

Planning Statement

Client: Elmtree Enterprises Ltd

Proposal: Outline Application for Infill Residential Development using existing field access following the demolition of a steel framed barn

Site: Land to the west of Wормinghall Road, Oakley, Buckinghamshire, HP18 9QY

Date: October 2023



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1.0 Introduction

- 1.1 This statement has been prepared on behalf of Elmtree Enterprises to accompany the outline planning application for the proposed development of a discreet and enclosed parcel of land to the west of Worminghall Road, within the village envelope of Oakley, for residential purposes.
- 1.2 The relatively recent amalgamation of Aylesbury District Council with those of Chiltern, South Bucks and Wycombe into Buckinghamshire Council means that work is underway on a joint Statutory Development Plan, expected to come into being by April 2025. In the meantime, decisions for sites within the (former) Vale of Aylesbury are being determined in accordance with the Local Plan (VALP) adopted during September 2021. During September 2023, the Council produced the Aylesbury Vale Area Five Year Housing Land Supply Position Statement. This confirms that the deliverable supply of housing has dropped below five years. In accordance with the provisions of the NPPF (Paragraph 11d)) this renders those policies most important for determining applications for residential development 'out-of-date'.
- 1.3 Given the acknowledged need for additional housing land, the NPPF advocates granting planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits arising, when assessed against the other policies in the Framework taken as a whole.
- 1.4 In this case, it is clear that the proposals on behalf of a local developer with a track record of bespoke and appropriate schemes would make a valuable contribution to the Council's housing land supply by delivering a mix of houses, along with associated economic benefits in terms of the construction of the development itself, and the benefits associated with the resultant increase in population (to which moderate weight should be accorded). Given that the proposals for this site equally comply with the core planning principles of the NPPF and VALP, by conserving the historic and natural environment whilst preserving residential amenity and promoting sustainable transport, the proposals should be supported.
- 1.5 In the first instance, the site and its relationship with its surroundings will be described, before the proposals themselves, and the measures to ensure that they assimilate into their surroundings. The relationship with Planning Policy is then considered, before the various matters are drawn together with the conclusions.

2.0 The Site and its Surroundings

2.1 As demonstrated by the aerial photographs below, the application site comprises a ribbon of land stretching west from Worminghall Road.



2.2 To the immediate north is the residential development conglomerated around Mill Road, which extends further west reinforcing the site's relationship with the village, rather than the countryside beyond. North of this residential development is Oakley's combined school (a short walk of less than 200 metres from the site).



- 2.3 The nearest residential development is 32 Wормinghall Road, just to the north of the existing field access onto Wормinghall Road. The original dwelling is orientated in an east/west direction. There is a linked garage running parallel with the shared boundary hedge, and a dog legged garden to its rear. There is a conservatory at the southern side of the property's western elevation, which has been noted by the development and addressed by the illustrative scheme.
- 2.4 To the east of Wормinghall Road is a mix of residential development that extends north and south along the road, with various infill developments that extend back in a similar fashion as proposed for this site.
- 2.5 To the immediate south are a range of agricultural buildings that make up the northern part of Hedges Farm's yard. Those to the immediate south of the application site are largely redundant for agricultural purposes, due to their restricted height and size. Indeed, prior approval has been granted for the demolition of two to the west of the farmyard and the erection of a replacement building to their south west. This arrangement is shown by the application drawings, and demonstrates that the new barn would be over 30m to the south of the nearest building shown on the illustrative layout, which is less than the set-off distance from the nearest residential property to the barn already on site.
- 2.6 In order for the application to proceed, the existing steel framed building to the south west of 32 Wормinghall Road would need to be demolished, as shown by the application drawings. The proposed access would utilise the existing field entrance onto Wормinghall Road, which enjoys good sightlines up and down the road, which is 30mph where it passes through the village, including the application site.
- 2.7 As the accompanying ecological appraisal demonstrates, the application site comprises neutral grassland of limited ecological value. There is a hedgerow to the northern boundary, which is retained and supplemented by the proposals.
- 2.8 To the south of the more traditional buildings that enclose the farmyard is the farm house. This is a Grade II Listed Building which backs onto the farmyard, with the primary façade being to the south. As referred to above, its immediate setting is delineated by the now largely redundant agricultural buildings to the north of the concrete farmyard. The grassland to its north has no bearing upon its setting, as the two are not only separated but segregated from each other.
- 2.9 To the south of Hedges Farm is a line of residential development either side of Wормinghall Road, with further development to its rear comprises Oakley Wood Timber. The site is, therefore, a restricted gap between existing development.

