

REFERENCE NO	PARISH/WARD	DATE RECEIVED
16/02821/AOP	EDLESBOROUGH, NORTHALL & DAGNALL SLB	08/08/16
OUTLINE APPLICATION WITH ACCESS TO BE CONSIDERED AND ALL OTHER MATTERS RESERVED FOR THE ERECTION OF TEN, 1.5 AND 2 STOREY DWELLINGS (2 X 4 BED & 8 X 5 BED), WITH ASSOCIATED ACCESS, DRIVEWAYS, GARDEN AMENITY AND SOFT LANDSCAPED AREAS. 5 SLICKETTS LANE EDLESBOROUGH LU6 2JD MR PAUL & IVAN LEARY	The Local Member for this area is: - Councillor Chris Poll	
STREET ATLAS PAGE NO.92		

1.0 The Key Issues in determining this application are:-

- a) The planning policy position and the approach to be taken in the determination of the application.
- b) Whether the proposal would constitute a sustainable form of development having regard to:
- Building a strong competitive economy
 - Delivering a wide choice of high quality homes
 - Promoting sustainable transport
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment
 - Promoting healthy communities
 - Good design
 - Meeting the challenge of climate change and flooding

c) Impact on residential amenity.

The recommendation is that permission be **DEFERRED AND DELEGATED** to Officers for approval subject to the completion of a legal agreement in respect of off-site leisure contributions. Or if an agreement is not completed, for the application to be refused by Officers for reasons considered appropriate.

- 1.1 The proposal has been evaluated against the Development Plan and the NPPF and the report has assessed the application against the core planning principles of the NPPF and whether the proposals deliver sustainable development. Paragraph 14 of the NPPF requires that where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would

significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

- 1.2 It is accepted that the development would make a contribution to the housing land supply which, in the context of the Council currently being unable to demonstrate a 5 year housing land supply, is a significant benefit to be attributed moderate weight in the planning balance given the small number of dwellings proposed. There would also be economic benefits in terms of the construction of the development itself and those associated with the resultant increase in population on the site to which limited weight should be attached.
- 1.3 The impact on the landscape has been identified as an adverse impact and this is attributed limited negative weight in the planning balance given the localised impact.
- 1.4 Compliance with some of the other core planning principles of the NPPF have been demonstrated in terms of promoting healthy communities, the design of the development, impact on the setting of listed buildings, biodiversity, flood risk, highway safety and convenience, parking and residential amenity. However, these matters do not represent benefits to the wider area but demonstrate an absence of harm to which weight should be attributed neutrally.
- 1.5 It has been concluded that the proposal would comply with the relevant saved policies of the AVDLP and the requirements of the NPPF. The benefits identified would outweigh the limited adverse impact on the landscape.
- 1.6 It is therefore recommended that the application be **DEFERRED AND DELEGATED** to Officers for approval following the completion of a Section 106 planning obligation agreement in respect of off-site leisure contributions. Or if an agreement is not completed, for the application to be refused by Officers for reasons considered appropriate.

1.7 INFORMATIVE

1. WORKING WITH THE APPLICANT

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Aylesbury Vale District Council (AVDC) takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. AVDC works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and 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, AVDC has considered the details as submitted which were considered to be acceptable.

2.0 INTRODUCTION

- 2.1 The application needs to be determined by committee as the Parish Council has raised material planning objections and confirms that it will speak at the Committee meeting.

3.0 SITE LOCATION AND DESCRIPTION

- 3.1 The site is no. 5 Slicketts Lane which comprises a detached dwelling set in the southern corner of a large site with associated residential curtilage and a former orchard surrounding which extends to the north. The ground levels slope down gradually from the south-west of the site towards Eaton Bray Brook which runs in a north-west/south-east direction along the north-east boundary of the site. The access to the existing dwelling is off Dove House Close.

- 3.2 To the south-west of the site is Dove House Close which is a small cul de sac development of detached bungalows accessed off Slicketts Lane. To the north-west of the site is Taskers Row Bungalows. To the north-east beyond Eaton Bray Brook is open countryside and there are open fields to the south-east. No. 1 Dove House Close and no. 6 Slicketts Lane are grade II listed buildings.
- 3.3 The site is not subject to any special landscape designations and there are no public rights of way crossing the site.

