

**Application Number:** 18/02696/FUL

**Description** Erection of two dwellings with associated parking and landscaping

**AT** Wavendon Manor, 18 Cross End, Wavendon, Milton Keynes, MK17 8AQ

**FOR** Aldermans Estates

**Target:** 01.01.2019

**Extension of Time:** 31.01.2019

**Ward:** Danesborough and Walton

**Parish:** Wavendon Parish  
Council

**Report Author/Case Officer:** Chris Walton  
Planning Officer

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## 1.0 RECOMMENDATION

1.1 It is recommended that permission be granted subject to the conditions set out at the close of this report and subject to the completion of a Section 106 agreement to secure the heads of terms set out in this report.

## 2.0 INTRODUCTION

### 2.1 The Site

2.1.2 The application site is a paddock area located within the grounds of Wavendon Manor, a Grade II Listed Building. The site sits adjacent to Wavendon Cottage, which is also a Grade II Listed Building. To the front of the application site runs a public right of way, (Wavendon FP 002). To the south lies further open countryside before the Grade II Listed Wavendon Manor is reached. To the west there is further open countryside and to the east lie a number of residential properties which front Cross End. The site is located outside of the limits of the Development Boundary of Wavendon and is therefore located within an area defined by the Local Plan as Open Countryside.

2.1.3 Two separate applications for two dwellings on this site have previously been refused.

2.1.4 The first of these applications, 17/02258/OUT, was refused on the grounds of impact on the character and appearance of the area and open countryside, impact on the adjacent listed building and lack of ecological surveys.

2.1.5 The second of these applications, 18/01318/FUL, was refused, similarly, on impact on the character and appearance of the area and open countryside. The scheme was also refused on highways grounds, due to the positioning of the access and the overall status of the highway (Cross End). However, it was considered that the re-design of the dwellings had overcome the previous refusal reason relating to the impact on the setting of Wavendon Cottage.

## 2.2 The Proposal

2.2.1 The application seeks full planning permission for two residential dwellings. Access is sought from Cross End onto the north-eastern most portion of the application site.

2.2.2 The application has been supplemented with an enhanced landscaping scheme and transport assessment, which have been submitted with the aforementioned refusal reasons in mind. The applicant has also agreed Heads of Terms relating to a financial contribution of £20,000 that would aid a project seeking to improve the highway on Cross End / Lower End Road.

## 2.3 Amendments

2.3.1 The applicant was advised to revise the enhanced landscaping scheme to include a post and rail fence along the western boundary. The applicant was also advised to submit an updated Preliminary Ecological Appraisal in order to address the concerns raised by the Council's Countryside Officer. Subsequently, the applicant obliged and submitted these amended documents / plans.

## 2.4 Reason for referral to committee

2.4.1 This application is referred to the Development Control Panel as it represents a departure from the Development Plan.

## **3.0 RELEVANT POLICIES**

### 3.1 National Policy

#### 3.1.1 National Planning Policy Framework 2018:

Para 11: Presumption in favour of sustainable development

Para: 170(b): Recognising the Intrinsic Character and Beauty of the Countryside

Section 5: Delivering a sufficient supply of homes

Section 11: Making effective use of land

Section 12: Achieving well designed places

Section 15: Conserving and enhancing the natural environment

Section 4: Decision making

## 3.2 Local Policy

### 3.2.1 Neighbourhood Planning

Once a Neighbourhood Plan has been agreed at a referendum and is made (brought into legal force) by the local planning authority, it becomes part of the local planning authority's development plan as an official development plan document which carries statutory weight. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. If a policy contained in the development plan for an area conflicts with another policy in a development plan, the conflict must be resolved by the decision maker in favour of the policy which is contained in the latest document to become part of the development plan.

Neighbourhood Plans therefore form part of the development plan for the relevant area. They will necessarily be in general conformity with the strategic policies contained in the development plan for the area. If they are the most recent document to become part of the development plan, they will attract statutory priority. Neighbourhood plan policies will also take precedence over non-strategic development plan policies where there is conflict.

#### Wavendon Neighbourhood Plan

The application site is located within the designated area of Wavendon Neighbourhood Plan. No draft document or policies have been publically consulted on at this stage and the plan itself has not been submitted to Milton Keynes Council. With this in mind, no weight can currently be afforded to the Neighbourhood Plan in respect of the determination of this application.

### 3.2.2 Milton Keynes Core Strategy 2013:

Policy CSA: Presumption in favour of sustainable development  
Policy CS1: Milton Keynes Development Strategy  
Policy CS10: Housing  
Policy CS11: A Well Connected Milton Keynes  
Policy CS13: Ensuring High Quality, Well Designed Places  
Policy CS18: Healthier and Safer Communities  
Policy CS19: The Historic and Natural Environment

### 3.2.3 Saved Policies in the adopted Milton Keynes Local Plan 2001-2011:

Policy D1: Impact of Development Proposals on Locality  
Policy D2A: Urban Design  
Policy D2: Design of Buildings  
Policy HE5: Development Affecting the Setting Of A Listed Building  
Policy T1: Transport User Hierarchy  
Policy T3: Pedestrian and Cyclists  
Policy T10: Traffic  
Policy NE2: Protected Species  
Policy NE4: Conserving and Enhancing Landscape Character

