



Buckinghamshire Council

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Report to Central Area Planning Committee

Application Number:	19/02754/APP
Proposal:	Residential development for 6 no. dwellinghouses with associated access and landscaping
Site Location:	Land Adjacent to Raven Crescent And Linnet Drive Westcott
Applicant:	Unknown (only agents provided)
Case Officer:	Danika Hird
Ward(s) affected:	Former Waddesdon Ward
Parish-Town Council:	Westcott
Date valid application received:	24/07/2019
Statutory determination date:	20/09/2019
Recommendation	Permission be DEFERRED AND DELEGATED to officers for Approval subject to the satisfactory completion of a S106 Agreement to secure financial contributions towards off-site sports and leisure facilities and subject to those conditions as considered appropriate by officers, or if this is not achieved for the application to be refused for reasons as considered appropriate by officers.

Summary & Recommendation/ Reason for Planning Committee Consideration

The application has been evaluated against the extant Development Plan and the NPPF and the report has assessed the application against the planning principles of the NPPF and whether the proposals deliver sustainable development. Paragraph 11 of the NPPF advises that for decision taking; approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

As part of the above assessment it is acknowledged that there would be economic benefits in terms of the construction of the development and those associated with the resultant increase in local population. Furthermore, the development of 6 dwellings would make a contribution to the housing land supply which would be a significant benefit. Whilst these benefits have been identified, given the small number of dwellings proposed these benefits are tempered to limited positive weight in the overall planning balance.

The proposed development would result in the permanent loss of a greenfield site, the unnatural division of a parcel of land and would increase the level of built development on the edge of the settlement, all of which would result in adverse impacts on the landscape, however it is considered that the scheme has been sympathetically designed to respond to its surroundings. Consequently, it is inevitable that a scheme of this nature would undoubtedly have some harm on the landscape, however it is considered that the level harm could be mitigated and therefore this matter is afforded moderate negative weight in the overall planning balance. Limited negative weight is also given to the impact on the users of the public right of way due to the development of a greenfield site which would have an impact on the views experienced.

Compliance with some of the other objectives of the NPPF have been demonstrated or could be achieved in terms of making effective use of land, trees and hedgerows, biodiversity, transport, parking, healthy and safe communities, well designed places, meeting climate change and flooding, historic environment, high quality communications and residential amenity. However, these matters do not represent benefits to the wider area but demonstrate an absence of harm to which weight should be attributed neutrally. Weighing all the relevant factors into the planning balance, and having regard to the NPPF as a whole, all relevant policies of the AVDLP and supplementary planning documents and guidance, in applying the tilted balance of paragraph 11d) of the NPPF, the adverse impacts outlined above, caused by the proposal are considered not to significantly and demonstrably outweigh the benefits of the scheme.

Recommendation is that permission be d **DEFERRED AND DELEGATED** to officers for Approval subject to the satisfactory completion of a S106 Agreement to secure financial contributions towards off-site sports and leisure facilities and subject to those conditions as considered appropriate by officers, or if this is not achieved for the application to be refused for reasons as considered appropriate by officers.

WORKING WITH THE APPLICANT/ AGENT

In accordance with paragraphs 38 and 39 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal. The council works with applicants/agents in a positive and proactive manner by; offering a pre-application advice service, updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions. In this case as part of this application, amendments were received and following the receipt of such details the application was found to be acceptable and approval is recommended subject to relevant planning conditions and the satisfactory completions of a legal agreement.

1.0 INTRODUCTION

- 1.1 The application needs to be determined by committee as the Councillor Paul Irwin has raised material planning objections and has “called” this application into Committee. The material planning considerations of concern broadly relate to the lack of facilities within Westcott, the proposed dwellings not being in keeping with the surrounding dwellings, parking and a poor bus service. In addition to this, concern was raised in regards to Raven Crescent and Linnet Drive being private roads, in poor condition, however this would be a civil matter falling outside of the planning process.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The application site extends to circa 0.39ha and lies to the south-eastern edge of Westcott village. The application site is situated off Raven Crescent and Linnet Drive, forming a greenfield site which comprises of mainly grassland with a large central Willow Tree (which has a Tree Protection Order) and a number of other mature trees to the boundaries. The site is open and exposed, appearing flat however there is a deceptive subtle rising topography to the east. The site is bound by a block of private residential garages to the north, a mature hedgerow to the south and eastern boundaries and private roads to the west (Raven Crescent and Linnet Drive).
- 2.2 Within the surrounding area, residential properties are located to the north and western boundaries of the site with open countryside to the south and east. Along the southern boundary of the application site is a private access track serving a residential property to the north east of the site. To the south, beyond the access track is Westcott Cricket Club. Grade I Listed Waddesdon Manor Historic Park and Garden is located approximately 250m east of the site and Waddesdon Conservation Area is located further east at approximately 400m. There are a number of listed buildings/ structures with varying designations within the Waddesdon Manor Historic Park and Garden, including the Grade I Listed Manor itself. The site also falls within the Brill-Winchendon Hills Area of Attractive Landscape.

3.0 PROPOSAL

- 3.1 This application seeks full planning permission for erection of 6 two-storey dwellings comprising of two detached, four bedroom dwellings and four, three bedroom semi-detached dwellings (two pairs). Each property will be served via its own individual access of Raven Crescent and Linnet Drive with on-plot parking being provided to the front of each of the dwellings. The proposed site layout shows the dwellings to be sited in a frontage arrangement along Linnet Drive and Raven Crescent with gardens extending to the rear.
- 3.2 The front elevations of the buildings are shown to relatively simple in form with either a small canopy over the front door or a small front projection with a canopy. Each of the properties have two-storey projecting features to the rear and the proposed dwellings are to be constructed with facing brick, a small amount of vertical timber boarding for detailing and plain clay tiles.

4.0 RELEVANT PLANNING HISTORY

- 4.1 85/00839/AV - RESIDENTIAL DEVELOPMENT – Refused

- 4.2 17/04798/APP - Erection of 10 detached dwellings with vehicular access from Raven Crescent and Linnet Drive, and all associated engineering and landscape works. – Withdrawn

5.0 PARISH/TOWN COUNCIL COMMENTS

- 5.1 Westcott Parish Council: Objects on the following grounds:

- Residential Amenity
- Traffic & Highways
- The type of houses proposed are not in keeping with the adjoining properties which are all semi-detached.
- There are no clear means of access to the site as the adjoining roads are all privately owned.
- There is not sufficient parking being provided for these types of large houses.
- The development will change the appearance of the local area which is currently open space.
- There are no community facilities or public transport to support additional development.
- There are concerns about the disposal of both surface water and sewage from the proposed development.

6.0 COUNCILLOR COMMENTS

- 6.1 Cllr Paul Irwin: Request for application to go to Committee if the Officer is minded to approve the application. Objecting on the following grounds:

- The roads on the estate are private and in a poor condition.
- The village has no amenities at all, no shop, no pub, no village hall
- The houses are not in keeping with the ones already there.
- There is only a very poor bus service
- Parking is an issue.