4.0 PROPOSAL

- 4.1 The application seeks outline planning permission for residential development of ten dwellings with access to be considered and all other matters reserved for subsequent approval. The application drawings include an indicative layout plan, street scene and 3D perspective drawing. The proposed access would be taken from the field on Slicketts lane to the east side of Dove House Close. It would provide access to all ten dwellings and also create a new field access (to replace the existing) on the east side to provide access to the adjacent land.
- 4.2 The indicative layout shows ten detached dwellings arranged around the perimeter of the site with a central access road which incorporates turning space. The indicative mix would provide 2 x 4 bedroom units and 8 x 5 bedroom units.
- 4.3 The application is accompanied by a Design and Access Statement, Flood Risk Assessment, Environmental Statement, Preliminary Ecological Assessment and Transport Assessment.

5.0 RELEVANT PLANNING HISTORY

- 5.1 None.

6.0 PARISH COUNCIL COMMENTS

- 6.1 Edlesborough Parish Council –

‘This is an outline application for the erection of ten, 1.5 and 2 storey dwellings (2 x 4 bed & 8 x 5 bed), with associated access, driveways, garden amenity and soft landscaped areas on land off Dove House Close.

Principle of residential development of the site

The principle of residential development of the site is considered acceptable and is in fact included as a recommended site for up to 10 houses in the embryonic Edlesborough Parish Neighbourhood Plan (site EDL020).

Housing type and density

Although the proposed housing density is relatively low, it is considered to be compatible with that of nearby properties. However, the house types proposed are not considered appropriate. To retain as much of the existing rural character of this edge of the village as possible, any development needs to be low rise as well as low density. Many of the nearby houses are single storey, 2 storeys being the exception rather than the norm. Consequently a mix of 1 and 1.5 storey dwellings would be far more suitable.

Edlesborough already has a surfeit of large detached houses and a shortage of smaller houses and bungalows. The proposed mix of 80% five bedroomed houses and 20% four bedroomed ones is therefore quite inappropriate. The draft VALP indicates an ideal mix for market housing is 4% one bedroomed flats, 4% two bedroomed flats, 13% two bedroomed

houses, 52% three bedroomed houses, 21% four bedroomed houses and 6.5% five plus bedroomed houses. Whilst arguably flats may not be appropriate on an edge of settlement development like this, at least half the houses should be three bedroomed, with one or two smaller and only the remainder four or five bedroomed.

Access

It is proposed that the new access road will only be 5.5m wide as far as the new agricultural access, with the remainder restricted to 4.8m. Experience has shown that even 5.0m estates roads can be problematical when large vehicles and parked cars are involved. The entire estate road should ideally be 5.5m in width, especially as part of it may be required to provide access to the neighbouring HELAA recommended site (EDL021) at some time in the not too distant future.

Slicketts Lane Problems

A number of residents have drawn the Parish Council's attention to the narrowness of Slicketts Lane, particularly at its southern end, and the consequent vulnerability of pedestrians. Concern has been expressed that additional housing would inevitably increase the number of vehicles using the lane and exacerbate this unsatisfactory situation. Residents have also expressed concern that Slicketts Lane is said to have passing places which it does not, it is a single track lane beyond the proposed new access junction. They are concerned their private driveways have been assessed as passing places.

Public Amenity

The Design & Access Statement acknowledges the need to provide a 10m buffer strip along the river bank and the need to ensure that maintenance of the water course can be carried out in the future. This provides an opportunity to create an additional local amenity by making the buffer strip along the river bank accessible to the general public. A condition of any planning consent must therefore stipulate that the buffer strip is amenity land with pedestrian access, and is not simply an extension of the rear curtilages of the adjacent properties.

Recommendation

I therefore recommend that the Parish Council's response to AVDC regarding this application should state that whilst the Council is not opposed to housing development of the site in principle, it does not consider the scheme as currently proposed to be suitable.'

