

CASE OFFICER REPORT AND RECOMMENDATION

FOR: 16/00877/APP

Land Off Nash Road Great Horwood Buckinghamshire

Residential development of 14 dwellings with associated garaging and parking and formation of new access.

STATUS:	PCO	* If status = HOLD – please check that all is OK before you proceed any further with this application. Please ensure Uniform is amended.
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DRAWING NUMBERS:	15053 (D) 100 REV C, 15053 (D)210, 15053(0)215 15053 (B) 020A, 15053(0)216, 15053(0)220, 15053 (D) 221 15053 (B) 022A, 15053(0)222, 15053(0)223, 15053(0)230 15053 (B) 120A, 15053 (0) 231, 15053(0)235, 15053(0)236 15053 (B) 121A, 15053(0)240, 15053(0)241, 15053(0)260 15053 (D) 097, 15053 (D) 090, 15053 (D) 261, 15053(0)262, 15053(0)210 12529 / 01B, 02/18/01 – landscape plan, 02/18/02 – planting detail, 02/18/03 – planting detail
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DATE VALID:	TARGET DATE:	DETERMINATION DATE:	DEVELOPMENT TYPE:
11th March 2016	31st August 2018	10th June 2016	Q7 - Smallscale Major Dwellings

The Key Issues in determining this application are:-

- a. a) **The planning policy position and the approach to be taken in the determination of the application.**
- b. b) **Whether the proposal would constitute a sustainable form of development:**
 - **Building a strong competitive economy**
 - **Promoting sustainable transport**
 - **Delivering a sufficient supply of homes**
 - **Promoting healthy and safe communities**

- **Conserving and enhancing the natural environment**
 - **Conserving and enhancing the historic environment**
 - **Achieving well designed places**
 - **Making effective use of land**
 - **Meeting the challenge of climate change and flooding**
 - **Supporting high quality communications**
- c) **Impact on existing residential amenity**
- d) **Developer contributions**

The recommendation is that permission be **GRANTED**, subject to conditions

Conclusion and recommendation

The application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the overarching objectives of the NPPF and whether the proposals deliver 'sustainable development'. Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting 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 any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The proposal which seeks permission for the development of 14 dwellings is considered to accord with the Great Horwood Parish Neighbourhood Plan Policy 4 which identifies the site for; "approximately 15" dwellings. Furthermore, the density of development proposed would result in an acceptable layout, scale and amenity and the Parish Council has confirmed they are satisfied with the dwelling yield pursuant to the provisions of the Neighbourhood Plan.

It is noted that the scheme is located within the settlement boundary of Great Horwood as set out in Policy 1 of the GHPNP, and as such it is concluded that the site is a sustainable location for development and in particular being a sustainable location in relation to the settlement's facilities and services.

In respect of building a strong competitive economy, there would be economic benefits attributable to the scheme in terms of the construction of the development, its operation and resultant population increase.

In regards to the delivery of a wide choice of high quality homes, the scheme would make a worthwhile contribution to delivery including affordable housing provision, albeit it is acknowledged that this would be at a lower level than that defined in the policy wording and as such in line with the requirements of Policy 4 the application has been subject to viability testing. The affordable housing provision has been secured through a s106 planning obligation for the application site.

In regards to promoting sustainable transport, the traffic generation attributable to the scheme is within the capacity of the local network to accommodate it, and suitable vehicular access arrangements have been proposed to and within the site as well as routes for pedestrians, secured through off site improvements. These matters could be conditioned if the council was minded to approve the application.

In respect of the conservation of the natural environment the proposal for the development of this open site will pose some harm in landscape terms. Despite this landscape not being designated on a national or local level, the landscape within the application site is of landscape character value and of visual amenity value. Notwithstanding, it is inevitable that the development will impact on the site as envisaged by the proposed site allocation within the neighbourhood plan and the scheme needs to be considered in the context of the settlement and the proposed mitigation identified as part of the planning proposal. Such is considered to temper the significance of the harm and is not considered so demonstrable as to warrant refusal of the application when regard is given to the mitigation package proposed in line with the policy requirements and further when weighed against the benefits of the scheme.

Further in relation to the conservation of the natural environment and the consideration of trees, it is accepted that the site has been identified as an area suitable for development in accordance with the GHPNP and the AVDC HELAA, and whilst there is some proposed tree removal, it is considered to be supported by sufficient justification and the proposed compensation and mitigation measures are considered to be adequate subject to conditions.

Further in relation to biodiversity, there is sufficient information and justification and subject to the implementation of a mitigation strategy and the measures to be incorporated on the site as part of the development the scheme would have an acceptable impact in this respect and would achieve the net gains required by the NPPF, subject to the imposition of conditions on the grant of permission.

In respect of promoting healthy communities, there is sufficient public open space and confirmation has been provided that there is no requirement for contributions towards education (either primary or secondary).

In regards to good design, notwithstanding the matters above in regards to the landscape impact, the design in other respects such as the elevations/materials, height, built form and separation, safety and security consideration and ability to accommodate inclusive and sustainable measures in the built fabric is considered acceptable and in accordance with Policy 4 of the GHPNP and policy GP35 of the AVDLP and the guidance in the NPPF.

In respect of conserving and enhancing the historic environment, the proposal would have an acceptable impact on the setting of listed buildings and conservation areas and any potential impact to archaeological remains could be suitably addressed by condition if the council was minded to approve the application.

In respect of meeting the challenge of climate change and flooding, the proposed SUDS system, has been subjected to consultation with the LLFA to reach acceptable scheme in principle. The supporting technical assessment indicates that the proposals are acceptable and will not result in increased flood risk. This is a matter which can be addressed through the S106 or appropriately worded conditions including design.

In respect of impact on residential amenities there are no significant impacts identified to neighbours or future occupiers of the site including the consideration of outlook/openness/overbearing development, privacy/overlooking, access to light and overshadowing, noise and general disturbance. Any impact on amenities through construction would be short term and any statutory nuisance would be dealt with by Environmental Health

This assessment includes the various s106 planning obligations that would need to be secured to make the scheme acceptable and mitigate its impact in accordance with relevant policy and guidance as well as the NPPF if the council was minded to approve the application including:

- Provision of on site open space, amenity space and maintenance
- Affordable Housing provision on site
- SUDS Management Scheme
- AVDC monitoring contribution

These obligations identified above have been secured through a S106 and deed of variation and this matter has been satisfactorily completed on the 4/11/2019.

