



REFERENCE NO	PARISH/WARD	DATE RECEIVED
16/04085/APP	Wingrave with Rowsham Adj. CA/SLB	22/11/2016
Development of 32 residential dwellings with associated access, parking, and landscaping Land Off, Twelve Leys,	The Local Member for this area is: - Councillor Peter Cooper	
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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.**
- b) Whether the proposal would constitute a sustainable form of development:**
 - Building a strong competitive economy
 - Delivering a sufficient supply of homes
 - Promoting sustainable transport
 - Conserving and enhancing the natural environment
 - Promoting healthy and safe communities
 - Making effective use of land
 - Achieving well designed places
 - Conserving and enhancing the historic environment
 - Meeting the challenge of climate change and flooding
 - Supporting high quality communications
- c) Impact on existing residential amenity**
- d) S106/Developer contributions**

The recommendation is that permission be **DEFERRED AND DELEGATED** to officers for approval following the completion of a S106 Agreement to secure affordable housing, financial contributions towards off site sport and recreation facilities highway improvements and education. Any permission to be subject to such conditions as are considered appropriate; or if a S106 Agreement is not satisfactorily agreed, for the application to be refused by officers for reasons as considered appropriate.

2.0 Conclusion

- 2.1 The application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the objectives of the NPPF and whether the proposals deliver 'sustainable development'. Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development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.
- 2.2 It is accepted that the development would make a contribution to the housing land supply which is a significant benefit to be attributed moderate weight in the planning balance as it is tempered to reflect the scale of development that is proposed proportionate to the size of the village. 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 to which limited positive weight should be attached. These benefits however need to be weighed against any harmful aspects arising from the development.
- 2.3 Furthermore, less than substantial harm has been identified to the setting of Listed Building Nup End Farmhouse and the conservation area. Special regard has been given 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 is accepted is a higher duty.. In accordance with paragraph 196 of the NPPF where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm at the lower end of the spectrum should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 2.4 Following paragraph 196 of the NPPF, the benefits and adverse impacts are carefully weighed in the planning balance and it is considered that the public benefits of the scheme set out above do outweigh the less than substantial harm, at the lower end of the spectrum, to the setting of this property and the conservation area (when considered with the considerable importance and weight to be attached to such harm). As such there would not be a conflict with the NPPF. In terms of archaeology, it is not considered that the development of the site would not have significant archaeological implications and no further investigations are required. As such there would not be a conflict with the WwRNP policy 2, NPPF or AVDLP policies..
- 2.5 Compliance with the other planning objectives of the NPPF have been demonstrated in terms of making effective use of land, the achievement of well designed places, residential amenities; trees and hedges and sustainable transport and highways impact, biodiversity, flood risk and promoting healthy communities. These matters do not represent benefits to the wider area, but rather demonstrate an absence of harm.
- 2.6 Officers consider that the development proposal would accord with the WwRNP, AVDLP policies and the guidance set out in the NPPF and there are no material considerations that would indicate a decision otherwise. It is considered that the

proposal would represent a sustainable form of development that is supported by policies, such that, officers recommend that the **APPROVAL** of this application should be **DEFERRED AND DELEGATED** subject to the completion of a S106 Agreement to secure 35% affordable housing on site, contributions towards off-site sport/leisure, highway improvements and education and provision and subject to conditions as considered appropriate by Officers, or if these are not achieved for the application to be refused.

3.0 WORKING WITH THE APPLICANT/AGENT

3.1 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.

3.2 In this case, the scale of the houses were reduced in height in order to minimise the landscape setting, the layout was amended in order to reduce the impact of the development on the adjoining neighbouring properties inclusive of the setting of the Grade II Listed Building. The applicant was also encouraged to provide additional SuDS and highways information in order to over objections raised by statutory consultees.

4.0 INTRODUCTION

4.1 Cllr Peter Cooper has requested that this application be considered by Committee to consider the foul drainage system. Responses have been received from Wingrave with Rowsham Parish Council objecting to the development on several grounds, they have not however advised that they wish to speak at committee.

5.0 SITE LOCATION AND DESCRIPTION

5.1 The application site is located to the south west of Twelve Leys and would be accessed from the southern side of Twelve Leys, adjacent to 'Nan Aires' and 'Little Mollards', which are both cul-de-sacs, all of which are accessed from Winslow Road to the north. Nup End Lane runs parallel along the sites southern rear boundary.

5.2 The site is comprised of agricultural land, situated on the western edge of the Wingrave settlement. The site has an area of approximately 1.62 hectares. . To the north of the site Twelve Leys adjoins Winslow Road at a simple priority junction. Winslow Road is a C class road subject to a 30mph speed limit, also with street lighting and footways along both edges of the carriageway.

5.3 The site is bounded to the east by residential dwellings within Twelve Leys, Stookslade and Nup End Lane. Nup End Farmhouse adjoins the site to the south-eastern boundary

which also is a Grade II Listed Building originally built in 1588, beyond which there is greenfield land. To the south west of the site is adjoined by a single large residential dwelling known as 'Chiltern Place', immediately to the north of the site is adjoined by the property known as 'no.39 Twelve Leys' and field.

- 5.4 A footpath and public right of way runs directly through the site (south/east to north) and along the sites southern boundary.
- 5.5 Hope End Farm a Grade II listed building lies to the south east. The site is also an Archaeological Notification Area. A small parcel of designated Conservation Area is located to the west of the site to the west of Winslow Road.

6.0 PROPOSAL

- 6.1 The development proposal seeks full planning permission for a total of 32 residential dwellings, with access from Twelve Leys. This would consist of 17 detached dwellings, six pairs of semi-detached dwellings (twelve properties) and a terrace of three dwellings comprising a mix of 1-5 bedrooms. The proposed dwellings would all be two stories in height, with some attached garages together with off street parking spaces.
- 6.2 The existing footpath is to be retained in the location of the existing footpath (footpath WIG/11/1) a pedestrian only access is to be provided at Nup End Road (to the south of the site), which is also to be improved by a replacement 2m wide all weather resurfacing. The existing stile located at the access with Nup End Road is to be removed in order to provide a mobility inclusive pedestrian link between Twelve Leys and Nup End Road.
- 6.3 The south eastern corner of the site, to the west of the property known as 'Nup End Barn', is to contain a underground pumping station, other than a 1.5m tall by 75mm wide kiosk, the four other chambers (intel manhole, wet well, valve chamber) will be buried and not visible from above ground. The pumping station is to have a width of 8m with a depth of 12m and is to be defined by a hornbeam hedge around the parcel of land.

7.0 RELEVANT PLANNING HISTORY

- 7.1 The site has no relevant planning history

8.0 PARISH/TOWN COUNCIL COMMENTS

- 8.1 **Wingrave with Rowsham Parish Council** – Oppose the application raising the persistent problems that local residents have experienced with the existing drainage system in particular foul drainage, and construction hours of working, heavy vehicles avoiding school hours, no access from Nup End Lane and visibility at the access. The full comments are appended to this report.

9.0 CONSULTATION RESPONSES

- 9.1 **BCC as the Lead Local Flood Authority:** No objection raised, subject to the imposition of conditions.
- 9.2 **BCC Highways:** No outstanding objection remain.

- 9.3 **BCC Archaeology:** No objection to the proposed development and do not consider it necessary to apply a condition to safeguard archaeological interest.
- 9.4 **BCC Education–** Have confirmed that they would require a financial contribution to provide additional secondary school facilities arising from the development.
- 9.5 **Thames Water:** Have advised that with regard to sewerage infrastructure capacity, they would not have any objection to the application.
- 9.6 **Environment Agency:** This application is for development that they do not wish to be consulted on.
- 9.7 **AVDC Ecology:** satisfied the measures contained in this report fully address the ecological enhancement aspects of the development ensuring this adheres to the biodiversity net gain policy set out in NPPF 2018.
- 9.8 **Environmental Health:** No Environmental Health comments to make on this application
- 9.9 **BCC Strategic Access Officer:** No objection raised
- 9.10 **Recycling and Waste:** No objection raised
- 9.11 **Crime Prevention Design Advisor:** Does not wish to object to the planning application however there are improvements that could be made to the design to reduce the risk of crime and antisocial behaviour. Using the principles of CPTED (Crime prevention through environmental design) there is the potential to design out crime from the outset safeguarding its future residents, the community and the development as a whole. The development has a lack of defensive space as there are a number of accessible side elevations to dwellings and boundary treatments. Further secure measures could be incorporated to several of the plots in order to secure rear garden access. These measures should be taken on board by the applicant in order to further reduce the risk of crime and anti-social behaviour.

