

Committee Report: 2nd December 2019

Application Number:	CC/0042/19
Title:	Construction of a standalone nursery building with associated external hard and soft play space, soft landscaping and car parking.
Site Location:	Haddenham St Marys Church Of England School Aston Road Haddenham Buckinghamshire HP17 8AF
Applicant:	Buckinghamshire County Council
Case Officer:	Catherine Kelham
Electoral divisions affected:	Bernwood
Local Member(s):	Clive Harris
Valid Date:	1 st August 2019
Statutory Determination Date:	31 st October 2019
Extension of Time Agreement:	9 th December 2019

Summary Recommendation(s):

The committee Chairman and Vice-Chairman and the Development Control Committee is invited to APPROVE application no. CC/0042/19 subject to the conditions/reasons set out in Appendix A.

1.0 Introduction

- 1.1 Application CC/0042/19 is for the construction of a standalone nursery building, with associated infrastructure including parking and drop-off, on previously undeveloped land adjacent to Haddenham St Mary's Church of England School.
- 1.2 The application is submitted by Buckinghamshire County Council to fulfil their statutory duty to ensure as far as reasonably possible that there is sufficient childcare for children aged 0 to 14 or up to 18 for disabled children.
- 1.3 The application was advertised as having the potential to affect both the setting of a listed building and the character or appearance of a Conservation area.
- 1.4 It is presented to the development Control Committee as objections to the proposed development from local residents have been received.

2.0 Site Description

- 2.1 The application site is located on the southern edge of Haddenham Village. It is to the south of Aston Road and adjacent to Haddenham St Mary's Primary School. To the east is Tiggywinkles Wildlife Hospital.
- 2.2 The application site is currently part of a field in agricultural use. It is not considered to be previously developed land.
- 2.3 The application site lies in Flood Zone 1. It is not within the Chilterns Area of Outstanding Natural Beauty, Metropolitan Green Belt, or an area designated as an "Area of Attractive Landscape" or "Local Landscape Area" within the Development Plan.
- 2.4 The application site is not within Haddenham conservation area. The historic village core and conservation area lies immediately to the west and northwest of the proposed site. The boundary of Grenville Manor (3 Aston Road), a Grade II* listed building, is approximately 20 metres to the northwest of the site entrance. Within 150 metres of the application site there are a further seven listed buildings including the Grade I Parish Church of St Mary and Grade II* Church Farmhouse. There are also historic environmental records of Neolithic, Bronze Age and Roman features and evidence of Prehistoric, Roman or Medieval enclosure in the vicinity of the site.
- 2.5 To the northeast of the proposed site planning permission has been granted for up to 280 residential dwellings and associated greenspace and infrastructure (AVDC reference 14/02666/AOP). A condition of this development is to provide a two metres wide footway along Aston Road from the development to the vehicular entrance to Haddenham St Mary's Primary School.
- 2.6 To the south of the application site is predominantly arable land and the area forms part of the Haddenham Vale Landscape Character Area. This is a relatively large low lying area spreading out from the foothills of the Chiltern escarpment. The fields around the school site are separated from each other by hedgerows and trees. Similarly, the primary school is delimited from the surrounding arable land with a mixture of hedge and post and rail fence.

- 2.7 The application site and surrounding field (Land South East of St Mary C of E first school, HAD008) was identified in the Aylesbury Vale Draft Housing and Economic Land Availability Assessment (HELAA) (January 2017). It was not taken forward as a housing allocation.
- 2.8 The location of the application site is shown in figure 1 below.

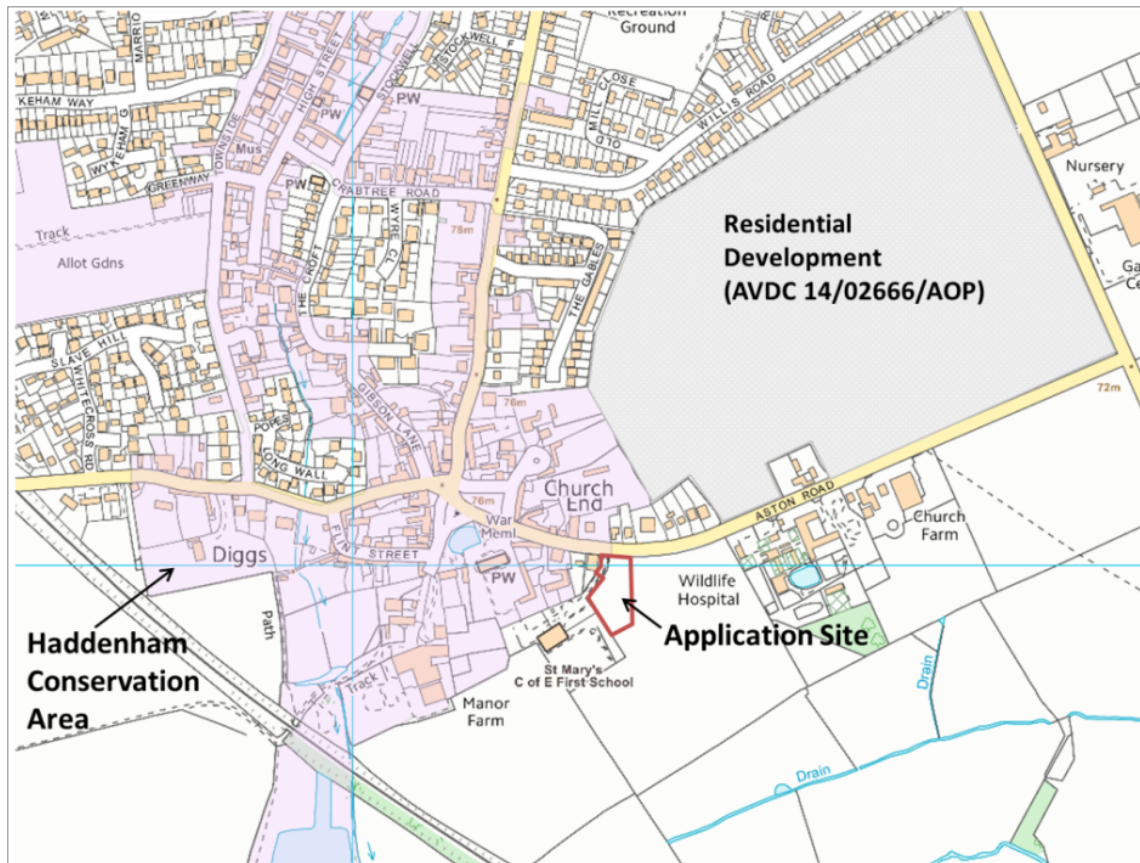


Figure 1: Location of the application site

3.0 Site History

- 3.1 There is no planning history for the application site.
- 3.2 The adjacent Haddenham St Mary's CofE School caters for pupils aged 4 to 7. The pupil admission number for September 2020 is 60 (equivalent of 2 forms of entry). It expanded to facilitate this number of pupils in 2016 (CC/08/16, CC/30/16).
- 3.3 Other nearby recent developments include a major area of residential development (AVDC reference 14/02666/AOP) and additions to the Wildlife Hospital (AVDC reference 19/02117/APP).

