



AYLESBURY VALE DISTRICT COUNCIL Democratic Services

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30 December 2019

STRATEGIC DEVELOPMENT MANAGEMENT COMMITTEE

A meeting of the **Strategic Development Management Committee** will be held at **1.00 pm** on **Wednesday 8 January 2020** in **The Oculus, Aylesbury Vale District Council, The Gateway, Gatehouse Road, Aylesbury, HP19 8FF**, when your attendance is requested.

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

Membership: Councillors: P Fealey (Chairman), R Newcombe (Vice-Chairman), C Adams, J Blake, J Bloom, A Bond, R King, L Monger, B Russel and C Paternoster (ex-Officio)

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AGENDA

- 1. APOLOGIES**
- 2. TEMPORARY CHANGES TO MEMBERSHIP**

Any changes will be reported at the meeting

- 3. MINUTES** (Pages 3 - 4)

To approve as a correct record the Minutes of the meeting held on 18 December 2019 (Copy attached).

- 4. DECLARATION OF INTEREST**

Members to declare any interests.



5. OVERVIEW REPORT - DECEMBER 2019 (Pages 5 - 14)

6. 17/02280/AOP - LAND WEST OF CHURCHWAY, HADDENHAM (Pages 15 - 52)

Outline application with access to be considered and all other matters reserved for the erection of 273 dwellings with access, parking, amenity space, landscaping, drainage works and play area.

Case officer: Chris Peters – cpeters@aylesburyvaledc.gov.uk

7. HUMAN RIGHTS ACT (Pages 53 - 54)

STRATEGIC DEVELOPMENT MANAGEMENT COMMITTEE

18 DECEMBER 2019

PRESENT: Councillor P Fealey (Chairman); Councillors R Newcombe (Vice-Chairman), C Adams, J Blake, A Bond, R King, L Monger, B Russel and C Paternoster (ex-Officio). Councillor P Cooper attended also.

APOLOGY: Councillors J Bloom

1. MINUTES

RESOLVED –

That the minutes of the meeting held on 27 November 2019 be approved as a correct record.

2. 16/04085/APP - LAND OFF TWELVE LEYS, WINGRAVE

RESOLVED –

That the application be **Deferred and Delegated** to Officers for approval, subject to the expiry of the publicity and the receipt of no new material objections and the completion of a Section 106 agreement as outlined in the corrigendum to the Officer's report.

3. 18/02599/ADP - LAND AT BUCKINGHAM ROAD, WINSLOW (WITHDRAWN)

The application was **Withdrawn** from Committee as the Winslow Town Council had indicated they would not be attending the meeting and had not registered to speak. Accordingly, the application would be determined in accordance with delegated powers.

4. 17/04837/AOP - COLDSTREAM FARM, WATERPERRY ROAD, WORMINGHALL

RESOLVED –

To **amend the delegation** made to Officers on 4 September 2019 to delete the reference to an off site financial contribution towards sports and leisure as required in the Section 106 agreement referred to in that delegation.

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Overview Report:

Introduction

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

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

- 1.1 The starting point for decision making is the development plan, i.e. the adopted Aylesbury Vale District Local Plan (and any 'made' Neighbourhood Plans as applicable). S38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) are both important material considerations in planning decisions. Neither change the statutory status of the development plan as the starting point for decision making but policies of the development plan need to be considered and applied in terms of their degree of consistency with the NPPF.

The Development Plan

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

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

- 1.5 The Council has set out proposed policies and land allocations in the draft Vale of Aylesbury Local Plan. The draft Vale of Aylesbury Local Plan was published and subject to public consultation in summer 2016. Following consideration of the consultation responses, and further work undertaken changes have been made to the draft plan. A report has been considered by the VALP Scrutiny Committee on 26 September and Cabinet on 10 October 2017 on the proposed submission plan. The Cabinet's recommendations were considered by Council on 18 October 2017. The proposed submission was the subject of consultation from, 2 November to 14 December 2017. Following this, the responses were submitted along with the Plan and supporting documents for examination by an independent planning inspector at the end of February 2018. The examination hearing ran from Tuesday 10 July 2018 to Friday 20 July 2018. The Interim Findings have been set out by the Inspector, and consultation on modifications will be required before adoption can take place. Further to this AVDC has provided the VALP

Inspector with its suggestions for the Modifications to the Plan and he will consider these over the next few weeks. The Inspector set out the timetable for the formal publication of the Modifications and the accompanying consultation. Following further discussions with the Inspector the council has published for consultations the Main Modifications, which have been agreed with the Inspector, on 6 November 2019. The period for making representation runs until 17 December 2019. The adoption of the Vale of Aylesbury Local Plan is planned to be early 2020.

- 1.7 Whilst the VALP hearing has taken place there are a number of unresolved objections to the housing strategy and other policies. Paragraph 48 of the NPPF advises on the weight to emerging plans depending on the stage of preparation, unresolved objections and consistency with the NPPF. In view of this the policies in this document can be given some weight in planning decisions given the stage it is at, and the evidence that sits behind it can be given weight. This will be highlighted in individual reports. Of particular relevance are the Settlement Hierarchy Assessment (September 2017). The Housing and Economic Land Availability Assessment (HELAA) (January 2017) is an important evidence source to inform Plan-making, but does not in itself determine whether a site should be allocated for housing or economic development or whether planning permission should be granted. These form part of the evidence base to the draft VALP presenting a strategic picture .

National Planning Policy Framework

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

Foot notes:

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

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

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

And subject to transitional arrangement set out in Annex 1

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

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

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

Local Supplementary Documents & Guidance

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

Housing supply

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

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

Neighbourhood Planning

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

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

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

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

Prematurity

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

Conclusion on policy framework

- 1.33 In considering each individual report, Members are asked to bear in mind that AVDLP (and any 'made' Neighbourhood Plans as applicable) constitutes the development plan. The emerging VALP can be given some weight in planning decisions given the stage it is at, and the evidence that sits behind it can be given weight. The Council can currently demonstrate a 5 year supply of housing land based on the latest housing land supply calculation.
- 1.34 Therefore, the Council's position is that full weight should be given to housing supply and other policies set out in any made Neighbourhood Plan Decisions should be taken in accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004) and the NPPF as a whole, including paragraph 11 and 14.
- 1.35 Where a Neighbourhood Plan is not in place, decisions for housing developments should be taken in accordance with paragraph 11 of the NPPF, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole and where necessary each report advises Members on the planning balance.

Whether the proposals would constitute a sustainable form of development

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

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

- 1.37 Members will need to assess whether the development would will support the aims of securing economic growth and productivity , but also that this would be achieved in a sustainable way. Paragraph 80 states that planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 83 states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; and the development and diversification of agricultural and other land-based rural businesses.
- 1.38 Members will also need to consider whether each development proposal provides for a mix of housing based on current and future demographic trends, markets and community needs, of an appropriate size, type and tenure including the provision of affordable housing. Key to the consideration of this point is the use of local housing needs assessment targets and the Council's

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

Promote sustainable transport

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

Conserving and enhancing the natural environment

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

Conserving and enhancing the historic environment

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

Promoting healthy and safe communities.

- 1.47 Decisions should aim to achieve healthy, inclusive and safe places, promoting social interaction, safe and accessible development and support healthy life-styles. This should include the provision of sufficient choice of school places, access to high quality open spaces and opportunities for sport and recreation and the protection and enhancement of public rights of way, and designation of local spaces.
- 1.48 It will therefore be necessary to consider how each scheme addresses these issues.

Making effective use of land

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

Achieving well designed places

- 1.50 The NPPF in section 12 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 1.51 Planning policies and decisions should ensure that developments will function well and add to the overall quality of the area over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 1.52 Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. Members will need to consider whether these issues have been dealt with satisfactorily.

Meeting the challenge of climate change

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

S106 / Developer Contributions

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

Overall planning balance

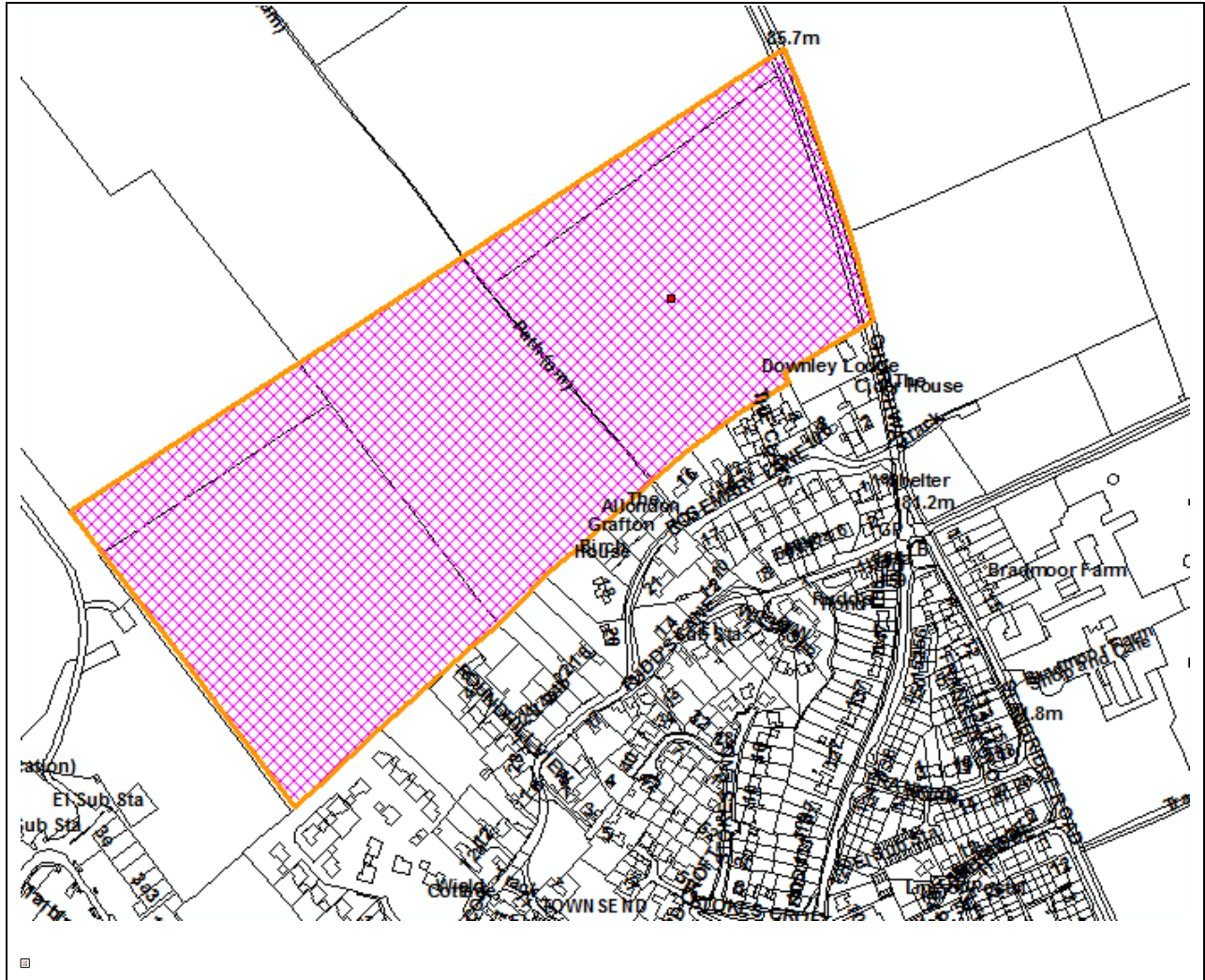
- 1.57 All of these matters, including housing land supply and delivery will need to be taken into account in striking an overall planning balance..