2.10 As demonstrated by the photograph below, potential views would principally be from Wормinghall Road, and very transitional in nature, enclosed as they are to both sides by existing development. This photograph also illustrates the limited intervisibility with the listed building just visible to the left of the various farm buildings. The development along Mill Road, to the north, extends significantly further to the west of the application site. Indeed, the application site would only extend as far as Orchard Close (midway along this residential development), which terminates to the north of the site. As the aerial views above demonstrate, the substantial planting along the boundary is principally within the gardens of adjoining properties.



3.0 The Proposals – Design and Access Statement

- 3.1 Whilst the application is in outline, all matters reserved apart from access, the proposals are accompanied by an Illustrative Site Plan, to demonstrate how it is envisaged the final scheme would come forward. Indeed, these are currently being developed to ensure that all material planning considerations have been address, and that the site is readily deliverable (in order to help meet the Council’s identified housing need).
- 3.2 In the first instance, following the demolition of the existing steel framed building, which is higher and significantly bulkier than any of the proposed units, a road would be provided from the existing access, which already benefits from a dropped curb onto Worminghall Road. This would extend west into the site, terminating before Orchard Close (being the road which extends south midway along Mill Road, to the north).
- 3.3 A mix of three and four bedroomed units are indicated, with a two bed unit closest to the entrance. The seven units shown would be staggered along the road, and would have a lower density than Mill Road, to the north. All existing planting to the boundaries would be retained, and supplemented at appropriate points. This would be particularly true at the western end of the site, west of the suggested turning head where the trees south of Orchard Close would be visually extended to their south, enclosing development so that it clearly represents infill that rounds off development within this inset to the village envelope.
- 3.4 The additional planting, along with other ecological improvements, will enhance the value associated with the site, which is currently given over to monoculture grassland with poor species mix (as demonstrated by the Preliminary Ecological Appraisal accompanying the application).
- 3.5 As the Illustrative Site Plan demonstrates, plot sizes are good and also larger than those found to the north, in order to provide a transition between adjoining development and the rural edge to the settlement. The buildings are also located and orientated so as to not have any impact upon the amenity of the properties to the north. An appropriate level of parking is then illustrated, located at convenient points. A footpath would also be provided along the access linking with Worminghall Road to the east, which benefits from footpaths that switch along its length and link with the other facilities available within the village (particularly Oakley’s Combined School a short distance to the north).

Appearance

- 3.6 Elmtree is a local construction company with a proven track record that extends over two decades. Development often comprises sites of this type using a rural or village vernacular suitable to the specific location. A bespoke solution that integrates into the host area in an appropriate fashion is the preferred approach.
- 3.7 Given the mix of styles and sub-urban appearance found locally, Elmtree is looking to a rural edge appearance similar to the examples provided below. Whilst the following examples are for information purposes only, they demonstrate the range of schemes and approaches delivered. Some further input by Officers would be appreciated as part of this application, in order that work can continue on the detailed design.

Small Cul de Sac Development at Charndon



Folly Farmhouse, Deans Hanger



Marsh Gibbon



Brook Farm Close, Twyford



4.0 Assessment of the Proposals

Introduction

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that when determining planning applications decisions are made in accordance with the Development Plan, unless material considerations indicate otherwise.

4.2 As noted in the introduction to this statement, whilst work is underway on the joint Local Plan for the previously separate districts that now make up Buckinghamshire Council, applications within the (former) Vale of Aylesbury are being determined in accordance with the Local Plan adopted during September 2021. Whilst this document extends up to 2033, the recently produced (September 2023) Five Year Housing Land Supply Position Statement confirms that the deliverable housing supply has dropped below five years. For the decision making process, Paragraph 11d) of the NPPF states:

“Where there are no relevant development plan policies, or the policies which are most important for determining the application are out -of-date⁸ granting planning permission unless:

- i. The application of policies in this framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed⁷, 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.”**

⁷ [This provision does not apply as the site is not in the Green Belt, AONB etc].

⁸ This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.”

4.3 Therefore, in accordance with the provisions of the NPPF, policies pertinent to the provision of housing are deemed out-of-date meaning that planning permission should be granted for the application proposals, subject to the relationship with other policies within the NPPF.

