

**Application Number: 16/01630/OUT
Major**

Outline planning permission including means of access (all other matters reserved) for the erection of 14 new dwellings

AT Land East of Castle Road And North of, The Glebe, Lavendon

FOR Mr & Mrs Gray

Target: 10th October 2016 (Extension of Time: 06.02.2017)

Ward: Olney

Parish: Lavendon Parish Council

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1.0 INTRODUCTION

(A brief explanation of what the application is about)

- 1.1 The main section of the report set out below draws together the core issues in relation to the application including policy and other key material considerations. This is supplemented by an appendix which brings together planning history, additional matters and summaries of consultees' responses and public representations. Full details of the application including plans, supplementary documents, consultee responses and public representations are available on the Council's Public Access System www.milton-keynes.gov.uk/publicaccess. All matters have been taken into account in writing this report and recommendation.
- 1.2 This application is referred to the Development Control Panel for determination as the recommendation is a departure from the Development Plan and there are objections from the Parish Council and a large number of third parties.
- 1.3 **The Site**

The application site is located on the northern edge of Lavendon and is specifically to the east of Castle Road and to the north of The Glebe. It measures some 0.95 hectares in area and tapers in width and rises in land levels from south to north.
- 1.4 The site is used for equestrian purposes, with the northern part of the site benefitting from a stables and a manege and the southern part of the site used as pasture land. The equestrian facilities are served by a vehicular

access off Castle Road.

- 1.5 The site benefits from mature hedgerows which include trees to the north east and south east boundaries with close boarded fencing predominantly to the southern western boundary and a mix of hedgerows and post and rail fencing to the north western boundary. A drainage ditch also runs along the south eastern boundary of the site.
- 1.6 The site is bounded by residential properties on Castle Road and The Glebe to the south western and south eastern sides with fields to the north east and north west.

1.7 **Background**

The application originally proposed 21 new dwellings and its determination was delayed to allow the resolution of issues relating to flooding associated with the drainage ditch running along the south eastern boundary of the site. Discussions relating to the flooding issue resulting in the application being amended in February this year to propose 14 dwellings (a reduction of 7 units from that originally proposed) and the inclusion of amenity open space / flood meadows on the illustrative plans.

- 1.8 The revised scheme for 14 dwellings went out to consultation in February 2017, but its determination was delayed due to Great Crested Newts being identified to the east of Castle Road in March and a resulting need for further ecology surveys to be undertaken. This survey work has now been undertaken and found acceptable by the Countryside Officer.

1.9 **The Proposal**

The proposal seeks outline planning permission for the erection of 14 dwellings with all matters reserved for determination at a later date except for access.

- 1.10 The application is accompanied by indicative plans including a layout plan and elevations to identify the proposed access and to demonstrate how the site could be satisfactorily developed with 14 dwellings. Whilst the indicative plans are illustrative only, it is noteworthy that the layout plan shows a strip of open land that is free from built form adjacent to the southern boundary of the site to serve as a flood meadow and amenity open space. In addition, the submitted details show an intention to provide housing that would be two storeys in height and a mix of detached and semi-detached dwellings.
- 1.11 Access to the proposed development would be taken from the Glebe with the existing access off Castle Road changed to a pedestrian link.
- 1.12 The submission is also supplemented with a Planning Statement, Design and Access Statement, Landscape and Visual Impact Assessment, Preliminary Ecology Appraisal, Great Crested Newt Surveys, Flood Risk Assessments, Transport Assessments, and an Anglian Water Pre-application Assessment.

2.0 RELEVANT POLICIES

(The most important policy considerations relating to this application)

2.1 National Policy

National Planning Policy Framework 2012 (hereafter referred to as the NPPF)

Paragraphs 11-16: Presumption in favour of sustainable development

Paragraph 17: Core Planning Principles

Section 1: Building a Strong Competitive Economy

Section 3: Supporting a Prosperous Rural Economy

Section 4: Promoting Sustainable Transport

Section 6: Housing

Section 7: Design

Section 8: Promoting Healthy Communities

Section 10: Meeting the Challenge of Climate Change & Flooding

Section 11: Conserving and Enhancing the Natural Environment

Paragraph 173: Ensuring Viability and Deliverability

Paragraphs 187 & 187: Positive Approach to Decision Taking

Paragraphs 196 & 197: Determining Applications

Paragraphs 203-206: Conditions and Obligations

2.2 Local Policy

Milton Keynes Core Strategy 2013

Policy CSA: Presumption in favour of sustainable development

Policy CS1: Milton Keynes Development Strategy

Policy CS9: Strategy for the Rural Area

Policy CS10: Housing

Policy CS11: A Well Connected Milton Keynes

Policy CS12: Developing Successful Neighbourhoods

Policy CS13: Ensuring High Quality, Well Designed Places

Policy CS18: Healthier and Safer Communities

Policy CS19: The Historic and Natural Environment

Policy CS21: Delivering Infrastructure

Adopted Milton Keynes Local Plan 2001-2011

Saved Policy S10: Open Countryside

Saved Policy D1: Impact of Development Proposals on Locality

Saved Policy D2A: Urban Design

Saved Policy D2: Design of Buildings

Saved Policy D4: Sustainable Construction

Saved Policy HE1: Protection of Archaeological Sites

Saved Policy T1: Transport User Hierarchy

Saved Policy T2: Access for those with Impaired Mobility

Saved Policy T3: Pedestrians and Cyclists

Saved Policy T5: Public Transport

Saved Policy T9: The Road Hierarchy

Saved Policy T10: Traffic

Saved Policy T15: Parking Provision

Saved Policy NE2: Protected Species
Saved Policy NE3: Biodiversity and Geological Enhancement
Saved Policy NE4: Conserving and Enhancing Landscape Character
Saved Policy H7: Housing on Unidentified Sites
Saved Policy H8: Housing Density
Saved Policy H9: Housing Mix
Saved Policy PO4: Planning Obligations

Supplementary Planning Guidance/Documents (SPG/SPD)

Parking Standards for Milton Keynes SPD (2016)
Sustainable Construction SPD (2007)
Social Infrastructure Obligations SPD (2005)
Education SPG (2004)
Leisure, Recreation & Sports SPG (2005)
New Residential Developments Design Guide (2012)

3.0 MAIN ISSUES

(The issues which have the greatest bearing on the decision)

3.1 The main issues for the consideration of this application comprise as follows:

- Principle of development
- Locational Credentials
- Housing Mix
- Design, Density and Layout
- Open Space, Landscaping and Trees
- Residential amenity
- Land contamination
- Parking, Access & other Highway matters
- Drainage and Flood Risk
- Ecology
- Sustainable construction
- Archaeology and historic environment
- Planning Obligations
- Human Rights

4.0 RECOMMENDATION

(The decision that officers recommend to the Committee)

4.1 It is recommended that planning permission be granted subject to the conditions set out in Section 6 of this report and a Section 106 Agreement to secure the financial contributions detailed in Paragraph 5.54 of this report

5.0 CONSIDERATIONS

(An explanation of the main issues that have led to the officer Recommendation)

5.1 Principle of development

Planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration in planning decisions.

