

Contact: Sarah Armstrong DDI No. 01494 421916

App No : 18/05926/FUL App Type : FUL

Application for : Demolition of commercial buildings and erection of 10 x market dwellings (6 x 3 bed and 4 x 4 bed) and 5 x 2 bed affordable dwellings with bin and cycle stores

At Old Rifle Range Farm, Risborough Road, Great Kimble, Buckinghamshire, HP17 0XS

Date Received : 10/04/18 Applicant : Mr A J Andrews

Target date for decision: 10/07/18

1. **Summary**

- 1.1. The site is a farmyard which has changed from agricultural use to a mixed commercial use. Overtime these uses have become lawful and this has been established through Certificates of Lawfulness. The site is considered a previously developed site.
- 1.2. As a commercial site, with sitting tenants, it is one of the District's scattered business sites and subject to policy DM5.
- 1.3. Planning permission is sought to redevelop the former farmyard for residential purposes providing 15 units made up of detached and terraced properties. Five of the 15 units are identified as affordable housing.
- 1.4. The scale of the redevelopment of this previously developed site would lead to significant harm to the openness of the Green Belt and cannot be an exception to Green Belt policy. The development is therefore inappropriate development which is by definition harmful to the Green Belt.
- 1.5. The level of affordable housing being provided is 23% of bedspaces whereas the policy would require 40% provision.
- 1.6. The redevelopment of scattered business sites requires marketing evidence to demonstrate that the site is no longer practicable for business purposes – no evidence has been submitted and it may be difficult to demonstrate this because the site is currently occupied.
- 1.7. The layout of the site does not demonstrate good place making leading to a development which is detrimental to the character of Great Kimble, and to the AONB and Green Belt.
- 1.8. The site is within the Chilterns AONB and fails to conserve the landscape and scenic beauty of this protected landscape.
- 1.9. The very special circumstances presented do not outweigh the significant harm to openness of the Green Belt and the other harm identified.
- 1.10. The application is recommended for refusal.

2. **The Application**

- 2.1. The site is a former agricultural yard containing agricultural buildings, oil container and metal storage containers. A lawful use certificate was granted in 2013 which establishes a mixed use as tool and plant hire and building contractor's yard with associated uses. The oil container and 5 metal storage containers were considered as operational development. On this basis the site is considered to be previously developed land. It is also, now, a scattered business site.

- 2.2. The site is within the Green Belt and Chilterns Area of Outstanding Natural Beauty
- 2.3. The proposal is to remove the buildings and structures and redevelop the site with 15 residential units – consisting of four detached houses (4 bedrooms and study) with accommodation within the roof space, six terrace houses (3 bedrooms) provided over three floors and five affordable units (2 bedrooms) provided in a terrace with associated parking and landscaping.
- 2.4. The architectural design is based on two agricultural style barns with two terrace rows and four detached properties located in the north of the site towards the lane. This lane will not be the point of vehicular access because it is, in effect, single track in width. Vehicular access will be from the existing southern access onto the A4010 which is around 550m to the southwest of the site.
- 2.5. The application is accompanied by:
 - a) Planning and Statement
 - b) Design and Access Statement
 - c) Transport Statement
 - d) Preliminary Ecological Appraisal
 - e) Statement of Community Involvement
 - f) Landscape and Visual Appraisal and Green Belt Assessment
 - g) Landscape Strategy
 - h) Tree Survey and Arboricultural Impact Assessment
 - i) Ecology Wildlife Checklist
- 2.6. Statement of Community Involvement. The applicant has not made the Council aware of any community involvement that may have been undertaken prior to the application being submitted. The Council, however, has widely consulted on the planning application and the responses are summarised in Appendix A of this report and are available in full on our web site.

3. Working with the applicant/agent

- 3.1. In accordance with paragraph 38 of the NPPF2 Wycombe District Council (WDC) approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. WDC work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 3.2. In this instance:
 - the applicant/agent was updated of any issues after the initial site visit,
 - The applicant was advised how the proposal did not accord with the development plan and was provided the opportunity to provide further justification in support of it.
 - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

4. Relevant Planning History

- 4.1. There is an extensive planning history for Old Rifle Range Farm. Only the history relevant to this site area has been identified.
- 4.2. It is clear that the farmyard has not been in agricultural use for some time. However farming activity does continue elsewhere on the farm holding – there is a deer enterprise and planning permission was granted (17/05920/FUL) for a new building to handle and accommodate stags separate from the females and young.
- 4.3. There is also an ostrich enterprise on the farm.

