



Appeal Decision

Inquiry Held on 23-27 October 2017

Site visit made on 26 October 2017

by Paul Singleton BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 November 2017

Appeal Ref: APP/J0405/W/17/3171692

Land south of Marroway, Weston Turville, Buckinghamshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Gladman Developments Ltd against Aylesbury Vale District Council.
 - The application, Ref 16/03542/AOP, is dated 29 September 2016.
 - The development proposed is up to 50 dwellings (including up to 30% affordable housing) introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access point off Marroway and associated ancillary works.
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Decision

1. The appeal is dismissed and planning permission is refused.

Procedural Matters

2. The application was submitted in outline with all detailed matters other than means of access reserved for subsequent approval. I have considered the proposal on this basis. A Statement of Common Ground (SoCG) has been signed by the parties and I have had regard to its provisions in my determination of the appeal.
3. Following the lodging of the appeal the Council resolved that, had it been able to determine the application, planning permission would have been refused for the following reasons:
 - 1) *The erection of up to 50 dwellings on this site, notwithstanding the indications that existing perimeter planting would be retained and reinforced and an element of open land retained, would represent a significant change in character, loss of landscape quality, and intrusion of built development into an area of open countryside beyond the established limit of the village. In this respect, it is considered that the development conflicts with policies GP35 and RA2, and fails to accord with NPPF advice.*
 - 2) *The intrusion of built development on to this greenfield site represents a significant reduction to the open countryside gap separating Weston Turville and Stoke Mandeville, and by its failure to establish a well-defined settlement boundary, would make further encroachment more likely. The development thereby increases the likelihood of coalescence between the*

two villages and the loss of the individual identity of the two settlements. This would be a significant change that would detract from the character of the area and would represent a loss of identity and local distinctiveness. The proposal therefore represents development that fails to respect and complement the physical characteristics of the site and its surroundings, and gives rise to significant detriment to the landscape setting of the settlements. The development therefore conflicts with policy RA2 and fails to accord with NPPF advice.

- 3) *Had the above reasons for refusal not applied, it would have been necessary for the applicant and the Local Planning Authority to enter into a Section 106 Agreement comprising obligations including those relating to on-site SuDS management and maintenance, provision of on-site open space and LEAP, financial contributions towards off-site sport and leisure provision and additional educational provision. In the absence of such provision, the proposal is contrary to the requirements of policies GP86, GP88 and GP94 of the Aylesbury Vale District Local Plan, the adopted Sport and Leisure SPG, BCC Education's adopted Section 106 policy and NPPF advice.*
4. Prior to the Inquiry the appellant submitted two draft Unilateral Undertakings (UU), one in favour of Aylesbury Vale District Council (Council) and one in favour of Buckinghamshire County Council (County Council) in its roles as local highway and education authority. The Council has confirmed that these include obligations to secure the provision of the infrastructure required to support the scale of development proposed and did not pursue the third reason for refusal at the Inquiry. Certified copies of the signed UUs were submitted following the close of the Inquiry.
5. The Vale of Aylesbury Local Plan (VALP) is being prepared and the Council recently approved a draft version of the plan for consultation prior to its submission for examination. The parties agree that, in view of this relatively early stage in its preparation, very limited weight can be given to the draft policies in the emerging plan and I accept that conclusion.
6. A draft of the Weston Turville Neighbourhood Plan was the subject of public consultation which ended in October 2017. Consultation responses are being reviewed with a view to deciding what, if any, changes should be made to the draft. The plan will then need to be considered by the Council before proceeding to examination and a subsequent referendum. I agree with the parties that no weight should be given to the Neighbourhood Plan in view of this early stage in its preparation.
7. The adopted Aylesbury Vale District Local Plan (2004) (AVDLP) did not include any policies for the supply of housing beyond 2011. The parties agree that, for this reason, its housing policies are not consistent with the policies in the National Planning Policy Framework (Framework) and should be regarded as being out-of-date. Accordingly, the second part of paragraph 14 of the Framework is engaged.
8. This part of paragraph 14 states that, where relevant policies are out-of-date, planning permission should be granted unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole; or

- specific policies in the Framework indicate development should be restricted.
9. The site does not fall within any of the allocations or designations identified in Footnote 9 as examples of policies that might lead to such an indication. The proposal therefore falls to be considered with regard to the first limb of this part of paragraph 14 and the 'tilted balance' in favour of a grant of planning permission which this sets out, is engaged.