Policy T15: Parking Provision  
Policy H7: Housing on Unidentified Sites  
Policy H8: Housing Density  
Policy H9: Housing Mix  
Policy S10: Open Countryside

### 3.2.4 Supplementary Planning Guidance:

Parking Standards SPD 2016  
New Residential Development Design Guide 2012

### 3.2.5 Legislation

Planning (Listed Building and Conservation Areas) Act 1990 (as amended)

Section 66

### 3.3 Human Rights Act 1998

3.3.1 There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

### 3.4 Equalities Act 2010

3.4.1 Due regard, where relevant, has been had to the Milton Keynes Council's equality duty as contained within the Equalities Act 2010.

## 4.0 MAIN ISSUES

Principle  
Design and Impact on the Character of the Area  
Impact on Designated Heritage Assets  
Impact on Residential Amenity of Neighbouring Properties  
Access and Highways  
Ecology  
Sustainable Development Assessment

## 5.0 CONSIDERATIONS

### 5.1 Principle of Development

*5 Year Housing Land Supply and Neighbourhood Plan;*

5.1.1 The site is wholly outside the development boundary of Milton Keynes (or any other settlement) and in the open countryside, as defined by the Local Plan Policies Map and is unchanged within the Core Strategy. Saved Policy S10 of the Milton Keynes

Local Plan 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 adjacent to the most sustainable towns or key settlements, Milton Keynes being at the top of the hierarchy.

5.1.2 The proposal would be in the open countryside and would not benefit from any of the exceptions within Policy S10 of the Milton Keynes Local Plan 2001-2011, and is therefore contrary to that policy. The application site is not located within the 'main areas for development' in Milton Keynes as outlined in Policy CS1 of the Core Strategy, namely, Central Milton Keynes, Uncompleted City estates, District centres, City Expansion Areas and Strategic Land Allocations, and other selective infill, regeneration and redevelopment. As such, the proposed development would be contrary to the Council's development strategy outlined in Policy CS1 of the Core Strategy. Furthermore, whilst it is recognised that Saved Policy S10 is not entirely consistent with the NPPF insofar as it has a restrictive approach to the supply of housing land in the Open Countryside, the policy has greater influence in terms of weighing the impact of development on the open character and beauty of the countryside.

5.1.3 As concluded in a recent appeal decision within the District, it was deemed, by the Secretary of State, that the Council is able to demonstrate a 5 year housing land supply (5.25 years). However, within the context of this appeal decision, the Secretary of State also suggested that Saved Policy S10 is out of date, in spite of the fact that moderate weight it still afforded to it. It is therefore deemed necessary to consider paragraph 11 of the NPPF, which applies when, "*policies which are most important for determining the application are out-of-date*". In these instances, the NPPF states

"planning permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

5.1.4 Moreover, it is also acknowledged that the Council considers that it will have a 5 year housing land supply upon the adoption of the emerging Plan: MK. Plan: MK is currently undergoing Examination in Public, and has been through the public hearings. The Inspector has raised no significant issues in relation to the housing number trajectory or the Council's calculation for the predicted 5 year housing land supply following Plan: MK's adoption. Therefore, the policies and allocations within PLAN:MK to justify the 5 year housing land supply can hold significant weight in the determination of the application, and continue to hold weight as the Examination

continues without objections to these policies, in accordance with paragraph 48 of the NPPF.

5.1.5 In addition, the NPPF asserts a presumption in favour of sustainable development, even when an Authority is able to demonstrate a sufficient supply of housing. It is therefore relevant to consider whether the site is sustainable and suitable for a new home. The NPPF identifies that there are 3 dimensions to sustainable development: social, economic and environmental. This assessment will be addressed at the close of the considerations section of this report.

## 5.2 Design and Impact on the Character of the Area

5.2.1 Policy CS13 of the Core Strategy seeks to ensure that all new development is of a high quality design in terms of layout, form and appearance and makes a positive contribution to the character of the area.

5.2.2 Section 12 of the NPPF and Saved Policies D2A (i) and D2 (ii) and (iv) and the New Residential Design Guide SPD 2012 seek to ensure that new residential development respects the character of the locality and reinforces better quality and locally distinctive design elements. Furthermore, as noted above, Policy S10 implicitly acknowledges the character and beauty of the countryside; as does paragraph 170(b) of the NPPF, which states the need to "*[recognise] the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland*".

5.2.3 In terms of the physical design of the dwellings, it is noted that they would both be built with slate tiled roofs, red brick walls and 'heritage grey' painted windows. The dwellings would vary in their overall appearance, however. 'Plot One' has adopted a simplistic design with a subservient rear projecting gable off the main portion of the house that is orientated to provide a wide frontage looking out onto Cross End. The property also possesses a small, gable-style porch projecting off of the front elevation. 'Plot One' also possesses a simplistic, detached single storey double garage which is located towards the rear of the dwelling. In regards to 'Plot Two', this dwelling has also been designed with a wide frontage and possesses, an albeit smaller, rear gable projecting from the rear elevation. The dwelling also has a flat roofed single storey side element that projects out from the property's north west facing elevation. The site would be enclosed, primarily, through the use of soft landscaping features that are sensitive to the locality. The physical design and scale of the dwellings, including the materials utilised, represents a more sympathetic alternative than the previous outline scheme which adopted natural slate roofing and yellow brickwork. The use of red brick, as proposed within this revised scheme, is, within the context of the site, a more commonly found building material.