- 4.4. 13/05823/CLE - The continued use of the land for mixed use as tool and plant hire and building contractors yard, including ancillary repair and maintenance of equipment, storage of plant and machinery and building materials, topsoil and other materials, and ancillary office use, and the operational development consisting of brick stand with oil container and 5 metal storage containers facilitating the mixed use on the Land. A Certificate was granted which established a lawful commercial use of the site in accordance with certificate issued and the attached plan.
- 4.5. 08/07554/CLE - The continued use of the land and the building shaded blue on the attached plan for the storage of building materials comprising tiles, bricks, skip, scaffolding materials, trailer, digger and fittings. This related to some of the land within the farmyard subject of this application.
- 4.6. 07/07727/FUL - Change of use of part of barn (Unit D) from agricultural to Class B8 with ancillary office and parking and external alterations (retrospective). Refused 03.01.2008.
- 4.7. 03/06461/FUL - Change of use to Class B1 A (Offices) with ancillary storage & parking & alterations to elevation (retrospective). Conditional permission.

5. Issues and Policy considerations

Principle and Location of Development

ALP: GB2

CSDPD: CS1 (Overarching principles - sustainable development), CS2 (Main principles for location of development), CS12 (Housing provision)

DSA: DM1 (Presumption in favour of sustainable development), DM5 (Mixed-use development)

New Local Plan (Submission Version): CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions, Transport and Energy Generation) RUR6 (Great and Little Kimble-Cum-March Parish)

Development Plan Framework

- 5.1. For the purposes of considering this application the relevant parts of the Development Plan are the Wycombe Development Framework Core Strategy (July 2008), the Wycombe District Local Plan (January 2004) and the Delivery and Site Allocations Plan (July 2013).
- 5.2. The New Local Plan Submission Version – March 2018. The emerging policies of the New Local Plan should be given some weight in any planning decisions as a material consideration.
- 5.3. Great and Little Kimble-cum-March Parish Council are currently preparing a neighbourhood plan. No plan, has yet, been published.

Principle and Location

- 5.4. The New Local Plan – Submission Version policy RUR6 requires 160 homes to be developed in the Parish of Great and Little Kimble-cum-Marsh over the Plan period. The site is within that area. However, it is for the Neighbourhood Plan to determine the distribution of development across the Parish.
- 5.5. The site was put forward, by the applicants, as a call for sites for the Neighbourhood Plan allocations. However, this site was filtered out at an early stage – it is likely to have been discounted because it is within the Green Belt and AONB.
- 5.6. Policy RUR6 requires that the 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 and the proposal is contrary to this emerging policy.

Green Belt – previously developed land and impact upon openness

5.7. This is a Green Belt site. Local Plan Policy GB2 reflects national policy which states that the construction of new buildings should be regarded as inappropriate in the Green Belt. Paragraph 145 of the National Planning Policy Framework 2018 (NPPF) identifies a number of exceptions. Notably at g):

limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would:

- not have a greater impact on the openness of the Green belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

5.8. The site is previously developed land where the complete redevelopment of the site can be acceptable. It is noted that the national policy excludes temporary buildings which could apply to some of the structures on the site. However it is noted that the Certificate of Lawful Use established the brick stand with oil container and 5 metal storage containers as operational development rather than temporary structures.

5.9. The site is a former agricultural yard which utilises the existing rural buildings for commercial purposes. There are a number of structures around the site edge including metal containers, caravan and porta cabin and there is outdoor storage. However the main yard area is clear of storage because it provides access to and from the site. Overall the site is not cluttered because of the overall size of the yard and there is a sense of openness comparable to a working farmyard.

5.10. As part of their planning assessment the applicant has undertaken a comparison of existing and proposed development. The applicant has considered the volume, the footprint, the hardstanding and the green space and this is represented in Table 1 of the Planning Statement, p 29. However the officer calculation for the footprint comparison is not consistent with the information provided within the applicant's table. The applicant has subsequently acknowledged the error and provided updated information.

5.11. However the applicant's table only includes the open market housing (4 detached units and 6 terraced units). The affordable housing (5 terraced units) has been excluded from the assessment.