It is considered that the proposed development would accord with relevant policies of the Great Horwood Parish Neighbourhood Plan, AVDLP and supplementary planning documents and guidance and to the aims of the NPPF. In the case of the landscape impact identified contrary to AVDLP Policy GP35, there is satisfactory mitigation incorporated into the scheme as well as acknowledging that this is a site identified for development in the development plan and is considered within the context of the settlement. Therefore, this is not considered sufficiently demonstrable to warrant refusal of the scheme when considering the scheme benefits. It is therefore recommended that the application be **APPROVED** subject to the following conditions;

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The materials to be used in the development shall be as indicated on the approved plans. Please also see note no. 5 on the back of this notice.
- 2 Reason: To ensure a satisfactory appearance to the development and to comply with policy 4 of the GHPNP and policy GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 3 The building(s) hereby permitted shall only be constructed with slabs at levels indicated on the approved drawing No. 12529 / 01B.
- 3 Reason: For the avoidance of doubt and to ensure a satisfactory form of development and to comply with Policy 4 of the GHPNP and GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 4 No development shall take place on the building(s) hereby permitted until details of all screen and boundary walls, fences and any other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details and the buildings hereby approved shall not be occupied until the details have been fully implemented. Please also see note no. 6
- 4 Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority and to comply with Policy 4 of GHPNP and GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 5 The landscaping scheme as shown on drawing number 02/18/01, 02/18/02 and 02/18/03 . shall be carried out not later than the first planting season following the first occupation of

the last of the building(s) to be occupied or the completion of the development, whichever is the sooner.

- 5 Reason: In the interests of the visual amenities of the locality and to comply with Policy 4 of the GHPNP and policy GP38 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 6 No development shall take place on the building(s) hereby permitted until full details proposed finished levels or contours for all landscaping areas have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved prior to the first occupation of the development so far as hard landscaping is concerned and for soft landscaping, within the first planting season following the first occupation of the development or the completion of the development whichever is the sooner.
- 6 Reason: In the interests of the visual amenities of the locality and to comply with Policy 4 of the GHPNP and policy GP38 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 7 Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the Local Planning Authority.
- 7 Reason: In the interests of the visual amenities of the locality and to comply with Policy 4 of the GHPNP and policy GP38 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 8 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
 - o Discharge Rates
 - o Discharge Volumes
 - o Ground investigations including infiltration rate tests in accordance with BRE365.
 - o If infiltration is not feasible, surface water should discharge to the next most appropriate and practicable drainage option.
 - o Justification for the exclusion of sustainable drainage components should be included
 - o Detailed drainage layout with pipe numbers, gradients and pipe sizes complete with full construction details, together with storage volumes of all SuDS features
 - o Phasing
 - o Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate
 - o Details of overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.
- 8 Reason: The reason for this pre-start condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in order to ensure that there is a satisfactory solution to managing flood risk in accordance with NPPF guidance.

- 9 No development shall take place until a programme of archaeological work in accordance with a written scheme of investigation has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved scheme. Please also see note no. 6 on the back of this notice.
- 9 Reason: To record or safeguard any archaeological evidence that may be present at the site and to comply with the National Planning Policy Framework.
- 10 Prior to the occupation of the development the new access shall be designed in accordance with the approved plans. The access shall be constructed in accordance with; 'Buckinghamshire County Council's Guidance note, "Commercial Vehicular Access Within Highway Limits" 2013.
- 10 Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with the guidance contained within the NPPF.
- 11 Prior to the occupation of the development, minimum vehicular visibility splays of 79m from 2.4m back from the edge of the carriageway from both sides of the new access onto Nash Road shall be provided in accordance with the approved plans and the visibility splays shall be kept clear from any obstruction between 0.6m and 2.0m above ground level.
- 11 Reason To provide adequate visibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access and in accordance with the NPPF guidance.
- 12 Prior to occupation of the development, space shall be laid out within the site for parking and manoeuvring, in accordance with the approved plans. This area shall be permanently maintained for this purpose.
- 12 Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway in accordance with the guidance contained within the NPPF
- 13 Prior to occupation of the development, the off-site highway works shall be laid out and constructed in accordance with details to be first approved in writing with the Local Planning Authority. The highway works shall be secured through a S278 Agreement of the Highways Act 1980. For the avoidance of doubt the S278 works shall comprise of a 1.8m wide footway along the northbound edge of Nash Road and including a suitable uncontrolled pedestrian crossing point to a new footway along the edge of the southbound edge of Nash Road fronting the public footpath.
- 13 Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with the guidance contained within the NPPF.

Informative(s)

- 1 No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.
- 2 It is contrary to section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the

development shall not be permitted to drain onto the highway or into the highway drainage system.

- 3 It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.
- 4 Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required if protected habitats or species are affected by development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England on 0118 958 1222.
- 5 You are advised that Planning Obligations have been entered into in connection with this permission.

6. WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 186 and 187 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.

AVDC 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 discussions have taken place with the Agent who responded by submitting amended plans as part of this application which were found to be acceptable and approval is recommended.

The determination of this application falls within the scope of Officer delegated powers
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DATE:4/11/2019	SIGNED: <i>Mrs Claire Bayley</i>
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PROFESSIONAL CHECK:

Agree Recommendation / Officer exercising delegated powers*	DATE: 4/11/2019
<i>*Delete as appropriate</i>	OFFICER: <i>Mrs Susan Kitchen</i> Corporate Planner

This application has been subject to Parish Council representations which are contrary to the officer recommendation. The Chairman has considered those representations and concluded that the application can be determined without reference to the Development Control Committee.

Signed: *Mr P Fealey* Chairman 16/10/2019

Reasons for this conclusion:

The proposed scheme has been designed to include the required 0.4ha landscape buffer, to ensure that the development retains an acceptable relationship with the adjacent conservation area and to provide a separation distance between the proposed built development and neighbouring properties such that there would be no significant impacts on amenity of those occupiers.

The proposed layout accommodates a landscape buffer area of 0.4ha to the south of the site, centrally within the site is an area of 0.5 ha of developable land in line with the policy requirements.

Following discussions with the applicant, agreement has been secured that the landscape buffer will be made available to transfer to the Parish Council in the S106 heads of terms in line with the policy criteria. Moreover, should the Parish Council decline the transfer of the land, then the S106 will obligate the developer to secure a management company to ensure the long term protection of this area of land. Subject to the completion of the S106 to secure this matter it is considered that the proposal would accord with this criteria.

Furthermore, the clauses in the deed of variation require that the Owner shall pay to the District Council on or before the date of completion of the transfer of the Open Space Land to the Great Horwood Parish Council the Commuted Sum (as defined within the deed of variation)

In respect of the requirement for an off site sports and leisure contribution, in light of dedication of open space/amenity space it is not considered reasonable to require an additional contribution in this regard.

The scheme would make a worthwhile contribution to delivery including affordable housing provision, albeit it is acknowledged that this would be at a lower level than that defined in the policy wording and as such in line with the requirements of Policy 4 the application has been subject to viability testing. The affordable housing provision has been secured through a s106 planning obligation for the application site.