7.0 CONSULTATION RESPONSES

- 7.1 SUDs: Objects due to insufficient information regarding the proposed surface water drainage scheme. The application site falls within Flood Zone 1 and is shown on the Environment Agency maps as being within an area of very low risk of surface water drainage, however the access to the site lies in an area of medium surface water risk. The Infiltration SuDS map indicates that the water table is anticipated to be at depths less than 3m from the ground surface, suggesting a risk of groundwater flood risk. In order to identify any risk of flotation to the storage tanks, the groundwater level must be investigated. The proposed surface water drainage strategy seeks to discharge to Thames Water's foul sewer, where it was confirmed in the previous drainage assessment that Thames Water will permit the properties discharge subject to an agreed rate. As some time has passed since this correspondence with Thames Water, the applicant is required to demonstrate that there is still sufficient capacity in the system of Thames Water.

- 7.2 As part of a large development on this site, a drainage assessment was carried out taking into account the drainage hierarchy, part from active rainwater harvesting. After investigation, infiltration techniques were found to be unfeasible, nor are there any nearby

watercourses or surface water sewers, hence discharging into a combined system was decided upon. Further work is required to assess the suitability of active rainwater harvesting before deciding on the tanked storage discharge to Thames Water's foul sewer. Further clarity is also needed regarding the proposed discharging rates within the drainage layout. The LLFA would also need to see storage calculation of the proposed tanked systems and require calculations for storm events with a maintenance schedule provided for the surface water drainage system.

- 7.3 Buckingham & River Ouzel Internal Drainage Board: The site is outside the Boards district, in this instance the Board has no comment to make.
- 7.4 Thames Water: has no objections with regards to foul water sewerage network capacity
- 7.5 Ecology: Raised no objection subject to a condition securing the mitigation measures within the submitted ecology assessment.
- 7.6 Arboricultural Officer: Raised no objection subject to conditions securing protection/mitigation measures and details of new planting.
- 7.7 Highway Authority: Raised no objection subject to a condition securing the site to be laid out for parking, loading and manoeuvring as shown on the approved plans.
- 7.8 Landscape: The proposal would lead to adverse landscape character and visual impact. The supporting LVIA underestimates the adverse impact on the landscape character of the site itself as well as the wider character of the valued landscape of the AAL.
- 7.9 The landscape around the site creates a dramatic rural backdrop for the village of Westcott. The proposed application would extend built form on to a greenfield site which would encroach upon the sensitive landscape of the Brill-Winchendon Area of Attractive Landscape (AAL). The Landscape Officer therefore believes the development would have an adverse impact on the AAL.
- 7.10 The Landscape Officer fails to see how the proposed scheme respects or complements the physical characteristics of the site and the surroundings, and as a consequence there remains to be conflict with saved policy GP.35 of the Aylesbury Vale District Local Plan (AVDLP).
- 7.8 Historic England: On the basis of the information available to date, Historic England do not wish to offer any comments. Suggest that the views are sought of the Council's specialist conservation and archaeological advisers, where relevant.
- 7.9 Heritage: Raise no objection subject to conditions securing details of materials, external lighting and landscape mitigation. Waddesdon Manor Historic Park and Garden is located approximately 250m east of the site and Waddesdon Conservation Area is located further east at approximately 400m. It is considered that upon completion there would be a small impact on the landscape setting of Waddesdon Manor Historic Park and Garden due to the change in site character from open grass to residential development. Subject to a number

of conditions it is considered that this development would integrate with the surrounding existing built form of the village and would read as part of the existing built form.

- 7.10 Nevertheless, this level of impact would be significantly reduced with the maturity of landscape mitigation and at this stage the impact of this proposed development would be negligible on the setting of Waddesdon Manor Historic Park and Garden or Waddesdon Conservation Area. The proposal would cause no harm to the significance of the heritage assets.
- 7.11 Gardens Trust: Is as Statutory Consultee on the above application which affects Waddesdon Manor, an historic designed landscape of national importance which is included by Historic England on the Register of Parks and Gardens of Special Historic Interest at Grade I. The information provided has been considered in support of the application and have liaised with our colleagues in Buckinghamshire Gardens Trust. On the basis of this, the Gardens Trust confirm they do not wish to comment on the proposals at this stage and emphasise that this does not in any way signify either our approval or disapproval of the proposals.
- 7.12 Parks & Recreation: A financial contribution towards off-site sports and leisure facilities is required.

8.0 REPRESENTATIONS

8.1 47 Representations were received raising the following objections:

Traffic:

- Lack of public transport in Westcott
- Increase in traffic volumes and traffic congestion
- Existing difficulties accessing the A41
- Increased likelihood of accidents
- Existing parking issues
- Insufficient parking being envisaged
- Damage and congestion from lorries
- Narrow roads
- No more access to turning points
- Access roads are privately owned
- Further deterioration of private roads
- Financial pressures on the residents
- No plans to adopt the roads

Westcott itself/facilities:

- Lack of village facilities/ amenities
- Village infrastructure and facilities are over-stretched
- Existing drainage issues
- Area is liable to flooding
- Additional pressure on services eg. the sewage system, mains water supply, electricity and broadband that are operating beyond capacity
- Disposal of surface water and sewage

- No gas pipeline in Westcott
- Significant growth of dwelling numbers
- Overcrowding
- Westcott is already in compliance with the Aylesbury Vale Plan

Environment:

- Loss of open space
- Impact on Tree Preservation Orders
- Disturbance to the local Red Kites
- Visual impact on the Brill Winchendon Hills Area of Attractive Landscape
- Visual impact on the Registered Parks and Gardens
- Loss of greenfield land
- Development into open countryside
- The proposed houses are out of character

Miscellaneous:

- Noise impact
- Loss of privacy
- Lack of footpaths
- Visual impact on the Grade I Waddesdon Manor
- Revised boundary plans crosses residents' boundaries
- No improved accommodation opportunities
- No benefits to current inhabitants
- Incorrect information within the statements made by JPCC consultants (Section 2.11 bus stop and Section 5.77 flooding)

Potential future development:

- Same issues still exist as on the previous application
- Piece of land between the housing and the boundary
- Sets a dangerous precedent for further development

In addition to the above representations, comments were also received from the Waddesdon Estate raising the following objections:

- Accompanying these comments was a detailed landscape rebuttal statement which was commissioned by Waddesdon Estate in response to the Landscape and Visual Appraisal submitted in support of this application.
- great concern that the LVA has underestimated the highly sensitive nature of the visual receptors in this location, in which the proposed development would have an adverse impact on the setting and outlook of this historic landscape. LVA considers incorrectly that the AAL does not constitute 'valued landscape' in planning policy terms and that the impact of the proposed development on Waddesdon Manor Registered Park and Gardens would reduce from Minor to Negligible post construction.
- Planning history for the site with an appeal for housing first being dismissed in 1986.