7.0 CONSULTATION RESPONSES

- 7.1 Biodiversity – The ecological appraisal of this site carried out by Phil Irving in May 2016 is an accurate assessment of the features of ecological interest on the site. The report details a number of recommendations and mitigation measures. Though these are welcomed further work will be required for this application to be compliant with the NPPF in respect of net ecological gains.
- 7.2 Housing Development Officer – In order to be policy compliant a scheme of 25 units or over on a site 1ha or more is required to offer a minimum of 30% affordable housing subject to viability which on this scheme would equate to 3 affordable units. The applicant will need to supply an affordable housing plan at reserved matters stage showing the location, tenures, sizes and mix of affordable units that will be supplied. No more than 50% of the private units are to be completed until the affordable units have been completed.

- 7.3 Leisure – Off-site financial contribution required for sport and leisure facilities.
- 7.4 Tree Officer – No comments received.
- 7.5 Landscape Officer – No comments received.
- 7.6 Education – No contribution required.
- 7.7 Heritage Officer – The proposed new dwellings will be tucked behind those on Dove House Close, and therefore aside from the new access road there will be no impact on the setting of the nearby listed buildings.
- 7.8 Environmental Health – The information has been reviewed and there are no comments from an Environmental Health perspective.
- 7.9 BCC Highways -

This outline application follows a previous informal scheme for a similar proposal on this site in which the Highways Authority commented that the proposed access would benefit from an adequate level of visibility which could be secured by way of condition should permission be granted. From a highway perspective this current scheme has been altered slightly, however is not materially different to the scheme submitted at pre-application stage. The proposed access has been widened to 5.5m for its initial section and then narrows to 4.8m for its entirety. The tracked drawings submitted demonstrate that the proposed access arrangements would accommodate all of the vehicle movements associated with this proposal. These drawings also show a refuse vehicle performing its turning manouevres within the site in order to exit the site in a forward gear. The 2m footway mentioned in the pre-application response has now been provided running throughout the site and linking with the existing provision. Mindful of the above there are no objections to this proposal from a highway perspective, subject to conditions.

- 7.10 SUDS Officer – No comments received.
- 7.11 CPDA – No comments received.
- 7.12 Bucks and River Ouzel Internal Drainage Board – The watercourse on the boundary of or passing through this site is under statutory control of the Board. In accordance with the Board's byelaws, no development should take place within 9 metres of bank top, without the Board's prior consent, this includes any planting, fencing or other landscaping. Any proposed discharge of surface water to this watercourse will require the Board's agreement and consent. The Board therefore suggest that planning permission should not be granted without conditions requiring that the applicant's storm water design and construction proposals are adequate before any development commences.

8.0 REPRESENTATIONS

- 8.1 29 letters of objection have been received which raise the following concerns:
- The proposed development is for too many houses and should be two bedroom bungalows instead so people with large houses can downsize and this would generate less traffic movements.
 - The access should be taken from Taskers Row which already benefits from two-way access, pavements, and new drainage and sewage solutions. Access could also be taken from Dove House Close.
 - Access from Slicketts Lane is unacceptable as it cause a further safety hazard for road users, dog walkers, cyclists and horse riders. The development would lead to a

dangerous junction which would be a distraction for through traffic. It is a rat run in the morning commute for access to the M1.

