

DESIGN & ACCESS STATEMENT

68 Worminghall Road, Oakley,

HP18 9QY

February 2024

Ref: 1376



**PLANNING & ARCHITECTURAL
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A Design and Access Statement produced by
JCE Planning & Architectural Consultancy
on behalf of Mr & Mrs Gascoyne
Relating to the residential development of
68 Worminghall Road, Oakley,
HP18 9QY
Ref: 1376

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1. SUMMARY & PROPOSAL

- 1.1. This Design and Access Statement supports an outline Planning Application relating to a residential development at 68 Worminghall Road, Oakley, HP18 9QY, for 4 detached dwellings, being a net increase of 3 following the demolition of the existing dwelling.
- 1.2. Plot 1 and Plot 4 are to be served by two existing access points located to the north and south of the site, and Plot 2 and Plot 3 are to be served by a new shared access located within the middle of the site. All three access points are off the Worminghall Road, where a wide verge allows for suitable vision splays in both directions.
- 1.3. This application follows a recently approved planning application for the replacement of the existing dwelling by a considerably larger detached dwelling, including a double garage with an annexe within its roof space.
- 1.4. The site has also been the subject of a much earlier permission for the same larger replacement dwelling.
- 1.5. This current outline application seeks to also seek approval for the means of access, with all other matters siting design and external appearance and landscaping, being reserved for later consideration. In support of the application, we have shown indicative plot boundaries to demonstrate to the Council one of the ways in which the site could be arranged.

2. PLANNING HISTORY

- [Erection of Dwelling](#)
Ref. No: 82/01016/AV | Status: APPROV
- [Erection of replacement buildings for use as stables, storage and garaging.](#)
Ref. No: 07/01470/APP | Status: Approved
- [Discharge of conditions - 07/01470/APP](#)
Ref. No: 07/11767/DIS1 | Status: Not Proceeded With
- [Replacement stables, storage and garaging \(amendment to 07/01470/APP\)](#)
Ref. No: 08/00267/APP | Status: Approved
- [Conversion of part of outbuilding for use as ancillary residential annexe](#)
Ref. No: 10/02129/APP | Status: Householder Refused
- [Application for a Lawful Development Certificate for an existing operational development comprising an access and track](#)
Ref. No: 18/00904/ACL | Status: Certificate Issued - Existing Development
- [Application for a Lawful Development Certificate for an existing use of land as residential amenity land and erection of summerhouse for a purpose incidental to the enjoyment of the dwellinghouse \(No 68\) as such on aforementioned land](#)
Ref. No: 18/02532/ACL | Status: Certificate Issued - Existing use
- [Demolition of existing dwelling and erection of replacement dwelling and garage with annexe over using the original vehicular access](#)
Ref. No: 19/00029/APP | Status: Refused
- [Demolition of existing dwelling and erection of replacement dwelling and garage with annexe over](#)
Ref. No: 19/02533/APP | Status: Approved
- [Submission of details pursuant to Condition 2 \(materials\) 5 \(hard and soft landscaping\) and 9 \(details screening, boundary wall and fence\) relating to Planning Permission 19/02533/APP](#)
Ref. No: 19/A2533/DIS | Status: Satisfies requirements
- [Demolition of existing dwelling and erection of replacement dwelling with a 3-bay garage with annexe accommodation within its roof space \(amendment to 19/02533/APP\)](#)
Ref. No: 21/00686/APP | Status: Approved
- [Demolition of existing dwelling and erection of replacement dwelling with a 3-bay garage with annexe accommodation within its roof space](#)
Ref. No: 23/02923/APP | Status: Approved