Conclusions

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

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17/02280/AOP



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REFERENCE NO	PARISH/WARD	DATE RECEIVED
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17/02280/AOP	Haddenham	16/06/2017
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Outline application with access to The Local Members for this be considered and all other matters area are: - reserved for the erection of 273 dwellings with access, parking, amenity space, landscaping, drainage works and play area. Councilor Judy Brandis Councilor Brian Foster Councilor David Lyons

Land West Of, Churchway, Haddenham, Buckinghamshire,

STREET ATLAS PAGE NO. 127

1.0 The Key Issues in determining this application are:-

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| <p>a) The planning policy position and the approach to be taken in the determination of the application.</p> <p>b) Whether the proposal would constitute a sustainable form of development:</p> <ul style="list-style-type: none"> • Promoting sustainable transport • Delivering a sufficient supply of homes • Achieving well designed places • Making effective use of land • Promoting healthy and safe communities • Conserving and enhancing the natural environment • Conserving and enhancing the historic environment • Meeting the challenge of climate change and flooding • Supporting high quality communications <p>c) Impact on residential amenity</p> <p>d) S106/Developer contributions</p> |
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The recommendation is that permission be **DEFERRED AND DELEGATED** to officers for approval following the completion of a S106 Agreement to secure onsite affordable housing, provision and maintenance of open space and SUDs, financial contributions towards education, highway improvements, off site sport and recreation facilities, and ecology mitigation. 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 In this case, there are policies within the AVDLP which are relevant. The Haddenham Neighbourhood Plan which covers the site area is relevant. However, following a High Court order Chapter 6 which relates to Housing and Development was quashed and can no longer be given material weight in planning decisions.
- 2.3 It is accepted that the development would make a contribution to the housing land supply which is a significant benefit to be attributed significant weight in the planning balance. There are further benefits from the contribution towards affordable housing which is afforded significant weight in the planning balance . 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 moderate positive weight should be attached. These benefits however need to be weighed against any harmful aspects arising from the development.
- 2.4 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. The development proposal would represent the significant development of the site, however, given the distance between the intervening development and landscaping, it is considered that the setting of the listed buildings and the adjacent Conservation Area would be preserved in accordance with the Act. 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 have significant archaeological

implications and no further investigations are required. As such there would not be a conflict with the 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, protecting and enhancing public footpaths and sustainable transport and highways impact, biodiversity, flood risk and promoting healthy communities. Other than the enhancement of public access and footpaths, these matters do not represent benefits to the wider area, but rather demonstrate an absence of harm.
- 2.6 It is considered the site is a greenfield site and that localised adverse impacts comprising harm to the landscape character of the site and surroundings would result , A landscape strategy including buffer areas and planting seeks to reduce the impact of this in the local and wider landscape. This should be afforded significant negative weight tempered by the proposed landscape mitigation to considerable weight in the planning balance. The loss of largely of best and most versatile agricultural land would be afforded moderate harm.
- 2.7 Weighing all the relevant factors into the planning balance, and having regard to the NPPF as a whole, all relevant policies of the AVDCLP and supplementary planning documents and guidance, Officers consider that the adverse impacts would not significantly and demonstrably outweigh the housing, economic and community benefits of the proposal.
- 2.8 It is considered that the proposal would represent a sustainable form of development having weighed all the benefits and adverse effects in the planning balance , such that, officers recommend that the application should be **DEFERRED AND DELEGATED** for Approval subject to the completion of a S106 planning obligation agreement in respect of securing onsite affordable housing, provision and maintenance of on site open space and SUDs and financial contributions towards education, highway improvements, off site sport and recreation facilities and ecology mitigation; any permission to be subject to such conditions as are 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 applicant has been encouraged to alter the site layout in order to improve transition of the development to the open countryside. In addition to this, accessibility improvement opportunities which were raised by the Parish Council have been incorporated into the development proposal. The applicant was also encouraged to provide additional SuDS and highways information in order to over objections raised by statutory consultees, which was forthcoming.

4.0 INTRODUCTION

4.1 The Parish Council have raised concerns relating to the development proposal and requested that this application be considered by Committee. The Parish Council have also advised that a representative will be attendance and will speak on behalf of the Parish Council at the committee meeting.

5.0 SITE LOCATION AND DESCRIPTION

5.1 The application site is situated on the north-western edge of the settlement of Haddenham, to the west of Churchway. The site comprises a rectangular piece of land covering an area of approximately 13.1 Hectares. The site generally falls to the south-east, albeit the central and eastern field parcel fall towards the public footpath located between the two fields. The site is currently in use for arable farming, with hedgerows running through the site on a south-east to north-west axis, which effectively divides the land into three fields, with hedgerows along the north-eastern boundary to Churchway and to the south-west.

5.2 Residential development adjoins the site to the south-east, contained within Rosemary lane, Rudds Lane and Townsend, together with recent development in Dollicott which presently continues to be developed out. Churchway traverses the full extent of the north-eastern site boundary, with open fields to the north-west. Haddenham Business park adjoins the site to the south-west, along with residential consent granted on the airfield.

5.3 The south-eastern boundary adjoins the Haddenham Conservation Area. There are several listed properties within Rosemary Lane and Rudds lane (to the south of the site) with curtilages that extend up to the site boundary. A public footpath (HAD/19/2) also extends through the eastern third of the site on a south-east to north-west alignment, effectively linking the village with the public rights of way network to the north-west of the site between Chearsley and Cuddington.

6.0 PROPOSAL

6.1 The development proposal seeks outline permission for up to 273 dwellings, with access to be considered at this stage, with all other matters reserved. Matters of appearance, landscaping, layout and scale are all to be considered under any future subsequent reserved matters application. Vehicular and pedestrian access would be taken from a new junction on Churchway.

6.2 The application site has a total area of 13.1 Hectares, with a density of 30.07 dwellings per hectare. The site would also provide 1.924 Hectares of Public Open Space. The

Neap area to the north of the site would have an area of 1.476 Hectares (31.6m x 44.3m).

- 6.3 The development proposal would provide 6 x 1 beds, 115 x 2 bed, 134 x 3 beds, 18 x 4 beds. This housing mix is indicative and would be secured during any subsequent reserved matters application.
- 6.4 Since the application was originally submitted, the development proposal has undergone several revisions to the illustrative layout, supporting documentation and the reduction in the number of dwellings from 285 units to 273.
- 6.5 This related to the provision of surface water drainage and SUDs to the northern and southern parts of the site and related amendments to the illustrative layout. The application has included an indicative pedestrian footpath/ access way to the west of the site which would provide a possible link to the industrial estate (HAD005) a further new footpath to the south to link to the existing footpath PROW 19/2 and the potential link via land to the south via HAD007. The location shown on the plans is indicative as it would be required to link with the access way on the adjoining land, which is outside of the ownership of the applicant.
- 6.6 The development proposal includes a play area (NEAP) which is to be centrally located along the sites northern boundary.

The application has been accompanied by the following documents:

- Design and Access
- Heritage Assessment
- Archaeology Report
- Ecology Report
- Ecology and Protected Species Appraisal
- Flood Risk Assessment
- Transport Assessment
- Utilities and Foul Drainage Assessment
- Landscape and Visual Impact Assessment
- Flood Risk Assessment
- Arboricultural Report

7.0 RELEVANT PLANNING HISTORY

- 7.1 The application site has no relevant planning history.
- 7.2 The adjoining site to the north known as Plot N Haddenham Business Park – 19/01084/ADP, Approval of reserved matters pursuant to outline permission 14/03289/AOP relating to access, appearance, landscaping, layout and scale and the provision of service areas and car parking for the development of a vacant employments plot of land to create a multi-unit estate of an industrial buildings with B1c, B2 & B8 employment uses.

8.0 PARISH/TOWN COUNCIL COMMENTS

8.1 Haddenham Parish Council – The Parish Council have made a number of comments and accept that this site is allocated within the VALP. They are aware of the numerous revisions that have been made during the course of the application and acknowledge that the applicant has kept the Parish Council informed about progress. The PC welcomes many of the changes, including the pedestrian/cycle access to the new development to the south off Dollicott (now known as Platers Road), and at the north-west corner. However the PC has the following objections and concern raised concerns relating to:

- the proximity of the development to industrial buildings
- the design of the south west corner in relation to the density, lack of village character, car dominance and relationship to the industrial building
- walking and cycling connectivity to Haddenham and Thame Parkway Station,
- traffic impact, particularly Rudds Lane/Rosemary Lane/Dollicott which are narrow and in the CA. Access should be limited
- flood risk and wish to see confirmation from the LLFA that they have withdrawn their objections
- playground: the open space has been moved to the northern boundary. If located to the south it would lessen the impact on existing properties and be more accessible.

8.2 Full comments appended to this report.

9.0 CONSULTATION RESPONSES

9.1 **Buckinghamshire County Council as the Lead Local Flood Authority:** The applicant has addressed the concerns previously raised. Therefore the LLFA removes their objection to the above proposals subject to the below planning conditions being applied to any planning permission.

