



REFERENCE NO	PARISH/WARD	DATE RECEIVED
18/04097/ADP	CHEDDINGTON	16/11/18
Approval of reserved matters pursuant to Outline permission 16/02806/AOP relating to Approval of appearance, landscaping, layout and scale and associated works for 100 dwellings Land West Of Mentmore Road, Partridge Close And Barkham Close Miss Emma Sanders	The Local Member(s) for this area are: Councillor Mrs Sandra Jenkins Councillor Derek Town	
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1.0 The Key Issues in determining this application are:-

- a) The planning policy position and the approach to be taken in the determination of the application in accordance with the Cheddington Neighbourhood Plan (CNP) and the Aylesbury Vale District Local Plan.**
- b) Compliance with the CNP, other relevant Development Plan policies and NPPF guidance: Whether the proposal would constitute a sustainable form of development.**
- **Building a strong competitive economy**
 - **Promoting sustainable transport**
 - **Delivering a sufficient supply of homes**
 - **Making effective use of land**
 - **Achieving well designed places: Reserved Matters – Layout, Scale, Appearance and Landscaping**
 - **Conserving and enhancing the natural environment**
 - **Conserving and enhancing the historic environment**
 - **Promoting healthy and safe communities**
 - **Meeting the challenge of climate change and flooding**
 - **Supporting high quality communications**
 - **Impact on residential amenities**
 - **106/Developer contributions**
- c) Other matters**

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

CONCLUSION AND RECOMMENDATION

The application has been considered in the light of the Development Plan and NPPF guidance. The report has assessed the application against the overarching objectives of the NPPF and it has been considered whether the proposal represents a sustainable form of development. Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision

taking means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The village of Cheddington has a made neighbourhood plan (CNP) and this CNP can be given full weight as part of the Development Plan.

The principle of the development has already been accepted through the outline approval. In terms of the details set out in this reserved matters application, scale, layout, landscape and appearance a further assessment against the Development Plan policies and the NPPF as a whole is required.

The site is within the settlement boundary designated by CNP Policy 1 and shown on the proposals map. It is designated for development by CNP Policy 2. The details of the development proposed is in accordance with the criteria set out in Policy 2 of the CNP and it is accepted that the development is deliverable in a sustainable location.

The proposed development would provide a mix of dwellings and would help to maintain the Council's housing land supply, and would provide affordable housing, which is a benefit, and this matter is afforded positive weight in favour of the proposal. There would also be economic benefits in terms of the construction of the development itself and those associated with the resultant increase in population on the site, and this is a benefit which is afforded positive weight in favour of the proposal.

Compliance with some of the other key planning objectives of the NPPF have been demonstrated in terms of efficient use of land, residential amenity, highway safety, parking provision, trees and hedgerows, biodiversity, design, flooding and promoting healthy communities. However these matters do not represent benefits to the wider area but demonstrate the absence of harm.

Harm relating to the loss of a green field site was evaluated at the outline stage and the principle of development of this site was considered acceptable by allowing outline permission of up to 100 dwellings on this site.

In addition, the development has been identified as causing less than substantial harm to the setting of the adjacent grade II listed building. Paragraph 196 of the NPPF states that where development will lead to less than substantial harm to the significance of the asset this should be weighed against the public benefits of the proposal. Such public benefits of the scheme comprise a contribution to the housing supply for the District including the provision of affordable housing and economic benefits as set out above and these benefits are considered to outweigh the harm.

It is considered that the details satisfactorily deal with the reserved matters of scale, layout, appearance and landscaping, and the development would accord with the made NP policies and the relevant saved AVDLP policies. Having regard to paragraph 11c of the NPPF, it is considered that the proposal would accord with policies 1, 2, 4 and 6 of the CNP, the relevant saved AVDLP policies, and the guidance set out in the NPPF, and there would be positive social and economic benefits derived from the scheme. As such it is recommended that the reserved matters be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall only be carried out in accordance with the following drawing Nos.:
 - 1028 - 002 M – Coloured Site Layout
 - 1028 – 003 F – Materials Plan

1028 – 004 C – Street Scenes
1028 – 005 E – Boundary Treatments and Chimney Plan
House Type and Garage Pack rev F
JBA 19-042-01 C Detailed Landscaping Proposals
JBA 19-042-02 C Detailed Landscaping Proposals
JBA 19-042-03 C Detailed Landscaping Proposals
JBA 19-042-04 C Detailed Landscaping Proposals
JBA 19-042-05 C Detailed Landscaping Proposals
JBA 19-042-06 C Detailed Landscaping Proposals
RED076 – 620 A Refuse Vehicle Tracking
RED076 – 600 C Fire Tender Tracking

Reason: For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority and to comply with the National Planning Policy Framework.

2. Notwithstanding the details indicated on the approved plan no. 1028 003 rev F, no development shall take place above damp proof level on the building(s) hereby permitted until samples of the tiles proposed to be used on the roofs of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out using the approved materials.

Reason: To ensure a satisfactory appearance to the development and to comply with policy 4 of the CNP, policy GP35 of Aylesbury Vale District Local Plan, and the National Planning Policy Framework.

3. No windows shall be inserted in the eastern elevation of plots 12, 55, 62, 75, and 80, nor in the northern elevation of plot 73, nor in the southern elevation of plots 14, 72, and 84, nor in the western elevation of plot 38 without the prior express permission in writing of the Local Planning Authority.

Reason: To preserve the amenities of the occupants of the adjacent dwellings and to comply with GP8 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

4. Prior to the first occupation of the development hereby permitted, the forward visibility splays shown at the north of the site on the approved drawings shall be provided, and the area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway thereafter.

Reason: To provide adequate visibility along the site carriageway for the safety and convenience of users of the highway and of the access and to accord with the NPPF

Informatives:

1. Nothing herein contained shall be deemed to effect or vary the conditions imposed on outline permission no. 16/02806/AOP which shall continue in full force and effect, save insofar as they are expressly varied by any conditions imposed hereby.

2. You are advised that a legal agreement has been entered into in connection with the outline consent for the site 16/02806/AOP.

3. The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Development Management at the following address for information:

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

4. The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites.

WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 38 and 39 of the National Planning Policy Framework, Aylesbury Vale District Council (AVDC) takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. AVDC works with applicants/agents in a positive and proactive manner by;

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

In this case, the applicant/agent was informed of the issues arising from the proposal and given the opportunity to submit amendments/additional information in order to address those issues prior to determination. The applicant/agent responded by submitting amended plans/additional information which were found to be acceptable so the application has been approved.

2.0 INTRODUCTION

2.1 The Parish Council has made representations which are contrary to the officers recommendation and have indicated that they wish to speak at the Committee meeting.

2.2 The Local Member, Cllr Town, has requested that the application be considered by the Committee for the following reasons:

- This development design does not reflect discussions Cheddington residents had with Savilles (the land owner agents) during the run up to the application for Outline Planning.
- This proposal was an integral part of the Cheddington Neighborhood Plan (CNP) and was accepted by the residents as a positive contribution to the Cheddington future housing needs. The situation is no longer positive.

3.0 SITE LOCATION AND DESCRIPTION

3.1 The site comprises three adjoining areas:

- 1) Land southwest of Mentmore Road – part of a field extending approx. 186m southeast – northwest from the side boundary to No. 31 Mentmore Road to the southeast side of Long Marston Lane. Depth is approx. 140m, again to an arbitrary line in the field. Both road frontages are marked by hedges. There is a field gate access from Long Marston Lane close to the western corner. Land opposite to the northeast is orchard land, with housing fronting Church Hill at the southeast end of the frontage. Land over Long Marston Lane is open agricultural land.
- 2) Land northwest of Partridge Close – a smaller field, part separated from site (1) by hedge and tree planting, and a ditch. Rear garden boundaries to terraced Partridge Close dwellings to the northeast part of the southeastern boundary, with a side boundary to the southwest. The gardens are 10-11m long. Rear garden boundaries

to detached Mentmore Road houses to northeast: these are long gardens around 50m in depth. The site is largely flat, approx. 90m southwest-northeast, and 85m southeast-northwest, with a fence line to the northwest.

- 3) Land northwest of Barkham Close – part of a grassed field, the frontage to Barkham Close lined by trees set behind the frontage hedge. On the other side, semi-detached and terraced houses front Barkham Close. There is a convenience store on the Barkham Close/Manor Road junction. The shorter frontage to Manor Road (West End Road) is also marked by a hedge. There is residential development – semi-detached – to the southeast of The Baulk, and a field beyond. The site is largely flat, approx. 180m long southwest-northeast, and 75m wide. There is a tree enclosed pond in the northwestern corner. The northwest boundary is an unmarked line through the field. The Manor, a grade II listed building, off Manor Road is located some 115m from the northwest site boundary, with trees and shrubs on the property boundary.

4.0 PROPOSAL

- 4.1 This application seeks approval of Reserved Matters pursuant to Outline Planning Permission 16/02806/AOP relating to scale, appearance, landscaping and layout for the residential development of 100 dwellings.
- 4.2 The proposed dwellings will comprise a mix of 1 to 5 bedroom houses, 2 bedroom bungalows, and 3 bedroom chalet bungalows:
 - 6x1 bedroom houses;
 - 21x2 bedroom houses;
 - 3x2 bedroom bungalows
 - 2x3 bedroom chalet bungalows;
 - 47x3 bedroom houses;
 - 17x4 bedroom houses; and
 - 4x5 bedroom houses.
- 4.3 The houses will be a mix of terraces, semi-detached and detached, which will be a maximum of 2 storeys in line with the requirements of policy 4 of the Cheddington Neighbourhood Plan (CNP). This has been the subject of amended plans
- 4.4 35% of the dwellings will be affordable housing, which will comprise a mix of 1, 2, and 3 bedroom houses, and 2 bedroom bungalows . Of these 35 affordable homes, 26 will be affordable rent and 9 shared ownership. The mix and location of the affordable dwellings has been the subject of amended plans.
- 4.5 Amended plans have also been received which have revised the proposed scale and layout of the dwellings, roadways, footways, play area, boundary treatments, and the details of the pumping station and SuDS features within the site.
- 4.6 Slab level details have been submitted in response to Condition 12 of the outline consent.
- 4.7 In addition, details have been submitted in order to discharge the following obligations in the S106 relating to the outline planning permission at this site:
 - Third Schedule point 1.1 – Open Space Land Scheme
 - Fourth Schedule point 1 – SUDS Scheme.

