

AYLESBURY VALE DISTRICT COUNCIL

Planning

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Mr Jolyon Mitchell
Miramar Design Ltd
8 Short Hale
Pitstone
LU7 9FF

Dear Mr Jolyon Mitchell

Site address: The Granary Reads Lane Cublington Buckinghamshire LU7 0LE

Details of proposal: New Dwelling

Site Description

The subject building is a garage with log store ancillary to the 'The Granary' which is a large detached dwelling with annexe. The garage building is set back from Reads Lane by approximately 43m with the main dwelling set a further 35m into the plot, south of Reads Lane.

The building is timber clad, with timber garage doors and a small timber window, with a tiled roof. The building has openings on its southern elevation facing back towards the host dwelling and annexe, there are no openings facing towards Read Lane or on any other elevation of the building. The building was granted consent under application reference 11/00319/APP.

The main dwelling was delisted on 17th September 2010.

Site Constraints

Cublington Conservation Area
Great Crested Newt Impact Zone
Quanton Wing Hills Area of Attractive Landscape

Site Planning History

10/02259/APP - Conversion and extension of detached garage to provide residential annexe
- Refused

11/00319/APP - Detached garage with log store and tarmac hardstanding - Approved

12/00338/APP - Conversion of garage and front extension to create annexe - Approved

14/02622/APP - Single storey rear infill extension – Approved



Other relevant planning history

Land Adjacent To Creslow Lodge, Reads Lane

10/02230/APP – New detached dwelling and garage – Refused – Allowed on appeal reference APP/J0405/A/11/2146516

13/03020/APP - Erection of one new detached dwelling and double detached garage- Approved

The Old Stables, Reads Lane

12/02527/APP - Single storey extension to outbuilding to form self-contained annexe - Approved

Relevant Planning Policy

Neighbourhood Plan

There is no neighbourhood plan for Cublington

Aylesbury Vale Development Local Plan (AVDLP)

GP8: Protection of the Amenity of Residents

GP9: Extensions of Dwellings

GP24: Car Parking Guidelines

GP35: Design of New Development Proposals

GP38: Landscaping

GP39: Existing Trees and Hedgerows

GP40: Retention of existing Trees and Hedgerows

GP53 Development in Conservation Areas (to be afforded minimal weight)

RA8 Development in Areas of Attractive Landscape and Local Landscape Areas

Supplementary Planning Guidance (SPG):

Parking Guidelines (April 2002)

Emerging policy position in Vale of Aylesbury District Local Plan

A number of policies within the VALP following the main modification consultation which started on the 5th November 2019, are now afforded some weight in the decision making process. Consideration therefore needs to be given to whether the proposal is in accordance with or contrary to these policies. The VALP is anticipated to be adopted in early 2020 and as such it is likely that, if an application is submitted in the future, the VALP will at that time be given full weight. Those policies considered relevant to this scheme include:

S1: Sustainable development for Aylesbury Vale (considerable weight)

S2: Spatial strategy for growth (moderate weight)

S3: Settlement hierarchy and cohesive development (moderate weight)

D4: Housing Developments at smaller villages (moderate weight)

H6c: Accessibility (moderate weight)

T1: Delivering the sustainable transport vision (moderate weight)

T6: Vehicle Parking (moderate weight)

BE1: Heritage Assets (moderate weight)

BE2: Design of New Development (moderate weight)

BE3: Protection of Amenity (considerable weight)

NE1: Biodiversity and Geodiversity (moderate weight)

NE4 Landscape character and locally important landscape (moderate weight)
NE8 Trees, hedgerows and woodlands (moderate weight)

National Planning Policy:

National Planning Policy Framework (2019)

Principle of development

In application reference 10/02259/APP it was considered that the existing annexe building to the south of the application building was tantamount to a new dwelling and should be refused due to it being a *'new dwelling in the countryside which is not necessary for the purposes of agriculture or other exceptional reasons'*. This building was later granted consent as an annexe under 12/00338/APP which revised the scale of the building. However, in allowed appeal reference APP/J0405/A/11/2146516 (10/02230/APP) the Inspector commented that the *'Reads Lane now clearly and precisely defines the northern boundary of this part of the settlement, bringing the appeal site within the village envelope'*. This contrasted earlier views, discussed in earlier applications at the subject site and surrounding sites that the location would be outside the settlement boundary, in the open countryside. With this in mind policy RA11 of the AVDLP relating to conversion of building in the countryside and policy C1 of the VALP Conversion of rural buildings are not applicable to the site assessment.

Policies RA13 and RA14 of the AVDLP relating to the supply of housing districtwide form part of that overall housing strategy, are now out of date, given that these identified housing targets for the plan period up to 2011 and the evidence relating to the districts need has changed significantly since these policies were adopted, and are not consistent with the NPPF policies to significantly boost the supply of housing based on up to date evidence. RA13 and RA14 sought to take a protective approach to development and can only be given very limited weight when considering proposals within or at the edge of settlements identified in Appendix 4 of the AVDLP (which includes Cublington). Development proposals on sites are to be considered in the context of policies within the NPPF which sets out the presumption in favour of sustainable development at paragraph 11.

