

Contact: Heather Smith DDI No. 01494 421913  
App No : 17/07500/FUL App Type : FUL  
Application for : Erection of 1 x 3 bed detached dwelling with detached garage and parking area  
At Clematis Cottage, Lower Icknield Way, Great Kimble, Buckinghamshire HP17 9TX  
Date Received : 14/09/17 Applicant : Mrs Jane Gammell  
Target date for decision: 09/11/17

## 1. **Summary**

- 1.1. Full planning permission is sought for the erection of a two storey detached dwelling house within the rear garden area of Clematis Cottage, Lower Icknield Way.
- 1.2. It is considered that this proposal fails to accord with the policies of the Development Plan for the following reasons:
  - a) Unsustainable location which has no safe and convenient access to non-car modes of travel.
  - b) Prominent and urban form of development detrimental to the open and rural character of the surrounding area.
  - c) Results in the intensification of use of an access at a point where visibility is substandard which would lead to danger and inconvenience to highway users.
  - d) Insufficient information submitted to demonstrate that adequate surface water drainage measures can be implemented on the site to accommodate surface water run-off.
- 1.3. Having weighed the benefits of the proposal against the failure to comply with policies in the existing and emerging development plan for the district and taking the guidance provided through the NPPF into account the application is recommended for refusal.

## 2. **The Application**

- 2.1. Clematis Cottage is an attractive, thatched roof, cottage which forms one of a group of four detached dwellings, situated on the north western side of Lower Icknield Way, Great Kimble.
- 2.2. A narrow access road runs adjacent to the north eastern boundary of the site, between the Lower Icknield Way and the existing business units at Hollytree Farm, to the rear. A vehicular access and gate is sited adjacent to the north eastern boundary of Clematis Cottage, off the existing narrow track, which provides access to an existing garage and parking area for the dwelling.
- 2.3. The application site is situated in a fairly isolated position, at least 200 metres from the nearest properties in Great Kimble to the north east. The area surrounding the application site is designated as "Open Countryside beyond the Green Belt".
- 2.4. The Lower Icknield Way (B4099) is a classified road with a 40mph speed limit. It has limited or no footpaths alongside the carriageway and is unlit for large stretches.
- 2.5. This application seeks full planning permission to erect a new two storey detached dwelling, in the rear garden area of the existing dwelling. The submitted plans show that the existing plot is to be divided in half (from east to west) and the new dwelling would be sited on a new plot measuring approximately 30m by 20 metres in size.
- 2.6. The proposed dwelling would be erected with a frontage facing the existing access

track and a separate detached garage and space to park two cars adjacent to the south western side of the property. A rear garden area would be formed in the south eastern part of the site, with a minimum depth of 13 metres, extending up to 17 metres in the centre of the site.

- 2.7. The proposed dwelling would be roughly "T" shaped, with the main body of the structure facing the access road and a gable ended wing on the north western side. A small single storey pitched roof element would be formed on the southern side, thereby providing three distinct roof formations. The height of the proposed structure would range from 6.5 metres to 5 metres.
- 2.8. This application is accompanied by;
  - a) Completed application forms,
  - b) Plans and elevations,
  - c) An Ecology Wildlife Checklist, and,
  - d) Planning, Design and Access Statement.

### **3. Working with the applicant/agent**

- 3.1 In accordance with paragraphs 186 and 187 of the NPPF Wycombe District Council (WDC) take a positive and proactive approach to development proposals focused on solutions. WDC work with the applicants/agents in a positive and proactive manner by;
  - offering a pre-application advice service,
  - as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions, and,
  - by adhering to the requirements of the Planning & Sustainability Customer Charter
- 3.2 In this instance the applicant was informed/ advised how the proposal did not accord with the development plan, that no material considerations are apparent to outweigh these matters and provided the opportunity to amend the application or provide further justification in support of it.

### **4. Relevant Planning History**

- 4.1. WR/2141/71: Site for dwelling. Refused 24.11.71
- 4.2. W/7303/78: Erection of dwelling. Refused 13.12.78.
- 4.3. 17/05099/FUL: Erection of a 3 bed detached dwelling with detached garage and parking area. Refused 15.03.2017.

