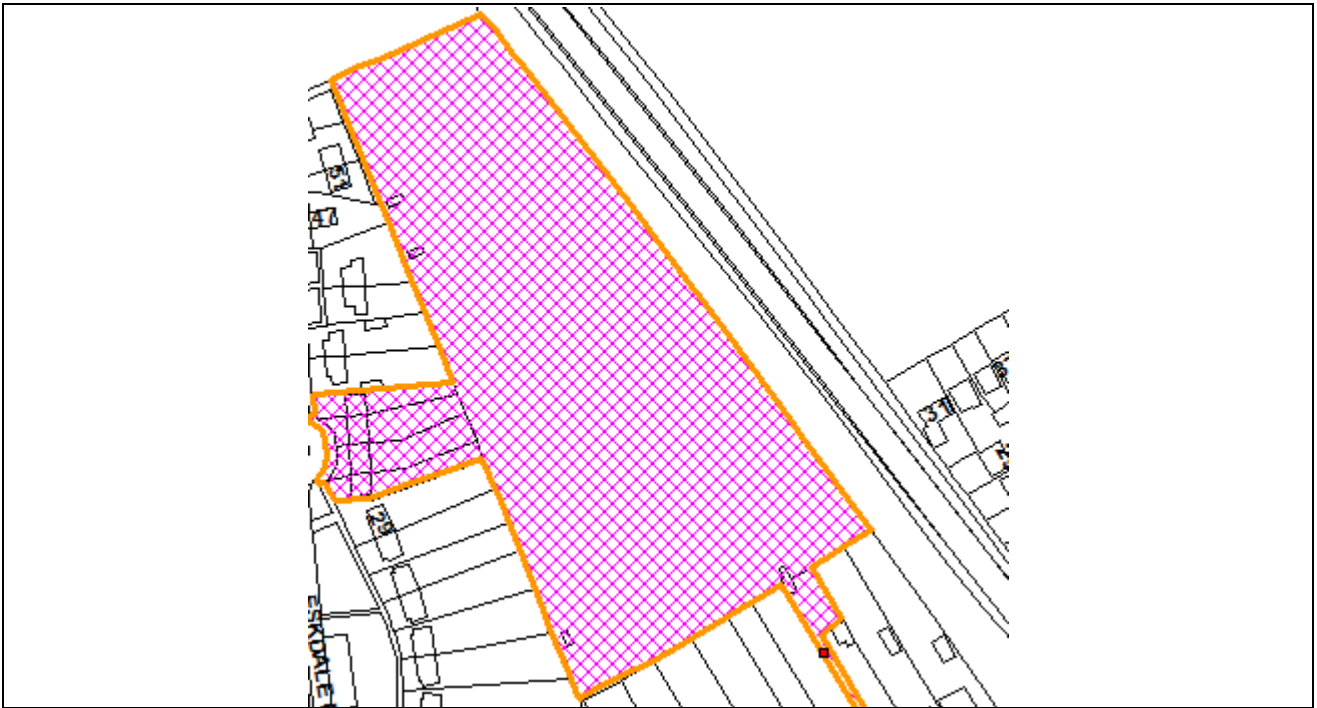


16/02673/APP



© Crown Copyright and database right 2011. Ordnance Survey 100019797

REFERENCE NO	PARISH/WARD	DATE RECEIVED
16/02673/APP	STOKE MANDEVILLE The Local Member(s) for this area is/are: -	09/12/16
Residential development comprising 73 dwellings following demolition of 4 existing bungalows with new access road off Eskdale Road, parking and associated works. Land Rear of 17 To 55 Eskdale Road and 47 To 63 Station Road Mr Jonathan Walters	Councillor Mrs C Paternoster Councillor Bill Chapple Councillor Mike Collins	
STREET ATLAS PAGE NO. 116		

## 1.0 INTRODUCTION

- 1.1 Members will recall that this application was considered at the Strategic Development Management Committee on 20 July 2017 when members resolved that the application be deferred and delegated for approval subject to the completion of a legal agreement and appropriate conditions. Members had also requested officer resolve concerns relating to the footpath link with ramp on the embankment to Station Road.
- 1.2 This report is before members to clarify the position on affordable housing and SUDs maintenance arising from the minutes of the meeting.
- 1.3 The minutes of the meeting as approved state:
- That application 16/02673/APP be Deferred and Delegated to officers for Approval subject to officers seeking to overcome concerns regarding the footpath link to Station Road, the completion of a legal agreement (with BCC and AVDC as appropriate) to secure financial contributions towards education, leisure, public transport improvements, off-site highway works, promoting sustainable modes of transport, healthcare improvements (where requested and are CIL compliant), SuDS maintenance and subject to conditions as are considered appropriate by officers. Or if this cannot be achieved then the application to be refused for reasons as are considered appropriate by officers.*
- 1.4 The original officers report at paragraph 10.76, a copy of which is appended to this report, sets out the S106 obligations requirement to include on site provision of 30% affordable housing (25 units comprising rented and shared ownership units), however this was not reflected in the minutes. Similarly the obligations listed include maintenance of any SUDS drainage features.
- 1.5 The S106 has now been progressed and ready for completion and includes the affordable housing provision. It does not include the SUDs maintenance provisions as the legal advice is that this could be dealt with through condition. No request was received from the CCG in respect of healthcare improvements so this is not included in the S106.
- 1.6 To update members with regard to the footpath link to Station Road, this has been the subject of discussion with the parish council who objected to the construction of a pedestrian access via an embankment on Station Road as this would compromise the safety of users and make it unsafe as located on the incline of the bridge. BCC have proposed that the pedestrian ramp is removed from the scheme. To meet road safety audit

requirements BCC have requested a pedestrian tactile dropped kerb east of the access onto Station Road, details of which can be secured by condition. The idea behind the dropped kerb is that instead of the existing situation where pedestrians cross anywhere along Station Road and more concerning directly in the access the crossing movements are focused in one, safer location, reducing the risk for pedestrians crossing Station Road and follow pedestrian desire lines from the development to Stoke Mandeville Station. Adequate visibility can be achieved in line with the guidance found in Manual for Streets.

1.7 The Committee is asked to clarify that the original recommendation that the s.106 should include requirements for affordable housing and to exclude SUDS maintenance as per the appended report is acceptable to Members and resolve to extend the original delegation accordingly.

