

Overall planning balance

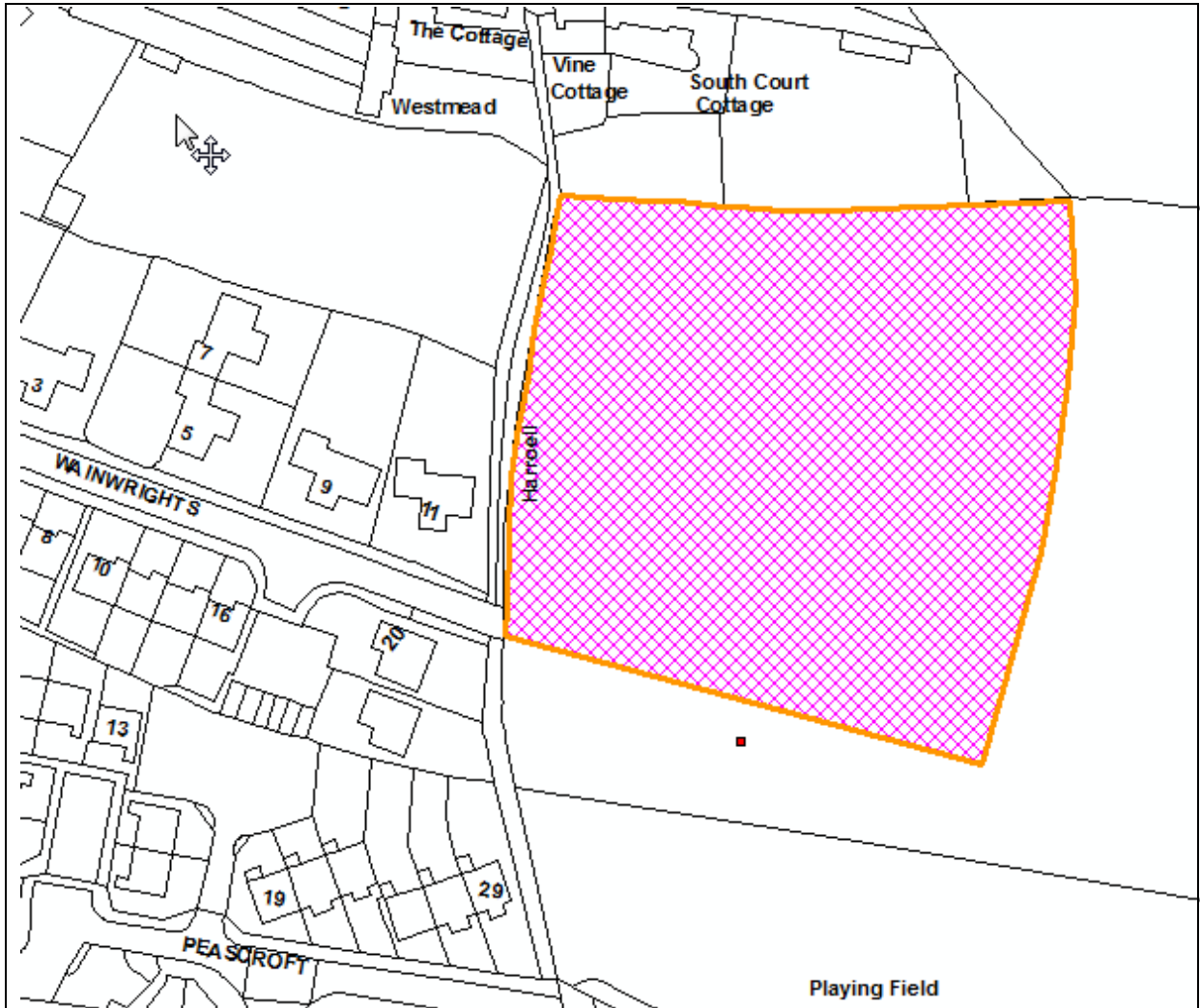
- 1.51 All of these matters, including housing land supply will need to be taken into account in striking an overall planning balance..

Conclusions

- 1.52 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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17/01488/ADP



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REFERENCE NO	PARISH/WARD	DATE RECEIVED
17/01488/ADP	LONG CRENDON The Local Member(s) for this area is/are: - Councillor Mike Hawkett	24/04/17
<p>APPROVAL OF RESERVED MATTERS PURSUANT TO OUTLINE PERMISSION 15/03650/AOP RELATING TO APPEARANCE, LANDSCAPING, SCALE AND LAYOUT FOR THE ERECTION OF 19 DWELLINGS AND ASSOCIATED GARAGES, OPEN SPACE AND ALL ENABLING WORKS. (AMENDED SCHEME) LAND OFF WAINWRIGHTSLONG CRENDONBUCKINGHAMSHIRE</p> <p>MR STEVEN KERRY, RECTORY HOMES LTD</p> <p>STREET ATLAS PAGE NO. 124/125</p>		

1.0 The Key Issues in determining this application are:-

- *The principle of the development, the planning policy position and the approach to be taken in the determination of the application;*
- *Delivering a wide choice of high quality homes;*
- *Building a strong, competitive economy;*
- *Requiring Good design - Reserved Matters: Layout, Scale, Appearance, Landscaping;*
- *Conserving and enhancing the natural environment;*
- *Promoting sustainable transport including Parking;*
- *Promoting healthy communities;*
- *Meeting the challenge of climate change and flooding;*
- *Impact on residential amenities;*
- *Conclusions on the planning balance.*

The recommendation is that the reserved matters be **APPROVED** subject to conditions.

CONCLUSION AND RECOMMENDATION

- 1.1 The application relates to a site which has outline planning permission for the development of 19 houses and the principle of development has already been accepted and acknowledged within the recently 'made' Long Crendon Neighbourhood Plan (LCNP). The principle of development has therefore already been accepted and the harm caused from the development of the greenfield site weighed into the balance with the credentials of the outline scheme. In terms of the details set out in this application, the development would make a contribution to the housing land supply and bring with it economic benefits in terms of the construction of the development itself and those associated with the resultant increase in population. There would also be a resultant net gain in public open space and contributions to sport/leisure facilities through off site contributions.
- 1.2 The assessment of this application has concluded that whilst the proposal would have landscape and visual impacts, as in the outline proposal, the enhanced planting proposed and vistas through the site would provide sufficient mitigation. The proposal would be broadly compliant with the AVDLP and the LCNP.
- 1.3 The development would cause less than substantial harm to the setting of the listed buildings and the setting of the Long Crendon Conservation Area but that harm is at the lower end of the spectrum. Compliance with the Long Crendon NP policies, relevant saved AVDLP policies, and the core planning principles of the NPPF have been demonstrated and there are no material considerations that indicate a determination otherwise.
- 1.4 It is therefore recommended that the reserved matters be **APPROVED** subject to the following conditions:-
- 1 The landscaping and boundary treatment hereby permitted shall be carried out within the first planting season following the occupation of the development or its completion 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.
- 2 The development shall not begin until provision has been made to accommodate all site operatives', visitors' and construction vehicles loading, off-loading, parking and turning within the site in accordance with details set out in a Construction Management Plan (CMP) to be submitted and approved by the Local Planning Authority. The CMP shall include the following:-
- a) parking and turning for vehicles of site personnel, operatives and visitors;
 - b) loading and unloading of plant and materials
 - c) piling techniques if necessary;
 - d) storage of plant and materials;
 - e) programme of works (including measures for traffic management and operating hours);
 - f) provision of boundary hoarding and lighting;
 - g) details of proposed means of dust suppression and noise mitigation;
 - h) details of measures to prevent mud from vehicles leaving the site during construction.
 - i) details of the storage of spoil or other excavated or deposited material on the site, including the height of such storage above either natural ground level or the

approved ground level.