### **5. Issues and Policy considerations**

#### **Planning Policy Framework**

- 5.1. In considering the application, regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that proposals be determined in accordance with the **development plan** unless material considerations indicate otherwise.
- 5.2. For the purposes of considering this application the relevant parts of the Development Plan are the:
  - a) Wycombe District Local Plan to 2011, adopted January 2004, as saved and extended (ALP),
  - b) Wycombe Development Framework Core Strategy adopted July 2008 (CSDPD), and,
  - c) Delivery and Site Allocations Plan adopted July 2013 (DSA).
- 5.3. From 16 October 2017 the emerging policies of the Wycombe District Local Plan (Regulation 19) Publication Version will also be material. The weight to be given to individual policies will be assessed in accordance with paragraph 216 of the NPPF.

- 5.4. Weight is of course a matter for the decision maker but the NPPF says:
- Para 216. From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
  - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and,
  - the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- a) The emerging policies may be referred to in the assessment of this application, however as this document has not been through Examination, the application of these draft policies holds limited weight.
- 5.5. In addition, section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with planning applications, the authority shall have regard to:
- (a) Provision of the development plan insofar as they are material,
  - (b) Any local finance considerations, so far as they are material to the application; in this instance CIL and New Homes Bonus, and,
  - (c) Any other material consideration.
- 5.6. Other material considerations which need to be taken into account include the National Planning Policy Framework (NPPF), the Planning Practice Guidance (NPPG) and Supplementary Planning Documents.
- 5.7. At the heart of the NPPF is a presumption in favour of sustainable development. Advice and guidance on delivering sustainable development is set out in paragraphs 18-219 of the NPPF under the following sub-headings:
- Building a strong competitive economy,
  - Delivering a wide choice of high quality homes,
  - Promoting sustainable transport,
  - Conserving and enhancing the natural environment,
  - Conserving and enhancing the historic environment,
  - Promoting healthy communities,
  - Requiring good design, and,
  - Meeting the challenge of climate change and flooding.
- 5.8. The presumption in favour of sustainable development in decision taking is explained at paragraph 14. Unless material considerations indicate otherwise it means:
- Approving development proposals that accord with the development plan without delay, and,
  - Where the Development Plan is absent, silent or relevant policies are out-of-date, granting permission unless:
    - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or,
    - Specific policies in the NPPF indicate development should be restricted.
- 5.9. The Local Planning Authority also recognise that they are charged with delivering a wide choice of high quality homes and to boost the supply of housing by identifying sites for development, maintaining a supply of deliverable sites and to generally consider housing applications in the context of the presumption in favour of sustainable development (paragraphs 47-49).
- 5.10. Paragraph 49 of the NPPF indicates that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot

demonstrate a five year supply of deliverable housing sites. The first issue to consider is whether the local planning authority can demonstrate a five year supply of deliverable housing sites.

### **Housing supply and need**

Adopted Local Plan (ALP): H2 (Housing Allocations), H4 (Phasing of New Housing Development), C10 (Development in the Countryside Beyond the Green Belt)

Core Strategy: CS1 (Overarching principles - Sustainable Development), CS2 (Main Principles for Location of Development), CS7 (Rural Settlements and Rural Areas), CS8 (Reserve Locations for Future Development), CS12 (Housing Provision).

- 5.11. In March 2017 planning permission was refused for a similar planning application to that now proposed.
- 5.12. Prior to the determination of this application, consideration had to be given to the then position regarding the 5 year supply of housing. The previous report stated that:

**“...although, the Council can demonstrate a 5 year housing land supply against the Core Strategy requirement and against the housing target in the Consultation Draft Local Plan, at present, it cannot demonstrate a 5 year housing land supply against the objectively assessed housing need set out in the Bucks HEDNA (Housing and Economic Development Needs Assessment). As such, relevant policies for the supply of housing cannot be considered to be up-to-date.”**
- 5.13. Given the position of the then 5 year housing supply, it was considered that policies concerning the location of housing in the countryside were not up-to-date and therefore could not be taken into account in the determination of the application. However, the current position regarding the 5 year housing supply has changed in the intervening period.
- 5.14. Firstly, the Council's December 2016 Statement on Housing Supply has been superseded by the 2017 HEDNA. This updates the assessment of housing need against which supply has to be judged and the shortfall is not now so significant.
- 5.15. Secondly, following the Supreme Court decision in Suffolk Coastal (2017 UKSC 37) policies which only have an indirect impact on the supply of housing, such as policies requiring accessibility via sustainable transport, do not need to be classed as policies 'affecting the supply of housing'.
- 5.16. The effect of the positional change regarding the 5 year housing supply, and the recent Supreme Court decision, is that the current proposal can now be considered against the policies of the Local Plan affecting location of new housing in the countryside.
- 5.17. A Housing and Economic Development Needs Assessment Addendum (HEDNA) has been undertaken to identify the Objectively Assessed Need (OAN) for the housing market area. For Wycombe district this identifies an OAN of 13,200 or 660 dwellings per annum for the new Local Plan period of 2013 to 2033. However when considering the OAN, footnote 9 to paragraph 14 of the NPPF and the Planning Practice Guidance PPG (paragraph 30) identifies full weight should not be attached to the OAN where constraints exist including areas of Green Belt and AONB.
- 5.18. The latest published land supply position is set out in the Housing and Economic Land Availability Assessment (HELAA), published in September 2017. When applying the 5 year housing supply against the OAN of 13,200 dwellings the Council cannot demonstrate a 5 year supply. However, as set out in this statement, the OAN is not the same as the housing requirement in a Local Plan and full weight should not be attached to the objectively assessed need, particularly in areas such as Wycombe District where significant planning and environmental constraints exist.
- 5.19. When assessed against the housing target of 10,925 in the publication version of the

Local Plan, the Council has 6.2 years for the period of 2018-23. The same supply side information can be relied on to assess supply against the FOAN of 13,200 dwellings. When assessing the 5 year housing supply against the most up-to-date FOAN the Council can currently demonstrate **4.95 years** supply for the period 2018-23 (taking into account shortfall since the start of the plan period and a 5% buffer).

- 5.20. Close working with the other Buckinghamshire Districts in the housing market area has resulted in an agreed Memorandum of Understanding that the unmet housing need of 2,275 from Wycombe District will be accommodated in Aylesbury Vale District. Given this progress under the Duty to Cooperate, the Council considers that the weight to be attached to the lack of a 5 year housing land supply against the OAN should be significantly reduced.
- 5.21. The NPPF indicates that policies for the supply of housing should be considered out of date where they seek to restrict the supply of housing where the Council cannot demonstrate a 5 year housing land supply, and that there is then a presumption in favour of sustainable development, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (paragraph 14).
- 5.22. The Council has had regard to the overall five year housing land supply position and the positive contribution that this proposal would make towards it. The housing delivery needs to be weighed with other planning considerations set out within this statement and assess whether the contribution to the five year housing land supply along with other planning benefits and material considerations would significantly outweigh any adverse impact.

### **Principle and Location**

Adopted Local Plan (ALP): C9 (Settlements Beyond the Green Belt) C10 (Development within the Countryside Beyond the Green Belt)

CSDPD: CS1 (Overarching Principle - Sustainable Development), CS2 (Main Principles for Location of Development), CS7 (Rural Settlements and the Rural Areas), CS12 (Housing provision)

DSA: DM1 (Presumption in favour of sustainable development),  
Housing Intensification Supplementary Planning Document (HISPD)

Emerging Local Plan (Regulation 19) Publication Version: Policies DM44 (Development in the Countryside Outside of the Green Belt).

- 5.23. The NPPF at paragraph 55 states that:

“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.”

- 5.24. Policy C10 of the adopted Wycombe District Local Plan supports the advice provided in the NPPF and states that:

“...within that portion of the countryside beyond the Green Belt, and subject to other appropriate policies of this local plan, planning permission will only be given for:

- a) Development reasonably necessary for the purposes of agriculture and forestry;
- b) Development for outdoor sport and countryside recreation and for buildings which support those uses, as set out in Policy RT5;
- c) Limited affordable housing for local community needs in accordance with Policy H14,

- d) Local community facilities which cannot be provided elsewhere
- e) Infilling within villages, hamlets and identifiable ribbons of development where there are no adverse effects on the character of the area. The closing of gaps or enclosure of open areas which contribute to the open character of the area will not be permitted;
- f) Development wholly appropriate to a rural area which cannot be located within a settlement and
- g) Development consistent with the appropriate policies of this chapter.