- any change in planning policy relating to the need to boost housing land supply does not override the position on the ground that the site would constitute an encroachment into the countryside.
- drainage documentation submitted with the current planning application documentation, it is evident that this material consideration has not been addressed – request a statement is produced by the applicant on the current state of affairs regarding the sewerage works before any decision is made on the planning application.
- The site was identified as unsuitable within the HELAA on the grounds that *'the site is separated from the rest of the village and a development would also be likely, sited behind a frontage, to have a harmful impact on settlement pattern. A development would also be likely to have a landscape and visual impact in an Area of Attractive Landscape'*.
- It is quite apparent from the Brill – Winchendon AAL designation that it has been drawn to encircle Lodge Hill / Waddesdon Manor on all sides to protect this area of historic landscape from the harmful effects of new development associated with the outward spread of Westcott Village. The application site acts as an important landscape buffer between existing built development and the setting of the *'panoramic rural landscape'* encircling Lodge Hill / Waddesdon Manor.
- It is noted from the applicant's supporting planning statement that Council Planning Officers have recently confirmed in its pre-application advice that there may be scope for development on the site subject to being able to demonstrate that the development does not cause any significantly adverse landscape character and visual harm.
- The setting of a historic park or garden may include land beyond its boundary with Waddesdon Estate rebuttal statement concluding that there would be harm to the significance of the Waddesdon Manor Registered Park and Gardens and Waddesdon Conservation Area and that due weight should be given in the decision making process.
- AVDC is comfortably meeting its 5 Year Housing Land Supply.
- Westcott constitutes a smaller village in which emerging policy D4 confirms that development will only be supported (normally five dwellings or fewer) where it is sustainable; complies with adopted policy; and meets a number of specific development control criteria which the scheme does not meet (not substantially enclosed, site represents a quasi-village green with surrounding frontage development with views to the countryside beyond & detrimental impact on tree with a Tree Preservation Order).
- The benefits of the scheme are not significantly outweighed by the impact on the AAL and the historic environment.

9.0 EVALUATION

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

9.2 Members are referred to the Overview Report before them in respect of providing the background information to the Policy. The starting point for decision making is the

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

9.3 **Development Plan**

Aylesbury Vale District Local Plan (AVDLP)

- 9.4 A number of saved policies within the AVDLP are considered to be consistent with the NPPF and therefore up to date so full weight should be given to them. Consideration therefore needs to be given to whether the proposal is in accordance with or contrary to these policies. Those of relevance are GP2, GP8, GP24, GP35, GP38 - GP40, GP45, GP53, GP60, GP84, GP86-GP88, GP94 and RA8.

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

- 9.5 A number of policies within the VALP (as modified October 2019 – all references to VALP hereafter refer to this edition) following the main modification consultation which started on the 5th November 2019, are now afforded some weight in the decision making process. Consideration therefore needs to be given to whether the proposal is in accordance with or contrary to these policies. Those of particular relevance are S1 Sustainable development for Aylesbury Vale, S2 Spatial Strategy for Growth, S3 Settlement Hierarchy and Cohesive development, S5 Infrastructure, D4 Housing development at smaller villages, H1 Affordable Housing, H6a Housing Mix, H6c Accessibility, T1 Delivering the Sustainable Transport Vision, T4 Capacity of the transport network to deliver development, T5 Delivering Transport in New Development, T6 Vehicle Parking, T7 Footpaths and Cycle Routes, T8 Electric Vehicle Parking, BE1 Heritage Assets, BE2 Design of New Development, BE3 Protection of the amenity of residents, BE4 Density of New Development, NE1 Biodiversity and Geodiversity, NE4 Landscape Character and Locally Important Landscape, NE7 Best and Most Versatile Agricultural Land, NE8 Trees, Hedgerows and Woodlands, C4 Protection of Public Rights of Way, I2 Sports and Recreation, I3 Community Facilities, Infrastructure and Assets of Community Value, I4 Flooding. Policies S1 Sustainable Development for Aylesbury Vale and BE3 Protection of the Amenity of Residents have been the subject of objections and the Inspector has not requested main modifications so these can be regarded as resolved and these policies can be given considerable weight. The remainder of these policies have been the subject of objections and the Inspector requested main modifications and confirmed that he is satisfied they remedy the objection, so these can be given moderate weight. Finally, policy T4 Capacity of the Transport Network to Deliver Development can only be given limited weight as it is a new and untested policy which was introduced by a modification and therefore subject to consultation.

- 9.6 Neighbourhood Plans:

9.7 There is currently no “made” neighbourhood plan for Westcott.

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

- **Sustainable Location**

9.9 The Government’s view of what “sustainable development” means in practice is to be found in paragraphs 7 to 211 of the NPPF. Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.

9.10 Policy S1 of the emerging VALP (currently afforded considerable weight) sets out the spatial strategy for the Buckinghamshire Council’s Aylesbury Vale Area and seeks to ensure development proposals comply with the principles of sustainable development. With emerging policy S2 of VALP (currently afforded moderate weight) stating that strategic growth and investment will be concentrated in sustainable locations (strategic and larger settlements). Development within ‘medium villages’ will be limited to a scale which is in keeping with the local character and setting, with developments in ‘smaller villages’ coming forward through either ‘windfall’ applications or neighbourhood plan allocations.

9.11 It is acknowledged that the NPPF promotes sustainable development and encourages consolidation of smaller rural settlements where it will enhance or maintain the vitality of rural communities. In terms of its broader location, Westcott is identified in AVDLP as an Appendix 4 settlement implying that this is considered to be appropriate to allow “limited small scale development” within the settlement.

9.12 In the Settlement Hierarchy Assessment 2017, Westcott is identified as a ‘smaller village’. Westcott has exceptionally high levels of employment when compared to other smaller villages. Westcott itself has been defined as having a small population and very poorly connected to a large service centre (Aylesbury over 8 miles away). Very good employment nearby at Westcott Venture Park, which is a strategic employment site. Some provision of key services (a food store, village hall, two recreation grounds/ playing fields and an infant school) but relatively infrequent public transport. On this basis, it is therefore accepted that Westcott being a smaller village, is one of the less sustainable village within the Aylesbury Vale Area due to its poor access to services and facilities. Whilst this is noted, it is expected that small development could be accommodated without causing any environmental harm. This level of development is also likely to help maintain existing communities.

9.13 RA13 and RA14 of AVDLP give some encouragement to small scale infilling or round off of a settlement, The overview report addresses the status of these policies. The application site has not been allocated for development and therefore emerging policy D4 of VALP is applicable as it relates to housing development in smaller villages. Emerging policy D4 of VALP states *‘where there is no neighbourhood plan in place, new housing development at smaller villages will be supported where it contributes to the sustainability of that village*

and is in accordance with all applicable policies in the Local Plan, provided that the proposed development fulfils all of the following criteria:

- a) Is located within the existing developed footprint of the village* or is substantially enclosed by existing built development
- b) Would not lead to coalescence with any neighbouring settlement
- c) Is of a small scale (normally five dwellings or fewer) (net) and in a location that is in keeping with the existing form of the settlement and would not adversely affect its character and appearance
- d) Respects and retains natural boundaries and features such as trees, hedgerows, embankments and drainage ditches
- e) Would not have any significant adverse impact on environmental assets such as landscape, historic environment, biodiversity, waterways, open space and green infrastructure, and
- f) Can be served by existing infrastructure

**the existing development footprint is defined as the continuous built form of the village, and excludes individual buildings and groups of dispersed buildings. This includes former agricultural barns that have been converted, agricultural buildings and associated land on the edge of the village and gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where the land relates more to the surrounding countryside than to the built-up area of the village.*

9.14 The application site is located on a parcel of land adjacent to residential development on Raven Crescent and Linnet Drive. These properties form a large cluster of dwellings with a strong settlement pattern and appearance. Raven Crescent is located predominately to the north, with Linnet Crescent to the west. To the east of the site is an agricultural field with a dwelling beyond with the southern boundary of the site being demarked by the access serving this property. Beyond the access is Westcott Cricket Club to the south surrounded by agricultural land. There are instances where settlements are divided into more than one area. As such, given the density and urban form of the dwellings, it is considered that Westcott's settlement is split into two, with the application site being located within one area of Westcott's settlement and the remaining larger area being located to the north.