9.2 **BCC Highways:** No outstanding objections subject to conditions

9.3 **SUDS:** No outstanding objections subject to conditions

9.4 **Recycling and Waste:** The development must be designed to allow the WCVs to operate in a forward gear only wherever possible, which this developer has demonstrated.

9.5 **Affordable Housing:** In order to be policy compliant a scheme of 25 units or over (or 1ha or more) is required to have a minimum of 30% affordable housing, evenly distributed across the site. The applicant will need to supply an affordable housing plan at reserved matters stage showing the location, tenures, sizes and mix of affordable units that will be supplied taking in to account the points above.

9.6 **Archaeology:** It is likely to harm the significance of heritage asset's therefore a condition should be applied to require the developer to secure appropriate investigation, recording, publication and archiving of the results in conformity with NPPF paragraph

141.

- 9.7 **Ecology:** No Objection. Condition requested and Financial Contribution to Farmland Bird Conservation to be secured through a SI06 legal agreement.
- 9.8 **Heritage and Conservation:** The proposed development will respect the rural setting of the village and the openness of the site which affords views to Haddenham Conservation Area and its associated heritage assets. The witchert walls which bound the development site are particularly prominent in views and represent the historic boundary of the village and are a defining feature of the conservation area and the settlement. By opening up the frontage of the site the scheme will have only a minimal impact on the setting of Haddenham Conservation Area and would maintain the prominence of much of the witchert wall which is an important feature of the conservation area. This would help unify the village from its rural context. In any reserved matter application house types and boundary treatments should reflect the local vernacular in order for the new development to make a positive contribution to local character and distinctiveness. The revised layout of the development proposal would help preserve the architectural and/or historic interest of the listed buildings and the character and/or appearance of Haddenham Conservation Area and therefore complies with sections 66 and 72 of the Act. The proposal would have a neutral impact on the significance of the heritage assets. For the reasons given above it is felt that in heritage terms there is no objection.
- 9.9 **Parks and Recreation:** Sufficient OPS is being provided within the 1.40ha (main NEAP open space), 0.417ha (linear pathed open space between the 2 x SUD basins) and the southern most triangular area that forms part of the 0.2646ha collection, as depicted in the Public Open Spaces plan (1624 014). The remaining areas shaded red are classified as amenity space due to their dimensions and/or proximity to roads and/or existing/proposed planting within them, which makes them unsuitable for informal sport, games, play or relaxation.
- 9.10 As both NEAP and LEAP equipped play provision is required on-site the NEAP's activity area must be increased to a minimum of 1,400m² in order to provide a combined NEAP/LEAP, which should include a hard surfaced and robustly fenced ball court suitable for informal football/basketball.
- 9.11 As such this application falls into the Rural Parish 2 category with regards to meeting its own sport/leisure needs and should be providing the following facilities on-site:
- "Central public open space of approximately 2 - 4 ha"
 - "NEAP level equipped play provision on central main open space"
 - "Tubular frame youth shelter manufactured to British Safety Standards one in Main Open Space"
- Developers should ensure that designs and the actual built play spaces achieve a minimum rating of 'Good' against all criteria measured in RoSPA's 'Play Value Assessment'. This includes both Local and Neighbourhood Equipped Areas for Play.
- 9.12 **Thames Water:** No objection subject to conditions.

- 9.13 **Environment Agency:** This planning application is for development we do not wish to be consulted on. Please see the attached which was issued to your council to screen applications before sending to us.
- 9.14 **Strategic Access:** BCC ROW recommend the public footpath through the site is upgraded to a bridleway not cycleway. This will allow cycling access, but also maintains visibility of the route on the ground (signposting) and on Ordnance Survey maps, which would otherwise be lost with a cycleway dedication.
- 9.15 **Environmental Health:** No objection subject to conditions
- 9.16 **Trees:** No objection – potential benefits in terms of trees
- 9.17 **Education:** BCC would require a financial contribution to provide additional primary, secondary and special school facilities arising from the above development in accordance with BCC's adopted S106 policy.
To meet the impact of development in the planning area, BCC is proposing to expand existing primary schools in the village.
Secondary schools are also at capacity and estimated pupil growth from over 8000 homes with outstanding planning permission is projected to put significant increased pressure on secondary schools – with a significant deficit of places projected. BCC's current plan to accommodate this scale of housing growth is through the provision of new schools and expanding existing schools.

10.0 REPRESENTATIONS

10.1 Following press and site publicity 96 letters of representation were received. The comments raised were as follows:-

- Concerns relating to the potential accidental damage to the Wychert Listed wall by members of the public, which many feel will likely to occur during the construction and implementation of the development..
- There is a local desire to provide a walking & cycle path linking the proposal with the railway station. The purpose of this would be in order to provide an alternative to driving to the station through village roads, and adding to the already significant problem the PC and BCC face arising from on-street day-time commuter parking in residential roads near the station.
- The site would adjoin an existing industrial estate to the west of site, concerns have been raised relating to noise associated with the industrial estate impacted on future residents of the development site.
- There is no access to any sports facilities on site and non nearby that should be provided according to the NPPF.
- Resultant increase in flooding to Rosemary Lane and into Rudds Lane
- Surface water concerns
- Increase in traffic generation
- Impact upon Conservation Area
- Loss of privacy and overloading the Medical Centre and Schools due to the increase in families within this development

- The development would constitute an inappropriate intrusion on a green field site
- The site is outside of the defined village area
- Impact upon existing resources
- Lack of adequate on site play areas
- Isolated form of development
- Flood risk assessment is inadequate
- Density is out of character of the Conservation Area
- A pedestrian/cycle path should be provided to the business park
- Lack of meaningful landscaping
- The DPH is below that set by AVDC, however the development is still out of character with Haddenham
- Ecological impacts
- Houses should be built in suburban areas
- No space for recreation or open spaces
- Development is separated from the rest of the village
- Impact upon local services
- The expansion of the village has been controlled by developers
- The application has not taken into consideration recently approved applications within the vicinity.
- Impact on wildlife
- Lack of recreational provisions
- Site is cut off from the remainder of the village
- Questionable requirement/need for additional dwellings
- The application should be assessed in conjunction with other developments
- Noise and disturbance
- Lack of adequate landscaping
- No safe pedestrian access
- Conflict with Haddenham neighbourhood plan
- Impact upon the Haddenham stream
- Affordable houses should be evenly distributed within the site

10.2 **Haddenham Village Society**

The roads shown within the site should be extended into the paddock area so that the whole of the site can be developed as a coordinated entity with vehicular access via Churchway only concerns relating to highway safety.

10.3 **Rosemary Lane Action Group**

- The site is unsuitable for development in principle
- Adverse impact upon the sites landscape
- Highway access and safety concerns
- The site is not within a sustainable location
- Loss of agricultural land
- Harm to heritage assets
- Flooding concerns

10.4 Cllr David Lyons as Local Member made the following comments (20th May 2019):

Traffic impact

There is insufficient consideration of the traffic impact: 273 homes using a single access point of Churchway, a major route into the village which has the frequent service 280 bus route. At the very least a mini-roundabout should be installed at the junction with Churchway and the junction of Churchway and the A418 remodelled.

Close Proximity to industrial sites

The new homes on the western side are immediately adjacent to two industrial sites: one a busy existing one and the other planned. On the western boundary new homes will immediately abut two industrial sites: one recently completed and occupied; the second proposed. Both are classified as 'general industry', light and warehousing and are liable to create noise and pollution. This is likely to lead to complaints from residents in future and cause friction in the community. At the very least there needs to be a landscaped buffer.

Design not in keeping with the village character

The council has stipulated the design should be in keeping with the village character yet the south west corner is not at all in keeping with the village character. It is too densely packed with an overly large car parking area: it will have the feel of an out of town shopping centre. The design appears to be centred on cars rather than people and does not accord with the need to promote active travel.

Rudds Lane, Rosemary Lane and Dollicott

There is very clearly a risk of large numbers of vehicles accessing the village from the site via these very sensitive roads. The application contains no proposals to mitigate this. There are already regular accidents on parts of these roads which were not designed for motor traffic and an increase will make accidents more frequent.

Flood risk

There have been previous concerns about surface and waste water management at this site and its environs. I would want to see confirmation from Bucks County Council that they have withdrawn their previous objections on flood risk, surface water drainage etc.

- 10.5 Cllr Judy Brandis as Local Member made the following comments (19th February 2018):

I understand that unless the parish council say they will speak at committee that the above planning application can be decided under delegated powers.

My understanding is that given the local comments mainly against the application that this should come to committee anyway.

I would like to state that I would like it to come to committee for the following reasons;

Flooding

The site is obviously well out of the village having a visible barrier of an old wychert wall which rounds off the village. There are no footpath or cycle routes to the railway station or to any other parts of the village. Therefore all the traffic will be using narrow lanes with many bends. These roads are also very well used as shown by the very poor quality of the surface.

There is no access to any sports facilities on site and none nearby that should be provided according to the NPPF.

The appendage will look like a carbuncle on the edge of the village as one leaves the

A418 at the crossroad at King's Cross. It is outside an old wychert wall but without good landscaping.

This must come to committee so that villagers can speak.

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 made Neighbourhood Plan, the Haddenham Neighbourhood Plan is now part of AVDC's Development Plan Following a High Court order on 7th March 2016 Chapter 6 ("Housing and Development") of the Haddenham Neighbourhood Plan, including the housing policies, has been quashed and can no longer be given material weight in planning decisions.

11.2 The policies which are relevant and can be considered as part of this application are as follows:

- Policy TGA1: Car and Cycle Parking Standards
- Policy TGA2: On-site Walking and Cycling
- Policy TGA3: Cycle and Pedestrian Networks
- Policy CES1: Play Facilities
- Policy SRL3: Enhancing, Protecting and Providing new Natural Environment Habitats, Trees and Hedgerows

Aylesbury Vale District Local Plan (AVDLP)

11.3 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.

11.4 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. By seeking to ensure that the significance of the heritage asset (the conservation area) is preserved or enhanced, this policy is in that respect consistent with the NPPF. The policy does not however go on to include the balancing elements of NPPF paras. 195 and 196 in circumstances where either substantial or less than substantial harm is found, and in that respect it is inconsistent with the NPPF. Given this, the weight to be applied to this policy must be reduced but limited weight can still be afforded to it.