In response to concerns regarding the removal of hedgerow and tree planting on site. An additional plan has been provided by the applicant provides the details of the visibility splays and the relationship of those to the site boundaries. The requirement for visibility splays is to ensure that the new means of access required meets safety standards, it is the intention of the applicant to retain as much of the existing boundary treatment as possible whilst facilitating the visibility splay and an additional landscape scheme has been conditioned as set out above.

The comments made in regard to changing the speed limit is a matter for the highway authority and not AVDC as part of this planning application.

In response to the matters on land ownership the applicant has provided a response on this matter and confirmation has been sought from BCC on the extent of the highway land. Whilst the Land Registry plan provided by the objector indicates the boundary of their property overlapping with the Adopted Highway, the works proposed to form the new crossing and footways along Nash Road all sit within land that forms part of the '*Publicly Maintained Highway*' often referred to as '*Adopted Highway*'. This has been confirmed by Buckinghamshire County Council (BCC) as identified on their plan with the light blue colour clearly denoting the '*Publicly Maintained Highway*'. The agent also provided in their response a copy of the drawing 12529 / 02 which clearly illustrates the works proposed to the Highway to form the new crossing and associated footways occur within the light blue coloured zones of the BCC plan, i.e. within the Adopted Highway.

The representations do not raise material planning considerations which are of such merit to warrant the refusal of permission

Full report follows:-

SITE DESCRIPTION

The site is located off the Nash Road (B4033), which connects to the A421 and the A413 at the northern end of the village. The area of the site involved in this application is approximately 1.5 hectares. Currently the site is a fallow grass field. There is an existing access point off Nash Road which provides vehicular and pedestrian access to the site.

The eastern boundary of the site is adjacent to Nash Road, and is characterised by a number of mature trees and dense hedgerows. To the south of the site are two private dwellings, between 1.5 and 2 storey in height. The northern and western boundaries of the site are lined by mature trees and dense hedges. There is an existing water course to the northern boundary and overhead cables are located parallel to the western boundary. There is a gradual slope on site from the south to the north of approximately 8m. Currently there is an existing site access off Nash Road.

The southern boundary of the site adjoins the back gardens of two residential properties, which also forms the boundary of the designated Great Horwood Conservation Area. The site is well contained by established landscape but has an open view to the South East. The Eastern boundary adjoins Nash Road. The site has a frontage to Nash Road, which could provide for a vehicle access to serve the development.

There is a mix of housing from the 17th to 21st Century within the vicinity, with the majority of houses being semi-detached and detached, two storey and brick construction. Dwellings are generally arranged to front the road or open space, set back with parking provided on plot in front of the dwellings, or located close to the road edge.

PROPOSAL/DESCRIPTION OF DEVELOPMENT

This application as amended seeks full planning permission for the erection of 14 dwellings with associated garaging and parking and formation of new access. The application is one of the allocations made in the Great Horwood Parish Neighbourhood Plan through policy 4.

As part of this application the existing access road is proposed to be repositioned to the south and provide both pedestrian and vehicular access into the site. A new pedestrian footpath is to be provided to the southwest of the site. The proposal includes dwellings, occupying the allocated 0.5 ha of developable land. All dwellings are provided on-plot parking and most of the dwellings are provided either a single or double garage. This results in a density of 28 dwellings per hectare (14 dwellings on 0.5 ha of land). The proposal provides for a mix of homes including, 2 bed bungalows, 2 bed semi-detached houses, 3 bed semi-detached and detached houses, and 4 bed detached houses.

Dwellings have been set back away from the road to create a new landscaped edge to the development. The frontage dwellings face onto Nash Road, and within the site properties are positioned to face onto the internal spine road with off street parking provided through a combination of on plot open parking and garaging. The proposed dwellings are mainly two storey in form with some single storey properties adjacent to the proposed open space land. The proposed design and palette of materials is traditional in nature.

The application has been the subject of viability testing in relation to the affordable housing provision and was supported by a viability assessment.

RELEVANT PLANNING HISTORY

No history of relevance

PARISH/TOWN COUNCIL COMMENTS

Great Horwood Parish Council in summary have the following comments to make;

- Parking - Concerns about the provision of adequate off-road parking. The council notes the scheme includes 34 spaces + garages and it is now considered acceptable.
- Provision of affordable housing - Concerns that the plans show no provision for affordable housing. Applicant indicated that 2 pairs of semis are for shared ownership. Applicant made a suggestion that the homes could be reserved for 3 months for local purchase.
- Proposed footpath – Clarification is needed regarding the footpath, will the land owner grant permission for right of way and is it actually happening since it is not stated in the application form but it is in the plans.
- Use & management of proposed amenity spaces – Parish are happy with the arrangements agreed.
- Outline designs of the proposed housing, including environmental & ecological aspects – They are happy with the range of homes, the designs and scale as well as the reassurance in relation to the landscaping.

In addition further comments have been received from Great Horwood PC in respect of the Section 106 Deed of Planning Obligations raising concerns that the Deed makes obligations with regard to Affordable Housing, SUDS and the Sports and Leisure Contribution. There are clear omissions here.

The Planning Application has been made within the provisions of the Great Horwood Neighbourhood Plan (GHNP), which is now part of the statutory development plan. As such this planning application must be determined in accordance with the development plan, including the Great Horwood Neighbourhood Plan.

Policy 4 of the Great Horwood Neighbourhood Plan requires that:

iv A landscape buffer of 0.4 Ha, as shown on the Policies Map, shall be provided between the development and the existing houses to sustain the significance of the adjoining Great Horwood Conservation Area and to safeguard the amenity and privacy enjoyed by neighbouring residents. The land for the buffer shall be transferred to the Parish Council with a commuted sum to cover future maintenance;

v The remaining land to the north is allocated as a landscaped amenity, as shown on the Policies Map, to be provided to the extent that is fairly and reasonably related in scale and kind to the proposed housing development and transferred to the Parish Council with a reasonable commuted sum, to maintain for the benefit of the local community;

The transfer of both these pieces of land and the accompanying commuted sums should have been included in the S106, but neither has been.

We would also argue that the plan attached to the S106 agreement should include only the land that is to be developed, and not the land that should be transferred to the Parish Council.

We have had sight of the Review of Development Viability Assessment dated 11 September 2017 (in response to a request under the Environmental Impact Regulations made on 8 September 2018) and note that it says: Section 106 payments have not been included in the applicant's appraisal. We do not have confirmation of any S106 payments being required.

This is a clear omission in the valuation, and is at variance with the fact that a Sports and Leisure Contribution is included in the S106 agreement that has now been published.

At no time has the Great Horwood Parish Council been consulted by AVDC on whether the land transfer and commuted sums should be omitted from the S106, so we are at a loss as to why this should have happened.