4.0 Description of Proposed Development

- 4.1 The proposed development is for the construction of a new nursery school and associated development including car parking, play areas, hard and soft landscaping and boundary fencing.
- 4.2 The development would be accessed via Aston Road. It would share a vehicular access with the adjacent Haddenham St Mary's primary School. A separate

dedicated pedestrian access in the northern part of the site would link the development to the footway along Aston Road being provided as part of the residential development to the northeast.

- 4.3 The nursery school would cater for children from ages 0 to 5 years and have capacity for 52 children. Operationally this may equate to 52 in the morning and 52 in the afternoon (total 104). Between 18 and 13 staff members would be required depending on the ages of the children attending the facility.
- 4.4 The nursery school is proposed to operate 51 weeks per year, Monday to Friday 7am to 7pm.
- 4.5 The nursery school building would have a floor space of 227m² and includes a main nursery area, WC, kitchen space, meeting room and storage area.
- 4.6 The building would be single storey, brick clad to match the neighbouring Haddenham St Mary's Primary School with brightly coloured decorative features. It would have an off-set pitched roof with the ridge orientated east-west (maximum ridge height approximately 5.9 metres). Windows, doors and rainwater goods would be grey in colour.
- 4.7 A covered play area would be provided immediately to the south of the building and non-covered play areas to the south and south-west of the building. To the west of the proposed building is an area proposed to be used for a future forest school.
- 4.8 To the north of the school building it is proposed to provide parking for 18 staff members and 12 spaces for pick-up/drop-off (total 30 spaces). Two sheffield cycle stands and a buggy store park would also be provided. Dedicated footways would connect the car parking and pedestrian access to the nursery school building.
- 4.9 Twelve trees (eight category B trees and four category C trees) and a four metres length of hedgerow would be removed to facilitate the development.
- 4.10 It is proposed to plant 12 trees on site and provide 90 metres of species-rich hedgerow along the east and south-east of the site to mitigate for the habitat loss and deliver net gains for biodiversity.
- 4.11 The layout of the proposed development is shown in figure 2 below.



Figure 2: Layout of the Development

5.0 Planning policy and Other Documents

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

5.2 The development plan for this area comprises of:

- Adopted Aylesbury Vale District Local Plan (AVDLP) 2004
- Haddenham Neighbourhood Plan

5.3 Other documents that need to be considered in determining this development include:

- National Planning Policy Framework (NPPF)
- CLG letter to Chief Planning Officers dated 15th August 2011
- Draft Vale of Aylesbury Local Plan (2013-2033)

5.4 The AVDLP policies most relevant to this development are:

- GP.8 Protection of the amenity of residents
- GP.24 Car parking guidelines
- GP.35 Design of new development proposals

- GP.38 Landscaping of new development proposals
- GP.39 Existing trees and hedgerows
- GP.40 Retention of existing trees and hedgerows
- GP.45 “Secured by Design” considerations
- GP.53 New Development in and adjacent to Conservation Areas
- GP.59 Preservation of archaeological remains
- GP.95 Unneighbourly Uses

5.5 Following an Independent Examination and Referendum, the Haddenham Neighbourhood plan was adopted in September 2015. As a result of the High Court Order on 7th March 2016, Chapter 6 (“Housing and Development”) of the Haddenham Neighbourhood Plan was quashed and can no longer be given material weight in planning decisions.

The policies most relevant to this development are:

- TGA2: On-site Walking and Cycling
- SRL3: Enhancing, Protecting and Providing new Natural Environment Habitats, Trees and Hedgerows

5.6 The draft **Vale of Aylesbury Local Plan (2013-2033)** (VALP) has been submitted to the Secretary of State for MHCLG for independent examination. Examination hearings were held in July 2018 and, following the provision of the Inspector’s interim findings, AVDC are preparing Main Modifications for consultation. The VALP is considered to be at an advanced stage of preparation and is a material consideration for the determination of planning applications.

Emerging policies from the draft **Vale of Aylesbury Local Plan (2013-2033)** considered to be relevant to the proposed development include:

- T4 (Delivering transport in new development),
- T5 (vehicle Parking),
- BE1 (Heritage assets),
- BE2 (Design of new Development),
- BE3 (Protection of Amenity of residents),
- NE2 (Biodiversity and geodiversity), N
- E9 (Trees, hedgerows and woodlands)
- I4 (Flooding).

6.0 Consultation Responses

6.1 The Local Member, **Councillor Clive Harriss**, has not commented on the proposed development

6.2 **Haddenham Parish Council** supports the development in principle but raises objections to the transport related impacts and environment and ecology impacts.

In particular they are concerned that the sensitivity of the surrounding area has not been recognised and parking on the village green has not been addressed. They note that granite setts around the village green are not included in this application though they were promised following a previous development at the school. They

consider the 12 drop-off spaces at the nursery will not be sufficient and are concerned how this may impact the surrounding area. They suggest provision should be made for parking on adjoining land with traffic calming and restricted access into Church lane.

In regard to pedestrian access to the school they agree with the comments made by the BCC Highways Officer to ensure the footpath within the site matches up with the footway along the south of Aston Road. They also note that there is likely to be increased footfall through St Mary's Church Yard school pedestrian access and consider a contribution should be made to restore the partially collapsed listed wicket wall which runs alongside a section of this path.

As the nursery operator may be independent of the school, the Parish Council consider it essential that the operator provides a joint travel plan in conjunction with the school. The Parish Council also requests a planning condition requiring a site management construction plan which prohibits all access by site construction vehicles from the Church End direction.