- Slicketts Lane is single width with no passing places, and is set close to three other roads nearby; The Green, Brownlow Avenue and the Willows. It is too narrow and dangerous to accommodate further vehicle movements.
- Heavy traffic would affect the foundations of the grade II listed house The Grove. Planning permission was recently refused for a dwelling at the Grove for this reason.
- A further detailed traffic survey is required so that a responsible highways analysis and safety audit can be undertaken.
- The Transport Statement is incorrect as it states the road width is 3 to 3.5 metres but it is much less at 2.8m.
- The access would lead to additional water run-off which will add to the existing flooding and sewage problems in the area.
- The proposal could set a precedent for further development in the adjacent field.
- The proposed houses are set very close to the houses at the end of Dove House Close and may cause loss of amenity to those properties. The heights should be restricted to single storey.
- The access would be located in a class 1 arable field (used for agricultural production) which is outside the built up limits of the village which has ecological and landscape value (views to Chilterns AONB) and would adversely affect the setting of the two listed buildings and the historic setting of the village. The access route would require an archaeological investigation report.
- The introduction of a new access would affect the setting of the listed buildings and the decision for the current application should be consistent with the application 3 years ago for a new dwelling.
- The local road network cannot accommodate any further development.
- The development will cause additional noise and disturbance which will affect the enjoyment of the listed property The Grove due to the single brick walls and single glazed windows which cannot be changed.
- The proposal would be contrary to policies GP8 and RA36 of the AVDLP
- There is a need for smaller units in the village and not large 4/5 bedrooms houses and this constitutes overdevelopment. The proposal does not include any affordable units.
- The development would put further strain on the school and doctors surgery.
- The south-west boundary of the site is incorrectly shown on the drawings and should be amended.
- Slicketts Lane is protected by the Hedgerow Regulations 1997 as it is a medieval boundary that should not be breached.

9.0 EVALUATION

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

- 9.1 The starting point for decision making is the development plan, i.e. the adopted Aylesbury Vale District Local Plan. 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 and the Planning Practice Guidance 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, PPG and other material considerations. Determination of the application needs to consider whether the proposals constitute sustainable development having regard to Development Plan policy and the NPPF as a whole.

- 9.2 However, the AVDLP is time-expired therefore it is accepted that for the purposes of decision making, the approach outlined in paragraph 14 of the NPPF needs to be followed which states that where the development plan is out of date permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.
- 9.3 A number of saved policies within the AVDLP are considered to be consistent with the NPPF and therefore up to date so full weight should be given to them. Consideration therefore needs to be given to whether the proposal is in accordance with or contrary to these policies. Those of relevance are GP8, GP24, GP35, GP38 - GP40, GP45, GP59, GP84, GP86 - 88, GP90,GP94 and RA36. They all seek to ensure that development meets the three dimensions of sustainable development and are otherwise consistent with the core planning principles set out at paragraph 17 of the NPPF.
- 9.4 In respect of development plan policies for the supply of housing, these are now out of date as the AVDLP is time expired. In addition, the NPPF (at para 49) advises that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year housing land supply. At present, the Council accept that it is not able to demonstrate a five year supply against a fully NPPF-compliant figure (i.e. one that is based on a full, objective assessment of need for the wider housing market area) with the latest position statement published August 2016 reporting a 4.9 year supply of housing. As such, it is accepted that policy RA14 of the AVDLP is out of date as it is considered to be a housing supply policy.
- 9.5 Edlesborough Parish Council have notified AVDC of their intention to produce a Neighbourhood Plan and have a designated Neighbourhood Area, but a Neighbourhood Plan has not yet been drafted.

Whether the proposal would constitute a sustainable form of development

- 9.6 The Government's view of what 'sustainable development' means in practice is to be found in paragraphs 18 to 219 of the NPPF, taken as a whole (paragraph 6). The National Planning Policy Framework (NPPF) has a presumption in favour of sustainable development which should be seen as a golden thread running through plan-making and decision-making.
- 9.7 It is only if a development is sustainable when assessed against the NPPF as a whole that it would benefit from the presumption in paragraph 14 of the NPPF. The following sections of the report will consider the individual requirements of sustainable development as derived from the NPPF and an assessment made of the benefits together with any harm that would arise from the failure to meet these objectives and how the considerations should be weighed in the overall planning balance.
- 9.8 In terms of its broader location, Edlesborough is identified in the AVDLP as an Appendix 4

settlement implying that it is considered to be appropriate to allow “limited small-scale development” at the settlement. The Council’s Settlement Hierarchy Assessment 2012 identified Edlesborough as one of the District’s ‘larger villages’. The Draft Settlement Hierarchy (July 2016) also identifies Edlesborough as a larger village, and these typically have a population of between 2000 and 3000 and have between 8-10 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). Edlesborough has a population of 1499 and has 9 of the 11 key criteria and is therefore considered to have very good levels of sustainability, comprising a shop, pub, post office, GP, community hall, recreation ground, primary school, bus services and employment.