- 5.2 The Council can demonstrate a 5 year housing land supply figure of 5.03 years. Therefore, in terms of Paragraph 49 of the NPPF, the Council can demonstrate a five year supply of deliverable housing sites and relevant policies for the supply of housing are not considered to be out-of-date.
- 5.3 Saved Policy S10 of the Milton Keynes Local Plan 2001-2011 states that planning permission will only be granted for development in the open countryside where it is essential for agriculture, forestry, countryside recreation and other development which is wholly appropriate to a rural area and cannot be located within a settlement. In addition, Core Strategy Policies CS1 and CS9 seek to focus development in the rural area within the development boundaries of the main and most sustainable towns or key settlements.
- 5.4 The site lies outside the development limits of Lavendon, as shown on the saved Milton Keynes Local Plan Proposals Map, and falls within land designated as 'Open Countryside'. As such, the proposal does not accord with Saved Local Plan Policy S10 and Core Strategy Policies CS1 and CS9.
- 5.5 However, it is noteworthy that the objective of Policy S10 is "to protect the countryside and to concentrate new development within and adjoining existing settlements". Paragraph 17 of the NPPF similarly seeks to protect the countryside and sets out that planning should take account of the different roles and characters of areas and recognise the intrinsic character and beauty of the countryside. Therefore, it is considered necessary to consider the impact of the proposal on the countryside and any other material consideration before concluding on the principle of the proposed development.
- 5.6 In terms of the impact of the proposal on the countryside, whilst the application site is designated as "Open Countryside" under the Development Plan, the site does not fall within a designated "Area of Attractive Landscape" on the Proposals Map or comprise an area with the highest status of protection in relation to landscape and scenic beauty as defined in the NPPF.
- 5.7 The site also directly adjoins the settlement boundary of Lavendon and is not open agricultural land. Indeed, it is in equestrian use and includes equestrian facilities to the northern part of the site in the form of a stable building and associated hard surfacing and a 40m x 20m menage. As such, the site contains existing development and is considered to include previously developed (brownfield) land as defined in the NPPF.
- 5.8 The proposal would change the application site from a low level equestrian use, which is appropriate in the countryside, to a small housing development and would, therefore, clearly have an urbanising impact on the site. However, the illustrative plans accompanying the amended application indicate the potential for the retention of part of the existing open area and character to the southern part of the site. Furthermore, the application is supported by a Landscape and Visual Impact Assessment (LVIA) which considers the local

landscape character and the impact of the development on views from public vantage points. Whilst acknowledging that the photographic survey accompanying the LVIA is relatively weak, officers concur with the general findings of this assessment that there is a high degree of screening provided by the village structure and existing vegetation. Indeed, the most significant visual impacts would be from the public footpath some 200m to the south east of the site, and in glimpsed views between properties, through field accesses along Castle Road, and through the new access off the Glebe. However, the development would replace existing built form and would infill the northern corner of Lavendon such that it would be seen in the context of existing development from these vantage points. In addition, the development would be limited to the existing historic field boundary hedgerows and these could be strengthened by additional planting to further break up views of the site and achieve hedgerow improvement objectives sought under the Council's Landscape Character Assessment as part of a reserved matters scheme.

- 5.9 Overall in terms of countryside impact, due to the site containing existing development, the infill nature of the proposal, the existing screening afforded to the site and the potential for the retention of an open area to the southern part of the site, it is considered that there would only be limited harm to the countryside arising from the proposal. In addition, this harm could be further reduced by the detail of the scheme under a reserved matters application.
- 5.10 Paragraphs 17 and 111 of the NPPF are also a material consideration and encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. As detailed above, the site falls within the NPPF definition of previously developed land and it is considered that it is difficult to argue that the site is of high environmental value. Therefore it is considered that the effective reuse of the site is encouraged under the NPPF.
- 5.11 In addition, it is also noteworthy that the NPPF seeks to “*significantly boost the supply of housing*” (Paragraph 47).
- 5.12 To conclude on the principle of development, the proposal would be contrary to Development Plan Policies S10, CS1 and CS9 by virtue of the “Open Countryside” location of the site. However, it is considered that the impact of the proposal on the countryside would only be limited and that this harm would be outweighed by guidance in the NPPF which seeks to encourage the reuse of previously developed land and significantly boost the supply of housing. As such it is considered that objections could not be sustained to the principle of residential development in this instance.

5.13 **Locational Credentials**

The National Planning Policy Framework (NPPF) requires the need to travel to be minimised and the use of sustainable transport modes to be maximised (paragraph 34).

- 5.14 There are a reasonable range of services within Lavendon including a primary

school, nursery school, a village shop and post office, and two pubs/restaurants. In addition, the village is served by two bus services which connect Lavendon to Bedford and Northampton and also Milton Keynes. Although, there are only limited employment opportunities in Lavendon.

5.15 The site would be located on the edge of the settlement and, whilst it would connect in with the existing footpath network serving the Glebe and have a pedestrian link to Castle Road, it is acknowledged that most services and the bus stops are some distance from the site. As such, whilst many people may choose to use their cars to access services and employment opportunities, it is considered that there are opportunities to access services and employment opportunities using transport methods other than the private motor car.

5.16 In light of the above, it is considered that objections could not be sustained on the basis of the location of the site being unsustainable.

5.17 **Housing mix**

Saved Policy H9 of the Milton Keynes Local Plan 2001 – 2011 seeks to ensure that developments incorporate a range of house types and sizes. Whilst this application is for outline planning permission only, the submitted details indicate that the applicant intends to provide a mix of 2, 3 and 4 bedroom dwellings comprising a mix of detached and semi-detached properties. As such, it is considered that a mix of dwelling sizes and types could be achieved under a reserved matters application should planning permission be forthcoming.

5.18 **Design, Density and Layout**

Saved Policies D2, D2A and H8 of the Milton Keynes Local Plan 2001 – 2011 and Core Strategy Policies CS12, CS13 and CS18 seek to ensure that all new developments are high quality, well designed and relate well to the surrounding area and that proposals design out the opportunities for crime. Further, the Core Planning Principles in Paragraph 17 of the National Planning Policy Framework state that planning should always seek to secure high quality design.

5.19 The design and layout of the scheme would be the subject of an application for the approval of reserved matters should planning permission be forthcoming. However, an indicative layout and elevation plans have been provided. The indicative layout shows the site served off a main spine road extending off the Glebe with a short cul-de-sac to the eastern side of the site, an open amenity area / flood meadow to the south eastern boundary of the site and a turning heading at the northern end of the spine road. Buildings on this indicative layout are shown to be fairly evenly spaced along the road network with the elevations indicating that the applicant intends for the properties to be two storey in scale.

5.20 The scale and appearance of the dwellings shown on the indicative plans would integrate acceptably with the surrounding area. The indicative layout

has been amended during the course of the application to seek to address the concerns raised by the Senior Urban Designer. There are, however, still a number of shortcomings with the illustrative scheme as detailed in the Senior Urban Designer consultation response. However, the submitted indicative plans are just a potential layout for the development and matters of layout, scale and appearance would be fully considered at reserved matters stage should planning permission be forthcoming.

5.21 The application proposes 14 dwellings on a 0.95 hectare site which equates to some 15 dwellings per hectare (dph), although the density of the scheme shown on the indicative layout is greater (21dph) due to the inclusion of the amenity open space / flood meadow area. These densities would fall below the 30 dwellings per hectare average net densities sought under Saved Local Plan Policy H8 for the rural parts of the Borough. However, the density requirements of Saved Local Plan Policy H8 are to ensure that new housing development is in keeping with the character and appearance of the area. As such, given the location of the site on the edge of Lavendon, and the size and shape of this site, it is considered that the reduction in the density sought under Saved Local Plan Policy H8 is not objectionable.

5.22 Overall in design terms, it would appear that 14 units could be accommodated on the site and could positively contribute to an appropriate mixed and balanced community in accordance with the requirements of the development plan. These detailed matters are therefore for consideration at reserved matters stage should planning permission be forthcoming.

5.23 **Open Space, Landscaping and Trees**

Saved Policy D2 of the Milton Keynes Local Plan 2001 – 2011 details that proposals should include landscaping that integrates with the surrounding area.

5.24 The site is limited to the existing historic field boundary hedgerows and there are a number of mature trees to the north west, north east and south west boundaries of the site, with the indicative plans show the retention of the majority of these trees including a large oak tree adjacent to the proposed access to the site.