In relation to the environment and ecology impact they support the details of the BCC Ecology advisor and request further details on what measures will be set in order to ensure the nursery will be carbon neutral as far as practicable in its construction and future management.

- 6.3 The **AVDC Heritage Specialist** has commented on the proposed development in relation to Haddenham Conservation area and Grenville Manor (3 Aston Road), a Grade II* listed building near to the site. With regard to the conservation area, the officer advises that whilst the surrounding countryside is considered to be a positive aspect of the setting of the conservation area, the 2008 Conservation Area appraisal does not identify any key views which would be affected by the proposed development. Furthermore, the officer acknowledges that due to the hedgerow/screening along the road, the visibility of the site is limited in terms of the approach into the village/conservation area. She does however recommend this screening is preserved/enhanced with the proposed development. With regard to the listed buildings, the officer comments that given the location of the proposed development on the opposite side of the road and the intervening existing development it is not felt that the application site contributes to the setting of the listed building.
- 6.4 The officer from BCC **Highways Development Management** has reviewed the information provided and commented on the suitability of the access, sustainable travel links, network operation and impact, internal layout and parking. Taking into consideration the large amount of development in the vicinity of the site off Stanbridge Road, the officer is satisfied the proposed development would not have a material impact on the capacity of the local highway network. The officer is satisfied there is sufficient space within the site to accommodate 18 staff and 12 drop off spaces of the correct size with sufficient maneuverability. Concerns were initially raised regarding the adequacy of the existing pedestrian access to the site. Following the proposal to create a new 2m pedestrian access on the northern boundary of the site to link directly to the 2m footway on Aston Road secured as

part of application ref. 14/02666/AOP, the officer is satisfied there is suitable pedestrian accessibility to the site.

Overall, there is no objection to this application subject to conditions requiring the pedestrian access onto Aston Road to be put in place, the scheme for parking and manoeuvring and the loading and unloading of vehicles shown on the approved plans shall be laid out prior to first occupation of the development and the creation and implementation of a travel plan to promote sustainable methods of travel.

- 6.5 The officer from BCC **Lead Local Flood Authority** has reviewed the submitted information. She comments that two schemes have been outlined and the final design is to be determined following further ground investigations. The officer raises no objection to the proposed development subject to the submission and subsequent implementation of a surface water drainage scheme based on sustainable drainage principles.
- 6.6 The **BCC Ecology Officer** is satisfied with the information submitted and that the cumulative impacts have been considered. The officer raises no objection to the proposed development but advises that should planning permission be granted conditions are applied in order to safeguard ecological features during construction and ensure biodiversity enhancement measures are secured and maintained in the long-term. The officer also advises that using the Warwickshire v19 biodiversity impact assessment calculator, the scheme would result in an overall biodiversity net gain of 35%, which exceeds current planning policy requirement of 10%.
- 6.7 **Buckinghamshire Fire and Rescue Service** requires that all applications give due consideration to Approved Document B, Section 15 (Fire Mains & Hydrants) and section 16 (Vehicle Access) of the Building Regulations. They advise that particular attention must be given to parking facilities to prevent chronic 'double parking' issues, which could ultimately affect emergency service attendance. They also comment that further comment will be made via Building Control as and when detailed plans are submitted.
- 6.8 The **Safer Routes to School** officer recommends that should the proposed development be permitted it develops a travel plan to promote sustainable travel.
- 6.9 The **BCC Archaeology Officer** considers the proposed development is likely to affect a heritage asset of archaeological interest because of the location of the site within a wider area with known multi-phase archaeological remains. For this reason and in conformity with paragraph 199 of the NPPF, should planning permission be granted, the officer considers this should be subject to a condition requiring the developer to secure appropriate investigation, recording, publication and archiving of the results.
- 6.10 The **Arboricultural Advisor** for BCC has commented on the tree removals/retention, preliminary tree protection, mitigation of hard surfacing proposals and precautionary approach to installing new boundary fences within retained tree root protection areas. He considers the approach of submitting a detailed Arboricultural Method Statement (AMS) as a planning condition, to cover all aspects of tree protection/retention and proposed tree works, is appropriate.

6.11 **Thames Water** has not commented on the proposed development.

7.0 Representations

7.1 Representations from 13 members of the public have been received. Of these 12 objects to the application and one supports it. The following matters were raised:

- Conflict with HELAA
- Location in this part of Haddenham
- Damage to the Conservation Area
- Harm to Listed Buildings and wicket wall
- Too much car parking
- Lack of car parking
- Congestion along Aston Road
- Lack of suitable highway access
- Lack of accessibility by sustainable modes of transport, especially walking and cycling
- Operation of the facility beyond primary school hours and primary school term time
- Loss of agricultural land
- Loss of trees
- Impact on wildlife, including to wildbirds
- Impact on air quality
- Impact on rural amenity

7.2 Comments have also been received from the Governors at Haddenham St Mary's School. They are supportive of the proposals and recognise the need for additional nursery provision in the village. They raise concerns relating to access, active travel, car parking and school security and safety.

8.0 Discussion

8.1 As the committee are aware, the application being determined is for the proposed use in in the proposed location. While minor changes can be made, it is not possible through the development management process to relocate a proposed development. It should also be noted that a condition that seeks to remedy a pre-existing problem is likely to fail the test of relevance to the development being permitted.

8.2 The main issues for consideration in relation to application CC/0042/19 are:

- Principle of the Development
- Principle of the Location of Development
- Vehicle movements and access
- Amenity, Design and Landscaping
- Heritage and Archaeology
- Biodiversity and Green Infrastructure
- Drainage

Principle of the Development

- 8.3 Within the AVDLP, it is recognised that community facilities, including schools and crèches make a vital contribution to the social and economic life of the community, partially in rural areas and that new development can create an additional need for community facilities. Specifically for Haddenham, the Haddenham Neighbourhood Plan recognises there is increase pressure on pre-school provision. In particular, paragraphs 8.0.2 and 8.1 of this neighbourhood plan recognise a need for a sustainable pre-school for residents who choose to educate their children in the village.
- 8.4 Paragraph 94 of the NPPF requires local planning authorities to take a proactive, positive and collaborative approach to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. In addition, as set out in the letter to Chief Planning Officers dated 15th August 2011, the Government wants to allow new schools to open, good schools to expand and all schools to adapt and improve their facilities. This is to allow for more provision and greater diversity in the state funded sector to meet both demographic needs and the drive for increased choice and higher standards. State funded includes schools funded by Local Authorities and those funded directly by central Government (i.e. academies and free schools).
- 8.5 Following consideration of the function of a nursery in providing education to young children before compulsory education and definition of state-funded school within planning legislation, namely The Town and Country Planning (General Permitted Development) (England) Order 2015, it is considered a nursery should be viewed in the same way as a school. As such, the creation of a state-funded nursery is considered to be the same in principle as the creation of a state funded primary or secondary school.
- 8.6 Overall, the proposal to create a new nursery in Haddenham is supported in principle though the AVDLP, Haddenham Neighbourhood Plan, NPPF and planning Guidance.

