



Planning, Design and Access Statement

Location: Adstockfields Farm, Buckinghamshire, MK18 2JE
Proposal: The conversion of part of a redundant agricultural building to visitor facilities and ancillary retail to the distillery (Class E)
Prepared for: Mr J Nicholson
Date: October 2023

| | | | |
|-----------------------|---|---------------------|--|
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Appendix 1 Planning Policy



1 Introduction

1.1 This Planning Statement has been prepared by Edgars on behalf of Mr J Nicholson ('the applicant'), in support of a planning application for:

'The conversion of part of a redundant agricultural building to visitor facilities and ancillary retail to the distillery (Class E)'

at Adstockfields Farm, Adstock, Buckinghamshire, MK18 2JE.

1.2 The document is structured as follows:

- Section 2 introduces the site context (in relation to the constraints and character of the site and its surroundings);
- Section 3 establishes the relevant planning history;
- Section 4 establishes the relevant planning policy;
- Section 5 describes the proposed development;
- Section 6 assesses the key planning considerations; and
- Section 7 concludes the statement and demonstrates how the proposal accords with the development plan and national policy.

1.3 The following documents are provided as part of this application:

- Planning Statement – this statement
- Ecology and Trees Checklist
- Transport Statement (prepared by Paul Basham Associates)
- Preliminary Ecological Appraisal, Preliminary Bat Roost Assessment, Biodiversity Net Gain Report, and Biodiversity Metric (prepared by Bernwood Ecology)
- Non Licensed Method Statement (prepared by Bernwood Ecology)
- Drawings (prepared by Peak Building Consultant):
 - Location Plan (ref: 06A_Adstockistan Location Plans)
 - Proposed Site Plan (ref: 05B_Adstockistan Proposed Site Plan)
 - Existing Plans and Elevations (ref: 01_Adstockistan Existing)
 - Proposed Plans & Elevations (ref: 02D_Adstockistan Proposed - Option 2)
 - Proposed Section AA (ref: 03A_Adstockistan Proposed Section AA)
 - Proposed Section BB (ref: 04_Adstockistan Proposed Section BB)



2 Site and Surrounding Area

Site Location

- 2.1 Adstockfields Farm is located 1.5km north to the highway A413 and 1.1km south to the Pilch Lane which connects to the A421 to the north. The site is around 1.5km north east of Adstock village and 2km south west of Greet Horwood. The site location is illustrated at **Figure 1**.

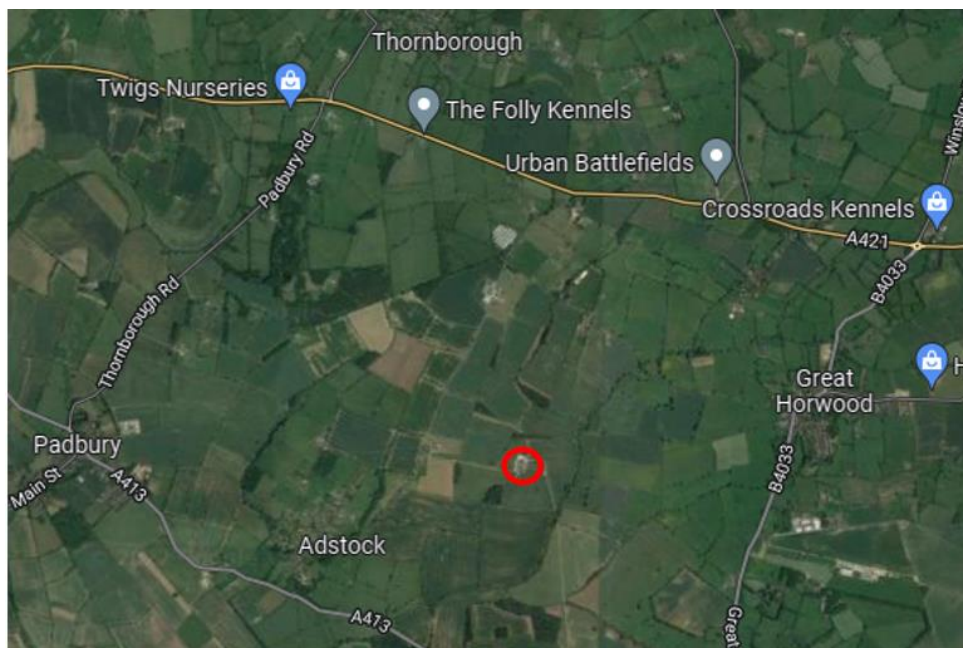


Figure 1: Site location at district scale

- 2.2 Adstockfields Farm is situated in an open countryside bounded by agricultural fields, smaller blocks of woodland and newly planted orchards. Adstockfields Farmhouse is situated to the south of farm buildings and yard, and a further farm cottage (Spring Cottage) is located to the east.

Wider Area Context

- 2.3 Adstockfields Farm is located 1.5km to the north east of Adstock village, which is categorised as a smaller village in Aylesbury Vale district of Buckinghamshire.
- 2.4 The site sits between Buckingham and Winslow. As part of Phase 1 of East-West Rail, there is to be a new railway station located in Winslow, which is located approximately 3.3km south east from Adstockfields Farm.

Site and Immediate Surroundings

- 2.5 As shown in **Figure 2**, on the north side of Adstockfields Farm is Building A which is a steel grain and machinery store. Planning permission (ref: 23/01190/APP) has recently been granted for the erection of a new building for a distillery (Class B2) to the north of Building A.



- 2.6 Building B is located in the centre of the farm and is currently used for agricultural storage.
- 2.7 Building C is the application building and forms a courtyard north of the Adstockfield Farmhouse. This U-shaped building was once calf pens but is now currently utilised for ad hoc storage for the farm and farmhouse in the central and eastern range, and as a swimming pool in association with the farmhouse in the western range. Buildings located to the south and west of Building C (outlined in yellow) are residential dwellings.



Figure 2: Layout of the Adstockfields Farm



Figure 3: Existing calf pens and part of the building to be converted



- 2.8 As the yellow arrows indicated at **Figure 4**, Adstockfields Farm (outlined in red) can be accessed from either Pilch Lane from north, Adstock village to the south west, or from the A413 from the south through Hanover Farm.



Figure 4: Access guidance to Adstockfields Farm

- 2.9 There is a footpath and bridleway to the west of the farm (outlined in red). Specifically, footpath ADS/8/1 and ADS/8/2 (purple lines) meet with bridleway ADS/9/3 (green line) at 725m west of the site, as shown at **Figure 5**.



Figure 5: Public Rights of Way near the site.



Planning Designations and Features

- 2.10 There are no listed buildings, Scheduled Monuments, World Heritage Sites, Registered Battlefields and Registered Parks and Gardens within or near the site.
- 2.11 The site and its surroundings fall within the Undulating Clay Plateau landscape character type and specifically forms part of the A421 Ridge landscape area (as defined by 2008 Aylesbury Vale Landscape Character Assessment). The site sits between the A421, a strategic road between Buckingham and Milton Keynes, and the A413 which links Buckingham to Winslow. The area is intrinsically rural and the surrounding landscape is typified by rolling arable and grazed land with interspersed hedgerows and tree belts.
- 2.12 The site is not within the Green Belt, an Area of Outstanding Natural Beauty (AONB), or a Conservation Area. There are some trees surrounding the site but none are identified as being protected by a Tree Preservation Order (TPO).
- 2.13 There are no Sites of Special Scientific Interest, Special Areas of Conservation, Special Protection Areas within the Adstockfields Farm site. The nearest site being Pilch Fields SSSI approximately 1.5km to the north west. There are no ancient or semi-natural woodland on the site, and the site is not within Priority Habitat Inventory.
- 2.14 The site lies in Flood Zone 1 (has a less than 0.1% annual probability of river or sea flooding). However, the site is at low risk of surface water flooding, as the **Figure 6** shows.



Figure 6: Flooding risk map from surface water



- 2.15 One of the accesses to Adstockfields Farm from the south, through Hanover Farm, is situated in Flood Zone 2&3 as shown in **Figure 7**, however alternative access to the site is provided from Adstock village or from Pilch Farm to the north.