9.15 The proposed development is shown to be frontage development which continues on from the existing dwellings located on Raven Crescent, contained by the existing access to the south and not protruding beyond the last house on Linnet Drive. Due to the extensive countryside beyond, the proposed development would not result in a coalescence with any neighbouring settlement. This application seeks the erection of 6 dwellings, the policy does allow for some flexibility stating that the figure provided is what "normally" constitutes small scale development. Consequently, emerging policy D4 of VALP does not necessarily preclude the provision of six dwellings (one above the figure provided) subject to further consideration against the scheme's compliance with other design and development management policies which will be considered below in the remainder of the report. In addition to this, consideration into points e) and f) of this emerging policy will also be considered in greater detail below. Officers considered that the proposal for 6

dwelling itself does not in principle conflict with emerging policy D4 of VALP subject to further consideration of the proposals specifics within the remainder of the report.

9.16 With regards to the HELAA, this is an important evidence source to inform plan-making but does not in itself determine whether a site should be allocated for housing or whether planning permission should be granted. The site was identified within the HELAA (WSC004) as unsuitable for housing or employment development as *"the site is separated from the rest of the village and a development would also be likely, sited behind a frontage, to have a harmful impact on settlement pattern. A development would also be likely to have an landscape visual impact in an Area of Attractive Landscape"*. The impact on the landscape will be considered in more detail below.

- **Promoting sustainable transport**

9.17 The overview report sets out the aims of the NPPF for the need to travel will be minimised and the use of sustainable transport modes can be maximised and that safe and suitable access can be achieved, taking account of the policies in the NPPF.

9.18 From a transport sustainability perspective, there is a bus stop located on Ashenden Road within close proximity to the application site providing a limited service to and from the site, to the surrounding area. Raven Crescent, Linnet Drive and Ashenden Road benefit from continuous footways which allow pedestrians to safely access the bus stop and amenities within Westcott Village.

9.19 The proposed development would be accessed off Raven Crescent and Linnet Drive, both of which are private roads, adjoining the public highway at Ashenden Road. Ashenden Road is a C Class road subject to 30mph speed limit within the vicinity of the site. Given proposed development is to be located off two private roads, the council would focus on the impact of the proposed development on the public highway. Subsequently, the junctions from both Raven Crescent and Linnet Drive onto Ashenden Road must comply with the Manual for Streets visibility requirements (2.4m X 43m in both directions to the near side carriageway). The Highway Authority has advised that sufficient visibility can be achieved from both junctions onto Ashenden Road.

9.20 The proposed development seeks frontage development off Raven Crescent and Linnet Drive, with each of the proposed dwellings, independently taking access off these private roads as the Highway officers have raised no objections to development being off private roads nor in respect of visibility and therefore it is considered a reason for refusal could no longer be sustained on these grounds.

9.21 Overall, the site's sustainability, highway safety, access or manoeuvrability is considered satisfactory. The proposed development is therefore considered to accord with the emerging transport policies within VALP and the advice within the NPPF. This matter is therefore afforded neutral weight in the overall planning balance.

Parking:

- 9.22 AVDLP policy GP24 requires that new development accords with published parking guidelines. SPG 1 "Parking Guidelines" at Appendix 1 sets out the appropriate maximum parking requirement for various types of development. Also of relevance is policy T6 of the emerging VALP sets out optimum standards for parking. Furthermore emerging policy T8 of VALP requires one dedicated electric charging vehicle point house with a garage or a driveway.
- 9.23 The proposal comprises of two four bedroom and four three bedroom homes. The current parking guidelines therefore require two on-plot parking spaces to be provided per three bedroom property and three on-plot spaces for each of the four bedroom properties. The parking standards within the emerging VALP are slightly more generous, requiring an extra half a space per dwelling, however until this policy is given greater weight, proposals are required to comply with the current standards in AVDLP as this is a saved policy. The proposed site layout shows that each of the proposed dwellings are to be served by private driveways with Plots 1 and 2 (4 bedroom) also being served by an attached single garage. The garages are shown to internally measure 3m by 6m with 2.5m opening, which is considered to be of a sufficient size to accommodate a vehicle. The proposed layout is therefore shown to provide at least the required parking provisions for each of the dwellings. It is also noted that the layout shown has been carefully designed to limit the impact on trees within the site and for the proposed development to respond to the area's prominent building pattern. It is therefore considered on balance, that the layout shown would be acceptable in this instance and could be secured via a condition.
- 9.24 If the proposed development were to be approved, a condition could be imposed securing a dedicated electric charging point for each of the properties.
- 9.25 Overall the parking scheme shown is considered to comply with the aims of policy GP24 of AVDLP and the advice within the NPPF. This matter is afforded neutral weight in the overall planning balance.

- **Building a strong, competitive economy**

- 9.26 The Government is committed to securing and supporting sustainable economic growth and productivity, but also that this would be achieved in a sustainable way. Paragraph 80 states that planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 9.27 There would be economic benefits derived from this development in terms of the construction of the development itself and the resultant increase in population contributing to the local economy. These benefits include the creation of jobs during construction, extra demand for goods and services and increased local spending from the resultant increase in population, which would be positive and long lasting to the local economy.

9.28 It is therefore considered that the proposal would give rise to future economic benefits and therefore would accord with the advice within the NPPF, which should be afforded limited positive weight in the overall planning balance, given the scale of the development proposed.

- **Delivering a sufficient supply of homes**

9.29 Based on the findings of the HEDNA, the housing land supply document shows Aylesbury Vale Area to have a 5.64 year supply this year. Work is ongoing towards revising this calculation in accordance with the new NPPF and early indications are that the council still maintains over 5 years supply.

9.30 As a result of the proposed development, the scheme would provide a contribution of 6 dwellings to the housing supply for Aylesbury Vale Area, a significant benefit which is tempered by the relatively small scale nature of this development and would assist in boosting the housing supply for the Aylesbury Vale Area. It is considered that the scheme could be delivered within a reasonable time, subject to approval due to the scale of the development being sought.

9.31 The proposed development falls below the threshold for requiring affordable housing under policy G2 of AVDLP and emerging policy I1..

9.32 With regard to housing mix, the proposal seeks the erection of 6 market dwellings comprising of two four bedroom properties and four three bedroom properties. The HEDNA, identifies that within the Aylesbury Vale Area, 3 and 4 bedroom market houses are most in need and therefore the mix provided is reflective of this and therefore considered to comply with emerging policy H6a of VALP.

9.33 Overall, the proposed development would make a positive contribution towards the supply of deliverable housing land in the Aylesbury Vale Area and is considered to be compliant with policy GP2 of AVDLP, emerging policies H1 and H6a of VALP and the advice within the NPPF. Whilst this is of significant benefit, this is tempered to limited positive weight in the overall planning balance given the small scale nature of the development and the Council can demonstrate a 5 year housing land supply.

- **Making effective use of land**

9.34 The overview report sets out the approach in the NPPF to ensure efficient use of land.

9.35 Policy BE4, Density of new development, of the emerging VALP states that *proposed densities of developments should generally constitute effective use of the land and reflect the densities of their surroundings , and will be appraised on a site-by-site basis to ensure satisfactory residential amenity.*

- 9.36 The site area measures 0.38 hectares and therefore the proposal would provide a density of approximately 16 dwellings per hectare. Whilst it is acknowledged that the proposed density is relatively low, this is considered to be acceptable in this instance as only frontage development can be achieved in this location given the prevailing character and appearance of the area. The need to consider the prevailing character and setting, promoting sustainable transport, conserving and enhancing the natural and historic environment, securing well designed, attractive and healthy places, adequate amenity and meeting climate change is dealt with in the following section(s) of the report.
- 9.37 As such, the proposal is considered to represent an effective use of land which accords with emerging policy BE4 of VALP and the advice within the NPPF. This matter is therefore afforded neutral weight in the overall planning balance.