5.0 RELEVANT PLANNING HISTORY

06/02054/APP - Erection of 8 semi-detached houses and 4 flats for rural exception social housing development including formation of new access and associated parking – Approved

16/02806/AOP - Outline application with access to be considered and all other matters reserved for a residential development of up to 100 dwellings, associated open space including amenity land, landscaping and parking. – Approved

16/A2806/DIS - Submission of details pursuant to Condition 22, 23 and 24 (archaeological) relating to Planning Permission 16/02806/AOP – approved

16/B2806/DIS - Submission of details pursuant to Condition 11: Tree Protection Plan, Condition 15: Whole Life Maintenance Plan for Drainage, Condition 19: Zebra Crossing Details, Condition 20: Parking, Garaging and Manoeuvring Scheme and Condition 21: Construction Management Plan – pending consideration

6.0 PARISH/TOWN COUNCIL COMMENTS

6.1 Cheddington Parish Council state that in principal it has **No Objections** but wishes to make the following comments:

- a) The Parish Council is concerned that the bungalows shown are either shared ownership or rental. There were many comments from residents during the Neighbourhood Plan Process that a number of residents wished to downsize and that there was and would be a demand for bungalows for sale on the Open Market. This opinion was again voiced vehemently at a public event held by the Parish Council very recently to discuss the views of interested residents on the details of the above referenced planning application. It is also to be noted that it was envisaged during the Neighbourhood Plan discussions that a larger number of bungalows would be located in the area of the site near Barkham Close to meet the demands of ever-increasing older generation. The Parish Council also asked for clarification about whether people who currently own property outright in the village would be eligible for a shared ownership bungalow.
- b) The Parish Council noted that there are three houses of the Blakesley design which are shown to be 2.5 storey which is in conflict with the design policy of the Cheddington Neighbourhood Plan. The Parish Council would draw the planning officers attention to Page 29 of the Cheddington Neighbourhood Plan. Policy 4 i... specifically, buildings should be no more than two storeys in height.
- c) The Parish Council is concerned that there are only two three bedroomed semi-detached houses on the site plan. It would put the case that there should be more three bedroomed houses for sale, rent or shared ownership for a younger generation with growing families.
- d) The Parish Council would ask for clarification on the possible administration of the shared ownership and the properties for rent.
- e) The Parish Council also would like clarification on the future of the site and who will be responsible for street lighting, grass verges, play equipment and the maintenance of the landscaped areas.
- f) The Parish Council had argued that the development did not need a separate play area and that the S106 money could be better spent on updating the existing play area on The Green. The Parish Council would look for assurances that if a Local Equipped Area of Play (a LEAP); is to be located on the development then there should be some boundary, whether hedging or fencing, to prevent young children using this facility from running onto the adjacent road. There was some concern that the LEAP is located near a pond so that in addition to a boundary from the adjacent road the Parish Council would wish there to be a safety feature provided to prevent small children from accessing the area without supervision.

7.0 CONSULTATION RESPONSES

Tree Officer - requested a revised Arb Impact Assessment as the one submitted with the outline application (16/02806/AOP) is almost 3 years old, and reflects a different layout. Following the submission of further information there are no tree related objections to the proposal. In principle, the scheme has potential to be beneficial in terms of trees – the majority of existing trees are to be retained, and the landscape masterplan shows that there will be sufficient new planting to compensate for those lost and result in a net gain in both quantity and quality of trees on site.

Buckingham & River Ouzel Internal Drainage Board - has no comments to make regarding this planning application.

Parks and Recreation Officer - There is no requirement for this development to provide the minimum 24.7m² per resident of Outdoor Playing Space or a Local Equipped Area for Play (LEAP) on-site, then no reduction to the 'full' calculated off-site sport/leisure contribution will be applied. Financial contribution towards an off-site project is required in accordance with the Council's Ready Reckoner as set out in the s106 agreed at the outline stage. If a LEAP is provided on-site then it must meet the ROSPA requirements which include its minimum 20m buffer distance from dwellings and residential boundaries.

CPDA - concerns relating to the number of blank elevations which have been included in the design restricting surveillance and hindering occupants from safeguarding their property, the development and the community as a whole from crime and anti-social behaviour – recommends revisions to design.

Housing Officer - Not less than 35% of the total number of dwellings constructed on the land (or each Phase or Sub Phase) are to be Affordable Dwellings, provided with a tenure split of 75% Affordable Rented units and 25% Shared Ownership.

The affordable housing mix as illustrated on the amended Drawing No. 1029 002 M is suitable for this scheme and the clustering conforms with the requirements of the s106. The affordable units should be indistinguishable from the open market units.

The affordable units should conform with the Accessible and Adaptable Dwelling standard, that is Category 2 of Approved document M of the Building Regulations 2010 except the wheelchair adapted/adaptable dwellings which should conform with the Wheelchair User Dwellings standard, that is Category 3 of Approved document M of the same document.

No more than 50% of the Market Housing Dwellings are to be occupied until all the affordable units on any Phase or Sub Phase have been completed and transferred to a registered provider of social housing.

Waste and Recycling - Developer should refer to the Council's recycling and waste advisory notice for guidance.

BCC Archaeological Officer - No objection - The nature of the proposed works is such that they are not likely to significantly harm the archaeological significance of any assets. It is not necessary to apply a condition to safeguard archaeological interest.

Ecology Officer - The Ecological Mitigation and Enhancement Plan submitted by OHES Environmental Ltd dated 20.11.2018 is considered sufficient to progress this development. The report sets out the measures required to ensure mitigation and enhancement protocols are met on site. Further details indicating the location of the proposed bat and bird features have now been submitted and are considered acceptable. The revised landscape details include the appropriate wording to capture the correct management for the wildflower areas. No further objections.

BCC-LLFA - Buckinghamshire County Council as Lead Local Flood Authority has reviewed the information provided in the submitted details listed below and recommends the approval of reserved matters in relation to surface water drainage:

- Calculation details (*Storm Network 10, 30th October 2018, Red Civil Design Consultants*). Manhole Construction Details Proposed Drainage Layout (*Drawing number: 420, October 2018, Red Civil Design Consultants*).
- Existing Flow Trace and Catchments (*Drawing number: P900, October 2018, Red Civil Design Consultants*).
- Proposed post Development Land Drainage (*Drawing number: P901, October 2018, Red Civil Design Limited*).
- Proposed Drainage Layout (*Drawing number: P902, October 2018, Red Civil Design Limited*)
- Response to LLFA's Comments (*17th December 2018, Red Civil Design Consultants*)
- Review of surface water drainage and discharge options (*BM11501-002, 19th January 2018, Wardell Armstrong*)
- SuDS Drainage Plan for Discussion (*Drawing number: SUDS 1, February 2019, Residential Engineering Design Ltd*)

BCC Highway Officer – No objection to amended drawings. In summary, the proposed shared surface areas have been shortened to be safer for users and to avoid overly large areas of 'shared Surface'; the shared surface streets are shown at a minimum of 5.5m carriageway with the exception of several pinch points to act as traffic calming and have been changed to a block paver surface to differ from the tarmac road; parallel parking spaces have been removed from the 5.5m tractable carriageway; and all footways on site are now to be 2m wide and link with the existing footways. These amendments are considered acceptable and comply with Manual for Streets guidance.

Heritage Officer – The conclusion of the Heritage Statement states "It is accepted that this proposal...will affect the setting of the Grade II Listed Cheddington Manor. It will have a somewhat urbanising effect upon the setting when looking towards the west". The Heritage Officer concurs with this assessment and considers that the development looking towards the west will have a suburban effect on the setting of this designated heritage asset. The proposal would amount to less than substantial harm, low adverse impact with some slight loss of the significance of the heritage asset. The development is proposed to be located to the south east of the heritage asset some distance from the house. The harm arises from the proposals would be limited to the loss of some of the agricultural context. Nonetheless, the loss of the open fields would result in the heritage asset becoming more divorced from its agricultural connections as the fields are used for grazing sheep which would result in some harm to its setting. A fully designed landscape scheme is required to show that the verdant landscape setting can be maintained.

Landscape Officer – verbally advised no objection to the revised plans.

BCC Education – no comment

MOD – no comment

CCG – no comment

NHS – no comment

Environmental Health – no comment

8.0 REPRESENTATIONS

- 8.1 Cllr Town – This development design does not reflect discussions Cheddington residents had with Savilles (the land owner agents) during the run up to the application for Outline Planning. This proposal was an integral part of the Cheddington Neighborhood Plan (CNP) and was accepted by the residents as a positive contribution to the Cheddington future housing needs. The situation is no longer positive. The comments provided by Chris Poll is a good evaluation of the issues so I will not repeat them here. I do request as the local AVDC Councillor for Cheddington and Pitstone that this application is brought to committee for consideration prior to any determination.
- 8.2 Cllr Poll - In response to the design and access I wish to make the following comments. I am disappointed with the spread and types of affordable housing. I feel it is trying to replicate that which is already provided by the adjacent HA properties as well as the RE scheme next door. In my view the bungalows should be for sale on the open market and sited as near to the facilities of Barkham Close as possible. Whilst I had not considered a FOG this could work but should again be open market therefore allowing a local resident to control what happens, not a housing association. The reasoning behind this is that such a property would allow basic rent for the tenant or market value realisation when disposing of the property. It is felt by me that this housing mix is quite inappropriate for the needs of the community. We didn't go through an evidence based neighbourhood plan to then see a national house builder propose a scheme which is replicated across the whole country. Our evidence shows what is required and were this or another developer to read it I feel a workable solution could be found to supply what is needed, yet still make a decent return on any investment. The number of 5 bedroom houses does not concern me but the number, or lack of, smaller 3 beds does. Similarly 2 1/2 storey houses are mentioned but would be against the NP. It is clear that Cheddington requires smaller, open market, 3 bedroom properties for families starting out. There are ample 2 bed in Church Hill yet any family wishing to upgrade accommodation then finds the existing 3 bed properties too expensive. Something in between needs to be built. I feel that in trying to achieve the 35% level of affordable housing in this scheme the proposal is just shoe-horning in whatever they feel they can get away with to meet that target. Much better that some thought goes behind this. I feel the community would much better support a lower level of affordable homes if my above comments were taken on board. We need bungalows for people to buy and smaller family homes to make this large development a community. Not a community separate from the rest of the village but at the very least a sense of place within the existing fabric of the village. The upcoming VALP will adopt a lower (25%) figure and it is possible that by the time final approval is given that figure is what will be built. Much better to plan for this now. To that end I suggest further consideration to the location of various building types, placement of vehicular access and the future adoption of the development into Cheddington village. It seems little consideration is given to access the existing road network. It is a fact that some people will drive to the shop. Therefore a link into Barkham close would be prudent. Otherwise all traffic will need to exit on to Mentmore Road whatever the journey. Far from being used as a cut through I feel this will help enormously in alleviating the issue of traffic exiting on to the major Northern route out of Cheddington. Most morning traffic is along this route as residents go to the station or the road network further on to such places as Milton Keynes or Aylesbury. As for the future of the site once construction is completed I have concerns. I understand that this developer is prone to using a landscape management model. This would be wholly unacceptable in my view. It is imperative that the Parish Council be maintenance provider. From streetlights to green space, only then can there be any control by villagers. I have heard many stories of management companies not working well and costs increasing. Again, this must not be allowed to happen. The Parish Council must be the only authority for such matters as for which they are at present (and in future) responsible. As for provision of leisure amenity this must also be tied in to the existing provision. It would be less than ideal if separate provision were made Cheddington already has a play area centrally located and very well used. Any leisure provided by S106 funding should therefore be used to embellish existing

facilities. The parish Council would be more than willing to discuss matters before this plan comes to committee at AVDC in order that much time can be saved and anguish prevented.