11.5 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 GP39, GP40, GP45, GP53, GP59, GP84, GP87, GP88, GP91.and RA8. 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)

- 11.6 The overview report sets out the current position with regards to the VALP which is appended to this report.
- 11.7 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 S2 Spatial Strategy for Growth, H1 affordable housing, H6 housing mix, D-HAD007 Land north of Rosemary Lane, T6 vehicle parking, BE1 Heritage Assets, BE2 Design of new development, BE3 protection of amenity of residents, NE1 Biodiversity, NE4 Landscape Character, NE8 Trees, C4 Protection of Public Right 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.
- 11.8 The VALP policy D-HAD007 states that the site has been allocated for at least 269 dwellings, with 135 homes being delivered 2018-2023 and 124 homes from 2023 to 2033. In addition to the councils validation requirements, proposals should also:
- a. Provision of at least 269 dwellings at a density that takes account of the adjacent settlement character and identity, with lower density housing on the boundary with the adjacent countryside to the northwest
 - b. The development shall be based on a design code to be prepared for the site because it is a large strategic site in a sensitive location on the edge of the settlement and it will become the first part of Haddenham experienced when approaching from Churchway
 - c. The site will be designed using a landscape-led approach. Then development design and layout will be informed by a full detailed landscape and visual impact assessment (LVIA) to be submitted and agreed by the council. A landscape mitigation scheme will be required on the north-western boundaries of the site that reduces wider landscape and visual impact
 - d. The development will limit built form with no development beyond where the land rises to the north-west of the site, following a similar line of built form to that in the approved scheme on the adjacent airfield site.
 - e. The existing trees and hedgerows should be retained Landscape buffer to be provided between the existing dwellings and the new development, and on the new settlement boundary that will be created along the north-western edge of the development to provide a soft edge to the adjacent countryside

g. The development will be designed in a way that conserves or enhances heritage assets and their settings, in particular the adjoining conservation area and the listed buildings adjacent to the site

h. The site should be accessed via Churchway with the retention of the existing footpaths and further provision of pedestrian and cycle linkages through the site and into the village including along Churchway, to the train station and with connections with the adjoining approved airfield development (site HAD005 on the VALP Policies Map)

i. The development should be in compliance with the relevant policies set out in the Haddenham Neighbourhood Plan.

b) Whether the proposal would constitute a sustainable form of development

Sustainable Location

11.9 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. -.

11.10 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, Haddenham is identified within the Settlement Hierarchy 2017 as a "larger sized village". The village of Haddenham is situated to the south west of Aylesbury, near to Thame in South Oxfordshire. There is a good range of small shops, public houses and other services and it has a large number of jobs at nearby Haddenham Business Park and bus services to other urban areas, including Aylesbury, and a nearby railway station, 'Haddenham and Thame Parkway' with regular train services to London, Birmingham and Stratford-upon-Avon. The site is proposed as an allocation in the emerging VALP under D-HAD007. It is therefore considered a sustainable and accessible location.

11.11 It is considered that the site is in a sustainable location to accommodate new development close to facilities. The following sections will set out whether the proposal can be considered as sustainable development in regard to all other aspects.

- **Build a strong competitive economy**

11.12 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.

11.13 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. It is therefore considered that the economic benefits of the scheme whilst significant and due to the large scale of the proposed development would attract moderate positive weight in the overall planning balance.

- **Delivering a sufficient supply of homes**

11.14 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. The proposal for 273 dwellings would contribute significantly to the Councils Housing Land Supply figure, however given the Council can demonstrate a 5 year supply of land as well as the scale of the development proposed, the positive weight attributed to this element is substantial.

11.15 AVDLP Policy GP2 seeks up to 30% affordable housing on schemes of 25 dwellings or more and or on sites 1 Ha or more. Policy H6 of the VALP states that new residential development will be expected to provide a mix of homes to meet current and expected future requirements.

The development proposal would provide 191 Open Market units, with 82 (30%) affordable units. 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. The housing officers advise a tenure mix of 75% rented and 25% shared ownership with 2 and then 3 bed houses are preferred for shared ownership. Whilst the total number of 273 is above the VALP emerging policy of 269, the policy refers to “at least 269”. The additional 4 dwellings is considered to be acceptable and compliant with this policy.

11.16 Affordable housing should be well distributed throughout the whole site with clusters that should not exceed 15 houses or 18 if including flats. The siting of affordable units as shown on the illustrative affordable housing plan would be acceptable. The applicant will need to supply an affordable housing plan at the reserved matters stage showing the location, tenures, sizes and mix of affordable units that will be supplied taking into account the points above. The council’s housing officer advises that the HEDNA shows a need for affordable units to be accessible and adaptable.

11.17 The applicant has supplied an indicative affordable housing plan at this stage which shows:

Market Housing	Number	Percentage	HEDNA %
1 x bed flat			3.6%
2 bed flat	33	17	3.5%
1 bed house			0%
2 bed house	41	21	12.8%
3 bed house	104	54	52%
4 bed house	13	7	21.1%
5 bed house			6.9%
Total	191		

Affordable Housing	Number	Percentage	HEDNA %
1 x bed flat	12	14	8.6%
2 bed flat	12	14	6%
1 bed house			0%
2 bed house	23	28	36.4%
3 bed house	30	36	39.1%
4 bed house	5	8	9.8%
5 bed house			
Total	82		

11.18 The applicant has agreed to enter into a s106 to secure the provision of the affordable housing on site and has provided a draft unilateral undertaking. 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 benefit. As such, it is considered that the proposal would accord with the guidance set out within the NPPF.

- **Promoting sustainable transport**

11.19 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 within 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.

11.20 The Haddenham Neighbourhood Plan aims to enhance internal and external connectivity through the use of public transport; ensure that public space is non-threatening, neighbourly and sociable; facilitate walking and cycling as the main means of access for all residents to village services and amenities; and ensure the vibrancy of the village as a safe and low-carbon community.

11.21 The HNP states that Haddenham has excellent public transport links: the north-south Chiltern rail line serves London and Birmingham and, from 2015, Oxford, while the east-west 280 Arriva Bus serves Aylesbury and Oxford. Both have frequent services and are seeing an increase in utilisation. Chiltern Rail have reflected a 61% increase in entries, from 200,000 to 317,000 per annum over the last decade. In investment in new station facilities this year and, following the construction of a new rail connection at Bicester, plan to run an hourly train service to and from Oxford from 2016.

- 11.22 Policy TGA1: Car and Cycle Parking standards of the Haddenham Neighbourhood Plan advises that all new housing developments, including every residential unit created by property sub-division, are to meet minimum parking standards through allocated on-site car parking spaces where this not possible for 1 or 2-bed properties, communal parking is permitted.
- 11.23 Policy TGA2: On-site Walking and Cycling, states that the provision of easily accessible storage for cycles, wheelchairs, electric vehicles and baby buggies and the incorporation of dual-use routes wide enough for two buggies that provide effective, safe and attractive cycle and pedestrian connections and access to the existing village walking and cycling networks will be supported.
- 11.23 Policy TGA3: Cycle and Pedestrian Networks, advises that contributions will be sought from new developments to fully fund the design and delivery of a cycle route between Thame and the Haddenham and Thame Parkway station.

Sustainable access

- 11.24 The development site would have a vehicular access to the east of the site from Churchway. The proposed access is shown as 6m in width with a 10m radius and 2m footways. An access of this width would accommodate the vehicle movements associated with this quantum of development. The 2m footways would cater for pedestrian access into the site however these footways do not provide any further connection along Churchway.
- 11.25 The submitted TA also shows the introduction of a right hand turn lane on Churchway. BCC is satisfied that this can be provided in accordance with the standards in Design Manual for Roads and Bridges (DMRB). Amended plans were submitted to show a pedestrian refuge to increase the accessibility of the site and increase opportunities for pedestrians to cross Churchway from the proposed cycleway opposite. Subject to the detailed design under a S278 agreement BCC confirm this would be acceptable. This pedestrian refuge should connect with a footway/cycleway on the opposite side of the carriageway.
- 11.26 The Revised swept path analysis shows an 11.6m long refuse vehicle entering and exiting the site, which is considered satisfactory by BCC highways.
- 11.27 The latest plans submitted by the applicant also show a section of footway along the western edge of Churchway leading south into Haddenham. This footway is between 2m and 1.8m wide and would provide a suitable connection in this direction. The Churchway carriageway is shown as a minimum of 6m which would also be acceptable. In order to facilitate this footway the junction of Rosemary Lane has been tightened. BCC highways are satisfied that these amendments would have a significant positive impact on the safety of pedestrians yet would not materially impact on the ability of vehicles to use this junction safely and conveniently.
- 11.28 A new footpath and cycleway would be provided through the centre of the site, linking the existing Haddenham village to the south (PROW 19/2) to the open countryside to the north and the existing footpath which is reinforced connecting into the existing PROW.

- 11.29 2 new site accesses are to be provided to the south/west of the site providing a footpath cycle link to the village centre and other amenities. The second access would provide a possible link to 'additional land' to the west (HAD005) under VALP policy D-HAD007 criteria h.
- 11.30 The site's north-western access to the existing site industrial estate to the west, could be relocated centrally within the western boundary of the site, in order to better marry up with the site access way within the anticipated new walkway within the industrial estate. This access will be pedestrian only. The planning permission granted for development on the adjacent site shows the reserved route to the boundary to facilitate this..
- 11.31 As the adjoining site to the west is outside of the applications red line area, the 'access opening' can only be taken up to the boundary line in order to ensure that the proposed access appropriately aligns with the site to the west. A condition should be imposed requiring that this access upto the boundary is provided to the industrial site to the west. This would provide a more direct link through to Haddenham Train station.
- 11.32 A further pedestrian link will be provided to Rosemary Lane and through the adjoining neighbouring application site approved under 15/02123/APP.
- 11.33 With regards to the pedestrian link to the Airfield site and Rosemary Lane; the applicant has confirmed that they were willing and prepared to work towards providing this, the Highways Authority raised some initial concerns as to whether the indicative route to the Airfield Site and train station could actually be achievable, this is due to the fact that there appears to be a section of land between the two developments that is beyond the control of the applicant and beyond the extent of the airfield site. Mindful of this, the Bucks Highways requested that the applicant is obligated to provide a link to this adjoining land, in the direction of the airfield site, to ensure that the site is futureproofed and that connectivity is maximised. This matter can be secured by the imposition of a condition.
- 11.34 The development proposals provision of a pedestrian link to Rosemary Lane and through to the Haddenham village to the south , has satisfied Bucks CC Highways requirements, that these measures would maximise the pedestrian connectivity where possible and appropriate.