5.2.4 In regards to the location and layout of the development, as noted above the site falls within an area designated as open countryside. Although the site is situated in a location that is within the vicinity of other residential development located within Cross End, it, by virtue of its classification as open countryside, carries intrinsic value in terms of its appearance whilst also contributing towards the prevailing rural

character of the locality. The fact that development is located within the vicinity does not reduce this value, nor does it prejudice the acceptability of further residential development within this location. The layout of the development does contrast with the initial outline scheme (17/02258/OUT), but remains the same as the previous full application (18/01318/FUL). It is appreciated that, as per the previous scheme, the introduction of a less rigid, symmetrical arrangement does resonate to a greater extent with the layout of other residential plots within the locality, which the outline application failed to do. Moreover, it is acknowledged that the application has been supplemented with an enhanced landscaping scheme which includes the addition of 1no. pyrus communis at the south-west corner of the site, additional specimen shrubs and low groundcover planting at the north-eastern corner of the site by the access point. The applicant has explained that these additions maximise the amount of planting to the highest achievable levels. As outlined above, the applicant has also added an additional post and rail fence, following advice received from the Council's Senior Landscape Architect.

- 5.2.5 For these reasons it is considered that the proposal, on balance, overcomes the previous refusal reason in relation to impact on the character and appearance of the area and open countryside and therefore accords with Saved Policies S10, D2 and D2A of the Milton Keynes Local Plan 2001-2011, CS13 of the Milton Keynes Core Strategy 2013 and the relevant sections of the NPPF in respect of safeguarding the intrinsic beauty of the open countryside.

### 5.3 Impact on Designated Heritage Assets

- 5.3.1 The NPPF advises that great weight should be given to the conservation of Heritage Assets. In addition, the Council has a statutory duty to pay 'special attention' to the desirability of preserving or enhancing the character, appearance and setting of Listed Buildings under Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act. The application site is located within the setting of Wavendon Cottage, a Grade II Listed Building.

- 5.3.2 Saved Policy HE5 of the Milton Keynes Local Plan 2001-2011, 'Development Affecting the Setting of a Listed Building' states:

*'Planning permission will be refused for any form of development that would adversely affect the setting of a listed building or a group of listed buildings.'*

- 5.3.3 When consulted on the previous application (18/01318/FUL), the Conservation Officer concluded that the development would not have an adverse impact on the setting of Wavendon Cottage. The Conservation Officer specifically cited the use of sympathetic materials, scale and retention of the tree line as the key factors in ensuring that the development would not have a detrimental impact on the setting of the Grade II Listed Building. Given that this application shares the same layout as the previous, aforementioned scheme, the Conservation Officer raised no objection to the development. The Planning Officer agrees with this assessment. The subsequent alterations to the previous outline scheme have resulted in a less visually overbearing, dominant development that would have otherwise caused harm to the specific historic setting of Wavendon Cottage.

5.3.4 In light of the above, it is considered the proposed works would have a neutral impact on the setting of the listed buildings. Consequently, there is no need to offset the impact of the proposals against any public benefit. Great weight has been applied to the consideration of this application and the impact it would have on any designated heritage assets. As such it is considered that the local authority has discharged their statutory duty to pay special regard to the preservation of the Listed Buildings as required by Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5.3.5 For these reasons it is considered that the proposed development complies with Saved Policy HE5 of the Milton Keynes Local Plan (2001-2011) and Policy CS19 of the Milton Keynes Core Strategy (2013).

#### 5.4 Impact on Residential Amenity of Neighbouring Properties

5.4.1 Saved Policy D1 (iii and iv) of the Local Plan looks to protect the amenities of neighbouring properties from the impact of development. It is apparent, due to the location of the dwellings and their relationship with the surrounding residential properties, that they would not have an unacceptable impact on the residential amenity of neighbouring dwellings. The scheme would satisfy the back to back recommended within the new residential design guide (22m) and avoid an unacceptable level of overlooking that would compromise the privacy of either the dwelling proposed or indeed the existing neighbouring properties.