Principle of Development

4.4 Whilst the acknowledged shortfall in housing confirms that the principle of residential development is acceptable, and the site is not subject to any policy restrictions, it shall be demonstrated that the proposals also conform with the provisions of the adopted Local Plan without conflicting with any other policy requirements of the NPPF.

4.5 Within the Aylesbury Vale Local Plan, Oakley is a 'small village' close to the M40, beyond the Area of Attractive Landscape that washes over much of the southern half of the district. It is also not subject to any further policy constraints.

4.6 In accordance with the provisions of Policy S1, all development must comply with the principle of sustainable development set out within the NPPF (reinforcing the provision of Paragraph 11d)). In the context of Aylesbury Vale, this means that development proposals 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 where possible, and to secure development that improves the economic, social and environmental conditions in the area."

4.7 The spatial strategy for growth then recognises the interconnectivity of Aylesbury Vale with adjoining authorities, and their contribution to local employment and social needs, with the proximity of the M40 (a short distance west of the application site) playing a significant role. It also identified the significant housing shortfall at the time of adoption, and proposed various solutions. It was recognised that further growth would have to take place in larger, medium **and** smaller villages. This was, in part, to meet housing requirements in appropriate locations and also the need to sustain **their** communities and meet local needs for housing, employment and community facilities. The development of this site would, therefore, contribute to these sustainability requirements in a manner consistent with development to date.

4.8 The spatial strategy for growth described by Policy S2 identifies that a total of 28,600 new homes need to be delivered during the plan period, which extends up to 2033 and envisages 'smaller' villages making a contribution through either 'windfall' applications, or neighbourhood plan allocations. In the absence of a neighbourhood plan for Oakley, the proposals the subject of this application fall to be considered as a windfall scheme predicated (in part) on housing need that

is to be addressed in very much the same fashion as the relative recent development approved under reference 16/00141/AOP (namely the more open land adjacent to Elmwood Close, a short distance to the east of the application site).

- 4.9 The importance of monitoring and reviewing not only the policies of the Local Plan, but also whether or not they are delivering their aims and objectives is the specific subject of Policy S8, reinforcing the stance of the NPPF (as set out at Paragraph 11d)). This policy states that:

“.....proposals for alterative sustainable sites [*will be*] considered favourably (subject to compliance with other policies in the Plan) in any of the following circumstances”

a) Site allocations, committed sites and windfall sites are not coming forward at the rate anticipated in the housing trajectory, leading to development not being delivered at the rate expected in the Plan. *(my emphasis)*

- 4.10 Policy S8 therefore reinforces the need to address the recognised housing shortfall in accordance with the provisions of the NPPF.

- 4.11 As identified above, smaller villages have an identified role in district’s housing requirements, as specifically reiterated by Policy S2. Other provisions with respect to reinforcing the identity of settlements whilst not compromising the character of development between settlements (as required by Policy S3) are also addressed by the current proposals (as shall be demonstrated below).

- 4.12 The proposals therefore fall to be considered on their sustainability credentials and other policies within the Local Plan (as well as the NPPF). This includes the provisions of Policy D4 which relates to housing development within smaller villages. Policy D4 confirms that where there is no 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 the applicable policies in the Local Plan, provided that the proposed development fulfils all of the following criteria:

- a. “Is located within the existing development footprint of the village* or is substantially enclosed by existing built development;**
- b. Would not lead to coalescence within any neighbourhood settlement;**
- c. Is 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 development footprint is defined as the continuous built form of the village, and excludes individual buildings in groups of dispersed buildings. This includes former agricultural barns that have been converted, agricultural buildings and associated land on the edge of villages and gardens, paddocks and 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”.**

- 4.13 Even putting to one side the presumption with respect to housing need, which supports the current proposals, it is deemed that the scheme conforms with these policy requirements. In so far as there can be deemed to be any tension, this relates to the fact that seven rather than five dwellings are proposed. However, existing built form is being removed and the policy does not prescribe this number as an absolute limit. Indeed, this should be judged in the light of site circumstances, which are deemed to be favourable for these proposals due to how they relate to their surroundings (revisited below but described at Section 2 of this statement). In any case, the presumption of this limit is set aside due to the current housing need.
- 4.14 In all respects, the provisions set out within the NPPF are complied with, including (as shall be demonstrated) with respect to good design and an appropriate arrangement and layout that does not infringe upon the other material planning considerations. In this way, the principle of the development is acceptable, including in accordance with the provisions of Policy D4 (which relates to housing development within smaller villages).