10.0 REPRESENTATIONS

- 10.1 The application was the subject of site and press publicity. Amended plans publicity expires on 10 December 2019 and any additional responses will be reported at the meeting.
- 10.2 74 letters of representation were received as of 5th December 2019. The issues raised were as follows:
- Local residents and school children currently experience problems negotiating traffic, parked cars and access to individual private driveways.

- The additional dwellings proposed as part of this development will eventually lead to an increase in vehicles belonging to residents along Twelve Leys, in addition to the additional vehicles using the road to get to the new properties.
- Existing residents have experienced numerous issues relating to drainage and sewage, Thames Water and a water plumbing company have been used to try and control the persistent problems.
- The existing sewer has for many years caused significant inconvenience to residents off Twelve Ley and Nup End Lane due to foul drainage blockages. The addition of these dwellings to a failing drainage system is unacceptable.
- Nup End regularly blocks up which has occurred several times within the past few years, the gases that are let off are a health hazard and the blocking of the lane is anti-social and dangerous.
- The nature of the foul drainage system relates to frequent blocking, foul sewage overflows, foul smells.
- The development site should provide a dedicated foul drainage sewer direct to the sewerage treatment works. This would provide certainty to the new development and not increase what is already an unacceptable foul drainage problem.
- Thames Water need to link up to the sewage farm a short distance away. The present foul water system is already causing problems.
- Any further development in the village and on this site must take account of proper foul and surface provision and the health and safety of current and future residents.
- The adjacent roads have nowhere for the site to naturally drain.
- The site field has a public footpath running through it and the proposals from CALA Homes completely ruins what is currently a safe pedestrian only area that would become an access road for the new properties.
- The height of some of the properties at three/ two and a half stories is not in keeping with the character of the area and is over bearing in scale.
- The development would not include any onsite amenity provisions such a playground
- Lack of local amenities and infrastructure to accommodate more housing i.e, doctors surgeries and school places
- Highways safety concerns
- Impact of the development on ecology and natural habitats

- Concerns over the impact of the development on the foundations of existing dwellings
- Additional noise and disturbance that new houses will bring
- Additional pollution
- The amount of the proposed houses on the site would constitute an overdevelopment of the site
- Adverse impact on existing properties
- Loss of privacy as a result of the presence of the proposed new dwellings
- Impact on security
- Impact of the development on existing views from local residents
- Disturbance during the development phase associated with the implementation of the development.

10.3 Cllr Peter Cooper as Local Member made the following comments:

"I am concerned that the problems associated with the foul drains in this part of Wingrave are being ignored by the applicant and that neighbouring properties and the new Cala homes will suffer long term drainage issues unless an improved system design is employed.

The whole system from Twelve Leys, Winslow Road, Pages Lane and Nupp End appears sub standard in as much as it does not provide a reliable service. The addition of housing at Nan Aires in the 70,s exacerbated the problems and there has never been a completely satisfactory solution since. Other areas such as Abbots Way have also suffered overflows resulting from blockages in Twelve Leys.

The Thames Water sewage system serving these locations has been kept running by a series of emergency measures involving regular pump outs etc, but a permanent solution appears to have been consistently side-stepped.

In order to add 31 further houses to the system I believe that two measures must be considered.

Firstly the existing system needs a full camera survey to establish that the pipes are in good condition with proper free flowing unhindered falls and bends, running all the way to the sewer plant at the end of Castle Street. The system also needs to be assessed for pipe size and capacity v existing/future flow rates. All sub-standard parts of the system need an urgent upgrade. This system should only be considered suitable for use by Cala if they and Thames Water can give an absolute guarantee, with technical proof, that upgrades will cope with existing and future demands.

Alternatively, a new direct sewer link from the Cala site to the Castle Street sewer plant should be considered to avoid further load on the existing system and to guarantee a service for the new development. Bearing in mind the long term problems of the existing system, provision of a new direct link must be the preferred option.

Until an improved foul drainage system is submitted I can not support this application and must therefore give notice that I wish that it be called in to committee for full consideration.

It would be helpful if a full plan of the foul sewer runs for Wingrave could be made available in the committee papers. This should also be available for projection at the committee hearing”.

11 EVALUATION

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

The overview report attached sets out the background information to the policy framework when making a decision on this application.

Neighbourhood Plan

11.1 There is currently a Neighbourhood Plan for The Wingrave with Rowsham (WwRNP). The Wingrave with Rowsham Modification Plan 2013-2033 has now been Made by AVDC pursuant to Regulation 14 of Schedule A2 of the Planning and Compulsory Purchase Act 2004 (as amended). The Plan forms part of the statutory Development Plan and contains a number of policies which are relevant to the determination of this application.

11.2 Policy 1 Spatial Plan states:
The Neighbourhood Plan designates a Wingrave Settlement Boundary, as shown on the Policies Map within which proposals for new housing development will be supported. Rowsham will remain a hamlet in the open countryside without a defined settlement boundary where new infill housing will be supported subject to other policies in this Plan. Apart from infill housing in Rowsham development proposals on land outside the defined settlement boundary at Wingrave will not be supported in the countryside unless it is necessary for the purposes of agriculture or forestry, or for enterprise, diversification, recreation or tourism that benefits the rural economy without harming countryside interests. New isolated homes in the countryside will not be supported except in special circumstances described in paragraph 55 of the Framework. The policy includes provision for identification of additional or reserve site housing development land that could be developed should the sites allocated in Policies 2, 3 and 4 not deliver a sufficient number of dwellings to meet updated assessment of housing need. The neighbourhood plan will be reviewed in line with VALP Draft Plan Policy securing development through neighbourhood plans (or its successor/replacement) to find a suitable additional / reserve site within a year of the adoption of VALP.

11.3 Policy 2 Land South of Twelve Leys which states the following:

The Neighbourhood Plan allocates 1.62 Ha of land north of Nup End Lane, Wingrave, as shown on the Policies Map, for housing development of approximately 30 dwellings.

Development proposals will be supported, provided they accord with the following principles:

- i. 35% of the total homes provided on site shall be affordable homes located throughout the scheme, unless it can be demonstrated that a smaller percentage is required to deliver a viable scheme;*

- ii. *The emphasis of open market and affordable dwelling types should be on providing homes suited to newly formed households and to older households;*
- iii. *The vehicular access to the site shall be off Twelve Leys only; iv. The built form shall include a frontage to Twelve Leys, which may include access to driveways;*
- iv. *The built form shall include a frontage to Nup End Lane but shall not include any access to driveways;*
- v. *Parking shall be integrated with the open space and buildings to create a safe and attractive pedestrian environment and to avoid parking problems on local roads;*
- vi. *The site layout shall consider views, and protect privacy and amenity of existing dwellings and back gardens;*
- vii. *The detailed design of the scheme should make provision for any bat habitats on the site; and*
- viii. *The layout and landscape shall provide public open space within the site that contributes to the achievement of the Aylesbury Vale Green Infrastructure Strategy and specifically:*
 - a. *Sustains and enhances the significance of the adjoining building at Nup End Farm and its setting providing a buffer between buildings and the asset;*
 - b. *Preserves the public right of way across the site on its existing alignment;*
 - c. *Retains trees on the site boundaries; and*
 - d. *Creates an attractive setting and amenity for the development.*

11.4 Policy 5 Design states:

The scale, massing, layout and design of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings and the topography and setting of the site to be developed. The layout and plot coverage will provide open views and glimpses from within the village to the countryside. It will seek to avoid closing in development. Facing materials and finishes must be in keeping with those used in neighbouring properties and should, where appropriate, include reclaimed vernacular materials. External lighting should not be visually intrusive nor create adverse light pollution.

