

**18/05926/FUL**

## **Consultations and Notification Responses**

### Ward Councillor Preliminary Comments

**Councillor Clive Harris** – Locally the change of use from agriculture to residential is of great concern. In view of the scale of the development, I would like this to be considered at committee.

### Parish/Town Council Comments/Internal and External Consultees

#### **Great and Little Kimble Cum Marsh Parish Council**

Comments: The Parish Council believe that this application would not comply with the RUR6 Policy contained in the emerging WDC New Local Plan.

#### **Arboriculture Spatial Planning**

Comments: The trees on site are subjects of TPO 03/2005. A tree survey has been submitted which identifies a number of trees within the site to be removed, including six category B specimens, however the removals are unlikely to have a significant impact on the public amenity due to their set-back position. It is recommended that an AMS be sought to address tree-related issues during both the demolition and construction phases. For example the removal of existing hardstanding from within the RPAs of retained trees, protecting the trees/soil from contamination during removal of existing buildings and vehicles, pruning operations to allow for access of plant to the site (particularly for trees within the TPO), ongoing site supervision etc. It is also likely that changes to the way in which the land is used may result in future pressure to prune or remove existing trees in order to maintain a harmonious relationship with the new built structures and in response to increased footfall/target concerns. Whilst the decision to permit certain works rests with the LPA, this does not currently apply to all trees on site.

#### **Planning Policy**

Comments: The main issues are:

1. Implications/context for the emerging Local Plan and Neighbourhood Plan for Kimble
2. Loss of employment

This site was put forward as a call for sites for the Neighbourhood Plan allocations. This site was filtered out an early stage – it is likely to have been discounted because it is within the Green Belt and AONB and therefore contrary to RUR6 of the emerging Local Plan.

Very few representations received in relation to RUR6 and therefore carries weight. It is clear from this policy that sites are expected to be located within or adjacent to existing settlements and not have a major impact on the setting of the Chilterns AONB. This site doesn't meet either of these two criteria in my view. The proposal would be contrary to RUR6.

#### **Loss of employment**

The pre-application advice made it clear that this application was contrary to Policy DM5: Scattered Employment Sites of the DSA. I see no evidence that this situation has changed and would want to see clear evidence that some attempt had been made to market the site for an alternative employment use.

It is noted that the application site is currently in use for employment purposes and this would need to be taken into account in the marketing i.e. it is normally vacant sites that we would expect to see marketing evidence for not ones which are currently occupied.

### **County Highway Authority**

Comments: It is considered that the development would generate fewer vehicular movements. The access arrangements are considered acceptable in principle. No objection subject to conditions.

### **Ecological Officer**

Comments: The habitat on site is suitable for reptiles and so a reptile's survey must be carried out. As the results of this might impact upon the layout if there are particularly important populations on site, and it will impact on the mitigation measures required, this needs to be carried out prior to determination. A biodiversity accounting exercise needs to be undertaken (using the Warwickshire system) so that we have an understanding of what will be lost and what might be gained. Then once the reptile situation is understood and the initial biodiversity accounting has been done. It will be possible to decide whether the landscaping scheme is appropriate in terms of mitigation and enhancement and whether other enhancements are also appropriate. (Officer note: while this would be preferable it is not possible, at this stage, to require a biodiversity accounting exercise to be undertaken and a reptile survey can be secured by condition).

It will be necessary to produce mitigation measures in a Construction Environmental Management Plan. Lighting details should be approved by condition to ensure they will not have a negative impact upon wildlife.

### **The Chilterns AONB Planning Officer**

Detailed comments have been provided by the Chilterns Conservation Board and they recommend that this application should be refused planning permission on the grounds that this site is an unsuitable location for housing, having particular regard to the effect of the development on the landscape character and special qualities of the surrounding Chilterns Area of Outstanding Natural Beauty (AONB), which include its landscape and visual sensitivity in this location. The application constitutes major development in such a location and no exceptional circumstances exist to justify development of this magnitude.

### **Buckinghamshire County Council (Major SuDS)**

Initially objected to the proposed development on the grounds that there is not sufficient information to complete a SuDS appraisal.

Response received on 6<sup>th</sup> July objecting to the development. Applicant has provided indicative details of proposed drainage strategy. However, further supporting information and demonstration of feasibility is required.

Additional information provided in the SuDS Statement. Response received on 4 September 2018. LLFA has a holding objection to the development due to concerns of the feasibility of infiltration.

Further information was received Ground Investigations Report 3<sup>rd</sup> August 2018, SuDS Statement August 2018 and SuDS Statement Supporting Statement Sept 2018. The LLFA has no objection subject to recommended conditions.

### **Natural England**

Comments: Statutory nature conservation sites – no objection.

Protected Landscapes – application should be assessed as to whether the proposed development would have a significant impact on or harm the statutory purpose.

### **Landscape Officers Planning Policy**

Comments: LVA demonstrates site is generally visually well contained in both close and wider views although some views into site from PRow which runs adjacent. Site is located in a deeply historic landscape with several archaeological notification sites in the very near vicinity, a SSSI, TPO and may historic buildings in the small Great Kimble settlement. Character of residential buildings in immediate vicinity is detached dwellings in large plots in mature landscape settings

.Although the barns, storage units and material storage areas may not be considered by some to be aesthetically attractive they are fairly typical of farm developments and not completely out of place in a rural landscape such as this. Principle of change of use to residential does offer some benefits in terms of reducing hardstanding and some of the more industrial looking units such as containers and reduce contamination etc. However, proposed regimented layout of two rows of terraced housing and four identical detached houses on small plots is highly out of character with surrounding settlement. Although building design approach is interesting it does not respond to local character or respond to the local identity as required by development in the AONB.

### **Cadent Gas Ltd Plant Protection Department**

Comments: No comments received.

### **Community Housing**

Comments: The site does not appear to be an 'exception' proposal within the Council's saved Policy H14. There is a need for affordable housing in the district and if the proposal meets all of the planning requirements, the houses would assist in meeting the need.

### **Control Of Pollution Environmental Health**

Comments: Noise from the A4010 Aylesbury Road effecting future residents and additional vehicle movements affecting the health of local residents in Air Quality Management Areas. Given these likely effects they would raise an objection unless there is a condition relating to sound insulation for traffic noise and condition requiring electric vehicle charging points.

### **Thames Water**

Public sewers cross or are close to the development. Thames Water would need to check that the development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services provided.

Water comments – no objection.

### **Representations**

6 comments have been received objecting to the proposal:

- This should be considered in conjunction with proposal for an animal shelter into a house. The locations are close and proposals are not compatible
- Site should be tidied up with rubble removed.
- Few vehicles presently use the site – assume therefore there will be a significant increase in traffic despite the traffic evidence suggesting otherwise.
- A plant hire business continues to operate from the site which is not included in the proposal. All traffic will have use the southern access
- Scale of development will damage the AONB
- The entrance and exit to the lane is prone to dangerous accidents due to extreme speeds of traffic from the main road. Not able to support the 37 additional vehicles. Not suitable for the scale of development.
- Additional buildings and traffic will detract from the status and appeal of the AONB.
- Rifle Range Lane is used by daily by walkers, cyclists and horse riders, this development would make the enjoyment of this bridleway and footpath impossible.
- The commercial tenants were unaware of this proposal. Both tenants have invested in their businesses.
- Development will overlook home and garden of Cymberline as it situated at a higher level and will also dominate the property.
- Concerned that additional agricultural buildings will be required by the farm which will then in turn could benefit from change of use.