Whilst policies RA13 and RA14 of the AVDLP can only be given very limited weight, the emerging VALP policy D4 can now be given moderate weight and is of relevance with Cublington being defined as a Smaller Village in the Settlement Hierarchy Assessment (SHA). It is considered that the site is broadly compliant with policy D4. Policy D4 states that:

Where there is no made neighbourhood plan in place, new housing development at smaller villages will be supported where it contributes to the sustainability of that village and is in accordance with all applicable policies in the Local Plan, provided that the proposed development fulfils all of the following criteria:

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

The existing developed footprint is described in the VALP as being:

The existing developed footprint is defined as the continuous built form of the village, and excludes individual buildings and groups of dispersed buildings. The exclusion covers former agricultural barns that have been converted, agricultural Proposed Vale of Aylesbury Local Plan as Proposed to be Modified 165 buildings and associated land on the edge of the village and gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where the land relates more to the surrounding countryside than to the built-up area of the village.

As stated above it is considered by the officer that the site would be within the settlement boundary and given the surrounding development pattern within the existing developed footprint.

The development would not result in coalescence with neighbouring settlements and is of a small scale, for 1 dwelling.

It is considered by the officer from the information provided that the development would respect natural boundaries and from the initial site inspection there were no significant environmental impacts that would arise from the development; however, as discussed below this would require a further assessment should an application be forthcoming.

Cublington is considered a relatively unsustainable location with the SHA stating that it provides only 3 key services and that it has a 'Very small population and poorly connected to a large service centre (Leighton Buzzard nearly 5 miles away). Some provision of key services and limited employment.'. However, given that the proposal is for 1 unit of limited size and, whilst limited, there is provision of a bus service within 300m as the crow flies from the building. It is considered by the officer that given the limited scale of the development that the development could be served by existing infrastructure.

As stated above, it is considered by the officer that the development would be policy compliant and therefore, in the informal opinion of the officer, the proposal would be broadly acceptable in principle subject to all other material planning consideration.

Impact on Heritage Assets and Design

Whilst the building is a relative new build and the host building is no longer listed, the host building is still a building of heritage note and the site is located in the Cublington Conservation Area and Quainton Wing Hills Area of Attractive Landscape; consideration therefore needs to be had to the impact the proposals would have on these designations.

Policy GP.53 of the AVDLP requires new development in Conservation Areas seeks to preserve or enhance the special characteristics of the conservation area; not cause harm to the character or appearance of the Conservation Areas, their settings or any associated views of or from the Conservation Area; must respect the historic layout, scale and form of buildings, street patterns, open spaces and natural features in the Conservation Area that contribute to its character and appearance; and that proposals for alterations, extensions and changes of use must respect and complement the character, materials and design details of the structure and site concerned and its neighbours. Policy GP.53 of the AVDLP is to be given limited weight as it is inconsistent with the language of the NPPF by failing to incorporate the balancing test contained in paragraph 196 of the NPPF. The policies in the AVDLP with regard to Listed Buildings have not been saved; this aspect is therefore assessed against the content of the NPPF.

Policy GP.35 of the AVDLP requires development to respect and complement the physical characteristics of the site and the surroundings, the building tradition, ordering, form

and materials of the locality, the historic scale and context of the setting, the natural qualities and features of the area and the effect on important public views and skylines. This policy is in general conformity with the NPPF (2019) which states in paragraph 124 that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 126 states that visual tools such as design guides and codes provide a framework for creating distinctive places, with a consistent and high quality standard of design.

Policy BE1 of the emerging VALP states that the council will support development proposals that do not cause harm to, or which better reveal the significance of heritage assets; require development proposals that cause substantial harm to, or loss of a designated heritage asset and its significance, including its setting, to provide a thorough heritage assessment setting out a clear and convincing justification as to why that harm is considered acceptable; where that case cannot be demonstrated proposals will not be supported unless the harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss and accord with the requirements of national guidance, and require development proposals that cause less than substantial harm to a designated heritage asset to weigh the level of harm against the public benefits that may be gained by the proposal, including securing its optimum viable use.

Policy BE2 of the emerging VALP states that all new development proposals shall follow the guidance set out within the Council's design SPD and shall respect and complement: a)The physical characteristics of the site and its surroundings including the scale and context of the site and its setting, b)The local distinctiveness and vernacular character of the locality, in terms of ordering ,form, proportions, architectural detailing and materials, c)The natural qualities and features of the area, and d)The effect on important public views and skylines.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The current proposals involve large (in context of the existing building) northern and southern extensions to the building. It is considered that the proposals would not be subservient to the existing building and that in the proposals would not be supported in their current form. A reduction in the scale of the proposed extensions to the build are considered necessary for the development to be favourable.

Should the extensions be reduced to an acceptable scale it is advised materials to match are used and the rural appearance of the building is retained. New openings should be kept to a minimum. Whilst it is acknowledged that the building is not a farm building the council's 'Design Guide 2 – The Conversion of Traditional Farm Buildings' is considered a useful guide in relation to conversion of traditional style buildings.