5.25 The Senior Landscape Architect welcomes the retention of the hedgerows on the indicative plans, seeking its further enhancement, but also raises some concerns regarding the indicative details and the potential for the proposal to impact on the retention of trees near the turning head and the oak tree shading gardens of residential properties. The Arboricultural Officer similarly seeks measures to secure the retention of the boundary trees and also suggests that the proposal should include replacement tree planting to offset trees recently felled on site. However, none of the trees within the site are protected under Tree Preservation Orders and it would not be reasonable to seek the replacement of trees that have already been felled on site. Further, the application is only for outline permission and the concerns raised are detailed matters for consideration at reserved matters stage.

5.26 Turning to open space, whilst the Senior Landscape Architect is seeking a play area on site, there is no policy requirement for the provision of open space within the site and this cannot therefore be reasonably the subject of a condition should planning permission be forthcoming. Notwithstanding this, the indicative plans show an intention to provide a significant area of open space driven by the requirement to address surface water runoff, such that it is likely that open space would be included as part of a reserved matters scheme.

5.27 **Residential Amenity**

Saved Policy D1 of the Milton Keynes Local Plan 2001-2011 details that planning permission will be refused for development where it would adversely affect residential amenity. In addition, the New Residential Development Design Guide SPD (2012) provides guidance on achieving acceptable levels of amenities for future occupiers. Further, the core planning principles in the National Planning Policy Framework (Paragraph 19) details that planning decisions should seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

5.28 A full assessment against the Milton Keynes New Residential Development Design Guide SPD would take place at the reserved matters stage when design, layout and scale would be under consideration.

5.29 Notwithstanding this, in respect of the amenity of neighbouring properties, the Environmental Health Officer does not object to the application and it is considered that the proposal would not generate noise or disturbance or vehicle movements of a magnitude to adversely impact the amenities of neighbouring properties. Further, the indicative plans indicate that the 22m back to back distances sought in the New Residential Development Design Guide SPD (2012) on privacy grounds could be achieved as part of a reserved matters scheme. Therefore, it is considered that there is scope within the site for 14 dwellings to be accommodated without an unacceptable impact on the amenity of neighbouring properties.

5.30 It is also noted that a number of local residents have raised concerns regarding amenity issues arising from construction works and it is considered that these concerns can be addressed by a Construction Management Plan should planning permission be forthcoming.

5.31 Turning to the amenity of future occupiers, a number of the properties on the indicative plan would have garden depths that would fall slightly short of the 10 metre sought in the New Residential Development Design Guide SPD (2012). However, this is compensated for by the widths of the gardens. In addition, the position of the boundary between Plots 2 and 3 on the indicative site plan would give rise to overlooking issues, although this issue could be designed out as part of a reserved matters scheme. As such it is considered that a good standard of amenity for future occupiers could be provided as part of a reserved matters scheme should planning permission be granted.

5.32 Overall, it is considered that there is scope within the site to provide 14 dwellings without prejudicing the amenities of neighbouring properties and whilst still also providing a good standard of amenity for future occupiers.

5.33 Land Contamination

The Environmental Protection Team has recommended that a condition requiring the assessment of ground conditions to determine the likelihood of contamination be applied to any grant of planning permission for this site, given that the proposed use is particularly vulnerable to the presence of contamination. Therefore, subject to the aforementioned condition, no objections are raised with regards to land contamination.

5.34 Parking, Access & other Highway matters

Saved Policy T10 of the Milton Keynes Local Plan 2001-2011 relates to highway safety and details that proposals will be refused for development if it would be likely to generate motor traffic that would exceed the highway capacity of the local road network or cause significant risk of accident. In addition, Saved Policy T15 of the Milton Keynes Local Plan 2001-2011 and the new Milton Keynes Parking Standards Supplementary Planning Document (2016) set out the parking requirements for proposed developments.

5.35 The National Planning Policy Framework (2012) also details in Paragraph 32 that development should be prevented or refused on transport grounds where the residual cumulative impacts of development are severe and indicates in Paragraph 39 that local parking standards should take into account issues include accessibility and the type, mix and use of development.

5.36 Access is not a reserved matter. It must therefore be given full consideration under this application.

5.37 The vehicular access to the site would be located off The Glebe and the concerns of residents of the Glebe regarding highway safety are noted. However, the Highway Engineer has visited the site and advises that in terms of width, alignment and visibility, the access off the Glebe would be acceptable in highway terms to serve 21 units as originally proposed. Furthermore, the Highway Engineer advises that 21 units would not exceed the highway capacity of the wider road network including the junctions with Harold Road and Northampton Road. The proposal has subsequently been revised to reduce the number of units from 21 and 14 whilst keeping the same access arrangements. As such an objection could not be sustained to the proposed access arrangements and traffic generation on the grounds of highway safety.

5.38 Turning to the indicative layout, the amended indicative plans show sufficient allocated and visitor parking to meet the Parking Standards with, for example all dwellings to benefit from at least two on plot parking spaces. However, the amended indicative site plan still includes some layout issues (for example

visitor spaces that appear to be on plot and insufficient details of visibility splays), although these matters can be addressed at the reserved matters stage. As such it is considered that the amended indicative layout sufficiently demonstrates that 14 dwellings could be accommodated on the site in parking and highway terms.

5.39 In light of the above comments, the proposed development is considered acceptable with regard to its access and all other highway and parking matters would be controlled through reserved matters should planning permission be forthcoming.

5.40 **Drainage and flood risk**

The National Planning Policy Framework (NPPF) in paragraph 100 details that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. This guidance is echoed under Saved Policy D1 of the Local Plan 2001-2011 which advises that planning permission will be refused where inadequate drainage is identified. The NPPF also provides a sequential test to steer new development to areas with the least probability of flooding (paragraph 101) and states that development should not increase flood risk elsewhere (paragraph 103).

5.41 The village of Lavendon has been impacted by historic flooding events, including a notable event on the 14th July 2012. Furthermore, according to the Environment Agency Risk of Flooding from Surface Water Map, there is a high risk of surface water flooding on the south eastern site boundary of the site associated with the ordinary watercourse that originates from agricultural land to the northeast of the site. In addition, whilst the majority of the site is located within Flood Zone 1, further modelling has recently been undertaken for the adjacent ordinary watercourse, and this indicates that part of the site is located within Flood Zone 3 (associated with the 1 in 100 year floodplain of this ordinary watercourse).

5.42 The application originally proposed 21 units and was supported by a Flood Risk Assessment (FRA). However, the Local Lead Flood Authority (LLFA) recommended refusal of the 21 unit scheme on the basis that the proposed dwellings to the south of the site, as shown on the indicative plans, would be at risk of flooding and, additionally, that the development would obstruct flow routes and thus exacerbate the risk of flooding to surrounding properties.

5.43 The LLFA entered into discussion with the applicant and the proposal was subsequently amended to reduce the number of dwellings from 21 to 14, with a revised FRA and indicative plans showing the potential to keep a flood meadow area adjacent to the southern boundary of the site to address the flood risk concerns. The revised details have been assessed the LLFA and the LLFA has raised no objection to the 14 unit scheme subject to a condition to secure the detailed design of a surface water drainage scheme. On this basis, the proposed development is considered to accord with Development

Plan Policy D1 and the principles outlined in the NPPF with regard to drainage and flood risk.

5.44 **Ecology**

Saved Policies NE2 and NE3 of the Milton Keynes Local Plan 2001 – 2011 and Core Strategy Policy CS19 seek to protect wildlife and protected species and encourage biodiversity enhancements. This is supported by the NPPF which aims to conserve and enhance biodiversity (Paragraph 118).

5.45 The application is accompanied by a Preliminary Ecological Appraisal (PEA) which found that the majority of the site was composed of poor semi improved grassland, with a stable block, horse arena and access drive. Further, the site boundaries comprise predominantly native species poor hedges and garden boundaries with *Leylandii* with a few trees to its western end and trees located within the boundary hedge, these including Ash and Oak.