- **Conserving and enhancing the natural environment**

Landscape:

- 9.38 In terms of consideration of impact on the landscape, proposals should use land efficiently and create a well-defined boundary between the settlement and countryside. Regard must be had as to how the development proposed contributes to the natural and local environment through protecting and enhancing valued landscapes and geological interests, minimising impacts on biodiversity and providing net gains where possible and preventing any adverse effects of pollution, as required by the NPPF. The following sections of the report consider the proposal in terms of impact on landscape, agricultural land, trees and hedgerows and biodiversity.
- 9.39 Section 15 of the NPPF states planning policies and decision should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services—including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.
- 9.40 Policy GP.35 of the AVDLP requires new development to respect and complement the physical characteristics of the site and surroundings; the building tradition, ordering, form and materials of the locality; the historic scale and context of the setting; the natural qualities and features of the area; and the effect on important public views and skylines. This policy is considered to be consistent with the NPPF.
- 9.41 Policy GP.38 states that development schemes should include landscaping proposals designed to help buildings fit in with and complement their surroundings, and conserve existing natural and other features of value as far as possible. RA8 of the AVDLP states that "development proposals in these areas should respect their landscape character. Development that adversely affects this character will not be permitted, unless appropriate mitigation measures can be secured".
- 9.42 Also of relevance is Policy BE2 – Design of new development, of the emerging VALP which sets out that all new proposals shall respect and complement:

- a) The physical characteristics of the site and its surroundings including the scale and context of the site and its setting
- b) The local distinctiveness and vernacular character of the locality, in terms of ordering, form, proportions, architectural detailing and materials
- c) The natural qualities and features of the area, and
- d) The effect on importance public views and skylines

9.43 In addition policy NE4 – Landscape character and local important landscape, states development must recognise the individual character and distinctiveness of particular landscape character areas set out in the Landscape Character Assessment (LCA), their sensitivity to change and contribution to a sense of place. The policy goes on to set out a number of criteria that development should consider, this includes (but not limited to)

- a) Minimise impact on visual amenity
- b) Be located to avoid the loss of important on-site views and views towards important landscape features
- c) Respect local character and distinctiveness in terms of settlement form and field pattern, topography and ecological value
- d) Ensure that the development is not visually prominent in the landscape

9.44 The application site is located in the southern part of Westcott’s village. Located to the north and western boundaries of the site are existing residential properties situated along Raven Crescent and Linnet Drive with open countryside to the south and east. Along the southern boundary of the application site is a private access track serving a residential property to the north east of the site. To the south, beyond the access track is Westcott Cricket Club.

9.45 The site lies within the ‘Westcott Claylands’ Landscape Character Area (LCA), within the ‘Shallow Valleys’ Landscape Character Type. The Landscape Character Area Assessment of the ‘Westcott Claylands’ concludes that the condition of the LCA as a whole is ‘very good’ with ‘moderate’ sensitivity. The character area is defined as being sparsely settled and remains a rural agricultural landscape. Near to the application site, the LCA transitions to the Waddesdon – Eythrope Parkland which is characterised as intrinsically rural with extensive mature woodland interspersed with areas of parkland agricultural that is locally intensive with predominately large arable fields on the upper slopes and smaller pastoral fields on the lower slopes.

9.46 The site itself extends to circa 0.39ha and lies to the south-eastern edge of Westcott village. The application site is situated off Raven Crescent and Linnet Drive, forming a greenfield site which comprises of mainly grassland with a large central Willow Tree (which has a Tree Protection Order) and a number of other mature trees to the boundaries. The site is open and exposed, appearing flat however there is a deceptive subtle rising topography to the east. The site is bound by a block of private residential garages to the north, a mature hedgerow to the south and eastern boundaries and private roads to the west (Raven Crescent and Linnet Drive). The site is located within the panoramic rural landscape of the Brill-Winchendon Hills Area of Attractive Landscape (AAL). The AAL as a whole is considered to be of a high scenic quality with spectacular views across fields of pasture with hedgerows and mature trees, woodland in the background and of distinctive

hills. From the site direct views east focus on a localised wooded hilltop- Lodge Hill, located within the Waddesdon Manor registered parks and gardens designation area, also within the Waddesdon Conservation Area (CA). This site does make a contribution to the special distinctive rural character at the edge of the settlement as clearly experienced from this site, due to the lack of development and exposed nature of the landscape that makes up the site. However, given that it is a small parcel, it is considered that it would be difficult to justify a harmful impact on the wider AAL as a whole.

- 9.47 The application site is a small parcel of land demarked by residential properties on two sides with the remaining boundaries formed by native hedgerows which lead into the open countryside. It is likely that the land would have once formed part of a parcel of agricultural land with the land where the existing development lies on Raven Crescent and Linnet Drive. However given the size of the parcel of land, its clearly defined boundaries and context to the existing residential properties on Raven Crescent and Linnet Drive, it would be difficult to argue that the land remains suitable for the purposes of agriculture. The site does not retain the typical appearance of agricultural land within the open countryside like the parcels of agricultural land to the east and south of the site, within the open countryside. Furthermore, due to the obvious difference in appearance this site has to the adjacent agricultural fields within the open countryside, the level of existing built development and uniformity along Raven Crescent and Linnet Drive, it is considered that the application site does not fall within open countryside, but rather lies on the edge of one of Westcott's settlement areas. For the reasons expressed, Officers consider that Westcott has two settlement areas, the larger one being to the north of this existing, relatively large clusters of residential properties (the second and final settlement area of Westcott).
- 9.48 The Landscape Architect as part of their previous comments on application 17/04798/APP, advised that "development on this site would ultimately lead to an extension of the settlement further into the open countryside" and were not "convinced that that building proposed would be seen as part of the settlement". Whilst this is noted, the layout of the development has been amended significantly, removing the previous in-depth layout which was at odds with the prevailing frontage character of Raven Crescent and Linnet Drive. In addition, to reducing the quantum of development proposed. As such, although the Landscape Architect is no longer arguing that the development would lead to an extension of the settlement further into the open countryside, there is some concern with the loss of a greenfield site which would encroach upon the sensitive landscape of the Brill-Winchendon AAL. There will inevitably be the permanent loss of a greenfield site as a consequence of development on this site which would have some adverse impact on landscape, by virtue of the increased levels of built form at the edge of the settlement. Consequently these identified adverse impacts would need to be weighed in the overall planning balance.
- 9.49 The proposed layout would result in the unnatural division of a parcel of land and therefore if permission were to be granted, careful consideration would need to be given the boundary treatment along the eastern boundary of the site, which would be the most sensitive boundary. The properties seek to extend in a linear formation continuing on from the existing properties on Raven Crescent, with the development finishing in line with the

last property on Linnet Drive. The existing boundaries of the site are to be retained, preventing the development from extending into the adjacent open countryside, allowing the development to appear as a logical and natural development within the locality. The rear gardens of the proposed dwellings are not shown to extend beyond the existing boundary of the rear gardens located on the same side of Ravens Crescent. As such, whilst not supported by the Landscape Architect, it is considered that the revised layout responds to the prevailing character of Ravens Crescent and Linnet Drive.. To further mitigate against the impact of the proposed development, if the application were to be approved a landscaping scheme will be required and secured via a condition.