All development must be of an appropriate design and scale for its location and contribute to a sense of local identity by respecting or enhancing the existing character of the area, in accordance with the principle set out in Policy G3.

- 5.25. Policy DM44 of the Emerging Local Plan (Regulation 19) Publication Version supports the adopted policy and states that permission will only be granted for development that accords with a made Neighbourhood Plan. In the absence of a Neighbourhood Plan for the Great Kimble area, this proposal must be considered to be premature.
- 5.26. In his supporting statement, the applicant's agent asserts that the application site lies within the settlement boundary for Great Kimble and that this proposal represents an appropriate infill development, in accordance with Policy C10 of the Local Plan. However, Great Kimble has no settlement boundary identified on the Policies Map and therefore it is necessary to consider whether or not the application site does lie within the village area or whether or not it is an infill site within an identifiable ribbon of development.
- 5.27. A similar issue was considered, on appeal, relating to the erection of a detached bungalow on land at the rear of 15/16 Lower Icknield Way, in September 1998. Although, this development was permitted, the Planning Inspector made a clear and useful statement regarding the built up area of Great Kimble. He concluded:
- “...in the vicinity of the appeal site, there is a marked contrast between those parts of Great Kimble which appear to be part of the built-up area of the village and the open, rural landscape beyond. In my opinion, the hedge along the southwestern boundary of the access drive serving Orchard House, Winward and Millstone marks the boundary of the village. To the southwest and on the northwestern side of this part of Lower Icknield Way, there is open agricultural land.”
- 5.28. The application site lies in excess of 200 metres from the above mentioned properties, in a small cluster of four cottages fronting a highway. It is visually separate from the village and in this arrangement does not constitute “infill” within a ribbon of development. Policy C10 also requires new development to take into consideration the existing character of the area and seeks to prevent the closure of gaps or the enclosure of open areas which contribute to the open character of the area.
- 5.29. The locational focus for new development within the District is to optimise the use of brownfield land and bring these forward before greenfield sites. Development should be focused on town centres, particularly High Wycombe and locations most accessible by non-car modes. The proposed development by virtue of it being located in a relatively isolated position, outside of a rural settlement, would not fit with this spatial strategy.
- 5.30. The location of a site in terms of links to public transport, services and facilities is a dimension of sustainable development.
- 5.31. The application site is located in an isolated position on the Lower Icknield Way, away from local services and infrastructure. The nearest public transport is a twenty minute walk, to the north east, along the busy Lower Icknield Way. This road is a fast and busy carriageway, despite having a 40 mph speed limit. A rough footpath is sited on

the opposite side of the carriageway but this is not clearly discernible and is rutted, muddy and overgrown in places. Furthermore, this section of the Lower Icknield Way is unlit with no active surveillance.

- 5.32. Future residents of the application site would be heavily reliant upon the car as a mode of transport. It is therefore considered that this proposal is not sited in a sustainable location, and is contrary to the advice contained in the NPPF.
- 5.33. In support of the application it is stated that the application site could be served by a dial a ride bus, three times a week and that a public bus service is available only a short 15 minute walk away. However, it is considered that the walk to the nearest bus stop, in Brookside Lane, is more than a 15 minute walk and the only route available would not be attractive to pedestrians.
- 5.34. The applicant's agent has also identified ten other sites where new dwellings have been granted planning permission within the Great Kimble area and that the issue of sustainability has not been raised. However, of those sites specified, six relate to the replacement of either an existing dwelling or other building; one relates to a conversion of a barn; one is sited adjacent to Little Kimble railway station; one is located within the an established residential area and the final one was refused planning permission on the grounds that it did not comply with Policy C10 of the adopted Local Plan.
- 5.35. Of all the sites identified, sustainability was not specifically mentioned as they were all assessed against the up-to-date policies of an adopted Local Plan, which in itself seeks to provide sustainable development.