5.4.2 For these reasons it is considered that the scheme accords with Saved Policy D1 (iii and iv).

#### 5.5 Impact on Ecology

5.5.1 Section 15 of the National Planning Policy Framework (2018) states that the planning system should contribute to and enhance the natural environment by '*minimising impacts on and providing net gains for biodiversity*'. Furthermore, Saved Policy NE2 of the Milton Keynes Local Plan, 'Protected Species' and CS19 of the Milton Keynes Core Strategy seeks to protect the Borough's natural assets. Saved Policy NE2 states,

*'Planning permission will be refused for development if it would be likely to adversely affect animal or plant species, or their habitat, specifically protected by law.'*

*'Where necessary, planning conditions will be attached to permissions to require the developer to take steps to secure the protection of the species or habitat affected by development.'*

5.5.2 The construction of new dwellings provides an appropriate opportunity to incorporate and enhance biodiversity. It is noted that the site is located within an amber risk area for Great Crested Newts. There are also some ponds situated in close proximity to the site towards the south east and several trees and hedges within the vicinity which may also offer habitat for other protect fauna and flora. The amended preliminary ecological survey submitted by the applicant addressed the



concerns of the Council's Countryside Officer, who made no further comment on the proposal. It is considered that the recommendations made within the report itself are necessary and in the interest of the local ecology. Therefore, a condition will be attached to any permission ensuring that these recommendations are implemented at the appropriate time within the construction of the development.

For these reasons it is considered that the proposal would accord with to Saved Policy NE2 of the Milton Keynes Local Plan 2001-2011, CS19 of the Milton Keynes Core Strategy and Section 15 of the NPPF 2018.

## 5.6 Parking and Impact on Highway Safety

| S                | Parking Standards Requirement - Zone 4 |             | Provided / Existing                   |             |
|------------------|--|-------------|---------------------------------------|-------------|
|                  | Allocated                              | Unallocated | Allocated                             | Unallocated |
| Residential (C3) | 8                                      | 1           | 8                                     | 1           |
| <b>Total</b>     | <b>9 (8 allocated, 1 unallocated)</b>  |             | <b>9 (8 allocated, 1 unallocated)</b> |             |

5.6.1 Saved Policy D1 (vi) of the Milton Keynes Local Plan 2001-2011 states:

*Planning permission will be refused for development that would be harmful for any of the following reasons:*

*'(vi) Inadequate access to, and vehicle movement within, the site'*

5.6.2 Saved Policies T1 and T3 of the Milton Keynes Local Plan 2001-2011, 'The Transport User Hierarchy' and 'Pedestrians and Cyclists', seek to prioritise pedestrian access and ensure that development proposals are designed to meet the needs of both pedestrians and cyclists. In particular, T3 (i) states:

*'(i) The layout of the external environment, including links to adjoining areas should provide convenient, direct, safe, secure and understandable pedestrian and cycle routes that are not isolated from other transport routes'*

5.6.3 Saved Policy T15 of the Milton Keynes Local Plan 2001-2011 relates to ensuring development proposals meet vehicle parking requirements as laid out in the Parking Standards Supplementary Planning Document 2016 (SPD). The policy states:

*"Development proposals should meet the following vehicle parking requirements:*

*ii) On-site parking should not be reduced below the maximum standard if it would be likely to result in off-site parking causing problems that cannot be resolved by on-street parking controls."*

5.6.4 Furthermore, Saved Policy T10 of the Milton Keynes Local Plan 2001-2011, 'Traffic', states:

*'Planning permission will be refused for development if it would be likely to generate motor traffic:*

- (i) Exceeding the environmental or highway capacity of the local road network; or*
- (ii) Causing significant disturbance, noise, pollution or risk of accidents.'*

- 5.6.5 The plans provided indicate that 'Plot 2' would have 4 bedrooms whilst Plot 1 would have 5 bedrooms. As the site is located within Accessibility Zone 4, there would be a requirement for three on-plot parking spaces per dwelling and one, unallocated visitor parking spaces to be provided. The plans provided indicate that there would be sufficient space for three on-plot parking spaces to be provided per dwelling, with a single visitor space located off to the side of the access road leading to 'Plot 2'.
- 5.6.6 The previous application was refused on highways grounds due to the location of the proposed access and also the condition of the highway within the locality. The applicant has submitted a Transport Assessment, which concludes that, by virtue of the quantum of development being proposed, the application should not be refused on highways grounds.
- 5.6.7 The Highway Officer objected to the proposal in spite of this Assessment on the grounds that, whilst it would add a relatively small amount of activity onto the highway, it would be harmful to the safety of the highway by virtue of the width, alignment and poor layout / visibility of the Lower End Road junction. However, the Highway Officer acknowledged that if the applicant were to make a financial contribution to the proposed improvements to the Cross End / Lower End Road junction, and to Cross End more generally, then their objection could be withdrawn. As per the previous application, it is deemed that the highway within the Lower End Road / Cross End area is sub-standard and any additional traffic would serve to cause further harm to highway safety by introducing more vehicle and pedestrian activity into the area. The financial contribution would directly fund a project to improve highway safety in the locality. Currently, there are two options for the project which would mitigate the harm of the development in the following ways:

*Option 1 (One Way System)*

Provides mitigation as the traffic generated will not result in additional two way conflicts, as all traffic will head north via Cross End / Lower End Road. The traffic generated will have an improved level of visibility with improvements to visibility to the junction. Proposals will include appropriate street lighting to assist with pedestrian / cycle safety and operation of the junction.

*Option 2 (closure of Lower End Road junction)*

Vehicle traffic generated by the proposals will not have to negotiate the junction which has substandard visibility and a poor layout. All traffic will be via Newport Road. The option will be combined with street lighting to assist with pedestrian and cycle safety and where possible some localised widening to reduce the two-way conflicts.