- 8.3 3 letters of public objection have been received which raise the following issues:
- The village is already overcrowded with not enough amenities
 - The highway infrastructure can not cope with a further 100 dwellings – already parking concerns, pot holes, lorries and speeding through the village
 - There would only be one exit onto Mentmore Road which would cause a bottle neck. Cars park along this stretch of road due to the proximity of the train station
 - The proposal would disrupt the elderly and disabled residents of Barkham Close bungalows
 - The additional noise level generated by the proposed development and its associated traffic movements would make this relatively quiet village into an extremely noisy place to live
 - Bungalows to buy are needed as well as affordable housing
 - The bungalows should be close to the local bus stop and village shop
 - A link road between the two halves of the estate would improve traffic access.
 - An entrance into Manor Road would help traffic flow through the village

9.0 EVALUATION

a) The planning policy position and the approach to be taken in the determination of the application in accordance with the Cheddington Neighbourhood Plan and the Aylesbury Vale District Local Plan.

- 9.1 The overview report sets out the background information to the policy framework when making a decision on this application. The starting point for decision making is the Development Plan. For the purposes of this report, the Development Plan consists of the adopted Aylesbury Vale District Local Plan and the made Cheddington Neighbourhood Plan. S38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (February 2019) and the Planning Practice Guidance 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, NPPG and other material considerations. Determination of the application needs to consider whether the proposals constitute sustainable development having regard to Development Plan policy and the NPPF as a whole.

Neighbourhood Plan

- 9.2 The NPPF states that neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.
- 9.3 Cheddington benefits from a Neighbourhood Plan that was 'made' in August 2015 and is to be given full weight.
- 9.4 A number of CNP policies relating to housing development are relevant to this application.
- 9.5 Policy 1 designates a settlement boundary. It states that development proposals on land within the defined Settlement Boundary will be supported, provided they do not result in the loss of any existing publicly accessible open space and are consistent with other

development plan policies. The proposals map shows the application site to be within the settlement boundary.

- 9.6 Policy 2 allocates the application site to accommodate housing development of approximately 100 dwellings and sets out criteria to guide the development. It requires the provision of 35% affordable housing and divides the site into 3 sections.
- 9.7 Policy 4 sets out design principles for new development, and requires adequate parking provision and delivery of high speed broadband.
- 9.8 Policy 6 seeks to ensure development proposals enhance green infrastructure and biodiversity, and enables the protection, enhancement or provision of new footpaths, bridleways and cycleways .

Aylesbury Vale District Local Plan (AVDLP)

- 9.9 As set out in the overview report Policies RA.13 and RA.14 seek to restrict development to small-scale infill or rounding off at Appendix 4 settlements and are considered out of out of date for the reasons given.
- 9.10 A number of saved policies within the AVDLP are considered to be consistent with the NPPF and therefore up to date so full weight should be given to them. Consideration therefore needs to be given to whether the proposal is in accordance with or contrary to these policies. Those of relevance are GP2, GP8, GP24, GP35, GP38 – GP40, GP45, GP59, GP84, GP86-88, GP90-91, and GP94. They all seek to ensure that development meets the three objectives of sustainable development and are otherwise consistent with the NPPF.

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

- 9.11 The Council has laid out proposed policies and land allocations in the draft Vale of Aylesbury Local Plan. This Plan was published and subject to public consultation in summer 2016. Following consideration of the consultation responses, and further work undertaken changes have been made to the draft plan. A report has been considered by the VALP Scrutiny Committee on 26 September and Cabinet on 10 October 2017 on the proposed submission plan. The Cabinet's recommendations were considered by Council on 18 October 2017. The examination hearing ran from Tuesday 10 July 2018 to Friday 20 July 2018. The Interim Findings have been set out by the Inspector, and consultation on modifications will be required before adoption can take place. The adoption of the Vale of Aylesbury Local Plan is planned to be in 2019.
- 9.12 Whilst the VALP hearing has taken place there are a number of unresolved objections to the housing strategy and other policies. Paragraph 48 of the NPPF advises on the weight to emerging plans depending on the stage of preparation, unresolved objections and consistency with the NPPF. In view of this the policies in this document can only be given limited weight in planning decisions, however the evidence that sits behind it can be given weight. Of particular relevance are the Settlement Hierarchy Assessment (September 2017). The Housing and Economic Land Availability Assessment (HELAA) (January 2017) is an important evidence source to inform Plan-making, but does not in itself determine whether a site should be allocated for housing or economic development or whether planning permission should be granted. These form part of the evidence base to the draft VALP presenting a strategic picture.

a) Compliance with requirements of the CNP, other relevant Development Plan policies and NPPF guidance: Whether the proposal would constitute a sustainable form of development.

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

- 9.14 It is only if a development is sustainable when assessed against the NPPF as a whole that it would benefit from the presumption in paragraph 11 of the NPPF. The following sections of the report will consider the individual requirements of sustainable development as derived from the NPPF and an assessment made of the benefits together with any harm that would arise from the failure to meet these objectives and how the considerations should be weighed in the overall planning balance.
- 9.15 Outline permission has been granted under planning reference 16/02806/AOP for the erection of up to 100 dwellings with associated open space including amenity land, landscaping and parking, which established and accepted the suitability of this site for residential development. The principle of the development at this site, and its access have been previously considered and accepted.
- 9.16 It is considered that the site continues to be within a sustainable location for housing and the principle of the development would continue to accord with the CNP, AVDLP and the NPPF. However, this proposal still has to be assessed against all other material considerations.

Building a strong competitive economy

- 9.17 The Government is committed to securing and supporting sustainable economic growth and productivity, but also that this would be achieved in a sustainable way. Paragraph 80 states that planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 9.18 There would be economic benefits derived from this development in terms of the construction of the development itself and the resultant increase in population contributing to the local economy. These benefits include new investment and jobs, extra demand for goods and services and increased local spending from the resultant increase in population, which would be positive and long lasting to the local economy.
- 9.19 It is therefore considered that the proposal would give rise to future economic benefits in terms of the construction of the development itself, its operation and the resultant increase in population contributing to the local economy. This is a matter which weighs in favour of the development.

Delivering a sufficient supply of homes

- 9.20 Local planning authorities are charged with delivering a wide choice of sufficient amount of and variety of land and to boost significantly the supply of housing by identifying sites for development, maintaining a supply of deliverable sites and to generally consider housing applications in the context of the presumption in favour of sustainable development. In supporting the Government's objective of significantly boosting the supply of homes, paragraph 61 states that within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes. Key to the consideration of this point is the use of local housing needs assessment targets and the Council's ability or otherwise to demonstrate a 5 year supply of housing land.
- 9.21 The Five Year Housing Land Supply Position Statement (April 2019) sets out the Council can demonstrate 5.64 years worth of deliverable housing supply against its local housing need. The April 2019 position statement replaces the June 2018 position statement and takes into account the 2019 revised NPPF, the new Planning Practice Guidance and the latest situation on the emerging Vale of Aylesbury Local Plan which is currently being

examined. The overview report attached sets out the detailed clarification and background information on the HEDNA position, the new Housing Delivery Test and the approach to not include any element of unmet need.

- 9.22 Policy 2 of the CNP allocates the application site to accommodate housing development of up to 100 dwellings and sets out guidance that:
- Site (i) at Land off Mentmore Road shall provide for approximately 50 dwellings,
 - Site (ii) at Land rear of Partridge Close shall provide for approximately 15 dwellings, and
 - Site (iii) at Land at Barkham Close shall provide for approximately 35 dwellings.
- 9.23 The details submitted show that development on this site would deliver 100 dwellings in accordance with the total policy requirement of 100 in policy 2. However, the total 100 dwellings would be divided up between the three sites as follows:
- Site (i) – 54 dwellings
 - Site (ii) – 23 dwellings
 - Site (iii) – 23 dwellings
- 9.24 The division of the dwellings between the three sites would broadly accord with the approximate guideline figures set out in Policy 2 in so far as around half of the dwellings would be proposed within site (i), and sites (ii) and (iii) would provide for smaller amounts of dwellings. The main differences in numbers would be within sites (ii) and (iii) where the proposal would provide for 23 dwellings as opposed to approximately 15 dwellings, and 23 dwellings as opposed to 35 dwellings, respectively. This has resulted from smaller scale plots being located within site (ii) and larger plots and bungalows being located within site (iii). Provided that the proposal would accord with the other criteria set out in policy 2 (to be assessed in the following sections of this report) it is considered that this proposed distribution across the three sites would not be sufficiently contrary to the aims of policy 2 so as to warrant a refusal of the reserved matters.
- 9.25 It is considered that the housing can be delivered without delay thus contributing to the housing land supply and this benefit is maintained in the reserved matters application in accordance with NPPF advice and remains to be afforded significant benefit
- 9.26 At the outline stage the DAS indicated that the dwellings would comprise 14 x 4-bed houses; 38 x 3-bed houses; 32 x 2-bed houses and 14 x 1-bed flats, including bungalows. Condition 4 of the outline consent required the details to be submitted as reserved matters to incorporate a mix of house types and sizes having regard to an up to date assessment of housing need in the District. The reason for this condition is to secure a development that is in accordance with local needs for housing, delivers a wide choice of high quality homes, widens opportunities for home ownership and creates a sustainable, inclusive and mixed community, and to accord with Policy 2 of the CNP and the guidance set out in the National Planning Policy Framework. The applicants have looked at this in conjunction with the HEDNA (updated in September 2017) and have submitted a statement which justifies their proposed mix.
- 9.27 Policy 2 of the CNP states:
- (i)f; (ii)e and (iii)g - All proposals for the development of dwellings must demonstrate that they reflect the most up to date assessment of housing need in Cheddington for dwellings that are suited to occupancy by older person households (that is those households where at least one member is 55 or over) and to first time buyer households.
 - (i)g and (iii)f – Proposals must demonstrate an assessment of local demand for plots for custom build housing and include provision accordingly; subject to overall site viability.
 - Paragraph 4.20 of the CNP also requires that a proportion of new homes are of a

