

PLANNING STATEMENT
IN SUPPORT OF A PLANNING APPLICATION
FOR RESIDENTIAL DEVELOPMENT OF 12 DWELLINGS
ON LAND AT BISHOPSTONE ROAD, STONE, BUCKINGHAMSHIRE
ON BEHALF OF
MANOR OAK HOMES LIMITED



DECEMBER 2014

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1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared in support of a planning application by Manor Oak Homes Limited seeking planning permission for 12 no. dwellings on land at Bishopstone Road, Stone.
- 1.2 In addition to this Statement, the application should be read alongside the other supporting application documentation as listed below:
- Topographical Site Survey
 - Transport Statement
 - Design and Access Statement
 - Flood Risk Assessment
 - Site Waste Management Plan
 - Incoming Services Appraisal
 - Arboricultural Method Statement
 - Landscape Masterplan
 - Planting Plan
 - Ecology Assessment
 - All the necessary floor plans and elevations
 - Conservation Appraisal & Heritage Impact Assessment
- 1.3 The details and parameters of the layout of the proposed development, the scale of buildings proposed and landscaping details are set out on the accompanying site layout plan and supporting Design and Access Statement.
- 1.4 The following sections of this statement describe the application site and the surrounding area, describe the proposal and outline the planning policy framework relevant to consideration of the application. The final part of the report then assesses the proposal against this framework.
- 1.5 This statement draws on current Government Policies contained in the National Planning Policy Framework (NPPF) and Government Guidance contained within the National Planning Practice Guidance (NPPG), together with 'saved' policies in the adopted Aylesbury Vale District Local Plan (2004).

2.0 SITE DESCRIPTION

- 2.1 The application site is located in a central point within the village of Stone, directly accessible off Bishopstone Road. The residential area of the site is roughly triangular-shaped and covers an area of approximately 0.973ha. The land currently serves as agricultural land.
- 2.2 The site is bound by existing residential developments to the North and North West, sports pitches to the east and Bishopstone Road to the South and

South West. The northern edge is bounded by dense screening, with slightly sparser tree screening along the South Western and South Eastern edges.

- 2.2 There is currently no formalised access point off Bishopstone Road into the site – access is currently via a field gate entrance. A Public Right of Way dissects the site through the northernmost part of the site area, with access via a turn-style in the North-West corner.
- 2.3 There are no statutory designations covering the site, however the South-Western edge of the site abuts the Stone Conservation Area.

3.0 PLANNING HISTORY AND BACKGROUND

- 3.1 Kemp & Kemp has undertaken a planning history search of the site. This has identified the site has not been subject to any planning applications.

COMMUNITY CONSULTATION

- 3.2 Prior to submission of the application Manor Oak Homes engaged the local community via the distribution of leaflets to residents within the vicinity of the proposal site and those considered to be most affected by the proposals. The leaflet offered residents the opportunity to provide comments and feedback on the scheme.
- 3.3 In tandem, the leaflet included a link to access the supporting documentation which was added to Manor Oak’s website with a section specifically tailored to the proposed development.

4.0 PLANNING POLICY FRAMEWORK

- 4.1 The legislative framework for consideration of this application is provided by the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004.
- 4.2 Section 38 (6) of the 2004 Act states that:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

- 4.3 Section 70(2) of the Town and Country Planning Act 1990 states also that in the determination of applications:

"The Authority shall have regard to the provisions of a development plan, so far as material to the application, and to any other material consideration."

- 4.4 The Development Plan for the area comprises the saved policies of the Aylesbury Vale District Local Plan which was adopted in 2004. These policies are discussed below, but first consideration is first given to national guidance as set out in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) which are powerful material considerations.

The National Planning Policy Framework

- 4.5 The NPPF was published on 27th March 2012, replacing the Government's previous guidance contained within planning policy guidance notes (PPGs) and Planning Policy Statements (PPSs). The NPPF establishes the Government's overriding planning policy.

Presumption in Favour of Sustainable Development

- 4.6 The NPPF establishes a presumption in favour of sustainable development and recognises at paragraph 14 that:

"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking".