5.12. In your officer's opinion any assessment of the impact upon the openness of the site would need to take into account all the buildings, structures and hardstanding to be demolished and **all** the built development being proposed for the site.

5.13. The updated table is produced below but excludes the impact of the affordable housing

	Existing	Proposed	Difference	% Change
Volume	4104m3	7574m3	+3470	+77%
Footprint	878m2	788m2	-90m2	-10%
Hardstanding	3380m2	2570m2	-810m2	-24%
Green space	2132m2	3450m2	+1318	+62%

	Existing	Proposed	Difference	% Change
Footprint Officer recalculation of footprint including all proposed development	838m2	Detached housing 544m2 Terrace 423m2 Affordable terrace 270m2 Total 1246m2	+ 408m2	+49%

- 5.14. The information provided indicates that, even without the affordable housing taken into account, there is a significant increase in the volume of the built development being proposed. This is not surprising, given that many of the existing structures around the site are single storey. The agricultural barns are the main buildings with any volume. Therefore the introduction two and three storey houses will inevitably increase the volume of development over the site. When the affordable housing units are included in the assessment the overall volume of the buildings again increases but has not been recalculated. The officer calculations of the footprint of built development (including the affordable housing) increases quite significantly over the footprint of the existing development.
- 5.15. The proposal will result in the loss of ramshackle agricultural buildings and the removal of the various outbuildings/containers and open storage. But this will be replaced by a spread of residential development across the whole site area.
- 5.16. It is evident from this analysis that the built form will increase, in terms of both footprint and volume, across the site as a result of the whole development. The proposed development will have a greater impact upon the openness of the Green Belt than the existing development. This impact is also unacceptable when tested against the slightly lesser requirement of the NPPF “to not cause substantial harm to the openness of the Green Belt” which is triggered when the site contributes to meeting an identified affordable housing need. Substantial harm will be caused.
- 5.17. The proposal does not meet the criteria of para. 145 g) and therefore must be considered inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Furthermore residential development in this rural location would conflict with one of the five purposes of the Green Belt namely: to assist in safeguarding the countryside from encroachment.

Housing supply and need

Adopted Local Plan (ALP): H2 (Housing Allocations), H4 (Phasing of New Housing Development), Core Strategy: CS1 (Overarching principles - sustainable development), CS2 (Main principles for location of development), CS12 (Housing provision)

- 5.18. Currently, the Council can demonstrate a five year supply of housing against local housing need. 8.5 years of housing supply can be demonstrated.
- 5.19. Paragraph 73 of the new NPPF published in July 2018 sets out that “Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old”. The most recently adopted strategic housing policies for Wycombe District are in the Core Strategy which was adopted in 2008 and as such they are more than five years old.
- 5.20. The Council submitted the new local plan for examination in March 2018 based on the Objectively Assessed Need (OAN) as set out in the Housing and Economic

Development Needs Assessment (HEDNA) Addendum. The plan has been subject to a number of hearing sessions, however, at this stage it still remains the case that until the Council adopts the Local Plan full weight cannot be given to the housing requirements set out in the Local Plan. However the publication of the Main Modifications to the Plan (expected shortly) will give an indication of the Inspector's 'direction of travel' and when the Inspector's report is received very substantial weight can be attached to the housing requirements set out in the Local Plan.

- 5.21. As such until the Local Plan is adopted, local housing need is calculated using the standard methodology as set out in the NPPG. The minimum annual local housing need for Wycombe in 2019 is 453 dwellings per year.
- 5.22. The most up to date published data on housing supply is contained in the Interim Position Statement on Five Year Housing Land Supply (January 2019), to be published shortly, which sets out an update to the position in the Annual Monitoring Report published in March 2018. This shows a supply of 4,018 dwellings against a requirement, including a 5% buffer in line with NPPF paragraph 73, of 2,378 for the period 2017-22. This amounts to an 8.5 years supply.
- 5.23. The Council will update its 5 year housing land supply assessment further in due course, including updating the assessment to a 31st March 2018 base date, taking account of any Government policy changes and progress with the Local Plan.