11.5 *Aylesbury Vale District Local Plan (AVDLP)*

11.6 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 date for the reasons given. As these are related to infill and rounding off of a settlement they are not regarded as relevant in this instance.

11.7 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, GP4, GP8, GP24, GP35, GP38 GP39, GP40, GP45, GP53, GP59, GP84, GP87, GP88, GP91, AY21 and RA8. They all seek to ensure that development meets the three objectives of sustainable development and are otherwise consistent with the NPPF.

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

11.9 The overview report sets out the current position with regards to the VALP which is appended to this report.

11.10 A number of policies within the VALP following the main modification consultation which started on the 5th November 2019, is now afforded some weight in the decision making process. Consideration therefore needs to be given to whether the proposal is in accordance with or contrary to these policies. Those of particular relevance are H1 affordable housing, H6 housing mix, T6 vehicle parking, BE2 Design of new development, BE3 protection of amenity of residents, NE1 Biodiversity and Geodiversity, NE4 Landscape Character and Locally Important Landscape, NE7 Best and Most Versatile Agricultural Land, NE8 Trees, Hedgerows and Woodlands, C4 Protection of Public Rights of Way, I2 sports and recreation, and I4 flooding. Policy BE3 has been the subject of objections and the Inspector has not requested main modifications so these can be regarded as resolved and this policy can be given considerable weight. The remainder of these policies have been the subject of objections and the Inspector requested main modifications and confirmed that he is satisfied they remedy the objection, so these can be given moderate weight.

11.11 **b) *Whether the proposal would constitute a sustainable form of development***
Sustainable Location

11.12 The Government's view of what "sustainable development" means in practice is to be found in paragraphs 7 to 211 of the NPPF. Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. -.

11.13 It is acknowledged that the NPPF promotes sustainable development and encourages consolidation of smaller rural settlements where it will enhance or maintain the vitality of rural communities. In terms of its broader location, Wingrave is identified in AVDLP as an Appendix 4 settlement implying that this is considered to be appropriate to allow small-scale development within the settlement.

11.14 Within the Settlement Hierarchy Assessment (September 2017) which forms part of the supporting evidence for VALP, Wingrave is characterised as being a larger Village. With a population of approximately 1389 residents, Wingrave has been identified as having 8 out of the 10 key criteria (within 4 miles of a service centre, employment of 20 units or more, food store, pub, post office, GP, village hall, recreation facilities, primary school, hourly or more bus service and train station) met. Larger, more sustainable villages that have at least a reasonable access to facilities and services and public transport, making them sustainable locations for development.

11.15 This sites lies within the WwRNP designated settlement boundary and is allocated for residential development of approximately 30 dwellings under policies 1 & 2 of the WwRNP. The principle of development on this site would therefore accord with this criteria, and the other factors for consideration would also need to be considered.

11.16 It is considered that the site is in a sustainable location to accommodate new development close to facilities and the principle would accord with WwRNP policies. The emerging VALP policies do not change this position. The following sections will set out whether the proposal can be considered as sustainable development in regard to all other aspects.

11.17 Build a strong competitive economy

11.18 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.

11.19 It is considered that there would be economic benefits in terms of the construction of the development itself, its operation and the resultant increase in population contributing to the local economy which would represent a significant benefit.

11.20 Delivering a sufficient supply of homes

11.21 The overview report sets out the 5 year housing land position. Based on the findings of the HEDNA, the housing land supply document shows Aylesbury Vale District Council to have a 5.64 year supply.

11.22 Policy 2 of the WwRNP criteria i. requires 35% of all dwellings to be affordable units (integrated throughout the development) unless it can be demonstrated that a smaller percentage is required to deliver a viable scheme; criteria ii. requires open market and affordable dwelling types to emphasize provision of homes suited to newly formed households and to older households. This takes precedent over AVDLP policy GP2 and would be consistent with the proposed modifications in VALP policy H1.

11.23 With regards to the contribution that the development would make to housing supply, it is considered that this would be significant and that this matter should be afforded moderate positive weight given the scale of the development proposed.

11.24 A range of dwelling types has been provided following amendments. The proposal includes 35% affordable housing units (10) The applicant has supplied an affordable housing plan to include the tenure, sizes and mix of affordable units that will be supplied to accord with this criteria. The applicant has agreed to enter into a s106 to secure the provision of the affordable housing on site.

11.25 *Housing mix*

11.26 The Council would ask for a tenure mix of 75% affordable rent and 25% shared ownership to be split across the different unit sizes with at least 50% of the shared ownership dwellings being 2 bedroom houses. The Council's Affordable Housing Officer has advised that the units should be reflective of the overall housing mix whilst also taking into account the local needs of the District where there is currently a greater need for 2 bed 4 person and 3 bed 5 and 6 person houses, slightly less for 1 bed 2 person and 4 bed 7 to 8 person houses. These matters would be secured as part of the S106 and on this basis the development would accord with the Development Plan policy and the NPPF in this regard.

11.27 There is no reason that the site could not be delivered within the next five year period making a contribution to housing land supply, including a contribution to affordable housing, which would both represent a significant public benefit.

Market Housing	Number	Percentage	HEDNA %
1 x bed flat			3.6%
2 bed flat			3.5%
1 bed house			0%
2 bed house	1	4.7	12.8%
3 bed house	11	52	52%
4 bed house	7	33.3	21.1%
5 bed house	2	9.5	6.9%
Total	21		

Affordable Housing	Number	Percentage	HEDNA %
1 x bed flat	2	18	8.6%
2 bed flat			6%
1 bed house			0%
2 bed house	4	36	36.4%
3 bed house	4	36	39.1%
4 bed house	1	9	9.8%
5 bed house			
Total	11		

11.28 The proposed mix has been amended to better reflect the requirements of policy 2. The applicant has advised that it was necessary to marginally increase the quantum of development in order to facilitate the mix adjustment, reducing the number of larger units and added some smaller units. The applicant has stated that they consider that the proposed quantum of 32 residential units is compliant with the Neighbourhood Plan Policy 2 which states that the site should be developed for 'approximately 30 dwellings', with flexibility of the policy provided by the use of the word 'approximately'. Officers consider that whilst the proposal is for 32 this would be a reasonable interpretation of the policy and that the development proposal would provide an appropriate mix of housing types.

11.29 There is no reason that the site could not be delivered within the next five year period making a contribution to housing land supply, including a contribution to affordable housing, which would both represent a moderate public benefit. As such, it is

considered that the proposal would accord with policy 2 of the WwRNP and the guidance set out in the NPPF.

11.30 Promoting sustainable transport

11.31 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.

11.32 Sustainable access and Traffic Generation

11.33 Policy 2 of the WwRNP requires access to be from Twelve Leys only, which is provided in this proposal. The 32 dwellings within the development site are to be accessed and served by a new access from the existing carriageway at Twelve Leys. Twelve Leys is an unclassified road subject to a 30mph speed limit, with footways along both edges of the carriageway, which provide wider pedestrian access to Wingrave. To the north of the site Twelve Leys adjoins Winslow Road at a simple priority junction. Winslow Road is a C class road subject to a 30mph speed limit.

11.34 The application has been accompanied by a Transport Statement (April 2019) which seeks to address the impact that the vehicle movements associated with the development proposal would have on the local highway network. The TS states that the proposed development would generate approximately 17 vehicle movements in the AM Peak (8am-9am) and approximately 18 movements in the PM peak (5pm-6pm). BCC have confirmed that they are satisfied that the figures provided by the applicant are broadly representative of a residential of this quantum in this location.

11.35 BCC Highways have advised that given the speed limit along Winslow Road, visibility splays of 43 metres are required either side of the Twelve Leys junction, measured from a point 2.4 metres back along the centre line of the access to the nearside kerb.

11.36 BCC Highways have advised that this level of visibility cannot be achieved to the west of the site. The TS includes a further drawing which demonstrates the level of visibility achievable, and states that only 36m can be achieved to the edge of the nearside kerb, however 43m could be achieved when the splay is measured to 1 m from the edge of the carriageway.