- 9.9 The proposed site is considered to be a sustainable location for a small proposal of this scale however the proposal will need to be considered not only in terms of its impact on the localised site and surroundings but also in terms of the wider capacity of the village to accept this level of population growth, having regard to its impact on the infrastructure and local services and the community itself. The proposals are considered in more detail under the headings below.

Building a strong competitive economy

- 9.10 The Government is committed to securing and supporting sustainable economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.
- 9.11 It is considered that 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. It is therefore considered the economic benefits of the scheme are significant, but afforded limited weight in the overall planning balance due to the number of houses proposed.

Delivering a wide choice of high quality homes

- 9.12 Local planning authorities are charged with delivering a wide choice of high quality homes 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 (paragraphs 47-49).
- 9.13 The application is in outline form with only access to be considered and all other matters reserved. There is an indicative layout plan which shows ten dwellings with a mix of 2 x 4 bedroom units and 8 x 5 bed units. The Design and Access Statement states that the amount of development is based on the size of surrounding properties and on market advice. Officers consider that a wider mix should be considered with some smaller units included but the layout and mix is not for assessment at outline stage and therefore this will be addressed with any reserved matters submission.
- 9.14 The total site area exceeds 1ha which would be the threshold for the provision of affordable housing within the scheme, and the Council’s Housing Officer has requested 2 affordable units on that basis. However consideration is given to the large proportion of land required for the access (compared to the total site area) which would result in the amount of developable land being under the 1ha threshold (approximately 0.7ha) and therefore it is considered unreasonable to require affordable housing as part of the development on this basis.

- 9.15 Against the backdrop of the time expired Local Plan the provision of ten dwellings is a significant benefit albeit the weight attributed is tempered to reflect the small number of units proposed and therefore moderate weight is attached to this factor in the planning balance.

Promoting sustainable transport

- 9.16 It is necessary to consider whether the proposed development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised and that safe and suitable access can be achieved, taking account of the policies in the NPPF. Development should only be refused on highway grounds where the residual cumulative impacts of development are severe. Policy RA36 of the AVDLP states that in considering proposals for development in the Rural Areas the Council will have regard to the desirability of protecting the characteristics of the countryside from excessive traffic generation, including the need to avoid traffic increases and routing unsuited to rural roads.
- 9.17 The application is accompanied by a Transport Statement.
- 9.18 In terms of sustainability, Edlesborough is considered to be a sustainable location given it is a larger settlement with good access to services and facilities. The site is considered to be within reasonable walking distances of the facilities available within the village. The development would be served by a 2m footway along the western side of the access road which will connect to the existing pedestrian network and nearby facilities.
- 9.19 In terms of the development itself, BCC Highways have assessed the impact of the development in terms of visibility and impact on the local highway network. At the proposed point of access, Slicketts Lane is subject to a 30mph speed limit, and therefore visibility splays of 43 metres are required either side of the access, measured from a point 2.4 metres back along the centre line of the access to the nearside kerb. This level of visibility can be achieved and secured through the imposition of a planning condition. The width of the access would be 5.5m up to the point of the agricultural access and then reduced to 4.8m which is considered to be acceptable and the Highways Officer has confirmed the tracked drawings demonstrate the access arrangements would accommodate all of the vehicle movements associated with the development including refuse vehicles.
- 9.20 A number of representations have been made which suggest that the proposed development should be accessed from Taskers Row. This has not been put forward by the applicant and the application has to be assessed based on the submitted information which proposes a new access off Slicketts Lane. The consultation response provided by BCC concludes that the access proposed would be acceptable and therefore an alternative route has not been sought. It is not considered that the cumulative impact of traffic movements associated with an additional 9 dwellings over and above the current situation would amount to severe harm which would justify the refusal of planning permission.
- 9.21 The Council's parking standards set out in SPG1 require three parking spaces within the curtilage for each dwelling with four or more bedrooms. The indicative plans show that this would be provided with on-plot driveways and garages but this would be assessed in further detail at reserved matters stage when the exact mix of dwellings and layout are known. From the indicative details submitted the proposals would provide sufficient parking in accordance with the SPG and policy GP24 of the AVDLP.
- 9.22 Overall it is considered that the site is sustainably located and would have an acceptable highways impact in terms of safety and convenience and would provide adequate parking, and therefore the proposal would comply with policies GP24 and RA36 of the AVDLP and

the NPPF in this regard. This factor is attributed neutral weight in the planning balance.