5.46 In terms of protected species, the PEA found that the site has suitable bird breeding habitat and the eastern boundary hedge offers a suitable commuting corridor for bats and that there is potential for roosting bats, in some of the site's trees. The PEA was also accompanied by a Great Crested Newt survey which found that Great Crested Newts are highly unlikely to utilise the site and hence do not pose a constraint to the development of the site. An additional Great Crested Newt survey was also submitted following the presence of Great Crested Newts being identified to the east of Castle Road in March of this year

5.47 The Countryside Officer agrees with the findings of the PEA and Great Crested Newt surveys and raises no objections to the scheme subject to appropriate biodiversity mitigation and enhancement. Biodiversity mitigation and enhancement can be controlled at reserved matters stage and no objections are therefore raised with respect to protected species and biodiversity under the NPPF and development plan policies NE1, NE3 and CS19.

5.48 **Sustainable Construction**

Saved Policy D4 of the Milton Keynes Local Plan 2001 – 2011 and the Sustainable Construction Supplementary Planning Document (2007) requires all new development exceeding 5 dwellings to incorporate sustainable construction including renewable energy and carbon offset provision.

5.49 The requirement for 10 per cent renewable energy could be secured by a condition. There is also a policy requirement for a financial contribution for carbon offsetting and the applicant has indicated an agreement in principle for the completion of a section 106 legal agreement to secure the requisite contribution. As such no objections are raised with regards to Saved Local Plan Policy D4 and the Sustainable Construction SPD.

5.50 Archaeology and historic environment

Policy HE1 provides justification for archaeological investigations to be undertaken when dealing with scheduled sites and unscheduled sites of known interest, only. However, paragraph 128 of the NPPF states that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

5.51 The Senior Archaeological Officer has advised that there is potential for archaeological remains on the site and as such it will be necessary to carry out field evaluation of the site prior to development. In this instance, it is considered reasonable for the evaluation and any subsequent necessary archaeological mitigation to be carried out under an appropriately worded condition if permission is granted.

5.52 The centre of Lavendon includes a conservation area and a number of listed buildings. However, given the distance and presence of intervening properties between the site and the heritage assets, and having regard to the duties under sections 66 and 72 of the 66 and 72 of The Planning (Listed Buildings and Conservation Areas) Act (1990), it is considered that the proposal would not have a detrimental impact on these heritage assets.

5.53 Planning Obligations

Planning Obligations are required in accordance with Milton Keynes Core Strategy Policy CS21, Saved Policies D4 and PO4 of the Milton Keynes Local Plan 2001 – 2011 and the following relevant Supplementary Planning Documents (SPDs)/Guidance (SPGs):

- Affordable Housing SPD (2013)
- Education Facilities SPG (2004)
- Leisure Recreation and Sports Facilities SPG (2005)
- Social Infrastructure SPD (2005)
- Sustainable Construction SPD (2007)

5.54 In accordance with the aforementioned SPD/Gs, and based on the size of the development and consultations with service providers, Section 106 contributions totalling £236,689.50 (£16,906.39 per unit including an indicative figure for Carbon Offsetting) are required to mitigate the impact of this development. These contributions are set out in more detail below and the Council's Senior Planning Obligations Officer advises that they meet the tests as outlined at paragraph 204 of the NPPF and are in accordance with CIL Regulations 122 and 123:

Education:

	Contribution
Total Early Years	£9,918.37
Primary pupils	£49,008.39
Secondary pupils	£0.00
Post 16 pupils	£0.00

Leisure Recreation & Sports:

Playing Fields	£14,790.25
Local Play	£20,417.32
Neighbourhood Play	£25,789.92
Community Hall	£33,333.33
Local Parks	£3,712.24
Allotments	£1,420.50

Social Infrastructure:

Library & Adult Continuing Education	£0.00
Crematorium/Burial Grounds	£1,515.20
Museums and Archives	£2,651.60
Health Facilities	£25,947.80
Waste Management	£4,280.44
Waste Receptacles	£1,400.00
Emergency Services	£833.36
Voluntary Sector	£3,144.04
Inward Investment & Skills (University & College)	£19,356.75
Public Art - 1% (Estimated)	£12,780.00

Other Requirements:

Carbon Neutrality (Estimated)	£6,390.00
Public Transport	Bus Pass

5.55 The applicant has agreed in principle to secure the provision of these requisite financial contributions by way of s106 agreement. Subject to the s106 being progressed and completed should planning permission be forthcoming, the development would comply with Policies CS21, H4 and D4 and associated SPDs and SPGs

5.56 Human Rights

Comments have been received suggesting that the proposed development would breach human rights. Article 8 Para1-2 of the Human Rights Act relates to the right to respect for private and family life. Whilst not Planning Legislation, human rights are incorporated within planning legislation and are

taken into account when determining an application. The proposal is not regarded to affect this right as it does not adversely affect the amenity of families or private individuals.

5.57 Conclusion

To conclude, the principle of the development on this site which is in the open countryside is contrary to the development plan. However, it is considered that the harm to the countryside is limited in this instance given the specific site circumstances. Furthermore, the site includes previously developed land and it is considered that the emphasis in the NPPF to reuse such land and significantly boost the supply of housing outweighs this harm. Furthermore, the proposed access details are considered acceptable and all other detailed matters would be addressed as part of a reserved matter application. As such, no objections are raised to the proposed development subject to the conditions as detailed below and a section 106 agreement to secure a financial contribution as detailed in paragraph 5.54 above.

6.0 CONDITIONS

(The conditions that need to be imposed on any planning permission for this development to ensure that the development is satisfactory. To meet legal requirements all conditions must be Necessary, Relevant, Enforceable, Precise and Reasonable)

1) Approval of the details of the scale, layout and appearance of the buildings, and landscaping of the site (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority before any development is commenced.

Reason: Outline Planning Permission only is granted in accordance with the application submitted.

2) Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

3) The development hereby permitted shall be begun on or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

4) The details to be submitted for approval in accordance with condition 1 above shall include a scheme for cycle storage and, car parking and manoeuvring, and the provision of visitor car parking spaces in accordance with the Council's 'Car Parking Standards' within the 2016 Parking Standards Supplementary Planning Documents or to the standards in force at the time of any reserved matters applications. The approved scheme shall be

implemented and made available for use before the development hereby permitted is occupied and the approved cycle storage, parking and manoeuvring areas shall not thereafter be used for any other purpose.

Reason: To ensure that adequate parking facilities are provided to serve the development in accordance with saved Policies T3 and T15 of the Milton Keynes Local Plan (2005) and 2016 Parking Standards.

5) The landscaping details required by Condition 1 above shall include an Arboricultural report completed in accordance with BS 5837:2012 and a scheme for the provision of the planting of trees and shrubs including native species and those beneficial to wildlife. The scheme shall show all existing trees and hedgerows which are to be retained and the numbers, types and sizes of trees and shrubs to be planted and their location. All existing trees and hedgerows which are to be retained as part of the development shall be protected in accordance with British Standards 5837:2012 for the duration of the construction works. All planting shall be carried out in accordance with the scheme and shall be carried out within twelve months of commencement of the development. Any trees or shrubs removed, dying, severely damaged or diseased within two years of planting shall be replaced in the next planting season with trees or shrubs of such size and species as may be agreed by the Local Planning Authority.

Reason: To protect significant trees and hedgerows, safeguarding the character of the area and preserving habitat and to minimise the effect of development on the area in accordance with Policies D1 and D2A of the Milton-Keynes Local Plan 2005 and Policy CS13 of the Milton-Keynes Core Strategy 2013.

6) The details to be submitted for approval in accordance with condition 1 above shall include a detailed design and associated management and maintenance plan, for a surface water drainage scheme, based on sustainable drainage principles for the site shall be submitted to and be approved in writing by the local planning authority. The management and maintenance plan shall include a detailed time table for the implementation of the surface water drainage scheme. The approved drainage scheme shall subsequently be implemented in accordance with the approved detailed design and in accordance with the approved time table for implementation and be retained thereafter.