Affordable Housing and Housing Mix

ALP: H9 (Creating balanced communities)

CSDPD: CS13 (Affordable housing and housing mix), CS21 (Contribution of development to community infrastructure)

New Local Plan (Submission Version): DM22 (Housing Mix), DM24 (Affordable Housing), DM41 (Optional Technical Standards for Building Regulations Approval)

Planning Obligations Supplementary Planning Document (POSPD)

- 5.24. The site is within the Chilterns AONB and as such is considered a designated rural area. The current affordable housing policy CS13 threshold is 5 units or more, the emerging policy DM24 threshold is 6 or more and the NPPF 2018 policy at para 63 indicates 5 units for designated rural areas. Overall there are fifteen units on the site (10 for sale and 5 for affordable housing provision) which means that there is a requirement for affordable housing provision on site.
- 5.25. The existing lawful development certificate has established that the site is in a lawful commercial use. The affordable housing policy (CS13) requires on sites last used for business that the Council will aim to achieve at least 40% of total bedspaces within affordable dwellings.

Units	Bedrooms	Bedspaces	No of units	Total no of bedspaces
Affordable units	2	4	5	20
Detached - for sale units	4	8	4	32
Terrace - for sale units	3	6	6	36
Total			15	88
Bedspace requirement				(88 X 40%)=35.2

- 5.26. There is a requirement for 35 bedspaces to be within affordable units. The proposal provides for 20 bedspaces within affordable units and this is insufficient to comply with the policy. This is a 23% provision as opposed to the requirement for 40% provision.

- 5.27. Any affordable housing requirement would need to be split 80/20 – affordable rent/shared ownership. This could be secured by S106 agreement if there was a policy compliant scheme proposed.
- 5.28. The site provides for a mix of housing size and type. There are 2, 3 and 4 bedroom units proposed and this is sufficient to meet the requirements of the policy in terms of the mix.

Employment issues

ALP: E2 (Existing business parks), E3 (Employment areas)

CSDPD: CS11 (Land for business)

DSA: DM5 (Scattered business sites)

New Local Plan (Submission Version): CP5 (Delivering Land for Business),

- 5.29. The site is currently occupied by small businesses and benefits from a Certificate of Lawful Use. Policy CS 11 provides the strategic policy framework for meeting the needs for business. In this instance the land would be recognised as a small scale business development that supports the rural economy. Policy DM5 provides the detailed policy framework to protect such scattered sites.
- 5.30. Such sites are a valuable part of the employment land portfolio in the District and they provide important small scale local employment opportunities and often offer small units suitable for start-up businesses. The policy does allow for a degree of flexibility if it can be demonstrated that the re-use of the site for business purposes is no longer practical. In this instance the applicant has indicated that no marketing has been carried out. Moreover the applicant seeks to rely on the requirement within the NPPF at Section 11 that promotes the effective use of land. In particular, they argue that Council's should support proposals to use retail and employment land for homes in areas of high housing demand. In their view the overriding need for housing outweighs any policy requirement to demonstrate that the site is not practicable for employment generating purposes.
- 5.31. Furthermore the applicant argues that it is a poorly located employment site being in close proximity to residential properties although there is no evidence presented to demonstrate that this causes conflict with local neighbours.
- 5.32. The former farmyard has been in commercial use for a considerable time. A certificate of lawful development was granted in 2008 and again in 2013 demonstrating that the site had been in commercial use for at least 10 years prior to both of these dates. There is no indication from neighbour representations that there is any conflict between the commercial use and the neighbouring residential properties.
- 5.33. There are no specific circumstances presented and evidenced in the supporting information which indicate that the requirements of policy DM5 should not be met. The arguments presented are more general arguments and could apply to many scattered business sites. Such sites have an important economic function and the policy allows for a flexible approach towards redevelopment which is consistent with the NPPF.
- 5.34. The failure to provide adequate marketing evidence to support the loss of the business site means that the proposal fails to comply with policy DM5. Furthermore the site is currently occupied by businesses and it is unlikely that the Council would support the loss of this site without evidence to indicate why it is impracticable for employment generating uses.
- 5.35. . The proposal is contrary to policy DM5.