11.37 The TS also includes the results of a speed survey undertaken on Winslow Road. This speed survey demonstrates that during the period between 13th and 19th April vehicles were travelling past the Twelve Leys junction at 32mph eastbound and 32mph westbound. These speeds relate to visibility splays of 47m in both directions, BCC Highways have advised that given that the site is located within a 30mph zone, they are

unable to request a greater level of visibility than the 43m prescribed within the national guidance 'Manual for Streets'.

- 11.38 BCC Highways advised that they would have liked to have seen the full 43m visibility splay provided to the edge of the nearside kerb, however they must also take into account the exact level of shortfall in visibility, and the number of existing movements taking place through the junction. In this particular case the BCC do not believe that they would be in a position to sustain an objection to the development proposal and defend any such decision at any subsequent appeal, this is given that the full visibility splay of 43m can be achieved when measured 1m into the carriageway.
- 11.39 In addition to this, BCC Highways have stated that they do not believe that they would be able to demonstrate that this development proposal would result in a material intensification in vehicle movements through this junction, given that the junction is already serving circa 60 existing dwellings and a school with no established accident history.
- 11.40 With regards to the level of visibility from the proposed access onto Twelve Leys itself, the TS states that visibility splays in line with vehicle speeds of 25mph can be achieved. BCC Highways have confirmed that they are satisfied that vehicles would be highly unlikely to be travelling at speeds greater than 25mph, therefore the level of visibility shown has been accepted.
- 11.41 Drawing no. SP01 Rev J, shows the carriageway as 5.5m for the initial section, this carriageway then narrows to 4.8m for the remainder. There are footways shown throughout the majority of site which link to the existing footway provision along Twelve Leys. These footways are shown as 2m wide and BCC Highways have advised that this would be acceptable to serve the pedestrian movements associated with the development. The section of carriageway at the rear of the site does not benefit from a footway, however, BCC Highways have advised that they believe that this would be acceptable given the character of this area and the short distance proposed.
- 11.42 In transport terms, Officer's believe that the site is relatively sustainable with footway links to Winslow Road, and further links to bus stops to the west of the site. Buckinghamshire County Council's Passenger Transport team have identified the need for improvements to the hardstanding at these bus stops (potentially including a raised kerb on the westbound bus stop) to make the use of the bus safer and more attractive to all users. Should permission be granted County Highways would seek a financial contribution to be used towards these improvements.
- 11.43 BCC Highways have requested that should this current application receive planning permission, the applicant would be obliged to provide a contribution towards a traffic calming study in an attempt to identify measures to reduce vehicle speeds throughout Wingrave, including along Winslow Road.

Rights of way

- 11.44 Following consultation with the Strategic Access Officer, it was requested that a bitumen surface throughout the development be provided along Footpath WIN/11/1 to facilitate pedestrian access, together with removal of the kissing gate at roadside to allow use for pushchairs and mobility scooters, and a condition was recommended.

11.45 Alignment issues were also highlighted whereby Footpath WIN/11/1 did not precisely match the detailed layout of the development and an example was included at Plot 31 (now Plot 32), but also worth noting is the slight dog-leg towards the southern end on the definitive map, which means the footpath seems to pass through the area allocated for the pumping station. These can be secured by condition.

11.46 Parking

11.47 Policy 2 of the WwRNP requires parking to be integrated with the open space and buildings to create a safe and attractive pedestrian environment and to avoid parking problems on local roads. Policy GP24 of the AVDLP which sets out that new development should accord with published parking guidelines in the SPG1 "Parking Guidelines". The parking provision is in a mix of on plot parking in garages, driveways and parking court areas fronting the access road. These are considered to accord with the NP policy and AVDLP requirements..

11.48 Transport conclusions

11.49 On this basis, the proposal would comply with Policy 2iii, and vi of the WwRNP and GP24 of the AVDLP and maintaining highway safety with a safe access and egress being achieved attracts neutral weight in the planning balance. Therefore the proposal is considered to accord with GP24 of AVDLP and NPPF and the Council's SPG Parking Guidelines.

11.50 Conserving and enhancing the natural environment

11.51 Landscape

11.52 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 and recognise the intrinsic character and beauty of the 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.

11.53 Policy 2 ix of the WwRNP states that the layout and landscape shall provide public open space within the site that contributes to the achievement of the Aylesbury Vale Green Infrastructure Strategy and specifically. The site layout plan demonstrates that the provision of 32 dwellings on this site can be delivered without causing undue harm to the open character of the land.

11.54 AVDLP Policy GP.35 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. Policy GP.38 states that development schemes should include landscaping proposals designed

to help buildings fit in with and complement their surroundings, and conserve existing natural and other features of value as far as possible. Policy GP.84 states that 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. The following sections of the report consider the proposal in terms of impact on rights of way, landscape, agricultural land, trees and hedgerows and biodiversity and contamination.

- 11.55 The site is located to the south western edge of the village and comprises a rectangular field parcel adjacent to a pattern of fields that surround Wingrave and is open in the landscape, with residential to the north-east and east. The Aylesbury Vale Landscape Character Assessment identifies that the site is located within the Wingrave Mentmore Ridge. This ridge is shallow and extends south from the plateau landscape to the north and is defined by the Vale landscape to the south. The ridge is also defined to the north by a wide local valley which runs to the north of Wingrave. The village of Wingrave sits on the ridge. The assessment identifies the quality of this landscape area as 'very good' and its landscape sensitivity as 'moderate'. The site is also located within the designated Quainton-Wing Hills Area of Attractive Landscape (AAL) which is considered to have special landscape character worthy of protection. Policy RA8 requires that development proposals in these areas should respect their landscape character and that development that adversely affects this character will not be permitted, unless appropriate mitigation measures can be secured. This position is supported by the NPPF which seeks to protect and enhanced valued landscapes.
- 11.56 The proposed development would comprise the development of a Greenfield site and therefore it is inevitable that the proposed development would have a significant impact upon the character and appearance of the site itself and inevitably result in some harm to the landscape character of the site itself and its immediate locality. The accompanying Design Statement demonstrates that due regard has been given to these factors, by asserting that the site layout has been developed taking into consideration natural and built constraints within the site and surrounding perimeter to provide a mid-density, mixed tenure scheme that respects its surroundings..... density has been concentrated towards the middle of the site, away from residential development on the site's northern and eastern edges and existing natural screening and landscape features have been retained as far as practicable to provide transition between the site and the countryside..".
- 11.57 Having regard to the visual impact within the immediate locality, the development of the site will be viewed from within Twelve Leys and from the gardens of dwellings abutting the site and will have limited impact on the wider locality. There is a public rights of way that runs through the site and along the southern boundary and the impact is assessed later in this report. The introduction of buildings into the surrounding landscape will impact on the rural edge of Wingrave, however, it is apparent that the development has been designed to locate the buildings away from the external perimeters of the site which would limit the visual impact of the proposed development in the wider public realm. Whilst there would inevitably be harm to landscape character from the development of a greenfield site, intruding into the landscape it is considered to be localised in this instance for the reasons outlined above.
- 11.58 It is acknowledged that whilst there would be some harm to the wider and more local landscape, these impacts could not be considered to be significant. The site has been

allocated for housing as it has been considered potentially acceptable to accommodate a residential development of this scale.

11.59 On this basis it is considered that the development would accord with the Development Plan comprising the Wingrave Neighbourhood Plan policies 1 and 2 and GP35 of the AVDLP and with the NPPF in terms of the impact on the landscape.

11.60 *Agricultural land*

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

11.62 The site comprises a grassland field and pony paddocks, whilst the site is not in intensive agricultural use at present (other than occasional grazing), it is nevertheless undeveloped at present and therefore readily capable of being put to such use at any time. An Agricultural Quality Assessment has been submitted with the application, advised the land does fall within Grade 3b, (Best and Most Versatile is Grade 1 – 3a). Given that the site comprises only 1.62ha of land and is allocated for development in the WwRNP Officer's acknowledge that local residents and school children currently experience problems negotiating traffic, parked cars and access to individual private driveways.

Trees and hedgerows

11.63 Policy 2 of the WwRNP seeks to retain trees on the site boundary (criteria ix- b). Policies GP39 and GP40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value.