Additional comments were received from the Parish raising in addition to the above matters the following points in summary;

- Concern regarding the compliance with the criteria in respect of landscape and amenity land
- The impact of the provision of a new access and visibility splays on the tree belt along Nash Road and the potential of the removal of existing mature landscape planting contrary to the policy
- Concerns that the proposed new footway would cross land in private ownership

CONSULTATION RESPONSES

BCC LLFA – No objections subject to the imposition of conditions

Environmental Health – No objections

Education – There is no requirement for financial contributions towards primary or secondary education

Highways – Consider safe and suitable access arrangements are proposed and raise no objections, subject to securing off site highway works to upgrade pedestrian footway links, subject to conditions

Affordable Housing – Following the viability review, considers that the provision being proposed would be acceptable.

Ecology – Raise no objections subject to a condition requiring the submission of a detailed ecological enhancement and mitigation plan along side the landscape master plan illustrating the ecological enhancement measures set out in the ecology report

Archaeology – Following updated comments confirm that there is no objections subject to a condition.

Anglian Water – No objections and recommend conditions

District Valuer - The Great Norwood Neighbourhood plan (NDP) Policy 1 requires 35% of the total number of proposed houses to be Affordable Housing (AH). According to the policy, the proposed development should provide a total of 5 AH units with the councils preferred tenure profile being 75% affordable rent and 25% Shared Ownership. This would equate to 4 units being Affordable Rented and 1 Unit being Shared Ownership

The viability assessment concluded that when considering a policy complaint scheme it would not be viable. As such it was recommended that serious consideration was given to the scheme proposing 4 affordable units and the District Valuer considered that in this instance in light of the viability review that the provision of 3 x shared ownership units and 1 affordable rented would be acceptable taking account viability.

REPRESENTATIONS

Neutral - 3 representations received:

- Owner of the field adjacent to the site would require continued access to the field for essential maintenance and so requested that a solid boundary fence be erected on the boundary
- Draw attention to two photos in the Design, Access and Justification Statement
 - Figure 3.4 must be at least 5 years old as there is a two-storey extension in it
 - Figure 3.10 two houses labelled as 'c1990s brick and render houses' - the rendered house was built in 1919 and its rear part is at least 200 years old
- Wants to draw attention to a High Court judgement regarding viability of the provision of affordable housing: 27th April 2018 – Parkhurst Road Ltd v SoS CLG & LB Islington [2018] EWHC 991 (Admin). Therefore thinks that the viability assessment ought to be made publicly available

Objections - 11 representations received (including four from Mrs Cousin):

Hedgerow

- Existing dense hedgerow at the front of the site would have to be destroyed to satisfy sight line requirements
 - On the application site layout drawings the splays are not shown and only a couple of trees are shown as being cut down, therefore not fully accurate
- Removal of historic hedgerow considered key to the character and identity of the village, as outlined in Great Horwood Conservation Area report
- Hedgerow is important habitat for wildlife
- Removal of the hedgerow would negatively impact on the visual and environmental amenities of the village

Affordable Housing

- If the application is approved without affordable housing it will set a precedent and there will be none in either of the two proposed sites
- Stating that the houses will be made exclusively available to Great Horwood residents in the first three months will not make them affordable
- AVDC should seek affordable housing as part of the development according to the Affordable Housing SPD, paragraph 53
- According to GHNP Policy 1(ii) this development does require affordable housing as it is 0.5ha in size
 - Exact number of affordable housing would be considered in terms of viability and this should be determined through negotiations between AVDC and the applicant on an open basis

Residential Amenity

- The orientation of some of the houses will mean existing dwellings and gardens are overlooked

Village character

- Development would extend the village boundary beyond its current position – against wishes of residents
- The proposed design of the dwellings does not reflect the traditional architecture of the village
 - Does not accord with its own design intent statement
- Site is near to the conservation area

Views

- Obliterate view of the village from North Bucks Way & St James church & the surrounding conservation area. Would make the village look like an MK suburb.
- Loss of the view from open fields to the village church on the approach to Great Horwood
- Adverse impact on how Great Horwood appears to those approaching the village from the north.
- Loss of views towards Great Horwood on the North Bucks Way and from the path that runs from Nash Road towards Singleborough

Landscaped Buffer zone/footpath

- Putting a footpath through the buffer zone will mean it is no longer a buffer zone
- Policy 4 of the GHPNP states there must be a landscaped buffer zone between the development and the existing houses to sustain the significance of the conservation area
- Landscaped buffer zone is needed to safeguard the amenity and privacy of neighbouring residents, and putting a footpath through the landscaped buffer zone will reduce amenity and people's ability to quiet enjoyment of their property
- The proposed footpath across the fields would not be accessible for the disabled or pushchairs
- The footpaths currently available cross the fields can be very hazardous in the winter
- Concerns that the landscape buffer could become a recreational area
- The outlined landscaped amenity zone is on land often waterlogged in winter, and so buffer zone might become the amenity space, near people's houses
 - To help prevent this there should be no break in the swale or hedging between the

Landscaped buffer and the housing

- Footpath should be routed through the agricultural access that is to be maintained in the adjoining field
- Policy 4 of GHPNP states landscape buffer and landscaped amenity zones should be transferred to the Parish Council with commuted sums to cover future maintenance – there is no reference to this in the application.
 - This should be in the Section 106 agreement
- Footpath would have to go over land not owned by the applicant which could stop it going ahead

Safety:

- Concerns over safety of access onto Nash Road considering increased volume of traffic and the fact speeding is already an issue
- The development would be on a busy road and the pavement into the village centre is very narrow and only runs along one side of the road – pedestrians and road users therefore put at risk

Drainage

- SuDS report says it is unlikely that the geology is suitable for infiltration techniques, leaving the option of cesspools which is not ideal in a modern housing development
- No foul sewer near to the site
- Concerns that the proposed SuDS scheme would be insufficient and instead increase flooding on Nash Road
- The detention basin could be a hazard to children

Other

- Planning permission has been granted for 42 new dwellings on Weston Road, Great Horwood. Although this is under appeal, if the appeal were to be dismissed then the village would have met the requirement placed on it by AVDC to provide 40 new dwellings without the need for this development
- Site has been excluded from LA proposed development sites and should not be under consideration
- Road is susceptible to flooding during heavy rain and can be very slippery
- Traffic in the village is already busy/heavy
- Could be in breach of the covenant on the land
- The proposed footway would cross land in private ownership
- Concerns about the potential for solar panels on roofs and how this would look
- Most residents will have to commute as there are few employment opportunities in Great Horwood
 - Bus timetable is not very good for commuting to work
 - Currently no school bus so more vehicles on the school run

Non-planning considerations

- Concern over gates – if people are opening and closing gates to get onto the footpath livestock could escape
- Proposed new footpath would probably be very muddy and, given it would be crossing open countryside, cannot be paved. Therefore probably wouldn't be used by many people during winter/when muddy
- If the path is unlit is unlikely to be used after dark
- If people don't use the path, there will be people crossing the road twice to get in and out of the village which is dangerous
- If boilers are oil or LPG there will be tankers coming through the village/in and out of the site
- If tankers are used to service cesspools then that will cause additional traffic
- Currently a lack of information about landscaping

EVALUATION

The planning policy position and the approach to be taken in the determination of the

application in accordance with the Great Horwood Parish Neighbourhood Plan (GHPNP) and the Aylesbury Vale District Local Plan.