Figure 7: Flooding risk map from rivers

Existing Farming Operations and Diversification

- 2.16 The applicant's land holding extends to cover land to the north of Adstockfields Farm, including Pilch Farm, to the south and east including Hanover Farm, and to the west. The applicants total landholding extends to 522 hectares, with approximately 422 hectares in agricultural production.
- 2.17 The applicant is currently diversifying their existing operations to secure new revenue streams to compensate for reductions in farming subsidies, but of equal importance is how this supports the applicants environmental goals and aspirations for a circular farming system.
- 2.18 Examples of farm diversification which have taken place on the farm thus far are:
- Planting of 32.5 hectares of woodland (through a woodland grant);
 - Planting of orchard ~2,000 fruit trees;
 - Livestock buildings (ref 22/00042/APP) representing investment in high quality beef cattle under a silvopasture system; and
 - Solar farm (ref 20/02582/APP).
 - Distillery (ref 23/01190/APP) in association with the orchard plantation.




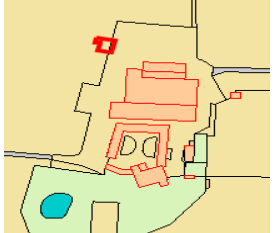
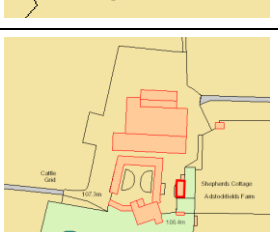


- 2.19 These diversification measures illustrates the applicants desire to contribute positively to the environment and community locally through employment and produce, and move towards a net zero carbon operation.
- 2.20 The distillery is crucial to securing revenue from distilling the farm's orchard fruit into beverages. This activity is central to the applicant's vision for a circular farming system where produce of the land is processed on site and any by-products are used to fertilise the farm's land.
- 2.21 The conversion of the disused calf pens and the provision of visitors facilities with an ancillary retail function seeks to provide a space for visitors to the farm to learn about distilling, create personalised spirits and to purchase products, but also the facilities will also provide a space for visitors to the farm to learn about the clients circular and regenerative farming practices, woodland creation and farm diversification. As such the proposed use would be ancillary to the existing diversified operations on the farm.

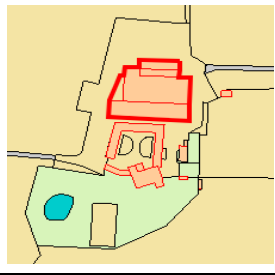
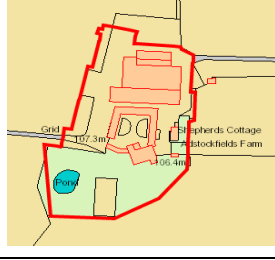
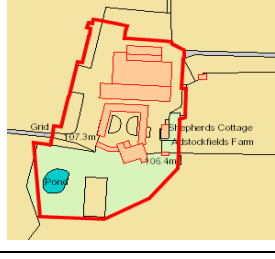
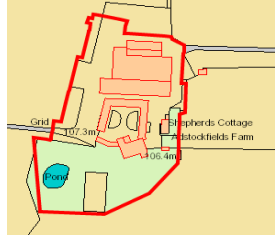


3 Planning History

3.1 **Table 1** includes the planning records relating to Adstockfields Farm, which are collated using the online records of the Buckinghamshire Council website.

| Table 1: Planning records relating to Adstockfields Farm | | | | |
|---|---|---|-----------------|-------------|
| Reference | Site Boundary of development | Description of Development | Decision | Date |
| 23/01190/APP |  | Erection of a distillery (Class B2) and associated infrastructure and landscaping | Approved | 08/09/2023 |
| 22/00042/APP |  | Agricultural building for the housing of livestock. | Approved | 14/04/2022 |
| 21/03874/AGN |  | Agricultural building for the housing of livestock. | Refused | 26/10/2021 |
| 96/00548/AGN |  | Extension to agricultural building and erection of silo | Approved | 23/04/1996 |
| 89/01307/APP |  | Retain mobile home | Approved | 20/07/1989 |



| | | | | |
|-------------|---|---|----------|------------|
| 78/01273/AV |  | Erection of a covered yard for cattle | Approved | 24/08/1978 |
| 77/01530/AV |  | Retention of a tennis court and 2.75m high fencing and of agriculture land as part of residential curtilage | Approved | 22/12/1977 |
| 77/01339/AV |  | Alterations and extensions | Approved | 24/11/1977 |
| 53/00459/BR |  | Conversion of farm building into an agricultural worker's cottage | Approved | 02/02/1953 |

Key Planning Summary

- 3.2 A full planning application (23/01190/APP) was submitted in April 2023 for the ‘erection of a distillery (Class B2) and associated infrastructure and landscaping’.
- 3.3 Consultee comments received on the application from Buckinghamshire Highways, the strategic access officer, strategic environmental health protection team and newts officer, confirm that there are no objections to the proposal. A Non-Licensed Method Statement for Great Crested Newts was regarded acceptable by the newt officer.



4 Planning Policy

4.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. This is echoed in paragraph 2 of the National Planning Policy Framework (NPPF), published in July 2021, which is itself a material consideration.

4.2 The Development Plan in the area of Aylesbury Vale under Buckinghamshire includes:

- Vale of Aylesbury Local Plan 2013-2033 (September 2021)

4.3 Material considerations, outside of the Development Plan include:

- The National Planning Policy Framework (July 2021)
- The National Planning Practice Guidance
- Aylesbury Vale Landscape Character Assessment Report
- Aylesbury Vale Area Design Supplementary Planning Document
- The Town and Country Planning (General Permitted Development Order) 2015 (as amended)

4.4 The relevant policies of these documents are listed below and the full wording is in **Appendix 1**.

National Planning Policy Framework (NPPF)

4.5 The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and how these are expected to be applied. The NPPF was most recently revised on 20th July 2021. The relevant sections and paragraph numbers are listed in **Table 2** below.

| Table 2: Nation Planning Policy Framework policies | |
|--|-------------------|
| Section | Paragraph Numbers |
| 2. Achieving sustainable development | 8, 10, 11 |
| 4. Decision-making | 38 |
| 6. Building a strong, competitive economy | 81, 84, 85 |
| 9. Promoting sustainable transport | 104, 110 |
| 11. Making effective use of land | 119, 120 |
| 12. Achieving well-designed places | 126, 130 |
| 15. Conserving and enhancing the natural environment | 174, 180 |



Vale of Aylesbury Local Plan 2013-2033

- 4.6 The Local Plan shows where development can happen, and where it needs to be carefully controlled. Policies relevant to this application are listed in **Table 3** below.

| Table 3: Relevant Local Plan policies | |
|---------------------------------------|--|
| Policy Number | Policy Title |
| S1 | Sustainable development for Aylesbury Vale |
| S2 | Spatial strategy for growth |
| S3 | Settlement hierarchy and cohesive development |
| S7 | Previously developed land |
| D6 | Provision of employment land |
| E2 | Other employment sites |
| E7 | Tourism development |
| T1 | Delivering the sustainable transport vision |
| T4 | Capacity of the transport network to deliver development |
| T5 | Delivering transport in new development |
| T6 | Vehicle parking |
| BE2 | Design of new development |
| BE3 | Protection of the amenity of residents |
| NE1 | Biodiversity and Geodiversity |
| NE4 | Landscape character and locally important landscape |
| NE8 | Trees, hedgerows and woodlands |
| C1 | Conversion of rural buildings |
| C4 | Protection of public rights of way |
| I4 | Flooding |



Aylesbury Vale Area Design Supplementary Planning Document (November 2022)

- 4.7 The document sets out planning and development guidance for the area identified in the Vale of Aylesbury Local Plan, aiming to guide landowners, developers, the public and the local planning authority in respect of environmental, social, economic and design objectives for the site. The design principles relevant to this proposal are listed in **Table 4** below.

| Table 4: Aylesbury Vale Area Design Supplementary Planning Document | |
|---|--|
| Principles | Principle Title |
| DES 64 | Conversion of traditional agricultural buildings |



5 Proposed Development

- 5.1 The proposed development comprises of the conversion of the north east corner of the redundant calf pens for visitor facilities and ancillary retail to the distillery. The site area boundary is shown in **Figure 8**.