Traffic generation

- 11.35 The TA addendum includes an assessment of the Churchway/A418 junction.. It clearly demonstrates that without any alterations the junction would not be capable of accommodating all of these vehicle movements and would be operating over capacity. The applicant has proposed to provide a new left hand turn flare to increase the capacity and provide greater room for left turning vehicles. BCC is satisfied that these measures would alleviate previous concerns over the capacity of this junction, which has been demonstrated by the junction assessments.
- 11.36 **Rudds Lane, Haddenham:** BCC have also looked at the nature of the traffic in Haddenham and consider that there is justification for some form of traffic calming along Rudds Lane and Dollicott. There have been concerns about the increased use of Rudds Lane and its inadequacy to accommodate additional traffic movements. In order to address these concerns BCC suggest a requirement to secure the submission of a

suitable signage/traffic calming scheme which would reduce the number of vehicles (including HGV's) using Rudds Lane. It may be that 'Not suitable for HGV's' signs are installed at both ends of Rudds Lane/Dollicott in addition to traffic calming and BCC is satisfied for this scheme be submitted at the reserved matters stage.

- 11.37 If this development could help reduce the existing and potential future nuisance caused by additional traffic through Rudds Lane this would be a significant benefit to the local residents, and would remove a large number of local objections.

Impact on public right of way

- 11.38 The Rights of Way Officer has advised that it would be useful for Footpath HAD/19/1 to be a dedicated as cycleway to provide access in a southerly and easterly direction to Thame Road and Churchway via the quiet roads in Townsend. This would complement the aims of the Haddenham & Thame Parkway Station Travel Plan seeking to improve cycling links to Townsend via Thame Road.

- 11.39 Footpath HAD/19/1 will also need to be constructed with a 3-metre wide tarmac surface to encourage walking and cycling to the train station, shops and other local amenities. Conditions are recommended to achieve these improvements. The Aylesbury Transport Strategy was adopted in March 2017 and states the following that the Aylesbury to Haddenham cycle route may be implemented along Aylesbury Road and Oxford Road, this route will improve connectivity to existing and future improvements in Haddenham. Haddenham and Thame Parkway Station Travel Plan suggests enlarging the Haddenham cycle network with different extensions to the station: to Woodways via Thame Road, to the Business Park via Chi/worth Gate, to Townsend via Thame Road, to Churchway, to Willis Road via Wykeham Way and to Church End via Sheerstock.

- 11.40 The cycling route described above from Aylesbury to Haddenham uses the verge along the A418 from the end of the Pebble Way cycle route through Stone to emerge on Churchway via Bridleway 4 Haddenham (see Plan A - HAD/4/1 and HAD/4/2). This is 240 metres from the sites vehicular entrance and 161 metres from a potential walking / cycling entrance in the south-eastern corner of the development. This strategic route has the potential to provide new residents with cycling access to employment and other opportunities in Aylesbury.

Highway improvements

- 11.41 In the event of this application being granted, BCC have requested a number of highway improvements to mitigate the development in the form of a financial contribution towards a number of schemes within Haddenham,:

- the implementation of the Haddenham/Aylesbury cycleway;
- the installation of a new bus shelter, associated kerb side infrastructure including maintenance and up to date service information at Churchway;
- a safety scheme at the Stanbridge Road/Woodways crossroads, potentially including High Friction Surfacing and additional signage; and

- a feasibility study and implementation of further parking restrictions in the vicinity of Haddenham and Thame Parkway Station.
- Travel plan

Parking

11.42 Policy GP24 of the AVDLP which sets out that new development should accord with publish parking guidelines in the SPG1 “Parking Guidelines”. The parking provision will be dealt with as a reserved matter. The illustrative layout indicates that a mix of on plot parking in garages, driveways and parking court areas fronting the access road could be provided. These are considered to accord with the NP policy and AVDLP requirements..

Transport conclusions

11.43 On this basis, the proposal would comply with of the Haddenham Neighbourhood Plan GP24 and GP84 of the AVDLP and maintaining highway safety with a safe access and egress being achieved and improved connectivity which 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.

- **Conserving and enhancing the natural environment**

Landscape and Layout

11.44 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.

11.45 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 landscape, agricultural land, trees and hedgerows and biodiversity and contamination.

11.46 Policy NE5 of the emerging VALP, which looks at Landscape character and locally important landscape, states that development must recognise the individual character

and distinctiveness of particular landscape character areas set out in the assessment, their sensitivity to change and contribution to a sense of place.

Development is required to meet the following criteria:-

- a. be grouped where possible with existing buildings to minimise impact on visual amenity*
- b. be located to avoid the loss of important on-site views and off-site views towards important landscape features*
- c. reflect local character and distinctiveness in terms of settlement form and field pattern, topography and ecological value*
- d. Carefully consider spacing, height, scale, plot shape and size, elevations, roofline and pitch, overall colour palette, texture and boundary treatment (walls, hedges, fences and gates)*
- e. minimise the impact of lighting to avoid blurring the distinction between urban and rural areas, and in areas which are intrinsically dark and to avoid light pollution to the night sky*
- f. ensure that the buildings and any outdoor storage and parking areas are not visually prominent in the landscape*
- g. not generate an unacceptable level and/or frequency of noise in areas relatively undisturbed by noise and valued for their recreational or amenity value*

- 11.47 Although this application is in outline form and only access is to be considered at this stage, the potential impact on the landscape is a significant consideration and therefore an assessment must be made as to whether or not the site could accommodate a development of this scale.

Landscape character

- 11.48 The site lies within the LCA9.9 A418 Ridge which has key characteristics of a shallow asymmetrical ridge, settlement dispersed along the ridge on southern face, the A418 follows the top of the ridge, predominantly arable fields with smaller paddocks around the settlement and long distance views to the north and south. There are few characteristics listed in the vicinity of the site and limited long distance views. The proposal would change the character from open countryside to an urban character in the landscape character area within which it lies and would have an impact on its character. The site is bounded to the west by large buildings on the Haddenham Business Park the residential properties to the south, and would be viewed in this context. Given this it is considered that the proposal would not have a significantly harmful impact on landscape character and would relate well to the context of its setting and surroundings

Visual effects

- 11.49 The applicant submitted an LVIA which concludes that the proposal will give rise initially a moderate/high to high adverse landscape impact and visual impact ranging from negligible to moderate high for road and PROW users.
- 11.50 The proposal 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. In terms of the impact on

the AAL which lies to the north of the A418, given the distance and characteristics, it is considered that there would be minimal impact on the AAL, and would not conflict with AVDLP policy RA8.

- 11.51 The indicative plans indicate that substantial and meaningful planting would be provided along the sites northern boundary which would provide a natural buffer to the adjoining countryside, the centrally located play area would also provide a visual transition which would soften the impact of the development by way of the absence of built form.
- 11.52 The southern side boundary of the site also would also provide a visual buffer, incorporating the SUDs mitigation, which would also be of benefit to the immediately adjoining existing residents within the village. The illustrative site layout plan demonstrates that the provision of 273 dwellings on this site can be delivered and provide mitigation in terms of peripheral planting and buffers areas to the north and south which would reduce the impact on the open character of the land.
- 11.53 The existing Haddenham Business Park is prominent in views from the north due to the height and mass of the buildings. The indicative plans submitted with this application indicate that the most dense form of development would be located within the south-western corner of the site, which would also include flats. The location of this form and scale of development is considered appropriate due to the presence of the taller industrial units and this being the least visually prominent part of the site from wider vantage points, The south-western side boundary is shown to include a dense level of tree planting which would help screen the existing industrial site.
- 11.54 In terms of the impact on residential receptors, the LVIA refers to a number of properties that potentially could be affected. Of the 23 properties potentially affected only 2 are judged to experience high adverse visual impact, namely 4& 5 Roundhill View, A further 11 properties would have moderate or moderate/high and the remainder at the lower end of the spectrum The proposal landscape buffer and open space shown on the illustrative plan would provide a reasonable level of separation which would reduce this impact 'on these properties to an acceptable level.
- 11.55 With regards to the impact on the rights of way Haddenham Parish (HAD/19/1) passes in a north-westerly direction along the western side of a hedgerow within an arable field. It provides a walking connection from Rosemary Lane to the A418, with onward links to Cuddington and Chearsley. The route also forms part of the Outer Aylesbury Ring and a formal connection onto the Wychert Way. This is promoted by the Haddenham community and celebrates local architecture, encourages access to green space and promotes tourism spending in local businesses.
- 11.56 The illustrative plan indicates Footpath HAD/19/1 set within a green corridor on the same alignment as the existing route. It is overlooked by property frontages which supports 'safe by design' principles. While appreciating the plans are in outline form, it would be useful for properties on either side of the hedge line to have access to this path via additional tarmac surfaced paths that reflect likely pedestrian desire lines. The height of the field drops on this boundary from west to east, but this can be overcome by ramps.. The impact on users of the footpath and their experience would change from an open countryside setting to a more urban experience, however given the green corridor and the short span of a more urban view it is considered that this change would be acceptable.

- 11.57 Notwithstanding the landscape and planting measures that could be incorporated into the development proposal and secured by condition, the development would have an impact on the natural landscape setting and the wider landscape setting of the area, in particular to the north. This factor is afforded significant weight tempered by the proposed landscape mitigation to considerable weight in the planning balance.

Agricultural land

- 11.58 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.