The approved details shall subsequently be implemented prior to the commencement of the construction process and maintained until the completion of the development.

Reason: To enable vehicles to draw off, park, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and to comply with AVDLP Policy GP8 and the National Planning Policy Framework.

WORKING WITH THE APPLICANT/AGENT

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

2.0 INTRODUCTION

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

3.0 SITE LOCATION AND DESCRIPTION

- 3.1 The application site in its entirety comprises a 2.15 hectare field in two parts, one for the development of houses (0.78 ha) with a larger site to east for public open space (1.37 ha). The site is located on the south eastern boundary of Long Crendon village adjoining Wainwrights, which is a cul-de-sac of detached and terraced chalet style bungalows. The site is currently an open field which slopes down sharply to the eastern boundary adjoining agricultural fields. The site is accessed via an existing gate at the end of Wainwrights.
- 3.2 Along the western boundary of the site, and parallel to the eastern boundary is a public right of way (PRoW) that links Harroell from the north to Peascroft in the south (LCR/8/1). A large playing field is situated to the south of the site, bordered by an existing hedgerow. The playing field is accessed across the public right of way from Peascroft further south.
- 3.3 To the north, the site is bordered by hedges and trees that partially border the rear gardens of Vine Cottage and South Court Cottage on Harroell, but the remainder is open countryside. The site is bounded on two sides to the north and south by trees and hedgerows. It is mostly dense foliage on the north boundary, and least dense on the southern boundary with the playing field. A post and wire fence borders the public footpath to the west but the larger field has a hedgerow and trees to the eastern boundary.
- 3.4 Long Crendon Conservation Area abuts the north western corner of the site. Vine Cottage, The Cottage and Westmead on Harroell to the north are Grade 2 Listed Buildings

3.5 The site lies within the Brill-Winchendon Hills Area of Attractive Landscape.

4.0 PROPOSAL

4.1 This application seeks approval of reserved matters following outline planning permission 15/03650/AOP granted on 21st December 2016. The development is for the erection of 19 two storey houses. At the outline stage, all matters were reserved except for means of access to the site, although an illustrative layout plan was provided.

4.2 As before, a new access is shown to be taken from the end of Wainwrights between nos.11 and 20. The final layout follows the illustrative outline layout and also shows the additional pedestrian access to the internal access road terminating to the north adjacent the footpath to the north on Harroell, where pedestrian connections are provided to and from the site with Wainwrights and Harroell Plots 15 to 19 in the northern part of the site form a continuous line of dwellings in a terrace with two detached properties to the east interspersed by garages. They are situated to rear of the listed properties in Harroell and the conservation area boundary. This is mirrored on the south side by Plots 10 to 14 in a similar arrangement of smaller terraced properties adjacent to Harroell footpath with two detached properties to the east interspersed by garages. This rhythm is repeated from north to south throughout the layout with larger 4 bedroom detached properties facing the proposed public open space (POS) to the east with smaller 2 and 3 bedroom properties on the western fringes with Harroell footpath and Wainwrights. The smaller terraced properties on the western fringes, where the ground level drops by approximately 1.25 to 1.4m to street level in Wainwright are generally one and half to two storeys in height, and measuring approximately 8.9m from ground to ridge. The ground level drops by up to 5.3m from street level in Wainwrights to the detached properties situated further east on the development edge to the POS, with a similar ridge height from ground. The site level drops by up to 14m from Wainwrights to the eastern boundary of the proposed POS below.

4.3 The 19 dwellings approved at outline stage specified an indicative mix of 5 x 2 beds, 8 x 3 beds, 2 x 4 beds and 4 x 5 beds houses. This reserved matters application propose housing mix comprising 6 x 2 beds (31.5%), 7 x 3 beds (37%) and 6 x 4 bed houses (31.5%). The proposed dwellings are two-storeys in height and comprises predominantly of semi-detached (10) dwellings with 6 x detached and 3 x terraced houses.

Information submitted with the application includes the layout, scale, appearance and landscaping of the site to discharge conditions 1 and 2 within the 18 months specified in the outline permission 15/03650/AOP. Additional information to discharge other conditions of the outline permission has also been submitted and they address the following conditions:-

- Materials schedule with sample photos (condition 5 and 6)
- Hard landscaping materials on roads, footpaths and driveways (condition 6)
- Soft landscaping (conditions 7)
- Tree Protection (condition 9)
- Means of enclosure – walls, fences and gates (condition 10)
- Slab levels (condition 11)
- Surface water drainage scheme (condition 12)
- SuDS maintenance plan (condition 13)
- Ecological mitigation and enhancement plan (condition 15)
- Parking, garaging and manoeuvring plan (condition 17)
- Turning head for vehicles including service vehicles (conditions 18)

- 4.4 The application has been amended to respond to concerns expressed by Council officers, the Parish Council and local residents relating to a number of issues including drainage, amenity, PRow, heritage and landscape impacts. The amendments have been subject to a full round of further consultation. The report considers the final amended scheme, although all replies from local residents are included below.

5.0 RELEVANT PLANNING HISTORY

87/00358/AOP - Residential development – Refused- Appeal dismissed.

15/03650/AOP - Outline application with access to be considered and all other matters reserved for the erection of 19 two storey dwellings and associated garages, together with new access road, landscaping and all enabling works – Approved.

15/A3650/DIS - Submission of details pursuant to Condition 19 (archaeological investigation works) relating to planning permission 15/03650/AOP – Approved.

6.0 PARISH COUNCIL COMMENTS

- 6.1 Long Crendon Parish Council's response on the original submission is attached in Appendix A for clarity. The final response to the amended scheme in October is set out in full below.

"The Long Crendon Parish Council objects to the reserved matters application, with recent amendments.

The Long Crendon Parish Council is cognisant of the attention the applicant has recently paid to the comments from Council with respect to the layout, design and impact of prior proposals for the Public Right of Way along Harroell and notes that the latest proposed approach with revised diagrams more closely matches the original requirements of the BCC and the Long Crendon Parish Council. We appreciate this and the recently received proposed mitigations.

Previous issues not resolved or confirmed

Boundary Treatment The Parish Council objects to any retention of vehicular access for use by farm machinery to access and egress the adjacent field on the Eastern boundary across the proposed new public open space. The Long Crendon Parish Council expect the existing access gate on the Eastern boundary of the application site to be removed and native hedging planted instead to be consistent with proposed new hedge planting elsewhere on the Eastern Boundary. The proposed continued use by farm machinery is no longer consistent nor justifiable with the new Public Open Space of the nature proposed and represents an un-necessary and inappropriate use given the change in land use of this parcel of land as part of the development proposals overall. The physical dangers to the public exposed to farm machinery in this location now a recreational use area of land - would pose a serious public danger and should be mitigated by altering the access to the adjacent farm field. The proposals from the applicant should address this danger to the public which currently do not.