Assessment

- 4.15 The application site comprises a slither of land within the village envelope that is specifically enclosed by development on three sides whilst being divorced from the open countryside beyond. Indeed, it is closer to Worminghall Road than the development to its north, which juts out into the open countryside effectively shielding as well as enclosing this site. It is, therefore, the equivalent of a small infill site within the built envelope of the village, which extends significantly

further in all directions, with no wider policy ramifications arising. The settlement hierarchy and layout will, therefore, be reinforced rather than undermined by the proposals, whilst making a small but meaningful contribution to local (and district) housing requirements in an entirely appropriate fashion at a time of recognised shortfall.

- 4.16 It would also lead to the same positive benefits as accepted for the relatively recent development approved for the comparable site to the east (reference 16/00141/AOP, land adjacent to Elmwood Close a short distance to the east of the site), though that site was more visible from the countryside beyond. There are no wider policy constraints such as Green Belt or Attractive Landscape value, and no potential for coalescence or any loss of Oakley's identity. The site is, however, within easy walking distance of the various facilities within the village, including the school that lies less than 200m to the north, and the various bus routes that are available from towards the junction of Wормinghall Road with Oxford Road to the north. It is exactly the type of site that should be brought forward, particularly as it conforms with all of the provisions of Policy D4.
- 4.17 The development would, therefore, make a contribution to housing land supply whilst delivering a mix of homes upon a site enclosed on three sides by existing development within ready walking distance of the various facilities within the village. It would also bring forward economic benefits in terms of the construction of the development itself as well as the resultant increase in the population. Indeed, in accordance with similar proposals determined by your Authority for the comparable site within Oakley under reference 16/00141/AOP, namely the more open land adjacent to Elmwood Close, moderate weight should be attached to the proposed development, and also to the social benefits arising from the uplift in the population.

Meeting Accommodation Needs

- 4.18 Whilst the application is submitted in outline, all aspects reserved apart from access, the proposals are accompanied by an illustrative layout to demonstrate how they would relate to their surroundings.
- 4.19 The illustrative layout includes a range of accommodation types to meet the various requirements within the village, including one x 2-bedroomed dwelling, and then 3 and 4-bedroomed units. Whilst the final mix will be agreed with officers, the illustrative layout demonstrates that the proposals would sit comfortably with adjoining development whilst also meeting the requirements of Policy 6a.

Layout and Design

- 4.20 The proposals are very much cognisant of their setting, including the relationship with the farm yard at Hedges Farm, to the south of which is the Grade II listed farmhouse. As demonstrated, the application site is divided from that building by intervening buildings and yard, and the Listed Building is orientated to the south, turning its back on the yard and the land to its north.
- 4.21 Whilst the proposals retain the buildings between the site and the Listed Building, they remove the larger barn to their north, replacing it with a lower, more traditional form of development that echoes but is more dispersed than the development to its north. In this way, the wider setting of the Listed Building would not be affected.
- 4.22 The indicative arrangement and layout respects adjoining development whilst retaining and enhancing all boundaries. The density of development is less than along Mill Road, to the immediate north. This approach is taken in order to integrate into the pattern within this part of the village and represent true 'infill' development. The arrangement includes planting to its western end, to reinforce that at the southern end of Orchard Close and provide a natural rounding off within this part of the settlement. However, from the countryside to the west, the development sits significantly back from the wider extent of the village, which advances further west. This further reinforces the subservient nature of the proposals, so that the scheme represents true infill in-keeping with the other aspirations of policy.
- 4.23 Whilst matters of design remain to be considered, examples of the type of developments that the applicant has brought forward elsewhere are provided at Section 3 of this statement, in order to demonstrate that this would be a bespoke scheme that relates to local distinctiveness and vernacular character (rather than being generic in its design).
- 4.24 The general form, proportions and arrangement shown are very much in-keeping with their surroundings, and matters of detailing and materials will be confirmed in order to progress the detailed design scheme. The proposals, however, have no impact upon the natural qualities and features of the area, as the site comprises, apart from its boundaries, a monoculture / species poor grassland.
- 4.25 As the proposals would use the existing access, and existing views from Worminghall Road towards the site are already dominated by built development, the effect on public views and skyline would be restricted. Indeed, any views are also very transitional in nature, due to the way that built development extends along the western side of this part of Worminghall Road. As such, the views are not only limited but include existing development and so transitional as to

ensure any wider ramifications are insignificant. In this way, the proposals address the requirements of Policy BE2, which relates to the design of new development, in so far as they apply to these outline proposals.