11.64 Trees, hedgerows and other vegetation are an important element of both urban and rural environments. The application site does not contain any protected trees. An existing tree to the immediate north of the proposed new primary site access which is said to cause a hazard to existing pedestrians using the footway due to its trunk and canopy overhanging the footway, will be removed. A small number of other trees will also be removed from the site. According to the Arboricultural report one of these trees would be removed irrespective of the site layout, due to the trees 'poor physiological and structural condition. Two further groups of trees are also proposed to be removed which are of low arboricultural quality and have limited useful remaining life expectancy. The site contains three large trees within the eastern corner of the site which would be retained as these are outside of the application site. The final tree that is to be removed is deemed to be a good quality specimen. The arb report states that the removal of these trees will have a negligible impact on the wider community due to their limited visibility to the public realm.

11.65 The mature trees along the sites south eastern and southern corners are also outside of the site's red-line area. The accompanying tree plans indicated that plots 5 to 28 would be outside of the root protection areas of these trees.

11.66 The development proposal would maintain the majority of the existing trees along the sites boundaries, which will also provide a natural visual screen of the resultant

development from public vantage points and far reaching views from the wider countryside.

- 11.67 The submitted Site Layout Plan also provides for additional tree planting that would further screen the development from wider vantage points whilst also softening the presence of the development on existing adjoining neighbouring properties. The detailed tree planting schedule, species and size of trees will be secured by condition.
- 11.68 The application has been supported by an arboricultural impact assessment (Lockhart Garratt November 2016) and a tree survey, however the topographical survey indicates that there is very minimum tree loss on site with the loss of fruit trees to the east and a maple in the south western corner which are not of high quality.
- 11.69 Officers, therefore do not consider the proposal would have any adverse impact on trees or hedgerows in accordance with WwRNP policy 2, ix c, GP39 and GP40 and relevant NPPF advice and this factor should therefore be afforded neutral weight in the planning balance.

11.70 Biodiversity/Ecology

- 11.71 Paragraph 170 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity. Policy E3: Biodiversity of the WTNP states that proposals will be expected to conserve and enhance biodiversity and wildlife and that regard must be had to a number of measures, including providing net gains to biodiversity.
- 11.72 Policy 2 criteria viii requires the development make provision for any bat habitats. The development proposal would include the demolition and removal of the existing structures on the site. The sites boundary hedgerows are proposed to be retained whilst the scattered trees in the south west corner of the site are proposed to be removed.
- 11.73 The application has been accompanied by an ecology statement and supplementary information dated June 2019. This found that there was neutral grassland habitat in poor condition and the development proposal will necessitate the removal of the majority habitats within the centre of the site, whilst the boundary hedgerows will be retained.
- 11.74 The removal of the scattered trees to the south west corner of the site would not have a significant impact. There was an historic bat roost in the bar to be demolished, however no recent evidence was found and an EPS licence would not be required. Bat boxes are proposed in dwellings (6) as bats were found to be foraging along the hedgerow/trees, together with some bird nesting boxes (swallow and sparrow) within the buildings and a free standing barn owl box is proposed.
- 11.75 The Council's Ecologist has advised that the accompanying survey and assessment submitted by the applicant in support of this application is acceptable and they are satisfied that the measures contained within the report fully addresses the ecological enhancement aspects of the development proposal ensuring this adheres to the biodiversity net gain policy set out in NPPF and accords with policy 2 viii of WwRNP. The proposed development is thus considered to be acceptable from an ecological viewpoint.

11.76 Impact on Public Rights of Way

- 11.77 Policy 2, ix, b states that any development should preserve the public right of way across the site on its existing alignment. As outlined above a bitumen surface is required throughout the development be provided along Footpath WIN/11/1 to facilitate pedestrian access, together with removal of the kissing gate at roadside to allow use for pushchairs and mobility scooters, and a condition was recommended.
- 11.78 During the initial assessment of this application , alignment issues were highlighted whereby Footpath WIN/11/1 did not precisely match the detailed layout of the development and an example was included at Plot 31 (now Plot 32), what was also noted was the slight dog-leg towards the southern end on the definitive map, which means the footpath seems to pass through the area allocated for the pumping station.
- 11.79 The TA in para 4.8 mentions the applicants commitment to a 'hard' surface and the removal of the kissing gate, but as the application has not been accompanied by a construction drawing, The Rights of Way Officer has requested that a recommended condition be imposed securing this in any planning approval from my letter of 5th December 2016.
- 11.80 The drawings (e.g. layout used for the swept path analysis, TS, Appx F) appear to keep the footpath alignment the same. The alignment issue can be addressed by a Section 257 TePA 1990 permanent diversion.
- 11.81 The development proposal proposes to divert Footpath WIOG/11/1 in order to facilitate the development, which will now pass past Plot 32. Buckingham CC have requested that an informative be imposed in the event of permission being granted ensuring that obstruction of the footpath does not occur
- 11.82 As such, Officers consider that this matter would accord with Policy 2 ix b.,of the Wingrave Neighbourhood Plan and Policy GP84 of the AVDLP and with the NPPF.

11.83 Contamination

- 11.84 A further consideration in the NPPF relates to the need to conserve and enhance the natural environment is contamination, and the guidance states in paragraph 178 that planning decisions should ensure that the site is suitable for its new use taking account of ground conditions.
- 11.85 The Councils Environmental Health team were consulted on the development proposal and had no comments to make on this application. The development proposal is therefore considered to be acceptable from an environmental health perspective. it is considered that contaminated land and air quality could be adequately addressed and as such the development would accord with the NPPF.

11.86 Promoting healthy and safe communities

- 11.87 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. Policies GP86-88 and GP94 seek to ensure that appropriate community facilities are provided arising from a development proposal. In addition, GP84 seeks to enhance existing rights of way within development scheme.

- Leisure

11.88 The proposed development makes some provision for open space on the site in 3 small pockets, the development is required to make a financial contribution to off-site leisure provision towards a specified project to be identified which would need to be secured by a legal agreement.

- Education

11.89 BCC would require a financial contribution to provide additional secondary school facilities arising from the above development. Secondary schools are at capacity and estimated pupil growth from over 8000 homes with outstanding housing permission is projected to put significant increased pressure on secondary schools – with a significant deficit of places projected. BCC's current plan to meet the projected rising demand is to expand existing school provision as well as provide new secondary schools.

11.90 Overall it is considered that the development would adequately address the aims of the NPPF to achieve healthy communities and the requirements of AVDLP policy GP94. As such, it is considered this factor should be afforded neutral weight in the planning balance.

11.91 *Achieving well designed places*

11.92 Policy 2 of the Wingrave Neighbourhood plan states that development proposals will be supported, provided that iv. The built form shall include a frontage to Twelve Leys, which may include access to driveways, The built form shall include a frontage to Nup End Lane but shall not include any access to driveways; vi. Parking shall be integrated with the open space and buildings to create a safe and attractive pedestrian environment and to avoid parking problems on local roads, The site layout shall consider views, and protect privacy and amenity of existing dwellings and back gardens.

11.93 Policy 5 of the NP states that the scale, massing, layout and design of all development proposals, will be required to reflect the architectural and historic character and scale of the surrounding buildings and the topography and setting of the site to be developed. The layout and plot coverage will provide open views and glimpses from within the village to the countryside. It will seek to avoid closing in development. Facing materials and finishes must be in keeping with those used in the neighbouring properties.

11.94 GP.35 The design of new development proposals should respect and complement: a) the physical characteristics of the site and the surroundings; b) the building tradition, ordering, form and materials of the locality; c) the historic scale and context of the setting; d) the natural qualities and features of the area; and e) the effect on important public views and skylines.

11.95 In accordance with Policy 2, The built form should have a frontage to Twelve Leys. As the site is entered from the north at Twelve Leys, Plots 1 to 6 which are situated along the sites eastern side boundary face inwards to the site. Plot 1 is double aspect with windows facing onto Twelve Leys and the new access road into the site. The adjacent western boundary Plots 13 to 28 also face inwards, with both the northern (Plots 29 to 32) and southern (Plots 6 to 10) perimeter properties also following the same approach. A cluster of nine properties (Plots 18 to 24) would be centrally located within

the site, which will form the main focal point of the site, addressing the single road access.