Reference is drawn to the Overview Report appended to this report providing the background information to the Policy Framework when coming to a decision on this application. The starting point for decision making is the development plan, i.e. the adopted Aylesbury Vale District Local Plan and 'made' Neighbourhood Plans.

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) 2018 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. In this respect, Great Horwood has a 'made' Neighbourhood Plan which is a constituent part of the development plan.

The Development Plan Neighbourhood Plan

NPPF paragraphs 29 and 30 state: Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.

Where a Neighbourhood Plan is not in place, decisions for housing developments should be taken in accordance with paragraph 11 of the NPPF, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Policy 1: Spatial Plan & Sustainable Development, states that;

The Neighbourhood Plan designates a Great Horwood Settlement Boundary, as shown on the Policies Map, for the purpose of containing the physical growth of the village over the plan period.

Development proposals on land within the defined settlement boundary will be supported, provided:

- i. they comprise up to approximately 15 dwellings and land of up to about 0.5 Ha;
- ii. up to 35% of the total dwellings on the whole site are provided as affordable homes, subject to viability;
- iii. a proportion of open market dwelling plots are made available for custom build if a demand is demonstrated for such units at the time a planning application is made;
- iv. a proportion of open market and affordable dwellings are provided that are suited to occupancy by older person households;
- v. overall a mix of housing types is provided that is reflective of the most up to date assessment of housing needs arising in the Parish
- vi. they sustain or enhance the significance of the architectural and historic interest of the Great Horwood Conservation Area and where possible enhance or better reveal the significance of the asset and its setting; and
- vii. they do not result in the loss of any existing publicly accessible open space.

Development proposals on land outside the settlement boundary will not be permitted in the countryside unless it is necessary for the purposes of agriculture or forestry, or for

enterprise, diversification or recreation that benefits the rural economy without harming countryside interests. New development in the countryside should not result in the loss of open land that contributes to the form and character of Great Horwood and Singleborough.

The application site lies within the Settlement Boundary of Great Horwood as designated by the GHPNP. In relation to the criteria of Policy 1 set out above, the scheme proposes 14 dwellings on 0.5ha in accordance with criteria (i). Policy 1 requires 35% of the total number of proposed houses to be Affordable Housing (AH). According to the policy, the proposed development should provide a total of 5 AH units with the councils preferred tenure profile being 75% affordable rent and 25% Shared Ownership. This would equate to 4 units being Affordable Rented and 1 Unit being Shared Ownership.

The viability assessment concluded that when considering a policy compliant scheme it would not be viable. As such it was recommended that serious consideration was given to the scheme proposing 4 affordable units and the District Valuer considered that in this instance in light of the viability review that the provision of 3 x shared ownership units and 1 affordable rented would be acceptable taking account viability.

In relation to criteria iv) of Policy 1 there is no evidence to support an identified need for custom build in this location.

In relation to criteria (v), a housing needs survey was undertaken in early 2014 as part of the evidence base for the GHPNP to identify the needs for the supply of affordable and open market housing in the GHPNP. From the results of the survey it was clear that a mix of housing development was supported with a particular focus on the delivery of affordable homes, 2 and 3 bed starter homes and medium family homes. The proposed development provides for 4 affordable housing units (following a viability review) and in terms of housing mix proposes 2 X 2 bed bungalows and a 2 bed semi-detached unit, 5 X 3 bed units (of which 2 are detached and 3 semi-detached) and 6 X 4 bed detached units (of varying scales and house types). It is considered that the proposed housing mix (including the provision of two bungalows) provides an adequate housing mix in line with the evidence base of the GHPNP in accordance with criterion (v).

The matters relating to Criteria (vi) and (vii) of Policy 1 are addressed within the main body of the evaluation and site specific Policy allocation.

Policy 4: Land off Nash Road

The allocation is set out in **Policy 4: Land off Nash Road and this policy states;**

The Neighbourhood Plan allocates 0.5 Ha land off Nash Road, as shown on the Policies Map, for housing development of approximately 15 dwellings to be delivered in the period 2014 – 2019, the affordable homes of which will be provided on site. Development proposals will be supported, provided they accord with the following principles:

- i. The development shall be located on the southern part of the site adjacent to the existing houses but shall allow the adjoining 15 Nash Road building to continue to frame the northern gateway to the village;*
- ii. The scheme shall respect the significance of the setting of the Grade II* listed Manor Farm and the contribution that the site makes to that significance and its design shall demonstrate how this has been taken into account;*
- iii. As the site partially falls within an Archaeological Notification Area, provision will be required for appropriate survey work;*
- iv. A landscape buffer of 0.4 Ha, as shown on the Policies Map, shall be provided between the development and the existing houses to sustain the significance of the adjoining Great Horwood Conservation Area and to safeguard the amenity and privacy enjoyed by neighbouring residents. The land for the buffer shall be transferred to the Parish Council with a commuted sum to cover future maintenance;*
- v. The remaining land to the north is allocated as a landscaped amenity, as shown on the Policies Map, to*

be provided to the extent that is fairly and reasonably related in scale and kind to the proposed housing development and transferred to the Parish Council with a reasonable commuted sum, to maintain for the benefit of the local community;

vi. The existing landscape features along the western and southern boundaries and the tree belt along Nash Road shall be retained;

vii. A new landscaped edge to Nash Road shall be created along the embankment and integrated with the design of the buildings to take into account the required access visibility splay;

viii. The buildings and landscape shall be of a character and materials that complement the village and respond to the site;

ix. The vehicular access off Nash Road shall be provided to the satisfaction of the local highway authority;

x. The built form shall provide a clearly defined development edge fronting onto open space to enhance the setting and surveillance;

xi. The built form shall define entrance into development and architectural event onto Nash Road as part of the informal village entrance;

xii. The built form within the site shall consider long views of the site and create a roofscape that is sympathetic to the rural setting;

xiii. The building layout shall create surveillance of, and architectural interest to the open space within the site;

xiv. Parking shall be integrated with the open space and buildings to create a safe and attractive pedestrian environment and to avoid parking problems on local roads;

xv. The site layout shall protect privacy and amenity of existing dwellings and back gardens through appropriate building orientation;

xvi. The open space within the site to create an attractive setting and amenity for the development; and

xvii. The opportunity is considered to connect the site with the existing public footpath to the village green.