The applicant has agreed to the Heads of Terms on a financial agreement which would provide a financial contribution of £20,000 towards this project, which is currently in the process of being consulted on. The Planning Officer and Highway Officer agree that this contribution would suffice in terms of off-setting any further harm the development may cause to the highway. It is also acknowledged that, due to the standard of the highway within the locality, it is appropriate for a Construction Management Plan to be submitted to the Local Planning Authority prior to the commencement of works.

- 5.6.8 For these reasons it is considered that, subject to the aforementioned financial contribution being secured, the proposed development is considered to accord with Saved Policies D1 (vi), T1, T3, T15 and T10 of the Milton Keynes Local Plan 2001-2011.

## 5.7 Sustainable Development Assessment

- 5.7.1 Paragraph 11 of the NPPF outlines a presumption in favour of sustainable development and states that permission should be granted unless adverse impacts significant and demonstrably outweigh the benefits of the proposal. The NPPF supports housing development through the presumption in favour of sustainable development. It advises that there are three dimensions to sustainable development; economic, social and environmental which are mutually dependent and should not be taken in isolation. An assessment therefore needs to be made as to whether the proposal could be considered to be sustainable development in terms of the social, economic and environmental roles as set out in the NPPF.

### *Economic Dimension of Sustainable Development;*

- 5.7.2 Although it is acknowledged that the scheme is of a limited scale, and therefore the benefits to the local economy through construction and trade insignificant, it is noted that the development would be supported via a contribution towards the local road infrastructure which would enhance the accessibility of the site and highway safety. However, notwithstanding this, it is deemed that due, to the scale of the development, limited weight is afforded to the minimal economic benefits associated with the development when balancing this with all other matters.

### *Social Dimension of Sustainable Development;*

- 5.7.3 Paragraph 8(b) of the National Planning Policy Framework asserts that the objective of sustainable development is to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet present and future needs. Although the proposal would provide a further home within the Borough, this benefit is significantly limited by the scale of the proposal and the fact that it would involve the provision of two market properties.

### *Environmental Dimension of Sustainable Development;*

- 5.7.4 As outlined above, a preliminary ecological appraisal has been submitted as part of this application. The appraisal was updated as per the comments made the

Council's Countryside Officer, who, upon the submission of the revised appraisal, made no further comment. The application is supplemented with a significant landscaping scheme that would resonate with the rural surroundings, whilst the development itself is situated in a location that would not compromise the intrinsic beauty of the open countryside. As such, whilst it is appreciated that proposal would result in the loss of undeveloped greenfield land within the open countryside, it is not considered that this would be to the detriment of the character of the surrounding area.

### *Summary*

5.7.5 The Framework is clear that the three roles of sustainable development are mutually dependent and should not be taken in isolation. As per recent appeal decisions, the Council considers that it is able to evidence a five year housing land supply. However, notwithstanding this, it is considered that, in combination with the minor social and economic benefits associated with the proposal, the scheme would also relate well to its surrounding environment whilst providing the appropriate mitigation measures to secure its environmental sustainability. Therefore, it is deemed that the development would constitute sustainable development and, thus, tilts the balance in favour of the provision of residential development on this site.

## **6.0 OBLIGATIONS**

6.1 Section 106 contributions are required to mitigate the impact of this development in accordance with relevant Supplementary Planning Documents/Guidance. These contributions are provided below:

| Subject  | Contribution | Contribution Purpose / Where it is to be spent? |
|----------|--------------|---|
| Highways | £20,000      | Cross End / Lower End Road Highway Improvements |

6.2 These contributions meet the tests for obligations as outlined at paragraph 204 of the NPPF and are in accordance with CIL Regulations 122 and 123. These have also all been agreed and form part of the heads of terms for the Section 106 agreement. If Members are minded to grant permission it should be noted that a decision will not be issued until the Section 106 has been completed in accordance with the above requirements

6.3 The total obligations required is £20,000. This amount is considered sufficient to mitigate the impact of the development in terms of its impact on the local highway network.

## **7.0 CONCLUSIONS**

7.1 Due to the reasons outlined above, it is considered that the development proposal accords with national and local planning policies, subject to the completion of the aforementioned S106 Agreement. As such, it is recommended that planning permission is granted, subject to the conditions set out below.

## 8.0 CONDITIONS

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 91 of the Town and Country Planning Act 1990.

2. No development shall take place above slab level until details of the external materials to be used in the construction of the development have been submitted and approved in writing by the local planning authority. The development shall thereafter be carried out in full accordance with the approved details prior to the first occupation of the development.

Reason: To ensure that the development does not detract from the character and appearance of the area in accordance with Policy CS13 of the Milton Keynes Core Strategy 2013 and Saved Policy D2 of the Milton Keynes Local Plan 2001-2011.

3. The landscaping scheme hereby approved shall be carried out in accordance with the approved plans and specifications within the first planting season following the completion of development unless a revised programme is agreed in writing with the Local Planning Authority.