Conserving and enhancing the natural environment

- 9.23 In terms of the impact on the landscape, proposals should use land efficiently and create a well-defined boundary between the settlement and countryside. Permission will not be granted for development that impairs the character or identity of the settlement or the adjoining rural area. Regard must be had to how the development proposed contributes to the natural and local environment through protecting and enhancing valued landscapes and geological interests, minimising impacts on biodiversity and providing net gains where possible and preventing any adverse effects of pollution, as required by the NPPF.

Landscape

- 9.24 The application is supported by a Landscape and Visual Impact Assessment. It is not subject to any special landscape designations. The site was considered in the May 2016 HELAA where it was considered 'suitable' with the following site assessment:

'The site has no significant constraints, although there is currently limited access. Site is well related to settlement. Northern edge of site is within Flood Zone 2/3. The site also contains semi improved grassland with stream on the north boundary. To safeguard biodiversity assets, there is a need to retain a 10m buffer strip to the stream and buffer to the hedge on the north-west boundary.'

- 9.25 The site is an area of land at the end of Dove House Close which is part residential curtilage occupied by a detached dwelling but the majority is a former orchard. It is set at the edge of the village and exposed in views to the south-east. The other three sides of the site provide containment by means of the built form from Dove House Close and Taskers Row Bungalows, and the brook to the north-east.
- 9.26 The proposed development would result in a change on the site from a green field site comprising of residential curtilage and an orchard, to built form comprising of ten dwellings, and this represents a significant change to the landscape in landscape character and visual terms. However, the development and brook on three sides of the site provides physical and visual containment and limits this negative impact on the wider area. Further, the existing hedgerows are to be retained and there are opportunities for mitigation planting. The proposal also includes using a small portion of the adjacent field to provide a new access to the site but this is not considered to be significant in landscape terms. The indicative plans show a new line of planting on the eastern side of the access which would help to mitigate against the impact on views from the wider countryside across the field which is considered to be acceptable in principle and full details of landscaping could be secured by condition. In terms of views to the site from outside, it is considered the site would be seen in the context of the existing built form of the village and that the mitigation planting would provide necessary assimilation of the site in its surroundings.
- 9.27 Overall it is considered that the landscape impact would be limited due to the containment provided on three sides and the proposed landscaping as described above, would limit this impact to having a more localised impact only. In the planning balance, this is attributed limited negative weight.

Agricultural Land

- 9.28 Paragraph 112 of the NPPF advises that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land (BMV) and, where significant development of agricultural land is demonstrated to be

necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. There is no definition as to what comprises 'significant development' in this context but the threshold above which Natural England are required to be consulted has been set at 20 hectares so the site (1.09ha) falls well below this threshold.

- 9.29 The application site is part residential curtilage and part former orchard, and the access would be set in part of the adjacent field. The proposal would result in the permanent loss of a small amount grade 3 agricultural land (the total site area is 1.09ha but this includes residential curtilage). The protection of grade 2 and grade 3a best and most versatile agricultural land is promoted in the NPPF but since this land is outside this classification the development is considered to have no impact and therefore this factor is attributed neutral weight in the planning balance.

Trees and hedgerows

- 9.30 Policies GP39 and GP40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value. The site is a former orchard but the land is now clear and the only trees and hedgerows which may be affected by the proposal are restricted to those along the site boundaries. The D&A statement confirms that these will be retained with a 10m buffer away from the houses and a detailed landscaping scheme including retention of trees and hedgerows can be secured by condition. The creation of the new access would not require any removal of hedgerow as the field boundary is a fence. It is therefore considered that the proposal would have an acceptable impact on trees and hedgerows in accordance with GP39 and GP40 and relevant NPPF advice and this factor should therefore be afforded neutral weight in the planning balance.