3. SITE & SURROUNDING AREA

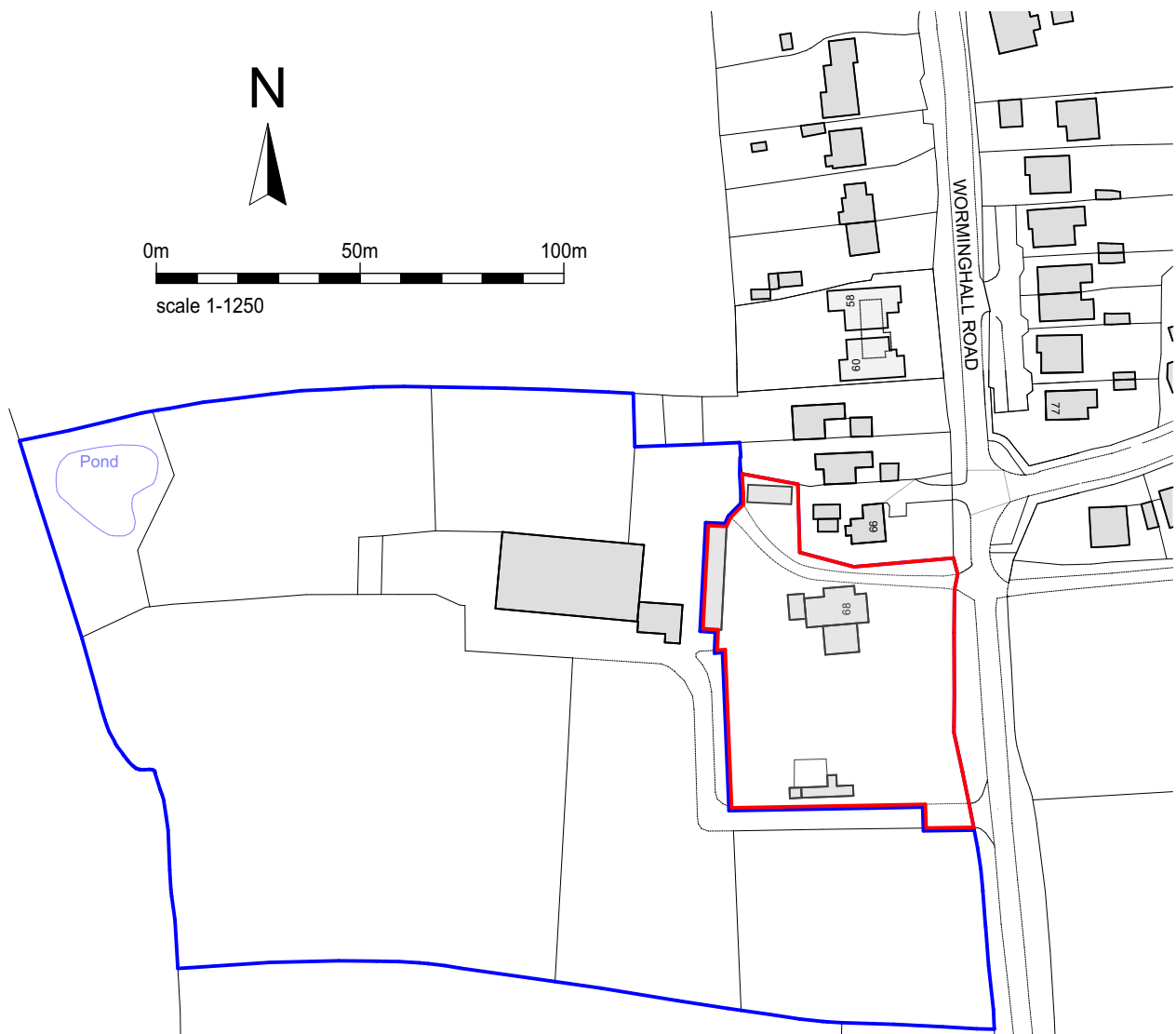
- 3.1. The application comprises a detached single storey dwelling known as Walnut Farm set within large grounds. The site is located to the west of Wормinghall Road on the southern edge, but within the envelope of the village of Oakley. To the south of the dwelling is its large garden area within which there stands a single storey structure used as a summerhouse and patio area.
- 3.2. A Lawful Development Certificate was issued in October 2018 establishing the use of the garden area to the south of the dwelling as residential amenity land and the erection of the summerhouse for a purpose incidental to the enjoyment of the dwellinghouse.
- 3.3. The access to the existing residential property lies to the north of the dwelling. To the south is an access track that was granted a lawful development certificate in July 2018 which provides access to the industrial building to the west of the site. There are also several other outbuildings along the western boundary of the site.
- 3.4. The site is well enclosed with well-established mature hedges along its boundaries with Wормinghall Road, the access track to the south and along the western boundary. The site is also surrounded by existing development. To the west and the north are existing buildings in the form of the former agricultural building now in industrial use and the detached dwelling No. 66 Wормinghall Road. To the east of the site is the Wормinghall Road, beyond which is open countryside. To the south of the site is the access route to the industrial building, again beyond which is open countryside.
- 3.5. The site is not within a Conservation Area or within the Green Belt or the AONB and No 68 is not a Listed Building. There are no Tree Protection Orders on the site and being a private dwelling and garden, there is no public access. There is a Public Right of Way about 150m to the west of the site which has no effect on the application site.
- 3.6. Nearby, within the linear development to the north, the Council has recently granted consent for the demolition of No. 58 Wормinghall Road and the erection of two detached properties under planning reference 17/01321/ADP.

