

## POST DELEGATED DECISION DETERMINATION CHECKLIST

Application No: 16/01664AOP	Date Valid: 14th June 2016
DC Officer: Philippa Jarvis	Target Date: 21st December 2018 (EOT agreed)

Address:	Land to north of Little Horwood Road, Great Horwood
Proposal:	Outline application with all matters reserved for a residential development of 15 dwellings on 0.5 ha. land north of Little Horwood Road

This determination arises from the decision taken under officer delegated powers on the 3rd April 2017 when it was decided that following the completion of a S106 agreement the Development Management Section could determine the application. As set out in detail within the delegated report the agreement was originally sought to secure the following:

- the provision of affordable housing (5 units)
- the provision and transfer of the public park to the PC or other appropriate Management Company together with a commuted sum for future management / maintenance
- a contribution towards off-site leisure and recreation
- a contribution towards sustainable highway measures

NB The reference to an education contribution in the earlier delegated report was incorrect - no such contribution has been requested by BCC education and as such this matter was not progressed further as part of the S106 negotiations.

Since the above date the following amendments and additional information have been submitted:

- • amended site location plan to incorporate an area of land to the north of the site
- • amended illustrative plans (feasibility layout, proposed play equipment, street furniture and planting plan for proposed public park and drainage strategy)
- • Written scheme of investigation for geophysical survey and archaeological trench evaluation' by MOLA, dated 25/06/18 and archaeological geophysical survey, July 2018 by MOLA and accompanying proposed trenches plan.

The above amended plans indicate an extended red edge (along the northern boundary) to allow for the provision of a surface water attenuation basin. The illustrative plans and details show a revised proposed layout for the housing and the public park - these are provided for information only and were the subject of discussion between the applicant and the Parish Council.

It is understood that the Parish Council wished to have an idea of what they (or whoever takes on management / maintenance of the public park) would be required to provide as the S106 only requires the 'basic' park to be provided / laid out (main area, with paths and

perimeter fencing / planting). The illustrative information is intended to give an indication of what might be required in terms of play equipment and street furniture; however, these details will be approved as part of the S106 requirements and will need to meet appropriate standards.

The following further consultation responses have been received in respect of the above since the original delegated report was drafted:

**Great Horwood Parish Council** - The Parish Council are satisfied with the scheme, noting that the site is an allocation in the GHNP and that the proposed illustrative public park plans are acceptable in principle. The park is intended to be a low key / informal rural park to cater for young children from the 2 adjoining NP allocations and the site to the south will provide commuted sums towards this.

**BCC Highways / Transportation** - No objections raised subject to the imposition of conditions.

**BCC Strategic Flood Authority** - No objections subject to the imposition of conditions.

**BCC Archaeology** - confirm that they have approved the written scheme of investigation but still recommend that an appropriate recording condition is attached.

**AVDC Parks & Recreation** -- Confirmation has been provided that there is no requirement for an off-site financial contribution (this matter is addressed in detail below). Furthermore the officer considers the illustrative POS scheme to be unacceptable as will not meet appropriate standards; confirmation is required as to what elements of the public park will be delivered by the developer and what by the PC / Management Company.

One further representation has been received noting that the comments of AVDC Parks & Recreation are relevant to the reserved matters stage and that any associated play equipment is capable of being financed through the financial contribution sought in relation to the scheme south of Little Horwood Road.

## **Evaluation**

The above amendments do not raise any matters of significance in terms of the status of the application being an outline with all matters to be determined at reserved matters stage. Whilst there are some potential issues with the layout proposed in the illustrative plans, these are not considered to fetter the Council's consideration of the detailed layout at the reserved matters stage.

Whilst the change to the site does introduce a rather odd shape along the northern boundary, it is not considered that this will result in any fundamental harm to the wider area - with appropriate boundary treatment it is considered that it will simply reflect a slightly angular boundary, which was in any event to be a completely new boundary within the larger field.