Biodiversity

- 9.31 Paragraph 109 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity where possible.
- 9.32 The application is accompanied by an ecological impact assessment and the Council's Ecologist has confirmed they are satisfied with the report and but further mitigation measures will need to be incorporated into the development to ensure the provision of net ecological gains in accordance with the NPPF. These measures could be secured through the imposition of appropriate conditions. Overall it is considered that the proposal would not have a detrimental impact on biodiversity and would accord with the NPPF and this factor should therefore be afforded neutral weight in the planning balance.

Conserving and enhancing the historic environment

- 9.33 The NPPF recognises the effect of an application on the significance of a heritage asset is a material planning consideration. Paragraph 132 states that there should be great weight given to the conservation of designated heritage assets whilst paragraph 139 extends this provision to non-designated heritage assets with an archaeological interest.
- 9.34 The Council's Heritage Team have been consulted on the proposals and have concluded that due to the siting of the dwellings set behind Dove House Close, that the development would not have an impact on the setting of the nearby listed buildings. The proposed access would be set opposite the listed dwelling no. 6 Slicketts Lane which the Heritage Officer has not raised any objection to, and it is considered that this would not be a significant addition, being a level access through the existing fence, which would be landscaped to incorporate into the surroundings and provide a new boundary to the

adjacent open countryside. The impact on the other nearby listed building The Grove would be similar but this property is set further away from the access and separated by Dove House Close itself. Regard has been had to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the listed buildings are considered to be preserved and no harm can be demonstrated in NPPF terms. This factor should therefore be afforded neutral weight in the planning balance.

- 9.35 Representations have been made about the impact of the development on archaeology however the site is not designated as an archaeological notification site and therefore a consultation with BCC Archaeology has not been undertaken.

Promoting healthy communities

- 9.36 The NPPF seeks to promote healthy communities by facilitating social interaction and creating healthy, inclusive communities. Policies GP86-88 and GP94 seek to ensure that appropriate community facilities are provided arising from a proposal (e.g. school places, public open space, leisure facilities etc.) and financial contributions would be required to meet the needs of the development.
- 9.37 The development would comprise of ten dwellings with a total floor space over 1000sqm and therefore falls above the threshold for developer contributions. Given the scale of development there is no requirement for on-site provision of open space. However the developer would be required to make a contribution towards off-site leisure provision towards a specified project which would be secured by a legal agreement. This would address the requirements of policies GP86-88 and as such it is considered this factor should be afforded neutral weight in the planning balance. BCC Education officers have confirmed that no education contribution would be required.

Good design

- 9.38 The NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Development should function well and add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development and provide for an appropriate mix of uses, respond to local character and history, create safe and accessible environments which are visually attractive.
- 9.39 In para 60 the NPPF states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
- 9.40 Policy GP35 is also relevant and which requires new development to respect and complement the physical characteristics of the site and surroundings; the building tradition, ordering, form and materials of the locality, the historic scale and context of the setting; the natural qualities and features of the area; the effect on important public views and skylines.
- 9.41 The proposal is for a development of ten detached dwellings on a 1.09ha site. The Design and Access Statement states that the design of the dwellings have been carefully considered to relate to the architecture, scale and form of the surrounding properties. The proposed materials would be based on a traditional palette which relate to local character.
- 9.42 With regard to the density of the development, the proposed scheme would be fairly low in density at 9.2 dwellings per hectare but this takes into account the whole of the site, of

which the new access through the field occupies a significant proportion. Nevertheless the proposed density shown indicatively on the plans would be in keeping with the character of the surrounding area with properties Dove House Close and The Green occupying large plots. The proposed layout comprises of dwellings arranged around the perimeter of the site with 10m buffers provided to the north-east, north-west and south-west boundaries to protect the existing hedgerows and provide a buffer to the brook. The dwellings have been designed as a mix of 1.5 storeys and two storeys and these are shown on the indicative elevation drawings submitted, with the lower heights on the edge of the development where views are more open. It is not considered reasonable to restrict the development single storey only as there are two storey properties in the vicinity of the site and the existing property no. 5 Slicketts Lane has first floor accommodation with a ridge height of approximately 7m. Furthermore the drop in ground levels to the north and the physical containment of the site coupled with the proposed landscaping would provide effective mitigation such that first floor accommodation is considered to be acceptable in principle although full details will be provided at reserved matters stage.