Land to be transferred to Long Crendon Parish Council - The Parish Council looks forward to written confirmation and formal offer of land to be gifted to the Parish Council on the lower Eastern edge of the development in line with the S106 agreement.

Access to the Skate Park. The Long Crendon Parish Council would expect to see details of the gate to and from this area, as previously agreed offline it would not be a field stile. Details of this item are absent from the submitted plan documents. Working Practices Long Crendon Parish Council request the detailed and confirmed working practices to apply for the duration of the development referencing section 106 working conditions. We expect all items in our previous comments to be implemented in the interest of preserving the residential amenity of local residents during the construction phase of the project to which this reserved matters application refers.

Additional issues for resolution or confirmation:-

The Long Crendon Parish Council expects to have in writing details of all changes contained in the amended diagrams recently submitted. There is no commentary submitted / available to explain what has changed but the Long Crendon Parish Council has tried to interpret changes based on the submitted diagrams alone.

The Long Crendon Parish Council request confirmation of The precise extent and dimensions of the replacement boundary treatment along Harroell path where areas of close boarded fencing and hedge has been replaced by estate railings and the movement of the 1.8m close boarded fence further east on one plot. We note that the width of the proposed footpath is now a consistent 1.5 metres along a substantive length of the development on the Western boundary. The revised diagrams provided state that they (the diagrams) are not scalable and thus we request something more precise (words) to allow appropriate assessment. We note that the revised proposals still do not meet the original requirement from BCC but that BCC are happy for the representative changes on the latest amended plans for this public right of way with much more open boundary treatment.

The Long Crendon Parish Council request more specific explanation with precise measurements the extent/distances to which the buildings and boundary fences on revised plots where to-be built structures have been moved East to accommodate a revised footpath / PROW on Harroell.

The Long Crendon Parish Council confirms that they are very willing for the area of land allocated to future Public Open Space as part of the overall development proposal to be used for site facilities and construction parking during the construction phase. This should allow a suitable Construction Management Plan to be written respecting the requirements of the Long Crendon Parish Council in respect of suitable mitigation of impact to residents local to the development site. All items previously commented on are still required with specific emphasis on parking of construction related vehicles to either be on-site exclusively or in some holding area offsite and not in the village itself. This worked well during construction of the large extensions recently completed to the Baptist Church on the High Street in Long Crendon. Appropriate attention should be given to the existing difficulty with parking on the narrow Wainwrights in Long Crendon”

7.0 CONSULTATION RESPONSES

- 7.1 BCC Highways – No objection subject to compliance conditions.
- 7.2 BCC Right of Way/Access Officer- No objection.
- 7.3 BCC Archaeology – No objection subject to a further condition to investigate the area not covered by the trial trenching earlier in the year.
- 7.4 BCC Strategic Flooding and Drainage – No objection subject to condition.

- 7.5 BCC Education – No further comments received. Education contributions are secured via the completed S106 legal agreement dated 21st December 2016
- 7.6 Landscape Officer – Raise no objection to the proposal. Detailed comments on landscaping during the course of the application have largely been addressed within the final amended scheme.
- 7.7 Heritage Officer – Initial concerns are largely addressed in the final scheme. However the proposal will harm the conservation area and the setting of listed buildings. This harm is assessed as ‘less than substantial’ and at the lower end of the spectrum.
- 7.8 Environmental Health – No environmental health comments on the proposal. Where relevant air quality and contaminated land comments to be provided separately. They have not been provided because it is not considered an issue for this proposal.
- 7.9 Tree Officer – No objection subject to further conditions.
- 7.10 Biodiversity Officer - No further objections. Approve landscape masterplan submitted for this application.
- 7.11 Leisure Officer –Requested contributions in accordance with the Ready reckoner formula have been secured by the existing S106 agreement at the outline stage for identified mix of dwellings in this reserved matters application. Comments relating to the surfacing materials for disabled access is addressed by the final landscaping proposals to provide a solid surface.
- 7.12 Crime Prevention Officer – No response.
- 7.13 Environment Agency – No response.

8.0 REPRESENTATIONS

- 8.1 A total of 35 replies have been received – 29 on the original scheme in the first round of consultation and 6 in the second round on the amended scheme. Relevant points from all representations, except duplications, are summarised below and addressed in the report below-
- The design of the proposal is inappropriate and do little to the topography of the site.
 - Density, massing and scale is out of keeping with conservation area and adjacent properties.
 - The footpath is inadequate and potentially dangerous corridor - public safety issue.
 - Loss of neighbouring residential amenity – outlook, privacy and light.
 - No affordable housing.
 - Decision should be deferred until archaeological investigations concluded.
 - Impact of continuing farm access across park and public safety – cyclist, children and pedestrians.
 - Harm to conservation area and listed building.

- Close boarded fencing and trees to footpath inappropriate producing a tunnelling effect/blind.
- Works traffic impact from loading and unloading and construction hours.
- Access during construction phase not addressed.
- Block out and destroy panoramic views of the countryside.
- Contrary to previous appeal decision of 1988 to refuse houses on the site.
- Development site outside existing village boundary.
- There is a boundary dispute with Vine Cottage.
- Gardens to plots 15-17 within the boundary of houses to the north/west.
- No pedestrian access to the village through Harroell.
- Impact to views from the footpath.

9.0 EVALUATION

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

- ***The principle of the development, the planning policy position and the approach to be taken in the determination of the application;***
- ***Delivering a wide choice of high quality homes;***
- ***Building a strong, competitive economy;***
- ***Requiring Good design - Reserved Matters: Layout, Scale, Appearance, Landscaping;***
- ***Conserving and enhancing the natural environment;***
- ***Conserving and enhancing the historic environment;***
- ***Promoting sustainable transport including Parking;***
- ***Promoting healthy communities;***
- ***Meeting the challenge of climate change and flooding;***
- ***Impact on residential amenities;***

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

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

development plan need to be considered and applied in terms of their degree of consistency with the NPPF.

- 9.3 Given the recently updated housing supply statement, the Council's position is that full weight should now be given to housing supply and other policies set out in any made neighbourhood plan and 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 14 and 198. Outline permission 15/03650/AOP was approved on 21st December 2016 and the principle of development have been fully established by the outline permission to which this application relates. In coming to this position, it was assessed that the impact on highways, residential amenities the historic and the natural environment can be satisfactorily mitigated to minimise the effect to an acceptable level and that outstanding issues could be dealt with by condition or S106. The following sections of the report will consider the individual requirements of sustainable development as derived from the NPPF. The site is located within the settlement boundary defined in the LCNP.
- 9.4 The following sections of the report will consider the individual requirements of sustainable development as derived from the NPPF to ensure that the factors weighed in the planning balance at outline stage are being delivered in the reserved matters. The made Long Crendon Neighbourhood Plan (LCNP) contains the following relevant detailed policies that apply LC1 (settlement boundary), LC9 (general design principles), LC10 (Conservation Areas and their setting), LC12 (key views) and LC14 (Green infrastructure and biodiversity).
- 9.5 LCNP Policy LC1 sets out the settlement boundary shown on the policies map which incorporates the application site. It states:

The Neighbourhood Plan defines a Long Crendon Settlement Boundary, as shown on the Policies Map. The Plan is required to make provision for the development of at least 82 new dwellings during the Plan period. This will be achieved by the development of the sites allocated in Policies LC2 and LC3, and by other appropriate developments which satisfy the policies of the Plan. Proposals for development within the boundary will be supported, provided they accord with the design and development management policies of the development plan and other policies of the Neighbourhood Plan. Proposals for development outside the boundary will only be supported if they are appropriate forms of development within rural areas and they are consistent with development plan policies relating to the historic environment, heritage assets, landscape character and protecting the natural environment.