Paragraph 14 also states that:

"For decision-taking this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - 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; or
 - specific policies in this framework indicate development should be restricted."

Achieving Sustainable Development

- 4.7 The NPPF states at paragraph 6 that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 7 continues to state that there are three dimensions to sustainable development: economic, social and environmental, and that these dimensions give rise to the need for the planning system to perform a number of roles:

- **An economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **A social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and
- **An environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

4.8 Paragraph 8 makes it clear that those roles should not be undertaken in isolation; they are mutually dependant.

Core Planning Principles

4.9 Paragraph 17 sets out the Government’s Core Planning Principles and states that planning should:

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- support the transition to a low carbon future in a changing climate, taking account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources;
- contribute to conserving and enhancing the natural environment and reducing pollution;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;

- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Delivering a Wide Choice of High Quality Homes

4.10 Paragraph 47 sets out five ways in which local planning authorities (LPAs) can 'boost significantly the supply of housing'. LPAs are required to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing with an additional buffer of 5% to ensure choice and competition in the market for land. In cases of persistent under delivery of housing, LPAs should increase the buffer to 20%. Local planning authorities are also required to identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible years 11-15. For market and affordable housing, LPAs are required to illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy.

4.11 In circumstances where a LPA is unable to demonstrate a five-year supply of deliverable housing sites, paragraph 49 states:

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

4.12 The guidance provided by the NPPF makes it clear therefore that where a five year supply of housing cannot be demonstrated, planning applications for residential development should be considered favourably against paragraph 14 of the NPPF.

Requiring Good Design

4.13 Paragraph 56 states that the Government attaches great importance to the design of the built environment, and that:

“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”

4.14 Paragraph 58 states also that planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; and
- are visually attractive as a result of good architecture and appropriate landscaping.

The National Planning Practice Guidance

- 4.15 In March 2014, the Department for Communities and Local Government (DCLG) published the National Planning Practice Guidance (NPPG). The NPPG is a web based resource providing information on various topic areas. Over 150 documents have been cancelled by the publication of the NPPG including Technical Guidance and Circulars.
- 4.16 There is extensive guidance on a wide range of technical issues such as water quality, air quality, noise and technology. However, these are not considered in detail here.

Aylesbury Vale District Local Plan (2004)

- 4.17 The Aylesbury Vale District Local Plan (AVDLP) was adopted in January 2004 and many of the policies were subsequently 'saved' by way of a direction from the Secretary of State on 26th September 2007. Those 'saved' policies considered to be relevant to the consideration of this planning application are: Policies GP2, GP8, GP24, GP35, GP38, GP39, GP40, GP84, GP86, GP88, GP90, RA2 and RA13.
- 4.18 Before briefly summarising each below it is important to point out that the AVDLP only sought to guide development within the District up to the year 2011. It is therefore out of date and the weight that should be attached to the relevant policies depends on whether they are consistent with the NPPF. In short, it is clear that for the most part, the NPPF should take precedence over policies in the AVDLP; in particular those that seek to direct and control new housing in the District.
- 4.19 Policy GP2 sets out that a minimum of 20% of the total number of dwellings on developments of 25 or more dwellings will be affordable.
- 4.20 Policy GP8 states that permission will not be granted where the proposal would unreasonably harm any aspect of the amenity of nearby residents.