Trees and hedgerows

- 11.59 Policy SLR3 of the Haddenham Neighbourhood Plan and Policies GP39 and GP40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value. Policies GP.39 and GP.40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value.
- 11.60 Trees, hedgerows and other vegetation are an important element of both urban and rural environments. The application site does not contain any protected trees; there are a number of individual and groups of trees around the site on this basis the removal of any trees within the site would not require and planning consent.
- 11.61 An Arboricultural intergration report was submitted and confirms that that the only impact in terms of losses is a few small sections of hedgerow to facilitate the access. The trees to the southern boundary appear to be the most important in terms of existing trees, and these are all likely to be retained with minimal impact as part of the 'green buffer'. The Council's Tree Officer has confirmed that they are satisfied at this stage that existing trees do not appear to be significantly impacted. Further details including a full arboricultural impact report would be required at the reserved matters stage.
- 11.62 The Tree Officer considers that there are potential benefits in terms of trees. as the illustrative layout allows for retention of important trees, which will provide some natural screening to the north and south of the site protecting views from public vantage points from the north and from within Haddenham Village to the south, the development proposal and include provision for significant new planting. It would also be expected to see some feature tree planting along the Churchway boundary to both soften and add character to the impact of the proposal from this road.
- 11.63 Through the use of conditions, a replacement hedge and appropriate trees can be secured that would be commensurate the value of the existing trees within the site and as such would accord with HNP policy SLR3, AVDLP GP38-40 and emerging policy D-HAD007 (e). Officers consider this to weigh neutrally in the planning balance.

Biodiversity/Ecology

- 11.64 Paragraph 170 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity. Policy SRL3 of the Haddenham Neighbourhood Plan, seeks to ensure that development proposals demonstrate a net gain in biodiversity in accordance with the Defra Biodiversity Impact Calculator.
- 11.65 The application has been accompanied by an ecology statement and supplementary information. No European protected species were recorded on site, although pipistrelles will likely commute through the poor hedges. There is only limited potential for bird fauna within the site and the study concludes that the habitats offer little to wildlife and have low ecological value. The Council's Ecologist has advised that the survey and assessment is acceptable and is satisfied that the measures contained within the report 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 SRL3 of the Haddenham Neighbourhood Plan. This includes a financial contribution towards off site farmland bird mitigation to be secured through a S106 agreement. The proposed development is thus considered to be acceptable from an ecological viewpoint.

Contamination

- 11.66 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.
- 11.67 This is a greenfield site and there is no objection raised from environmental health on contamination or air quality. 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.

Promoting healthy and safe communities

- 11.68 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.
- 11.69 Haddenham Neighbourhood Plan Policy CES1: Play Facilities, advises that where appropriate, new developments are to include play facilities for young people as an integrated provision of play facilities in the village, provided the facilities will not have a detrimental effect on the amenities of local residents, but maintain natural surveillance. Play facilities are to be established with appropriate long-term arrangements for their management to ensure that they remain high quality, safe, and relevant to children in the village. This will include financial contributions or other means to support initial costs and

ongoing maintenance and/or the transfer of the land to an appropriate body by agreement with the planning authority.

Leisure

- 11.70 The indicative layout shows that sufficient open space can be provided within the 1.40ha (main NEAP open space), 0.417ha (linear pathed open space between the 2 x SUD basins) and the southern most triangular area that forms part of the 0.2646ha collection, as depicted in the Public Open Spaces plan. Additional areas of amenity space are provided which due to their dimensions and/or proximity to roads and/or existing/proposed planting within them, makes them unsuitable for informal sport, games, play or relaxation.
- 11.71 As both NEAP and LEAP equipped play provision is required on-site the NEAP's activity area must be increased to a minimum of 1,400m² in order to provide a combined NEAP/LEAP, which should include a hard surfaced and robustly fenced ball court suitable for informal football/basketball.
- 11.72 The combined NEAP/LEAP must adhere to the following AVDC requirements, which includes its minimum buffer distance from dwellings (30m) as well as it scoring a minimum of 'Good' against RoSPA's play value assessment for toddlers, juniors and teenagers.

Education

- 11.73 BCC would require a financial contribution to provide additional primary, secondary and special school facilities arising from the development in accordance with BCC's adopted S106 policy. BCC Education have advised that, in order to meet the impact of development in the planning area, BCC are proposing to expand existing primary schools within the village. Secondary schools are also at capacity and growth is projected to put significant pressure on secondary schools, with a significant deficit of places projected. BBCs current plan is to accommodate this scale of housing growth through provision of new schools and expanding existing schools.
- 11.74 In respect of special school provision, BCC have advised that in order to meet the rising demand, additional capacity has recently been provided at the Furze Down School in Winslow. Estimated pupil growth from the planned housing is projected to put increased pressure on schools. BCC are currently exploring options with existing schools to provide further additional capacity within the area.
- 11.75 Subject to the applicant entering into a S106 agreement to secure financial contributions towards education infrastructure, the development proposal is considered to adequately address the aims of the NPPF to achieve healthy communities and the requirements of AVDLP policy GP94 and emerging VALP. As such, it is considered this factor should be afforded neutral weight in the planning balance.

Making Effective Use of Land

- 11.76 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.
- 11.77 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.
- 11.78 The overall proposal for 273 dwellings would provide a density of 30.07 per hectare which would be an effective use of the site in principle and accords with the NPPF in that regards. The following paragraphs will assess the proposal against the form of development and in the context of the area.

Meeting the challenge of climate change and flooding

- 11.79 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
- 11.80 The application has been accompanied by a Flood Risk Assessment which has concluded that the development site has a low risk of flooding and that the site can be developed safely without increasing flood risk elsewhere, and that the proposal would comply with relevant planning policy concerning flood risk.
- 11.81 The application has been accompanied by a topographical survey that indicates that the site generally falls to the south-east, the central and eastern field also fall towards the public footpath located between the fields.
- 11.82 The closest main river, to the application site, is Haddenham Stream, which is located approximately 140m to the south of the site. Folly Farm Ditch is located 500m to the south-east of site, and Dad Brook is located approximately 950m to the north of the site. According to the historic records of land drains, there is an existing ditch running in a southerly direction along the eastern boundary of the site, two outfalls are located along its length. This ditch is connected to a further ditch located north of the site via a land drain which passes through the eastern section of the site. It is understood that the northern ditch is likely to take flows from the fields to the north of the site; a cut-off drain may need to be provided to prevent any overland flows from the north reaching the site.
- 11.83 Concerns were raised relating to surface water and waste water management. In response to these flooding concerns, within their submission the applicant has proposed a cut-off ditch which is to be located along the northern and eastern boundary of the site, to convey surface water runoff from the fields to the north of the site.

- 11.84 In previous plans the cut-off ditch connects directly into the exiting ditch network along Churchway, however in the updated Indicative Surface Water Drainage Strategy it shows that the cut-off ditch is connected to the proposed pond.
- 11.85 The LLFA had initially raised some concerns regarding this approach, as they considered that it had not been demonstrated by the applicant that the pond has sufficient capacity to attenuate surface water run-off as well as the additional surface water from the cut-off ditch. However, the LLFA have advised that in order to overcome this concern there are two approaches which can be taken; this being, the applicant may wish to demonstrate that the pond has sufficient capacity to attenuate the surface water flows from the cut-off ditch. Alternatively, the cut-off ditch is connected to the existing network on Churchway as per previous plans.
- 11.86 Within their submission, the applicant has committed to reducing the proposed site discharge rate, which will provide betterment on the existing surface water runoff rates discharging to the ditch network downstream, and therefore the proposals will not be increasing flood risk elsewhere as set out in the National Planning Policy Framework.
- 11.87 Infiltration testing and ground investigations have identified that infiltration is viable in the central and western fields (catchment A) and therefore it is proposed to manage surface water via a combination of swales, permeable paving, individual plot soakaways and an infiltration basin in the south east corner of the catchment. In order to achieve the 1 m freeboard it has been proposed to raise ground levels in this area. The LLFA has advised that from the information provided, the extent of the land raising is not known. In order to ensure that the 1 m freeboard will be achieved, cross sections of the areas where land raising will occur are required, these must include the existing ground level, indicative proposed ground level and depth to the water table.
- 11.88 The application has not provided any details regarding the locations of the individual dwelling soakaways, these soakaways are required to be a minimum of 5m away from any building or structure. Although this level of detailing could be included as part of any landscaping proposals required under at reserved matters stage and thus the visual appearance of any freeboards or soakaways could also be controlled by condition.
- 11.89 The Proposed Site Development - Illustrative drawing, shows two blocks of flats to the western part of the development. The LLFA has advised that the presence of these flats would provide the ideal opportunity to incorporate water re-use into the development. The LLFA has encouraged the applicant to investigate active rainwater harvesting; which will allow surface water runoff to be used for example in toilet flushing and washing machines. The use of active rainwater harvesting would decrease the attenuation required as it would only be required during those extreme rainfall events.
- 11.90 Due to high groundwater levels in the field to the east of the development infiltration has been discounted. Therefore to manage surface water runoff in catchment 8, surface water runoff will be attenuated in a pond in the south east of the site The LLFA has advised that it is important to note that this proposal provides a 25% betterment on the existing QBAR discharge rate in addition to this a reduction rate of surface water runoff discharging into the existing ditch for the 1 in 30 year and 1 in 100 year rainfall events to be reduced by 67% and 77% respectively. The LLFA have advised that as a result of the development, the betterment on the existing discharge rate will therefore not increase the flood risk downstream of the proposed development.

11.91 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. 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.

Achieving well designed places

11.92 The key to the Council's approach towards the design of new development is "local distinctiveness". This refers to the qualities of buildings, planting and topography in a locality that define its character. 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. VALP policy BE2 reflects GP35.

11.93 As this application is in outline form, the design character and appearance of the dwellings and their overall perception will be considered at any reserved matters application. The illustrative layout indicates retention of existing features including hedgerows and trees which cross the site and periphery boundaries. It has been the subject of considerable discussion with officers to have a less regular and more organic looser form which is reflective of the pattern of development in Haddenham village, legibility with the open space featuring as focal points and buffer to the north and south. The NEAP was relocated to the north to soften the edge to the countryside with connections to the development to the south. Connectivity across the site to the west, east, north and south is indicated to maximize routes to the village facilities and station and existing community.

11.94 The supporting documents indicate that the development will be predominantly 2 storeys in height (up to 9.5m in height), with the flats standing at 2.5 storeys (up to 12.5m in height) in the south western corner of the site. This would respect the scale of development in Haddenham with the taller buildings to the west near the existing employment building.

11.95 The proposal indicates planting and open amenity space about the buildings which will contribute to the overall character of the area. The greenspace to the southern part contains large attenuation ponds, details of which can be secured at the reserved matters stage. Further details of planting can be secured by condition.