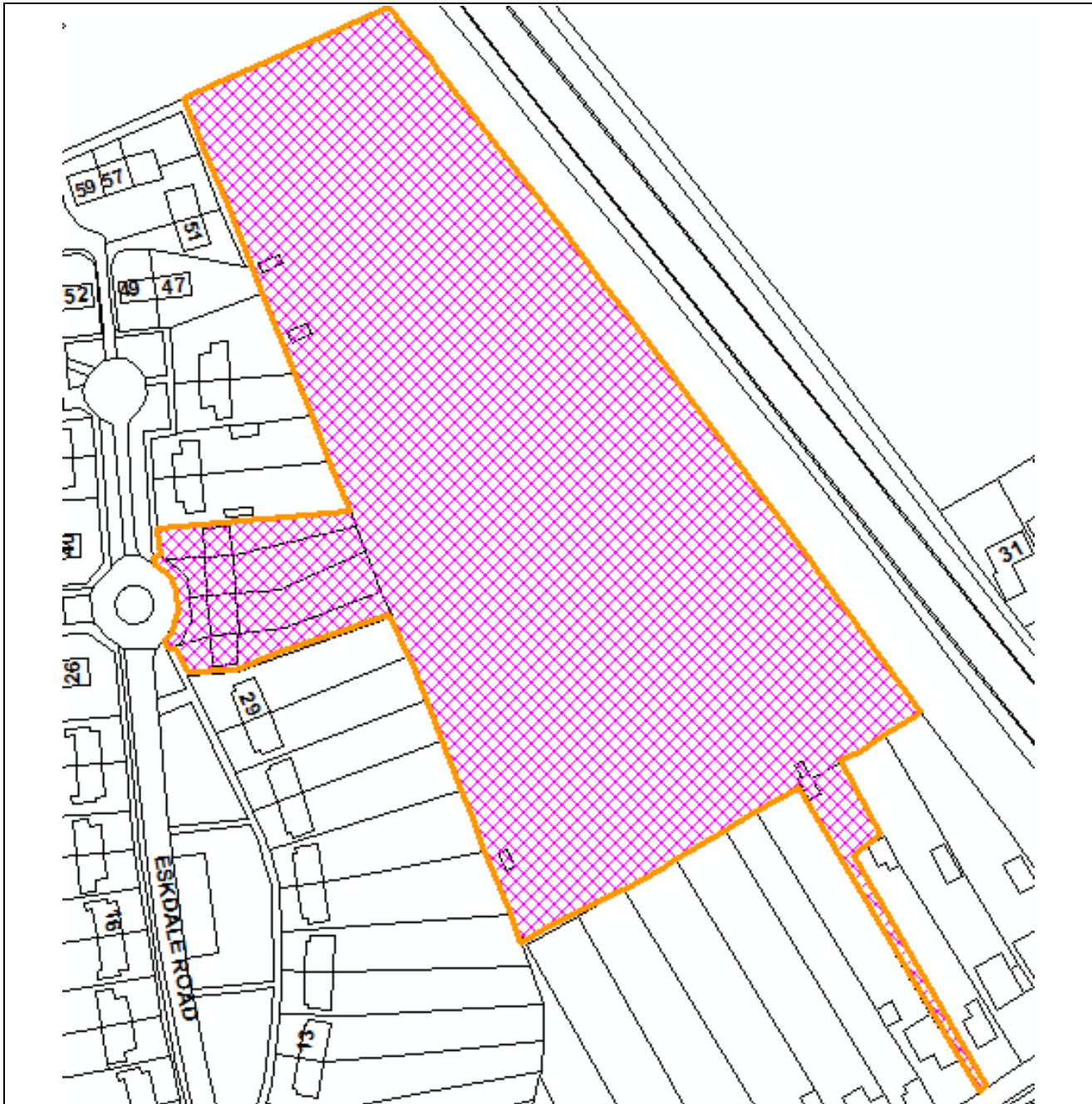
1.8 Officers therefore recommend the following is resolved:

That the delegation to officers made on 20 July 2017 in respect of application 16/02673/APP is extended to include the requirement to secure on site provision of 30% affordable housing (25 units comprising rented and shared ownership units) within the S106 legal agreement and to exclude SUDS maintenance from the S106 legal agreement to be dealt with by condition referred to in that delegation.

Case Officer: Mr Neil Button

**APPENDIX A**  
**Report to SDMC 20.7.2017**

16/02673/APP



REFERENCE NO	PARISH/WARD	DATE RECEIVED
16/02673/APP	Stoke Mandeville Parish Council	19 July 2016
RESIDENTIAL DEVELOPMENT COMPRISING 73 DWELLINGS FOLLOWING DEMOLITION OF 4 EXISTING BUNGALOWS WITH NEW ACCESS ROAD OFF ESKDALE ROAD, PARKING AND ASSOCIATED WORKS.	The Local Members for this area are:  Cllr Bill Chapple Cllr Carole Paternoster Cllr Michael Collins	
LAND REAR OF 17 TO 55 ESKDALE ROAD AND 47 TO 63 STATION ROAD HP22 5UJ		
MR JONATHAN WALTERS – (MILEWORTH LTD) STREET ATLAS PAGE NO.115		

#### 1.0 The Key Issues in determining this application are:-

##### The Key Issues in determining this application are:-

- a) *The planning policy position and the approach to be taken in the determination of the application.*
- b) *Whether the proposal would constitute a sustainable form of development.*
  - *Delivering a wide choice of high quality homes;*
  - *Building a strong competitive economy;*
  - *Promoting sustainable transport;*
  - *Conserving and enhancing the natural environment;*
  - *Conserving and enhancing the historic environment;*
  - *Promoting healthy communities;*
  - *Requiring good design;*
  - *Meeting the challenge of climate change and flooding.*
- c) *Impact on residential amenities.*
- d) *S106 matters.*
- e) *Others matters.*

The recommendation is that the application be **DEFERRED AND DELEGATED** for **APPROVAL**

subject to the completion of a legal agreement (with BCC and AVDC as appropriate) to secure financial contributions towards education, leisure, public transport improvements, off-site highway works, promoting sustainable modes of transport, healthcare improvements (where requested and are CIL compliant), SUDS maintenance and subject to conditions as considered appropriate by Officers. If this cannot be achieved then the application will be refused for reasons as considered appropriate by Officers.

## **CONCLUSION ON THE PLANNING BALANCE AND RECOMMENDATION**

- 1.1 The application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the core planning principles of the NPPF and whether the proposals deliver “sustainable development.” Paragraph 14 of the NPPF requires that where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme, when assessed against the policies of the NPPF taken as a whole.
- 1.2 The development would make a contribution to the housing land supply which is a significant benefit, and therefore it is afforded significant positive weight in the overall planning balance. The NPPF makes it clear that boosting the supply of housing is a key policy objective nationally and locally. There would also be economic benefits in terms of the construction of the development itself and those associated with the resultant increase in local population to which moderate weight should also be attached.
- 1.3 The development would have an impact on the landscape due to the site being a greenfield site within a rural edge location designated as open countryside, although such impact would be limited subject to appropriate mitigation measures being implemented. In terms of good design, the proposal would extend beyond the existing built up residential edge of the village into the countryside resulting in minor harm to the settlement and landscape character. These matters are therefore afforded limited negative weight in the overall planning balance.
- 1.4 The proposal would lead to the loss of best and most versatile agricultural land and loss of trees. These matters are afforded limited negative weight when weighed against the public benefits of the proposal.
- 1.5 Compliance with other core planning principles of the NPPF (paragraph 17) have been demonstrated in terms of promoting sustainable transport, biodiversity, preserving residential amenities, promoting healthy communities (including securing contributions towards healthcare infrastructure where CIL compliant), reducing the risk of contamination, good design, avoiding archaeological impacts, and meeting the challenge of climate change and flooding. However, these matters do not represent benefits to the wider area but demonstrate an absence of harm (or which in the case of flood risk are expected to demonstrate an absence of harm), and are accordingly afforded neutral weight in the planning balance.
- 1.6 Weighing all the above factors into the planning balance, and having regard to the NPPF as a whole, along with all the relevant policies of the AVDLP and supplementary planning

documents and guidance, it is considered that the issues are balanced with the limited adverse impact upon landscape and settlement character, loss of agricultural land, loss of trees, balanced against the positive benefits from the significant contribution to housing growth and support for the economy in particular. In view of this, your officers conclude that the limited adverse impacts would not significantly and demonstrably outweigh the significant benefits identified and the presumption in favour of sustainable development applies.