- 4.21 Policy GP24 states that new development will be required to provide vehicular parking in accordance with the Council's operative guidelines published as supplementary planning guidance.
- 4.22 GP35 inter alia sets out how the design of new development should respect and complement the physical characteristics of the site and surroundings and the building tradition, form and materials of the locality.
- 4.23 Landscaping and tree requirements are set out in Policies 38, 39 and 40. These state that new developments should include landscaping proposals to help buildings fit in with and complement their surroundings, and conserve existing natural and other features of value as far as possible.
- 4.24 Policy GP84 states that development affecting a PROW will be assessed in terms of the convenience, amenity and public enjoyment of the route and the desirability of its retention or improvement for users. Planning conditions will be imposed on planning permissions to enhance PROW retained within development schemes.
- 4.25 Policy GP86 sets out that new housing proposals should include sufficient outdoor play space to meet requirements associated with the development. This will be ordinarily based on a standard of 2.43 hectares outdoor play space per 1000 population.
- 4.26 Policy GP88 states that planning agreements to secure outdoor play spaces of facilities will be used to secure such provision when either it is not practicable on site or is better made elsewhere.
- 4.27 Where development raises the need for the provision of indoor sports facilities, Policy GP90 states this will be secured by planning obligations.
- 4.28 Policy RA2 states that new development in the countryside should avoid reducing open land that contributes to the form and character of rural settlements.
- 4.29 Policy RA13 sets out that within the built-up areas of settlements listed in Appendix 4 of the Plan (which Stone is listed as) residential development will be restricted to small-scale areas of land. Permission will only be granted for residential development comprising: infilling of small gaps in developed frontages, and up to 5 dwellings on a site that consolidates existing settlement patterns.
- 4.30 Following a report to Cabinet dated 3rd February 2014, the Council's proposed new Local Plan, which would have replaced the existing 'saved' and out-of-date policies, was withdrawn following receipt of an Inspector's letter setting out his conclusions that he would be recommending non-adoption of the plan. Not least because he concluded the overall housing provision in the plan was

not a result of effective co-operation and collaboration with other relevant authorities. The Council has commenced a new Local Plan but this is in its infancy stages and can be afforded no proper weight in decision-making.

- 4.31 It is now 10 years since the AVDLP was adopted. As the following chapters will demonstrate, the policies in relation to the supply of housing are now considered to be out-of-date. Where the development plan is out-of-date, permission should be granted in the context of sustainable development, unless any adverse impacts outweigh the benefits.

5.0 THE 5 YEAR SUPPLY

- 5.1 The NPPF paragraph 47 seeks to boost significantly the supply of housing and Local Planning Authorities (LPAs) are required to use their evidence to ensure Local Plans meet the full, objectively assessed need for market and affordable housing in the housing market area as far as is consistent with the policies in the NPPF.
- 5.2 There is no up-to-date adopted development plan which sets out housing requirement for Aylesbury Vale. The Council's most up-to-date Five Year Housing Land Supply Position Statement, October 2014, reflects this position stating at paragraph 2.2 that the current position statement: *"does not represent fully objectively assessed need for the purposes of the NPPF"*, further stating: *"in considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development"*. It also states: *"The Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, without delay, unless material considerations indicate otherwise"*.
- 5.3 The Council's interim position (1st April 2014 to 31st March 2019), taking into account a 20% additional buffer requirement, is stated to be a 4.3 years supply.
- 5.4 It is clear that the Council concede that they cannot demonstrate a 5 year supply of housing. Applications for development should therefore be considered within the context of sustainable development.

6.0 PLANNING ASSESSMENT

Principle of Development

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a powerful material consideration in planning decisions and confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. It further states at paragraph 49 that housing applications

should be considered in the context of the presumption in favour of sustainable development.

- 6.2 The site is within the central area of the village of Stone and would not result in coalescence or the expansion of the built area into open countryside. The proposal complies with the broad locational principles of Policy RA13, albeit the size of the development exceeds the 5 dwelling threshold. The area also sits outside the Conservation Area but the quality of the design proposed would both preserve and enhance the character of the village and there would be no impact upon the character or appearance of the Conservation Area.
- 6.3 However as set out above, the Council cannot demonstrate a 5 year supply of deliverable housing sites as required by paragraph 47 of the NPPF and therefore relevant policies for the supply of housing are not up-to-date. When policies are out-of-date, paragraph 14 of the NPPF is engaged which brings with it a presumption in favour of sustainable development and requires that planning permission is granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF, or specific policies in the NPPF indicate development should be restricted.
- 6.4 Notwithstanding the foregoing, it is also relevant to reiterate that the AVDLP only guides development and investment within the District up to the year 2011 and in this regard the policies guiding new housing development are also out-of-date.
- 6.5 Stone is an inherently sustainable location, being one of the larger villages in the District. The application site is well related to the existing village and within walking distance of village facilities. The site represents a sustainable location for development and is on a main arterial route into and being less than 3 miles from Aylesbury; therefore benefitting from good accessibility credentials. In 2011 the settlement of Stone was recorded as having a population of 1,902 – the proposal would increase the housing stock by 12 houses which represents a negligible increase in the size of the village.
- 6.6 There are no adverse impacts associated with the proposed development that would significantly and demonstrably outweigh the benefits of providing much needed housing nor are there any specific policies in this Framework that indicate development should be restricted as discussed below. It follows that in accordance with paragraph 14 the proposal should properly be approved.