Principle of the Location of Development

- 8.7 The proposed development is located on a green field site, adjacent to the built up area of Haddenham and Haddenham Conservation area.
- 8.8 As set out above, the application site and surrounding field (5ha of land South East of St Mary C of E first school, HAD008) was identified in the Aylesbury Vale Draft Housing and Economic Land Availability Assessment (HELAA) (Version 4 January 2017). The site assessment described HAD008 as *“Unsuitable - Southern part of the site is in a prominent landscape and open break in the village footprint adding to local character, highly exposed to views from the south and views to the Chilterns. The site currently forms part of an important buffer next to the conservation area and is close to a number of listed buildings.”*
- 8.9 Economic development is defined within the HELAA methodology and includes uses within and beyond those falling within the ‘B’ use class. As a nursery, the

proposed development falls within use class D1 (Non-residential institution) and therefore within the definition of economic development as set out in the HELAA methodology.

- 8.10 The HELAA is an important evidence source to inform Plan-making, but does not in itself allocate a site for housing or economic development or determine whether planning permission should or should not be granted. The allocation of a site for development can only be made in the Local Plan or through a Neighbourhood Plan. A site being identified as 'unsuitable' within the HELAA does not mean further work on constraints, mitigation or infrastructure enhancements cannot be put in to enable the Council to support development on the site.
- 8.11 The adopted Haddenham Neighbourhood Plan and AVDLP are silent on the suitability of the application site for development. Within the emerging VALP, neither the application site nor HAD008 are allocated for development. This latter plan has not been adopted and therefore while a material planning consideration is not considered to carry full weight. It should also be noted that the suitability of developing part of HAD008 was not considered within the HELAA.
- 8.12 As shown in figure 3 below, the application site is a small proportion of the 5 hectare HAD008 site. It is between the existing Haddenham St Mary's school and Aston Road. Developing this area would result in the loss of approximately 0.32ha of a green field site. It would also result in loss of a small part of the buffer next to the conservation area and listed buildings.

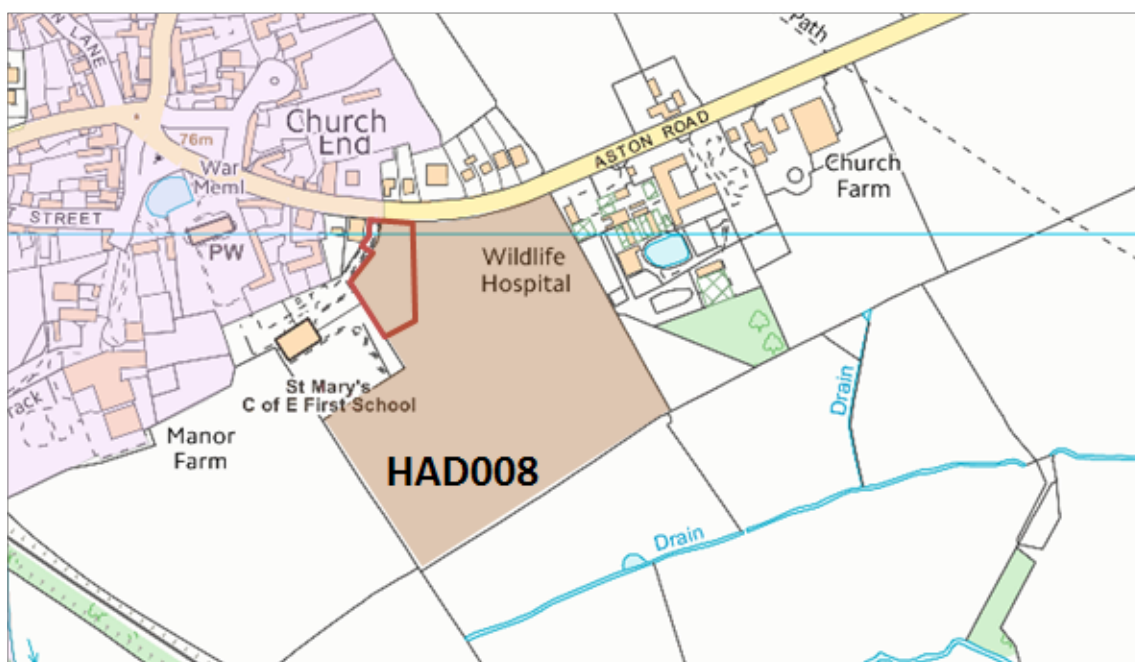


Figure 3: The Application site in proportion to HAD008 of the HELAA

- 8.13 The southern part of the HAD008 site is identified as a prominent landscape and open break in the village footprint adding to local character, highly exposed to views from the south and views to the Chilterns. It is not considered that these concerns apply to the application site which is in the north-west corner of the HAD008 site and so these views would be unaffected by the proposed development.

- 8.14 Overall the committee is advised that development on the application site is not unacceptable in principle. The suitability will depend on development specific factors and any mitigation measures. These will be considered in the following sections.