Transport matters and parking

ALP: T2 (On – site parking and servicing), T4 (Pedestrian movement and provision), T5 and T6 (Cycling), T7 (Public transport), T8 (Buses), T12 (Taxis), T13 (Traffic management and

calming), T15 (park and ride), T16 (Green travel)
CSDPD: CS16 (Transport), CS21 (Contribution of development to community infrastructure)

DSA: DM2 (Transport requirements of development sites)

New Local Plan (Submission Version): CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

- 5.36. There are currently two access points serving the site. The southern access would be used for vehicle access, the other access would be for pedestrians. The Highway Authority are satisfied that the proposal would reduce vehicular movements and the arrangement is acceptable in principle.
- 5.37. The visibility splays can be achieved within the publically maintained highway.
- 5.38. The 37 parking spaces are of an adequate size and comply with the Buckinghamshire Countywide Parking Guidance.
- 5.39. The Highway Authority have no objection subject to a number of conditions being imposed.

Raising the quality of place making and design

ALP: G3 (General design policy), G7 (Development in relation to topography), G8 (Detailed Design Guidance and Local Amenity), G10 (Landscaping), G11 (Trees), G26 (Designing for safer communities), Appendix 1

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

DSA: DM11 (Green networks and infrastructure), DM16 (Open space in new development) Housing intensification SPD

New Local Plan (Submission Version): CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality)

- 5.40. There is an objection to the proposal in terms of urban design because the development is detrimental to the character of Great Kimble, and to the AONB and Green Belt.
- 5.41. The site is on the edge of Great Kimble, a scarpfoot village within the Chilterns AONB. As described in the Chilterns Buildings Design Guide (CBDG) such villages are often nucleated and compact, with an obvious centre. (p 18) This pattern is evident in Great Kimble which consists of a small number of individually designed detached and semi-detached cottages/buildings clustered informally, addressing a short stretch of Church Lane, with the Manor at one end, and the church and pub at the other. Building and garden sizes vary widely within the settlement. Buildings are detached and individually designed, clustered around and addressing the roads. The larger buildings occupy correspondingly larger gardens which therefore provide an appropriate setting, and which also accommodate robust structural planting. This planting forms a wooded backdrop to the settlement, filtering and softening views of the larger buildings, and of the settlement generally, from the escarpment and beyond. As with other smaller Chilterns settlements, this arrangement helps the settlement sit more comfortably within its wider landscape setting.
- 5.42. The CBDG makes provision for good quality contemporary development, such proposals should be 'in harmony with their site and the surrounding buildings and countryside' (p29). The CBDG identifies a number of ways in which the character of Chilterns scarpfoot settlements are typically eroded, including new housing estates which are 'of uncharacteristic layout and design, out of context with their surroundings and unsympathetic to the adjacent village' (p 18).
- 5.43. The proposed development is representative of an unsympathetic approach. It consists of a scheme of contemporary architectural design of two terraces, which are uncharacteristic in the area, and four identically designed detached dwellings arranged regimentally with their backs to the lane behind. A significant proportion of the remainder of the site would be taken up by large areas of hardstanding to

accommodate the parking required to serve the number of dwellings proposed, as well as, associated outbuildings and retaining structures. All of this would take up a significant proportion of the site in a way which is not characteristic of the area.

- 5.44. This development of 15 dwellings would nearly double the number of dwellings in Great Kimble, and as a result would represent a notable change to the character of this settlement. Existing trees on the edge of the site are proposed to be retained and, if retained would screen the proposed development from views and lessen the negative impact on the character of Great Kimble. However these trees are highly likely to come under significant pressure for reduction or felling due to lack of scope for sunlight to the small garden/amenity spaces and close proximity to the proposed dwellings. Loss of these trees would expose the proposed buildings and associated close board fencing, outbuildings and other residential paraphernalia to view, to the detriment of the character of Great Kimble and the AONB.
- 5.45. The number of units proposed on this sloping site, at the foot of the escarpment, and the associated need for functional amenity space means the level changes cannot be accommodated within soft planted areas. Instead, the development, requires a significant number of retaining walls as illustrated in drawing number 17 520 PL15, North East - North West Section. Such retaining walls would be hard and urbanising features which again would be highly uncharacteristic of Great Kimble. This is also contrary to C4 (Take full advantage of the design opportunities afforded by sloping sites, minimising the use of retaining walls and level terraces) of the Residential Development Guidance which seeks to ensure that sites does not use ugly retaining walls.
- 5.46. There is no independent/outside access to rear garden areas for units AF 1-5, which means that garden waste and bikes would need to be taken through the house, and in the case of bikes, up a short flight of stairs, an inconvenient and unreasonable expectation of future residents.
- 5.47. Consequently the development is contrary to policy CS19 and also to the Residential Design Guidance.