Policy LC9: General Design Principles:

The Neighbourhood Plan will support development proposals, provided:

- i. Their scale, density, height, massing, landscape design, layout and materials, including alterations to existing buildings, have understood and reflected the character and scale of the surrounding buildings and of distinctive local landscape features;*
- ii. Their landscape schemes include the planting of trees and hedges and the provision of private grassed lawns to front and/or rear gardens;*
- iii. They make provision for off-street car parking spaces in accordance with the adopted standards, unless a clear case can be made for why the proposed nature of the occupation of the dwellings will result in fewer spaces being required;*

- iv. *where a clear case can be demonstrated that off street car parking provision cannot be made, every effort is to be made to use reasonable alternatives such as garages and shared parking arrangements;*
- v. *Any car parking spaces, where required, should use permeable surfaces to allow for rainwater absorption and to maintain a rural character to the street scene;*
- vi. *For housing proposals, they set out how they have considered their housing mix, the energy efficiency of the scheme, the incorporation of Building for Life Standards, the use of sustainable drainage measures, the ease of access by non-car modes, the attractiveness of the homes for older households wishing to downsize and the provision of superfast broadband access infrastructure; and*
- vii. *For housing schemes of eleven or more dwellings, provision is made for at least 30% affordable homes of the total number of homes proposed, unless it can be demonstrated that the abnormal costs associated with the scheme will render it unviable and a lower proportion is agreed.*
- viii. *The proposals take full account of any relevant considerations concerning the historic environment and heritage assets in the area.*

Policy LC10: Design in the Conservation Areas and their Setting

Development proposals in the Conservation Areas or their locale will be supported where applicants have given due consideration to the following design principles. The guidelines are not designed to limit creative architectural solutions that may come forward:

- i. *Planning applications in the Conservation Areas should be sympathetic to the surrounding buildings and environment giving due consideration to existing Roofs, Walls, Windows, Boundaries and the materials that have been used.*
- ii. *Proposals for development should sustain and, where possible, enhance the historic character and appearance of the Long Crendon Conservation Area depicted in the policies map (Figure 4) and its wealth of listed buildings and other heritage assets.*
- iii. *All planning applications within the Conservation Area must explain how the design of the proposals has sought to retain or enhance positive features of the existing area.*
- iv. *The design of development proposals should reflect the style of existing buildings and the character of the street landscape in respect of the use of construction materials and finishes for buildings or extensions.*
- v. *New buildings should be of a scale, size, colour and proportions to complement the character of traditional buildings in the Conservation Area. Where approved modern replacement and/ or new build materials should visually complement the immediate environment.*
- vi. *Any proposals for alterations or modernisation of retail or other commercial buildings, in particular on the High Street, should reflect their heritage, retain any existing traditional frontage and ensure that the installation of modern infrastructure is as unobtrusive as possible.*

Policy LC12: Key Views

Development proposals must have full regard to their effects on the views identified in the Long Crendon Conservation Area Appraisal and in the Neighbourhood Plan. Areas considered include Sandy Lane and Bicester Road, Harroell and Wainwrights, Church End and the north end of Chilton Road towards Easington and the area around the Iron Age Fort. Proposals that will obstruct a view by way of its location,

height or massing, or will otherwise harm the contribution that a view makes to the special character of the village and its surrounding landscape, will be resisted.

Policy LC14: Green Infrastructure & Biodiversity

Development proposals must, where relevant by way of their location and/or type: i. contribute to and enhance the natural environment; ii. ensure the protection of local assets; iii. seek to provide additional habitat resources for wildlife and green spaces for the community; and iv. protect national and local, notable rare and threatened, species. Development proposals that enable the protection, enhancement or provision of new footpaths, bridleways and cycleways in and around the village will be supported, provided they accord with other policies of the development plan and have regard to the principles of the district-wide Green Infrastructure Strategy³. Proposals which lead to the creation of connected green spaces to assist in species adaptation to climate change will also be supported. Developments must deliver no net loss to biodiversity and wherever possible a net gain.

Delivering a wide choice of high quality homes

- 9.6 The delivery of the 19 dwellings with outline permission will make a contribution to housing land supply which would be a benefit to which positive weight should be given.
- 9.7 The Framework's states at Paragraph 50 an objective of delivering a "wide choice" of high quality homes. The mix and type of dwellings comprise 6 x 2 beds (31.5%), 7 x 3 beds (37%) and 6 x 4 bed houses (31.5%) in detached, semi-detached and terraced housing. . Overall the mix of market housing as indicated is across the spectrum of house sizes which exceed the HEDNA requirement for smaller two bedroom affordable properties as defined in the LCNP. While LCNP Policy LC9 vii stipulates that housing schemes of 11 or more dwellings should make provision for 30% affordable homes, however this is a matter which was dealt with at the outline stage and cannot be revisited in this reserved matters application. It is considered that the proposal is broadly compliant with the LCNP regarding mix.

Building a strong competitive economy

- 9.8 The Government is committed to securing and supporting sustainable economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.
- 9.9 It is considered that there would be economic benefits arising from the construction of the development itself and the resultant increase in population contributing to the local economy.

Requiring Good design- Reserved Matters: Layout, Scale, Appearance and Landscaping

- 9.10 The NPPF sets out that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development.
- 9.11 LCNP Policy LC9 on general design principles require among others the scale, density, height, massing, landscaping, layout and materials to reflect the character and scale of surrounding buildings and local landscape features. Policy GP35 of AVDLP is also 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. This is reinforced in the Council's adopted supplementary planning guidance New Houses in Towns and Villages Design Guide which encourages new development to recognise and respect landscape and local character. The matters reserved for consideration are assessed below.