11.96 In terms of parking whilst the layout is indicative, it does not show a dominance of parking. A design code can be secured through a S106 or condition for this development, in line with the emerging VALP policy D-HAD007 to ensure a quality of development that reflects the sensitive location and characteristics of Haddenham.

11.97 Overall it is considered that the development would be capable of achieving good design and conditions can be imposed to secure specific details and would accord with the aims of the NPPF and policy GP35 of the AVDLP and emerging VALP policy D-HAD007 criteria a-e and h, and BE2 in this regard and attract neutral weight.

Conserving and enhancing the historic environment

- 11.98 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.
- 11.99 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.
- 11.100 Policy BE1 of the emerging VALP recognises that the historic environment, unique in its character, quality and diversity across the Vale is important and will be preserved or enhanced. All development, including new buildings, alterations, extensions, changes of use and demolitions, should seek to conserve heritage assets in a manner appropriate to their significance, including their setting, and seek enhancement wherever possible. Proposals for development shall contribute to heritage values and local distinctiveness. Where a development proposal is likely to affect a designated heritage asset and or its setting, the significance of the heritage asset and the impact of the proposal must be fully assessed and supported in the submission of an application. Heritage statements and/or archaeological evaluations will be required for any proposals related to or impacting on a heritage asset and/or known possible archaeological site.
- 11.101 The application site is not designated as being within a Conservation Area but is located adjacent to the CA which immediately adjoins the site along its south eastern corner. There are listed buildings immediately adjoin or close to the development site to the south, namely Cobwebs 16 Rosemary Lane with its witchert walls adjoining the site and footpath, walls and garden room, Forge Cottage, Brownlow Cottage and Verneys (Grade II) These are the designated heritage assets that the development proposal requires assessment against.
- 11.102 Officers consider that there are two non-designated heritage assets which have the potential to be affected by the proposed development, which relates to the setting of The Cider House and 14 Rosemary Lane. In addition to the potential impact upon the witchert wall which is also within the Conservation Area is also a designated heritage asset.
- 11.103 The illustrative site layout plan which has undergone a number of revisions since the application's original submission and followed landscaping and site layout improvements following discussions between the applicant and the Council's Officers. The development proposal now demonstrates a more open entrance to the scheme and provides a landscape gateway to the village and the setting of the Conservation Area.
- 11.104 The application is in outline form and although the site layout is to be considered at reserved matters stage, Officers considered that the site layout and density of the development go to the heart of the development, hence the level of 'indicative' detail to

ensure that the site could effectively accommodate the amount of units on the site whilst without having an adverse impact upon the setting of the neighbouring heritage assets.

- 11.105 Officers now consider that the landscape character flows around the northern boundary of the conservation area and provides a significant buffer for the setting of the heritage assets. Following discussions between the applicant and the Council's Officers, the building line that would form the outer edge of the settlement, has been revised to provide a more of a free flow form and has moved away from the suburban layout, which is now considered to be more appropriate to the village setting.
- 11.106 The Council's Historic Buildings Officer has confirmed that the proposed development will respect the rural setting of the village and the openness of the site, which affords views to the Haddenham Conservation Area and its associated heritage assets.
- 11.107 The witchert walls which bound the development site are particularly prominent in views and represent the historic boundary of the village and are a defining feature of the Conservation Area, and the settlement. By providing a more open entrance to the development and landscape gateway the scheme will have only a minimal impact on the setting of Haddenham Conservation Area and would maintain the prominence of much of the witchert wall which is an important feature of the Conservation Area. The Council's Historic Buildings Officer has advised that this would help unify the village from its rural context.
- 11.108 In any reserved matters application Officers will be seeking house types and boundary treatments to reflect the local vernacular in order for the new development to make a positive contribution to local character and distinctiveness. A design code would assist this process at the reserved matters stage.
- 11.109 In terms of the impact on the setting of the listed buildings and the listed witchert wall, the proposed buffer indicated in the illustrative plan would preserve the setting of these listed buildings and features.
- 11.110 The revised layout of the development proposal would help preserve the architectural and/or historic interest of the listed buildings and the character and/or appearance of Haddenham Conservation Area and therefore complies with sections 66 and 72 of the Act. The proposal would have a neutral impact on the significance of the heritage assets. It is unlikely that the views of the conservation area will be impacted, due to the existing development between the proposal site and conservation area.
- 11.111 In terms of the traffic through the conservation area and in the vicinity of the listed buildings, it is considered that the mitigation proposed by BCC highways would minimise the impact from traffic.

Archaeology

- 11.112 Paragraph 128 of the National Planning Policy Framework (NPPF) states that information held in the relevant historic environment record should be consulted and expert advice obtained where necessary. The NPPF recognises that the effect of an application on a heritage asset or its setting is a material planning consideration.

- 11.113 The proposed site is adjacent to the medieval and post medieval historic core of Haddenham and prehistoric and Roman artefacts have been recovered in the vicinity. The supporting desk based assessment states:
- 11.114 *The site presents a relatively large portion of land immediately to the north of an historic settlement. Field survey suggests the area has generalized potential for remains of the prehistoric and Roman periods. Observations within the Townsend and Fort End areas of Haddenham suggest there is potential for both Saxon and Medieval features to survive. Certainly Haddenham was the centre of a substantial manor at the time of Domesday Book and later, but beyond this, almost nothing is known of the Saxon or medieval settlements and they may well be partly located away from the current settlement boundaries. The size of the site increases the chance of archaeological remains of any period being present simply by chance.*
- 11.115 *The cartographic study has shown that there are historic hedgerows surviving on the site with a length of witchert wall forming part of the site boundary. There may be a requirement that these are retained and/or enhanced in any development.*
- 11.116 *It will be necessary to provide further information about the potential of the site from field observations in order to draw up a scheme to mitigate the impact of development on any below-ground archaeological deposits if necessary. A scheme for this evaluation will need to be drawn up and approved by the archaeological advisers to the District and implemented by a competent archaeological contractor.*
- 11.117 The County Archaeologist having assessed this information has advised that in the event of planning permission being granted for this development then it is likely to harm the significance of heritage asset's so a condition should be applied to require the developer to secure appropriate investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 141 subject to conditions. This would be afforded neutral weight in the planning balance Officers consider the development proposal to be acceptable from an Archaeological perspective.
- 11.118 Special regard has been given to the statutory test of preserving the (setting of the) listed building under section 66 and 72 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 and the CA would be preserved, and so the proposal accords with section 66 and 72 of the Act. 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 NPPF11.109 and GP53 of AVDLP.

Supporting high quality communications

- 11.119 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.

11.120 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 to facilitate broadband 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.

Impact on Residential Amenity

- 11.121 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 not 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. Emerging VALP policy BE3 reflects this.
- 11.122 The land bordering the site to the west comprises the Haddenham Airfield, which was granted permission under 14/03289/AOP for B1, B2, and B8. The Councils Environmental Health officer advise that the new commercial buildings could be built in close proximity to the dwellings proposed at the western edge of the site.
- 11.123 Whilst B1 (Business) would have a negligible impact on neighbouring dwellings within the proposal site, it is considered that B2 (Industrial) and B8 (Storage/Distribution) occupation could introduce sources of noise that could impact on the proposed neighbouring dwellings. Permission has recently been granted for a mix of warehouse units under 19/01084/APP which has not been implemented.
- 11.124 Officers have also considered that there is the potential for a impact on amenity resulting from noise from the existing industrial uses on the adjacent site. In light of this, the Councils Environment Health Officers have suggested that a condition be imposed ensuring that an acoustic assessment to determine the impact of noise from fixed industrial sources be carried out by the developer in the interest of protecting the proposed dwellings against noise from fixed industrial sources, of which all works for each applicable for each applicable individual dwelling be completed prior to the occupation of the dwelling.
- 11.125 The proposed development could be designed to be sufficiently distanced from the nearest adjoining neighbouring properties so as to not result in overbearing, privacy or light loss to the occupants thereof and provide a satisfactory level of amenity for future occupiers. The proposed flats to the south western corner of the site would be close to the large employment building to the west and could be designed and orientated so that they have a reasonable level of amenity which is not dominated by the existing building. The relationship would be similar to those dwellings recently constructed to the south .

11.126 On this basis, the proposal could accord with Policy GP8 of the AVDLP, BE3 of emerging VALP and the NPPF in this respect and this is afforded neutral weight in the planning balance.

Developer contributions

11.127 As noted above, there are a number of requirements arising from this proposal that need to be secured through a S106 Planning Obligation Agreement:

- Affordable Housing Provision 30% Affordable housing (82 units) on site
- Provision and maintenance of on site open space
- Provision and maintenance of on site SUDs
- A financial contribution towards primary and secondary education
- A financial contribution per annum for 5 years for the auditing of the Travel Plan
- A financial contribution towards the new bus shelter, associated kerb side infrastructure including maintenance and up to date service information at Churchway
- A financial contribution towards the investigation into the feasibility of and the signage and lining associated with the Traffic Regulation Order to extend the existing 30mph speed limit on Churchway;
- A financial contribution towards a safety signage scheme at the Stanbridge Road/Woodways crossroads;
- A financial contribution towards the implementation of the Haddenham/Aylesbury cycleway £1,800 Section 106 monitoring fee;
- A financial contribution towards the feasibility study and implementation of additional parking restrictions at the Haddenham and Thame Parkway Station.
- A financial contribution towards ecology mitigation;

11.128 It is considered 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.

11.129 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.

11.130 The applicant has provided a draft unilateral undertaking, the Council's solicitors have been instructed in respect of the drafting of a S106 Agreement to secure the relevant obligations should Members be minded to grant planning permission. With the

obligations being secured through a legal agreement the development is considered to accord with the NPPF and AVDLP policies GP2, GP86-88, and GP94.

Other matters raised

11.131 *Access via 14 Townsend to the south:* concerns have been raised over the lack of potential vehicular access provided to serve the land at 14 Townsend to the south to serve development of this site to overcome the BCC highway concerns regarding access onto Dollicott. This is a matter which is the subject of private negotiation with the landowners and the council cannot force the owner to provide access to third party land.