- 9.50 As part of this application concerns were also raised in regard to the loss of open space. Officers have reviewed the Council's historic records relating to the existing development on Ravens Crescent and Linnet Drive and was unable to ascertain whether this land was retained for the purposes of amenity land. Furthermore, this land is within private ownership, therefore is not public open space and could be enclosed at any point preventing the use of the land. As such, although this land is currently open and for this reason has lent itself to being informally used by the community, the Council it would therefore be difficult for the Council to resist the loss of this land purely on this basis..
- 9.51 Overall, whilst it is acknowledged that the proposed development would result in the permanent loss of a greenfield site, the unnatural division of a parcel of land and would increase the level of built development on the edge of the settlement, all of which would result in adverse impacts on the landscape, the scheme has been sympathetically designed to respond to its surroundings. Consequently, it is inevitable that a scheme of this nature would undoubtedly have some harm on the landscape, however it is considered that the level harm could be mitigated and therefore the proposal is considered not to conflict with the overall aims of policy GP35, GP38 and RA8 of AVDLP, emerging policies BE2 and NE4 of VALP and the advice within the NPPF. This matter is therefore afforded moderate negative weight in the overall planning balance.

Public Right of Way:

- 9.52 Policy GP84 states that development affecting a public right of way the Council will have regard to the convenience, amenity and public enjoyment of the route and the desirability of its retention or improvement for users, including people with disabilities. Planning conditions will be imposed on planning permissions, or planning obligations sought, to enhance public rights of way retained within development schemes. Furthermore, emerging policy C4 of VALP seeks to enhance and protect public rights of way to ensure the integrity and connectivity of this resource is maintained.
- 9.53 Located approximately 450m to the north-east of the application site is footpath WES/23/1 with the bridleway WES/26/1 being located 50m to the south-west of the site.
- 9.54 Due to the open nature of the surrounding area, whilst the footpath is located some distance from the application site, there is likely to be views obtained from this vantage point. In addition, the views to and from the bridleway would be limited until the users pass the existing intervening buildings (Westcott Cricket Club and existing properties on

Linnet Drive). The proposed development of this site to residential would result in an irreversible change to the baseline greenfield character of the site which in turn would alter views to and from the identified public right of way. It is considered that the scheme has been carefully designed to respond to the existing prevailing residential character which it would sit within and would be seen in context of the existing development and thus would not have a significantly harmful impact on the nearby public rights of way.

- 9.55 Overall it is considered that the proposed development would have a limited impact on the users of the nearby public rights of way. Whilst there would be an impact this is considered not to be significantly harmful nor would the proposed development result in a conflict with policy GP84 of AVDLP, emerging policy C4 of VALP and the advice within the NPPF. This matter is therefore afforded limited negative weight in the overall planning balance.

Trees and Hedgerows:

- 9.56 Policies GP.39 and GP.40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value. With emerging policy NE8 of VALP states “development that would result in the unacceptable loss of, or damage to, or threaten the continued well-being of any trees, hedgerows, community orchards, veteran trees or woodland which make an important contribution to the character and amenities of the area will be resisted”.
- 9.57 The application was accompanied by a Arboricultural Impact Assessment in which the tree survey identified that four of the nine trees and two hedges have sufficient merit to warrant a category B (moderate grading) with three trees of low arboricultural value (category C) and the remaining two trees of poor quality, falling within grading category U. As a result of the proposed development, only two trees with a C category or above grading are to be removed (1x Ash Tree: Category B & 1x Norway Maple: Category C) with the remainder of the trees shown to be retained. Pruning works are also advised for a number of trees. Furthermore, the proposed dwellings are to be situated entirely outside of the root protection areas (RPAs) of all the trees to be retained. Some hard surfacing and landscaping works required in connection with the proposed development are shown to take place within the RPAs, however the supporting information advises that work within these areas will be managed with great care in order to not undermine the wellbeing of the retained trees.
- 9.58 Within the application site there are two trees protected by a tree preservation order (TPO) (T1 Cherry and T2 Willow). Whilst maintaining the prevailing frontage character of the area, the scheme has been carefully designed around these protected trees to ensure they are preserved and that the proposed dwellings are to be located outside of the root protection zone of these trees.
- 9.59 Consequently, whilst a number of trees are shown to be removed within the site, sufficient information has been provided as part of this application to demonstrate that commensurate new planting is feasible and can be secured via a condition. The residual impact to the trees which are shown to be retained are considered to be minor and

therefore the Council's Arboricultural Officer raises no objections to the proposed development subject to conditions securing appropriate mitigation (tree protection and new planting). The proposed development is therefore considered to comply with saved policies GP39 and GP40 of AVDLP, emerging policy NE8 of VALP and the advice within the NPPF. This matter is afforded neutral weight in the overall planning balance.

Biodiversity:

9.60 Paragraph 170 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity. This is also required within policy NE1 of the emerging VALP.

9.61 This application was accompanied by a Preliminary Ecological Appraisal containing a survey, recommendations and enhancement measures for the site. Within the Appraisal there was not identified to be any impact on protected species or habitats, however ecological enhancement measures were set out in accordance with the requirements of the NPPF and considered to be acceptable by the Council's Ecologist. The proposed enhancement measures include:

- Planting plans will include a wide variety of native plants
- Cut vegetation will be used to create small, stacked piles of wood along the north-eastern site boundary to provide refuge for reptiles and hedgehogs
- Insect hotel to be installed on the south side of one of the retained trees
- Three bat tubes will be installed on the houses closest to the retained hedges and trees, mounted at least four metres above the ground on south or south-western elevations.
- Three sparrow terrace nest boxes will be mounted at least three metres above the ground on the proposed houses and will be positioned on north or eastern elevations.

9.62 Given the survey findings, no further surveys are necessary nor is a European Protected Species licence required. Overall the proposed development is considered to accord with emerging policy NE1 of VALP and the advice within the NPPF subject to a condition securing recommendations and mitigation strategy set out within the submitted Appraisal which can be secured via a condition. This matter is therefore afforded neutral weight in the overall planning balance.

- **Promoting healthy and safe communities**

9.63 Policies GP86-88 and GP94 of the Local Plan seek to ensure that appropriate community facilities are provided arising from a proposal (e.g. school places, public open space, leisure facilities, etc.) and financial contributions would be required to meet the needs of the development.

9.64 As the proposal seeks the erection of 6 dwellings, a financial contribution towards off-site sports and leisure provisions are required as the proposed development results in a net gain of four or more dwellings.

9.65 Subject to the satisfactory completion of a S106 securing this provision the proposed development would accord with policies GP86-88 and GP94 of AVDLP and the advice within the NPPF and therefore this matter is attributed neutral weight.

- **Achieving well-designed places**

9.66 The overview report sets out the NPPF requirements for good design.

9.67 Policy GP.35 of the AVDLP which requires development to respect and complement the physical characteristics of the site and the surroundings, the building tradition, ordering, form and materials of the locality, the historic scale and context of the setting, the natural qualities and features of the area and the effect on important public views and skylines. Policy GP.45 is also relevant and that any new development would also be required to provide a safe and secure environment for future occupiers of the site. In addition, emerging policy BE2 of VALP also sets out how development proposals should respect and complement a number the site and its surroundings.