type and design that is suitable to older person households, especially so on the Barkham Close site which is suited to this purpose, given the homes in that area that are suited to that type of household. The densities of each site should allow for the provision of bungalows and maisonettes that are especially suited to, and the opportunity of the two larger sites to make provision for a small number of custom build plots. It does not prescribe specific proportions of housing types but it leaves this to the viability assessments of future planning applications to determine.

- 9.28 A range of dwelling types in this application would be incorporated within the development including detached, semi-detached, terraced and bungalows. The overall mix of units (private and affordable) proposed is set out in the following table:

Combined Housing Market and HA	Number Proposed	Percentage
1 x bed house	6	6%
2 bed house	23	23%
3 bed house	50	44%
4 bed house	17	17%
5 bed house	4	4%
Total	100	100

- 9.29 Below are tables showing the break down between private and affordable housing with a comparison on what is required by the HEDNA (*NB. HEDNA percentages may not equal 100% due to rounding*):

Market Housing	Original number	Amended Number	Percentage	HEDNA %
1 bed flat	0	0	0%	4%
2 bed flat	0	0	0%	4%
1 bed house	0	0	0%	0%
2 bed house	0	7	10.8%	13%
3 bed house	19	37 *	56.9%	52%
4 bed house	28	17	26.1%	21%
5 bed house	18	4	6.1%	6.5%
Total	65	65		

* Includes 2 x 3 bed chalet bungalows

Affordable Housing	Original number	Amended Number	Percentage	HEDNA %
1 x bed flat	1	0	0%	9%
2 bed flat	0	0	0%	6%
1 bed house	5	6	17.1%	0%
2 bed house	12 +	16 **	45.7%	38%
3 bed house	6 +	13	37.1%	38%
4 bed house	2	0	0%	9%
5 bed house	0	0	0%	0%
Total	26	35		

** Includes 3 x 2 bed bungalows

+ includes 1x 2bed & 2 x 3bed bungalows

- 9.30 The tables above shows that the proposed amended mix is broadly consistent with the HEDNA and are considered acceptable by the affordable housing officer. The proposed mix would accord with the requirement in criteria (i)f, (ii)e, and (iii)g of Policy 2 of the CNP to provide for dwellings that are suited to first time buyer households. Following

negotiations as well as providing 3 affordable bungalows on site a further 2 private chalet bungalow units would also be provided, and all private units would be adaptable and a number would be fully compliant with the equivalent of Lifetime Homes Standards all of which helps to address the need for housing for the elderly population in accordance with Policy 2(i)f, (ii)e and (iii)g of the CNP. This would address the parish council concerns.

- 9.31 The Parish Council raised concern that originally there was only 2no. of the total number of three bedroomed houses proposed to be semi-detached on the original site plan, and suggested that there should be more smaller three bedroomed houses for sale, rent or shared ownership for a younger generation with growing families. As a result of the PC comments the applicant has revised the site plan and there are now eleven semi-detached/terraced 3 bedroom private properties. In addition to this, of the 79 dwellings that would have 3 bedrooms or less, there are now 32no. three bed or smaller terraced/semi detached affordable properties proposed within the site.
- 9.32 In respect of affordable housing the S106 secured in the outline scheme required 35% affordable housing in accordance with Policy 2 of the CNP.
- 9.33 35 affordable units are proposed comprising 26 affordable rent and 9 shared ownership and at the request of the housing officer the applicants increased the number of 3 bedroom properties such that the affordable units are more reflective of the overall housing mix and local housing need. Additionally, the house type revisions across the site have made the dwellings tenure blind with more smaller semi-detached and terraced open market houses now being provided.
- 9.34 The Housing Officer has confirmed that the proposed number, tenure, mix and distribution (clustering not to exceed 15 dwellings, 18 if including flats) of the affordable housing is considered appropriate for this scheme and is satisfactorily illustrated on the revised plans.
- 9.35 In addition, as per the agreed s106 up to 15% of the affordable dwellings would be compliant with the Wheelchair User Dwellings standard, that is Category 3 of Approved document M of the Building Regulations 2010. The remaining affordable units are to conform with the Accessible and Adaptable Dwelling standard, that is Category 2 of the same document.
- 9.36 With regard to the comments of the Parish Council on the possible administration of the shared ownership and the properties for rent, the S106 sets out the details of Shared Ownership and Affordable Rent qualifications (Part 1 of the Second Schedule). As per the s106 no more than 50% of the private units are to be occupied until all of the affordable units, for that phase or sub-phase, have been completed and transferred to a registered provider of social housing.
- 9.37 Criteria (i)g and (ii)f of Policy 2 of the CNP require proposals to demonstrate an assessment of local demand for plots for custom build housing and to include provision accordingly. The HEDNA, December 2016, identifies that custom build represents “a very limited number of people and an exceptionally small proportion of the overall housing need...”. The applicant has submitted that they currently cannot find any evidence of existing demand for custom build in this area and it is considered that if such plots were advertised as part of a large development there would be no demand. The council’s register concurs that there is no demonstrated local demand and therefore no custom build plots are proposed within the development.
- 9.38 As such, it is considered that the proposal would accord with policy 2 of the CNP, policy GP35 of the AVDLP and the guidance set out in the NPPF. This factor weighs in favour of the scheme.

Promoting sustainable transport

- 9.39 It is necessary to consider whether the proposed development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised and that safe and suitable access can be achieved, taking account of the policies in the NPPF. Paragraph 108 requires that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be taken up, safe and suitable access to the site can be achieved and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.40 The accessibility of the site by use of sustainable modes of transport was considered and accepted as part of the outline application. As noted above, Cheddington is considered to be a reasonably sustainable location for development given its size, the services and facilities it offers. The site is located within reasonable walking distances of the facilities available within the village, and the s106 agreed at the outline stage includes a financial contribution towards improvement of local bus services.
- 9.41 Policy 2 of the CNP states the following development guidelines:
- Site 1 - (i) a. The scheme is accessed from Mentmore Road only;
 - Site 2 - (ii)a. The scheme is accessed from Partridge Close only; and (ii)b. The scheme layout and landscape scheme provides a publicly accessible footpath, cycleway and informal amenity land to connect with the provision of the same facilities of the Mentmore Road site allocation and to connect directly to Partridge Close, but expressly does not allow for vehicular access between the sites;
 - Site 3 - (iii)a. The scheme is primarily accessed from West End Road and the scheme layout provides for dwellings fronting onto Barkham Close and allows for a later phase of development within the site beyond the plan period; and (iii)d. The scheme layout and landscape scheme provides a publicly accessible footpath, cycleway and informal amenity land to connect with the provision of the same facilities of the Mentmore Road site allocation and to connect directly to Barkham Close, but expressly does not allow for vehicular access between the sites;
- 9.42 The main vehicular accesses to the site were considered and approved at the outline stage and are maintained within the current proposal. There is an access to be taken from Mentmore Road in the north and a second access from Barkham Close in the east.
- 9.43 In accordance with Policy 2(i)a of the CNP Site 1 is accessed from Mentmore Road only, and the internal layout details footpath/cycleway links between all three areas of the site, allowing for pedestrian/cycle permeability from Mentmore Road to Partridge Close and Barkham Close in accordance with (ii)b and (iii)d of Policy 2. However, as was approved at the outline stage, the accesses differ from the criteria set out in criteria (ii)a and (iii)a of policy 2 of the CNP in that no access from Partridge Close to the central area (site 2) is proposed. The officer's report at the outline stage explains that Partridge Close is not an adopted highway, and therefore not an access route suitable to serve the development proposed. It was therefore agreed that site 2 is to be accessed from site 1 to the north. However there would be no vehicular link from sites 1 and 2 in to site 3 and Barkham Close beyond.
- 9.33 Within site 3, the outline permission agreed vehicular access to the proposed development from Barkham Close, rather than West End Road to the southwest. Whilst this was not in accordance with policy 2(iii)a it was considered acceptable as the frontage to West End

Road is a short one, and access on to the site from this road would be an access point close to the existing Barkham Close access and opposite the existing access point of The Balk. Access from Barkham Close reduces potential for conflicting turning movements, and provides a more central access into the site. The accesses are considered acceptable to the Highway Authority and have been approved at the outline stage.