- 4.26 As part of the arrangement shown, specific consideration has been given to the amenity of adjoining residents, with development either set-off or orientated so as to not overlook adjoining properties. Again, whilst the details need to be agreed, the illustrative layout demonstrates that concerns such as residential amenity are straight forward to address, this in part being a benefit of the lower density proposed.
- 4.27 Turning to density, the provisions of Policy BE4 are recognised, along with the requirement to make affective use of the land. The case for the proposed density is set out above, and is deemed to be in-keeping with its surroundings, whilst providing a transition between the development surrounding it. Any comments with respect to this concern will be addressed with the assistance of officers, to ensure an appropriate arrangement going forwards.

Biodiversity

- 4.28 The application is accompanied by a Preliminary Ecological Appraisal produced by Arbtech. This confirms that the proposals principally comprise neutral grassland of restricted value. The existing barn also has no potential from a bat roost perspective.
- 4.29 Whilst the site has limited value the need for biodiversity enhancements is recognised, and it is for this reason that the existing hedges are all to be retained and any gaps filled, and additional planting proposed. There is then the additional planting to be undertaken to the western boundary of the site, to enhance the value associated with it. Whilst additional habitat value would be created in this way, it is also suggested that specific measures are incorporated around buildings, the details of which are to be agreed with Officers.
- 4.30 The value of the site will be improved as a result of these proposals, and specific details agreed either during the processing of this application and/or any reserved matters.

Highways

- 4.31 The application site comprises a limited form of development that would utilise an existing field access onto Wормinghall Road. As the application drawings demonstrate, there are good sightlines north and south along the road, which is 30 mph in both directions. Further works may be required to the crossover, but the arrangement is appropriate to meet the requirements of the proposed development.

Summary

4.32 As demonstrated, the proposals comprise a form of development that meets the aspirations of both the NPPF and adopted VALP for sustainable development, whilst reinforcing the existing pattern of development within Oakley in an entirely appropriate fashion. The village also has various sustainability credentials, particularly the school as well as other services including buses that provide a reasonable linkage with the wider area. The proposals would also bring forward a contribution to an acknowledged housing shortfall comprising a mix of units within the settlement that ensures its vitality in an appropriate fashion. As such, it is trusted that the proposals will be supported.

5.0 Conclusions

- 5.1 Whilst the merits of the application proposals have been demonstrated, along with their clear contribution to the economic, social and environmental welfare of Oakley, the need to help address the identified shortfall in housing land supply is an overriding factor in support of the current proposals.
- 5.2 Indeed, given the acknowledged need for additional housing land, the NPPF requires that planning permission be granted, unless any adverse impacts would significantly and demonstrably outweigh the benefits arising (when assessed against the other policies in the Framework taken as a whole).
- 5.3 As demonstrated, no significant adverse impacts arise, and in so far as these may be deemed to occur, they are outweighed by the benefits arising. It is also clear that the applicant has a track record of bespoke and appropriate schemes that will integrate into the local vernacular in a discrete and appropriate fashion.
- 5.4 As demonstrated, the application site comprises a slither of land within the village envelope that is enclosed by development on three sides whilst being divorced from the open countryside beyond. It is, therefore, the equivalent of a small infill site within the built envelope of the village, with no wider policy ramifications arising. The settlement hierarchy and layout will, therefore, be reinforced rather than undermined by the proposals, whilst making a small but meaningful contribution to local (and district) housing requirements in an entirely appropriate fashion at a time of recognised shortfall. As such, the proposals perform well with the requirements of Policies D4 and BE2.
- 5.5 It would also lead to the same positive benefits as accepted for the relatively recent development approved for a comparable site within the village (reference 16/00141/AOP, land adjacent to Elmwood Close a short distance to the east of the site), though that site was more visible from the countryside beyond.
- 5.6 There are no wider policy constraints such as Green Belt or Attractive Landscape value, and no potential for coalescence or any loss of Oakley's identity. The site is within easy walking distance of the various facilities within the village, including the school that lies less than 200m to the north, and the various bus routes that are available towards the junction of Worminghall Road with Oxford Road to the north. It is, therefore, exactly the type of site that should be brought forward, in accordance with Government guidance and Local Plan policy.

- 5.7 As the proposals would a contribution to housing land supply whilst delivering a mix of homes upon a site enclosed on three sides by existing development within ready walking distance of the various facilities within the village, it is trusted that they will be supported.

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