Reserved Matter: Layout:

- 9.12 The outline permission approved an indicative layout. The proposal follows the indicative layout, and the proposed layout has been amended through several iterations to respond to local concerns and technical issues. This includes a robust frontage along the loop access road into the site, which adheres to the outline plan, characterising back-to-back housing keeping to the boundary of the built form within the site. The built form is set in from the western boundary with the footpath, to north with properties in Harroell and to the south, retaining the existing hedges and trees. Dwellings generally face each other across the internal access roads with front lawns where space permits, and private rear gardens. The layout encourages natural surveillance and security within the scheme.
- 9.13 The layout maintains active frontages and limited public interface with rear gardens. It also provides for a variation in building lines with buildings set back from frontages, buildings turning corners and adequate space between buildings, in accordance with good urban design principles. A pedestrian route through the site provides connections to the new public open space to the east, with a disabled access ramp and a pedestrian connection to the adjacent playing fields to the south, off Peascroft via a 'kissing' gate through the hedgerow. The layout provides pedestrian linkages with the existing public footpath where the loop access road terminates facilitating a pedestrian connection to the High Street via Harroell or Wainwrights, which is less than 10 minutes walk to the west. The proposed layout broadly reflects good urban design principles and has been reconfigured to respond to concerns expressed by the Parish, the County Access and Drainage officer and AVDC landscape and heritage officers. The main changes are as follows.
- Create a bigger gap with the footpath adjacent Plots 14 and 15 where space narrows with a low permeable boundary to eliminate the sense of enclosure and open up the long distance views to the east from the footpath.
 - Reduce the massing and height of the buildings and footprint in this north west corner adjacent to the Conservation Area boundary to allow space and views towards the CA and reduce the impact on heritage assets.
 - Create a bigger gap between Plots 18 and 19 to allow views across to the conservation area from the south east.
 - More intensive landscaping and tree planting to respond to the site's setting and to enhance the landscaping to the proposed park and development edge
 - Incorporate a storm attenuation pond as a natural feature to address flood risk instead of a large subterranean tank in the park.
- 9.14 The layout therefore reflects the general principles established in the outline illustrative layout to condense the development area and allow views through to the east including the panoramic views within the AAL, and the revisions further refined to conform to a linear frontage in keeping with the building line on the south side of Wainwrights.
- 9.15 The layout shows that satisfactory vehicular and pedestrian links are incorporated in order to maximise routes through and around the site for two-way traffic flow and

connection with existing footways, encouraging the use of the footpaths and maximising local connections. Finished floor levels and ground levels are clarified within the submission to correspond to adjacent site levels in Wainwrights at its closest points and the site level gradually drops to the east to follow the natural steep gradient of the site and the buildings follow this progressive step down to follow the natural contours of the site. Consequently finished floor levels are lower than the adjacent properties in Wainwrights. This is considered satisfactory to discharge Condition 11 relating to slab levels.

Public Footpath (LCR/8/1)

- 9.16 The layout has been redesigned as a result of discussions during the application process. The building footprint to Plots 14 and 15 have moved away from the footpath boundary, which is in turn widened to the minimum 1.5m width requested by the County Access officer. Additional pedestrian linkages with the rest of the village through Wainwrights is achieved with a footway link. Landscaping along the eastern edge of the footpath on Harroell should enhance the pedestrian experience along this route, particularly where it narrows and dips to the north. It would also create a more secure environment with natural surveillance and lighting adjacent to the development from both sides. This should encourage pedestrian flows from the development instead of a reliance on the car and therefore promote more sustainable and healthy mode of travel into the village a short walk away.

Reserved Matter: Scale:

- 9.17 The proposed development of 19 dwellings will result in a density of development of approx. 24 dwellings per hectare which was accepted at the outline stage and would make efficient use of the land while being in general conformity with the prevailing pattern of density in the village. Building heights proposed are 1.5 to 2 storeys with pitched roofs and side garages/car ports which are predominantly in-curtilage parking or directly adjacent to the plots. This approach is considered in keeping with the scale, height and character of the development in the adjacent area, including Wainwrights, and village and considered to accord with the general design principles set out in LCNP Policy LCN9 and policy GP35 of the AVDLP.

Reserved Matter: Appearance:

- 9.18 There are a number of house types proposed which would create a relatively consistent form but varying detail to the architecture and fenestration, within the streetscene across the site. With adequate spaces around buildings and roof pitches, incorporating chimney-stacks, reflecting the local character in the village. General principles have been incorporated in almost all of the house types to include vernacular features in a contemporary language. Overhanging eaves, with string courses and use of stone, render and facing brick detailing and window reveals are shown to add profile, colour contrast, enhancing visual interest with a mix of facing materials in differing colours that would complement the proposal across the site and avoid a homogenous built form. It is a contemporary feel that responds to the edge of village setting and similar developments throughout the village which is considered acceptable.

Boundary treatment

- 9.19 As noted above, boundaries abutting existing properties would be maintained where appropriate to ensure that they accord with a minimum standard of 14m, particularly in relation to Plot 4 and 11 Wainwrights. Low level retaining brick or rendered boundary walls to the public domain with 1.5 m high railings to intersperse with 1.8m high close boarded timber fencing along the footpath boundary is proposed along the western edge with low level railings to the front of the houses facing the public open space to the east. Private in between are either enclosed with a dwarf brick wall and

timber fencing to the street edges which should reinforce solidity and security to a height of 1.8m provided throughout to enclose private gardens that should maintain privacy and security. The details are considered satisfactory to discharge condition 10 of the outline permission. This amendment is considered to address the concerns expressed by the Parish Council although the issue of the farmer's gated access to the field beyond the site to the east is maintained. The issue of the existing farm right of way by the farmer across the site to the adjacent field to the east is considered below. The proposed boundary treatment would be in accordance with policy LC9 of the NP and policy GP35 of the AVDLP.

Materials

- 9.20 The application includes details of facing materials indicating the use of good quality mix of materials throughout the site comprising first quality multi facing red bricks, , and random coursed Cotswold stone with hand finished off white render and black stained timber weather boarding that should provide a variety of textures and colour shades. Roof covering is a combination of slate tiles and clay tiles, in keeping with the area and they are considered acceptable for quality and durability, to discharge conditions 5 of the outline permission.
- 9.21 The forecourts and parking areas use a combination of Marshalls tegular permeable block paving off-set by black macadam shred footpaths and front lawns. Black macadam to the main access road is proposed with a gravel footpath to the public open space and grasscrete surfaces to the farm access way from the end of the access road across the open space to the east . The surface materials proposed are mixed across the site in contrasting colours to add visual interest, as shown on the materials plan (P.202.SP.03 Rev L) and photo samples of the facing materials have been submitted to satisfy conditions 6 of the outline permission. This would be in accordance with policy LC9 of the NP and policy GP35 of the AVDLP.

Reserved Matter: Landscaping:

- 9.22 Policies GP39 and GP40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity and landscape value to the site boundary edges. The submission is supported by a detailed hard and soft landscaping scheme to discharge Condition 7 of the outline permission.. Condition 6 relating to hard surfacing is addressed above. Details of retained trees and hedgerows and a protection scheme have also been submitted to discharge Condition 9 of the outline permission. The Tree Officer has agreed the tree report subject to further clarification on the tree protection which is provided within the updated tree report
- 9.23 Soft landscaping proposals have been submitted incorporating trees and shrubs to the public spaces, footpath frontage, within the site and within the public open space. Amendments have been made to respond to earlier comments by the Landscape officer to enhance the landscaping scheme and include selective native species and provide natural hedges to close the gap to the rear of Plots 1 and 5. Additional tree planting and hedging to create the 'copse' character of the northern boundary edge is incorporated to the eastern development edge fronting the public open space to soften the scheme from eastern views. Street trees are proposed at regular intervals within the site along the access roads and within gardens with low level planting edges along the public footpath with additional trees along its length.
- 9.24 Ornamental ground cover and shrubs are proposed along the plot frontages, which are largely laid to lawn as are the private rear gardens which average 10m in depth, and along the public footpath. The bulk of the intensive landscaping is along the open countryside boundaries to the east, within the public open space. Trees and woodland planting are introduced to the public open space where none currently

exist in the agricultural field. to further enhance the space and soften the adjacent built environment.