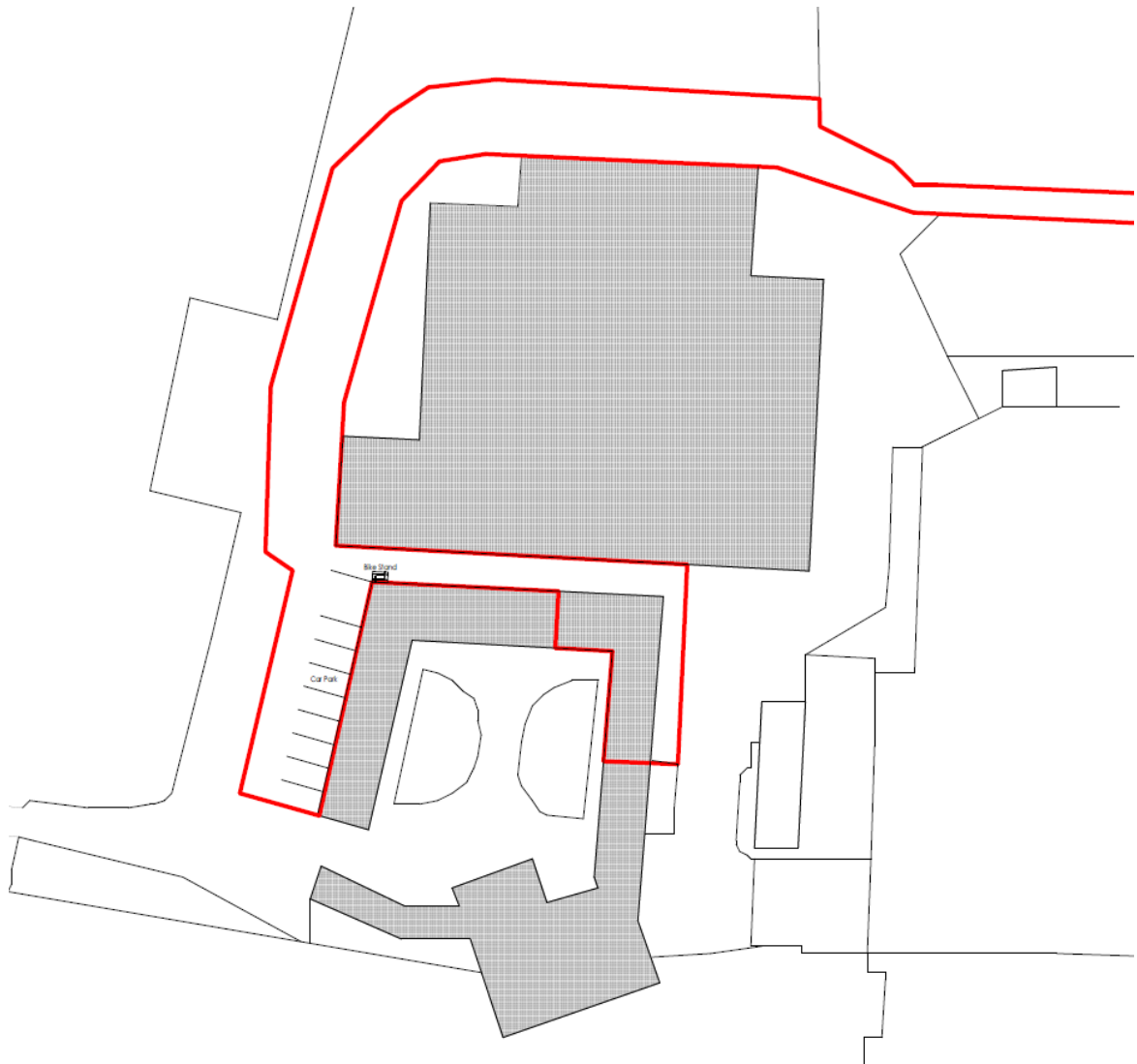


Figure 8: Proposed Site Plan

- 5.2 To achieve the conversion, external alterations are proposed to provide access and window openings along the eastern elevation, along with internal alterations to subdivide this part of the building, provide welfare facilities and the events space.

Use

- 5.3 The proposed visitor centre would fall under Class E.



- 5.4 The visitor facilities are to be operated on an appointment basis, with groups invited to the farm to sample, create personalised spirits and purchase distillery products, and to learn about circular regenerative farming, farm diversification and woodland creation.

Amount

- 5.5 The existing floorspace of the calf pens to be converted is approximately 140m².
- 5.6 Externally, parking for the visitor facilities is to be provided to the west of the calf pens in an area of existing hardstanding on the farm yard, therefore no external development is required as part of the proposed development.

Layout

- 5.7 The proposed development reuses a small area of redundant agricultural buildings of an appropriate scale and construction for the proposed use as visitors facilities.
- 5.8 The area of the calf pens proposed to be converted is located south of the existing farm buildings, but within close proximity of the distillery and utilises existing areas of hardstanding to the west of the buildings for parking.
- 5.9 Internally, the conversion of the building has been designed to maintain the single span room along the northern elevation for an events space, with two toilets and an area for storage and merchandise from the distillery. Situated along the eastern side of the building is a office, kitchen and welfare facilities for staff.

Scale and Appearance

- 5.10 The proposed development comprises the part conversion of the disused calf pens, there is no extension of the building required to facilitate this development.
- 5.11 The proposals would maintain the brick walls and window openings along the buildings external facing northern elevation, and on the internal courtyard facing southern and western elevations.
- 5.12 The external facing eastern elevation would be altered to allow sufficient access and light into the internal spaces: two original doorways will be retained, with replacement doors and a sliding timber shutter door positioned between them, whilst the third existing opening (opening into the events space) will be relocated and fully glazed with a full height window adjacent. The two smaller window's remain, with the northern most window relocated to balance the elevation.
- 5.13 Existing timber windows, doors and shutter will be replace in a like-for-like manner. The two full height glazed doors would have a timber frame and surround and simple ironmongery to maintain the functional rural aesthetic of the building.



Figure 9: Existing (top) and proposed (bottom) eastern elevation

- 5.14 Externally, an area of existing shingle hardstanding along the western elevation of the calf barns is proposed for parking for the visitors facilities. No changes are proposed over the existing conditions.

Landscaping

- 5.15 No landscaping is proposed within the farm site.
- 5.16 An area of orchard is proposed to secure biodiversity net gain for the development. This is located within the clients land holding to the west of the farm. This area supplements orchards being delivered under 23/01190/APP on land adjacent, as shown in **Figure 10**.

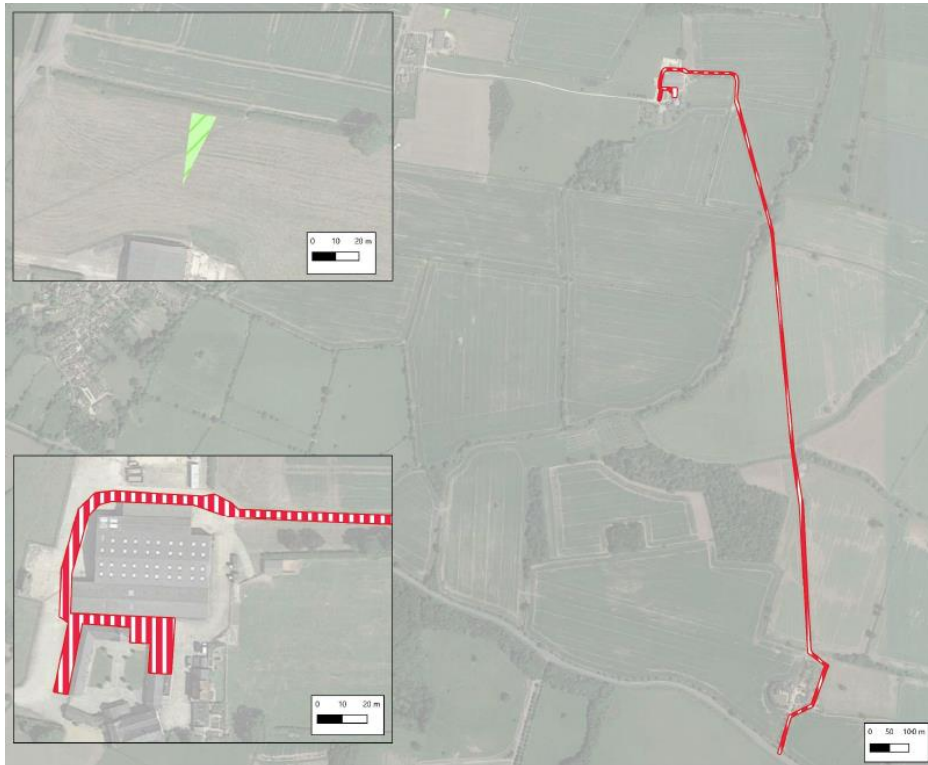


Figure 10: Biodiversity Net Gain Proposed Habitats Plan

Access and Parking

- 5.17 Access to the building will be provided by a ramp to allow for disabled access. The building has emergency exits on the inner courtyard in the event of an emergency.
- 5.18 Vehicular access to the visitors centre is provided through the existing access from Hanover Farm and the A413 from the south. This access has been chosen to limit vehicles movements alongside larger agricultural and HGV vehicles who use the Pilch Farm and Pilch Lane entrance to the farm.