Vehicle movements and access

- 8.15 Policy GP.24 of the AVDLP requires all new development to provide vehicular parking spaces in accordance with the Council's operative guidelines. For nursery schools, the maximum parking requirement is one space per-full time equivalent member of staff. Furthermore, the guidelines state that a proportion of the parking spaces at schools should be allocated for visitors. While policy TGA1 of the Haddenham Neighbourhood Plan specifies car and cycle parking standards, this is limited to the provision at dwellings. The Haddenham Neighbourhood Plan also supports walking and cycling and through policy TGA2 supports 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.
- 8.16 Traffic and transport can also have impacts on local amenity. Policy GP.8 of the AVDLP seeks to protect the amenity of residents and prevents development which would unreasonably harm any aspect of amenity of nearby residents when considered against the benefits arising from the proposal. In addition policy GP.95 states that the Council will have regard to the protection of the amenities of existing occupiers and will not permit development that exacerbates any adverse effects of existing uses.
- 8.17 A number of objections received in relation to the proposed development relate to the adequacy of the proposed parking area and the impact of the proposed development on the highway network. Concern has been raised that at pick-up and drop-off times the existing situation with parents parking on Aston Road and along around the village green would worsen.
- 8.18 The number of staff employed at the school would depend on the number of children attending – younger children require a higher staff to children ratio. If all 52 children attending the facility were under the age of three, 18 staff members would be required. Sufficient car parking for this number of staff has been provided plus two cycle stands. For those using the nursery, 12 drop-off spaces have been provided. This is in addition to the staff parking and in excess of the maximum within the parking guidance. There is also a buggy park to facilitate children being dropped off and picked up by foot. The proposed development would link directly to the footway being provided as part of planning application 14/02666/AOP on Aston Road with a gate sufficiently wide to accommodate buggies and people walking side-by-side. This provision of a pedestrian footway into the site would help facilitate safe and suitable access for those walking, particularly from the northeast and new housing development in that area.

- 8.19 Subject to the parking being set out and used only for the proposed purpose for the duration of the development, the erection of cycle stands and buggy store, and creation of the footway the proposed development accords with policies GP.24 of the AVDLP and TGA2 of the Haddenham Neighbourhood Plan. These requirements may be secured via condition should planning permission be granted.
- 8.20 From a technical perspective no highway safety or capacity issues have been identified. The assessment made by the officer to provide this advice takes into account the impacts of other development taking place in the area.
- 8.21 Concern has also been raised by local residents in relation to potential deterioration of local air quality associated within increased traffic from the proposed development. The application site is not within an air quality management area where the relevant pollution levels have been exceeded. The proposed development includes the infrastructure to facilitate active modes of travel – cycle racks, buggy store and safe link to public footway. Should planning permission be granted as in the comments from the Parish Council, Highways Development Management Officer and Safer Routes to School officer, it is recommended the proposed development create and implement a travel plan to encourage these active modes to be utilised. This can be secured via condition.
- 8.22 In relation to parking and congestion on the road associated with this, it should be noted the proposed nursery would be open for longer hours than the adjacent school. There is unlikely to be the same highway pressure and congestion associated with school pick-up and drop-off at peak hours. Space has also been provided on site for pick-up and drop-off to mitigate the impact of the proposed development. While this will not remedy any existing problem relating to congestion at school pick-up and drop-off times, the impact of the proposed development has been considered and mitigated. With this in mind, the proposed development is considered to be in accordance with policy GP.95 of the AVDLP.
- 8.23 To minimise the impact of the construction period on local amenity and highway safety it is recommended that should planning permission be granted no development takes place until a Construction Traffic Management Plan has been submitted to and approved by the County Planning Authority. The Parish Council requests that no construction vehicles access from the Church End direction to prevent harm to the conservation area and village green. This latter element may be addressed as part of the Construction Traffic Management Plan and secured via condition.
- 8.24 In summary, the proposed development is considered to accord with policies GP.8, GP.24 of the AVDLP and policy TGA2 of the Haddenham Neighbourhood Plan.

Amenity, Design and landscaping

- 8.25 Good design is a key aspect of sustainable development and is encouraged through national planning policy and the AVDLP. Policy GP.35 requires the design of new development to respect and compliment the physical characteristics of the site, context and surroundings. Policy GP.38 of the AVDLP requires applications to include landscaping proposals to help the building fit in with and complement their

surroundings and conserve existing natural and other features of value as far as possible. In addition, policy GP.45 requires the design and layout of all planning proposals to incorporate measure to assist crime prevention and help reduce risks to personal safety while Policy GP.8 of the AVDLP states that planning permission will not be granted for development which would unreasonably harm any aspect of the amenity of nearby residents. This includes visual amenity.

- 8.26 The HAD008 area was identified as highly exposed to views from the south and views to the Chilterns. Following a visit to Haddenham and the surrounding area, it is not considered the application site is easily visible from Stanbridge Road, public footpath HAD/00532 or any other nearby public vantage points to the south. It could be visible to passengers on the railway line to the south of the site, most likely when travelling towards Haddenham given its position to the northeast of the existing school.
- 8.27 Given the single storey nature and height of the proposed building and the proposal to provide a hedgerow along the southeast and eastern site boundary, its impact on longer distance views towards Haddenham would be minimal. It is acknowledged the provision of a hedgerow is an important part of this consideration and that it would take time to grow. As such, should the development be permitted, it is recommended the hedgerow is planted during the first planting season (usually October to December) following commencement of the development. This can be secured via condition.
- 8.28 The northern boundary of the site is dominated by a hedge, currently around two metres in height. This limits the views of the site, and to the south from ground level. With the exception of the section where a pedestrian gateway is proposed the hedge line would not change. The retention of this hedge at a suitable height could further be secured via condition to protect the visual amenity of the area in accordance with policy GP.8 and GP.35 of the AVDLP.
- 8.29 From the upper storeys of the houses opposite the proposed site, namely 10 Aston Road, Blue Hills and 5 Aston Road, the proposed development would be visible. As above, the proposed development is single storey with a maximum (ridge) height of approximately 5.9 metres. In comparison the extension at Haddenham St Mary's School is approximately 5.5 metres at the ridge and the original school building is approximately 8.5 metres at the ridge. The proposed development would have a split pitched roof, similar to that at the adjacent Haddenham St Mary's School. It would be finished in brick to match the school. Aside from the building, the site from the development is dominated by car parking. This is low level with landscaping around it and would be unobtrusive in the street scene behind the hedge. As such, although the proposed development would be visible, its design would not be incongruous in its surroundings. It would not remove the more extensive views to the Chilterns beyond.
- 8.30 With regard to secure by design, the proposed development would be enclosed by bow topped dark green powder coated railings at 1.8 metres height. This would deter people from entering the site but would not appear fortress like. There are no structures close to the outside of the site within the field or which would aid climbing

into the site. The presence of a hedge would also further protect the perimeter from intrusion. The external play areas are located within view of occupied nursery rooms and away from the car parking area.