**The impact of this proposal on the character of the open countryside.**

Adopted Local Plan (ALP): C9 (Settlements Beyond the Green Belt) C10 (Development within the Countryside Beyond the Green Belt)

CSDPD: CS7 (Rural Settlements and the Rural Areas), CS12 (Housing provision)

Emerging Local Plan (Regulation 19) Publication Version: Policies DM44 (Development in the Countryside Outside of the Green Belt).

- 5.36. Policy C10 requires that any new development should not have an adverse effect upon the character of the area and specifically states that *"the closure of gaps or enclosure of open areas which contribute to the open character of the area will not be permitted."*
- 5.37. The application site is located in a prominent position, within an open and rural location. The erection of a new dwelling, up to 6.5 metres in height, will introduce an urban built form into an open landscape, reducing the existing openness of Countryside to the north-west.
- 5.38. The application site is particularly visible when viewed from the north-east, along the Lower Icknield Way and from the Public Bridleway which runs along the existing access track adjacent to the site. It is acknowledged that a group of former agricultural buildings are sited to the west of the application site (now in separate business uses). However, owing to the topography of the land, these buildings lie much lower than the application site and Lower Icknield Way, and are therefore not visually prominent in the landscape.

**The impact of this proposal on the amenities of existing and future residents.**

ALP: G8 (Detailed design guidance and local amenity), H19 (Residents amenity space and gardens) Appendix 1

CSDPD: CS19 (Raising the quality of place shaping and design)

Housing intensification SPD

Emerging Local Plan (Regulation 19) Publication Version: Policy DM35 (Placemaking and Design Quality) and DM40 (Internal Space Standards).

- 5.39. In view of its size, siting and design, it is considered that the proposed dwelling will

have no adverse effect upon the amenities of the adjacent residential properties, by way of loss of light, privacy or outlook.

- 5.40. Concern has been expressed by a neighbour that the application site is not located in a hamlet and will set a precedent for other similar developments; that the access is inadequate and has poor visibility; that development may damage an existing shared sewer and that the new dwelling will restrict their views.
- 5.41. Consideration regarding the access to the site will be discussed elsewhere in this report, however, issues regarding possible damage to the sewer and a view are not considered to be material planning considerations (they are private rather than public interests) and therefore cannot be taken into account in the determination of this application.
- 5.42. It is considered that the location of the proposed dwelling is unsustainable, in that any future occupants will be almost totally reliant upon a car as a means of transport. The Lower Icknield Way is a fast and busy road, which has no discernible public footpath and is poorly lit. The twenty minute walk to the nearest mode of public transport would be perilous, particularly in the dark.

**Sustainable transport development, highway capacity, access, car parking, provision for public access, cyclists and pedestrians.**

ALP: T2 (On – site parking and servicing), T4 (Pedestrian movement and provision), T5 and T6 (Cycling)

CSDPD: CS16 (Transport), CS20 (Transport and Infrastructure), CS21 (Contribution of development to community infrastructure)

Emerging Local Plan (Regulation 19) Publication Version: Policy DM33 (Managing Carbon Emissions: Transport and Energy Generation).

Sustainable transport

- 5.43. It is necessary to consider whether the proposed development is located where the need to travel will be minimised, the use of sustainable transport modes can be maximised and that safe and suitable access can be achieved. The location of a site in terms of links to public transport, services and facilities is a dimension of sustainable development.
- 5.44. As already stated the site would be some distance from local bus stops, medical facilities or a convenience store. Residents of the development would rely on the nearby towns of Princes Risborough and Aylesbury for services, employment, shopping including main food shopping and secondary schools.
- 5.45. These are located some distance away via roads that are unlit, without proper footpaths, traffic travels at speed along parts of these routes, and have limited or no active frontages along most of the route. Such routes are therefore considered to be unattractive to potential users and would deter walking and cycling as an option.
- 5.46. Residents would rely heavily on the use the car to access neighbouring settlements to use their facilities. The proposal would not be in compliance with development plan policies CS16 and CS20 as residents would not have access to a high quality, fully accessible, attractive public transport service or safe and convenient walking and cycling routes; they would be overly reliant on the private car as their mode of transport.
- 5.47. Similarly it would not be in compliance with Policy DM33 of the Emerging Local plan specifically states that development is required to “be located to provide safe, direct and convenient access to jobs; services and facilities via sustainable transport modes”.