Reason: To ensure that the appearance of the development is satisfactory and accords with Policies CS13 and CS19 of the Milton Keynes Core Strategy 2013 and Saved Policies D1, NE3 and NE4 of the Milton Keynes Local Plan 2001-2011.

4. All mitigation and compensation recommendations set out in the Extended Phase 1 Survey of Land at Wavendon Manor, 18 Cross End, Wavendon, Buckinghamshire dated May 2018 (revised December 2018) shall be implemented at the appropriate stage of the development and no later than one year after the final occupation of the development.

Reason: To maintain and enhance local biodiversity and ecology in accordance with Saved Policy NE3 of the Milton Keynes Local Plan 2001-2011 and Policy CS19 of the Milton Keynes Core Strategy 2013.

5. Prior to the first occupation of the development hereby approved details of the proposed bicycle parking 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 first occupation of the development and shall thereafter be retained for those purposes.

Reason: To ensure the provision and availability of adequate cycle parking in accordance with Policy CS13 of the Milton Keynes Core Strategy 2013 and Saved Policy T15 of the Milton Keynes Local Plan 2001-2011.

6. No building or use hereby permitted shall be occupied or the use commenced until the car/vehicle parking area shown on the approved plans has been constructed, surfaced and permanently marked out. The car parking area so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose thereafter.

Reason: To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the safety on the neighbouring highway in accordance with Policy CS13 of the Milton Keynes Core Strategy 2013 and Saved Policies D1, T3 and T15 of the Milton Keynes Local Plan 2001-2011.

7. No development shall take place until a Biodiversity Enhancement Scheme and Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to the occupation of the development.

Reason: To maintain and enhance local biodiversity and ecology in accordance with Policy CS19 of the Milton Keynes Core Strategy 2013 and Saved Policy NE3 of the Milton Keynes Local Plan 2001-2011.

8. No development, including any works of demolition, shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include site procedures to be adopted during the course of construction including:

- routes for construction traffic
- Method of prevention of mud being carried onto the highway
- location of site compound
- loading and unloading of plant and materials
- the erection and maintenance of security fencing/hoardings and lighting
- proposed temporary traffic restrictions
- parking of vehicles of site operatives and visitors

The development shall be carried out in full accordance with the approved CEMP.

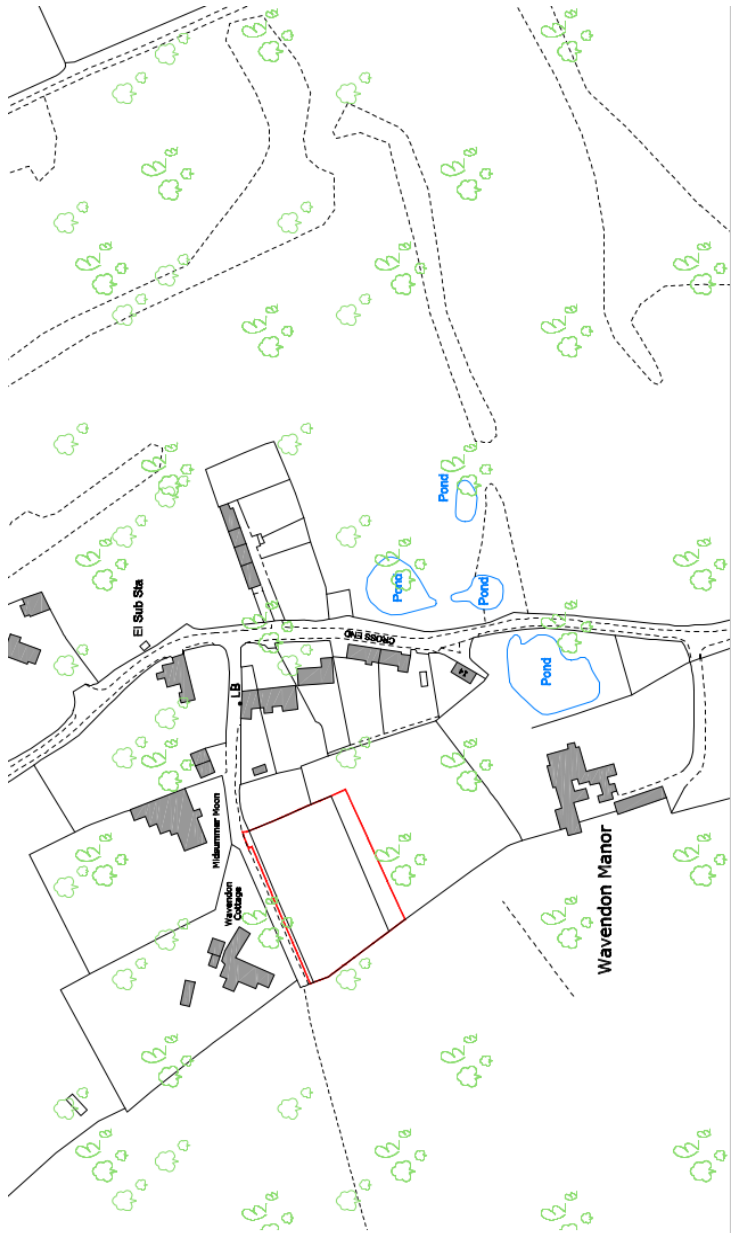
Reason: To ensure there are adequate mitigation measures in place, in the interests of highway and pedestrian safety and in order to protect the amenities of existing and future residents in accordance with Policy CS13 of the Milton Keynes Core Strategy 2013 and Saved Policies D1 and T10 of the Milton Keynes Local Plan 2001-2011.