Access and Highways

- 6.7 One of the core planning objectives of national policy as set out within the NPPF is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and to focus significant development in locations which are or can be made sustainable.

- 6.8 The NPPF further sets out that planning policy should aim for a balance of land uses so that people can be encouraged to minimise journey lengths. For larger scale residential developments, a mix of uses are encouraged by the NPPF in order to provide opportunities to undertake day-to-day activities (including work) on site.
- 6.9 The proposals ensure that the existing public right of way is maintained within the site layout. Access to the site will be directly off Bishopstone Road; this will involve the upgrading of the existing field gate access point to a simple priority junction. A pedestrian and cycle access will be provided via the site's main access along the site's south west boundary.
- 6.10 Car and cycle parking standards are planned for in line with the Council's Supplementary Planning Guidance 1: Parking Guidelines.
- 6.11 The application is accompanied by a Transport Statement produced by JPP Consulting. The statement highlights the sustainability credentials of the site, demonstrating that the site will be served by a collection of regular bus services to Aylesbury and Oxford, providing occupants of the development with a viable and sustainable alternative to the private car. Similarly, the Transport Statement demonstrates that the site's central location enables adequate access to locally available services and facilities.
- 6.12 JPP Consulting have calculated the trip rate generation and it is predicted the proposed development will generate 14 new vehicle trips in the morning peak period and 12 new trips during the evening peak period. This level of new vehicle trips is unlikely to be noticeable above daily fluctuations in background traffic.
- 6.13 It is therefore concluded that the development will not be considered 'severe' on highways grounds and is therefore compliant with paragraph 32 of the NPPF.

Density, Mix and Character

- 6.14 The development of this site would provide 12 dwellings at approximately 14 dwellings per hectare. This level of density reflects the prevalent character of the area and will therefore read as a complementary addition to the prevalent build pattern. The site layout demonstrates that the development proposed can be accommodated on the site while incorporating best practice urban design principles; providing future occupiers with a high quality living environment and respecting the character of the surrounding area. In comprehensively developing the land for the proposed uses the proposal will make the most effective and appropriate use of the land in a manner which would not be piecemeal.

- 6.15 The site sits outside the Stone Conservation Area but is on the immediate edge. The design has been tailored to reflect this sensitive setting, using materials and forms to reflect the local vernacular. The accompanying Design and Access Statement provides greater detail as to the design rationale for the illustrative scheme, having regard to the site's opportunities and constraints; however it is clear that the proposals meet the tests of preserving and/or enhancing the character of the Conservation Area.
- 6.16 The proposal for 12 no. dwellings falls well below the affordable housing threshold of 25 dwellings as per the requirements of 'saved' policy GP2. The applicant therefore takes the view that no affordable housing should be required from this development.
- 6.17 This statement demonstrates that there are no impediments to development and the site can be readily available and deliverable for housing without delay; this is a clear and tangible benefit of the scheme which will assist in boosting the supply of housing in the District which is currently experiencing a significant under-supply. Furthermore, the proposal will deliver a range and mix of housing types to meet local housing need.

Visual Amenity

- 6.18 The northern boundary residential properties on Stone Croft and Manor Farm Close are sufficiently set away from the proposed development and screened by a dense band of trees that will prevent any adverse impact on residential amenity. The layout of the scheme has also been tailored to address this matter, providing a wide area of open space north of the retained PROW; therefore ensuring a high degree of separation is retained.
- 6.19 To the south of the site lies open fields and protection of the amenities of properties to the east is afforded by virtue of the separation provided by Bishopstone Road.
- 6.20 There are no identified important views across the site and the public footpath is sufficiently set away from the development to ensure the desirability of its usage is not adversely affected.