- 1.7 It is therefore recommended that the application be DEFERRED AND DELEGATED to Officers for approval subject to the satisfactory completion of a Section 106 agreement in respect of securing on-site Affordable Housing Provision (30%), SuDS management/maintenance, and appropriate financial contributions towards off-site provision of facilities relating to Sports/Leisure, education, highways and public transport improvements, and promoting sustainable modes of transport. Any planning permission to be subject to such conditions that are considered appropriate and necessary, or, if a legal agreement is not completed, for the application to be refused by Officers for reasons considered appropriate.

## **WORKING WITH THE APPLICANT/AGENT**

- 1.8 In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant and has focused on seeking solutions to the issues arising from the development proposal. In this case, the applicant/agent was informed of the need for additional information and following the receipt of such details the application was found to be acceptable and approval is recommended subject to relevant planning conditions and the satisfactory completion of an s106 legal agreement.

## **2.0 INTRODUCTION**

- 2.1 The application needs to be determined by committee as the Stoke Mandeville Parish Council has raised material planning objections and wishes to address the committee.

## **3.0 SITE LOCATION AND DESCRIPTION**

- 3.1 The application site comprises an area of approximately 1.95 hectares located adjacent to the existing residential built form edge of the village of Stoke Mandeville. The site sits behind existing dwellings at 17-55 Eskdale Road and 47-63 Station Road. The site has an existing pedestrian access located to the southern boundary that's leads to Station Road via a shared access drive serving modern residential housing fronting Station Road.
- 3.2 The greenfield part of the site was recently used for market gardening and as an orchard, and thus it comprises an agricultural land use. The supporting contamination report indicates the site was also used as a poultry farm from 1970 to 1976 within 11 rectangular buildings (no longer present). Part of the site (approx. 0.16 hectares) currently comprises 4 bungalows with associated gardens that front on to Eskdale Road. The greenfield part of the site (1.8 hectares) is classed as Grade 3 agricultural land.. It is recognised however, recent use of the site appears to have left elements of the site e.g. existing hardstanding requiring restoration before productive agricultural use could commence again.
- 3.3 The former market gardening and orchard part of the site is overgrown with trees of generally low quality and value, with there being no tree preservation orders present on or adjacent to the site. A hedgerow of mixed species and other vegetation ranging from 6m to 15m in height form the boundaries.

- 3.4 Beyond the northern boundary of the site is open countryside, to the east running parallel to the site is a railway track (London to Aylesbury) beyond which is existing housing and open countryside, to the south is existing housing fronting Station Road (these properties have extensive rear gardens) and to the west is existing housing facing Eskdale Road. Further west of the site, approximately 200m away, is an existing community centre and recreation ground with play facilities including children's play equipment, tennis courts and sports fields.
- 3.5 The site has a generally flat topography and falls within Flood Zone 1 (lowest risk of flooding) according to Environment Agency Flood Mapping.
- 3.6 The surrounding residential built form along Eskdale Road is largely consistent in design and external materials comprising two-storey and single storey terrace blocks constructed in facing brick and roof tiles. The wider surrounding area including Station Road has more variation in design, form and scale, ranging from large detached to small single storey dwellings. The palette of surrounding external materials including, amongst others, white render, different types of facing brick and roof tiles.

#### **4.0 PROPOSAL**

- 4.1 The application seeks full planning permission for a residential development of 73 dwellings (of which a minimum of 30% would be Affordable Housing) following the demolition of 4 existing bungalows with a new access off Eskdale Road and associated infrastructure.
- 4.2 Vehicular and pedestrian access to the site will be provided from an existing roundabout on Eskdale Road (following the demolition of the bungalows) and a shared footway/cycle link would be provided between the site and Station Road. The final part of the footway/cycle link includes a new ramp facility to be constructed on an existing embankment as well as an uncontrolled crossing point to Station Road.
- 4.3 The proposed accommodation schedule includes 13 x 1 bed, 18 x 2 bed, 34 x 3 bed, 8 x 4 bed (48 open market units and 25 affordable housing units) within a range of detached, semi-detached and terraced houses together with 21 apartments. The majority of the proposed housing will be two-storey (up to 9.5m in height), with 3 x bungalows (up to 6m in height) and 3 x 3-storey apartment buildings (up to 11.4m in height).
- 4.4 External materials include red and buff facing brick with plain and slate roof tiles for the dwellings. Hard surfacing includes tarmac for the main access ways with different colours of block paving for shared surfaces and parking areas. Boundary treatments include close board fencing up to 2m in height, 1.8m high brick walls and 1m high metal hoop top fencing to front gardens. Single and double garaging (up to 6m in height) of brick construction is also proposed.
- 4.5 The landscaping strategy would retain all significant perimeter vegetation and would re-inforce it with additional planting within the site. All vegetation within the developable areas would be removed, with new planting secured around the proposed dwellings.
- 4.6 Satisfactory amended plans have been provided during the course of the application to address matters relating to, amongst others, design and layout, clustering of affordable housing, and general highways matters including pedestrian access to Station Road at the site of the Railway Bridge.
- 4.7 The application is supported by the following documentation:



- Completed Application forms
- Architectural Plans
- Water Management Strategy
- Section 106 Heads of Terms
- Design and Access Statement
- Noise Survey
- Statement of Community Involvement – AC Estates
- 16104 re-001 – Flood Risk Assessment – Ellis & Moore
- C13862 – Report on a Desk Study – Ground Engineering
- HN1270 – Archaeological Project Design – Heritage Network
- HN1270 – Archaeological Evaluation Report – Heritage Network
- 420 – Landscape & Visual Assessment – Jon Etchells Consulting
- 420-100 – Landscape Proposals – Jon Etchells Consulting
- RT-MME-119894-01-A – Preliminary Ecological Assessment – Middlemarch Environmental
- RT-MME-120455-02 – Biodiversity Enhancement Strategy – Middlemarch Environmental (Awaiting revision for Swift Boxes)
- 15093-003 – Noise Survey & Assessment – Philip Acoustic
- JR-AR-15015 – Transport Assessment – Rowland Bisland Traffic Planning
- Stage 1 Road Safety Audit – Glanville
- ST-2586-01 – Drainage Strategy – Stomor
- Affordable Housing Statement – Vale of Aylesbury Housing Association
- Tree Survey – Ecology Consultancy Ltd

## **5.0 RELEVANT PLANNING HISTORY**

None relevant

## **6.0 PARISH COUNCIL COMMENTS**

6.1 Stoke Mandeville Parish Council opposes the application for the following reasons:

1. Overdevelopment of the site - the provision of 37 dwellings per hectare is more suited to an urban development and the design of the dwellings as shown in the plans are out of keeping with the surrounding rural area.
2. The affordable housing is clustered in the SE area and not "peppered" across the whole of the site.
3. Traffic and Highways Additional traffic to be generated from the development will aggravate the already difficult conditions of manoeuvrability along Eskdale Road as well as exiting to Station Road where considerable problems already exist - especially in turning right into Station Road. The bottom end roundabout [2nd] along Eskdale Road which will be on the new access is too large and could cause difficulty on entering and leaving the development especially as this will merge with traffic from the Community Centre which is heavily used both daytime and evening.
4. Parking provision - only four-bedroom houses are to be provided with garage facilities with other types of housing having allocated parking places.
5. Roadways - The provision of shared use roadways and pavements of the same level would reduce the roadway to 4.8mtrs and not allow for cars and cyclists to be in a safe environment. This would also present a danger to pedestrians. In addition the road level pavement areas could attract commuter parking especially near the block of flats on the eastern side taking into account the close proximity of the site to the Station.
6. Risk of Contamination - It is understood that many years ago the site, which has been left undisturbed for some forty years, contained buildings made of asbestos which have been removed during the past two years. Although advised by the developers that this was white and not blue asbestos and therefore is safe, the Parish Council remains concerned at the possibility of contamination to sub soil and underground water

streams on this site.