- 9.33 There would be no direct vehicular access between site 3 and sites 1 & 2; this arrangement is in accordance with criteria iii)d of Policy 2 of the CNP and the location of the vehicular accesses were approved at the outline stage and the principles of the indicative internal site layout were also agreed and conditioned within the outline permission. These matters are not for consideration at this detailed stage.
- 9.34 Condition 16 of the outline consent requires details of the adoptable estate roads and footways to be submitted to and approved by the LPA.
- 9.35 Concern was initially raised by the County Council Highways Officer in relation to a few aspects of the detailed layout, however the Highways Officer has met with the applicants and revised plans have been submitted as a result of their discussion.
- 9.36 The majority of the site now benefits from a 2m wide footway along at least one edge of the carriageway, although there are still areas of shared surface these areas are far shorter than were previously proposed, and the Highways Officer is satisfied that this would now be acceptable. During the meeting with the applicant's consultants the Highways Officer raised concerns over the level of forward visibility for pedestrians and vehicles at the corners within the shared surface areas at the north of the site. The revised plans demonstrate the level of forward visibility achievable, and subject to a suitable condition ensuring these areas are to remain free from obstruction this arrangement would be acceptable.
- 9.37 The revised plan shows the carriageway to be 5.5m wide, however there are several areas where the carriageway narrows over a short distance to 4.5m 'to control traffic speed'. The Highways Officer notes that if the applicant were to offer the site for adoption in the future these areas may need to be amended to provide a full width carriageway, or a more restrictive physical narrowing, however this could be easily accommodated should that need arise.
- 9.38 The revised plan shows that the areas of shared space would be constructed from a differing material than that of the main carriageway, ensuring all users would be aware of the change in nature of the carriageway.
- 9.39 The proposed on-street parking spaces have been amended slightly to provide a more obvious parking area, this would help users to distinguish between the parking areas and the main carriageway.
- 9.40 In addition, the latest layout has been tracked using an 11m+ refuse vehicle. The swept path analysis demonstrates that a vehicle of this length would be able to perform its manoeuvres within the site without over-running the kerb line or having to reverse over an extended distance.
- 9.41 Criteria (i)h, (ii)f, and (iii)i of Policy 2 of the CNP require the provision of a new pedestrian crossing of Mentmore Road to the existing footpath, this was agreed at the outline stage and Condition 19 of the outline consent requires that no part of the development accessed off Mentmore Road shall commence until details of the proposed zebra crossing have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These details have been submitted and are currently being considered under a separate pending application reference 16/B2806/DIS.

Parking Provision

- 9.52 With regard to car parking, Policy 4 of the CNP sets out design principles for new development and requires adequate parking provision, and Policy GP.24 of AVDLP requires new development to accord with published parking guidelines. SPG1 "Parking Guidelines" in Appendix 1 sets out appropriate maximum parking requirements for various types of development.
- 9.53 The quantum of parking proposed for this scale of development would be acceptable and is in accordance with policy 4(iii) of the CNP, policy GP24 of the AVDLP and the guidance set out in the Council's adopted Parking Standards, and the NPPF. Wherever possible parking is provided within the curtilage of the residential property to which it relates. In instances where this has not been possible, the parking is well related to the associated unit to ensure it is safely and conveniently located.
- 9.54 In respect of electric vehicle charging points, the developer has confirmed that the proposed garages will be wired to a standard to accommodate EV charging points if a resident wishes in the future to put one in, the applicants are not however proposing to put any EV charging points in themselves.
- 9.55 The Highway Authority are satisfied that there is adequate turning and manoeuvring space within the limit of the site and there are conditions on the outline consent to control this.
- 9.56 Having regard to the above matters it is considered that the reserved matters have been sufficiently addressed such that the development would accord with the aims of Policies 2 and 4 of the CNP, Policy GP24 of the AVDLP, the Council's SPG, and with the guidance set out in the NPPF, in that the proposal could be implemented without harm to highway safety and convenience and that sufficient parking is provided to serve the development.

Making effective use of land

- 9.57 Policy 4, at criteria (i), sets out design principles for new development stating that development proposals will be supported provided their scale, density, massing, height, landscape design, layout and materials, including alterations to existing buildings, reflect and enhance the character and scale of the surrounding buildings and of distinctive local landscape features; specifically, buildings should be no more than two storeys in height.
- 9.58 Section 11 of the NPPF requires that planning policies and decisions should promote an effective use of land while safeguarding and improving the environment and ensuring safe and healthy living conditions, maintaining the prevailing character and setting, promoting regeneration and securing well designed, attractive and healthy places.
- 9.59 Paragraph 122 of the NPPF relating to achieving appropriate densities states that in supporting development that makes efficient use of land, it should taking into account of the importance the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it.
- 9.60 The proposal would accord with the NPPF by providing additional housing which does not result in any adverse impacts.
- 9.61 The density of the proposed development would be 30dph which is consistent with the policy requirement and that proposed at the outline stage. It is considered appropriate in this edge of village location and would not appear out of keeping with the surrounding dwellings, particularly those to the south east of the site.

Achieving well designed places

- 9.62 The NPPF in section 12 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 9.63 Planning policies and decisions should ensure that developments will function well and add to the overall quality of the area over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space).
- 9.64 Permission should be refused for developments exhibiting poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides. The overview report sets out Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments comply with key criteria.
- 9.65 Policy GP35 of the AVDLP which requires development to respect and complement the physical characteristics of the site and the surroundings, the building tradition, ordering, form and materials of the locality, the historic scale and context of the setting, the natural qualities and features of the area and the effect on important public views and skylines. Policy GP45 is also relevant and that any new development would also be required to provide a safe and secure environment for future occupiers of the site. The policy as a whole is relevant for both outline and reserved matters schemes and is also reinforced by the Council's adopted supplementary planning guidance in the form of the New Houses in Towns and Villages Design Guide which encourages new development to recognise and respect landscape and local character.
- 9.66 The CNP allocates this site for development and the following policies relating to housing development are relevant to this application:
- Policy 1 designates a settlement boundary. It states that development proposals on land within the defined Settlement Boundary will be supported, provided they do not result in the loss of any existing publicly accessible open space and are consistent with other development plan policies. The application site is within the settlement boundary.
 - Policy 2 allocates the application site to accommodate housing development and sets out the following development principles to guide the development:
 - i). 2.76 ha (gross) at Land off Mentmore Road for approximately 50 dwellings, provided:
 - a. The scheme is accessed from Mentmore Road only;
 - b. The design, layout and landscape scheme demonstrate that the proposals will sustain the significance of the Cheddington Manor House heritage asset and its setting;
 - c. The scheme layout provides for dwellings facing towards, but not accessing, Long Marston Road and Mentmore Road and allows for a later phase of development within the site beyond the plan period;

d. The scheme layout makes provision for a publicly accessible footpath, cycleway and amenity land to connect Mentmore Road with the provision of the same facilities of the Barkham Close and Partridge Close site allocations, but expressly does not allow for vehicular access between the sites;

e. The landscape scheme provides for a structural landscape buffer and biodiversity improvements on the western boundary and for the retention of existing hedges in the front gardens to properties fronting onto Long Marston Road and Mentmore Road where possible;

f. All proposals for the development of dwellings must demonstrate that they reflect the most up to date assessment of housing need in Cheddington for dwellings that are suited to occupancy by older person households (that is those households where at least one member is 55 or over) and to first time buyer households;

g. Proposals must demonstrate an assessment of local demand for plots for custom build housing and include provision accordingly, subject to overall site viability testing;

h. A planning obligation is made to provide a new pedestrian crossing of Mentmore Road to the existing footpath.

ii). 0.85 Ha (gross) at Land rear of Partridge Close for approximately 15 dwellings provided:

a. The scheme is accessed from Partridge Close only;

b. The scheme layout and landscape scheme provides a publicly accessible footpath, cycleway and informal amenity land to connect with the provision of the same facilities of the Mentmore Road site allocation and to connect directly to Partridge Close, but expressly does not allow for vehicular access between the sites;

c. The scheme layout and landscape design retain the existing pond and stream on the edge of the site and provide for public access as a new amenity and for an area to be protected for biodiversity value;

d. Any groundwater flooding is managed and mitigated by the layout and landscape design of the scheme and by the use of a sustainable urban drainage system;

e. All proposals for the development of dwellings must demonstrate that they reflect the most up to date assessment of housing need in Cheddington for dwellings that are suited to occupancy by older person households and to first time buyer households;

f. A planning obligation is made to contribute to the cost of the provision of a new pedestrian crossing of Mentmore Road in part i (h) of this policy;

iii). 1.19 Ha (gross) at Land at Barkham Close for approximately 35 dwellings, provided:

a. The scheme is primarily accessed from West End Road and the scheme layout provides for dwellings fronting onto Barkham Close and allows for a later phase of development within the site beyond the plan period;

b. The design, layout and landscape scheme demonstrate that the proposals will sustain the significance of Cheddington Manor House heritage asset and its setting;

c. The landscape scheme provides a structural landscape buffer and biodiversity improvements along its northern boundary, retains the existing

trees along West End Road that do not compromise the site access and retains the existing trees and hedges on Barkham Close to incorporate into the front gardens of dwellings fronting the Close;

d. The scheme layout and landscape scheme provides a publicly accessible footpath, cycleway and informal amenity land to connect with the provision of the same facilities of the Mentmore Road site allocation and to connect directly to Barkham Close, but expressly does not allow for vehicular access between the sites;

e. The scheme layout and landscape design retain the existing pond and stream on the edge of the site and provide for public access as a new amenity and for an area to be protected for biodiversity value;

f. Proposals must demonstrate an assessment of local demand for plots for custom build housing and include provision accordingly, subject to overall site viability testing;

g. All proposals for the development of dwellings must demonstrate that they reflect the most up to date assessment of housing need in Cheddington for dwellings that are suited to occupancy by older person households and to first time buyer households;

h. Any groundwater flooding is managed and mitigated by the layout and landscape design of the scheme and by the use of a sustainable urban drainage system; and

i. A planning obligation is made to contribute to the cost of the provision of a new pedestrian crossing of Mentmore Road in part i (h) of this policy.

Planning applications should make on-site provision for 35% of dwellings to be affordable homes unless it can be demonstrated that a lower provision is necessary to make a viable scheme.

- Policy 4 sets out design principles for new development stating that development proposals will be supported provided:
 - i. their scale, density, massing, height, landscape design, layout and materials, including alterations to existing buildings, reflect and enhance the character and scale of the surrounding buildings and of distinctive local landscape features; specifically, buildings should be no more than two storeys in height;
 - ii. their landscape schemes include the planting of orchard trees;
 - iii. they make provision for a minimum of two off-street car parking spaces per dwelling, or of three spaces for dwellings of 4 or more bedrooms, unless a clear case can be made for why the proposed nature of the occupation of the dwellings will result in fewer spaces being required; and
 - iv. they contribute towards the provision of infrastructure suitable to enable the delivery of high speed broadband services across the village; as a minimum, suitable ducting should be provided to the public highway that can accept fibre optic cabling; other forms of infrastructure, such as facilities supporting mobile broadband and WiFi, should be included where possible and viable.