Amenity 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

New Local Plan (Submission Version): DM35 (Placemaking and Design Quality), DM40 (Internal space standards)

- 5.48. The site is well screened and the relationship with neighbouring properties is acceptable.
- 5.49. While the distance between the four detached houses and the set of six terraced units is less than 25 metres in places it is a front to front relationship which is a more acceptable relationship.
- 5.50. On balance the impact upon existing and future residents is acceptable.

Environmental issues

ALP: G15 (Noise), G16 (Light pollution)

CSDPD: CS18 (Waste, natural resources and pollution)

New Local Plan (Submission Version): CP7 (Delivering the infrastructure to support growth), DM20 (Matters to be determined in accordance with the NPPF)

- 5.51. The Control of Pollution team raise concerns regarding the proximity of a busy road, A4010, and the likely noise levels that would be experienced by future residents. This, however, could be overcome by a condition requiring a scheme for sound insulation. This has been accepted by the applicant.

Flooding and drainage

CSDPD: CS1 (Overarching principles - sustainable development), CS18 (Waste, natural resources and pollution)

DSA: DM17 (Planning for flood risk management)

New Local Plan (Submission Version): DM39 (Managing Flood Risk and Sustainable Drainage Systems)

5.52. Initially insufficient information was submitted to enable the Lead Local Flood Authority to complete a sustainable drainage strategy (SuDS) appraisal.

5.53. During the course of the application a drainage strategy was submitted. This required a number of revisions. Latterly the information submitted has been considered acceptable and the Lead Local Flood Authority removed their holding objection subject to a number of recommended conditions.

Landscape and visual Impact

ALP: L1 (Chilterns Area of Outstanding Natural Beauty),

CSDPD: CS17 (Environmental Assets)

New Local Plan (Submission Version): CP9 (Sense of place), DM30 (Chilterns Area of Outstanding Natural Beauty) DM32 (Landscape character and Settlement Patterns)

5.54. The Chilterns Conservation Board consider that the development represents major development in the AONB. However this is not a view that is supported by officers. (It should be noted that the word “major” in this context does not mean a development of more than 10 dwellings).

5.55. The Conservation Board have expressed detailed concerns that the development has a negative impact upon the landscape character and special qualities of the surrounding AONB.

5.56. The landscape and visual impact assessment demonstrates the site is generally visually well contained in both close and wider views although there are some views into site from public right of way which runs adjacent.

5.57. The site is located in a deeply historic landscape with several archaeological notification sites in the very near vicinity, a Site of Special Scientific Interest, preserved trees and may historic buildings in the small Great Kimble settlement. The character of residential buildings in the 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.

5.58. The principle of change of use to residential does offer some benefits in terms of reducing hardstanding and removing some of the more industrial looking units such as containers and reducing contamination etc. However, the proposed regimented layout of two rows of terraced housing and four identical detached houses on small plots is highly out of character with the surrounding settlement. Although the building design is interesting it does not respond to local character or respond to the local identity as required by development in the AONB.

5.59. The proposal fails to conserve the landscape and scenic beauty of the AONB and is contrary to L1 of the Local Plan and CS17 of the Core Strategy and DM30 of the New Local Plan – submission version.

Ecology

CSDPD: CS17 (Environmental assets)

DSA: DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance), DM14 (Biodiversity in development)

New Local Plan (Submission Version): DM34 (Delivering Green Infrastructure and Biodiversity in Development)

- 5.60. An ecological appraisal was conducted for the site which was satisfactory. A reptile survey should also be conducted because the site is suitable for reptiles. However this could be secured by condition.
- 5.61. The information submitted is acceptable and the additional information necessary could be required by condition. An ecological mitigation and enhancement plan would also be necessary to ensure that the recommendations in the Ecological Appraisal could be implemented.

Building sustainability

CSDPD: CS18 (Waste, natural resources and pollution)

DSA: DM18 (Carbon reduction and water efficiency)

New Local Plan (Submission Version): DM41 (Optional Technical Standards for Building Regulations Approval)

- 5.62. Following the Adoption of the Delivery and Site Allocations Plan (July 2013) and in particular policy DM18 (Carbon Reduction and Water Efficiency) it would have previously been necessary to impose a condition to secure the required 15% reduction in carbon emissions as well as reducing future demand for water associated with the proposed dwelling. However, this was superseded in October 2016 by ministerial policy to transfer the issue to Building Regulations. It is only considered necessary to condition water efficiency.