7. Pedestrian Access to Station Road at site of Railway Bridge - The roadway leading to properties Nos 47 63 Station Road is an unmade road in the ownership of the owners of those properties. The developer proposes a pedestrian access from the site leading along a narrow lane within its ownership to this unmade up road in order to access steps to be provided up a steep bank in order to obtain access the Station. These steps would emerge on or near the Railway Bridge on to the pavement alongside the A4010 which would have to be crossed by those pedestrians to the Station and is therefore considered to be dangerous to both pedestrian and road users travelling along Station Road towards the A413. Little engagement appears to have taken place between the owners of those properties who oppose the development.'

*Additional comments:*

'Stoke Mandeville Parish Council wish to make the following additional comments on this application:

1. The Parish Council has reviewed the revised layout submitted by the applicant but does not believe that it addresses its safety concerns about a shared use highway in an area that is likely to have a lot of pedestrians and commuter roadside parking due to its proximity to Stoke Mandeville Station. Commuters parking on residential roads in the village is already an issue in Stoke Mandeville and the location of this site close to the station is likely to result in additional commuter parking if there are no parking restrictions in this area.
2. The new proposals do not address the Council's concerns about the effect of the development on Eskdale Road which it feels is not suitable for the additional traffic from this development without increasing the off road parking for properties and improvements to the two roundabouts.
3. The Parish Council would like further information regarding the provision and ongoing maintenance of street lighting for the development. It believes any lighting installed should be LED and that a commuted sum be made available for maintenance.

We understand the application is likely to be considered by Committee in February and the Parish Council will send a representative to speak.'

*Following the Receipt of Amended Plans, the PC has been re-consulted (with the following interim response). Any further comments will be reported in the corrigendum papers*

'The Parish Council consider that the amendments are significant due to safety aspects of the pedestrian access (for disabled users) on to Station Road, which could adversely affect both disabled users and vulnerable people.

The Parish Council therefore requests a meeting with the Planning Officer and the Developer before the PC submits their response.'

## **8.0 CONSULTATION RESPONSES**

### **County Council:**

- 8.1 Highways – No objections subject to planning obligations to secure financial contributions towards the implementation of a link road between Lower Road with the A413, towards the implementation of RTP1 and the support of bus services resulting from the implementation of HS2 and towards promoting non-car modes of travel and planning conditions).

- 8.2 Education – Financial contributions are sought towards the provision of primary and secondary school places.
- 8.3 Archaeology – No objection.
- 8.4 Strategic Flood Management Team (LLFA) – No objection subject to the imposition of conditions to secure details of a surface water drainage and maintenance scheme.

**AVDC:**

- 8.5 Landscape – No objections in principle to the development of the site subject to the provision of a landscape buffer to the boundary facing the open countryside
- 8.6 Environmental Health – No objection subject to conditions to secure acoustic mitigation measures.
- 8.7 Environmental Health (contaminated land) – No objection subject to conditions securing ground investigation and remediation.
- 8.8 Leisure – Request off-site financial contribution towards sport and leisure facilities (the parish council to confirm the specific project including purchase of any land).
- 8.9 Housing – the layout has been improved to reduce cluster sizes and the plan adequately identifies the affordable units by tenure, size, mix and type as requested – No objection.
- 8.10 Ecologist – No objection subject to conditions to the implementation of the recommendations, mitigation and enhancement measures set out within the supporting ecological assessments (subject to some minor amendments requiring additional bat and bird boxes).
- 8.11 Tree Officer – Request plan identifying trees/hedges to be retained and those to be removed and recommend planning condition to secure for protective fencing/ground cover in accordance with BS5837.
- 8.12 Recycling and Waste – No objections received

**Other External Consultees:**

- 8.13 Police Design Advice - No objection but give general advice on security and safety design improvements
- 8.14 Environment Agency – No objections received
- 8.15 Network Rail – No objections received
- 8.16 Thames Water – No objections received
- 8.17 Bucks Clinical Commissioning Group (CCG) – No comments received
- 8.18 National Health Service (NHSE) – No comments received

**9.0 REPRESENTATIONS**

- 9.1 16 letters of representation have been received comprising 12 letters of objection and 4 letters of support. The following material comments are made:

*The objections relate to:*

- Adverse impact on highway and public safety due to unsatisfactory proposed access arrangement and increased traffic generation, impact on access for emergency and construction vehicles, unsafe pedestrian footpath to Station Road, insufficient capacity at Eskdale/Station Road junction as well as local highways infrastructure, inadequate refuse/servicing access, cumulative impact with existing uses and committed development e.g. community centre traffic, HS2 and supporting transport statement being inadequate.
- Adverse impact on public safety for children due to narrow pavements leading to the play areas.
- Adverse impact on setting of village and village settlement character/identity.
- Increased noise, disturbance and light and air pollution for neighbouring residents through increased traffic generation.
- Loss of privacy and overbearing impact to the occupiers of existing occupiers adjacent to the site.
- Proposal, in terms of style and density, is out of keeping with the surrounding built form and is overdevelopment of the site.
- Affordable housing is not pepper potted throughout the site. .
- Lack of local facilities and infrastructure capacity to accommodate the proposed development including in relation to trains (already overcrowded), drainage, health, education facilities, green space, amongst others.
- Adverse ecological impact/loss of bio-diversity.
- Increased risk of flooding
- More appropriate alternative sites/locations for housing within the district
- Proposal would increase anti-social behaviour.
- Proposal should include healthcare provision
- The proposed play areas are unsafe as not visible from the proposed housing
- Alternative access arrangements from the new bypass would be more suitable
- The supporting traffic surveys are insufficient to assess the impact of the proposal
- Insufficient information relating to the proposed lighting strategy
- Photos within the LVIA are over 10 years old.
- Reasons for the rejecting previous appeal proposals within the site remain relevant
- Measures should be put in place that restrict access along the private drive located adjacent to 57 Station Road, bollards be put in place to restrict vehicle access along the proposed pedestrian path between the site and Station Road, signage indicating no cycling and ball games along the footpath, provision of refuse and dog bins that are regularly services,

*The comments of support indicate:*

- The provision of affordable housing is supported.
- Significant demand for affordable and market housing within the locality.
- Provision of smaller houses would contribute to a more socially inclusive local community.
- The proposal is located within a sustainable location with good access to non-car modes of travel e.g. nearby train station
- The proposal would provide housing on a 'wasteland' site, putting the site into a more positive use.
- Nearby park facilities would be accessible for future occupiers
- The site is preferable to other greenbelt land that constrains development around the village

## 10.0 EVALUATION

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

- 10.1 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 determination of the application should be considered in the context of paragraph 14 of the NPPF whereby there is a presumption in favour of granting planning permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits if it is demonstrated that the development represents sustainable development. The main issues for determining this application are set out in sequence below:
- 10.2 Whilst Stoke Mandeville PC has commenced the preparation of their Neighbourhood Plan, it is in the very early stages and presently have just identified their Neighbourhood Plan area. At this time the Plan can be given no weight in the planning balance.