4. USE

4.1. The application site consists entirely of the land associated with No. 68 Wормinghall Road, all of which is within lawful residential use. The only exception to this is the use of the existing commercial access to serve one of the new residential units and given the current width and vision splays, this access arrangement is considered to be acceptable.

5. LAYOUT, LANDSCAPE, DESIGN AND APPEARANCE

5.1. All these matters have been reserved for later consideration and we are comfortable that an appropriate scheme could be prepared at the Reserved Matters stage that would be compliant with regard to all these considerations.



Location Plan

6. ACCESS, PARKING & TRANSPORT

- 6.1. As already explained earlier in this Statement, the proposed development would provide sufficient access and parking arrangements, with suitable vision splays being achieved from each of the three access points.
- 6.2. All four dwellings would be provided with a parking provision that complies with the Councils current parking requirements and this can be demonstrate at the Reserved Matters stage when the design of the layout is agreed. In accordance with current planning and building regulation requirements, each plot would be provided with an EV charging point.
- 6.3. Oakley is identified as a Smaller Village at Table 2, and thus, Policy D4 of the VALP applies to the proposed development.
- 6.4. Where there is no made neighbourhood plan, Policy D4 allows for new housing development at smaller villages where it contributes to the sustainability of that village and is in accordance with policies within the rest of the plan, provided the development fulfils all the following criteria, those being:
- a) Is located within the existing developed footprint of the village, or is substantially enclosed by existing built development.
 - b) Would not lead to coalescence with any neighbouring settlement.
 - c) Is of a small scale (normally five dwellings or fewer) (net) and in a location that is in keeping with the existing form of the settlement and would not adversely affect its character and appearance.
 - d) Respects and retains natural boundaries and features such as trees, hedgerows, embankments and drainage ditches.
 - e) Would not have any significant adverse impact on environmental assets such as landscape, historic environment, biodiversity, waterways, open space and green infrastructure.
 - f) Can be served by existing infrastructure.
- 6.5. It is our view that the proposed development clearly complies with all 6 of the criteria listed within the policy. The site is located within the existing developed footprint of the village. Although it is acknowledged the site is the last in the village it still sits within its footprint. This was acknowledged most recently by the Local Authority when it

determined application reference 23/02923/APP where the Council stated at Paragraph 1.2 of its Officer Report:

In this case, the site is within the built up part of Oakley which is a sustainable location [...].

- 6.6. Given the scale of development, there would obviously be no risk of coalescence with Worminghall, some 3.5km away along the Worminghall Road. The development proposes a net increase of 3 units, comfortably below the Council's soft limit of 5 under this Policy. The scheme would not have an adverse impact on any environmental assets (given the distinct absence of these assets at the site in the first instance). In respect of the existing natural boundaries and features on the site, the proposed development would be located entirely within the boundary of No. 68 and only minimal incursion through the strong frontage hedgerow would be necessary for access purposes, to facilitate the proposed development. Finally, given the scale of development, the site can easily be served by existing infrastructure.
- 6.7. With all the above in mind, the proposed development is considered to represent sustainable development within the built envelope of an existing village, and it is further considered that the access details proposed would also be acceptable.



Existing access for commercial unit

7. HERITAGE

- 7.1. This proposal is well away from any designated heritage assets. The nearest being Yew Tree Cottage and No. 61 Worminghall Road, both Grade II Listed, which are each approx. 140 metres away from the application site.
- 7.2. The proposed development will have no effect on these heritage assets and therefore their setting and special interest will be preserved.

8. TREES

- 8.1. The application is supported by a full tree report from Tom Hurley of Advanced Arboriculture. The location for the proposed additional access points into the site have been chosen to ensure minimal damage or disruption to existing hedgerows and vegetation.
- 8.2. There would be a small section of hedgerow removed to facilitate an additional access off the Worminghall Road, and a small section of hedgerow would also be removed between the existing access track to the industrial building and the southern corner of the site. Neither access point would require the removal of any trees, nor would there be any removal of any other trees on the site, all of which are to be retained.