- 11.96 The perception of built form would be softened by the strategically placed elements of open space and soft landscaping located along Plots 23 and 24, which would be seen immediately as the site is entered from the north, in addition to two larger parcels of open space within the site's south eastern (underground pumping station) and north western corners.
- 11.97 Policy 2 ix; requires that the site layout and landscape should provide public open space within the site that contributes to the achievement of the Aylesbury Vale Green Infrastructure Strategy.
- 11.98 The development proposal comply with ix.a by sustaining and enhancing the significance of Nup End Farm to the east of the site. This will be achieved by the landscaping of the parcel of land which would be absent of visual built form, containing the below ground pumping station, in addition to the retention on existing trees along the shared eastern boundary. The absence of perceived built form would provide a buffer between the site and the Listed Building.
- 11.99 The development would preserve the right of way through the site along its existing alignment, which would further be enhanced by way of the additional landscaping to the west of the path. The proposal would be in accordance with principle ix b.
- 11.100 As discussed earlier within the report, other than the removal of a small number of trees. The trees along the sites four boundaries would largely be retained. The landscaping would which would be controlled by condition, together with the layout and scale of the proposed dwellings in its current form is considered to create an attractive setting and amenity for the development in compliance with principle ix d.
- 11.101 The proposed dwellings have been amended so that they are proposed as two stories in height and would primarily consist of detached dwellings, in addition to six pairs of semi-detached dwellings and a row of three terraced dwellings.
- 11.102 The height of the proposed dwellings would be comparable to that of the dwellings within the sites immediate vicinity, which also is predominantly characterised by a mix of detached and small terraces as found within Stookslade. The intensity of the built form has been drawn into the centre of the site which would consist of a central 'courtyard' of properties,
- 11.103 Officers consider that the visual appearance of the dwellings as a whole have been designed with good proportions and would appear to be constructed using high quality materials, which would be controlled by condition. The character of the proposed dwellings would be of similar character to the properties found with the sites immediate vicinity and thus would not appear alien within the sites wider context.
- 11.104 The development proposal is considered to effectively and comfortably utilise the development site, without creating a cramped form of development. The supporting statement gives a clear understanding of the interspersed and heterogeneous use of materials for the wide ranging house styles and types within the site. The application states that the chosen palette of materials has been chosen in order to reflect some of the dwellings found within the local vernacular.
- 11.105 The proposed dwellings are considered to be of an acceptable design and appearance which would satisfactorily integrate within the sites context and would not have an adverse impact upon the character of the area. The impact on the heritage assets is

dealt with below For these reasons the proposed development would have an acceptable impact upon the character of the site and that of the surrounding area.

- 11.106 The public right of way would also be maintained and enhanced by way of widening and resurfacing. The development as a whole is considered to be of a design and character by reason of the scale, proportions and architectural merit of the individual dwellings that would satisfactorily integrate into the sites immediate context.
- 11.107 In accordance with Policy 2 of the WwRNP and Policy GP35 of the AVDC Local Plan, the development proposal would respect and complement the physical characteristics of the site and its immediate surrounding, would maintain the natural qualities and features of the are and on balance would not adversely effect the important public views. In order to ensure that the finished floor levels and overall height of the development site as a whole is appropriate, a condition would be imposed requesting that details of slab levels are provided to the Council and approved in writing.
- 11.108 In summary the proposal is considered to be of a scale and design that would respect the character and appearance of the existing dwelling and does not overwhelm it. In addition is considered that the proposal would not appear overly prominent within the streetscene or the locality in general. The proposals are therefore considered to comply with Policies 2 & 5 of the Wingrave with Rowsham Neighbourhood Plan GP9 & GP35 of the AVDLP, the Council's Design Guide Residential Extensions and NPPF

11.109 Landscaping

- 11.110 GP38 Applications for new 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. Hard landscaping should incorporate materials appropriate to the character of the locality. New planting should be with predominantly native species. The proposed layout includes retention of the majority of trees and hedgerow and provides for additional planting to contribute to the street scene and character of the site. Conditions will be attached to relevant planning permissions to require the submission of landscaping schemes and implementation of the approved arrangements.
- 11.111 A condition would be imposed ensuring that both the hard and soft landscaping incorporate materials appropriate to the character of the locality and that any proposed new planting incorporates predominantly native species. The development proposal is considered to accord with AVDC Local Plan Policy GP38, and the WwRNP.

11.112 Conserving and enhancing the historic environment

- 11.113 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.
- 11.114 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. Policy GP53 of AVDLP requires new

developments in and adjacent to conservation areas to preserve and enhance the character and appearance of the Conservation Areas.

- 11.115 The application site is not designated as being within a Conservation Area but is located within close proximity to the Wingrave Conservation Area. The Conservation Area, a designated heritage asset, commences to the east of the site at No. 46 Nup End Lane and encapsulates east encompassing No 6 Leaders Close and approximately 40 other properties within includes Nup End Lane, Nup End Close, The Dean and a number of properties within Winslow Road directly adjacent to west of Bell Leys. There are no designated heritage assets within the site however, there is a Grade II Listed building 'Nup End Farmhouse' immediately adjoin the site at the eastern corner of the proposed development site, which is a designated heritage asset. A Heritage Assessment was included as part of the application.
- 11.116 The site is a square formed area of pastured field, with each corner pointing towards the axis of north, east, south and west. There is built development along the NE side of the site, which includes the Grade II listed Nup End Farmhouse and partially along its NW side. The remaining sides are open country side.
- 11.117 The site is separated from the Conservation Area by Nup End Farmhouse and the adjacent property No. 50 Nup End Lane. The site then extends up towards the modern development of Twelve Leys. All access to the proposed site will be from this area and not from the restricted and narrow Nup End Lane.
- 11.118 Nup End Farmhouse is a Grade II listed building, built in the 16th century, extended and then renovated in the 20th century. It is of timber frame construction with brick infill, partly of thin brick and whitewashed to the left side. There is no impact to the historic fabric of the listed building.
- 11.119 Considering the setting of the listed building, there is identifiable progression of development surrounding Nup End Farmhouse, including the adjacent plot to the east, along with the modern development to the north. Therefore, the plot has been significantly reduced over time. As a result of the open space buffer surrounding the listed building, the impact upon the identified heritage assets is now reduced. It is considered that at most that the harm to the setting of the listed building will amount to less than substantial at the lower end of the scale of harm.
- 11.120 The open space buffer area also reduces the views of the listed building that would be negatively impacted by the proposed development, particularly those in the open fields to the south. Views lost include those from the lower end of Nup End Land and through the northern section of the proposal site. Whilst the views in question only contribute a little to the significance and appreciation of the listed building, they still form an important element of setting of the listed building.
- 11.121 In terms of the impact on the conservation area it is considered that the views of the conservation area will be impacted to a limited degree, due to the existing development between the proposal site and conservation area. The proposal may affect views from and of Nup End Farmhouse. However an open space buffer has been proposed in the far eastern corner of the site closest to the listed building, removing any development in this area. Therefore it is likely that any impact would amount to less than substantial harm to the significance of the asset in NPPF terms.

- 11.122 Special regard has been given to the statutory test of preserving the (setting of the) listed building under section 66 of the Planning (Listed Building and Conservation Areas) Act 1990, which is accepted is a higher duty. It has been concluded that the (setting of the) listed building would be preserved, and so the proposal accords with section 66 of the Act. In addition, no harm would be caused to the significance of the heritage asset, in NPPF terms, and as such the proposal accords with guidance contained within the NPPF.
- 11.123 Special attention has been paid to the statutory test of preserving or enhancing the character or appearance of the conservation area under section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which is accepted is a higher duty. It has been concluded that the development would preserve the character and appearance of the conservation area, and so the proposal accords with section 72 of the Act. In addition, no harm would be caused to the significance of the heritage assets and as such the proposal accords with guidance contained within the NPPF and GP53 of AVDLP.
- 11.124 Officers consider that the proposal may affect views into and of the Wingrave Conservation Area. However, given the existing development surrounding the CA, it is likely that this impact would amount to minimal or less than substantial harm to the significance of the assets in NPPF terms. . As less than substantial harm has been identified this must be weighed against the public benefits of the proposal in accordance with paragraph 196 of the NPPF.