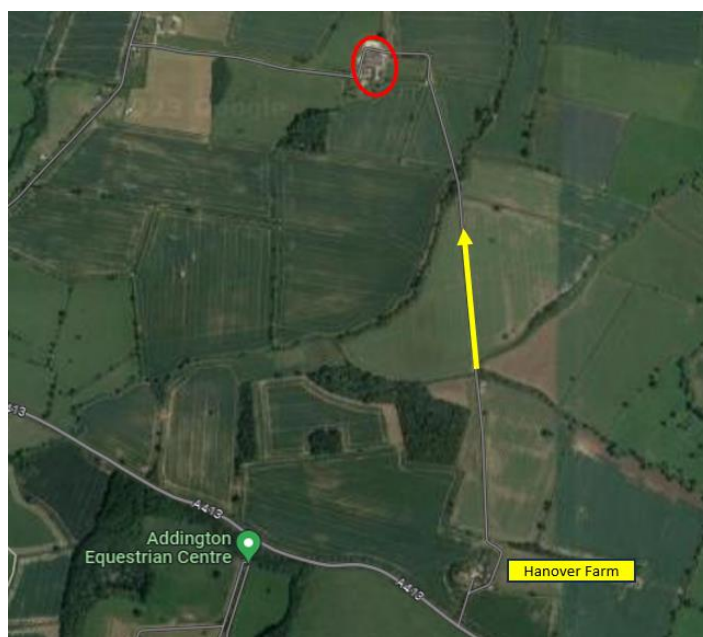


Figure 11: Access from Hanover Farm



- 5.19 This existing access road from Hanover Farm to Adstockfields Farm has a concrete hard surface along its length, and intermittent passing places.
- 5.20 Existing hardstanding (concrete and shingle) within the fenced area of the existing farm yard provides ten parking spaces and a cycle stand as illustrated in **Figure 12**.



Figure 12: Proposed site plan and layout of parking



6 Planning Considerations

6.1 Having regard to the established planning context and nature of the proposed development, the following key planning matters are of relevance to the consideration of the development and are assessed in turn:

- Principle of development
- Design and amenity
- Access and transport
- Ecology and trees
- Other matters: drainage

Principle of development

6.2 There is support for enabling sustainable rural development through NPPF Paragraph 84 which includes the conversion of buildings and the development and diversification of agricultural and land based businesses. At a local level, the Vale of Aylesbury Local Plan policy D6 supports employment generating development through the re-use of existing premises, or as part of farm diversification, and Local Plan policy E7 supports visitor facilities under similar circumstances as policy D6.

6.3 Furthermore, support for the re-use of existing rural buildings is supported by Local Plan policy C1 where the existing building is suitable for conversion and its intended use, and through its conversion would not give rise to any adverse impacts on the character of the location or nearby amenity.

6.4 The proposed visitors facilities would form an integral part of the clients diversification strategy and would support of the distillery operation (ref 23/01190/APP) by way of an events space where groups could sample and create bespoke products. The visitors facilities are also proposed to be used for groups looking to learn and experience circular and regenerative methods of farming, woodland creation, farm diversification and the process of distilling. The facilities would act as a hub for group tours of the farm, which would be arranged by appointment. For the avoidance of doubt the development would not be open to ad hoc visits from the general public.

6.5 It is therefore considered that whilst the nature of the use would fall under Class E, the visitor facilities would also be considered as ancillary to the farm and diversified activities of the clients landholding. The proposal is therefore in accordance with Local Plan policy D6 as it represents the re-use of an existing building for commercial use as part of a farm diversification strategy, and Local Plan policy E7.

6.6 As is discussed further in the following section, the proposed conversion of the disused part of the calf pens is appropriate based on the existing construction of the building, its size and location within the site, and would not require extensive reconstruction to deliver. The proposed conversion is commensurate with the scale and character of the building and would maintain the buildings character amongst the collection of agricultural buildings and residences on the farm. The proposals thus accord with the principles of Local Plan policy C1.

6.7 Overall, the proposals represent sustainable rural development which would support this diversified rural business and provide a valuable opportunity to experience and learn about sustainable rural practices. The proposed development therefore accords with the thrust of national planning policy



for sustainable development, and Local Plan policies D6, E7 and C1 for conversion of rural buildings, and the creation of visitor and employment generating uses.

Design and amenity

- 6.8 The planning system is fundamental to the creation of, and maintenance of high-quality, beautiful and sustainable places. Further, NPPF Paragraph 130 requires that development functions well over its lifetime, is visually attractive and a result of good architecture and landscaping, is sympathetic to the local character and the environment, optimises site density to promote sustainable development and the creation of safe and inclusive spaces.
- 6.9 At a local level, Local Plan policy BE2 and NE4 requires that new development respects the physical characteristics of the site and the surrounding area, including natural features of the area, local distinctiveness and character is reflected in the design, and that views and public vantage points are managed. In consideration to adjoining uses, Local Plan policy BE3 states that permission would not be granted where the proposed development would unreasonably harm the amenity of existing residents or users.
- 6.10 The proposed development represents the opportunity to re-use a small part of a redundant agricultural building which is no longer in use, or fit for modern agricultural practices. The proposals would involve external alterations, in the form of replacement windows and doors and the relocation of two openings on the eastern elevation of the building. These alterations would create a legible entrance to the visitor facilities and create a bright and pleasant internal space for visitors. Existing timber windows and doors would be replaced like for like, and the new doors and windows proposed along the eastern elevation would be also be in timber to assimilate with the existing materials of the building. The existing timber sliding shutter would be relocated to balance the openings along this elevation. The proposed conversion of the building would maintain the agricultural aesthetic of the building, and would continue to contribute to the overall agricultural character of the farm and wider landscape.
- 6.11 Internally, the building has been subdivided to create the central events space where groups would be hosted for talks and beverages tastings, with an area for display of distillery products for sale. Adjacent, in the southern section of the building is the welfare and office space for employees of the farm and distillery who would run the group tours.
- 6.12 Care and attention has been taken in the conversion to provide suitable mitigation for bat roosts, and further provision of bat and bird boxes have been proposed around the site to support the wider ecosystem of the farm and land.
- 6.13 The location of the calf pens are situated in reasonable proximity to Adstockfields Farmhouse and the residential cottage to the east of the building. The conversion of the calf pens is not considered to impact on the private amenity of these dwellings as their private gardens are situated on the opposite of the dwellings, facing out onto the open countryside. Furthermore, there is limited opportunity for overlooking from the residential dwellings to the proposed visitors centre due to the position and orientation of the dwellings. In respect of activity the visitor facility may generate, these dwellings currently experience agricultural activity associated with the farm, and the use of the building would not introduce activity that would cause any detriment to the amenity of other users on the farm over or above what is experienced currently.



6.14 Overall, it is considered that the design of the scheme maintains the prevailing character of the area and is designed to assimilate with existing development and its countryside location. The proposed development would not lead to any unacceptable impacts to neighbouring amenity and it is therefore considered that the development complies with Local Plan policies BE2, NE4 and BE3, and accords with national planning policy for high quality development.

Tree and Ecology

6.15 National Planning Policy Framework (NPPF) stresses the importance of protecting ecosystems and green infrastructure. Paragraph 174 states that planning developments should recognise the wider benefits from natural capital and ecosystem services, including benefits of trees and woodland, and should minimise impacts on and providing net gains for biodiversity. Paragraph 180 requires that development harm to biodiversity should be wholly avoided and developments which objectives seek to conserve or enhance biodiversity should be supported.

6.16 At a local level, the Vale of Aylesbury Local Plan also seeks to protect biodiversity and trees in the area to enhance the ecological environment. Local Plan policy NE1 states that protection and enhancement of biodiversity and geodiversity should be achieved, and a net gain in biodiversity on developments will be sought. Local Plan policy NE8 indicates that the development would not be encouraged if it results in the unacceptable loss of, or damage to, or threaten the continued well-being of any trees, hedgerows, and woodland which make an important contribution to the character and amenities of the area.