The following sections of the report consider the detail of the proposal against the criteria of policy 4 of the GHPNP.

Aylesbury Vale District Local Plan (AVDLP), Emerging policy position in Vale of Aylesbury District Local Plan (draft VALP) and Housing Supply

The policy position and current housing land supply figures are addressed with the overview report that is to be read in conjunction with this Report. What is of relevance however is that given the status and relevance of the Neighbourhood Plan, a weighted balance approach is not appropriate in this instance.

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. They all seek to ensure that development meets the three dimensions of sustainable development. These policies can be relied upon provided that they are consistent with NPPF guidance. These include AVDLP policies GP8, GP24, GP35, and GP38-GP40. Issues relevant to the consideration of the proposal in the light of this and other applicable policies are addressed in more detail below.

Material Planning Considerations

Sustainability and access to services

Great Horwood is categorised by the Council's Settlement Hierarchy (2017) as a 'medium village'. These are typically settlements with a population of between around 600 and 2,000 and have between 6 – 7 of the key criteria (within 4 miles of a service centre, employment of 20 units or more, food store, pub, post office, GP, village hall, recreation facilities, primary school, hourly or more bus service and train station). 18 Characteristics of 'medium villages' To some extent the provision of facilities in each settlement reflects the size of the population, but a medium village has at least six of the key criteria.

Great Horwood has a moderate population size and well connected to a large service centre (Winslow just over 2 miles away). Good employment but poor bus service. The village has reasonable provision of key services.

The site is on the edge of the built-up area of the settlement, but within the defined settlement boundary and therefore the principle of residential development in this location is considered to be acceptable subject to compliance with policy 4 of the GHPNP and an appropriate design/layout. Policy 1 of the GHPNP supports proposals for housing development within the Settlement Boundary and policy 4 accepts the principle of up to 15 dwellings.

Therefore, in broad sustainability terms, the provision of dwellings in this location which falls within the settlement boundary and on the edge of the main built up limits of the village is considered acceptable and in accordance with the development plan. However, this proposal still has to be assessed against all other material considerations.

The proposal makes provision for improved footway links to the village centre to ensure that those future residents have the ability to access existing facilities in the village on foot or cycle to avoid the reliance of the private car in accordance with criteria xvii of the GHPNP and NPPF guidance.

Impact on the character and appearance of the area

Policy 4 of the GHPNP states that development proposals will be supported, provided that the following criteria are met

- a. i. The development shall be located on the southern part of the site adjacent to the existing houses but shall allow the adjoining 15 Nash Road building to continue to frame the northern gateway to the village;

The proposed built development is located on the southern part of the site and the proposed layout ensures that there remains an appropriate relationship between No.15 and its context. The development seeks to retain existing landscape features as well as incorporating new features to assist with mitigation and integration of the development within the locality and entrance to the main settlement. The proposed built development is set back in the site with a landscape buffer to the front of the site such that the proposal would not have a detrimental impact on the contribution of No.15 Nash Road. It is considered that the proposal satisfies the above criteria.

Impact on historic environment

- a. ii. The scheme shall respect the significance of the setting of the Grade II* listed Manor Farm and the contribution that the site makes to that significance and its design shall demonstrate how this has been taken into account;

As with the above point the proposed built development has been set back in the site with a landscape buffer to the front of the site, thus ensuring the proposal has a sensitive relationship with the adjacent listed buildings. The proposal is set in from the northern boundary such that built development is contained to the central part of the application site. The proposed dwellings located to the front of the site create an attractive frontage and are of a simple traditional style to buildings within the locality with landscape mitigation such that overall the proposal would not result in any impact on the setting of the Grade II* listed building nor the contribution that building makes, particularly noting the position of the listed building being sited before the built development on approach to the main village and in long distance views. It is considered that the proposal satisfies the above criteria.

- a. iii. As the site partially falls within an Archaeological Notification Area, provision will be required for appropriate survey work;

An archaeological desk-based assessment of the site has been produced, indicating that there are

features of archaeological interest to the northern end of the site, and to the south to a lesser extent. However, as development is restricted to the central portion of the site, there will be minimal impact on these features. BCC archaeology have confirmed that there is no objections to the application in relation to archaeology matters subject to any grant of planning permission including recommended conditions. It is considered that the proposal satisfies the above criteria.

- a. iv. A landscape buffer of 0.4 Ha, as shown on the Policies Map, shall be provided between the development and the existing houses to sustain the significance of the adjoining Great Horwood Conservation Area and to safeguard the amenity and privacy enjoyed by neighbouring residents. The land for the buffer shall be transferred to the Parish Council with a commuted sum to cover future maintenance;

The proposed scheme has been designed to include the required 0.4ha landscape buffer to the south of the site, to ensure that the development retains an acceptable relationship with the adjacent conservation area and to provide a separation distance between the proposed built development and neighbouring properties such that there would be no significant impacts on amenity of those occupiers. Following discussions with the applicant, agreement has been secured that the landscape buffer will be made available to transfer to the Parish Council in the S106 heads of terms in line with the above criteria. Moreover, should the Parish Council decline the transfer of the land, then the S, 106 will obligate the developer to secure a management company to ensure the long term protection of this area of land. Subject to the completion of the S106 to secure this matter it is considered that the proposal would accord with the above criteria.

- a. v. The remaining land to the north is allocated as a landscaped amenity, as shown on the Policies Map, to be provided to the extent that is fairly and reasonably related in scale and kind to the proposed housing development and transferred to the Parish Council with a reasonable commuted sum, to maintain for the benefit of the local community;

The proposed layout has made provision for the required land use division and proposes an area of 0.4ha for the landscape buffer, an area of 0.5ha for the developable area and the remainder of the land to the north of identified as Landscape Amenity area. It is considered that the proposal accords with the stipulated size thresholds required in the proposed layout in line with the criteria of policy 4. As with the above criteria, this is a matter which the applicant has agreed to secure as part of the S106 and subject to the completion of the S106 agreement it is concluded that the proposal would accord the above criteria. Furthermore, it is considered appropriate to add a condition to any consent requiring the submission of full landscaping details for this area.

- a. vi. The existing landscape features along the western and southern boundaries and the tree belt along Nash Road shall be retained;
- a. vii. A new landscaped edge to Nash Road shall be created along the embankment and integrated with the design of the buildings to take into account the required access visibility splay;

The proposed development has made provision for the retention of the existing landscape features along the northern, western and southern boundaries of the site. The application indicates that the existing tree belt along the eastern boundary will be retained where feasible, and a new landscaped edge will be created and reinforced, taking into account the required access and visibility splays. The additional landscape plans which has been provided by the applicant provides the details of the visibility splays and the relationship of those to the site boundaries. Concern has been raised by the PC about the removal of vegetation through the provision of visibility splays. The requirement for visibility splays is to ensure that the new means of access required meets safety standards, it is the intention of the applicant to retain as much of the existing boundary treatment as possible whilst facilitating the visibility splay and an additional landscape scheme has been conditioned – It is considered that the proposal satisfies the above two criteria (vi and vii).