Reason: To ensure satisfactory and sustainable surface water drainage to prevent the increased risk of flooding on or off site.

7) A full sustainability statement shall be submitted with the Reserved Matters application detailing the sustainable construction techniques to be used in accordance with Saved Policy D4 of the Milton Keynes Local Plan (2001-2011) and the Sustainable Construction Supplementary Planning Document (adopted April 2007). The statement shall be agreed in writing by the Local Planning Authority and the approved scheme shall be implemented in full prior to the first use of the building /occupation of each dwelling.

Reason: To ensure that the development complies with the Council's objective for Sustainable Development in accordance with Policy D4 of the Adopted Local Plan: 2001-2011.

8) Prior to the commencement of the development hereby approved, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The approved Plan shall be adhered to throughout the construction period and include provision for:

- i. The parking of vehicles of site operatives and visitors
- ii. Loading and unloading of plant and materials
- iii. Storage of plant and materials used in constructing the development
- iv. The erection and maintenance of security fencing/hoardings and lighting
- v. Welfare and other site facilities
- vi. Construction traffic routing and signage
- vii. Working hours and delivery times
- viii. Measures to control the emission of dust, dirt, noise and vibrations during construction

Reason: For the safety and convenience of users of the highway and to protect the amenity of neighbours during the construction process in accordance with the provisions of Saved Policy D1 of the Milton Keynes Local Plan 2001-2011.

9) Prior to the commencement of the development hereby permitted, an assessment of ground conditions to determine the likelihood of any ground, groundwater or gas contamination of that part of the site shall be undertaken and the results of this survey together with a strategy for any remedial action deemed necessary to bring the site to a condition suitable for its intended use shall be submitted to and approved in writing by the LPA. Any remedial works shall be carried out in accordance with the approved strategy and validated by submission of an appropriate verification report to the local planning authority prior to first occupation of any part of the development. Should any unforeseen contamination be encountered in that phase or part of the development the local planning authority shall be informed immediately. Any additional site investigation and remedial work that is required as a result of unforeseen contamination shall be carried out to the written satisfaction of the local planning authority.

Reason: To ensure that the site is fit for its proposed purposes and any potential risks to human health, property, and the natural and historical environment, are appropriately investigated and minimised.

10) Prior to the commencement of the development hereby permitted, a programme of archaeological field evaluation comprising trial trenching shall be completed in accordance with a Written Scheme of Investigation that has been submitted to and approved in writing by the local planning authority. On completion of the agreed archaeological field evaluation, a further Written Scheme of Investigation for a programme of archaeological mitigation in

respect of any identified areas of significant buried archaeological remains shall be submitted to and approved by the local planning authority in writing. No development shall take place other than in accordance with the Written Scheme of Investigation so approved. The development hereby permitted shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that a proper record is produced of any archaeological remains affected by the development pursuant to paragraph 141 of the National Planning Policy Framework.

11) Prior to the commencement of the development hereby permitted, a wastewater strategy shall be submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the wastewater strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems.

12) Prior to the commencement of the development hereby permitted, details of the proposed finished floor levels of all buildings and the finished ground levels in relation to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

Reason: To ensure that development is carried out at suitable levels in accordance with Saved Policies D1, D2A, and D3 of the Milton Keynes Local Plan 2001-2011 and to ensure satisfactory and sustainable surface water drainage to prevent the increased risk of flooding on or off site in accordance with the Written Ministerial Statement issued on 18 December 2014 in relation to sustainable drainage systems.

13) Prior to the commencement of the construction of any dwellings hereby permitted above ground floor slab level, a schedule and samples of all external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and in accordance with Saved Policies D1, and D2A of the Milton Keynes Local Plan 2001-2011.

14) Prior to the construction of any of the dwellings hereby permitted above ground floor slab level, a Biodiversity Enhancement Scheme informed by the DEFRA Impact Assessment Biodiversity Calculator methodology and including bird bricks and bat tubes in buildings, hedgehog fence passes and the use of native plant species shall be submitted to approved by the Local

Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development and retained thereafter.

Reason: To ensure development includes biodiversity enhancement measures in accordance with saved Policy NE3 of the Milton Keynes Local Plan 2005.

15) Prior to construction of any of the dwellings hereby approved above ground floor slab level, details of external lighting including security lighting shall be submitted to and approved in writing by the local planning authority. The plans shall show lighting proposed in accordance with BS5489 standards and detail how the presence of bats in the area has been taken into account. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the development does not detract from residential amenity and the appearance of the locality and in the interests of ecology and crime prevention in accordance with Policies D1, D2A, D3, and NE3 of the Milton Keynes Local Plan 2001-2011 and CS19 of the Core Strategy.

16) Prior to the construction of all adoptable and non-adoptable roads, footways, and private driveways, details of the proposed surface treatments and construction details for any areas of hard landscaping within root protection areas of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to the occupation of any dwelling served by that road, footway, or private driveway.

Reason: In the interests of the visual amenities of the locality and highway safety in accordance with saved Policies D2 and T10 of the Milton Keynes Local Plan.

17) Prior the occupation of the development hereby permitted, details of the proposed boundary treatments to all dwellings shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the type and height of fences, hedges, walls, gates and other means of enclosure and shall be provided for each dwelling prior to the occupation of that dwelling in accordance with the approved details.

Reason: To protect the appearance of the locality, safeguard residential amenity and in the interest of crime prevention in accordance with Policies Policy D1 and D2 of the Milton Keynes Local Plan and Policy CS19 of the Core Strategy

18) Prior to the occupation of the development hereby permitted, signage and bollards to serve the pedestrian and cycle link to Castle Road shall be provided in accordance with details that have been submitted to and approved in writing by the local planning authority. The signage and bollards shall thereafter be retained in accordance with the approved details.

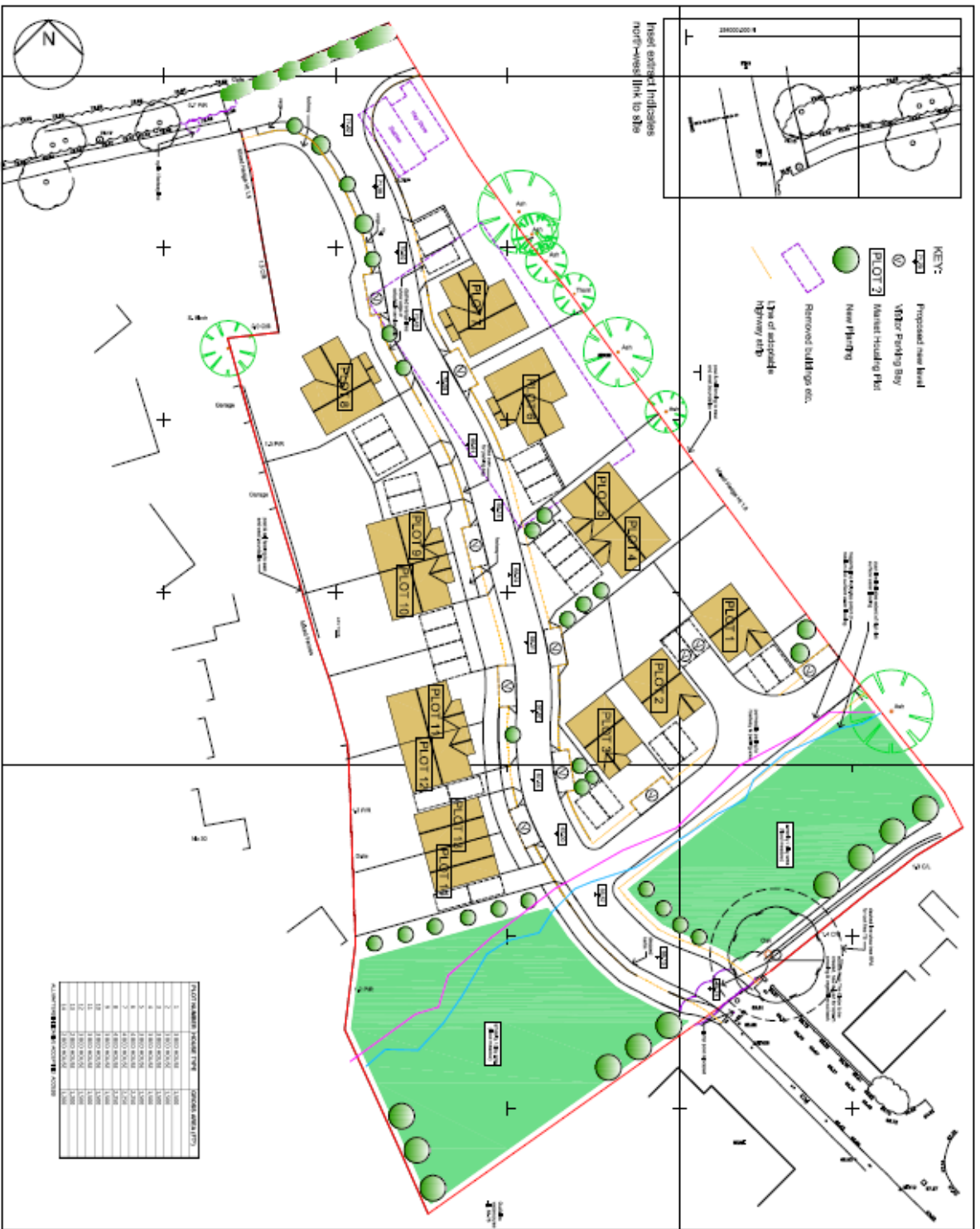
Reason: In the interest of the needs and safety of pedestrian and cyclists.