- 8.31 Concern has been raised by the Governors of Haddenham St Mary's School relating to pedestrian access between the nursery and the school site and how it might impact sight safety and security. The submitted site plan shows a footway to the boundary of the nursery site with a gate to separate it from the school. The times of opening of this gate and routing of children within the school is considered to be a matter for the school to discuss with the County Council as the applicant. Overall, the proposed development is considered to be in accordance with policy GP.45 of the AVDLP.
- 8.32 Overall, while the proposed development would be visible to neighbouring properties, especially when viewed from the upper storey of the houses to the north on Aston Road, it has been designed to be similar to the adjacent Haddenham St Mary's School. With hedging to the south, southeast and northern boundary, and the conditions outlined above, the proposed development is considered to be in accordance with policies GP.8, GP.35, GP.38 and GP.45 of the AVDLP.

Heritage and Archaeology

- 8.33 The proposed development is not located within Haddenham Conservation, though due to its proximity may be considered to be within its setting. Within the conservation area there are several listed buildings, the closest of which to the site is the Grade II* Grenville Manor (3 Aston Road). There are also a number of Historic Environmental Records relating to multi-phase archaeological findings in the area.
- 8.34 With regard to listed buildings, section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on planning authorities to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 8.35 With regard to conservation areas, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. This legal duty is reflected in the NPPF and Development Plan. In particular, policy GP.53 of the AVDLP seeks to preserve or enhance the special characteristics that led to the designation of a conservation area by preventing development which causes harm to the character, appearance, setting or associated views.
- 8.36 Through policy GP.59 of the AVDLP, the council seeks to protect, enhance and preserve the historic interest and its setting. Where planning permission is granted for sites containing archaeological remains, the policy states that the council will impose conditions to secure the excavation and recording of the remains and publication of the results.
- 8.37 Following advice from the Heritage Specialist at AVDC, the application site is not considered to contribute to the setting of the listed building or the conservation area. Due to the hedgerow/screening along the road, the visibility of the site is limited in

terms of the approach into the village and conservation area. It should be noted that the hedge along Aston Road would remain in place, excluding the placement of a gate. As such there would be minimal impact to the street scene as a result of the proposed development. The Heritage Specialist recommends the vegetation screening is preserved and/or enhanced. Should planning permission be granted, the screening vegetation may be secured via condition.

- 8.38 In light of the comments from the Heritage Specialist, the proposed development is considered to be in accordance with policy GP.53 of the AVDLP and the planning authority has fulfilled its duty under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 8.39 In relation to archaeology, no objection has been raised subject a condition requiring the developer to secure appropriate investigation, recording, publication and archiving of the results. With this in place, the proposed development is considered to be in accordance with policy GP.59 of the AVDLP and paragraph 199 of the NPPF.

Biodiversity and Green Infrastructure

- 8.40 Paragraph 170 of the NPPF requires planning decision to contribute to and enhance the natural environment. This includes minimising impacts on and providing net gains for biodiversity and recognising the intrinsic character and beauty of the countryside. Together policies GP.39 and GP.40 of the AVDLP oppose the loss of trees and when a proposed development impacts trees requires conditions to be imposed to ensure the retention, replacement of trees and hedgerows of amenity, landscape or wildlife importance and their protection during construction. Policy GP.38 gives support to native species within landscaping proposals. Policy SRL3 of the Haddenham Neighbourhood Plan also seeks to protect, enhance and provide new natural environment habitats, trees and hedgerows. This includes demonstrating a net gain for biodiversity in accordance with the Defra Biodiversity Impact calculator and wherever possible providing integral swift nesting features in buildings.
- 8.41 Concerns have been raised by local residents relating to the loss of agricultural land, impact on wildlife and loss of mature trees lining the existing driveway to Haddenham St Mary's School. No objection has been raised by the BCC Ecological advisor subject to conditions in order to safeguard ecological features during construction and ensure biodiversity enhancement measures are secured and maintained in the long-term.
- 8.42 The proposed development would result in the loss of approximately 0.32 hectares of agricultural land. This is not however classified as best and most versatile agricultural land. The proposed development is also not within a protected landscape, or one identified as having special character within the development plan. Information submitted as part of the planning application and reviewed by the BCC Ecology Officer concludes it is highly unlikely the proposed development would affect protected species, namely Great Crested Newts and Bats.

- 8.43 To facilitate the proposed development, twelve trees would be lost. It is however proposed to plant a further twelve trees to replace them. Some works would also take place in the root protection area of retained trees. Following comments from the Arboricultural advisor, these provisions are considered to be reasonable and appropriate.
- 8.44 As part of the proposed development, a number of soft landscaping features have been proposed to mitigate the impact of the proposed development within the landscape. This includes 90 metres of hedgerow along the southeast and eastern boundary of the site. As there are proposed to be trees in the school grounds and to comply with preference for native species within landscape proposals as specified by policy GP.38 of the AVDLP it is recommended the hedgerow consists of at least 50% shade tolerant native species, such as beech and hornbeam. This planting and the provision of the hedge can be secured via condition.
- 8.45 The supporting information submitted as part of the planning application advises a sensitive lighting strategy to reduce impacts on light-sensitive bats and other nocturnal wildlife. No lighting has been proposed as part of the planning application. In accordance with advice from the BCC Ecology Officer it is therefore recommended that prior to any external lighting being erected on the site a suitable lighting scheme is agreed. This may be secured via condition.
- 8.46 Haddenham has a regionally important population of Swifts which is entirely dependent on the built environment for nesting. As such, the Haddenham Neighbourhood Plan policy SLR3 requires that whenever possible, all new buildings must provide integrated Swift nesting features. To comply with this policy should planning permission be granted it is recommended at least one swift box is incorporated into the building at a suitable height and elevation either as a specialist 'swift brick' or nest box.
- 8.47 When assessed with a biodiversity impact calculator, the proposed development has demonstrated a net-gain in biodiversity. Overall, subject to the submission of detailed site specific Arboricultural Method Statement (AMS) to cover all aspects of tree protection/retention and proposed tree works, and a requirement to use native species the proposed development is considered to be in accordance with policy GP.38, GP.39 and GP.40 of the AVDLP, policy SLR3 of the Haddenham Neighbourhood Plan and paragraph 170 of the NPPF.