- a. viii. The buildings and landscape shall be of a character and materials that complement the village and respond to the site;

The design and access statement submitted in support of the application identify the design approach taken to the development and notes that the character of the village, its surroundings and the existing dwellings have been considered to create a development which is sympathetic to the village and its character. The proposed dwellings would be sited in accordance with the policy requirements, along and set back from Nash Road. The existing properties in the vicinity are varied in scale, design and materials. This application proposes a conventional design, brick and tile approach in keeping with the site context and the wider locality in accordance with the above criteria.

- a. ix. The vehicular access off Nash Road shall be provided to the satisfaction of the local highway authority;

The application is supported by a Transport Statement and consultations have taken place with the BCC Highways Engineer. Following the receipt of amended plans/additional information the highways engineer has confirmed that subject to the imposition of conditions the proposal would be served by acceptable highways access and visibility splays in line with the requirements.

- a. x. The built form shall provide a clearly defined development edge fronting onto open space to enhance the setting and surveillance;

The layout has been designed to create a clearly defined development edge with development relating well to the open space, the proposal provides for properties fronting onto the amenity space to the north providing natural surveillance of the area and has links between the application site and the open space for pedestrian access and connectivity such that the proposal would accord with the above criteria. In relation to the southern landscape buffer land, again a clearly defined boundary would be achieved and the properties would have rear windows overlooking the area from habitable rooms, and a smaller number of properties with main windows fronting onto this space. The proposal is considered to accord with the above criteria

- a. xi. The built form shall define entrance into development and architectural event onto Nash Road as part of the informal village entrance;

The proposed layout has been designed to create an active road frontage onto Nash Road, with the proposed layout accommodates an attractive street scene elevation with a perimeter road layout and the protection and enhancement of the existing frontage landscaping onto the Nash Road. The retention of the existing landscaping also assists in ensuring the proposal is well integrated into the setting and that the proposal continues to respect the rural feel of the site and important function this site provides as an entrance to the village. Views into the application site would be obtained through the access point and the form and layout of the development would ensure that the development would not appear cramped in form with spaces maintained between buildings to respect the edge of settlement location. The application has been accompanied by a Design and Access statement and street scene elevations showing the evolution of the design form and the approach to ensure the scheme is in accordance with the requirements of criteria xi.

- a. xii. The built form within the site shall consider long views of the site and create a roofscape that is sympathetic to the rural setting;

Long views onto the site have been considered and the design and access statement confirms that the design of the dwellings has been developed accordingly in order to create a roofscape which is sympathetic to the rural setting, whilst minimising any visual impact on surrounding properties. Given the set back of the development within the site it is considered that the proposal would not be generally visible nor dominant in distant public street views and that the built development would be read in the context of the existing built development in the backdrop, but also that the density would ensure that the proposal continues to retain the function as a transition

from built up areas to countryside, through the design and layout of the proposed building but also in the provision of landscape buffer and amenity areas around the central buildings. It is concluded that the proposal would accord with the above criteria..

- a. xiii. The building layout shall create surveillance of, and architectural interest to the open space within the site;

The orientation of the proposed dwellings allows for natural surveillance of open space from primary and secondary windows serving the dwellings together with those users of both the access road and footways. Further more the layout has had regard for the need to ensure protection of the privacy and amenity of the existing and proposed dwellings. Additional landscaping is proposed within the site to create an attractive setting and amenity for the development and the wider setting of the site and village entrance. The nature of the layout ensures that there is natural surveillance of open space and amenity areas and as such the proposal is considered to accord with the above criteria.

- a. xiv. Parking shall be integrated with the open space and buildings to create a safe and attractive pedestrian environment and to avoid parking problems on local roads;

Parking has been provided in accordance with the adopted guidelines and has been integrated within the layout through on site provision in a combination of garaging and open on plot parking, to ensure that the proposal would not increase parking problems. Furthermore the proposal seeks to provide footway improvements seek to create a pedestrian friendly environment and to facilitate the integration of occupiers of the application into the community through ease of access to existing services and to facilitate existing residents to access the open space and amenity land. It is considered that the development would accord with criteria xiv of the policy.

Concerns have been received identifying that the proposed new footway would cross land in private ownership. The applicant has provided a response on this matter and confirmation has been sought from BCC on the extent of the highway land. Whilst the Land Registry plan provided by the objector indicates the boundary of their property overlapping with the Adopted Highway, the works proposed to form the new crossing and footways along Nash Road all sit within land that forms part of the '*Publicly Maintained Highway*' often referred to as '*Adopted Highway*'. This has been confirmed by Buckinghamshire County Council (BCC) as identified on their plan with the light blue colour clearly denoting the '*Publicly Maintained Highway*'.

The agent also provided in their response a copy of the drawing 12529 / 02 which clearly illustrates the works proposed to the Highway to form the new crossing and associated footways occur within the light blue coloured zones of the BCC plan, i.e. within the Adopted Highway.

- a. xv. The site layout shall protect privacy and amenity of existing dwellings and back gardens through appropriate building orientation;

Careful consideration has been given to the protection of both the existing and future occupiers of the site, with the layout providing frontage buildings and being well positioned and orientated to the proposed internal access arrangements. The positioning of the dwellings centrally within the application site ensures that separation distances exceed the councils normal standards between proposed and existing properties such that there would be no loss of amenity in this respect. Furthermore, the layout proposed ensures that the proposed dwelling would have adequate inter relationships, and each property would have a rear private amenity area of an appropriate size for use of future occupiers. The final details of boundary treatment will be secured by way of condition to ensure that the treatment is adequate to respect both the protection of amenity but also in relation to those exposed rear boundaries facing onto amenity space or within the public realm is constructed of an appropriate material to accord with GP35 and to provide for safe and secure garden areas. Additional landscaping is proposed within the site to create an attractive setting and amenity for the development which would further seek to protect residential amenity. It is

considered that the proposal would accord with criteria xv.

- a. xvi. The open space within the site to create an attractive setting and amenity for the development;

The proposed development has been laid out in accordance with the criteria of the policy. Additional landscaping is proposed within the site to create an attractive setting and amenity for the development and the wider setting of the site and village entrance and this is a matter which will be secured by condition. The nature of the layout ensures that there is natural surveillance of open space and amenity areas and as such the proposal is considered to accord with the above criteria.

- a. xvii. The opportunity is considered to connect the site with the existing public footpath to the village green.