6.17 A Preliminary Ecological Assessment, Preliminary Bat Roost Assessment (PEA and PRA), Bat Survey and Biodiversity Net Gain Assessment (BNG) has been prepared by Bernwood Ecology and accompanies this planning application. A Non Licensed Method Statement for newts have also been prepared by Bernwood Ecology and is submitted this with application.

6.18 The site comprises areas of hardstanding within the existing farm yard and the existing building, therefore there is limited natural habitats that would be effected by the proposed development. The site is not covered by any statutory ecological designations, Pilch Fields SSSI is located over 1km to the north west.

6.19 The PEA and PRA recorded evidence of bat activity in the building, and such bat surveys were conducted during June and July (2023). These bat surveys confirmed the use of the buildings by Natterer's and Brown Long Eared bats for night, feeding and transitional roosts.

6.20 Adstockfields Farm is within an 'Amber' zone defined by NatureSpace. There are two ponds within 250m of the site, the closest of which is around 70m away beyond the hedgerow to the north east. A DNA survey has been undertaken for these ponds and has confirmed the presence of GCN's in these waterbodies, however with the developed surface of the site offering limited terrestrial habitats for newts, the presence and likelihood of impact to GNC's is considered to be low.

6.21 Following these ecological assessments the project ecologist has recommended mitigative measures to reduce the impact on protected species and improve habitats more generally in the vicinity of the site. This includes:

- Construction works to proceed under a EPS Bat License



- Retention of roof voids within the building and the installation of a bat dormer and three Morris slates to provide access
 - A Non Licensed Method Statement for newts – this will cover the construction phase of the development and ensure that practices limit any impact to GCN's.
 - Installation of two sparrow nest boxes and two bat boxes within the vicinity of the farm yard.
- 6.22 It is considered that these measures are appropriate and commensurate to habitats and species located on the site and are in accordance with national and local plan policies for the protection of habitats and biodiversity. Furthermore, in compliance with Local Plan policy NE1, the proposed development delivers a net gain for biodiversity by providing habitats on the clients wider landholding. This is through the creation of orchard planting on fields located to the west of Adstockfields Farm, in combination with orchards secured for biodiversity under 23/01190/APP. This approach to the delivery of BNG will provide more opportunities for wildlife as the site consists of habitats of no ecological value which will be retained under the proposals. An appropriately worded condition can be used to secure the BNG as was the case in 23/01190/APP.
- 6.23 There are no impacts to nearby trees or hedgerows from this proposal, as the development is contained to areas of existing hardstanding and is therefore in accordance with Local Plan policy NE8.
- 6.24 In conclusion, the measures proposed would ensure that species are protected through the development, bat roosting opportunities within the building would be retained and further enhanced by bat and bird boxes and habitat creation around the farm. The proposed development is therefore not considered to have adverse impact on the biodiversity of the site, nor areas of ecological importance in line with national planning policy and Local Plan policies NE1 and NE8.

Access and Transport

- 6.25 Section 9 of NPPF addresses the need to promote sustainable transport. Specifically, paragraphs 110 and 111 require that development has safe and suitable access, and promote appropriate opportunities for sustainable transport modes. Development that leads to an unacceptable level of harm to the highway network, or highway safety will be refused.
- 6.26 At a local level, the Vale of Aylesbury Local Plan contains policy T1 which echoes the thrust of NPPF policies to deliver sustainable development and transport. Local Plan policies T1 and T4 encourage the shift to sustainable forms of the transport and acknowledges the capacity, and, or conditions of existing transport networks in providing safe and suitable access to developments, noting where Transport Statements can secure mitigation against any potential impacts. Lastly, Local Plan policy T6 requires that all development must provide an appropriate level of car parking.
- 6.27 A Transport Statement (TS) by Paul Basham Associates accompanies this planning application. The statement assesses the existing site conditions, access to the site, parking and the impact of the development.
- 6.28 As is detailed within this application, the access from Hanover Farm and the A413 will be utilised for the proposed development. The access route has a concrete surface throughout and intermittent



passing places. This directs vehicular traffic on the most suitable route to the farm and minimises vehicles through Adstock village, and limits interaction with larger vehicles using Pilch Lane. For any reason under flood conditions the access route from Hanover Farm becomes impassable, then these alternatives routes to the site can be utilised temporarily. Furthermore, utilising this entrance also aligns with access from more sustainable modes of transport: cycling and public transport.

- 6.29 The site, whilst in a rural location, benefits from connections to public transport and infrastructure to facilitate sustainable modes of transport. A footway and cycleway is located on the northern side of the A413 which provides safe cycle access to Buckingham and Winslow. There are also bus stops at the Hanover Farm site access which provides access to local destinations and local train stations. It is therefore considered that, given its rural location, the site is relatively well served by sustainable transport modes and would present reasonable opportunities for site users to travel sustainably, which comply with the national guidance and Policy T1 in Local Plan. Furthermore, cycle parking will be provided on site to facilitate the use of public transport and infrastructure.
- 6.30 As detailed earlier, the use of the visitor facilities would be by appointment only and the maximum group size capped at 20 attendees in each group visit, with a maximum of two visits per day. The transport statement outlines that the expected trip generation is considered to be negligible based on the group size, staffing and delivery requirements. A total of 42 trips over a 12-hour period is to be expected. In respect of staff, the tours are planned to be undertaken by the client or an employee of the distillery and such would likely be on site already, but movements by staff have been factored into the trip generation nonetheless.
- 6.31 Based on the visitor group size, a provision of 10 spaces will be provided along the western elevation of the calf pen building on an area of existing shingle hardstanding. This is sufficient in meeting Buckinghamshire's parking standards. Additional space is available on existing hardstanding within the farm yard should this be required, and such it is not considered that this would cause any harm to the highway network. In addition, in accordance with Buckinghamshire City Council's cycle standards which state a minimum of two cycle stands must be provided.
- 6.32 Overall, the proposed development would provide sufficient parking, safe and suitable access through via existing access arrangements, offer opportunities for sustainable forms of transport and not have an adverse impact upon the local highway network. It is therefore considered that the proposed development would comply with Local Plan policies T1, T4 and T5 and T6 and align with national planning policy.

Other matters: drainage

- 6.33 National and local planning policy seeks to locate development away from areas of flood risk, and seeks to ensure that development does not contribute to flooding elsewhere. The site is located within Flood Zone 1 and such is at a low risk from flooding.
- 6.34 The conversion of the exiting building to the visitors centre does not alter the existing foul or surface water drainage of the site, and the existing surface water drains and foul sewage infrastructure will be utilised.
- 6.35 As detailed in the previous section, the access route to the site is located within Flood Zones 2 and 3, however alternative access can be provided to the site by two other routes which are located



outside of Flood Zones 2 and 3 and such the risk of flooding to users of the development is considered to be negligible. On this basis that no operation development is required in Flood Zone 2 or 3, and utilises existing infrastructure a Flood Risk Assessment has not been conducted.



7 Conclusions

7.1 This Planning Statement is submitted on behalf of Mr J Nicholson in support of

'The conversion of part of a redundant agricultural building to visitor facilities and ancillary retail to the distillery (Class E)'.

at Adstockfields Farm, Adstock, Buckinghamshire, MK18 2JE

7.2 The statement demonstrates the role this development would have on supporting the diversification of the applicant's landholding by providing a modest facility for the client to share, showcase and promote the farm's diversification, circular and regenerative farming and woodland creation. The visitor centre will also be ancillary to the proposed distillery adjacent to the site for groups to sample and purchase beverages distilled on the farm using farm produce.

7.3 Through the statement, the site's context, planning history and planning policy has been considered against the proposed development and the application is further supported by technical reporting to demonstrate compliance against local plan policies and requirements.

7.4 In conclusion of the matters contained in this statement, it is considered that:

- The principle of development accords with Local Plan policy D6 through the re-use of an existing building and for the purposes of farm diversification.
- The principle of conversion of part of the disused calf pen accords with Local Plan policy C1.
- The alterations to the building as part of the conversion are appropriate and commensurate to the existing building and its proposed use and would assimilate and maintain the prevailing agricultural character of the area in accordance with Local Plan policy C1, BE2 and NE4.
- There would no unacceptable harm to residential amenity from the proposals.
- Appropriate mitigation for protected species is provided, and additional measures to support natural species and habitats, and achieve a net gain in biodiversity through the development are proposed. Furthermore, no protected sites would be impacted by the proposed development.
- Safe and suitable access to the site is provided and the resulting trips would have a negligible impact on existing highways conditions and safety.
- An appropriate level of parking and cycle parking is provided.