Flood Risk and Drainage

- 6.21 The application is supported by a Flood Risk Assessment (produced by JPP Consulting) as required by the NPPF. Utilising the Environment Agency's flood maps, the study has ascertained that the site falls within Flood Zone 1; and as such, the site is at a low risk of flooding from rivers.

- 6.22 The study also identifies that the site has not been historically affected by flooding caused by ground water, with the report therefore concluding that the probability of flooding on the site from groundwater is low.
- 6.23 Surface water from all dwellings, private drives and adopted roads will be drained via permeable paving. The nature of the sites surface water drainage ensures that surface water can be managed and disposed of within the site boundary, therefore complying with the Planning Practice Guidance for 'Flood Risk and Climate Change'.
- 6.24 On the basis that the site falls within Flood Zone 1 and has no historical evidence of flooding, the site is considered to be entirely acceptable for residential development and neither the sequential or exceptions need be applied. The proposal is therefore fully compliant with the requirements of paragraph 100 of the NPPF

Arboriculture and Ecology

- 6.25 The application is supported by a detailed Arboricultural Method Statement that has been produced by First Environment Limited. This includes a survey which identifies 31 individual trees, 5 groups and 2 hedges.
- 6.26 As proposed the development would result in the loss of 1 category 'C' tree (Tree 31), the clearance of two category 'C' groups (G4 & G5), and the partial clearance of one category 'C' hedge (H2). These trees are of limited arboricultural, landscape or amenity benefit. In this context their loss is considered acceptable. What is more, the development proposal will bolster existing boundary planting and include further tree planting within the site, for example along the existing Public Right of Way.
- 6.27 The accompanying Ecological Survey, also produced by First Environment Limited, demonstrates that the development proposal is unlikely to impact significantly on wildlife, so long as the appropriate mitigation measures are taken, and it will not lead to a significant loss of habitat in the area.
- 6.28 It follows that from an arboricultural and ecological perspective, the proposed development will accord with national guidance and local policies.

Heritage Issues

- 6.29 The application is supported by a Conservation Appraisal and Heritage Impact Assessment that has been prepared by Asset Heritage Consulting. This concludes that the proposals are compatible with the surrounding area and will not harm the setting of the Stone Conservation Area or the setting of the Listed Building.

- 6.30 As such the proposed development is considered to be in accordance with national guidance and local policies, including the Stone Conservation Area Appraisal.

Infrastructure and Planning Obligations

- 6.31 Manor Oak Homes Limited will enter into a Section 106 Agreement to ensure pressures on local infrastructure and services will be mitigated. In pursuing these matters the applicant will have regard to the requirements of S122 of CIL Regulations and paragraph 204 of the NPPF.

7.0 SUMMARY AND CONCLUSIONS

- 7.1 Aylesbury Vale District Council cannot demonstrate a 5 year supply of deliverable housing sites as required by Paragraph 47 of the NPPF. The NPPF recognises at Paragraph 49 that where a Local Planning Authority cannot demonstrate a 5 year supply of deliverable housing land, the policies for the supply of housing should be considered out-of-date, which brings into play the presumption in favour of sustainable development set out at Paragraph 14 of the NPPF.
- 7.2 Paragraph 14 of the NPPF states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweighs the benefits, when assessed against the policies of the NPPF or specific policies in the NPPF indicate development should be restricted.
- 7.3 Stone has been shown to be a sustainable location for future housing growth and has identified by the Council as one of the District's large village settlements. The site has good access to the village facilities and public transport links. The proposed development represents sustainable development.
- 7.4 The trip rates generated from the development will be negligible and result in no perceivable harm on the local highways.
- 7.5 Furthermore, no specific policies in the NPPF indicate that development should be restricted on the application site and the supporting technical reports demonstrate that the proposal would not give rise to any significant adverse impacts which would outweigh the benefits of providing additional housing at a sustainable location.
- 7.6 In light of the forgoing, and having regard to the planning policy considerations set out above, the weight of evidence lies with a decision to approve the planning application.