The proposed development does not preclude links to the existing public right of way in so far as the land within the applicants control. The proposed site plan indicates the provision of a footpath link to the southwest of the site in order to create a direct footpath link. Furthermore, at the request of the highways officer the applicant has agreed to provide off site highway works to upgrade pedestrian footway links along the Nash Road into the heart of the village. This is a matter which will be secured by condition and it is considered to accord with the above criteria.

Material considerations not addressed in the policy consideration

- ***Build a strong competitive economy***

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.

It is considered that there would be economic benefits in terms of the construction of the development itself, its operation and the resultant increase in population contributing to the local economy.

As such, there would be economic benefits in terms of the construction of the development itself and the resultant increase in population contributing to the local economy.

- ***Delivering a sufficient supply of homes***

Local planning authorities are charged with delivering a sufficient amount of housing and variety of land and to boost significantly the supply of housing by identifying sites for development, maintaining a supply of deliverable sites and to generally consider housing applications in the context of the presumption in favour of sustainable development. In supporting the Government's objective of significantly boosting the supply of homes, paragraph 61 states that within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes. Key to the consideration of this point is the use of local housing needs assessment targets and the Council's ability or otherwise to demonstrate a 5 year supply of housing land.

Paragraph 60 requires that strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future

demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

Where the Council cannot demonstrate a 5 year housing land supply (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years, there is a presumption in favour of sustainable development in line with paragraph 11 of the NPPF. The absence of an NPPF compliant supply or delivery of housing would add to the weight attached to the benefit arising from the contribution made to the supply of housing and boosting the delivery of housing generally. Transitional arrangements for the Housing Delivery Test are set out in Annex 1.

In the absence of a figure for the Full Objective Assessment of Need which will emerge through the plan making process which will also need to consider potential unmet needs from adjoining authorities not within the Housing Market Area, the council has set out its approach in the published five year housing land supply position statement which is regularly updated. It also updates the estimated delivery of sites based on the latest information. The latest Five Year Housing Land Supply Position Statement was published April 2019, based on March 2018 data, which shows that the Council can demonstrate 5.64 years worth of deliverable housing supply against its local housing need. This calculation is derived from the new standard methodology against the local housing need and definition of deliverable sites set out in the NPPF and NPPG.

In respect of affordable housing, the matter is addressed in detail above, and has been the subject to viability testing. The proposed scheme does result in the provision of affordable housing provision, although it is acknowledged this is at a lower level than anticipated in the policy it is non the less considered to represent a significant benefit to the proposal.

There is no reason that the site could not be delivered within the next five year period, therefore the proposals would make a positive contribution to housing land supply and affordable housing provision.

- ***Promoting healthy and safe communities***

The NPPF seeks to achieve healthy, inclusive and safe places, promoting social interaction, safe and accessible development and support healthy life-styles. This should include the provision of sufficient choice of school places, access to high quality open spaces and opportunities for sport and recreation and the protection and enhancement of public rights of way, and designation of local spaces.

Policies GP.86-88 and GP.94 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.

BCC Education have advised that a financial contribution would not be required in this instance towards either primary or secondary school facilities.

An Outdoor Play Space (OPS) and amenity land are to be provided on-site and maintained in perpetuity. Due to this on-site provision, no financial contribution will be sought for Sports and Leisure. It is considered that the development would be too small to require contributions towards healthcare facilities as a result of the proposals.

The applicants have indicated their agreement to enter into a S106 and work is nearing completion of the matter. Subject to the completion of the necessary legal agreement the proposal would comply with the requirements of the GHPNP and Aylesbury Vale District Local Plan policies GP86, GP87, GP88 and GP94, and to advice in the National Planning Policy Framework.

- ***Making effective use of land***

Section 11 of the NPPF requires that planning policies and decisions should promote an effective use of land while safeguarding and improving the environment and ensuring safe and healthy living conditions, maintaining the prevailing character and setting, promoting regeneration and securing well designed, attractive and healthy places.

Paragraph 122 of the NPPF relating to achieving appropriate densities states that in supporting development that makes efficient use of land, it should taking into account of the importance the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it.

It is recognised that the site currently comprises undeveloped land. The application relates to an allocated site within the GHPNP and the proposed housing would be a density of 28 dwellings per hectare when taken in relation to the overall site, (14 dwellings on 0.5 ha of land). per hectare and this recognises the need to provide the necessary open space and amenity land, infrastructure (SUDS), highways and footways to mitigate the impacts of the development. The proposal is in line with the criteria of Policy 4 and as such is considered to make effective use of the land in line with the guidance of the NPPF.

- ***Meeting the challenge of climate change and flooding***

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.

A Flood Risk Assessment & SuDS Scheme has been prepared by Scott White and Hookins (February 2016, Rev A) to accompany the above planning application. Based on the submitted information provided in the Flood Risk Assessment, the LLFA has no objection to the proposed development subject to the following conditions.

The Environment Agency Updated Flood Map for Surface Water shows that a portion of the northern section of the site falls within an area at risk of surface water flooding. In addition the EA mapping shows Nash Road adjacent to the site is also at risk of surface water flooding. This corresponds with records held by Transport for Buckinghamshire which highlight this area as an area of Known Flooding.

The LLFA are pleased that a number of SuDS measures have been considered in the FRA. The proposed scheme consists of the following;

- shallow swale (discharge to landscape amenity area in north)
- attenuation/detention basin (discharge to IDB watercourse at restricted rate)
- permeable paving on non-adopted areas of access road

The proposed conditions require the submission of the detailed sustainable drainage measures and surface water scheme to be submitted to and approved in writing by the LPA together with a proposed maintenance plan. As such it is considered that the proposed development would not result in an increase risk to flooding in compliance with the NPPF guidance.

- ***Supporting high quality communications***

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.

Given the location of the proposed development at the edge of a village and the scale of the proposals which would comprise one and two storey buildings, 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.

It is therefore considered that the proposal would accord with the guidance set out in the NPPF.

(c) Impact on residential amenities.

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. 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.

The proposal has sought to locate the proposed built development centrally within the application site and designed to include the required 0.4ha landscape buffer between the proposed dwellings and existing neighbouring properties, such that the proposed dwellings would result in extended separation distances from the existing residential properties located along Nash Road.

Additional planting has also been indicated along the boundaries. Having regard to the distances between the proposed and existing dwellings (ranging from 29m to 40m to the elevations of the dwellings), the proposed heights and the proposed tree and hedge planting in between, it is not considered that there would be any undue loss of privacy or overlooking to the existing properties, nor would the proposed dwellings appear overbearing when viewed from the existing properties. Given the distances between which exceed the distance normally secured by the Authority, there would be no grounds to refuse the development on loss of privacy or overlooking grounds.

Following consideration of the above matters, It is considered that adequate regard has been had to residential amenities such that the development would accord with Policy 4 of the GHPNP and to GP8 of the AVDLP and with the NPPF.