Means of access and highway network capacity

- 5.48. The development will be accessed via the existing track that serves the rear of Clematis Cottage and the Hollytree Farm site.



- 5.49. Paragraph 24 of the National Planning Policy Guidance (NPPG) explains that the planning application site should be edged clearly with a red line on the location plan. It should include all land necessary to carry out the proposed development (e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings). It is noted that as submitted however the access and track have not been included within the “red edge” planning application site.
- 5.50. The County Highway Authority have objected to the development as it would result in an intensification of use of an existing access at a point where visibility is substandard and would lead to danger and inconvenience to people using it and to highway users in general. The development is therefore contrary to Policy CS20.

#### Parking

- 5.51. The Countywide Parking Guidance states that a seven habitable room dwelling in Residential Parking Zone C should provide an optimum of 3 off-street parking spaces per dwelling. The proposed layout would see the provision of 2 spaces, a turning area capable of parking a further vehicle and a single garage.
- 5.52. The Internal dimensions of the garage are however below the minimum required internal garage dimensions of 6m x 3m; (p27 of Buckinghamshire Countywide Parking Guidance). There is however space to increase the size of the garage and this could be dealt with by means of a planning condition.

#### **Carbon Reduction and Water Efficiency.**

Adopted Local Plan (ALP): T2, Appendix 1;

Core Strategy Development Planning Document (CSDPD): CS20;

Emerging Local Plan (Regulation 19) Publication Version: Policy DM33 (Managing Carbon Emissions: Transport and Energy Generation).

- 5.53. Core Strategy Policy CS18 requires development to minimise waste, encourage recycling, conserve natural resources and contribute towards the goal of reaching zero-carbon developments as soon as possible, by incorporating appropriate on-site renewable energy features and minimising energy consumption.
- 5.54. Delivery and Site Allocations Policy DM18 requires that the development will be required to deliver a minimum of 15% reduction in carbon emissions on site through the use of decentralised and renewable or low carbon sources and a water efficiency standard of 110 litres/person/day is expected to be achieved.
- 5.55. However, the requirement for renewables and low carbon appears to have been superseded in October 2016 by ministerial policy to transfer the issue to Building Regulations. A water efficiency condition would be required and is considered to be necessary and reasonable should planning permission be forthcoming.

#### **Sustainable Drainage.**

Core Strategy Development planning Document (CSDPD): Policy CS 18 (Waste/ Natural Resources and Pollution).

Emerging Local Plan (Regulation 19) Publication Version: Policy DM39 (Managing Plan Risk and Sustainable Drainage Systems).

- 5.56. Policy CS18 states that “To minimise waste and encourage recycling, conserve natural resources, and avoid pollution the Council will require developments to”..... Avoid increasing (and where possible reduce) risks of or from flooding, including fluvial flooding, sewer flooding, surface water flooding, and groundwater flooding;.....Minimise off-site water discharge during operation by employing measures including sustainable urban drainage;...”

- 5.57. The NPPF at para 103 requires no increase in flood risk. Any drainage scheme needs to show that mitigation can be achieved at the point that the application is determined. Therefore the principle of satisfactory mitigation must be proven, even if some details can be left to condition.
- 5.58. Local Planning Authorities are required to take into account the effect of a development upon the risk of flooding and surface water drainage. To this end, applicants are now required to provide sustainable drainage and surface water management plans.
- 5.59. The applicant has not submitted an acceptable management plan for drainage and surface water run-off and the Strategic Flood Management Team at Buckinghamshire County Council have confirmed that they object to this proposal due to the lack of information regarding a comprehensive water drainage strategy.

## **6. Weighing and balancing of issues – overall assessment**

- 6.1. In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to the provision of the development plan insofar as they are material and any other material considerations.

### **Positive Factors**

- 6.2. The Council is currently unable to demonstrate a 5 year land supply against Objectively Assessed Need and in terms of this proposal the contribution of a single new property to the housing supply for the District is a benefit. On the basis that the scheme is for only one dwelling the benefit can however only be afforded limited positive weight in the overall planning balance, the amount of weight being tempered by the amount of housing being delivered.
- 6.3. There would be economic benefits derived from this development in terms of the construction of the property itself and the resultant small increase in population contributing to the local economy. It is therefore considered that that this element of the proposal would give rise to a positive benefit which is afforded limited positive weight in the overall planning balance given that the scheme provides for only one new dwelling.