- 9.25 The landscape plan 377/09/16-3496 V9 shows the overall intensive tree and shrub planting around the periphery of the site to the east and west and the public open space to provide a high quality soft landscaping scheme, including street lighting which is satisfactory and discharges condition 7 of the outline permission
- 9.26 Overall in terms of layout, scale, appearance and landscaping the proposal is considered to accord with LCNP Policy LC9 and AVDLP Policy GP35 to represent good design, as required by the NPPF.

Conserving and enhancing the natural environment;

- 9.27 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. AVDLP policy RA8 requires that development proposals in the AAL should respect their landscape character and that development that adversely affects this character will not be permitted, unless appropriate mitigation measures can be secured. LCNP Policy LC12 require that 'development proposals must have regard to key views identified in the Long Crendon Conservation Area Appraisal and the Neighbourhood Plan. Areas considered include Harroell and Wainwrights.
- 9.28 The application site comprises an open field on the edge of the settlement surrounded to the north and west by existing development but exposed to the east into open countryside. It is within the designated Brill-Winchendon Hills Area of Attractive Landscape (AAL) where the issue of development and the adverse landscape and visual impacts on views to the Thame Valley below were fully considered at outline stage. While acknowledging that any development on this greenfield site will inevitably have a landscape and visual impacts, the illustrative layout plan approved at outline stage condensed the built development and created vistas along the east-west aligned internal access roads to mitigate the impact which was considered acceptable.
- 9.29 The reserved matters follow the rational of the indicative outline plan and adds detail to the layout, scale, appearance and landscaping. Attention has been paid to the soft landscaping across the development site and the boundary treatment along the sensitive edges to the footpath along the western boundary and the built development edge to the POS, where it abuts open countryside. It was envisaged at outline stage that *'the tree planting (managed through appropriate planning condition) would enable landscape mitigation, and moreover enable the panoramic views of the site afforded from Wainwrights to be retained as the carriageway as indicatively shown would provide a continuation of the highway that currently benefits from these views'*.
- 9.30 The landscaping and tree planting proposals have been upgraded to ensure intensive planting to soften the transition between built form and open country to the east while protecting existing hedgerows and trees along the northern and southern boundaries. The mitigation to the landscape and visual impacts within the AAL is addressed within the soft planting scheme to the sensitive edges with appropriate enhancements and low level boundary treatment to secure the views along the access roads. The landscaping details submitted provide suitable mitigation and it is considered that the impact on the natural environment is adequately mitigated as envisaged at the outline stage. The gradual stepping down of the dwellings from west

to east as the levels fall away should also mitigate the visual impact of the proposal on Wainwrights within the context of the AAL. The reserved matters are therefore considered to address the landscape and visual impact of the scheme and accord with AVDLP policy RA8 and LCNP policy LC12 on key views.

- 9.31 The reserved matters are supported by an Ecological Mitigation and Enhancement Plan pursuant to condition 15 of the outline approval. Final details have been considered by the Council's Ecologist who is satisfied that the proposal demonstrate net gains for ecology required under the NPPF. Compliance with the approved details is secured by the same condition (no.15) within the outline approval. The proposal is therefore considered to comply with LCNP policy LC14 and the NPPF.

Conserving and enhancing the historic environment;

- 9.32 The NPPF recognises the effect of an application on the significance of a heritage asset is a material planning consideration. Paragraph 132 states that there should be great weight given to the conservation of designated heritage assets whilst paragraph 139 extends this provision to non-designated heritage assets with an archaeological interest. LCNP Policy LC10 and AVDLP policies GP53, also seeks to protect and where possible enhance the CA and its setting. The boundary to the CA abuts the north west corner of the site with listed buildings located adjacent in Harroell. The heritage constraints in proximity are identified as follows:-

- Listed buildings on Harroell – Grade II listed 17th and 18th century witchert and thatch Vine Cottage, Shilling Cottage, and Sixpenny Cottage with historic curtilage and boundaries
- Conservation area character area – boundary line to identity area of lower high street, containing a number of buildings of note, panoramic key views and historic land use map references to uses on site associated with the historic buildings adjacent

- 9.33 With regard to the impact of the reserved matters on heritage assets, the Council's heritage officer initially expressed concern on the proximity Plots 15, 16 and 17 to the CA boundary and the setting of listed buildings in this corner of the site. The initial layout was considered 'to provide a very built up dense edge in the immediate setting of the listed buildings and conservation area at this point' rendering it harmful to the heritage assets, notwithstanding that the reserved matters layout follows the outline layout. Overall it was acknowledged at the outline stage that the scheme would inevitably have some impact on views towards the conservation area from outside of the Conservation Area and the listed buildings across the site, because of the change from agricultural character to built development.

- 9.34 The main heritage issue to consider is the potential impact of the proposed development on the setting of Long Crendon Conservation Area together with the effect on the setting of near by listed buildings in Harroell. The Heritage officer considered on the original submission that the proposal would cause harm to the extent that an objection was raised. Following consideration of the final layout, the Heritage Officer has advised that while the amendments substantially improves the layout and openness around Plot 19 there remains some concern over the terracing effect of the plots 15-18. The harm is consider to be 'less than substantial' in NPPF terms and at the lower end of the scale of harm to the extent that it is 'modest', and as the outline scheme showed terracing in the same location as now proposed it is considered that there would be no greater impact than was envisaged at the outline stage in terms of the setting of the CA and the listed buildings.

- 9.35 In light of the revisions to the proposal, have substantially reduced the impact of the proposal it is noted that the Conservation Area is already well contained and existing views of the Conservation Area are well screened by existing mature trees and hedgerow planting, and that the siting of dwellings as viewed from outside of the application site would not in turn alter any existing views achieved from the Conservation Area. It is further considered that the affected area is relatively small in the context of the overall extent of and wider setting of the conservation area and boundary across the core of the village to the west.
- 9.36 Overall, it is considered the impact of the proposal on the heritage assets identified will be restricted to being localised and that in NPPF terms its impact is considered to be 'less than substantial harm' and at a level which is 'modest'. Therefore, whilst harm to heritage assets has been identified it is considered that the impact would be limited for the reasons identified. While it would partially conflict with LCNP Policy 10 to the extent that it is within the 'locale' of the conservation area and abutting the north west boundary to the site.
- 9.37 The County Archaeologist has advised that an archaeological excavation was undertaken as required by the outline permission, which recorded features and finds from a number of periods including the Saxon period. Part of the site could not be excavated at that time and it is requested that a further condition is attached to secure and complete outstanding investigation. Subject to this further condition the County Archaeologist does not raise any objection, and it is considered the proposal is compliant with GP59 and the NPPF to protect heritage assets of archaeological value.
- 9.38 Regard has been had to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the character and appearance of the CA and the Listed Building are considered to be preserved and there is less than substantial harm in NPPF terms and would broadly accord with the LCNP and AVDLP policy.
- Promoting sustainable transport, including car parking***
- 9.39 The NPPF at paragraph 32 seeks to encourage sustainable transport modes and to ensure safe and suitable access to new development. The development will be served by a single vehicular point of access off Wainwrights with pedestrian connections to the footway in Harroell and the village, which would utilise the existing access point and create an additional pedestrian connection for the development. Access and highway impacts have been considered at the outline stage to be acceptable. The reserved matters required submission of details reserved by condition and they include parking, garaging and manoeuvring plan (condition 17) and turning head for vehicles, including service vehicles (conditions 18)
- 9.40 The Policy LCNP Policy LC9 refers to adopted standards which relate to GP24 of AVDLP that requires that new development accords with published parking guidelines. SPG1 "Parking Guidelines" at Appendix 1 sets out the appropriate maximum parking requirement for various types of development. Policy LC9 of the Long Crendon NP also requires car parking provision in accordance with adopted standards of 2 spaces for 2-3 bedroom dwellings and 3 spaces for 4 bedroom dwellings.
- 9.41 The proposal shows 50 dedicated on-site car parking spaces across the site to meet the maximum requirements SPG1, which would also comply with AVDLP policy GP24 and LCNP policy LC9. Condition 17 of the outline permission is satisfied.