9.68 Raven Crescent and Linnet Drive are characterised by a relatively small group of dwellings in a frontage arrangement. This group of dwellings provides a strong character due to there being limited variance in the form, appearance and positioning of the properties. The existing properties are predominately simple and linear in form, with a number of the properties having canopies over the entrance to the property or a small single storey front projection.

9.69 Whilst it is acknowledged that the dwellings sought as part of this application do not entirely replicate the existing properties on Raven Crescent and Linnet Drive, all of which appear to largely be the same in appearance, a number of the key characteristics of these properties have been incorporated in to design of the proposed buildings. Like the existing properties on Raven Crescent and Linnet Drive, the front elevations of the proposed buildings are shown to relatively simple in form with either a small canopy over the front door or a small front projection with a canopy. Although each of the properties are also shown to have two-storey projecting features to the rear, these would not be highly visible when viewed from the public realm. Consequently, careful consideration has been given to the appearance of the buildings when viewed from the local streetscene to ensure they would integrate satisfactorily within the locality.

9.70 Within the local area, the dwellings have been predominately constructed out of red facing brick and plain clay tiles which the proposal seeks to replicate. The application form also suggests vertical timber boarding is to be used on the development, however it is not clear from the submitted plans on the extent this will be used. Vertical timber cladding is not a feature commonly found within the area. Some of the existing properties in the vicinity do have small sections of render on the front elevation to provide additional detailing and therefore small amounts of vertical timber boarding to provide interest is considered not to be overly harmful. Conditions would need to be imposed securing details/samples of the proposed materials and a plan to clearly indicate the location of materials to be used

to ensure the use of vertical timber is limited and the remainder of the materials are reflective of the surrounding area.

9.71 Overall, the general layout, design and appearance is considered to respond to the pattern of development within this part of Westcott. The design of the proposed dwellings is considered to be reflective and integrate satisfactorily with the character and appearance of the surrounding properties and therefore the proposal considered to accord with policies GP35 and GP45 of AVDLP, emerging policy BE2 and the advice within the NPPF. This matter is afforded neutral weight in the overall planning balance.

- **Meeting climate change, flooding and coastal change**

9.72 The NPPF at Section 14, 'Meeting the challenge of climate change, flooding and coastal change' advises at paragraph 163 that planning authorities should require planning applications for development in areas at risk of flooding to include a site-specific flood risk assessment to ensure that flood risk is not increased elsewhere, and to ensure that the development is appropriately flood resilient, including safe access and escape routes where required, and that any residual risk can be safely managed. Development should also give priority to the use of sustainable drainage systems.

9.73 Emerging policy I4 of VALP also seeks the provision of flood risk assessments, where appropriate, the management of flood risk and the provision of sustainable drainage systems (SuDS).

9.74 The application site is located within Flood Zone 1 thus having a low probability of flooding with the Environment Agency Flood Map for Surface Water showing the site to lie within an area of very low risk of surface water flooding with the access lying in an area of medium risk. The Infiltration SuDS Map anticipates the water table to be within close proximity of the ground surface, suggesting a risk of groundwater flood risk. Due to this risk, the groundwater must be investigated to identify any risk of flotation to the storage tanks.

9.75 The proposed surface water drainage strategy is to utilise individual tanked cellular storage systems, containing runoff from roofs and impermeable access road areas before discharging at a restricted rate into a combined drainage system, this will then be discharged into Thames Water's foul sewer. Thames Water have advised that as there are no surface water sewers serving Westcott, connection of surface water to a foul sewer will only be considered when all other methods of disposing have been proven impracticable in accordance with the drainage hierarchy. Although rainwater harvesting systems still need to be considered before connection to the foul sewer can be considered, despite this particular method, the drainage assessment submitted as part of the earlier, withdrawn scheme (ref: 17/04798/APP) explored all other methods in accordance with the drainage hierarchy, demonstrating other methods were impracticable. Thames Water have confirmed that with regard to the water network and water treatment infrastructure capacity, they would not have any objection to the application.

- 9.76 The Lead Local Flood Authority (LLFA) seek further clarity regarding the proposed discharging rates within the drainage layout as the proposed discharge rate is very slow and has a risk of leading to a blockage. Information is also required in respect of the storage calculations for the tanked systems and calculations relating to storm events. A maintenance schedule for the surface water drainage system is also required.
- 9.77 Consequently, the objection from the LLFA in regard to insufficient information being submitted for the proposed surface water drainage scheme is noted. Whilst this concern is acknowledged and some time has passed since the submission of the previous application, this is considered not to be significant and Thames Water have raised no objection and there is no information to suggest such a connection is not possible. Despite the objection from the LLFA, the Local Planning Authority consider there is sufficient information to indicate a reasonable likelihood that an adequate surface water drainage scheme could come forward, which can be secured via condition and therefore the LPA would be unable to sustain a reason for refusal on this matter alone.
- 9.78 Furthermore, concerns have been raised by representations in respect of foul sewage. Thames Water is the local governing water body for this area and has raised no objection to the foul water sewerage network infrastructure capacity.
- 9.79 For these reasons, although the applicant is currently unable to demonstrate that the proposed development would be resilient to climate change and flooding, a condition could be imposed to secure this. Subject to conditions, the proposal is considered to accord with emerging policy I4 of VALP and the advice within the NPPF guidance.

- **Conserving and enhancing the historic environment**

- 9.80 Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local authorities to pay special regard to the desirability of preserving the Listed Building, its setting and any features of special architectural or historic interest in which it possesses. In addition to paying attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 9.81 The NPPF recognises the effect of an application on the significance of a heritage asset is a material planning consideration. Paragraph 193 states that there should be great weight given to the conservation of designated heritage assets; the more important the asset, the greater the weight should be. With paragraph 194 stating any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Paragraph 196 states 'where a development will lead to less than substantial harm to the significance of a designated asset, this harm should be weighed against the public benefits of the proposal'.
- 9.82 Policy GP.53 of AVDLP requires new developments in and adjacent to conservation areas to preserve and enhance the character and appearance of the Conservation Areas. With policy GP60 stating "development proposals within or affecting a Park or Garden of Special

Historic Interest should take full account of the area's historic and landscape significance. The Council will resist proposals that do not protect the distinctive characteristics of such Parks and Gardens".