Drainage

- 8.48 Paragraph 163 of the NPPF requires local planning authorities to should ensure flood risk is not increased elsewhere.
- 8.49 The applicant has provided information on flood risk and drainage as part of the application. Two schemes have been outlined within the submitted documents and the final design will be determined following further ground investigations.
- 8.50 As in the comments from the LLFA outlined above, no objection to the development from drainage perspective has been raised subject to the provision of a surface water drainage scheme, including an investigation of use of above grounds SuDs feature and its maintenance. This may be secured via condition.

8.51 With this in place, the proposed development is considered to be in accordance with paragraph 163 of the NPPF.

Other Matters

8.52 Concern has also been raised by local residents in relation to potential deterioration of local air quality associated with increase traffic from the proposed development. The application site is not within an air quality management area where the relevant pollution levels have been exceeded.

8.53 With the UK's 25 Year Environment Plan, it is recognised that trees can have air quality benefits. Should the committee consider it necessary in the interests of local amenity and air quality, in accordance with policy GP.8 of the AVDLP, the species of trees may be further specified via condition to include native species believed to be more effective in reducing pollutants such as sycamore, poplar and oak.

8.54 As required as part of the Equality Act 2010 Section 149, in determining this application due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups.

8.55 It is not considered the proposal would conflict with the requirements of the Equality Act 2010 or the Council's policy on equality

9.0 Conclusion

9.1 In assessing the suitability of the proposed development, consideration has been given to the development plan and material considerations. This takes into account (amongst other factors) the likely impacts on local amenity, design and landscape, highways, Haddenham Conservation Area, Listed Buildings, air pollution and the natural environment. Consideration has also been given to the review of the application site and surrounding area in the Aylesbury Vale Draft Housing and Economic Land Availability Assessment (HELAA) (January 2017).

9.2 The development would not be invisible and nor would it resolve pre-existing problems relating to congestion at the school pick-up and drop-off times. Its impact however is not considered to be so severe as to outweigh the presumption in favour of development at state funded schools and the community benefit of providing a pre-school. Taking into consideration the development specific factors, namely its location within the larger area assessed as part of the HELAA, the boundary treatment measures which as discussed above may be secured via condition should planning permission be granted, the development is considered to be acceptable and in accordance with the development plan as whole.

9.3 It is therefore recommended that planning permission is granted subject to the conditions set out in Appendix A.

Conditions

Time limit for commencement

1. The development to which this permission relates must be begun within three years from the date of this consent.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the County Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 (as amended).

Approved Drawings

2. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings:
 - Site Location Plan, drawing 19.110.050.005, Rev 1, dated 29.07.2019
 - Proposed Site Plan, drawing number: 19.110.050.002, Rev 6, dated 16.09.2019
 - Proposed Floor Plan, drawing number: 19.110.100.001, Rev 1, dated 12.06.2019
 - Proposed Elevations, drawing number: 19.110.140.001, Rev 0, dated 22.05.2019

For the avoidance of doubt this includes the specified finishing materials.

Reason: To define the development which has been permitted so to control the operations and to comply with policy GP.8 of the AVDLP.

Pre-commencement Conditions

3. No development shall take place, unless authorised by the local planning authority, until the applicant, or their agents or successors in title, have undertaken archaeological evaluation in form of trial trenching in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. Where significant archaeological remains are confirmed these will be preserved in situ.

Reason: To prevent harm to a heritage asset and secure appropriate investigation, recording, publication and archiving of the results in conformity with paragraph 199 of the NPPF

4. Where significant archaeological remains are confirmed, no development shall take place until the applicant, or their agents or successors in title, have provided an appropriate methodology for their preservation in situ which has been submitted by the applicant and approved by the planning authority.

Reason: To prevent harm to a heritage asset and secure appropriate investigation, recording, publication and archiving of the results in conformity with paragraph 199 of the NPPF

5. Where archaeological remains are recorded by evaluation and are not of sufficient significance to warrant preservation in situ but are worthy of recording no development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

Reason: To prevent harm to a heritage asset and secure appropriate investigation, recording, publication and archiving of the results in conformity with paragraph 199 of the NPPF

6. Prior to the commencement of the development a Construction Traffic Management Plan shall be submitted to and approved in writing by the County Planning Authority in consultation with the Highway Authority. The Plan shall include details of:
- Construction access;
 - Management and timing of deliveries;
 - Routing of construction traffic to avoid Haddenham Conservation Area and Church Lane;
 - Vehicle parking for site operatives and visitors;
 - Loading/off-loading and turning areas;
 - Site compound;
 - Storage of materials;
 - Precautions to prevent the deposit of mud and debris on the adjacent highway.

The development hereby permitted shall thereafter be carried out in accordance with the approved Construction Traffic Management Plan.

Reason: In order to prevent danger, obstruction and inconvenience to users of the highway and of the development during the construction of the development in accordance with policy GP.8 of the AVDLP and harm to the conservation area in accordance with policy GP.53 of the AVDLP.

7. Prior to the commencement of development, a Biodiversity Management Plan (BMP) shall be submitted to and approved in writing by the County Planning Authority. The BMP shall be a stand-alone document that clearly identifies the ecological mitigation and enhancement measures to be undertaken:
- Prior to commencement on site including method statements for watching briefs/destructive searches during vegetation clearance works,;
 - During construction including how ecological features will be protected during this time; and
 - Post-construction including planting proposals, a commitment to replace any trees that become diseased or damaged within five years of their planting with a like species in the next available planting season and the provision of bat, bird and hedgehog boxes in suitable locations with no less than one swift box/brick.

Planting proposals shall consist primarily of native species and no less than 50% of the hedgerow shall consist of at least two different shade tolerant native species.

The BMP shall be in a form that can be easily utilised by construction contractors and landscape managers thereafter. It shall be prepared based on the guidance in sections 10 and 11 of BS 42020:2013 – Biodiversity - Code of practice for planning and development and shall include all of the mitigation measures (MM1-MM12) and ecological enhancements (EE1-EE6) set out in Section 6 of the Addendum Ecological Appraisal.

The development hereby permitted shall thereafter be carried out in accordance with the approved Biodiversity Management Plan.

Reason: To ensure that ecological resources including protected species and notable species and habitats are safeguarded at all phases of development; and to ensure a net gain for biodiversity in accordance with policy SLR3 of the Haddenham Neighbourhood Plan and paragraph 170 of the NPPF.