### ***Whether the proposal would constitute a sustainable form of development having regard to:***

- 10.3 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). It is only if a development is sustainable that it would benefit from the presumption in paragraph 14 of the NPPF.
- 10.4 The Council's Settlement Hierarchy Assessment (2012) identifies Stoke Mandeville as a larger village characterised as being a more sustainable village that has reasonable access to facilities and services and public transport and therefore a sustainable location for growth. In the progressing Vale of Aylesbury Local Plan (VALP) as part of the evidence base a Draft Settlement Hierarchy Assessment (July 2016) has been produced and this draft report maintains Stoke Mandeville as a larger village, with a very good public transport system including a bus service and train station. There is good employment opportunities, with the Stoke Mandeville Hospital as a major employer being located nearby.
- 10.5 On this basis, it is therefore accepted that Stoke Mandeville is a sustainable location for accommodating a level of housing development. The proposal will need to be considered not only in terms of the principle of the use of the site as a sustainable form of development, but also the impact of the proposal having regard a number of factors. The following sections of the report will consider the individual requirements of sustainable development as derived from the NPPF and an assessment made of the benefits associated with the issues together with any harm that would arise from the failure to meet these objectives and how the considerations should be weighed in the overall planning balance
- ***Delivering a wide choice of high quality homes:***
- 10.6 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).
- 10.7 With regards to housing supply, the LPA can demonstrate a five year housing land supply, although it is accepted that this does not include any unmet need. In the latest five year

housing land supply position statement, October 2016, this shows that the District have a 5.8 year supply. In terms of this scheme, the contribution of the development to housing supply for the District is a significant benefit and it would assist in boosting supply. With regards to the housing being delivered the applicants have not advised of any reasons why the development could not be brought forward in the shorter term.

10.8 An overall housing mix is provided as 13 x 1-bed (18%), 18 x 2-bed (25%), 34 x 3-bed (46%), and 8 x 4-bed (11%). This include 21 apartments (29%) and 52 houses (71%) which would represent a an acceptable mix of dwelling sizes for the development. It is considered that the contribution the development would make to housing supply is considered to be a significant positive weight in the planning balance.

10.9 The Council's adopted SPG on affordable housing and saved Policy GP2 of AVDLP requires 20-30% provision of affordable housing. The applicants are proposing to provide 30% affordable housing on site which would equate to 25 dwellings which would be a mix of affordable rent (16 units), shared ownership (5 units) and social rent (4 units – to replace 4 demolished bungalows) . On this basis the proposal would accord with policy and would represent a benefit to which weight should be given and this can be secured by way of a S106. It is acknowledged that there remains a high demand / need for affordable housing within the district and the beneficial weight to be afforded to this policy compliant scheme is considered to be significant.

- ***Building a strong competitive economy:***

10.10 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. There would be economic benefits derived from this development in terms of the construction of the development itself and the resultant increase in population contributing to the local economy through extra demand for goods and services and increased local spending power, which would be lasting benefits to the local economy. It is therefore considered that that this element of the proposal would give rise to being a significant positive benefit which is afforded moderate weight in the overall planning balance given that the scheme would provide for 73 dwellings in total.

- ***Promoting sustainable transport:***

10.11 The NPPF at Section 4 "Promoting sustainable transport" notes at paragraph 32, among other things, that authorities should seek to ensure that development achieves safe and suitable access to the site for all people; and paragraph 35 advises that authorities should seek to create safe and secure layouts which minimise conflicts between traffic, cyclists and pedestrians. It is also necessary to consider whether developments can be located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Local Plan Policy GP.24 seeks to ensure provision of appropriate off-road vehicular parking.

*Location Accessibility:*

10.12 It is necessary to consider whether the proposed development is located where the need to travel will be minimised, the use of sustainable transport modes can be maximised and that safe and suitable access can be achieved. Stoke Mandeville is considered to be a 'larger village' that has a large population, with access to key services, good employment and with very good public transport including a train station providing connections to London Marylebone. It also has good access to the large centre of Aylesbury and bus stops are available within the locality providing hourly services. There is also a good provision of key services available within walking distance of the site including a shop, village hall recreation ground, pubs and a school.

- 10.13 The site would therefore have good access to public transport and local services and given the site's location close to Aylesbury which has the availability of key services; it is considered future occupiers would not be reliant on car borne travel. The location of the site is therefore considered sustainable in terms of accessibility.
- 10.14 It is also recognised the proposal would make financial contributions towards the implementation of RTPPI (real time passenger information which shows live bus arrival times on the bus stops) and the support of local bus services, as well as promoting non-car modes of travel which would further encourage more sustainable modes of transport.

*Proposed Site Access Arrangements:*

- 10.15 Vehicular and pedestrian access to the site would be provided from an existing roundabout on Eskdale Road. There is also a footpath/cycleway link to Station Road which includes a new ramp (with uncontrolled crossing point to Station Road) to help promote safe access to the Stoke Mandeville Train Station. It is noted that concerns have been raised over the impact of the development on the existing roundabouts on Eskdale Road and on the safe of the proposed ramp.
- 10.16 In relation to the existing roundabouts, the Highways Authority have assessed the impact on these elements of the highways infrastructure and found they are adequate to accommodate to the vehicle movements associated with the proposed development without having an adverse impact on the safety of the highways users.
- 10.17 In relation to the proposed ramp access, additional information has been provided including a Road Safety Audit and Amended Plans showing the design and location of the crossing point to Station Road and visibility splays commensurate to the speed limit. Taking into account this information, and following consultation with the Stoke Mandeville PC, as well as a detailed site visit to verify the accuracy of this information, BCC Highways consider this arrangement acceptable.
- 10.18 The County Highways Authority have assessed the overall proposed access arrangements and raise no objections subject to the imposition of conditions securing, amongst others, to secure construction of new access and crossing point to Eskdale Road, the implementation of the approved layout, turning and parking areas, details of construction management plan (including details of contractors parking, loading/unloading, hours of operation, storage of materials, traffic management, HGV routing and deliveries, measure to protect damage to the highway, amongst others).

*Traffic Generation:*

- 10.19. Paragraph 32 of the NPPF states development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 10.20 In this instance, the application is supported by a Transport Statement that demonstrates the proposal would not have a significant impact on the operations of the local highways infrastructure. Furthermore, taking into account cumulative impacts of committed development proposals within the locality, and there being no objection from the County Highways Authority on this issue, it is considered that a scheme of this scale would not have a severe impact on the local highways infrastructure as result of increased traffic generation having regard to the tests set out in paragraph 32 of the NPPF. In other words, it is considered satisfactory information has been provided to demonstrate the proposal would have an acceptable impact on traffic generation on the local roads.
- 10.21 It is also recognised that the proposal would contribute to wider transport improvements including a financial contribution towards the implementation of a link road between Lower Road with the A413. This would be secured as part of the associated planning obligations agreement.