- Policy 6 seeks to ensure development proposals enhance green infrastructure and biodiversity, and enables the protection, enhancement or provision of new footpaths, bridleways and cycleways, stating:

Development proposals must contribute to and enhance the natural environment by ensuring the protection of local assets and the provision of additional habitat resources for wildlife and green spaces for the community, especially protected and endangered species such as badgers, Pipistrelle bats, Brown Long-eared bats and Nobel Chafer beetles.

Development proposals that enable the protection, enhancement or provision of new footpaths, bridleways and cycleways in and around the village will be

supported, provided they accord with other policies of the development plan and have regard to the principles of the district-wide green infrastructure strategy.

Reserved Matter: Layout

- 9.67 Vehicular access was approved at outline stage in the form of two main access points, on Mentmore Road and Barkham Close. The former provides vehicular access to the land adjacent to Mentmore Road and Long Marston Road, and to the land adjacent to Partridge Close; with the latter providing vehicular access to the land west of Barkham Close. The two circulation areas are linked by a footpath and cycleway, which has potential to be used as an emergency access. These agreed access arrangements are maintained in the current reserved matters layout.
- 9.68 The proposed internal layout of the development would be organised around a hierarchy of streets from primary and secondary streets to shared surface areas and private drives, and would follow that which was indicated at the outline stage, in accordance with conditions 2 and 3 of the outline permission. The dwellings on the perimeter of the site have been orientated to face out across public open space or the open countryside to create positive aspects in these locations, whilst units on the north eastern and south eastern boundaries within area (2) would back/side on to the gardens of the neighbouring properties in Partridge Close and dwellings fronting Mentmore Road. Exterior perimeter roads and perimeter blocks of dwellings are provided where possible and the scheme layout provides for dwellings facing towards, but not accessing, Long Marston Road and Mentmore Road, in addition the layout would allow for a later phase of development within the wider site beyond the plan period in accordance with Policy 2(i)c of the CNP,
- 9.69 Following discussion with the Highways Officer and the Council's Urban Design Officer the applicant has submitted a revised layout which is now less formal and less regular, providing more informal angles within the streets and therefore a more rural character and organic form to the development. The entrance to the site is enhanced by three larger units, presenting a focus as you enter the site. Internal perimeter roads have now been provided across the site, providing improved vehicular access, and the connectivity both through the site and to adjacent existing housing has been improved.
- 9.70 The proposal provides a large area of open space to the north with amenity space and planted buffers to the east, west and south, retaining trees and hedgerows and new planting with adequate space about the buildings, reflecting the local character, such that it is not considered that the site would appear overdeveloped. The revised layout follows the principles of good urban design and represents a layout consistent with the characteristics of the surrounding area.
- 9.71 The revised site layout plan takes account of the Council's waste and recycling advice note and the maximum distance that bins would have to be pulled would be 25 metres which is in accordance with the guidance. In addition, a tracking drawing has been provided which shows the path of an 11.22m long refuse/service vehicle serving the site. The plan shows that this type and length of vehicle could service the site without overrunning kerbs or being forced to reverse over extended distances.
- 9.72 In respect of car parking provision, a sufficient number of car parking spaces would be provided for the future occupiers of the dwellings mainly in the form of on plot parking but also with some marked parallel parking alongside the highway. Car parking is to be related to each dwelling, and overly long driveways (which would result in surplus 'half spaces') have been removed from the revised layout where possible to ensure that parked cars would not encroach across pavements but also that visually the amount of hard surfacing is reduced.

- 9.73 On this basis the development would accord with the aims of policies 1, 2(i)b, c, d, & e, 2(ii)b & c, 2(iii)b, d, & e, 4(i) and (iii), and 6 of the CNP, policies GP24, GP35, and GP45 of the AVDLP, and with the guidance in the NPPF.

Reserved matter: Landscaping

- 9.74 Existing trees, established hedgerows and landscape features are shown to be retained where possible, including along the Long Marston Road and Mentmore Road boundaries, and along West End Road, as required by policy 2 of the CNP, and the layout proposal has been amended to ensure these features are not included within rear gardens and thus their retention can be better controlled. Also, roads have been re-positioned adjacent hedges and landscaping features to ensure a greater chance of retention and protection from removal, by not being within private ownership.
- 9.75 The proposed landscape scheme would enhance the site boundaries with additional tree, hedge and shrub planting. The accesses to the site from Mentmore Road and Barkham Close will feature trees and bulb planting to frame the entrance. The site would be bounded by native planting and existing vegetation, particularly along the western boundary where there would be a planted buffer of a minimum depth of 3 metres in order to provide a transition out towards the open countryside beyond the site and to sustain the verdant setting of the adjacent listed Manor, in accordance with Policy 2(i)b & e and (iii)b. In addition, the existing on site ponds are shown to be retained and incorporated within the public amenity space, which would be connected to the other areas of the development via foot and cycle paths, in accordance with policy 2(i)d, (ii)b & c and (iii)d & e of the CNP.
- 9.76 Pre-grown Ivy screening is proposed to provide an instant green and soft screen around the pumping station in the far northern corner of the site. The attenuation basin would have an organic natural appearance as opposed to being 'ridged and engineered', with wildflower and wetland meadow planting proposed to attract wildlife to that area and provide visual interest. Boulders are also proposed in this area to create opportunity for informal play as well as providing shelter for wildlife and this would accord with policy 6 of the CNP. The north eastern section of area (3) would be planted with orchard trees to reflect context of Cheddington village and to comply with that requirement in policy 4(ii) of the CNP.
- 9.77 It is considered that the landscape details of this development would comply with policies 2(i)b, e & d, (ii)b & c and (iii)b, c, d & e 4(ii), and 6 of the CNP, policies GP35, GP38, GP45 and GP86 of the AVDLP and the NPPF and as such the details are considered acceptable.

Reserved matters: Scale and Appearance

- 9.78 A context analysis has been undertaken by the applicant which shows the typical design of buildings in the area. The context analysis has guided the design of the proposed houses so that the development is appropriate to its surroundings and relates to the local vernacular.
- 9.79 The site is located to the west of the village of Cheddington. It is bound to the north by Mentmore Road and Long Marston Road whilst to the immediate east is existing residential development. The south is bound by Barkham Close and West End Road/Manor Road. To the west of the site is open fields and Cheddington Manor, a listed building with extensive grounds. In terms of scale and appearance, throughout the village, and indeed in the surrounds of the application site, there are a variety of dwelling types and sizes and significant variation in the materials used.
- 9.80 The site is well connected to the existing settlement and is framed to the east and south east by Barkham Close and existing properties that back onto the site from Partridge Close

and Mentmore Road. Mentmore Road forms a linear pattern of development of bungalows and 2 storey semi and detached dwellings set predominately within generous plots; Barkham Close comprises single storey and two storey dwellings with a spacious urban grain and the dwellings in Partridge Close, which is off of Barkham Close, are smaller in scale and form a higher density cul-de-sac.

- 9.81 The proposed development incorporates a number of different house types to provide variety in the appearance of the site and character but there would be cohesion through the use of complementary materials. There is variation in the ridge heights of the proposed dwellings from 7.4m to 8.5m for the two storey dwellings and 5.9m to 6.1m high for the bungalows. This scale of development would be acceptable in this location and a similar scale of development can be found in Cheddington.
- 9.82 The originally submitted scheme included three dwellings which were to be 2.5 storey; this was in conflict with policy 4(i) of the CNP, which states that buildings should be no more than two storeys in height. The layout and house types have been revised such that all 2.5 storey properties have been removed from the proposal, thus now complying with the CNP and better respecting the scale and character of the surrounding dwellings.
- 9.83 In terms of the appearance, the revised plans detail an increased variety of house types associated with the edge-of-village/countryside location and to pick up on the rural character of Cheddington and its local architecture, with eaves and verge brick detailing added to better reflect the character of the area. Also care has been taken to look at the roofscape throughout the development, in particular along the rural edge, and chimneys have been added where appropriate. New gable-fronted house types and slightly staggered frontages have been added to reinforce the variety and rural character of the street scene. The character areas are now more distinct and better reflect the immediate character of the surrounding area.
- 9.84 Following a context analysis, the most appropriate materials were considered to be two types of shades of red brick and a multi buff brick, with some of the dwellings being fully or partially rough rendered, and the proposed roof materials are shown to be a mixed russet coloured and a brown coloured double cambered roof tile and a grey slate. Condition 7 of the outline consent required this reserved matters application to include sample/details of the materials proposed to be used on the external surfaces of the development, such details have been provided on the submitted materials plan and would appear acceptable although it is considered given the scale of the development, its edge of village location, and its relationship with the adjacent listed building, there is some concern over the roof tiles proposed and it would be appropriate to approve samples of the roof tiles on site prior to the construction of the dwellings above slab level and this could be controlled by condition.
- 9.85 The dwellings would also have stone banding, hung tile panelling, and detail banding where appropriate and this is detailed with the submitted house type pack. Rainwater goods are detailed to be black and the windows, doors, fascias, soffits and bargeboards are to be white UPVC. In terms of surface materials, private driveways and the shared surfaces are shown to be block paved, with the main roadways being tarmac.
- 9.86 Closed boarded fencing at a height of 1.8m would be provided between gardens with brick walls along garden boundaries where they bound public realm. Condition 10 of the outline consent requires that the development is to be carried out in accordance with the approved boundary treatments and a further condition at this time would be unnecessary.
- 9.87 Condition 12 of the outline consent required that details of the slab levels of the proposed dwellings be submitted as part of the reserved matters. Such details have now been submitted and are considered acceptable in order to discharge the outline condition 12, in

so far as it relates to the submission and approval of details. The condition goes on to require the buildings to be constructed in accordance with the approved details and as such a further condition at this reserved matters stage would be unnecessary.

- 9.88 The proposal would be in accordance with policies 2(i)b & 2(ii)b, and 4(i) of the CNP, policy GP35 of the AVDLP, the Council's design guidance, and the NPPF.

Reserved matters conclusions

- 9.89 Overall it is considered that, following the receipt of amendments where improvements have been made to the layout of the proposal, the scale and appearance of the dwellings, and the landscaping, in terms of the matters to be considered as part of this detailed application such details represent good design overall which would accord with policies 1, 2(i)b, c, d, e & d, 2(ii)b & c, 2(iii)b, c, d, & e, 4(i), (ii) & (iii), and 6 of the CNP, policies GP24, GP35, GP38, and GP45 of the AVDLP, and the guidance set out in the NPPF.