7.5 It is therefore considered that the proposed development accords with the Vale of Aylesbury Local Plan 2033 and National Planning Policy and guidance and should be considered acceptable by the Council.

Appendices



Appendix 1. Planning Policy

National Planning Policy Framework

9.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and the following paragraphs are of relevance to this proposal.

Chapter 2: Achieving sustainable development

9.2 **Paragraph 8** sets out that sustainable development incorporates three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, economic, social and environmental:

- **An Economic objective** – To help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- **A Social objective** – supporting strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- **An Environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change, including moving to a low carbon economy.

9.3 **Paragraph 10** states that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

9.4 **Paragraph 11** states that plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

- a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
 - ii. 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.

Chapter 4: Decision Making

9.5 **Paragraph 38** states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Chapter 6: Building a strong, competitive economy

9.6 **Paragraph 81** states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

9.7 **Paragraph 84** states that planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

9.8 **Paragraph 85** states that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

Chapter 9: Promoting sustainable transport

9.9 **Paragraph 104** states that transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;

- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
- e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

9.10 **Paragraph 110** states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) 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.

Chapter 11: Making effective use of land

9.11 **Paragraph 119** states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

9.12 **Paragraph 120** states that planning policies and decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and

e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

Chapter 12: Achieving well-designed places

9.13 **Paragraph 126** states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

9.14 **Paragraph 130** states that planning policies and decisions should ensure that developments:

a) 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;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Chapter 15: Conserving and enhancing the natural environment

9.15 **Paragraph 174** states that planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) 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;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

9.16 **Paragraph 180** states that when determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁶³ and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Vale of Aylesbury Local Plan 2013-2033

9.17 **Policy S1 (Sustainable development for Aylesbury Vale)** states that all development must comply with the principles of sustainable development set out in the NPPF. In the local context of Aylesbury Vale this means that development proposals and neighbourhood planning documents should:

Contribute positively to meeting the vision and strategic objectives for Aylesbury Vale set out above, and fit with the intentions and policies of the VALP (and policies within neighbourhood plans where relevant). Proposals that are in accordance with the development plan will be approved without delay, unless material considerations indicate otherwise. The council will work proactively with applicants to find solutions so that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

In assessing development proposals, consideration will be given to:

- a. providing a mix of uses, especially employment, to facilitate flexible working practices so minimising the need to travel
- b. delivering strategic infrastructure and other community needs to both new and existing communities
- c. giving priority to the reuse of vacant or underused brownfield land.
- d. minimising impacts on local communities
- e. building integrated communities with existing populations
- f. minimising impacts on heritage assets, landscapes and biodiversity
- g. providing high-quality accessibility through the implementation of sustainable modes of travel including public transport, walking and cycling
- h. providing access to facilities including healthcare, education, employment, retail and community facilities
- j. meeting the effects of climate change and flooding.

9.18 **Policy S2 (Spatial strategy for growth)** states that The Vale of Aylesbury Local Plan will make provision for the delivery of the following in the period to 2033:

- A total of at least 28,600 new homes in accordance with the spatial distribution set out below and in Table 1.
- Provision for the identified need of at least 27 hectares of employment land and additional provision of some employment land to contribute to the employment needs of the wider economic market area.
- Retail convenience floor space of at least 7,337 sqm² and comparison floor space of at least 29,289 sqm³.
- Associated infrastructure to support the above.

9.19 **Policy S3 (Settlement hierarchy and cohesive development)** states that the scale and distribution of development should accord with the settlement hierarchy set out in Table 2, the site allocation policies that arise from it and the requirements of Policy S1. Other than for specific proposals which accord with policies in the plan to support thriving rural communities and the development of allocations in the Plan, new development in the countryside should be avoided, especially where it would:

- a. compromise the character of the countryside between settlements, and

- b. result in a negative impact on the identities of neighbouring settlements or communities leading to their coalescence⁸ .

In considering applications for building in the countryside the council will have regard to maintaining the individual identity of villages and avoiding extensions to built-up areas that might lead to further coalescence between settlements.

9.20 **Policy S7 (Previously developed land)** states that development in Aylesbury Vale will be expected to make efficient and effective use of land. We will encourage the reuse of previously developed (brownfield) land in sustainable locations, subject to site-specific considerations including environmental value and the impact on local character, and subject to other policies in the Local Plan.

9.21 **Policy D6 (Provision of employment land)** states that employment development will generally be supported in sustainable locations:

- a. through allocations in this plan and appropriate allocations in neighbourhood plans
- b. through the intensification or extension of existing premises
- c. as part of a farm diversification scheme
- d. through the appropriate re-use or replacement of an existing building provided this is well designed, appropriate to its context having regard to the scale of the proposal, location and impact on the surrounding area. Or
- e. in a rural location where this is essential for that type of business.

Proposals for suitable live-work developments which will not diminish normal residential amenity, will be permitted in locations considered suitable for open market residential development. The subsequent conversion of such units to full residential use will not be permitted unless evidence can be submitted that there is no prospect of the unit being used for that purpose.

9.22 **Policy E2 (Other employment sites)** states that outside key employment sites, the redevelopment and/or reuse of employment sites to an alternative non-employment use will normally be permitted provided all of the following criteria apply:

- a. The development will not prejudice the efficient and effective use of the remainder of the employment area
- b. Any existing appropriate class E, B2 and B8 businesses affected by the loss of employment land should be relocated to alternative premises so viable businesses are not affected.
- c. The site has been marketed as an employment site for an employment use suitable to the site and location at a suitable price, by appropriate means for at least two years with no viable interest
- d. There is a substantial over-supply of suitable alternative employment sites in the local area, and
- e. There are specific issues with the continued use of the site for employment which cannot be mitigated sufficiently.

9.23 **Policy E7 (Tourism development)** states that the council will promote a growing, sustainable tourism sector, and will support proposals for new or expanded tourism, visitor or leisure facilities other than accommodation within or adjacent to settlements. Elsewhere, proposed development must:

- a. involve the conversion or replacement of buildings which form part of an existing tourist facility or well-designed new building(s) which promotes diversification of agricultural and other land-based rural businesses,
- b. justify a countryside location and minimise environmental impacts, and
- c. demonstrate that the need is not met by existing provision within nearby settlements

In all cases such development must:

- d. respect the character and appearance of the location, and
- e. avoid unacceptable traffic impact on the local road network.
- f. In the case of seasonal structures these must be temporary in nature and not have an adverse impact on the landscape.
- g. Demonstrate that their benefits outweigh the harm.

The council will require a marketing strategy and business plan to be submitted to explain how the development will achieve a high quality tourism product that meets demand.

9.24 **Policy T1 (Delivering the sustainable transport vision)** states that the strategy to deliver sustainable transport in Aylesbury Vale is based on encouraging modal shift with greater use of more sustainable forms of transport and improving the safety of all road users.

The council and, where appropriate, Highways England, will work together to achieve this strategy and those improvements required to deliver it. The council will seek to ensure that development proposals will deliver highway and transport improvements to ensure new housing and employment development identified in the Local Plan period does not create a severe impact on the highway and public transportation network and encourages modal shift with greater use of more sustainable forms of transport.

The council will assist in delivering the pedestrian, cycle, public transportation and public realm improvements to deliver the Aylesbury Garden Town initiative as well as any required improvements to the transportation network in Buckingham and other areas of Aylesbury Vale as required to deliver sustainable, healthy and thriving communities.

9.25 **Policy T4 (Capacity of the transport network to deliver development)** states that new development will be permitted where there is evidence that there is sufficient capacity in the transport network to accommodate the increase in travel demand as a result of the development. The guidelines set out below which are taken from Buckinghamshire Council's guidelines for Transport Assessment thresholds for development should be used to in considering whether a transport impact assessment and travel plan will be required to assess the transport impacts of a development.

9.26 **Policy T5 (Delivering transport in new development)** states that Transport and new development will only be permitted if the necessary mitigation is provided against any unacceptable transport impacts which arise directly from that development. This will be achieved, as appropriate, through:

- a) The submission of a transport statement or assessment and the implementation of measures

arising from it

- b) Ensuring that the scale of traffic generated by the proposal is appropriate for the function and standard of the roads serving the area
- c) The implementation of necessary works to the highway
- d) Contributions towards local public transport services and support for community transport initiatives
- e) The provision of new, and the improvement of existing, pedestrian and cycle routes
- f) The provision of a travel plan to promote sustainable travel patterns for work and education related trips.