### **Neutral Factors**

- 6.4. On balance it is considered that the development displays sufficiently good overall design to comply with Local Plan policy and the NPPF such that this matter should be weighed as neutral in the planning balance.
- 6.5. The development is CIL liable as it involves the addition of a new dwelling; this will be calculated separately should consent be forthcoming. As this is collected to provide for the demand on infrastructure created by the development it, and New Homes Bonus, are considered to be a neutral factor in the planning balance.

### **Negative Factors**

- 6.6. Future residents of the development would rely heavily on the use of the car to access neighbouring settlements to use their facilities. Even recognising that only a single dwelling is proposed it is considered that this harm should be afforded significant negative weight in the planning balance.
- 6.7. The Highway Authority has identified danger and inconvenience to users of the highway and this is afforded considerable negative weight in the planning balance.
- 6.8. The development will harm the openness of the countryside. It is considered that this

harm should be afforded significant negative weight in the planning balance.

- 6.9 It has not been demonstrated that the development could provide adequate surface water drainage to be resilient to flooding in accordance with the Development Plan and NPPF guidance and this factor is accorded significant negative weight in the planning balance.

#### **Conclusion and Recommendation**

- 6.10 Having regard to the NPPF planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole. Given the demonstrable harm resulting from the unsustainable location, impact on the character of the area, highway harm and failure to demonstrate adequate surface water drainage it is recommended that planning permission ought to be refused.

#### **Recommendation: Application Refused**

- 1 The development by virtue of its location which has no safe and convenient access by non-car modes of travel would fail to maximise sustainable transport options. The absence of adequate infrastructure and the sites remoteness from major built up areas is such that residents of the proposed development would be likely to be reliant on the use of the private car, contrary to the principles of sustainable development which promote a reduction in travel by the car and giving people a real choice about how they travel. The development would be contrary to the advice contained in the National Planning Policy Framework and Policies CS16 (Transport); CS20 (Transport and Infrastructure) of the adopted Wycombe Development Framework Core Strategy; Policy DM2 (Transport Requirements of Development Sites) of the Delivery and Site Allocations DPD and Policies DM21 (The Location of New Housing) and DM33 (Managing Carbon Emissions: Transport and Energy Generation) of the Wycombe District Local Plan Regulation 19 Publication Version October 2017.
- 2 The development by virtue of its size, siting and design would represent a prominent and urban form of development, and would set an undesirable precedent for other similar developments, and would be detrimental to the open, and rural character of the surrounding area. The development would be contrary to Policies C9 and C10 of the Wycombe District Local Plan to 2011 (as saved, extended and partially replaced); Policy CS19 (Raising the Quality of Place Shaping and Design) of the adopted Wycombe Development Framework Core Strategy and Policy DM44 (Development in the Countryside Outside of the Green Belt) of the Wycombe District Local Plan Regulation 19 Publication Version October 2017.
- 3 The proposed development would result in an intensification of use of an existing access at a point where visibility is substandard and would lead to danger and inconvenience to people using it and to highway users in general. The development is contrary to Policy CS20 (Transport and Infrastructure) of the Wycombe Development Core Strategy (Adopted July 2008) and Policy DM33 (Managing Carbon Emissions: Transport and Energy Generation) of the Wycombe District Local Plan Regulation 19 Publication Version October 2017.
- 4 Insufficient information has been submitted to demonstrate that adequate surface water drainage measures can be implemented on the site to accommodate the surface water run-off generated by the proposed development. The Local Planning Authority cannot be satisfied that this proposal will not result in a risk to flooding on the application site or in the surrounding area and therefore, this proposal is contrary to Policy CS18 (Waste/Natural Resources and Pollution) of the adopted Wycombe Development Framework Core Strategy and Policy DM39 (Managing Flood Risk and Sustainable Drainage Systems) of the Wycombe District Local Plan Regulation 19 Publication Version October 2017.