Conserving and enhancing the natural environment

- 9.90 In terms of consideration of impact on the landscape, proposals should use land efficiently and create a well-defined boundary between the settlement and countryside. Regard must be had as to how the development proposed contributes to the natural and local environment through protecting and enhancing valued landscapes and geological interests, minimising impacts on biodiversity and providing net gains where possible and preventing any adverse effects of pollution, as required by the NPPF.
- 9.91 Section 15 of the NPPF states planning policies and decision should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.
- 9.92 Policy 2 of the CNP requires that: the design, layout and landscape scheme demonstrate that the proposals will sustain the significance of the Cheddington Manor House heritage asset and its setting; the landscape scheme provides for a structural landscape buffer and biodiversity improvements on the western boundary and for the retention of existing hedges in the front gardens to properties fronting onto Long Marston Road and Mentmore Road where possible; and the scheme layout and landscape design retain the existing pond and stream on the edge of the site and provide for public access as a new amenity and for an area to be protected for biodiversity value.
- 9.93 Policy 6 of the CNP seeks to ensure development proposals enhance green infrastructure and biodiversity.
- 9.94 Policy GP35 of the AVDLP requires new development to respect and complement the physical characteristics of the site and surroundings; the building tradition, ordering, form and materials of the locality; the historic scale and context of the setting; the natural qualities and features of the area; and the effect on important public views and skylines.
- 9.95 Policy GP38 states that development schemes should include landscaping proposals designed to help buildings fit in with and complement their surroundings, and conserve existing natural and other features of value as far as possible. With policies GP39 and GP40 of the AVDLP seeking to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value.

Landscape

- 9.96 As set out above, this application site already benefits from outline planning permission for the development of up to 100 dwellings. As such impact on the wider landscape and the loss of a greenfield site have already been assessed and found acceptable in principle and is therefore afforded neutral weight. The details of the landscaping for the scheme has been discussed elsewhere in this report in respect of the reserved matters

Trees and planting

- 9.97 The proposed development incorporates the retention of a number of perimeter trees especially those along the northern, western and southern boundaries of the site, along the Mentmore Road frontage, and adjacent to the Barkham Close properties, to minimise the impact of the development.
- 9.98 There will also be extensive additional planting within the proposed development to enhance visual amenity and create ecological enhancements. The planting will comprise native trees to the entrances, around the public open space and extensive planting around the site boundaries, and a structural landscape buffer on the western boundary in compliance with policy 2 (i)b & e and (iii) b & c of the CNP.
- 9.99 In addition an area of orchard planting is proposed within site 3 in accordance with criteria (ii) of Policy 4 of the CNP.
- 9.100 The Councils Tree Officer raises no objections. The proposed details are considered to be appropriate and in accordance with the relevant CNP and AVDLP policies and the guidance set out in the NPPF.
- 9.101 Condition 11 of the outline consent requires the submission of tree protection details and these have been submitted and are currently being considered under a separate pending application reference 16/B2806/DIS.

Biodiversity

- 9.102 Paragraph 170 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity.
- 9.103 The revised layout plan details that the proposal would accord with Policy 2 of the CNP which at criteria (i)e seeks biodiversity improvements on the western boundary, and at (ii)c and (iii)e to retain the existing pond and stream on the edge of the site as an area for biodiversity value. In addition the proposal would accord with Policy 6 of the CNP which seeks to ensure development proposals enhance green infrastructure and biodiversity by ensuring development proposals contribute to and enhance the natural environment, the protection of local assets and the provision of additional habitat resources for wildlife and green spaces for the community.
- 9.104 The outline planning permission is subject to a number of conditions, including in particular, condition 13 which relates to ecology and nature conservation considerations, requiring further ecological information, in the form of an EMEP to be submitted to and approved by the LPA.
- 9.105 In accordance with Condition 13 of the outline permission as part of this reserved matters application details have been submitted in the form of an Ecological Mitigation and Enhancement Plan by OHES Environmental Ltd dated 20.11.2018 and this is considered sufficient to progress this development. The report sets out the measures required to ensure mitigation and enhancement protocols are met on site.
- 9.106 Further details indicating the location of the proposed bat and bird features and the

management of the wildflower areas have been received and are considered acceptable by the Council's Ecology Officer.

The proposal would therefore comply with Policy 2(i)e, (ii)c, & (iii)e, and policy 6 of the CNP, and the guidance set out in the NPPF.

Conserving and enhancing the historic environment

- 9.107 The NPPF recognises the effect of an application on the significance of a heritage asset is a material planning consideration. Paragraph 193 states that there should be great weight given to the conservation of designated heritage assets; the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset, or development within its setting. Any harm or loss should require clear and convincing justification. Paragraph 189 extends this provision to non-designated heritage assets with an archaeological interest. Where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, paragraph 196 requires this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 9.108 Policy 2 of the CNP states, at criteria (i)b and (iii)b, that the design, layout and landscape scheme shall demonstrate that the proposals will sustain the significance of the Cheddington Manor House heritage asset and its setting.
- 9.109 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 is a position supported by the National Planning Policy Framework which promotes good design, responding to local character and reflecting the identity of local surroundings and materials.
- 9.110 In addition, legislation regarding buildings and areas of special architectural and historic interest is contained within the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66 of the Act seeks to preserve the setting of listed buildings. In addition, the NPPF highlights the desirability of sustaining and enhancing the significance of heritage assets including that of archaeological interest and AVDLP policy GP59 is also relevant and considered to be in conformity with the NPPF in this matter.
- 9.111 There is a grade II listed building 'Cheddington Manor' adjacent to the site; Cheddington Manor is described in its listing as a house dating back to the late 16th, early 17th Century altered and much repaired. It is a timber framed building with 18th and 20th Century brick infill, and an old tile roof. There are large 20th Century extensions to the northeast.
- 9.112 The Manor is set within a large curtilage, bounded by tree, hedge and shrub planting. The well-screened curtilage boundary is just over 100m from the boundary of area (1), 70m from area (2), and 85m from area (3). The land between the site and curtilage boundaries would remain open land in agricultural use. The setting of the listed building is already marked to some degree by built development of Cheddington, and in approving the outline consent at this site it was considered that having regard to the distance of the development from the listed building, the existing screening on the curtilage boundary, and the potential for planting to provide a "soft edge" to the development site, the proposal would not significantly compromise the spacious setting of the Manor.
- 9.113 Following the submission of this reserved matters application the Council's Heritage Officer requested additional information to describe the significance of the heritage assets affected

including the contribution made by their setting, and to demonstrate that the proposed new development will make a positive contribution to local character and distinctiveness. In response the applicant has submitted a Heritage Statement. The conclusion of the Heritage Statement states “It is accepted that this proposal...will affect the setting of the Grade II Listed Cheddington Manor. It will have a somewhat urbanising effect upon the setting when looking towards the west”. The Councils Heritage Officer concurs with this assessment and considers that whilst the impact of this development would amount to less than substantial harm to the setting of this designated heritage asset, no clear and convincing justification has been made by the applicant and Government guidance that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance. Hence amendments were sought to the proposed scheme for the western edge of the development to ensure that the verdant landscape setting of the listed building can be maintained.

- 9.114 Revised plans have been submitted by the applicants which detail increased soft landscaping along the western boundary of the site and, as discussed in the design section of this evaluation, it is considered that the revised scheme would have an acceptable impact upon the significance of the setting of the heritage asset since the proposal comprises appropriately scaled dwellings with traditional features and which would be constructed of high quality materials, also visual impact would be minimised by a well designed landscaping scheme which would enhance and reinforce the verdant character of the rural setting to the west. It is therefore considered that the design, layout and landscape of the revised scheme would accord with policy 2(i)b and (iii)b of the CNP.
- 9.115 Whilst the proposal would amount to less than substantial harm to the setting of the listed Manor, it is considered that the level of such harm would be at the lower end of less than substantial for the reasons set out above. Furthermore special regard has been had to the statutory test of preserving the setting of Listed Buildings under Section 66 of The Planning (Listed Building and Conservation Areas) Act 1990 which it is accepted is a higher duty. It has been concluded that less than substantial harm would arise. The harm which would be caused to the significance of the heritage asset as identified above must be weighed against the public benefits of the proposal in accordance with the guidance contained in the NPPF.
- 9.116 Policy GP59 of AVDLP requires regard to be had to the protection and enhancement of sites of archaeological importance. Conditions 21, 22, and 23 of the outline consent relate to archaeological issues and require an on site evaluation prior to the submission of the reserved matters application. The County Council Archaeological Officer has considered the details of the reserved matters and confirms that the nature of the proposed works is such that they are not likely to significantly harm the archaeological significance of any assets. On this basis, there are no adverse impacts on archaeological remains and the details of the reserved matters would comply with the guidance set out in the NPPF and Policy GP59 of the ADVLP.

Promoting healthy and safe communities

- 9.117 The NPPF seeks to achieve healthy, inclusive and safe places, promoting social interaction, safe and accessible development and support healthy life-styles. This should include the provision of sufficient choice of school places, access to high quality open spaces and opportunities for sport and recreation and the protection and enhancement of public rights of way, and designation of local spaces.
- 9.118 Policies GP.86-88 and GP.94 of the Local Plan seek to ensure that appropriate community facilities are provided arising from a proposal (e.g. school places, public open space, leisure facilities, etc.) and financial contributions would be required to meet the needs of the development.

- 9.119 Policy GP84 of the AVDLP states that in considering applications for development affecting a public right of way the Council will have regard to the convenience, amenity and public enjoyment of the route and the desirability of its retention or improvement for users, including people with disabilities. Planning conditions will be imposed on planning permissions, or planning obligations sought, to enhance public rights of way retained within development schemes.
- 9.120 Financial contributions towards appropriate education provision, sustainable transport and off-site sport and leisure projects were secured via a s106 agreement as part of the outline application.
- 9.121 The applicant has revised the details of the house types to respond to the comments raised by the CPDA: additional windows have been added, where required, to provide additional surveillance to both public and parking areas; exposed boundary walls will have a small trellis and planting to deter climbing; and all gates across the development will be robust 1.8m high with self closing hinges and key lock operational from both sides, and fixed level with the front face of the building
- The applicant originally proposed an equipped play area to be provided within an area of open space along the mid section of the western boundary of the site, however this has been removed from the most recent amended plans as there is no policy or S106 requirement to provide a LEAP on site and the Parish Council have requested that the secured s106 funding money be spent on updating the existing play area on The Green.
- 9.122 Pedestrian access is to be provided alongside the vehicular access routes as well as a further footpath and cycleway connection between the 3 sections of the development and in accordance with policy 2(ii)b of the CNP a footpath connection would be provided up to the eastern boundary where the site abuts Partridge Close.
- 9.123 This proposal would comply with policies 2, 4 and 6 of the CNP, policies GP84, GP86-88 and GP94 of the AVDLP, and the guidance set out in the NPPF.