9.27 **Policy T6 (Vehicle Parking)** states that all development must provide an appropriate level of car parking, in accordance with the standards set out in Appendix B. If a particular type of development is not covered by the standards set out in Appendix B then the following criteria will be taken into account in determining the appropriate level of parking:

- a. The accessibility of the site, including the availability of public transport, and
- b. The type, mix and use of development
- c. Local car ownership levels
- d. Security and public realm
- e. Provision for both on street and off street parking where appropriate

9.28 **Policy BE2 (Design of new development)** states that all new development proposals shall respect and complement the following criteria:

- 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.

More guidance on the detail for the application and implementation of this policy will be provided in the Aylesbury Vale Design SPD.

9.29 **Policy BE3 (Protection of the amenity of residents)** states that planning permission will not be granted where the proposed development would unreasonably harm any aspect of the amenity of existing residents and would not achieve a satisfactory level of amenity for future residents. Where planning permission is granted, the council will use conditions or planning obligations to ensure that any potential adverse impacts on neighbours are eliminated or appropriately controlled.

Rear parking courts will only be provided in exceptional circumstances where no alternative parking can be provided and where the rear parking court is well located in terms of the development it serves, is overlooked, enclosed and secure. The provision of garages and/or car ports will not be counted as a parking space for a development unless they are of at least the size set out.

9.30 **Policy NE1 (Biodiversity and Geodiversity)** states that protection and enhancement of biodiversity and geodiversity will be achieved by the following:

- a) A net gain in biodiversity on minor and major developments will be sought by protecting, managing, enhancing and extending existing biodiversity resources, and by creating new biodiversity resources. These gains must be measurable using best practice in biodiversity and green infrastructure accounting and in accordance with any methodology (including a Biodiversity Impact Assessment) to be set out in the Buckinghamshire Biodiversity Accounting SPD.
- b) If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then development will not be permitted. If a net loss in biodiversity is calculated, using a suitable Biodiversity Impact Assessment (see c) then avoidance, mitigation and compensation, on site first, then offsite must be sought so the development results in a net gain (percentage of net gain to meet any nationally-set minimum standard and or as detailed in an SPD) in order for development to be permitted. Mitigation, compensation and enhancement measures must be secured and should be maintained in perpetuity. These assessments must be undertaken in accordance with nationally-accepted standards and guidance (BS 8683 Biodiversity net gain in project design and construction; and CIRIA Biodiversity Net Gain Good practice principles for development).
- c) Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance (such as Local Wildlife Sites or Local Geological Sites) including habitats of principal importance (known as Priority Habitats) or the habitats of species of principal importance (Priority Species) or their habitats will not be permitted except in exceptional circumstances where the need for, and benefits of the development significantly and demonstrably outweigh the harm it would cause to the site, and the loss can be mitigated and compensation provided to achieve a net gain.
- d) The Council will, where appropriate, expect ecological surveys for planning applications. These must be undertaken by a suitably qualified person and consistent with nationally accepted standards and guidance (BS 42020: Biodiversity – Code of Practice for planning and development; and CIEEM Ecological Report Writing guidance) as replaced
- e) Where development proposals affect a Priority Habitat (As defined in the Buckinghamshire Biodiversity Action Plan or UK Biodiversity Action Plan and as listed in accordance with s41 of the NERC Act 2006) then mitigation should not be off-site. Where no Priority Habitat is involved then mitigation is expected to follow the mitigation hierarchy, where options for avoidance, mitigation and compensation on- site, and then offsite compensation, should be followed in that order as outlined in d. When there is a reasonable likelihood of the presence

of protected or priority species or their habitats, development will not be permitted until it has been demonstrated that the proposed development will not result in adverse impacts on these species or their habitats. The only exception will be where the advantages of development to the protected site and the local community clearly outweigh the adverse impacts. In such a case, the council will consider the wider implications of any adverse impact to a protected site, such as its role in providing a vital wildlife corridor, mitigating flood risk or ensuring good water quality in a catchment.

- f) Development proposals will be expected to promote site permeability for wildlife and avoid the fragmentation of wildlife corridors, incorporating features to encourage biodiversity, and retain and where possible enhance existing features of nature conservation value on site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors including water courses should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity
- g) Planning conditions/obligations will be used to ensure net gains in biodiversity by helping to deliver the Buckinghamshire and Milton Keynes Biodiversity Action Plan targets in the biodiversity opportunity areas and other areas of local biodiversity priority. Where development is proposed within, or adjacent to, a biodiversity opportunity area, biodiversity surveys and a report will be required to identify constraints and opportunities for biodiversity enhancement. Development which would prevent the aims of a Biodiversity Opportunity Area from being achieved will not be permitted. Where there is potential for development, the design and layout of the development should secure biodiversity enhancement and the council will use planning conditions and obligations as needed to help achieve the aims of the biodiversity opportunity area. A monitoring and management plan will be required for biodiversity features on site to ensure their long-term suitable management (secured through planning condition or Section 106 agreement).
- h) Development proposals adversely affecting a Local Nature Reserve will be considered on a case-by-case basis, according to the amount of information available about the site and its significance, relative to the type, scale and benefits of the development being proposed and any mitigation. Any mitigation strategy will need to include co-operation with the nature reserve managers.

9.31 **Policy NE4 (Landscape character and locally important landscape)** states that Development must recognise the individual character and distinctiveness of particular landscape character areas set out in the Landscape Character Assessment (LCA), their sensitivity to change and contribution to a sense of place. Development should consider the characteristics of the landscape character area by meeting all of the following criteria:

- a. minimise impact on visual amenity
- b. be located to avoid the loss of important on-site views and off-site views towards important landscape features
- c. respect local character and distinctiveness in terms of settlement form and field pattern, topography and ecological value
- d. Carefully consider spacing, height, scale, plot shape and size, elevations, roofline and pitch, overall colour palette, texture and boundary treatment (walls, hedges, fences and gates)

- e. minimise the impact of lighting to avoid blurring the distinction between urban and rural areas, and in areas which are intrinsically dark and to avoid light pollution to the night sky
- f. ensure that the development is not visually prominent in the landscape, and
- g. not generate an unacceptable level and/or frequency of noise in areas relatively undisturbed by noise and valued for their recreational or amenity value

The first stage in mitigating impact is to avoid any identified significant adverse impact. Where it is accepted there will be harm to the landscape character, specific on-site mitigation will be required to minimise that harm and, as a last resort, compensation may be required as part of a planning application. This reflects the mitigation hierarchy set out in paragraph 152 of the NPPF (2012). Applicants must consider the enhancement opportunities identified in the LCA and how they apply to a specific site.

The Policies Map defines areas of attractive landscape (AALs) and local landscape areas (LLAs) which have particular landscape features and qualities considered appropriate for particular conservation and enhancement opportunities. Of the two categories, the AALs have the greater significance. Development in AALs and LLAs should have particular regard to the character identified in the report 'Defining the special qualities of local landscape designations in Aylesbury Vale District' (Final Report, 2016) and the LCA (2008).

Development will be supported where appropriate mitigation to overcome any adverse impact to the character of the receiving landscape has been agreed.

Where permission is granted, the council will require conditions to best ensure the mitigation of any harm caused to the landscape.

9.32 **Policy NE8 (Trees, hedgerows and woodlands)** states that Development should seek to enhance and expand Aylesbury Vale's tree and woodland resource, including native black poplars.

Where trees within or adjacent to a site could be affected by development, a full tree survey and arboricultural impact assessment to BS 5837 (as replaced) will be required as part of the planning application. The implementation of any protective measures it identifies will be secured by the use of planning conditions.

Development that would lead to an individual or cumulative significant adverse impact on ancient woodland or ancient trees will be refused unless exceptional circumstances can be demonstrated that the impacts to the site are clearly outweighed by the benefits of the development.

Development that would result in the unacceptable loss of, or damage to, or threaten the continued well-being of any trees, hedgerows, community orchards, veteran trees or woodland which make an important contribution to the character and amenities of the area will be resisted. Where the loss of trees is considered acceptable, adequate replacement provision will be required that use species that are in sympathy with the character of the existing tree species in the locality and the site.

Where species-rich native hedgerow (as commonly found on agricultural land) loss is unavoidable the developer must compensate for this by planting native species-rich hedgerow, which should result in a net gain of native hedgerow on the development site.