- 9.83 Policy BE1 Heritage Assets of the emerging VALP sets out that *The historic environment, unique in its character, quality and diversity across the Vale is important and will be preserved or enhanced. All development, including new buildings, alterations, extensions, changes of use and demolitions, should seek to conserve heritage assets in a manner appropriate to their significance, including their setting, and seek enhancement wherever possible.* The policy states that the Council will *require development proposals that cause less than substantial harm to a designated heritage asset to weigh the level of harm against the public benefits that may be gained by the proposal, including securing its optimum viable use.*
- 9.84 Grade I Listed Waddesdon Manor Historic Park and Garden is located approximately 250m east of the site and Waddesdon Conservation Area is located further east at approximately 400m. There are a number of listed buildings/ structures with varying designations within the Waddesdon Manor Historic Park and Garden, including the Grade I Listed Manor itself.
- 9.85 Due to the open nature of the application site, there are long distance views towards Waddesdon Manor Historic Park and Garden. Within the Historic England description of the Historic Park and Garden, reference is made to the setting being largely agricultural, with the ornamental parkland of Eythrope to the east. Although specific reference is made to Waddesdon Hill Lane and the northern boundary of the Park and Gardens, where it adjoins the A41, Waddesdon Manor is largely surrounded by a belt of trees. It is this tree belt which is visible in the distance, when viewed from the site, as the tree belt is situated on rising land up towards the Manor. The prominence of this rising land, planted with trees, is further emphasised by the notably lower, surrounding agricultural land and the openness of the area which allows for these long distance views.
- 9.86 Given the proposal seeks to respect the existing boundaries of the site, with the development continuing the existing line of development within the local area, the proposed development would be seen in the context of the existing properties on Raven Crescent and Linnet Drive. The Council's Heritage Officer notes there would be a small impact on the landscape setting of the Historic Park and Garden due to the loss of a greenfield site however, subject to adequate landscaping and appropriate choice of materials this would be negligible. Furthermore the proposal is considered to conserve and enhance the character and appearance of Waddesdon's Conservation Area, and the architectural and/or historic interest of the listed buildings. Conditions have been requested in terms of materials, and a landscaping scheme, all of which are considered to be reasonable and appropriate in order to protect the identified heritage assets.
- 9.87 Overall, the proposed development is considered to cause no harm to any designated heritage assets. As such it is considered that the local authority has discharged their statutory duty to pay special regard and attention to the desirability of preserving the setting of nearby listed buildings and the desirability of preserving or enhancing the character or appearance of the conservation area, as required by section 66 and 72 of the

Planning (Listed Building and Conservation Areas) Act 1990. The proposal therefore accords with policies GP53 and GP60 of AVDLP and policy BE1 of the emerging VALP and the advice within the NPPF. This matter is therefore afforded neutral weight in the overall planning balance.

- **Supporting high quality communication**

- 9.88 Paragraph 114 of the NPPF requires LPA's to ensure that they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services.
- 9.89 The proposed development is to be located near to existing residential properties and the erection of 6 dwellings would be relatively small scale, therefore it is considered unlikely for there to be any adverse interference upon any nearby broadcast and electronic communications services as a result of the development. This matter is considered to accord with the advice within the NPPF and should be afforded neutral weight in the overall planning balance.

c) Impact on Residential Amenity

- 9.90 The NPPF at paragraph 127 sets out guiding principles for the operation of the planning system. One of the principles set out is that authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 9.91 AVDLP policy GP.8 states that permission for development will not be granted where unreasonable harm to any aspect of the amenities of nearby residents would outweigh the benefits arising from the proposal. In addition, Policy BE3 of the emerging VALP sets out that Planning permission will not be granted where the proposed development would unreasonably harm any aspect of the amenity of existing residents and achieve a satisfactory level of amenity for future residents.
- 9.92 The proposed development seeks residential development in an established residential area and therefore there are not considered to be any adverse noise impacts as a result of the proposed development.

Existing Occupiers:

- 9.93 The proposal seeks frontage development along Raven Crescent and Linnet Drive, resulting in the front elevations of the proposed development facing the front elevation of the properties on Linnet Drive with a separation distance of approximately 44m. With regard to the impact on the residential properties on Raven Crescent, the flank elevation of Plot 1 would be located approximately 21 metres from the flank elevation of No.27 Raven Crescent. Separating these properties is an existing single storey garage block and its access. There are openings on the flank elevation of No.27 Raven Crescent which would face onto the application site, however given the distance between the properties, this is considered not to result in any adverse impact with regard to overlooking. The spacing

and separation distances shown between the proposed development and the existing properties on Raven Crescent and Linnet Drive are considered to be sufficient to ensure there would not be a detrimental impact in terms of loss of privacy and light, overlooking, overshadowing and visual intrusion.

Future Occupiers:

- 9.94 The proposed dwellings would be served by private rear gardens which are in excess of 10m. Whilst this is noted, the submitted layout plan does not provide any indication of the proposed boundary treatment for the eastern, rear boundaries of the proposed dwellings. This boundary is considered to be one of the site's more sensitive boundaries and therefore there is an expectation that appropriate boundary treatment is provided along this boundary which may reduce the depth of the gardens slightly. Nevertheless, the rear gardens are shown to be of a sufficient size to provide adequate outdoor amenity. Adequate separation is shown between the proposed dwellings and no windows are shown at first floor on the flank elevation of any of the proposed dwelling to prevent overlooking. From the submitted plans it is not overly clear as to the intentions for the first floor, rear doors serving the master bedroom for Plots 3 to 6. If permission were to be granted, a condition would need to be imposed requiring these doors to be served by a Juliet balcony to prevent access onto the existing storey rear projection of the dwellings. Access onto these projections would allow for overlooking of the neighbouring plots which would be unacceptable. However, subject to a condition requiring Juliet balconies the proposed development would result in adequate amenity for the future occupiers of the proposed development.
- 9.95 In summary, given the positioning of the proposal and its relationship relative to the neighbouring properties in terms of scale, position of windows and orientation it is considered that the proposal would not result in an unacceptable adverse impact upon residential amenity. Therefore the proposal accords with policy GP8 of the AVDLP, policy BE3 of the emerging VALP or with the NPPF.

d) CIL/ S106

- 9.96 As noted above, there are a number of requirements arising from this proposal that need to be secured through a S106 Planning Obligation Agreement. These obligations include:

. A financial contribution towards off-site sport and leisure provision

- 9.97 It is considered that such requirements would accord with The Community Infrastructure Levy (CIL) Regulations 2010. Regulation 122 sets out the Government's policy tests on the use of planning obligations. It is now unlawful for a planning obligation to be considered as a reason for granting planning permission if the obligation does not meet all of the following tests; necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.
- 9.98 In the context of this application the development is in a category to which the regulations apply. The requirement for all of the above named measures, if the proposals were to be

supported, would need to be secured through a Planning Obligations Agreement. These are necessary and proportionate obligations that are considered to comply with the tests set by Regulation 122 for which there is clear policy basis either in the form of development plan policy or supplementary planning guidance, and which are directly, fairly and reasonably related to the scale and kind of development. Specific projects are to be identified within the Section 106 in accordance with the pooling limitations set out in CIL Regulation 123.

- 9.99 The Council's Solicitors have been instructed in respect of the drafting of a S106 Agreement to secure the relevant obligations should Members be minded to grant planning permission. With the obligations being secured through a legal agreement the development is considered to accord with the NPPF and AVDLP policies GP2, GP86-88 and GP94.

e) Other Matters

A number of representations received made reference to a historic application (85/00839/AV) which was refused for residential development on this site and subsequently dismissed at appeal. There has been significant change in the planning policy framework since that time and the current application must be considered against the most up to date development plan policy and government advice.

Case Officer: Danika Hird

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NOTE:
 ALL DIMENSIONS MUST BE CHECKED ON SITE AND NOT CALLED FROM
 THIS DRAWING.
 THE DIMENSIONS ARE APPROXIMATE LOCATIONS ONLY. CONSULT THE SURVEYOR.

Version: 02/19 Description:
 Title:
LOCATION
 Project No:
**LAND AT RAVEN CRESCENT & LINNETT
 DRIVE, AYLESBURY, HP18 0PS**
 Location:
LOCATION PLAN
 Date: 16/09/19 Drawn: GC Scale: 1:1250 @ A3
 Project/Reference:
18147 - L0010 -
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