9. SCALE & AMOUNT

- 9.1. The proposed development would consist of 4 x two storey, detached properties. The specific size and number of bedrooms within these units is not yet determined and would be agreed and fixed at the Reserved Matters stage, taking into account that the Council's own HEDNA identifies a need for 3 & 4 bedroom dwellings.
- 9.2. Almost all of the development on the western side of the Wормinghall Road is two storey in height, which includes the property directly adjacent to the site at No. 66, the two new detached properties recently constructed on the former site of No. 58 and the replacement dwelling which is currently approved on the application site. The industrial building to the west of the application site is also of a substantial height.
- 9.3. The site area covers just under 0.4Ha, and the scheme would provide 10.2 dwellings per Ha, compared with the existing scenario of 2.57 dwellings per Ha, thus making the best use of land already in residential use.

10. FLOODING & DRAINAGE

- 10.1. The application site is located within Flood Zone 1 and therefore is not within an area at risk of surface water flooding. It is therefore considered that the proposal should be considered acceptable in this regard.
- 10.2. The site does not exceed 1ha in size, does not include any land within a Flood Zone 2 or 3 and there is no indication of historic flooding. As a result, it is not necessary to provide a Flood Risk Assessment in support of the proposal.
- 10.3. The new properties would be connected into the main foul water network.
- 10.4. With regard to surface water disposal, this would be dealt with in accordance with the relevant guidance applicable, when full details relating to the layout and scale of the development is known (at the reserved matters stage) when a full SuDs scheme can be provided to the Council for consideration. Given the scale of development, the outline stage of the proposals, the lack of any flood history at the site and the lowest designation of flood risk in both surface water and fluvial terms. It is not considered either necessary or appropriate to provide the full surface water information at this stage.

11. ECOLOGY

- 11.1. The application site consists entirely of a residential garden, which is of low ecological value. The development would involve the demolition of No 68, which has already been considered acceptable from an ecological point of view in relation to the extant permission reference 23/02923/APP, where it was confirmed that there was no likelihood of protected species being harmed by the proposed development. Accordingly, there was no requirement to seek a license from Natural England with respect to either Newts or Bats.
- 11.2. This approach mirrors the one taken in relation to the work which was approved adjacent to the site in converting the former agricultural building to employment use.
- 11.3. Notwithstanding the lack of harm to any protected species, it is acknowledged that Policy NE1 requires all development to provide a 10% net increase in biodiversity. The proposed development is currently at outline stage with no layout, design, or landscaping scheme being currently available. All of this detail will be provided at the Reserved Matters stage. With this in mind, it is simply not possible to provide an accurate Biodiversity Metric Calculation at this outline stage for the Council to consider.
- 11.4. However, it is possible to confirm that there will be very minimal habitat loss by virtue of the proposed development, given the status of the existing site. However, we can confirm that the Applicant owns several fields adjacent to the application site (land edged blue on the Location Plan) which can be used for any mitigation offsetting, in the event that the full mitigation cannot be secured on site. The area of other land owned by the Applicant is substantial and would comfortably accommodate any mitigation necessary.
- 11.5. The application is supported by a short ecology statement by James Johnston Ecology, which details numerous enhancements to the site which can be provided, both within the red line boundary and also within the blue boundary as identified on the submit location plan. The Ecology Statement concludes that the outline application site (red-line boundary) for four houses, at Walnut Farm, Oakley, has the potential to support a range of biodiversity enhancement measures. The much larger adjacent farmland area (which is under the same ownership), also has significant opportunities for a wide range of substantial ecology and biodiversity enhancement measures.
- 11.6. It can therefore be concluded that there is no risk of the proposed small housing development not being able to achieve 'net biodiversity gain' within all the land controlled by the applicant. It will therefore be appropriate at this outline planning stage, to attach a Planning Condition to the Consent, referencing this enhancement document and requiring the Ecology Enhancement Strategy to be 'firmed up' and designed in detailed, at the Reserved Matters stage. This should be worded in a manner that

requires the Enhancement Strategy to be detailed and agreed in writing by the Council, prior to the commencement of any development work.

11.7. It is not possible to detail the enhancement strategy at this outline stage, since the footprints of the proposed dwellings are not yet known and there cannot yet be a landscaping strategy (which the enhancement is usually designed in parallel with). However, this planning condition option will ensure that planning regulations are properly followed, and that appropriate enhancement will be achieved.