It is the officer's informal opinion that a sensitively designed extension and conversion of the building has potential to preserve its appearance and cause no harm to the surrounding heritage assets and landscape compliant with the aforementioned policies.

Neighbouring Residential Amenity

AVDLP policy GP8 indicates that proposals will be granted if the development does not unreasonably harm any aspect of the amenity of nearby residents when considered against the benefits arising from the proposal.

Policy BE3 of the emerging VALP seeks to protect the amenity of existing residents and to achieve a satisfactory level of amenity for future residents. This policy can currently be given

considerable weight as whilst there are objections, the inspector has not requested main modifications and therefore can be regarded as being resolved.

Paragraph 127 of the NPPF seeks to ensure that development create places with a high standard of amenity for all existing and future occupants.

The existing building is located over 30m from the host and separated from dwellings to the east and west by strong boundary features. With the building being single storey and limited in scale it is considered that, with the inclusion of a landscaping condition, vegetation could be inserted between the current host dwelling and the building creating a visual barrier between the two and thus retaining privacy for both properties.

The creation of amenity space for the proposed dwelling would need to be carefully considered as to retain openness from the road but provide an adequate area of private amenity space for potential future occupants. It is the officers informal opinion that the loss of amenity space for the host dwelling is acceptable given the existing large garden space to the front and rear.

Highways Impacts

Paragraph 108 of the NPPF requires that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be taken up, safe and suitable access to the site can be achieved and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 109 states, that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The promotion of sustainable transport is an important principle of the NPPF and patterns of growth should be actively managed 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.

AVDC's parking policy GP24 of the AVDLP requires that new development accords with published parking guidelines. SPG1 "Parking Guidelines" at Appendix 1 sets out the appropriate maximum parking requirement for various types of development.

Policy T1 of the emerging VALP states that there is an emphasis on encouraging modal shift with greater use of more sustainable forms of transport and improving the safety of all road users. Policy T6 of the emerging VALP states that development must provide the appropriate level of parking. These policies can currently be given moderate weight in the decision making process as the Inspector has considered the proposed modifications and in agreeing them for consultation, has confirmed are reasonably satisfied that they remedy the points of unsoundness identified in the examination process so far.

It is generally considered that the access to the site is acceptable for the limited size dwelling proposed, however accommodation of increased vehicle movements should be considered including a passing bay and widening of the entrance gateway.

It is considered that there is ample space within the site to meet the council's parking requirements.

Biodiversity and Trees

Consideration is given to how the development proposals contribute to and enhance the natural and local environment.

Section 15 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services -including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

Policies GP39 and GP40 of the AVDLP seek to protect and oppose the loss of important trees and hedgerows.

Policy NE8 of the emerging VALP seeks to ensure that development enhances and expands on the districts tree and woodland resource.

Trees

The proposed development is close to a number of trees. Policy GP.39 of the AVDLP specifically requires that for planning applications for development affecting trees or hedges the Council will: a) require a survey of the site and the trees and hedges concerned; b) serve tree preservation orders to protect trees with public amenity value; and c) impose conditions on planning permissions to ensure the retention or replacement of trees and hedgerows of amenity, landscape or wildlife importance, and their protection during construction. It is therefore considered likely, depending on the future submitted scheme (should one be forthcoming), that a tree survey would be required noting any impacts on trees including their root systems.

Ecology

The site has been identified within a Great Crested Newt impact zone and therefore whilst it is considered unlikely by the officer, given the scale of the proposed development, that it would impact Great Crested Newts, any future application would be required to be assessed by the council's Ecology team.

Paragraph 170 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity. Consideration should therefore be had to where ecology enhancements can be made throughout the proposals.

AVDC has produced a leaflet and advice note '*Biodiversity and the planning process*' regarding planning and biodiversity, which is available on our website.

Flood Risk

It is not considered that the proposals would exacerbate flood risk in locality. However, materials for any hardstanding proposed should be porous.

Conclusion

In summary, it is the informal opinion of the officer that the principle of the conversion of the building to a dwelling is generally considered acceptable, however as detailed above, there are concerns with the current scale and design of the proposed extensions to the building.

You will appreciate that at this stage advice can be offered on an informal basis only, and should not be taken to represent a formal determination by the Local Planning Authority nor does it cover Building Regulations. Any subsequent application would be considered in the light of Development Plan policies, all material considerations including Government advice, technical advice and public comment. In addition, if an application is submitted, issues not addressed in this response may be considered relevant. Nevertheless, I hope this letter is helpful to you.

If you wish to submit a planning application, this would be subject to the usual publicity in order to provide members of the public and the Parish Council an opportunity to comment. Any comments received would be taken into account on the application. We would require the drawings accompanying a formal application to be scaled at workable scale, usually 1:50 or 1:100, along with a plan of the site to a scale of 1:200 or 1:500 showing the proposed provision of parking spaces and the footprint of the extension in relation to the site boundary. We would also require a site location plan (scale 1:1250/1:2500) to be submitted along with the forms and drawings.

Yours faithfully,

William Docherty
Planning Officer