Following further publicity and consultation, no fundamental objections are raised subject to the imposition of conditions.

It will be noted from the earlier officer delegated report that it was envisaged that financial contributions would be sought in respect of off-site leisure / recreation and sustainable highway measures, as well as securing affordable housing to meet GHPNP Policy 3. Following further negotiations with the applicant, it has become apparent that a requirement to off-site recreation would not be justified given the considerable on-site contribution that would be provided by way of the public park and the associated commuted sum for its future maintenance that has been secured through the S106 agreement. It should be noted that the provision of the public park and associated commuted sum, the option to transfer the land to the Parish Council and the contribution for future maintenance would accord with the requirements of Policy 3 of the GHPNP.

In addition, BCC Highways no longer seek a contribution to sustainable highway measures as it can no longer be justified in relation to the development sought.

In addition to the above changes to the proposal, there have been a number of changes to the local and national policy context, namely the completion of the examination of the VALP and the receipt of the Inspectors Interim Report and the publication of the updated NPPF in July 2018.

The Inspectors report was received in August 2018 and, amongst other things, he recommended that a higher level of housing be considered and that consideration should be given to increasing the amount of development at the villages. Work is ongoing in relation to the VALP and it is anticipated that the adoption of the Vale of Aylesbury Local Plan will not now take place till 2019. However, in light of this, only limited weight is being given to the emerging plan though the evidence that sits behind it remains a material consideration.

However, in terms of the principle of this proposal, the most up to date part of the development plan remains the GHPNP and, as noted in the officer delegated report, the site is identified as an allocation for a public park and housing. The development plan context has not therefore changed as a result of the above. The revised proposal has not altered significantly from the originally submitted scheme and would also satisfy GHPNP policy 3. Whilst the red edged site is slightly different from that in the NP, it is not considered that this represents a significant departure from that and is a necessary amendment in order to provide for appropriate SUDS. In all other respects the proposal remains as previously assessed.

In terms of the new NPPF, it is considered that the proposal remains generally consistent with the policies within it. The proposal will contribute towards the three objectives of sustainable development; in economic terms, including ensuring that sufficient land of the right type is available in the right places; in social terms, in supporting strong, vibrant and healthy communities and ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, fostering a well designed environment; and in environmental terms by contributing towards protecting the natural environment, making effective use of land and helping to improve biodiversity. The proposal accords with an up to date development plan and should therefore be approved in accordance with para. 11.

More specifically, the NPPF continues to emphasise that neighbourhood plans give communities the power to shape, direct and help deliver sustainable development and

supports the community's shared vision for the area. The development will contribute towards delivering a sufficient supply of homes for the village including much needed affordable housing; it will also contribute significantly towards promoting healthy communities through the provision of the public park. It will provide safe and accessible development, thus promoting sustainable transport and whilst it will result in the loss of a part of the countryside / rural farmland, it is considered that the overall impact will not be significant and outweighed by the above contributions towards housing and environmental / social objectives. Overall the proposal meets national policy in the NPPF.

The S106 has now been completed (as of today's date - 11/02/2019) and all recommended obligations have been secured.

The change in circumstances set out above, since the application was considered under delegated authority could not justifiably alter the conclusion that the proposals constitute an acceptable form of sustainable development, in compliance with the development plan. The proposed development remains one that overall is in accordance with the development plan and it should therefore be approved.

Having regard to the above, it is recommended that the application be:-

APPROVED subject to the conditions, reasons and informatives set out within the attached draft decision notice.

The determination of this application falls within the scope of Officer delegated powers.

APPROVED subject to the conditions set out in the attached draft notice.

Have **PERMITTED DEVELOPMENT RIGHTS** been removed or has an **AGRICULTURAL TIE** been attached to this permission – NO.

Date: 11/02/2019	Initials: PJ	Final DCO check after Signature
Agree Recommendation / Officer exercising delegated powers*	DATE: 11/2/2019	
	OFFICER: <i>Mrs Claire Bayley</i> Associate Planner	