- 9.43 The inclusion of the field to provide the new access is considered to be acceptable from a design point of view and the red edge boundary includes sufficient land for a robust landscaping scheme to be implemented to integrate the development with the surroundings and provide an sense of enclosure along the boundary with the open countryside.
- 9.44 Overall it is considered that the proposal would represent an appropriate form of design in the context of the site, in accordance with GP35 of AVDLP and NPPF advice. As such, it is considered this factor should be afforded neutral weight in the planning balance.

Meeting the challenge of climate change and flooding

- 9.45 The site is located within Flood Zone 1 and the site adjoins the Eaton Bray Brook which is within Flood Zone 3 beyond the north-east boundary. The application is accompanied by a Flood Risk Assessment. The application drawings show a 10m buffer to the brook being retained and the D&A statements confirms that surface water will be attenuated to reduce the existing surface water run-off rate on the site through the use of appropriate sustainable drainage solutions. A consultation response from the SuDS Officer at BCC has not been received but their comments will be reported to committee in a corrigendum report. The Bucks and River Ousel Internal Drainage Board have commented on the proposals and raise no objections subject to the imposition of conditions regarding storm water design and construction details.
- 9.46 The proposed dwellings would be required to be constructed to modern standards of design and sustainability to accord with current building regulations.
- 9.47 Overall, subject to the imposition of planning conditions to secure the drainage details, it is considered that the proposed development would be resilient to climate change and flooding and this factor should therefore be afforded neutral weight in the planning balance.

Impact on residential amenity

- 9.48 Policy GP8 of the AVDLP states that planning permission will not be granted where the proposed development would unreasonably harm any aspect of the amenity of nearby residents when considered against the benefits arising from the proposal. Where planning permission is granted, the Council will use conditions or planning obligations to ensure that any potential adverse impacts are eliminated or appropriately controlled. The NPPF seeks to ensure that a good standard of amenity for all existing and future occupants of land and buildings.

- 9.49 The proposal is for residential development comprising (indicatively) of ten detached dwellings accessed from a new access on the east side of Dove House Close. At this stage the matters of detailed appearance, layout and scale of the proposed development are reserved for approval at a later stage and therefore it is not possible to make a detailed assessment of the impacts of the proposed development on existing neighbouring properties. However an assessment can be made in relation to the principle of residential development on this site in relation to the surrounding properties.
- 9.50 The closest residential properties are on Dove House Close to the south-west and Taskers Row Bungalows to the north-west. In terms of the indicative layout the proposed dwellings would back onto the gardens of Dove House Close and adequate separation distances would be provided which would ensure no significant impact in terms of access to light, outlook and privacy. There is a greater separation distance between the site and Taskers Row Bungalows due to the access road in between, and this would ensure acceptable levels of amenity would be retained for the existing occupiers of these properties. It is considered that the indicative layout would provide an acceptable level of amenity for future occupiers of the proposed dwellings.
- 9.51 Concerns have been raised regarding the impact of the new access on the amenities of the existing residential properties in particular the listed dwelling The Grove which does not benefit from double glazing. An assessment has been made and it is considered that when compared to the existing situation, and given the distance of the property away from the proposed access, the impact would not be significant and would not justify refusal of planning permission on these ground alone.
- 9.52 Overall it is considered that the proposal would have the capacity to provide an acceptable level of residential amenity for existing and future occupiers in accordance with policy GP8 of the AVDLP and the NPPF, and this is attributed neutral weight in the planning balance.

10.0 WORKING WITH THE APPLICANT

- 10.1 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 and has focused on seeking solutions to the issues arising from the development proposal. In this case, following the receipt of amended plans, the application was found to be acceptable and approval is recommended.

Case Officer: Mrs Jennie Harris

Telephone No:01296 585284