- 9.42 Conditions 18 of the outline require that details of the service vehicle turning space are included with the reserved matters submission. The details have been considered by the highway authority and found to be acceptable, subject to compliance, which is secured by the same conditions. As such, the layout submitted for the access roads, turning areas and footways are considered acceptable as well as the parking provision, addressed above, to meet the requirements of both conditions 17 and 18 of the outline permission. Overall, the proposal from a highway perspective is considered to accord with the NP policy and adopted SPG.

Promoting healthy communities

- 9.43 Policies GP86-88 and GP94 seek to ensure that appropriate community facilities are provided to address the demands on infrastructure arising from a proposal (e.g. school places, public open space, leisure facilities, etc.). A new public open space (POS) is to be provided with the development amounting to approximately 1.37 ha of landscaped park, to include disabled access ramp with lighting, public seating with a connection to the playing fields to the south off Peascroft. The requirements of the Lead Local Flood Authority (BCC) have also resulted in a natural flood attenuation pond to the bottom of the hill in the park. The POS is to be transferred to the Parish in accordance with the S106 secured at the outline stage. Additional contributions have been secured for education through the S106. This was considered to be satisfactory at the outline stage to make the development acceptable, and in accordance with CIL Regulations.
- 9.44 Overall it is considered that the development adequately address the aims of the NPPF to achieve healthy communities and the requirements of AVDLP policies GP86-88 and GP94.

Meeting the challenge of climate change and flooding

- 9.45 The proposed development is located on a greenfield site in Flood Zone 1, as such there is no fluvial flood risk. The Lead Local Flood Authority (Bucks County Council) has no objection to the submitted drainage strategy which has been amended to include natural surface water attenuation pond located within the POS, in place of a large underground attenuation tank. Subject to further detailed calculations to be reserved by condition on infiltration rates, the LLFA has no objection and the conditions 12 and 13 of the outline permission are satisfied.
- 9.46 In light of the above, it is considered the proposed development would be resilient to climate change and flooding in accordance with the NPPF.

Impact on residential amenities

- 9.47 The layout and scale of the proposed development has been assessed in relation to the nearest residential properties in Wainwrights (nos. 11, 18 and 20) because Plots 4 and 2 would be directly to the rear/side of the existing neighbours respectively. Additional impacts on amenity in connection with the listed cottages in Harroell located beyond the northern boundary have also been considered.
- 9.48 Base on separation distances of approximately 10.3m between no.11 Wainwrights and Plot 1, in a side to side relationship, together with the ground level differences between the two houses of approximately 1.5m lower at Plot 1, and absence of any openings to the side elevations of both there would be no adverse impact on the amenities to the residents at nos.11 in respect of light, outlook and privacy.
- 9.49 No18 Wainwrights is unobstructed by Plot 4 and a distance of approximately 17.4m between the rear of no 20 and the side of proposed Plot 1 is considered acceptable. With the drop in the ground level of Plot 1 in relation to no.18 and 20 by

approximately 1.3m no adverse impact is envisaged on the residents of no.20, in terms of light, outlook and privacy.

- 9.50 Turning to the impact on the properties abutting the site to the north in Harroell, the closest residential properties are the two homes immediately adjacent to the northern boundary at Vine Cottage and South Court Cottage. They are located approximately 35m from the nearest properties at Plots 15-17, but screened by a dense cluster of trees and high boundary hedges. No adverse amenity impact is envisaged. The reserved matters show that neighbouring amenity is not unduly impacted and the reserved matters accord with Policy GP8 of the AVDLP and NPPF guidance.

Other matters

- 9.51 Concern has been expressed about the loss of private views. It should be clarified that loss of private views by neighbouring residents is not a planning matter because there is no legal right to a view. The landscape and visual receptors of the public footpath are considered separately and addressed above.
- 9.52 Concern has also been expressed by the Parish about the existing farm access to the adjacent field below to the east, and the potential safety issues inherent in the scheme of continuing the access for the farmer with tractor and machinery across the future public open space through the site. This has been investigated further with the applicant and the farmer. It is understood that the farmer has legal rights over the land and the condition of acquisition is to retain this access. The farmer has pointed out that the family have been farming in the area for over 200years and the field access has been used regularly. The frequency of use is clarified by the farmer as 'about 20 times a year and all will be when the ground is easily able to carry the type of modern agricultural vehicles and machinery'. A condition to limit access and frequency to reduce risks would not meet the test of enforceability.
- 9.53 Other issues raised by residents relating to the boundary dispute to the northern boundary are private matters.
- 9.54 Concern relating to construction management can be addressed by condition.

Case Officer: Simon Dunn-Lwin

Telephone No: 01296 585121

Appendix A: Initial LC Parish Response - June 2017

Reserved Matters application ref 17/01488/ADP – relating to outline application ref 15/03650/AOP @ Wainwrights Long Crendon

The Long Crendon Parish Council objects to this reserved matters application.

1. Harroell Footpath and siting of plots 1,4,14,15.

- The submitted details with respect to the proposed revised footpath and overall layout/positioning within the proposed application site do not address the requirements articulated by the office of Director Environment Services (Buckinghamshire County Council in some detail (with supporting photographs) in their letter to AVDC dated 5th October 2016 .

Their requirements are very clear and they also state that they should be addressed during detailed design. They include moving the proposed buildings eastwards to enable appropriate modification to Harroell footpath and also to mitigate negative impact to the Conservation area.

They expressed concern that the failure to address these requirements at outline planning stage would simply be repeated at detail planning, which now appears to be the case.

The current reserved matters application does not provide a sufficiently wide footpath and buffer area (3M) and is still too narrow to service a 19 dwellings development. The proposed design continues to leave the footpath within a narrow corridor with multiple negative affects on footpath users and inappropriate boundary treatment adjacent the Long Crendon Conservation Area.