9. An updated survey shall be undertaken and the subsequent report submitted to the LPA for approval if the development has not commenced by (12 months from the date of the updated report).

Reason: In the interest of maintain local biodiversity and ecology in accordance with Saved Policy NE3 of the Milton Keynes Local Plan 2001-2011 and Policy CS19 of the Milton Keynes Core Strategy 2013.

10. The existing trees and/or hedgerows shown to be retained on the plans hereby approved shall be protected in accordance with BS 5837:2012 and shall not be damaged or destroyed, uprooted, felled, lopped, topped or poisoned during the construction period of the development without the prior written consent of 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 CS13 and CS19 of the Milton Keynes Core Strategy 2013 and Saved Policies D1 and D2A of the Milton Keynes Local Plan 2001-2011.







north - west facing elevation

north - east facing elevation



south - east facing elevation

south - west facing elevation



ground floor plan



first floor plan



south - east facing elevation



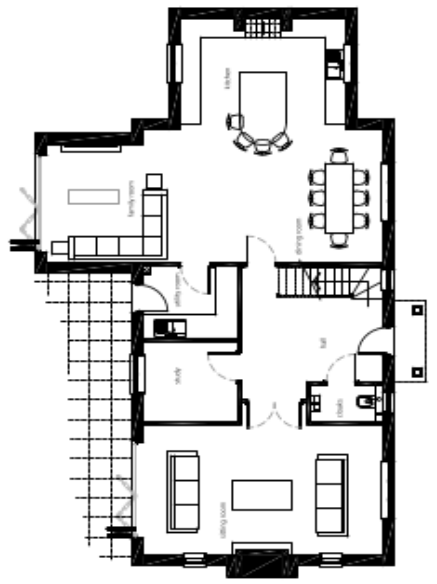
north - west facing elevation



north - east facing elevation



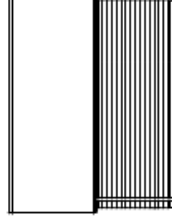
south - west facing elevation



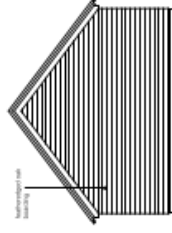
ground floor plan



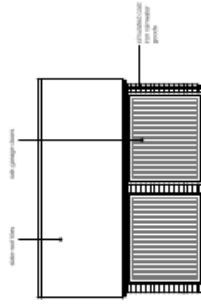
first floor plan



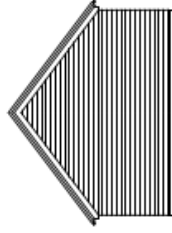
rear elevation



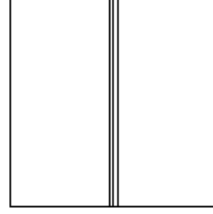
side elevation



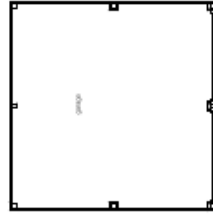
front elevation



side elevation



roof plan



floor plan

## **Appendix to 18/02696/FUL**

### **A1.0 RELEVANT PLANNING HISTORY**

06/01368/LBC

LISTED BUILDING CONSENT FOR EXTENSION TO EXISTING BARN TO FORM GARAGE AND STORE  
PERLBZ 05.12.2006

06/01369/FUL

EXTENSION TO EXISTING BARN TO FORM GARAGE AND STORE  
PER 05.12.2006

09/00704/DISCON

Details (excluding brick and slate details) submitted pursuant to Condition 2 (Materials) attached to planning permission number 06/01369/FUL  
DTSPLT 01.12.2009

09/00705/DISCON

Details (excluding brick and slate details) submitted pursuant to Condition 3 (Window and Door Details) and Condition 4 (Materials) attached to listed building consent number 06/01368/LBC  
DTSPLT 01.12.2009

11/00053/NMA

Non material amendment to application 06/01368/LBC to install roof lights to hay loft, to add a rear door to west elevation and to add an additional window in north elevation  
APPRET 09.02.2011

11/00056/NMA

Non material amendment to application 06/01369/FUL to install roof lights to hay loft, to add a rear door to west elevation and to add an additional window in north elevation  
REF 08.02.2011

11/00384/DISCON

Details submitted pursuant to discharge of condition 2 (materials) attached to application 06/01369/FUL  
DTAPP 02.03.2011

13/00105/FUL

Installation of roof lights to the hay loft, a new door to the west elevation and an additional window to the north elevation  
PER 08.03.2013

13/00106/LBC

Listed building consent for the installation of roof lights to the hay loft, a new door to the west elevation and an additional window to the north elevation  
PERLBZ 08.03.2013