19) Prior to the occupation of the development hereby approved, a refuse strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved refuse strategy.

Reason: To ensure that adequate refuse storage facilities are provided to serve the development.

20) All dwellings shall achieve Secured by Design accreditation. Prior to the occupation of each dwelling, a copy of the certificate confirming the achievement of Secured by Design accreditation for that dwelling shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of reducing crime and disorder and in accordance with Core Strategy Policy CS19.



PLANNING

Espresso Architecture

100% COMPLETE

DATE: 10/10/2024

SCALE: 1:500

PROJECT: [REDACTED]

CLIENT: [REDACTED]

ADDRESS: [REDACTED]

DATE: 10/10/2024

SCALE: 1:500

PROJECT: [REDACTED]

CLIENT: [REDACTED]

ADDRESS: [REDACTED]

DATE: 10/10/2024

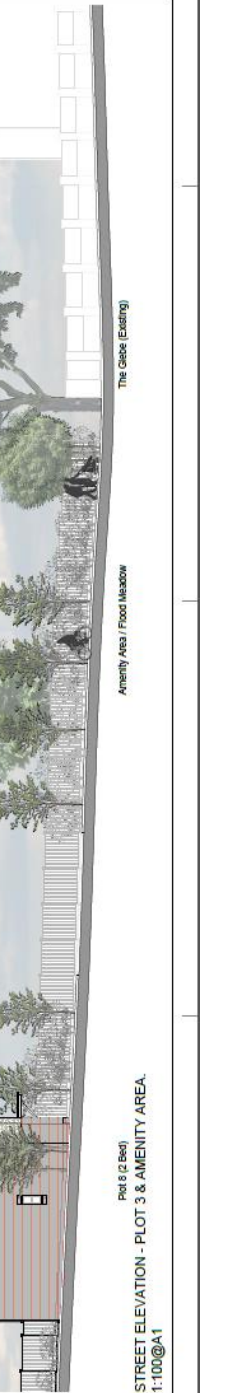
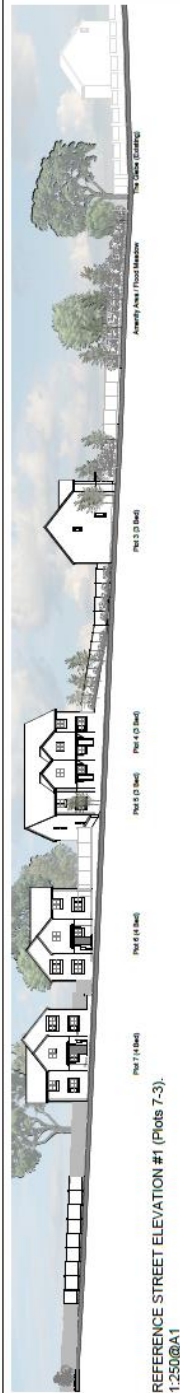
SCALE: 1:500

PROJECT: [REDACTED]

CLIENT: [REDACTED]

ADDRESS: [REDACTED]

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PLANNING

NO.	DATE	DESCRIPTION
1	08/11/17	Initial Planning
2	09/11/17	Final Planning
3	10/11/17	Final Planning
4	11/11/17	Final Planning
5	12/11/17	Final Planning
6	01/11/18	Final Planning
7	02/11/18	Final Planning
8	03/11/18	Final Planning
9	04/11/18	Final Planning
10	05/11/18	Final Planning
11	06/11/18	Final Planning
12	07/11/18	Final Planning



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 Website: www.espressoarchitecture.com

Client Name: City of Newark
 Project Name: Launch to the East of 93rd Street
 Location: Newark, NJ
 Date: 08/11/17

Scale: 1/8" = 1'-0"
 Drawing No: G-4291 | SK121 | D

Appendix to 16/01630/OUT

A1.0 RELEVANT PLANNING HISTORY

(A brief outline of previous planning decisions affecting the site – this may not include every planning application relating to this site, only those that have a bearing on this particular case)

A1.1 08/01132/FUL
Creation of a menage (resubmission for amended siting)
Permitted 06.11.2008

08/00716/FUL
Creation of a menage adjacent to stables
Permitted 17.06.2008

A2.0 ADDITIONAL MATTERS

(Matters which were also considered in producing the Recommendation)

A2.1 None

A3.0 CONSULTATIONS AND REPRESENTATIONS

(Who has been consulted on the application and the responses received. The following are a brief description of the comments made. The full comments can be read via the Council's web site)

Comments

Officer Response

A3.1 Parish - Lavendon

Lavendon Parish Council has reviewed the application for the amendment to 14 houses on the site and cannot see how this resolves the flooding issues that were pointed out in our previous objection and indeed, highlighted by your professional during the investigation of the application to 21 houses; whilst the site appears to have lost a pond and gained a couple of fields, if the pond was considered important before, why is it not now?

See 5.40-5.43

It has been proven that the area is prone to flooding and any development would cause problems for the properties immediately surrounding the site as well as the rest of the village. Whilst we trust that your professionals will calculate independently of the applicant's paid consultants and we are by no means experts in this field, we are understandably cautious of adding to an already precarious and inadequate drainage system.

See 5.40-5.43

Additionally, all our previous objections still stand, in that the access to the site is too narrow, the intensification of traffic through The Glebe and into Harrold Road at peak times is already excessive, the safety of the area would be further compromised with young and old crossing in the area, the doctors' surgeries are at capacity, there is no bus service to

See 5.34-5.39

See 5.53-5.55

one of these options and the village school is also at capacity.

Therefore, please accept this as confirmation that Lavendon Parish Council OBJECTS to this amended application.

A3.2 Ward - Olney - Cllr P Geary

No comments received.

A3.3 Ward - Olney - Cllr Hosking

No comments received.

A3.4 Ward - Olney - Cllr McLean

No comments received.

A3.5 Development Plans

The Council is in a position (March 2017) whereby it can demonstrate a 5 year land supply figure of 5.03 years.

Noted

Therefore in terms of Paragraph 49 of the NPPF, the Council can now demonstrate a sufficient 5-year land supply and relevant policies for the supply of housing are no longer considered out-of-date.