10.22 For these reasons, the proposed access arrangements are considered to achieve safe and suitable access (including for construction access and servicing) and with the introduction of the new pedestrian footpath/cycle link from the site to Station Road would ensure good connectivity. This is a matter which should therefore be afforded neutral weight in the planning balance.

*Car Parking and Cycle Storage:*

10.23 With regards to car parking and cycle storage, the scheme demonstrates adequate space is provided on site for off road car parking spaces and cycle storage. The spaces being provided on plot including some within garages in accordance the provisions of Local Plan Policy GP24 and supporting parking guidelines. The finer details of cycle storage would be secured through the imposition of planning conditions. The level of provision would comply with the councils standards and ensure no additional pressure for on-street parking demand within the locality.

10.24 For the above reasons, the principle of the development of the site on highway grounds is considered acceptable. Furthermore, the proposed access arrangements would not have an adverse impact highway safety, and taking into account the associated level of traffic generation including any cumulative impacts, it would not have a significant adverse impact the free flow of traffic within the local highways infrastructure. These highways matters are therefore afforded neutral weight in the planning balance.

- ***Conserving and enhancing the natural environment:***

*Visual, landscape and settlement identity impacts:*

10.25 In terms of consideration of impact on the landscape, proposals should use land efficiently and create a well-defined boundary between the settlement and countryside. Regard must be had to how the development proposed contributes to the natural and local environment through protecting and enhancing valued landscapes and geological interests, minimising impacts on biodiversity and providing net gains where possible and preventing any adverse effects of pollution, as required by the NPPF. The following sections of the report consider the proposal in terms of impact on landscape, agricultural land, trees and hedgerows and biodiversity.

10.26 One of the core principles of the NPPF that should underpin decision taking is that planning decisions should take into account of the different roles and character of different areas, including recognising the intrinsic character and beauty of the countryside and supporting thriving communities within it. Furthermore, the planning system should contribute to conserving and enhancing the natural environment

10.27 Policy GP35 of AVDLP requires new development to respect and complement the physical characteristics of the site and surroundings; the building tradition, ordering, form and materials of the locality; the historic scale and context of the setting; the natural qualities and features of the area; and the effect on important public views and skylines. This policy is considered to be consistent with the NPPF.

10.28 The proposal would comprise the development of a green field site beyond the existing built-up limit of Stoke Mandeville. The site is not subject to any special landscape designation, nevertheless, it is an undeveloped site with a historical use related to agricultural purposes within the open countryside. Therefore, it is inevitable that the proposed development would have some impact upon the character and appearance of the site itself and its immediate environs.

10.29 Due to the existing tree lined boundaries, and existing surrounding built form including residential properties to the west, south and east, any public views of the site are largely localised. To mitigate any visual impact, the proposal would retain perimeter planting with



strengthening where required, which in the medium to long term, once planting becomes established, would significantly mitigate any visual impacts.

10.30 Whilst the development of the site would inherently impact on the character and appearance of the site itself and nearby views, as well as the settlement character by projecting into the open countryside location, it would not extend further to the north than the existing houses along Eskdale Road. Furthermore, whilst the site is in the countryside, its degree of enclosure means that it appears more visually contained and associated within the village rather than appearing as part of the wider countryside around it. It is therefore considered that the proposed development would integrate with the existing settlement character without resulting in any significant obtrusion into open countryside.

10.31 For these reasons, it is considered that the development of this parcel of land would, subject to the imposition of conditions, have limited landscape, visual and settlement character impacts beyond the confines of its immediate environs. The scheme would not conflict with the overall aims and objectives of policy GP35 of the AVDLP would conserve the general landscape characteristics of the wider area and that the level of harm to the landscape would be limited to being localised only and therefore should be afforded limited adverse negative weight in the planning balance.

- Trees and hedgerows

10.32 Policies GP39 and GP40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value. The site is overgrown with trees of generally low quality and value which would be cleared to facilitate the development. The hedgerows to the boundaries and trees would be retained and strengthened where necessary (primarily required to the northern boundary) to complement significant existing perimeter planting located beyond the boundaries of the site.

10.33 Whilst the proposal would lead to the loss of 12 trees, as set out within the supporting arboricultural assessment, taking into account the trees being of low quality and value (all category C or lower), the general enclosure of the site by existing perimeter planting and a new structural landscaping strategy for the site including replacement tree planting, the overall loss of visual amenity to the local area would not be significant.

10.34 For these reasons, it is considered whilst the development would result in a loss of trees, the harm would not be significant overall, and in the wider planning balance, this matter should therefore be neutral weight in the overall planning balance having regard to the overall objectives of local plan policies GP39 and GP40 and principles of the NPPF.

- Agricultural land

10.35 Paragraph 112 of the NPPF advises that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land and, where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. There is no definition as to what comprises 'significant development' in this context but the threshold above which Natural England are required to be consulted has been set at 20 hectares; so the site (1.8ha) falls well below this threshold.

10.36 The site has been assessed as being Grade 3 agricultural land, and for the purposes of this assessment, considered as best or most versatile (BMV) agricultural land. The land does not appear to have been used for arable cropping recently. However, it is considered the historical land use is still agricultural and therefore the site could potentially be put in to a more productive use in the future. Whilst acknowledging that there would be a loss of potential BMV land, in view of the size of the site and the amount of such agricultural land available land within the district, this aspect of the proposal should be afforded limited adverse negative weight in the overall planning balance.

- Biodiversity

10.37 Paragraph 109 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity where possible. The application is supported by biodiversity enhancement scheme which including ecological mitigation measures. The Council's Biodiversity Officer has assessed the information and raises no objection to the proposal, subject to some minor amendments (additional bat and bird boxes){ and planning conditions to secure the implementation of the Ecological Enhancement Plan to mitigate any biodiversity loss and ecological protection measures.

10.38 It is therefore considered the proposal would not have any adverse impact on biodiversity that could not be offset in accordance with the advice set out within the NPPF.

10.39 As such it is considered that this matter should therefore be afforded neutral weight in the overall planning balance.

- Pollution/Contamination

10.40 The application is supported by a contamination report that indicates, as the site was historically used as a poultry farm, there is potential for ground contamination. The report recommends ground investigation should be completed which includes sampling of surface soils. The Council's Environmental Health Officer agrees with these recommendations, and advises if the soil sampling identifies that contamination is present then remedial works will be required and any such associated strategy must be submitted for approval to the council.

10.41 For these reasons, and subject to conditions securing details of ground investigation reports and any necessary remediation, the proposal would ensure the creation of a safe living environment and safely manage the risk of pollution in accordance with the principles of the NPPF. As such, this matter is afforded neutral weight in the planning balance.

- **Conserving and enhancing the historic environment:**

- *Archaeology:*

10.42 The site does not contain, any designated heritage assets and is located beyond any designated conservation area and not near to any listed buildings. The application site has been subject to an archaeological evaluation which did not reveal any archaeological remains and therefore, BCC Archaeology conclude, based on present evidence, the proposed scheme is unlikely to have significant archaeological implications. For these reasons, it is considered that the proposal would not have an adverse impact on features of potential archaeological significance within the site and therefore this matter should therefore be afforded neutral weight in the overall planning balance.

- **Promoting healthy communities:**

10.43 The NPPF seeks to promote healthy communities by facilitating social interaction and creating healthy, inclusive communities. This includes the provision of active street frontages, strong neighbourhood centres, safe and accessible developments and should include the provision of sufficient choice of school places, access to high quality open spaces with opportunities for sport and recreation.