Existing residential access

12. PLANNING POLICY

- 12.1. The development plan comprises the Vale of Aylesbury Local Plan 2021 (VALP) and Buckinghamshire Minerals and Waste Local Plan 2019. There is no Neighbourhood Plan for Oakley. The Council cannot demonstrate a 5 year housing land supply (5YHLS), with only 4.7 years of deliverable supply.
- 12.2. However, as far as we understand it, following the publication of the December 2023 revision of the NPPF, the Council is '*protected*' from the tilted balance set out at Paragraph 11(d) of the NPPF because of the protections introduced under Paragraph 76 of the NPPF. Namely, because we are of the understanding that the Council was able to demonstrate a 5YHLS at the point it adopted its Local Plan. If this understanding is mistaken, then we trust that the Council will make the correction. The reason for the uncertainty is due to the unavailability of the information which is necessary to understand the matter in full, for example, we have been unable to find a 5YHLS position statement from the date that the Local Plan was published which would obviously be quite helpful.
- 12.3. Nonetheless, as touched upon above, the application is considered policy compliant and whilst Paragraph 11(d) is not engaged, the failure of the Council to demonstrate a 5YHLS remains a significant material consideration in the decision making process.
- 12.4. Without wishing to repeat what has already been set out, it is common ground that Oakley is a smaller village as defined by the VALP, which engages Policy D4 of the Local Plan. Given the designation as a smaller village, the starting point of any assessment is that Oakley is suitable for small scale development provided it complies with the criteria set out within Policy D4. As explained above, the proposed development fully complies with these criteria and therefore the development is considered to be wholly acceptable in principle.
- 12.5. This approach follows that taken, albeit under a different planning policy situation, where the Council approved the demolition of a single dwelling and the erection of two detached replacements at 58 Worminghall Road, to the north of the application site.
- 12.6. In terms of amenity space, and protection of the amenity of existing residents, there is a comfortable amount of space within the site already, which will allow for the development proposed to benefit from generous garden amenity. Furthermore, given the orientation and location of adjacent properties, it is considered to be fairly straightforward to provide a layout at the Reserved Matters stage that will not only protect the amenity of neighbouring properties, but also protect those proposed within the development.

- 12.7. The housing mix will be dealt with at the Reserved Matters stage in accordance with Policy H6a.
- 12.8. Policy BE4 and the guidance contained within the NPPF within Section 11, sets out the requirement that decisions should promote an effective use of land in meeting the need for homes. The proposed development would replace a single dwelling which sits within a substantial residential garden, with 4 dwelling units each with generous garden amenity spaces. The scheme would undoubtedly make the most effective use of the land by increasing the density of the site, bringing it in line with the existing adjoining development and elsewhere within Oakley.
- 12.9. With respect to affordable housing, the site is only just above the threshold in terms of site area for a site which is required to provide a contribution and would involve a net increase of only three units. As a result, a 25% contribution would involve less than a single dwelling and on-site provision is not considered appropriate as a result. In any case, even if a single dwelling were to be provided it is highly unlikely that this would attract interest from a Housing Association.
- 12.10. Therefore, it is proposed that the development includes a financial contribution towards the provision of affordable housing on a larger site elsewhere. Given the scheme is currently at outline stage and the size and value of the proposed dwellings are not yet known. It is proposed that this contribution be secured by legal agreement, which is subsequently activated upon the approval of any forthcoming Reserved Matters permission, at which point, the value of the development will be known and a figure can be agreed upon.

13. CONCLUSION

- 13.1. The NPPF identifies that there are 3 dimensions to sustainable development: social, economic and environmental.
- 13.2. The social benefits of the scheme would include the delivery of a net increase of 3 residential dwellings in a location where the Local Authority cannot demonstrate a 5 Year Housing Land supply and where the proposal represents a windfall site which would make the most effective and best use of the land available.
- 13.3. The economic benefits of the scheme include employment during the construction process and the ability for the future occupiers to support the local economy by using the amenities in Oakley.
- 13.4. In terms of the environmental impacts, the development would generate a measurable net-gain in biodiversity to be agreed and demonstrated at the Reserved Matters stage.
- 13.5. The proposed development is policy compliant, and would bring measurable benefits to the local community and the local economy. We therefore respectfully request that the application be approved.