Meeting the challenge of climate change and flooding

- 9.124 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.
- 9.125 Policy 2 (ii)d and (iii)h of the CNP states that any groundwater flooding is managed and mitigated by the layout and landscape design of the scheme and by the use of a sustainable urban drainage system.
- 9.126 Concerns were initially raised by the LLFA in relation to proposed drainage details and SuDS features, and the applicant has been in discussion with the County Council Flood Team. It is understood that infiltration is not feasible within the site as demonstrated within the Wardell Armstrong Drainage Technical Note which was supplied to the LLFA on the 13th December 2018.
- 9.127 Additional information has been submitted which now shows a series of SuDS components to manage surface water generated as a result of development. A large basin will provide the attenuation and water quality treatment benefits before a

restricted discharge into the ordinary watercourse North of Long Marston Road. There would also be smaller scale SuDS incorporated where possible with the site, including permeable paving for areas of the development which is less than 1:20; this will provide further water treatment benefits. Rain gardens have also been proposed for some of the houses as a communal feature, this will provide amenity and biodiversity benefits.

- 9.128 The development will include the construction of the attenuation basin and its outfall. The applicants confirm that they have a contractual obligation to ensure that the existing outfall culvert from the Long Marston Road ditch to its outfall north of the development is in good working order. A plan which details the route of the existing culvert, and detail of the repair works to be undertaken to that culvert has been provided to the LLFA in December 2018.
- 9.129 In light of the above, BCC as lead local flood authority are satisfied with the details submitted. It is considered that a suitable drainage scheme can be achieved and that the submitted details would satisfy condition 14 of the outline consent provided that the development is constructed in accordance with the revised information and this can be controlled by condition. Condition 15 of the outline consent requires the submission and approval of a lifetime SuDS maintenance plan and details of this are currently being considered under a separate discharge of condition application.
- 9.130 As such, it is considered that the proposal would be resilient to climate change and flooding in accordance with Policy 2 (ii)d and (iii)h of the CNP and the guidance set out in the NPPF.

Supporting high quality communications

- 9.131 Paragraph 114 of the NPPF requires LPA's to ensure that they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services.
- 9.132 Given the nature and location of the proposed development, it is considered unlikely for there to be any adverse interference upon any nearby broadcast and electronic communications services as a result of this development.
- 9.133 Policy 4 of the CNP sets out design principles for new development and states at criteria (iv) that development proposals will be supported provided they contribute towards the provision of infrastructure suitable to enable the delivery of high speed broadband services across the village; as a minimum, suitable ducting should be provided to the public highway that can accept fibre optic cabling; other forms of infrastructure, such as facilities supporting mobile broadband and WiFi, should be included where possible and viable.
- 9.134 In relation to the provision of communication infrastructure the developer has confirmed that they will be using Fibre Nest high speed broadband within the development and they have submitted details, which are considered acceptable.
- 9.135 It is therefore considered that the proposal would accord with Policy 4(iv) of the CNP and the guidance set out in the NPPF.

Impact on residential amenities

- 9.136 The NPPF at paragraph 127 sets out guiding principles for the operation of the planning system. One of the principles set out is that authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. AVDLP policy 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.

- 9.137 The site is bounded to the east and south east by Barkham Close and existing properties that back onto the site from Partridge Close and Mentmore Road. Discussions have taken place with the applicant regarding revisions to the scheme to improve the layout of the site and concerns had also been expressed by Officers regarding the length of some of the back gardens for the properties and the distances between properties and revisions have been received to address these matters. These revisions included amending the siting of a small number of the dwellings, replacing house types, and altering plot boundaries. The Council would normally seek a separation distance between dwellings of around 14m back to side and 20m back to back.
- 9.138 The proposed dwellings at plots 62-68 would face towards the northern boundary of the rear garden of no. 31 Mentmore Road. However, there would be a separation distance ranging from 15m to 20m between their proposed front elevations and the garden boundary of no. 31, the dwellings would also be separated by the proposed internal roadway. Plot 61 would be sited with its side elevation parallel to the existing side elevation of no. 31 Mentmore Road, the separation distance between these side elevations would be around 21m. This arrangement is acceptable such that there would be no loss of residential amenities to any of these dwellings.
- 9.139 Plots 33, 34 and 46 would side on to the north eastern boundary of site (2) and their plots would abut the rear boundaries of the existing dwellings fronting Mentmore Road (nos. 23-31) with a separation distance ranging from 2.7m to 7m. The rear gardens of the Mentmore Road properties are long (around 50m in length) as such this arrangement is acceptable and would not result in the proposed dwellings being overbearing.
- 9.140 Along the south eastern boundary of the site are (2) plots 27-33 would back onto the rear (and one side) gardens of the existing dwellings in Partridge Close. The relationship between these properties is consistent with the normally accepted relationships found elsewhere within the village, and there would be a separation distance of 11.5m between the rear elevations of the proposed dwellings and the boundary of the site, and a back to back distance of around 25m between the rear elevations of the existing dwellings and the proposed dwellings. As such it is considered that the proposed dwellings would not result in any adverse loss of light, privacy, or outlook.
- 9.141 The proposed dwellings at Plots 24-26, located adjacent to the southern boundary of site area (2), would be sited with their rear elevations located a minimum of 10.5m away from the northern side boundary of no. 11 Partridge Close. The separation distance between the dwellings and the orientation of the plots, is such it is considered that it would not have an adverse impact upon the neighbouring existing dwelling in terms of loss of light, privacy or character of outlook.
- 9.142 The rear garden boundaries of the existing dwellings 1-11 Partidge Close would be bounded by the proposed orchard and planting area and there would be no adverse impact upon the residential amenities of those dwellings.
- 9.143 In site 3, plots 1-10 would face towards the eastern boundary of the site and the western boundary the existing Barkham Close development. The separation distances between the front elevations of the proposed dwellings and the boundary of the site would range from 21m to 24m, with a proposed internal perimeter road and tree planting in between. The separation distance elevation to elevation between the proposed dwellings and the adjacent existing dwellings in Barkham close would range from 39m to 57m. This arrangement is acceptable and there would be no loss of residential amenity.

- 9.144 Internally within the development, plots 12, 14, 38, 55, 62, 72, 73, 75, 80 and 84 would be sited with their side/rear elevations facing towards, and in relatively close proximity of, the rear/side garden boundaries of their neighbouring plots. However, bearing in mind that there would be no openings/windows within these elevations and that the separation distances and orientation of the dwellings are such that they would not result in an overbearing impact or overshadowing, this arrangement is considered acceptable. In order to protect the future amenities of the neighbouring dwellings from any direct overlooking or loss of privacy as a result of the insertion of any new windows a condition could be imposed to restrict the insertion of any further openings in the relevant elevations of these plots. It is considered that there would be no adverse impact upon the residential amenities of the future occupants in terms of privacy or light.
- 9.145 The layout and design of the remaining proposed dwellings would ensure that the residential amenities of the future occupants would be respected and given the distance between the proposed dwellings and the nearest existing neighbouring dwelling it is considered that the development would not result in any adverse overlooking or loss of privacy.
- 9.146 Overall the proposed layout and distances between properties is considered to be acceptable and would provide a satisfactory level of residential amenity for the occupiers of the existing neighbouring dwellings and the future occupiers of the proposed dwellings.
- 9.147 The future occupants of the proposed dwellings would have access to adequate private amenity spaces and within the development residents would have access to useable areas of open space, including the provision of a informal woodland play space, footpaths, and a cycleway.
- 9.148 The proposed play area located to the west of the site would be more than 20m away from the nearest residential dwelling. The tighter 10m minimum buffer distance from residential boundaries, was requested by the Council's Green Spaces Officer, however this is not stated in the most recent Fields in Trust guidance and therefore is no longer considered to be a required criteria.
- 9.149 On this basis it is considered that adequate regard has been had to residential amenities such that the proposal would accord with policy GP8 of the AVDLP and the guidance set out in the NPPF.

s106/Developer contributions

- 9.150 A detailed S106 agreement was agreed and completed as part of the outline permission for this site and applies to this reserved matters application. The agreed obligations relate to financial contributions towards education provision, sustainable transport and off-site sport and leisure provision. This is a reserved matters application and it is not considered appropriate to revisit the S106 agreement at this reserved matters stage.

c) Other matters

Reps:

- **maintenance of green spaces by PC v management company- S106 provisions**

The Third Schedule of the agreed s106 at point 1.2(i) and (ii) requires the developer to inform the Council of their intentions with regard to the open space land, the applicants have confirmed that the land will not be offered to the Parish Council and that it will be maintained by way of a management company. It is understood that the Parish Council have been made aware of this and have been sent details of what the management company will be responsible for.

- **adoption of roads**

The revised plan shows the carriageway to be 5.5m wide, however there are several areas where the carriageway narrows over a short distance to 4.5m 'to control traffic speed'. The Highways Officer notes that if the applicant were to offer the site for adoption in the future these areas may need to be amended to provide a full width carriageway, or a more restrictive physical narrowing, however this could be easily accommodated should that need arise.

- **lower % affordable in VALP**

Whilst it is noted that the emerging VALP is set to adopt a requirement of 25% affordable housing, the S106 approved at the outline stage for this site includes an obligation to provide affordable housing at a level of no less than 35% and this is in accordance with the requirement set out in Policy 2 of the CNP, which has full weight as part of the development plan. The developers are therefore required to provide this level of affordable provision and the most recent revised housing layout plan demonstrates that the proposed dwellings would make effective use of the site and would not appear out of keeping with the character and spacing of the existing surrounding dwellings. As set out above, the proposed housing mix would generally comply with the aims of the HEDNA, and it is considered that the proposed dwellings would not appear overly cramped or clustered.

Case Officer: Mrs Nina Hewitt-Jones

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