11.125 Archaeology

- 11.126 Buckinghamshire County Archaeological Service who maintain the local Historic Environment Record and provide expert advice on archaeology and related matters, were consulted were on this application and have advised that they were contacted in April 2018 by the applicant's archaeological consultant (CgMs), who provided them with the results of the site investigation undertaken by the Brownfield Consultancy.
- 11.127 This document indicated that the proposal site has little archaeological potential due to earlier ground works. Buckingham Archaeological Service having assessed the findings has advised that they have no objection to the proposed development and do not consider it necessary to apply a condition to safeguard any archaeological interest within the application site.
- 11.128 Officers consider the development proposal to be acceptable from an Archaeological perspective.

11.129 Meeting the challenge of climate change and flooding

- 11.130 The NPPF at Section 14, 'Meeting the challenge of climate change, flooding and coastal change' advises at paragraph 163 that planning authorities should require planning applications for development in areas at risk of flooding to include a site-specific flood risk assessment to ensure that flood risk is not increased elsewhere, and to ensure that the development is appropriately flood resilient, including safe access and escape routes where required, and that any residual risk can be safely managed. Development should also give priority to the use of sustainable drainage systems.

- 11.131 The applicants submitted additional information following requests from BCC as LLFA in the form of Flood Risk Assessment, Suds Assessment and Drainage Strategy (14504, 1ih July 2019, Simpson Consulting Engineers) and original Site Investigation Report (BC219 RE001 Rev A 24.5.16).
- 11.132 BCC as the LLFA commented that the information provided within this submission, indicates that the development proposes to attenuate surface water run-off on site through the use of a below-ground attenuation tank and over-sized pipes, discharge will be limited to 6.3 l/s and will connect into an ordinary watercourse to the south of the site.
- 11.133 The plans propose permeable paving within the private driveways which are considered to provide some benefits of water quality treatment. The applicant has provided a copy of the Ground Investigations Report (BC219 Re001 Rev A, 24th May 2016, Brownfield Consultancy) demonstrating that infiltration is not viable at this site. It is understood that property level drainage will be the responsibility of homeowners and shared drainage will be offered for adoption or managed via a management company.
- 11.134 In accordance with paragraph 165 part D of the National Planning Policy Framework (NPPF) major developments should incorporate SuDS that provide multifunctional benefits, where possible. The system uses a traditional method of over-sized pipes of 600mm diameter and below-ground tanks; the LLFA have advised that this approach can create a maintenance burden as issues within the system are not clearly visible or accessible as they would be within an above- ground Sustainable Drainage System.
- 11.135 In line with the water quality assessment outlined in the Ciria SuDS manual (C753), the applicant has provided a small swale feature prior to the outfall of the system to the ordinary watercourse; the LLFA have advised that this will provide further water quality benefits.
- 11.136 The LLFA have concluded that whilst the proposal is acceptable from a SuDS perspective, they have expressed disappointment with the lack of SuDS incorporated within the development proposal, and that innovative design could have allowed for the local environment to be better enhanced, there is no justification to refuse permission on this ground.
- 11.137 The LLFA have recommended that two conditions are imposed ensuring that the development proposal is carried out in accordance with the approved Flood Risk Assessment, Suds Assessment and Drainage Strategy, this is to ensure the prevention of flooding and satisfactory disposal and storage of surface water from the site. In addition to this, a further condition would be imposed requiring the applicant to provide to the Council a demonstration of the as-built water drainage scheme in order to ensure that Sustainable Drainage System has been constructed as per the agreed scheme.
- 11.138 Additional information received by the applicant following receipt of consultation responses and the concerns raised by the Parish Council relating to the potential for the development to increase the risk of sewer flooding in the local area. The applicant have advised that they reported these comments to Thames Water and collaboratively agreed a strategy whereby the existing pumping station, presently located along the sites northern boundary would be decommissioned as part of the development with flows being diverted to a replacement underground pumping station within the sites south eastern corner.
- 11.139 The new pumping station is said to be designed in order to accommodate both the development and the existing drainage catchment that it serves, with peak discharge

rates limited to existing rates so that there would be no detrimental impact on the downstream sewerage network.

- 11.140 Thames Water were consulted on the development proposal and have raised no objection to the proposal but have provided a number of informatives relating to surface water drainage and water supply which have been included earlier within this report. Within their supplementary comments, Thames Water advise that they have been made aware of local concerns surrounding the sewers at downstream of the point of connection to the existing sewerage system. Thames Water request that the developer continue to liaise with Thames Water developer services to consider all options and agree the most appropriate drainage strategy for this development.

11.141 *Supporting high quality communications*

- 11.142 Paragraph 114 of the NPPF requires Local Planning Authorities' to ensure that they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services. 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 the development.

- 11.143 Proposals should include the pre-requisite infrastructure required for broadband connectivity and implementation in the sites development at the earliest stage to ensure that they can be connected to the superfast broadband network at the earliest opportunity and have the capacity to "future proof" infrastructure/apparatus to industry standards. It is therefore considered a condition requiring details of broadband and other fibre optic connections to be submitted for approval would satisfactorily address the requirements of this policy. Overall it is considered that the proposal would accord with the guidance set out in the NPPF in this regard.

11.144 *Impact on Residential Amenity*

- 11.145 The NPPF at paragraph 127 sets out guiding principles for the operation of the planning system. One of the principles set out is that authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. AVDLP policy GP.8 states that permission for development will not be granted where the proposed development would unreasonably harm any aspect of the amenity of nearby residents when considered against the benefits arising from the proposal. Where planning permission is granted, the Council will use conditions or planning obligations to ensure that any potential adverse impacts on neighbours are eliminated or appropriately controlled. Policy 2 principle vii states that the site layout of the shall consider views, and protect privacy and amenity of existing dwellings and back gardens.

Chiltern Place

- 11.146 The property known as Chiltern Place is located immediately to the west of the development site and is set off the site boundary by approximately 8m. The nearest adjoining neighbouring properties would be Plot 28 and Plot 29. Plot 28 has a rear garden depth of 15m, and would have wall to wall relationship of approximately 23.5m.

Plot 29 is separated by a parcel of land which is located in between Plot 28 and Plot 29 and has a shared boundary distance of 25m and a side wall to side wall distance of 33.5m with Chiltern Place. These distances together with the indirect orientation and absence of window to window relationship between these properties would ensure that no undue privacy loss, overbearing presence or light loss would occur. The presence of trees along the western boundary, both within the development site and within Chiltern Place, which is under the ownership and control of the owner, would add a further degree of natural screening. The parcel of undeveloped land adjoining Chiltern Place, with its depth of 42m and maximum width of 30m, is considered to go a considerable way in minimising the impact of the development on the amenities enjoyed by the occupants of this property.

31 Twelve Leys

- 11.147 The property located immediately to the north of the site is sited to the west of the access road to the development is site is known as No. 31 Twelve Leys. The nearest properties within the development site are Plot 1 and Plot 32. Plot 1 is situated on the eastern side of the access road and has a front wall to side wall distance of 23m. This distance together with the orientation between the two properties would ensure that no resultant direct overlooking into any windows or the plot itself would occur. Plot 32 has a rear garden depth of 11m, with a distance between the rear wall to this property being 14.5m. This relationship together with the orientation of this plot would ensure that no direct overlooking or privacy loss would result to the occupants of this property.

29 Twelve Leys

- 11.148 Plot 1 has a maximum rear garden depth of 18m and would have a minimum distance of approximately 17m from the main rear wall and the side wall of the adjoining property to the east 29 Twelve Leys. This relationship is considered to be acceptable and no undue impact by way of amenity loss would occur to the occupants of this property.
- 11.149 Plot 2 would have a rear garden depth of 17.5m and would have a rear wall to rear elevation distance of 25m. This distance together with the orientation between these two properties would ensure that an unacceptable degree of overlooking or privacy loss would not occur.