- *Community Facilities:*

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

10.45 Having regard to the provisions of policy GP86 and GP88 of the AVDLP the development would make provision for outdoor play space and facilities. In this instance, an off-site

leisure contribution would be secured towards a specified project within the local community.

The proposal would also make a financial contribution towards off-site leisure facilities, upgrading bus stops and supporting local bus services, the delivery of the new link road, and towards promoting non-car modes of travel and safeguard the existing pedestrian route with new disabled access adjacent to Station Road.

*Education:*

- 10.46 It is recognised concerns have been raised by the local community regarding the potential impact on school places. In this regard, The County Education Authority has requested a financial contribution be sought towards the provision of 19 primary school places and 16 secondary school places. This could be directed towards an additional classroom at Haydon Abbey School through the relocation of the nursery and expansion of facilities at Stoke Mandeville School (or other suitable education project as identified by the County Council). The contribution is considered acceptable to mitigate the impact of the development on local education infrastructure.

*Healthcare:*

- 10.47 The NHS and Bucks CCG have been consulted and have yet to provide comments on the application any requests for financial contributions towards healthcare infrastructure e.g. primary care, acute car, etc will be reported in the corrigendum papers. Any CIL compliant requests should be secured in principle in order to mitigate the impact of the proposed development on local healthcare infrastructure.
- 10.48 On this basis these matters should be afforded neutral weight in the planning balance.
- **Good Design**
- 10.49 The NPPF advises 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. GP35 as set out above is also relevant.
- 10.50 This is a full application with matters relating to appearance, layout, scale and landscaping for consideration at this stage. A supporting Design and Access Statement sets out the rationale underpinning the design approach, vision and evolution of the proposal.
- 10.51 The wider residential built form within Stoke Mandeville includes a variety both in terms of design and form and in the use of external materials. The estate development on Eskdale Road adjacent to the site is more consistent and includes predominantly two-storey development of terrace and semi-detached design constructed of facing brick. There are also some existing bungalows.
- 10.52 The proposed dwellings include simple modern residential forms that reflect the surroundings including semi-detached and terrace properties on Eskdale Road. The scheme includes dual fronted dwellings with narrow depths and high pitch roof slopes. The scheme also includes contemporary apartment buildings (3 in total) with leaded lined dormer windows, juliet balconies and external materials include red/buff facing brick and slate/plain tiles. The designs include gable roofs, projecting gables, canopies over entrance doors, chimneys and corbel detailing to eaves.
- 10.53 External materials include, amongst others, red and brick facing brick, grey upvc windows, vertical larch cladding and timber boarded doors to elevations, as well as natural slate and plain roof tiles. The hard surfacing includes different block paving to shared accesses and footpaths, and granite setts to kerbs. The finer details of high quality materials could be

secured via planning condition, to ensure satisfactory appearance of the development overall.

- 10.54 The development whilst being of modern design and appearance would reflect characteristics found within the surrounding built form, and subject to high quality external materials being secured, would be considered to harmonise with the surroundings in terms of its appearance.
- 10.55 As regards to scale, there is a variety of scale with the locality ranging from large 2-storey to more modest single storey development. The proposal is predominantly two-storey scale development with some single storey which would reflect the surrounding built form. The proposal does include some apartment blocks, which would be larger than the proposed houses, however given their limited number (no more than 3 in total) and sensitive positioning within the development, they would be experienced as part of an estate development of 73 homes and would also provide variation in scale within the scheme, and on balance, they are considered acceptable. For these reasons, the overall scale of the development would integrate with the surrounding context.
- 10.56 In terms of layout, the supporting plans show a spine road to the centre of the site off which shared access ways ranging from 6m to 4.8m wide are provided to serve the proposed dwellings. This 'cul de sac' type arrangement responds to the constraints of the site taking into account the position of the access way. Similar layouts are found within the vicinity of this site. The layout also provides for a footpath/cycle directly linking to Station Road without accessing the Eskdale Road.
- 10.57 It is noted concerns have been raised by the PC over the narrowness of the proposed shared driveways and potential highway impacts. The design follows principles set out in Manual for Streets which seek to encourage low vehicle speeds, create an environment in which pedestrians can walk, or stop and chat, without feeling intimidated by motor traffic; make it easier to move around and promote social interaction. This arrangement has been assessed by the Highways Authority as being acceptable in respect of impact on pedestrian safety. Furthermore, given the overall scheme has been designed to generally accommodate on-plot car parking, and taking into account the positioning of the private driveway accesses to the shared surface ways and the location of private gardens to the frontages of the proposed dwellings (which would stop cars parking on the access ways without blocking private driveways), opportunities for on-street parking e.g. by users of the train station would be significantly restricted.
- 10.58 It is noted concerns have been raised by the PC over the distribution of affordable housing within the site. In this regard, amended plans have also been received, following consultation with the Council's Housing Development Officer, ensuring the satisfactory clustering/pepper potting of affordable housing within the proposed layout.
- 10.59 For the reasons, the proposed layout is acceptable and would harmonise with the surroundings.
- 10.60 In respect of proposed landscaping, the plans indicate new structural landscaping across the site including to the northern boundary, as well as existing tree/hedge lined boundaries around the boundaries being retained. The finer details of the soft and hard landscaping strategy would be secured through the imposition of planning conditions. For these reasons, the broad areas for landscaping would be acceptable.
- 10.61 In respect of density, whilst the density of the proposal at 36 dph is acknowledged to be higher than the existing housing adjacent to the boundaries of the site around 16-18 dph (some of which have substantial garden depths), when taking into account the wider pattern of surrounding development e.g. housing density on Orchard Close to the south at 40 dph and Carters Ride to the east at 29 dph, the proposed density would be comparable. Furthermore, taking into account the need to ensure efficient use of land within sustainable locations, the level of enclosure and the proposed layout ensure that

sufficient space can be maintained around buildings with the provision of sufficient landscaping. It is considered that the density of the proposal would not constitute the overdevelopment of the site and is therefore acceptable.

- 10.62 In respect of housing mix, the proposal provides 13 x 1 bed (18%), 18 x 2 bed (25%), 34 x 3 bed (46%), 8 x 4 bed (11%) (48 open market units and 25 affordable housing units) within a range of detached, semi-detached and terraced houses together with 21 apartments which provide a socially inclusive mix.
- 10.63 For these reasons, it is considered the proposed development would harmonise with surroundings subject to the implementation of planning conditions to secure high quality external facing materials. This matter is therefore afforded neutral weight in the overall planning balance.

- ***Meeting the challenge of climate change and flooding:***

- 10.64 The NPPF at Section 10, "Meeting the challenge of climate change, flooding and coastal change" advises at paragraph 103 that planning authorities should require planning applications for development in areas at risk of flooding to include a site-specific flood risk assessment to ensure that flood risk is not increased elsewhere, and to ensure that the development is appropriately flood resilient, including safe access and escape routes where required, and that any residual risk can be safely managed. Development should also give priority to the use of sustainable drainage systems.
- 10.65 The site is located in Flood Zone 1 where residential development is directed in terms of the lowest risk of flooding. The application is supported by a Flood Risk Assessment that demonstrates the proposal would not have a significant impact on the risk of flooding within the site or within the locality subject to appropriate surface and foul water mitigation strategies being implemented. The County Strategic Flood Management Team have assessed the supporting information and raise no objection to the proposal subject to the imposition of planning conditions to secure a satisfactory drainage scheme including sustainable drainage methods and measures for long term maintenance.
- 10.66 The proposed development is required to be constructed to modern standards of design and sustainability to accord with current building regulations. Details of surface water drainage can be secured by condition. For these reasons, it is considered that the proposed development would be resilient to climate change and flooding in accordance with NPPF guidance and this factor should therefore be afforded neutral weight in the planning balance.