Case Officer: Chris Peters

cpeters@aylesburyvaldc.gov.uk

APPENDIX 1 – Haddenham Parish Council Comments, received 13th November 2019:

Walking & cycling connectivity to Haddenham & Thame Parkway station

The PC is anxious to create a walking & cycle path linking this site (HAD007) with the railway station in order to provide a practical alternative to driving to the station through village roads, and adding to the already significant problem the PC and BCC face arising from on-street day-time commuter parking in residential roads near the station. The BCC Strategic Access Officer mentions the importance of the path in his response dated 28th July 2017. At the PC's request the applicant has indicated a footpath/cycle exit from the north- west corner of the site. The PC has also had positive dialogue with the applicant of Plot N on the adjoining industrial site (current application 18/01 084/ADP) and has been reassured to see that a requirement to provide a cycle/pedestrian path on the site has been included in the transfer of land for that site. A site plan showing the path on Plot N has been provided, and it would appear that the link to join these two sections of path on the adjoining sites is aligned. Having achieved this commitment from both applicants the Parish Council would like to see a plan indicating that the 2 site plans identify the link at the same point on the boundary.

The PC recommends that any planning permission be conditioned to deliver this cycle /pedestrian path including a right of access, thereby honouring the commitment given at the VALP public inquiry on 17th July 2018 when AVDC officers told the inspector that they would condition a walk/cycle link from the western boundary of the site to the station. Inclusion of the path should be a commitment in the Section 106 agreement, in the same way that the permissive path on the Airfield site was for outline application 14/03289/AOP (this path not being permissive).

Proximity to industrial buildings On the western boundary, new homes will immediately abut two industrial sites: one recently completed and occupied; the second proposed as Plot N in the current application reference 19/01 084/ADP. Both sites are designated to include B1 (business/light industry), B2 (general industry) and B8 (warehousing) uses. By definition, B2 is not compatible with residential neighbours by virtue of noise, pollution etc. We note that there was no recognition originally in the Plot N application that its eastern boundary will immediately adjoin housing. In design terms, the rear of the properties on the western edge of HAD007 will

face a substantial wall or fence and the massing of large industrial buildings. This will be both a poor visual environment for the occupiers of those homes, and sow the risk of future complaint about noise and possibly other issues arising from the proximity of industrial users.

The Parish Council strongly recommends that there should be a substantial landscaped visual and noise buffer separating the houses from the industrial sites, and that this buffer should be planted with mature tree and shrub species. The PC further recommends that AVDC approach the GGR factory to remove the large hoarding attached to its east facing elevation to improve the amenities of new residents at HAD007.

Design of south-west corner We understand from the applicant that AVDC wants the design to reflect village character, which the PC would support. However, there is nothing whatsoever of village character in the various blocks of flats and open car parking in the south west corner. This feels like a densely packed area, too close to the adjoining industrial building, with a car-dominated streetscape, and a building form (blocks rather than houses) which has no place in a village environment. The PC recommends that this area be reconsidered.

Flood risk The Parish Council has previously expressed concerns about surface and waste water management at HAD007 and its environs. The PC wants to see confirmation from Bucks County Council as LLFA that they have indeed withdrawn their previous objections on flood risk and surface water drainage.

Traffic impact: Rudds Lane/Rosemary Lane/Dollicott The PC is very concerned to obviate the risk of vehicles from HAD007 accessing the station and village facilities by driving along Rudds Lane, Rosemary Lane and Dollicott to the Thame Road. These roads are narrow, and in the Conservation Area. At the junction of Rudds Lane and Dollicott by Townsend Green there is a very narrow and hazardous dog-leg with nil visibility. Homes there already experience problems of vehicle damage to their properties. Subject to consultation, the PC would like to see an access restriction through this dog-leg, ideally by limiting access to pedestrians and cycles only, and preventing this being a through route for vehicles. Similarly, Rosemary Lane is narrow and partly single track only; its use by pedestrians and cyclists will increase via the existing public right of way link to HAD007, with potential safety and protection risks, suggesting consideration of some restriction on vehicle access, perhaps at Churchway. The PC recommends that a feasibility and consultation exercise be carried out, and is willing to assist with this.

For the avoidance of doubt, the PC is prepared to adopt public open spaces, the play area and streetlights to avoid service charges falling on new residents from a management company, and to ensure wider public access.

The Parish Council will send a representative to speak at the Strategic Development Management Committee meeting.

APPENDIX 2: Haddenham Parish Council Comments Received 10th May 2019:

The Parish Council accepts that this is an allocated VALP site. We are aware that this is the 4th version of the scheme since initial submission. The applicant has kept the Parish Council informed about progress. The PC welcomes many of the changes, including the pedestrian/cycle access to the new development to the south off Dollicott (now known as Platers Road), and at the north-west corner. However the PC has the following objections and concerns, and would welcome a meeting with the case officer to discuss further.

Proximity to industrial buildings On the western boundary new homes will immediately abut two industrial sites: one recently completed and occupied; the second proposed as Plot N in the current application reference 19/01084/ADP. Both sites are designated to include B1 (business/light industry), B2 (general industry) and B8 (warehousing) uses. By definition, B2 is not compatible with residential neighbours by virtue of noise, pollution etc. We note that there is no recognition in the Site N application that its eastern boundary will immediately adjoin housing. In design terms, the rear the properties on the western edge of HAD007 will face a substantial wall or fence and the massing of large industrial buildings. This will be both a poor visual environment for the occupiers of those homes, and sow the risk of future complaint about noise and possibly other issues arising from the proximity of industrial users. The Parish Council strongly recommends that there should be a substantial landscaped visual and noise buffer separating the houses from the industrial sites, and that this buffer should be planted with mature tree and shrub species. The PC further recommends that AVDC approach the GGR factory to remove the large hoarding attached to its east facing elevation to improve the amenities of new residents at HAD007.

Design of south-west corner We understand from the applicant that AVDC wants the design to reflect village character, which the PC would support. However there is nothing whatsoever of village character in the various blocks of flats and car parking swathes in the south west corner. This feels like a densely packed area, too close to the adjoining industrial building, with a car-dominated streetscape, and a building form (blocks rather than houses) which has no place in a village environment. The PC recommends that this area be reconsidered.

Walking & cycling connectivity to Haddenham & Thame Parkway station The PC is anxious to create a walking & cycle path linking HAD007 with the railway station in order to provide a practical alternative to driving to the station through village roads, and adding to the already significant problem the PC and BCC face arising from on-street day-time commuter parking in residential roads near the station. At the PC's request the applicant has indicated a footpath/cycle exit from the north west corner of the site. The PC wishes to extend that link around the Site N industrial site (current application) to join the Cala Homes development on the Haddenham airfield development (currently on site). This is perfectly possible to realise and the PC has approached the applicant for Site N. At the VALP public inquiry on 17th July 2018 AVDC officers told the inspector that they would condition a walk/cycle link from the north-west corner to station. The PC requires confirmation that this will be delivered.

Traffic impact: Churchway The PC is concerned about the potential traffic impact of 273 homes using a single access point which is also on the frequent service 280 bus route, and recommends that a mini-roundabout be installed at the junction with Churchway.

Traffic impact: Rudds Lane/Rosemary Lane/Dollicott The PC is very concerned to obviate the risk of vehicles from HAD007 accessing the station and village facilities by driving along Rudds Lane, Rosemary Lane and Dollicott to the Thame Road. These roads are narrow, and in the Conservation Area. At the junction of Rudds Lane and Dollicott by Townsend Green there is a very narrow and hazardous dog-leg with nil visibility. Homes there already experience problems of vehicle damage to their properties. Subject to consultation, the PC would like to see an access restriction through this dog-leg, ideally by limiting access to pedestrians and cycles only, and preventing this being a through route for vehicles. Similarly Rosemary Lane is narrow and partly single track only; its use by pedestrians and cyclists will increase via the existing public right of way link to HAD007, with potential safety and protection risks, suggesting consideration

of some restriction on vehicle access, perhaps at Churchway. The PC recommends that a feasibility and consultation exercise be carried out, and is willing to assist with this.

Traffic impact: A418 Planning permission for HAD007 will see the approval of the 3rd major site in Haddenham together resulting in 1000 new homes and 50% growth of the village within roughly a 5 year time period. The PC has repeatedly requested that AVDC/BCC carry out a full traffic impact assessment on the implications of such a large amount of growth in a small rural settlement. One example of such impact is at the staggered cross-roads at the junction of Churchway, the A418 and the road to Cuddington: an increasingly hazardous crossing because vehicles travelling along the A418 approach at speed with few breaks in traffic flow. The PC would like to see this junction replaced by a roundabout as was done where Pegasus Road meets the A418. The PC recommends that AVDC/BCC commission a traffic impact feasibility. The PC is willing to assist, including with funding.

Flood risk The Parish Council has previously expressed concerns about surface and waste water management at HAD007 and its environs. The PC wants to see confirmation from Bucks County Council as LLFA that they have indeed withdrawn their previous objections on flood risk, surface water drainage etc (reference reports and correspondence on AVDC web-site).

Playground In this draft the open space has been moved to the northern boundary of the site. The Parish Council supports comments from existing residents that if it were located to the southern boundary of the site it would lessen the impact of the development on existing properties, and would be more accessible to all residents nearby. The PC recommends relocation to the southern boundary.

For the avoidance of doubt, the PC is prepared to adopt public open spaces, the play area and streetlights to avoid service charges falling on new residents from a management company, and to ensure wider public access.

APPENDIX 3: Haddenham Parish Council Comments Received 26th July 2017

The Parish Council would like to add an additional comment following a recent progress update with BCC Highways on feasibility proposals for the Haddenham to Thame cycleway. The Parish Council would wish to see a full S1 06 contribution towards realisation of this project which is strongly supported by both Haddenham Parish Council and Thame Town Council.



PLANNING

C	19.06.19	1. Overland cut off ditch re-routed to discharge in downstream network & not in to the eastern pond - See Cid Engineers Design.
B	17.04.19	1. Combined Neap/Leap area amended.
A	22.03.19	1. Revised for planning
Rev.	Date.	Description.


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PROJECT
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DRAWING TITLE
 UNIT NUMBERS - ILLUSTRATIVE

Scale	Date	Drawn
1:2000@A3	06/17	AJ



Job No.	Drawing No.
1624	011

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

DETERMINATION OF PLANNING APPLICATIONS

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

HUMAN RIGHTS ACT 1998

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

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

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

SECTION 17 CRIME AND DISORDER ACT 1998

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

EQUALITY ACT 2010

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

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