A3.6 MKC Urban Design

In terms of design, I do not object to the principle of development on this site. Whilst the proposed layout is indicative at this stage I would like to raise the following comments:

See 5.18-5.22

- The angle of Plots 4, 5, 11 and 12 should align with the street. The proposed buildings should follow the

line of the road better in order that the buildings and the road define the street.

- Plot 1 is too close to the side of plot 4, resulting in some visual intrusion. The New Residential Development guide seeks a side to back relationship of minimum distance of 13.7m.
- The proposed turning head at the end of the cul-du-sac appears a little isolated. With the existing access to the livery being converted into a cycle / footpath link, I would recommend that development overlooks this area in the interests of security.
- Plot 14 should be orientated toward the Play Area with appropriate separation to the proposed active area of play. There should also be a landscaped strip and small path between the proposed parking area and the property wall.

A3.7 Crime Prevention Design Advisor

No comments received.

A3.8 Environmental Health Manager

No objections

Noted

A3.9 Environmental Protection Team

As the proposed use is particularly vulnerable to the presence of contamination, it is recommend that a condition requiring the assessment of ground conditions to determine the likelihood of contamination be applied to any grant of planning permission for this site.

See 5.33

A3.10 Landscape Architect

The site is in designated open countryside, in close

See 5.1-5.12 and 5.23-5.26

proximity (2 fields away) to the Ouse Valley Area of Attractive Landscape (AAL). The Landscape Character Type is 5a Ouse North Undulating Clay Farmland. The Milton Keynes Landscape Character Assessment, 2015 sets out development considerations for the landscape character area including:

- Restrict built development in the area retaining the primary role for agriculture and recreation
- Where built development or restoration is considered appropriate indigenous building materials or equally visually acceptable alternatives should be used
- Proposed development within or adjacent to the Ouse Valley should be accompanied by a landscape and visual assessment

The Milton Keynes Landscape Character Assessment, 2015 sets out landscape management opportunities including:

- The retention, restoration and planting of hedges and the addition of hedgerow trees within the open landscape to provide additional structure. The pattern of new hedgerow planting to follow historic field boundaries where possible
- The removal of inappropriate coniferous species in hedges and replacement with native broadleaves.

A pre-application submission raised an objection on landscape grounds. The current submission for outline permission would not be supported without a tree-hedgerow survey informing the layout and additional amendments to the site layout and submission:

- The development site layout is limited to the existing historic field boundary hedgerows recorded on

historic mapping dating back to c1880, which is positive and must be protected and enhanced

- The turning heads must be relocated at least 2m outside of the canopy-spread and root protection area of the hedgerows and trees
- The tree identified as an Oak on the layout along the southern site boundary will extend its canopy/root spread as it matures and cast greater shade which has the potential to raise future concern for the owners of plots 1 and 2.
- The application must be supported by a tree survey, tree constraints plan and root protection area drawing
- The tree survey and root protection area is required to be overlaid on an amended development layout
- A landscape principles plan is required
- Landscape management plan is required
- A 'LVI assessment' has been submitted however the photographic survey report is not particularly detailed. It does not clearly indicate on plan the extent of possible visibility; ideally this and the viewpoints should have been agreed with MKC. Also the approximate extent of the development site and visible landmarks and / or existing buildings/dwellings are not annotated on to the photos to aid review
- The layout plan shows a play area close to the access road. There is only one LEAP and one NEAP covering the whole of Lavendon. The site falls outside of the catchment area of the existing LEAP but falls within the catchment of the NEAP. At the very least amenity open space should be provided on site and a contribution should be sought through a s106 towards the refurbishment of the NEAP.

A3.11 Landscape Services Manager - Trees

See 5.23-5.26

The trees around the margins of the site must be retained and protected in accordance with BS 5837: 2012.

It seems that two large oak trees were recently felled at this site. The proposals should therefore include in addition to the proposed planting, for planting of seven replacement Oak trees.

The foundations of the proposed dwellings should be of sufficient depth and robustness to prevent any future problems arising in relation to subsoil shrinkage from water abstraction by adjacent trees when at their mature size.

Submission of soft landscaping details are a bit premature at outline stage though these are of fairly broad brush, so detail proposals must be submitted at a later stage. I would comment generally that among the general tree planting proposals should be included three or four less commonly planted exotic species.

The cycle / footway link on the north margin of the site must be of raised construction using a cellular confinement system in order to protect the root systems of the trees there, raised construction may also be required to the buildings and hard surfacing of plots 4 and 14 that are in the vicinity of trees.

A3.12 Countryside Officer

See 5.44-5.47

Habitats

The Preliminary Ecological Appraisal (PEA) found that the

majority of the site was composed of poor semi improved grassland, with a stable block, horse arena and access drive. The site boundaries being predominantly native species poor hedges and garden boundaries with Leylandii. The site had a few trees to its western end and trees located within the boundary hedge, these including Ash and two mature Oaks. The last sentence of Section 5 states *“Should horse grazing cease or be reduced it is likely that the potential ecological value of the site would increase.”*

Protected Animals

Great Crested Newts

The Great Crested Newt survey states that . . . *“Great Crested Newts are highly unlikely to utilise the site and hence do not pose a constraint to the development of the site.”* . . . And that . . . *“the risk of encountering newts as negligible. No mitigation is required;”*

Bats

I would agree with the PEA observation that the eastern boundary hedge offers a suitable commuting corridor for bats and that there is potential for roosting bats, in some of the site’s trees.

Birds

The site has suitable bird breeding habitat, any habitats that are proposed to be cleared will need to comply with bird protection legislation.

Biodiversity

The information supplied regarding biodiversity

enhancements is minimal, with no information in advance of some recommendations in the PES and The Great Crested Newt survey being provided.

Information regarding the biodiversity mitigation and enhancement actions to include bird bricks and bat tubes, in (not on) buildings, hedgehog fence passes and the use of native province trees, shrubs, wild flower and grass seeds, also bulb planting, along with the locations of proposed habitats, will need to be provided to the Planning Authority for approval.

To assess the effect on biodiversity, the development proposals should be subject to DEFRA Impact Assessment Biodiversity Calculator methodology to inform avoidance, mitigation and compensation actions that will ensure compliance with the NPPF and Local Plan Policy NE3.

Additional Comments April 2017

I have now reviewed the updated April 2017 Great Crested Newt report, which is acceptable.

I would agree with the report in its conclusions section that states; "Great crested newts are highly unlikely to utilise the site and hence do not pose a constraint to the development of the site

A3.13 Highways Development Control

(Comments provided for 21 unit scheme only; amended scheme for 14 units has same access arrangements)

See 5.34-5.39

Traffic

The Transport Statement (adjusted to 21 units) is 9 vehicles in the am peak, 11 in the pm peak and 95 over a 12 hour day. This will not significantly impact the highway network. As per the Transport Statement, there have been no recordable accidents in the vicinity of the site within the 5 year period to Sept 2015. The site is therefore not contrary to policy T10 of the Local Plan.

Access

The access into the site has now been amended to my satisfaction including adequate space for refuse vehicle turning. The approach to the site is via the Glebe. The Glebe is a standard residential road layout which in terms of width and alignment is acceptable to serve the proposed development. My site visit, where I observed the existing parking and traffic conditions, led me to conclude that it is suitable to accommodate the additional units. Access to/from Harold Road and the A428 is also acceptable in terms of layout and visibility.

It is proposed that the access onto Castle Road should be for pedestrian and cyclists. Although parts of Castle Road do not have footways, I do not have an objection to the proposed access for pedestrians/cyclists onto Castle Road, subject to the access being constructed in a bound material, signed for shared use and at each end for it to have bollards to prevent vehicle access. Pedestrian access is also provided via footways on the Glebe and via Joiners Way (which links with the Castle Road footway).