Part of the requirements stated were that the footpath LCR/8/1 needed to be upgraded to “*a 2 metre wide footpath set within a corridor of at least 3 metres*” . The reserved matters proposals also do not meet the guidance in paragraph 30,32,35, and75 of the National Planning Policy Framework.

- The proposed new access road to the application site crosses the Harroell footpath. It was agreed between the Parish Council and authorised representatives of the applicant that where the footpath crosses the new proposed access road that the footpath would be raised to give priority to the footpath (rather than the road) and that appropriate road and pedestrian street signage and suitable surface treatment would be provided for the safety of footpath users. (Email 26th May 2017 from Mr S Kerry to Long Crendon Parish Council refers). The details relating to this are not yet reflected in the reserved matters application data set.

2. Boundary Treatment

- The Parish Council objects to any retention of vehicular access from the proposed public open space in the application site for future use of farm machinery accessing the adjacent field on the eastern boundary. The farmer of the adjacent field will need to seek an alternative access as the new land use of the proposed public open space precludes continuing access in this area (currently a gate). The hard landscape schedule plan detailing

Reserved Matters application ref 17/01488/ADP – relating to outline application ref 15/03650/AOP @ Wainwrights Long Crendon

access from the proposed public open space to this field is incompatible with the new land use. The gate should be stopped up and native hedging planted to maintain consistency with the proposed new hedge/planting on the Eastern boundary of the application site; all in the interest of public safety.

- The Parish Council are aware of differences of opinion concerning boundaries between the applicant and adjacent landowners on the northern boundary. This must be resolved in any determination of reserved matters.
- The proposed boundary treatment adjacent to the Harroell footpath appears totally inappropriate. The hard landscape schedule ref 3977/09/16-3497 indicates close boarded fencing of an unstated height. In the absence of any such statement we are assuming 1.8 metres. This is completely inappropriate in this location relating to plots 1,4,14,and 15. Any fencing adjacent to the Harroell footpath should not exceed 1 metre which is a planning norm for fencing adjacent a public footpath. This is particularly important as it is also adjacent to the Long Crendon Conservation area. Any new fencing should be sympathetic to the conservation Area in line with published guidance and should minimise impact to the setting of the Conservation area where possible.
- The Parish Council looks forward to receiving confirmation of the detailed access proposals from the proposed new public open space to the Harroell Skate Park .The Parish Council would expect to see a substantial “kissing gate” not a stile in this area.

3. Second Pedestrian Entrance

- The Parish Council notes in correspondence with the applicant dated 26th May 2017 that a pedestrian route from the internal road end to the Harroell footpath would be provided thus improving the pedestrian permeability of the application site. This should be documented and be provided as part of the reserved matters application data set

4. Site Layout and massing

- The Parish Council objects to the proposed ridge heights of plots 15,16, and 17 as given the existing topography of the land of the application site this will cause a domineering effect on the two adjacent cottages in the conservation area. The proposed buildings are too bulky and the massing is too imposing adjoining the Conservation area. A lower level bungalow type proposal or semi subterranean solution could be proposed. This innovative approach to design and setting has successfully worked on a site in Chearsley road to minimise impact to the Conservation area. This specific area of the application site demands special attention to bulk and massing of buildings given its relative prominence in the street scene and in context of existing neighbouring buildings. The same comments apply to plots 18 and 19. An alternative and innovative design and layout could be proposed by the applicant to avoid any further undue negative impact on the adjacent Conservation area.
- The Parish council is of the opinion that insufficient attention has been given to the layout and design solution in this reserved matters application and that the application should be

Reserved Matters application ref 17/01488/ADP – relating to outline application ref 15/03650/AOP @ Wainwrights Long Crendon

rejected with indications of what might be suitable in this sensitive and visually dominant area.

5. Working Hours and Conditions

- The Parish Council requests that the following conditions are applied
 1. Vehicular access to and from the application site be only from via the Thame/Bicester Road end of High Street to avoid undue impact to the already congested northern end of High Street and the very narrow Burts Lane.
 2. No use of private garage/parking areas next to numbers 2 and 20 Wainwrights for parking or turning, especially by HGV's. In any case those areas are private property.
 3. There should be no parking by supplier or construction contractor's vehicles on existing public roads. All parking should be on the application site.
 4. No construction related vehicles to be allowed in the village prior to 8 am – this may require a suitable holding area outside the village boundary.
 5. No on-site working outside of 08:00 to 18:00 weekdays, 09:00 to 13:00 Saturdays. No Sunday working or Bank/ Public holidays.
 6. Existing Wainwrights road to be kept free of mud at all times.
 7. No radios on-site within earshot of neighbours .
 8. Gateman/Banksman in operation during all working hours to control all site related traffic movements in the interests of public safety, to ensure all applicable site traffic related conditions are adhered to as the Harroell footpath will have priority over any site related traffic movements and we need to ensure that children and other footpath users going to the play area ,skate park, allotments ,dog walkers, and the general public are kept safe.
 9. The applicant should appoint a person with a phone number and e mail address to manage any day to day on site problems
 10. A designated member of Long Crendon Parish Council should have access to Construction Management Plan (CMP) by prior appointment.
 11. All the above is in the interest of retaining residential amenity of the neighbourhood during construction

6. Legal Matters

- The Parish Council believes that as the new application site road way and footpaths are not to be adopted by Buckinghamshire County Council that a comprehensive and robust deed of covenant between all affected parties including the Long Crendon Parish Council itself be established to protect the legitimate interests of the public users of the proposed public open space in such areas as rights of way, parking, access by Parish Council authorised machinery to maintain public open space etc and this should be conditioned as part of any approval. Matters relating to ensuring access is always available for emergency services vehicles and utility vehicles must also be addressed. Restrictions should be placed on future occupants of

Reserved Matters application ref 17/01488/ADP – relating to outline application ref 15/03650/AOP @ Wainwrights Long Crendon

the proposed housing on the application site with respect to fence heights adjacent Harroell footpath. Anything man-made over 1 metre should be prohibited by deed or other legally enforceable mechanism.

7. **Access**

- The Long Crendon Parish Council has been made aware that 12 metres of what was believed to be public highway at the end of Wainwrights providing access to the application site is apparently not under the control of, nor maintained by Buckinghamshire County Council. We request clarification of how access can be achieved as this area of land has not been included in the outline application 15/03650/AOP.

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 8

STRATEGIC DEVELOPMENT MANAGEMENT COMMITTEE APPLICATIONS TO BE CONSIDERED

ON 24 November 2017
IN THE OCULUS, AVDC, THE GATEWAY, GATEHOUSE ROAD, AYLESBURY
STARTING AT 1.00 PM

Application number and location:

17/01488/ADP - Land off Wainwrights, Long Crendon

Proposal:

Approval of reserved matters pursuant to outline permission 15/03650/AOP relating to appearance, landscaping, scale and layout for the erection of 19 dwellings and associated garages, open space and all enabling works.

Case Officer: Simon-Dunn-Lwin

Speakers

Councillor/Local Member(s) 5 minutes each	Parish Council(s) 5 minutes shared	Objector(s) 5 minutes shared	Agent/Applicant/Supporters 5 minutes shared
	G Lismore (Long Crendon PC)	Lennard Maurice Wakelam Richard Thurbon	Tim Northey/Steven Kerry (Applicants)

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