8. Prior to the commencement of the development a site specific Arboricultural Method Statement to cover all aspects of tree protection/retention and proposed tree works and including details of all tree protection measures, tree works specifications and a detailed tree protection plan shall be submitted to and approved in writing by the County Planning Authority. The development hereby permitted shall thereafter be carried out in accordance with the approved Arboricultural Method Statement.

Reason: To ensure adequate protection of trees in accordance with policy GP.39 of the AVDLP.

9. Prior to the commencement of the development, a surface water drainage scheme for the site, based on sustainable drainage principles shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority should be given to above ground SuDS components
- Demonstration of the 1m freeboard from the base of the infiltration component and the water table
- Infiltration rate testing undertaken in the location and at the effective depth of the proposed drainage component in line with the principles of Building Regulation 2010 Part H2 or BRE365
- Subject to infiltration being inviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the drainage hierarchy as outlined in paragraph 080 of the Planning Practice Guidance
- Drainage layout detailing the connectivity between the building and the drainage component(s), showing pipe numbers, gradients and sizes, complete together with storage volumes of all SuDS component(s)
- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- Construction details of all SuDS and drainage components
- Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction

Reason: To manage surface water and ensure flood risk is not increased elsewhere in accordance with paragraph 163 of the NPPF.

Development Phase Conditions

10. The hedgerow along the southeast and eastern boundary as shown on “Proposed Site Plan, drawing number: 19.110.050.002, Rev 6, dated 16.09.2019” shall be planted in the first planting season following the commencement of the development. It shall thereafter be allowed to grow and maintained a height of no less than 1.5 metres in perpetuity.

Reason: To protect the visual amenity of the area in accordance with policy GP.8 and GP.35 of the AVDLP for the lifetime of the development

11. Prior to the installation of any external lighting, a sensitive lighting strategy for bats for the site shall be submitted to and approved in writing by the county planning authority. The strategy shall:

- Be in compliance with Institution of Lighting Professionals' Guidance Note 08/18 (Bats and artificial lighting in the UK);
- Identify those areas/features on site that are particularly likely to be important for foraging and commuting bats;
- Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using the identified habitats/corridors; and
- Include a lighting curfew so lighting is off when the nursery is not operational

The strategy shall be implemented as approved.

Reason: To ensure that retained features remain suitable for use by bats (and other nocturnal fauna) and that newly created habitat provides suitable habitat in accordance with SLR3 of the Haddenham Neighbourhood Plan and paragraph 170 of the NPPF.

Post Development Phase Conditions

12. Prior to occupation of the development or within three months of the creation of the public footway along Aston Road, whichever is the later; the new means of pedestrian access onto Aston Road as shown on “Proposed Site Plan, drawing number: 19.110.050.002, Rev 6, dated 16.09.2019” shall be laid out in accordance with the approved drawing. It shall thereafter be maintained and not used for any other purpose.

Reason: To minimise danger and inconvenience to highway users and promote walking in accordance with TGA2 of the Haddenham Neighbourhood Plan

13. Prior to the occupation of the development, the scheme for parking and manoeuvring, cycle stands and buggy store as indicated on the submitted plans shall be laid out in accordance with the approved plans and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway in accordance with paragraph 108 of the NPPF.

14. Prior to the occupation of the development, a school travel plan shall be submitted to and approved in writing by the County Planning Authority. The plans shall include a named travel plan coordinator, a programme for facilitating the monitoring of the travel plan and full analysis of the existing modal split for staff and pupils at the school, detailed proposals for future sustainable transport promotion and provision, with the aim of securing no increase in the number of car movements generated on the school journey.

Reason: In order to promote more sustainable transport options in accordance with paragraph 102 of the NPPF and policy TGA2 of the Haddenham Neighbourhood Plan

On-going Conditions

15. The hedgerow along the north boundary of the development along Aston Road shall be maintained at a height no less than 1.5 metres in perpetuity.

Reason: To protect the visual amenity of the area in accordance with policy GP.8 and GP.35 of the AVDLP for the lifetime of the development

16. For the duration of occupation of the development, the school travel plan shall be reviewed annually and updated. In the event of an increase in the number of car movements as identified in the school travel plan, the school shall undertake measures, as identified in the travel plan, as necessary to promote a reduction in the number of car borne trips.

Reason: In order to promote more sustainable transport options in accordance with paragraph 102 of the NPPF and policy TGA2 of the Haddenham Neighbourhood Plan

Informatives

Compliance with Article 35 of the Town and Country Planning (Development Management Procedure) Order 2015

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising in relation to dealing with the proposed development by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. For this application, additional information was sought relating ecology, the pedestrian access and trees amongst other factors. This approach has been taken positively and pro-actively in accordance with the requirements of the National Planning Policy Framework as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Highways

It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A period of 28 days must be allowed for the issuing of the licence, please contact the Area Manager at the following address for information or apply online via Buckinghamshire County Council's website at: <https://www.buckscc.gov.uk/services/transport-and-roads/licences-and-permits/apply-for-a-dropped-kerb/>

Transport for Buckinghamshire (Streetworks)
10th Floor, New County Offices
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
01296 382416

Biodiversity Management Plan

The Biodiversity Management Plan should include, but not be limited to, the following8:

- Method statements for the protection of all relevant protected or notable species and habitats with the potential to be impacted by the development including but not limited to, trees, hedgerows, bats, amphibians, nesting birds, hedgehogs, badgers and non-native invasive plants.
- Protocol to be followed by the developer and/or construction company should a protected species be found during the development, including a clear chain of responsibility.
- Description and evaluation of existing and proposed ecological features to be managed.
- Aims and objectives of management.
- Appropriate management prescriptions for achieving aims and objectives.
- Work schedule, including an annual work plan capable of being rolled forward over a five year period.
- Details of the body or organisation responsible for implementation of the plan.
- Ongoing monitoring and remedial measures.

Wild Birds

All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), including their nests (whilst in use or being built) as well as any eggs the nest may contain. Therefore, no vegetation should be removed during the bird nesting season. This is weather dependant but generally extends from 1st March to 31st August (inclusive). If this is not possible, a qualified ecologist should check the areas concerned immediately prior to vegetation removal to ensure that no nesting or nest-building birds are present. If any nesting or nest-building birds are present, no vegetation should be removed until the fledglings have left the nest.

Site Notice

Please remove any site notice that was displayed on the site pursuant to the application