Infrastructure and Developer Contributions

CSDPD: CS21 (Contribution of development to community infrastructure)

DSA: DM19 (Infrastructure and delivery)

BCSNP: Policy 13 (Connecting the Parish)

New Local Plan (Submission Version): CP7 (Delivering the infrastructure to support growth)

- 5.63. The development is a type of development where CIL would be chargeable.
- 5.64. It is considered that there would not be other types of infrastructure, other than the provision of affordable housing, that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.
- 5.65. The Planning Obligations SPD sets out the Local planning Authority's approach to when planning obligations are to be used in new developments.
- 5.66. Having regard to the statutory tests in the Community Infrastructure Levy regulations and the National Planning Policy Framework it is considered that the following planning obligation(s) are required to be secured within a section 106 agreement:
- (a) Affordable housing

Weighing and balancing of issues – overall assessment

- 5.67. This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 5.68. 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:
- (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 case, CIL)
 - (c) Any other material considerations

- 5.69. As set out above it is considered that the proposed development would conflict with a number of development plan policies.
- 5.70. In considering other material considerations, the proposal has also been assessed against the policies of the NPPF and found to be in conflict with a number of those policies as well.
- 5.71. The report recognises that the Council can demonstrate a five year supply of housing sites. The relevant housing policies can be considered up to date.
- 5.72. As set out above, in addition to the harm by reason of inappropriate development harm would also result in respect of Green Belt openness and purposes. Further harm would arise to the landscape character and visual appearance of the area, and in particular to the Chilterns AONB. There would also be harm to the place making and the failure to deliver sufficient affordable housing. This amounts to a very substantial level of harm.
- 5.73. The following are put forward by the applicant as a case of very special circumstances:
- a) Redevelopment of brownfield site (cessation of use) – which is incompatible with its Green Belt location and a potential source of noise.
We would respond that the redevelopment would cause substantial harm to the openness of the Green Belt. Furthermore there is no evidence that the existing uses are incompatible in this location.
 - b) Provision of housing
While the applicant disputes this, the Council's position is that it has a 5 year housing land supply. The most up to date information shows a supply of 4,018 dwellings against a requirement, including a 5% buffer of 2,378 for the period 2017-22. This amounts to an 8.5 years supply.
 - c) Reduction in volume hardstanding and volume in the Green Belt.
The applicant's calculations exclude the affordable housing units. Whereas there may be a reduction in hardstanding there is a very considerable increase in the total volume of development on the site.
 - d) Broad location for housing – Kimble.
The site was put forward in the call for sites however it was discounted at an early stage. The site does not meet the criteria identified in the emerging Local Plan policy RUR6.
 - e) Provision of affordable housing.
On site affordable housing is being provided however it is less than the 40% policy compliant level that would be required. The level would equate to 23% provision.
 - f) Increase biodiversity and landscaping.
The applicant has not been willing to undertake a biodiversity accounting exercise which would allow quantification of the increase in biodiversity. Furthermore there is a requirement for more survey work to be undertaken. Any mitigation and enhancement measures would need to reflect the full findings of all survey work. At this time it is difficult for this to be quantified. The landscaping would be an improvement to the site but no more than would be required from good development and cannot be regarded as a very special circumstance.
 - g) Reduce movements of large vehicles.
A reduction in vehicle movements is expected from the site and this will provide a benefit.
 - h) Provision of a CIL payment towards local services.
- 5.74. Officers conclude that these considerations fall significantly short of clearly outweighing the very substantial harm identified. In addition, having regard to all issues set out above the adverse impact of the proposal significantly and

demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole.