The site is therefore not contrary to policy D1 of the Local Plan.

Parking

Parking to be provided at the reserved matters stage in accordance with the council's adopted parking standards (2016). Zone 4 location.

I have no objections subject to conditions.

A3.14 **Travel Plan Coordinator**

Noted

The number of dwellings planned in this development falls below travel plan thresholds, a transport statement is required and has been submitted.

A3.15 **Archaeology Officer**

See 5.50-5.52

The application lacks any assessment of the potential impacts on heritage assets.

Despite the presence of 3 scheduled monuments in the immediate environs, the surrounding countryside is relatively unexplored archaeologically yet evidence for occupation from at least the Iron Age onwards is known.

As such, and with this being a green field site of significant size adjacent to a historic settlement I would advise that the site is subject to an archaeological field evaluation and (if significant remains are revealed) appropriate archaeological mitigation prior to development. This could be secured via a condition:

A3.16 **Natural England**

No comments.

- A3.17 **Environment Agency** Noted
No objection.
- A3.18 **Anglian Water** See Conditions
No objections subject to a condition requiring a waste water drainage strategy.
- A3.19 **Internal Drainage Board**
No comments
- A3.20 **Local Lead Flood Authority** See 5.40-5.43
We do not object to the above application, subject to a condition requiring the submission of a detailed design for a surface water drainage scheme.
- A3.21 **Sustainable Construction** 5.48-5.49
I have no objection subject to the applicants signing a s106 on carbon offset contribution and a condition requiring a sustainability statement addressing policy D4 requirements to be submitted at the reserved matters stage.
- A3.22 **Planning Obligations** See 5.53-5.55
From consultation with service providers, it is expected that Section 106 contributions totalling £236,689.50 as set out in this document are required to mitigate the impact of this development.
- In accordance with CIL Regulation 122, the planning obligations sought are compliant with the three statutory tests.

A3.23 Local Residents

The occupiers of the following properties were notified of the application:

- 47, 49, 51, 53, 55 and 77 The Glebe Lavendon
- 22, 26, 30, 36, 38, 42, 44, 46, 48, 50, 52, 54, 63, 65, 67 Castle Road Lavendon

In addition, site notices was also posted and an advert placed in the newspaper to publicise the application.

A3.24 Third Party comments on 21 unit scheme

141 objection letters were received in response to the scheme as originally submitted for 21 units. These letters included the following points:

- The development should be resisted because it is designated as open countryside. There are other better suited areas of the Borough for housing; alternative and more appropriate land for housing will come forward as part of the development plan.
- Lavendon is not in need of more housing.
- The proposal is not in accordance the Olney Neighbourhood Plan or the emerging MKC plan
- If development is allowed to continue unchecked, villages will merge with Milton Keynes.
- The site is an agricultural greenfield and brownfield land should be considered instead.
- The proposal would ruin the rural character of Lavendon and its village status.
- The LVIA does not accurately reflect the visual impact on the proposal which would be significant, especially on views of the countryside from Castle

See 5.1-5.12

See previous comments.

The site is outside the Olney Neighbourhood Plan Area

The development will not result in the merging of settlements – see 5.1-5.12.

The site is previously developed land – see 5.1-5.12

See 5.1-5.12.

See 5.1-5.12

Road.

- The proposal would change the character of the landscape. See 5.1-5.12
- 21 dwellings is an overdevelopment of the site and 2-3 properties would be more appropriate. See 5.18-5.22
- The planning application is not sustainable. See 5.57
- The additional 21 dwellings would result in highway issues arising from a significant increase (some 25%) in traffic volumes on the Glebe. The Glebe is a cul-de-sac with narrow sections and existing on street parking problems which impede the flow of traffic and causes issues for HGV and emergency vehicle access. Children also play on the Glebe. The Highway Engineer does not object to the proposal – see 5.34-5.39
- The Glebe is not suitable for construction traffic. See previous comments
- There is already congestion on the junction onto the Harold Road and A428 Northampton-Bedford road and this would be exacerbated. See previous comments
- Lavendon is a commuter village and therefore the peak traffic flows will be greater than stated by the applicant. See previous comments
- Pedestrian and cycle access should not be provided to Castle Road which has no pavements. See previous comments
- The proposal would have insufficient parking. See previous comments and
- This site had an application refused for a stables a few years ago on the grounds of unsafe access and drainage not being suitable. There have been two previous approvals for stables on the site.
- Flooding is already a major issue in Lavendon. Noted.
- The proposal would increase flood risk in the area; surface water currently flows through the site from the Three Shire Woods and neighbouring fields and the existing site currently helps to control existing surface water runoff. See 5.40-5.43

- The existing drainage ditch running through the site is already inadequate with neighbouring gardens on The Glebe being repeatedly flooded. Noted.
- The proposal is building on a flood plain See 5.40-5.43
- Sewerage capacity is a challenge. Further, waste water would have to be pumped up hill and is liable to flood due to power cuts. Anglian Water do not object to the application subject to a condition.
- The attenuation pond poses a safety risk for children. This is not a planning consideration.
- The additional 21 dwellings would result in residential amenity issues to existing properties neighbouring the site on the Glebe and Castle Road, including visual impact, loss of privacy, loss of daylight, overshadowing, noise and disturbance See 5.27-5.32
- Lighting was previously not allowed for the stables on the site due to impact on residential amenities; lighting from the proposed development would therefore affect the amenities of neighbouring properties. The impact of floodlighting for a menage is considered to have a materially different impact to lighting associated with residential development.
- Neighbouring properties would lose their views of the countryside. This is not a planning consideration.
- The proposal would impact on the right to light of neighbouring properties. This is not a planning consideration.
- Construction traffic would cause amenity issues as well as health issues. A construction management condition is proposed
- The proposal would breach the human rights of neighbours. See 5.56
- Concerned trees have been felled on site to the detriment of protected species. This is not a consideration to the assessment of this application.
- The proposal would harm wildlife The Countryside Officer raises no objections – see 5.44-47.
- Concerned that then scheme would adversely affect bats and newts See previous comments.
- The development does not come across as truly The application is for outline permission only – see 5.44-47

committed to habitat creation and biodiversity enhancements

- There are the remains of a castle in the locality and an archaeological survey should therefore be undertaken.
- The necessary infrastructure and facilities to serve the development does not exist with the school, doctor and dental surgeries and waste collection already over stretched.
- The village has a very poor bus network and residents have to rely on the car. There is no bus service from Lavendon to Harrold which has the only medical centre residents will be able to register at.
- Proposal is likely to miss the opportunity to provide affordable homes needed by local people
- The development would increase the school size resulting in it feeling less safe.
- The proposal would result in global warming
- There may be land ownership issues with access to The Glebe and also regarding the watercourse. .
- The proposal would affect property values.

See 5.50-5.52

The applicant has agreed to infrastructure contributions to offset the impact of the development – See 5.53-5.55

See 5.13-5.16

The proposal falls below the affordable housing threshold

This is not a material planning consideration.

The proposal would comply with Policy D4 – see 5.48-5.49.
Land ownership is not a material planning consideration.

This is not a material planning consideration.

A3.25 Two letters of support were received in response to the scheme as originally submitted for 21 units. These letters included the following points:

- The development is sensitive, relatively small scale development which is much needed in the village.
- The provision of family housing is welcomed.
- There are relatively few homes being provided given the size of the plot.
- The pedestrian link would allow children on Castle Road to more safely access the village playing field.

Noted

- Welcome more homes in the village, particularly low cost / affordable

A3.26 Third Party comments on 14 unit scheme

Noted. See 5.44-5.47

Following the scheme being amended from 21 to 14 units, a further 25 letters of objection have been received. These objections essentially detail that the reduction in the number of units does not overcome the objections previously raised to the scheme as originally submitted and detailed above. Although one of the objection letters does provide evidence to show that Great Crested Newts are present at No. 63 Castle Road.