Stookslade No's 2 to 8

- 11.150 Plots 3, 4 and 5 are closest to existing properties within Stookslade. Plots 2 and 3 would have a rear garden depth of 15m, with a rear wall to rear elevation distance of approximately 27m. Officers consider these separation distances to be acceptable and would not result in an unacceptable degree of amenity loss in terms of light , privacy or outlook to any of these properties.

Nup End Farm

- 11.151 The nearest properties to Nup End Farm are Plot 5 and Plot 7. Plot 5 has a minimum rear garden depth of 13m, with a rear elevation to side elevation separation distance of 33.5m.

11.152 Plot 6 and 7 would be located to the west of the public footpath and would be distanced in excess of 45m away. This property would also be separated by a parcel of land which visually will provide some public amenity space but would house a below ground pumping station.

11.153 In summary, given the positioning of the proposal and its relationship relative to the neighbouring properties in terms of scale, positioning of windows and orientation , Officers consider that the proposal would not have an unacceptable adverse impact upon the neighbouring amenity in terms of light, privacy or outlook. Therefore the proposal accords with WwRNP Policy 2 vii, GP8 of AVDLP and the NPPF.

11.154 **Developer contributions**

11.155 As discussed earlier within this report, there are a number of requirements arising from this proposal that need to be secured through a S106 Planning Obligation Agreement:

- *Affordable Housing provision on site (35%)*
- *Highways financial contribution to be used towards highways improvements, and towards a traffic calming study.*
- *An off-site financial contribution in lieu of on-site sport and leisure facilities*
- *A financial contribution to provide additional secondary facilities arising from the proposed development. Secondary schools are said to be at capacity and estimated pupil growth from over 8000 homes with outstanding housing permission is projected to put significant increased pressure on secondary schools- with a significant deficit of places projected.*
- *Improvements upgrading or provision of skate park, sports pitches, pavilion, MUGA and floodlights, outdoor fitness equipment or car parking at Wingrave Park and/or improvements to open space and provision of play equipment at Twelve Leys Green and/or improvements upgrading or provision of pavilion, bowls clubhouse, sports pitches and lawns, outdoor fitness equipment, access and car parking at Wingrave Recreation Ground and/or car parking improvements at The Green Wingrave.*

11.156 Officers consider that such requirements would accord with The Community Infrastructure Levy (CIL) Regulations 2010. Regulation 122 places into law the Government's policy tests on the use of planning obligations. It is now unlawful for a planning obligation to be taken into account as a reason for granting planning permission for a development of this nature if the obligation does not meet all of the following tests; necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

11.157 In the context of this application the development is in a category to which the regulations apply. The listed obligations are necessary and proportionate and are considered to comply with the tests set by Regulation 122 for which there is clear policy basis either in the form of development plan policy or supplementary planning guidance, and which are directly, fairly and reasonably related to the scale and kind of development. Specific projects will be identified within the Section 106 in accordance with the pooling limitations set forth in CIL Regulation 123 to ensure that the five obligations limit for pooled contributions is not exceeded.

Case Officer: Christopher Peters

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APPENDIX 1 – Parish Council Comments

Wingrave with Rowsham Parish Council full comments are as follows:

Letter received 5th June 2019:

The Parish Council objects strongly to the application. The grounds for objecting are set out below.

Foul sewage disposal

The development site is adjacent to a larger development, Twelve Leys. The applicants propose to link foul drainage from the development site to the existing drainage system serving Twelve Leys.

However, the residents of Twelve Leys have experienced persistent problems with that drainage system, causing frequent blocking, foul sewage overflows, foul smells etc. a log has been kept of the occasions Thames Water have been required to attend to deal with those situations between mid July 2018 and 1st June 2019- 26 attendances in all (appendix 2). In addition, Thames Water's own log of attendances between September 2013 and December 2016 obtained via FOI request, shows 23 attendances (appendix 2). There is some disagreement between residents and Thames Water as to the causes, although Thames Water has accepted on a number of occasions that intrusive tree roots have been responsible. Thames Water staff dealing with the problems have also volunteered that blockages of lime scale, toilet paper, grease, rags and wipes have been to blame. Thames Water staff have also said that the pumping station was too old, the present drainage system is incapable of dealing with any further housing, and the fall on the pipe bellies and the piping inadequate. Against this background, the applicants propose to store foul sewage from the development and release it into the existing system at times when that system is not under pressure. It is evident, however, that this is unlikely to make any contribution other than a negative one. Put briefly, the foul drainage system the applicants intend to discharge into is incapable of dealing with the demand currently placed on it. The imposition of further demand will only make a bad situation worse.

SUDS assessment and drainage strategy

The Council fully supports the objections set out in the consultee letter of 23rd May 2019, from BCC Sustainable Drainage Officer (appendix 3)

Agreement with the applicant about working practices during the development

The Council has had no discussions with the applicant on these matters. It wishes to see M the following incorporated as a term of any planning approval:

Site working hours Monday – Friday 8.00- 18.00

Saturday 8.00- 13.00

Saturday after 13.00, Sundays and bank holidays- No site working permitted

Saturday morning working not to be of a noisy or disruptive nature

Because all traffic to and from the site has to pass the main entrance of the Primary school and pre-school, which is also the drop off, pick up point for children, no large vehicles to or from the site between 08.15 and 14.45 and 15.30, Monday to Friday be permitted.

No vehicular access to the site from Nup End Lane permitted.

The applicant must ensure that approaches to the site are kept clean and tidy and that any damage is speedily put right.

Failure by the applicant to accept the above terms is regarded by the Council as a further ground of objection.

Note The Council wishes also to be assured that the access from the footpath WIG/11/1, which runs through the development site, onto Nup End Lane and Twelve Leys has sufficiently wide visual splays to ensure pedestrian safety. This, however, whilst important, is not a ground of objection.

APPENDIX 2: Wingrave with Rowsham Parish Council Comments Received 12th February 2018:

I have been trying to access the planning portal since the back end of last week and have been unsuccessful, this comment therefore is coming to you past the deadline but I do hope given the circumstances that it will still be added.

Wingrave with Rowsham wishes to register its objections to application 16/04085/APP Land off Twelve Leys.

The Parish Council is not content that the current plans for sewage are sufficient given the current issues already being experienced by residents of Twelve Leys and Nup End.

We have written to Thames Water's David Stamateris and Cala Homes with our concerns and requested proof that the current system is suitable to accommodate an additional 31 homes.

A survey was also conducted to understand the issues currently faced by existing resident which has been forwarded to Thames Water and Cala Homes.

I have attached the letter to David Stamateris and also the survey results as detailed above.

Should a resolution be found for the sewage system then the Council would withdraw its objections to this development.

APPENDIX 3: Wingrave with Rowsham Parish Council Comments Received 15th January 2018:

As part of the Wingrave with Rowsham Neighbourhood Plan a site south of Twelve Leys and north of Nup End Lane has been designated for development and Cala Homes (Chiltern) Ltd is the appointed developer.

Cala Homes informs the Parish Council that Thames Water propose that the foul sewage from the development is connected to the existing village sewage system at Nup End Lane near HP22 4PX. This raises concerns as the foul sewage system in Nup End Lane was installed around 1952 and as installed it may have a design that is fit for this additional purpose but is its current state fit for purpose?

Cala Homes also report that Thames Water propose that Cala Homes connect the Nan Ayres and Chiltern Rd foul sewer into the new installation. Whilst flow rates into the Nup End Lane sewer may not be significantly increased, total flow volumes will be.

The Parish Council is aware of current remedial Thames Water activities with tankers both in Twelve Leys and Nup End Lane and residents have reported ongoing foul sewage issues in those parts of the village.

The Parish Council requires assurance that the proposed foul sewage system for the development is fit for purpose and will not have any detrimental impacts on both current village residents and residents of the new development.

Please provide the Parish Council with evidence that the Nup End Lane sewer has been properly surveyed including any CCTV investigations and that the sewage network as installed in Nup End Lane is compliant with current specifications and requirements and that it has been well maintained and is fit for purpose.