Equalities Act Duties

- 5.75. Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

Recommendation: Application Refused

- 1 The construction of new buildings in the Green Belt must be regarded as inappropriate development unless it can be considered as one of the identified exceptions (paragraph 145 of the NPPF 2018). The site is previously developed land, however, the scale of the re-development causes substantial harm to the openness of the Green Belt and must be considered as inappropriate development. Inappropriate development, within the Green Belt, is by definition harmful to the Green Belt and should not be approved except in very special circumstances. The residential development will cause significant harm to the openness of the Green Belt and will lead to encroachment into the open countryside which is contrary to the purposes of the Green Belt. Although there are existing former agricultural buildings on the site the new development will result in an increase in the built form over the site which will cause significant harm to the open character of the site and will change the visual character from a rural setting to a more urban setting which will harm the visual amenity. The very special circumstances presented are not considered to outweigh the significant harm to the Green Belt by reason of inappropriateness and the other harm identified. The development is contrary to the National Planning Policy Framework 2018 (paras 144 & 145), Adopted Core Strategy (July 2008) Policy CS2 (Main Principles for the Location of Development) and Policy CS9 (Green Belt) and Policy GB2 (Development in the Green Belt) of the adopted Wycombe District Local Plan to 2011 (As saved, extended and partially replaced) and DM42 (Managing Development in the Green Belt) of the New Local Plan - Submission Version 2018.
- 2 The proposal fails to conserve the landscape and scenic beauty in this Chilterns Area of Outstanding Natural Beauty. It fails to protect the rural character of this part of the District and fails to respect the character and sense of place of villages and hamlets and the setting of this part of the AONB. As such the development is likely to damage the special character, appearance and scenic beauty of this landscape. As such the proposal is contrary to the National Planning Policy Framework (paras 172); Policies CS2 (Main Principles for the Location of Development), CS7 (Rural settlements and the Rural Areas) and CS 17 (Environmental Assets) of Adopted Core Strategy (July 2008); Policy L1 (the Chilterns Area of Outstanding Natural Beauty) of the adopted Wycombe District Local Plan to 2011 (As saved, extended and partially replaced); Policy DM40 (The Chilterns Area of Outstanding Natural Beauty) of the New Local Plan -Submission Version 2018; the Chilterns Building Design Guide and the Chilterns Management Plan.
- 3 The Local Planning Authority, is of the opinion that the residential development of the site fails:
 - a) to respect the established local character
 - b) to provide a layout and housing types which are sympathetic to the character of the area
 - c) to provide a level of development which could be accommodated within the settlement
 - d) to respect the sloping site and introduces retaining walls which would hard and urbanising features

Therefore the development does not result in a high standard of design and layout that would create a positive and attractive place. This would be contrary to policies CS1 (Overarching Principle - Sustainable Development) and CS19 (Raising the quality of place shaping and design) of the Adopted Core Strategy (July 2008) and Policy G3 (General design policy) and Policy G26 (Designing for Safer Communities) of the adopted Wycombe District Local Plan to 2011 (As saved, extended and partially replaced) and the Residential Design Guidance - June 2017

- 4 The site is a scattered business site within the rural area, and as such provides a valuable part of the employment land portfolio in the District. Such sites provide small-scale local employment opportunities and therefore planning permission will only be granted for residential uses if it has been clearly demonstrated that the re-use of the site is no longer practical. Policy DM5 requires an assessment to demonstrate that the use is no longer practical. No assessment has been undertaken by the applicant and they cannot demonstrate that the site is no longer practical and therefore the site must be retained as part of the employment land portfolio. The proposal is therefore contrary to Policy C11 (Land for Business) of the Core Strategy (July 2008) and Policy DM5 (Scattered Business Sites) of the Adopted Delivery and Site Allocations Plan (July 2013).
- 5 In the absence of a legal agreement to secure the provision of a policy compliant amount of affordable housing, the development would not contribute to the objective of creating mixed and balanced communities. As such the development would be contrary to the National Planning Policy Framework, Policy CS13 (Affordable Housing and Housing Mix) of the Adopted Core Strategy (July 2008) and the Planning Obligations Supplementary Planning Document.
- 6 In the absence of a Neighbourhood Plan for Great and Little Kimble-Cum Marsh Parish the development fails to meet the criteria identified in Policy RUR6 (Great and Little Kimble-Cum-Marsh Parish) namely:
 - a) the site is not within or adjacent to the villages
 - b) the site would introduce a regimented layout of residential development which is out of character with the surrounding development and would have a major impact on the setting of the Chilterns Area of Outstanding Natural Beauty
 - c) the site fails to contribute to the provision of sustainable transport schemes

As such the development is contrary to Policy RUR6 of the New Local Plan - Submission Version 2018.