Developers should aspire to retain a 10m (with a minimum of 5m) natural buffer around retained and planted native hedgerows (100m with a minimum 25 m natural buffer around woodlands) for the benefit of wildlife, incorporating a dark corridor with no lighting. Development must provide buffers to Ancient Woodland and should provide additional planting to join up fragmented areas of woodland as part of the development's GI. Buffers should allow the maximum space proportionate to the development, and would generally be expected to be a minimum of 50m between the ancient woodland and any built development or grey infrastructure. Within the buffer, native trees may be planted along with other ecology features to secure net gains in biodiversity and/or landscape mitigation unless the achievement of this would be contrary to other policies in the plan.

9.33 **Policy C1 (Conversion of rural buildings)** states that the re-use of an existing building that is of permanent and substantial construction and generally in keeping with the rural surroundings in the countryside will be permitted provided that all the following assessment criteria are met:

- a. Conversion works should not involve major reconstruction or significant extensions and should respect the character of the building and its setting, except in exceptional circumstances where it can be demonstrated that dereliction was the result of severe accidental damage or accidental destruction in the past two years
- b. Where the building is suitable for modern agricultural practice it would not give rise to a future need for another building to fulfil the function of the building being re-used
- c. The long-term retention of a building that is by reason of its location, size, condition and appearance is harmful to the character of the countryside is not encouraged
- d. The redundant or disused status of the building has been demonstrated and the re-use of the building would enhance the immediate setting
- e. The existing building is inherently suitable, in terms of its size, design and construction for the intended re-use, and the proposed scheme enables the intended re-use to be achieved without the need for complete or substantial reconstruction
- f. The existing building is not located well away from existing settlements and is not located where utilities are not available
- g. The existing building is not damaging to the surrounding character by virtue of a utilitarian appearance or cladding in unattractive materials
- h. The proposed re-use is of a scale that would not have an adverse impact on its surroundings or the viability of existing facilities or services in nearby settlements
- i. Any extension to the existing building included in the proposed scheme is modest in scale, ancillary in nature, subordinate to the main building and necessary to meet the essential functional requirements of the intended re-use
- j. Any extension to the existing barn conversion is modest in scale, ancillary in nature, subordinate to the main building, in keeping with the rural character, designed with sensitivity to the host building and will enhance the character and appearance of its immediate surroundings

k. Where the existing building is of designated or non-designated heritage assets or contributes to local character, the proposed scheme would retain significant historical features and not adversely affect the character and appearance of the building or its setting

l. Where any curtilage is required it should not be excessive in size and should relate well to the existing building and landscape

m. The proposed scheme would not give rise to ancillary uses that could not be accommodated within the site and does not include, or would not give rise to, ancillary uses within the site, such as open storage, that would be visually intrusive, and

n. Conversion works should not adversely impact upon wildlife using the structure. If impacts to nesting sites are unavoidable mitigation will be required (see Policy NE1).

- 9.34 **Policy C4 (Protection of public rights of way)** states that the council will enhance and protect public rights of way to ensure the integrity and connectivity of this resource is maintained.

The protection and conservation of public rights of way needs to be reconciled with the benefits of new development, to maximise the opportunity to form links from the development to the wider public rights of way network, public transport, recreational facilities and green infrastructure. Development proposals will be required to retain and enhance existing green corridors, and maximise the opportunity to form new links between existing open spaces. Planning permission will not normally be granted where the proposed development would cause unacceptable harm to the safe and efficient operation of public rights of way.

- 9.35 **Policy I4 (Flooding)** states that:

Management of flood risk

In order to minimise the impacts of and from all forms of flood risk the following is required:

- a. Site-specific flood risk assessments (FRAs), informed by the latest version of the SFRA, where the development proposal is over 1ha in size and is in Flood Zone 1, or the development proposal includes land in Flood Zones 2 and 3 (as defined by the latest Environment Agency mapping). A site-specific FRA will also be required where a development proposal affects land in Flood Zone 1 where evidence, in particular the SFRA, indicates there are records of historic flooding or other sources of flooding, e.g. due to critical drainage problems, including from ordinary watercourses and for development sites located within 9m of any water courses (8m in the Environment Agency's Anglian Region⁵⁰)
- b. All development proposals must clearly demonstrate that the flood risk sequential test, as set out in the latest version of the SFRA, has been passed and be designed using a sequential approach, and
- c. If the sequential test has been satisfied, development proposals, other than those allocated in this Plan, must also satisfy the exception test in all applicable situations as set out in the latest version of the SFRA.

Flood risk assessments

All development proposals requiring a Flood Risk Assessment in (a) above will assess all sources and forms of flooding, must adhere to the advice in the latest version of the SFRA and will:

- d. provide level-for-level floodplain compensation, up to the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change, and volume-for-volume compensation unless a justified reason has been submitted and agreed which may justify other forms of compensation

- e. ensure no increase in flood risk on site or elsewhere, such as downstream or upstream receptors, existing development and/or adjacent land, and ensure there will be no increase in fluvial and surface water discharge rates or volumes during storm events up to and including the 1 in 100 year storm event, with an allowance for climate change (the design storm event)
- f. not flood from surface water up to and including the design storm event, or any surface water flooding beyond the 1 in 30 year storm event, up to and including the design storm event will be safely contained on site
- g. explore opportunities to reduce flood risk overall, including financial contributions from the developer where appropriate
- h. ensure development is safe from flooding for its lifetime (and remain operational where necessary) including an assessment of climate change impacts
- i. ensure development is appropriately flood resistant, resilient and safe and does not damage flood defences but does allow for the maintenance and management of flood defences
- j. take into account all sources and forms of flooding
- k. ensure safe access and exits are available for development in accordance with Department for Environment, Food and Rural Affairs (DEFRA) guidance. Access to “safe refuges” or “dry islands” are unlikely to be considered safe as this will further burden the Emergency Service in times of flood
- l. include detailed modelling of any ordinary watercourses within or adjacent to the site, where appropriate, to define in detail the area at risk of flooding and model the effect of climate change
- m. provide an assessment of residual flood risk
- n. provide satisfactory Evacuation Management Plans, where necessary, including consultation with the Emergency Services and Emergency Planners

Sustainable drainage systems (SuDS)

All development proposals must adhere to the advice in the latest version of the SFRA and will:

- o. Ensure development layouts are informed by drainage strategies incorporating SuDS and complete site specific ground investigations to gain a more local understanding of groundwater flood risk and inform the design of sustainable drainage components
- p. All development will be required to design and use sustainable drainage systems (SuDS) for the effective management of surface water run-off on site, as part of the submitted planning application and not increase flood risk elsewhere, including sewer flooding. All development should adopt exemplar source control SuDS techniques to reduce the risk of flooding due to post-development runoff. SuDS design should follow current best practice (CIRIA Manual 2015 or as replaced) and Buckinghamshire Council guidance on runoff rates and volumes to deliver wider environmental benefits. Where the final discharge point is the public sewerage network the runoff rate should be agreed with the sewerage undertaker.

q. Where site-specific FRAs are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems

r. In considering SuDS solutions, the need to protect groundwater quality must be taken into account, especially where infiltration techniques are proposed in considering a response to the presence of any contaminated land. The Environment Agency need to be consulted where infiltration is proposed in contaminated land. SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits. Opportunities will be sought to enhance natural river flows and floodplains, increasing their amenity and biodiversity value and a watercourse advice note is being prepared for further guidance

s. Applicants will be required to provide a management plan to maintain SuDS in new developments, and a contribution will be required for maintenance of the scheme/SuDS

t. Onsite attenuation options should be tested to ensure that changing the timing of peak flows does not exacerbate flooding downstream, and

u. Only in exceptional circumstances will surface water connections to the combined or surface water system be permitted. Applicants will need to demonstrate in consultation with the sewerage undertaker that there is no feasible alternative and that there will be no detriment to existing users.

Applicants will be required to liaise with the lead local flood authority, Internal Drainage Boards, and the Environment Agency on any known flood issues, and identify issues from the outset via discussions with statutory bodies.

Climate change

v. Climate change modelling should be undertaken using the relevant allowances (February 2016) for the type of development and level of risk

w. Safe access and egress should be demonstrated in the 1 in 100 plus climate change event, and

x. Compensation flood storage would need to be provided for the built footprint as well as any land-raising within the 1 in 100 plus appropriate climate change flood event. This compensation would need to be demonstrated within a Flood Risk Assessment (FRA).