14/01437/DISCON

Details submitted pursuant to discharge of condition 3 (window details) attached to application 13/00106/LBC

DTAPP 18.08.2014

15/00040/FUL

Change of use from hayloft over garage to two bedroomed residential unit

PER 06.05.2015

15/00041/LBC

Listed building consent for change of use from hayloft to two bedroomed residential unit

PERLBZ 07.05.2015

15/00042/FUL

Change of use from stable to two bedroomed residential unit and construction of single storey rear extension

REF 03.09.2015

15/00043/LBC

Listed building consent for change of use from stable to two bedroomed residential unit and construction of single storey rear extension

REFLBZ 08.09.2015

16/01049/FUL

Change of use from stable to two bedroomed residential annex and construction of single storey rear extension (resubmission of 15/00042/FUL)

REF 09.06.2016

16/01051/LBC

Listed building consent for change of use from stable to two bedroomed residential unit and construction of single storey rear extension (resubmission of 15/00043/LBC)

REFLBZ 09.06.2016

17/01532/LBC

Listed building consent for the removal of wooden canopy

APPRET

17/01977/DISCON

Details submitted pursuant to discharge of conditions 2 (external materials), 3 (new construction and retained fabric), 4 (additional external features) and 5 (ground contamination) attached to planning permission 16/01049/FUL

CDIS 11.09.2017

17/01978/DISCON

Details submitted pursuant to discharge of conditions 2 (external materials), 3 (new construction and retained fabric), 4 (new external features) and 5 (window, door and rainwater goods details) attached to listed building consent 16/01051/LBC

CDIS 11.09.2017

17/02258/OUT

Outline planning permission including means of access, appearance, layout and scale for the construction of 2 x 4 bedroom dwellings with access and parking.

REF 12.10.2017

17/02504/DISCON

Details submitted pursuant to discharge of condition 7 (bat survey) attached to planning permission 16/01049/FUL (granted on appeal APP/Y0435/W/16/3164839)

CDIS 27.10.2017

18/01318/FUL

Erection of two dwellings with associated parking and landscaping.

REF 14.08.2018

## **A2.0 ADDITIONAL MATTERS**

A2.1 N/A

## **A3.0 CONSULTATIONS AND REPRESENTATIONS**

A3.1 Ward Councillor D Hopkins

No response received.

A3.2 Ward Councillor V Hopkins

No response received.

A3.3 Ward Councillor A Jenkins

No responses received

A3.4 Wavendon Parish Council

No responses received.

A3.5 Landscape Architect

The site is defined in the local plan as open countryside therefore policy S10 is applicable and planning permission will only be given for development that is essential for agriculture, forestry, countryside recreation or other development which is wholly appropriate to a rural area.

I am concerned that the proposed development on land designated as open countryside will have a negative impact on the character and visual amenity of the area which is not outweighed by the benefits gained by developing housing in this location. Given the location of the development the proposal would have an urbanising effect on and detract from the rural character of the countryside. The proposal is therefore contrary to Saved Policy S10 and Paragraph 170 of the National Planning Policy Framework 2018 which recognises the intrinsic character and beauty of the countryside. Planning approval should be refused.

### A3.6 Countryside Officer

- The Extended Phase 1 Habitat Survey report must be updated to ensure all areas of concern are addressed.
- HSI surveys are required for all water bodies within 500m if the developer chooses not to make an application under the District Licence.
- Species surveys are likely to be required for GCN if the developer chooses not to make an application under the District Licence.
- Species surveys for GCN will not be required if the developer chooses to make an application under the MKC District Licence.

Conditions requested:

A Landscape and Biodiversity plan demonstrating that no net loss of biodiversity will result from development of the site.

An updated survey shall be undertaken and the subsequent report submitted to the LPA for approval if the development has not commenced by (12 months from the date of the updated report).

### A3.7 Highway Officer

While this development is small in terms of unit numbers there are nevertheless impacts due to the width, alignment and poor layout / visibility of the Lower End Road junction. The lack of suitable facilities for pedestrians reinforces the issues with unsustainability.

I consider that an objection on highway grounds is justified. However, it appears that there would be an opportunity for the applicant to mitigate the impacts by making a financial contribution towards the proposed improvements to the Cross End / Lower End Road junction and to Cross End improvements generally. A suitable contribution can be secured within a s106 agreement.

If a suitable financial contribution is offered and secured within a s106 agreement, then my objection to the proposals can be withdrawn.

### A3.8 Conservation Officer

No conservation based objection to the revised application.

### A3.9 Archaeology Officer

I have assessed the proposal against the known archaeological resource as contained in the MK Historic Environment Record (HER). In conclusion I am pleased to state that although it is within a Heritage Interest Area the proposed development itself is not regarded as being of significant potential archaeological impact. As such it is, in my view, unnecessary to conduct any pre-determination

archaeological investigation nor do I wish to recommend an archaeological condition in respect of the site.

#### A3.10 Neighbour/Third Party Representations

Neighbour representations were received from the following addresses:

Cross End Cottage, 2 Cross End

Wavendon Cottage, 4 Cross End

The following issues were raised:

- Impact of the construction of the development on highway safety.