***c) Impact on residential amenities:***

- 10.67 The NPPF at paragraph 17, under the heading "Core planning principles" sets out guiding principles for the operation of the planning system. One of the principles set out is that authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. AVDLP policy GP8 states that permission for development will not be granted where unreasonable harm to any aspect of the amenities of nearby residents would outweigh the benefits arising from the proposal.
- 10.68 Existing residential properties are located around the boundaries of the site. No's 51, 53 and 55 Eskdale Road being approximately 20-26m beyond the north western boundary of the site. Taking into account these separation distances, existing perimeter hedgerows, as well as new landscaping, and the use of obscure glazing to upper floor windows where necessary secured via planning condition, the amenity of the occupiers of these properties would be preserved.

- 10.69 The apartment block for units 51-59, house plot 60 would have their side elevations located close to the existing rear garden boundaries of no's 55-63 Station. However, given the proposed dwellings would be located approximately 100m away from the existing houses, and the proposed dwellings would have no upper floor windows facing into the gardens, the overall amenity of the occupiers of these properties would be preserved.
- 10.70 Proposed house Plot 67 would be located close to the rear garden boundaries of 17-21 Eskdale Road. However, given the 40m garden depth to these dwellings and use of obscure glazing, the amenity of the occupiers of these properties would be preserved.
- 10.71 In respect of the impact of the development on all other neighbouring properties, taking into account existing perimeter planting, existing and proposed garden depths, sufficient separation distances would be maintained to ensure no loss of amenity to the occupiers of those properties.
- 10.72 The plans demonstrate the site has sufficient capacity to accommodate the proposed development whilst creating a satisfactory standard of accommodation for future occupiers in terms of internal and external amenity space, with the scheme also being designed to meet 'Lifetime Homes' standards. However, it is recognised there is a railway track located beyond the eastern boundary. In this respect the application is supported by a Noise Survey which concludes, subject to the implementation of a scheme of noise insulation measures including acoustic glazing and ventilation measures to bedrooms nearest to the railway track, that noise levels inside the new dwellings would be acceptable and would comply with guidance limits for noise intrusion into residential properties. The Councils Environmental Health Officer has assessed the supporting information and raises no objections subject to the implementation of the mitigation measures being secured by planning condition.
- 10.73 It is recognised the proposed access road would lead through Eskdale Road, which is an existing minor residential estate road, and would pass existing residential dwellings which result in some increased air pollution, as well as increased noise and disturbance from the comings and goings of traffic associated with the occupiers of the development. There would also be some impact associated with construction traffic accessing the site and the construction of the houses themselves. However, given the construction process being for a relatively short period, as well as other mitigatory measures being secured through the imposition of a Construction Management Plan, it is considered that, overall, there would be neutral impact on neighbouring residential amenity in the long term.
- 10.74 Details of a sensitive lighting scheme for the site as a whole, to protect neighbouring amenity as well the character and appearance of the area, can be secured through the imposition of appropriate planning conditions.
- 10.75 It is therefore considered on the basis of the information available that the proposal does not conflict with policy GP8 of the AVDLP or with the NPPF and this factor should be afforded neutral weight in the planning balance.

**d) S106 Matters:**

- 10.76 As noted above, there are a number of requirements arising from this proposal that need to be secured through a S106 Planning Obligation Agreement. These obligations include:
- On site provision of 30% Affordable Housing (25 units comprising rented and shared ownership units)
  - A financial contribution towards off-site sport and leisure provision and amenity space maintenance.
  - Contribution towards the provision of 19 primary school places and 16 secondary school places

- Contribution towards upgrading bus stops and supporting bus services
- Contribution towards new link road
- Contribution towards promoting non-car modes of travel
- Maintenance of any SuDS drainage features

10.77 It is considered that such requirements would accord with The Community Infrastructure Levy (CIL) Regulations 2010. Regulation 122 sets out the Government's policy tests on the use of planning obligations. It is now unlawful for a planning obligation to be considered as a reason for granting planning permission if the obligation does not meet all of the following tests; necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.

10.78 In the context of this application the development is in a category to which the regulations apply. The requirement for all of the above named measures, if the proposals were to be supported, would need to be secured through a Planning Obligations Agreement. These are necessary and proportionate obligations that are considered to comply with the tests set by Regulation 122 for which there is clear policy basis either in the form of development plan policy or supplementary planning guidance, and which are directly, fairly and reasonably related to the scale and kind of development. Specific projects are to be identified within the Section 106 in accordance with the pooling limitations set out in CIL Regulation 123.

10.79 Officers are satisfied that the benefits set out above comply with the tests set by Regulation 122 and 123.

**f) Other matters:**

10.80 *Broadband:* The facilitating of High speed broadband provision for future occupiers can be secured through the imposition of planning conditions

Case Officer: Jay Singh

Telephone No:01296 585203

## **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.
- 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 has been published and has been consulted on over the summer for an 8 week period, from the 7th July until the 5th September. Comments are being analysed and any adjustments made for the pre submission consultation timetable for April-May 2017. The adoption of the Vale of Aylesbury Local Plan is planned to be at the end of 2017.
- 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 2013 and draft Settlement Hierarchy Assessment 2016. The Housing and Economic Land Availability Assessment (HELAA) (May 2016) 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 The NPPF superseded all national policy contained in the former Planning Policy Guidance Notes (PPG's) and Statements (PPS's). On 6<sup>th</sup> 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

- 1.18 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 (October 2016)
  - Affordable Housing Policy Interim Position Statement (June 2014)
- 1.19 Those documents which have been the subject of public consultation and the formal adoption of the Council can be afforded significant weight insofar as they remain consistent with the policies of the NPPF.

#### *Housing supply*

- 1.20 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.

- 1.21 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, an interim approach has been taken as is published in the Five year housing land supply position statement. This is regularly updated and the latest version is dated October 2016. This version uses the proposed Full Objectively Assessed Need (FOAN) identified in the Buckinghamshire Housing and Economic Development Needs Assessment (HEDNA) Update October 2016. 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 5.8 year supply this year (compared with 4.9 years previously).
- 1.22 It is acknowledged that this continues to be an interim housing supply position as no element of unmet need that we will be asked to accommodate in Aylesbury Vale is included. It would not be appropriate to include that unmet need element in the housing requirement as any potential unmet need figure is not agreed with other HMA authorities as yet (see paragraph 3.7 of the October 2016 position statement).
- 1.23 This means that paragraph 49 of the NPPF is no longer engaged in so far as it applies to out of date housing supply policies in AVDLP. 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.*

Further recent advice is also set out in the NPPG 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. 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, 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. It is for the decision maker in each case to determine what is a material consideration and what weight to give to it.*

***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 "made", and thus forms part of the development plan, but where the local planning authority cannot demonstrate a five-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 five-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 made neighbourhood plans.*

*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.*

### *Prematurity*

- 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 5.8 year supply of housing land based on the interim 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, 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.