Main Issues

10. Having regard to this background the main issues in the appeal are:
- (a) the effect on the character and appearance of the site and its surroundings;
 - (b) the effect on the identity and distinctiveness of Weston Turville; and
 - (c) whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits having regard to the housing requirement and the identified supply of land for new housing in the district.

Reasons

Character and appearance

11. Neither the appeal site nor the surrounding land is subject to any landscape or ecological designations; nor is the site a valued landscape for the purposes of paragraph 109 of the Framework. Its boundary hedges and trees are in moderate condition and the paddock where the indicative Framework Plan shows the built development, public open space and flood attenuation basin would be sited is in generally poor condition.
12. The site lies within the Southern Vale Landscape Character Area (LCA). The Landscape Character Area Assessment identifies that the condition of the landscape within the LCA is generally poor with localised pockets of higher quality and that the landscape pattern is interrupted by ribbon development, general settlement and road and rail infrastructure. The LCA retains its distinctive characteristics but relies heavily on its wider setting and is described as having a moderate degree of sensitivity.
13. The underlying guidelines seek the restoration and enhancement of the landscape with particular reference to conserving the distinctive character and form of villages and their settings, restoring and enhancing the original field pattern including supporting initiatives for the management and replanting of hedgerows and infilling of gaps, and encouraging the development of native vegetation. Although in relatively poor condition the site comprises part of a larger area of pasture and, given its location relative to the existing built area of Weston Turville, clearly contributes to the landscape setting of the village and to the existing gap between Weston Turville and Stoke Mandeville. In this sense it is appropriate to consider the landscape effects over a wider 'local character area' as Mr White has done.
14. The Conservation Area Appraisal for the Weston Turville Conservation Area notes that Weston Turville's development has been influenced by changes in agriculture and, although it has lost some of its rural character, the village is

still surrounded by agricultural land. Although its use for horse-grazing may not fit within the definition of working agricultural land this does not reduce the site's role in contributing to the setting of the village. The Appraisal identifies the appeal site and adjacent field to the south of Marroway as one of only two relatively small areas of land within the setting of the village that retain pre-18th Century Enclosure field patterns. That pattern may not be intact and may not affect the value of the landscape, but I agree with the Council that it does increase its susceptibility to change as a landscape resource.

15. From its origins in a number of dispersed hamlets clustered around wide road junctions, Western Turville has grown mainly by means of infill development into a moderately large and fairly densely developed village. Its resultant polyfocal form means that the village lacks a clearly defined centre. This pattern of growth has also led to a considerable intermingling of houses of widely ranging ages and styles and this contributes to the village's distinctive character. There has been some expansion of the built area and extensive ribbon development to the south along World's End Lane but the village is a generally compact settlement.
16. The western edge of Weston Turville has not extended very far beyond the limits of the historic settlements and the form and layout of the original West End hamlet are apparent in the current layout of roads and buildings. Notwithstanding that a narrow strip of former paddock has been incorporated into the extended domestic gardens of houses on Marroway the village has a strong linear edge on its western side. This is well defined and forms a coherent and defensible boundary to the existing extent of built development.
17. The local note building at 36-38 Marroway may not have been designed to serve as a landmark building but its prominence and distinctive architectural form draw the eye as one approaches the village from the west. In combination with the dwellings on the opposite side of the road, this building does serve as a clear demarcation of the edge of the village. Beyond this point, the road between Weston Turville and Stoke Mandeville is extensively contained by dense roadside vegetation with occasional glimpses of the open agricultural land beyond, giving this route a distinctly rural character. There is, therefore, a marked change in the character of the road as one reaches the local note building.
18. Reference was made to past expansion of the village to the north. However, this expansion appears not to have extended beyond the limits of the ribbon development on New Road and is contained to a large extent by the substantial expanse of the golf course immediately to the north and the primary school and its playing field to the west. In comparison, there is no obvious rationale for development of the appeal site which is surrounded by open countryside on three sides and is separated from built development on its eastern boundary by the extended gardens to houses on Marroway. The appeal proposal would result in a significant projection of built form beyond the existing limits of the village and into an area of open countryside. This considerable extension to the built area would be contained only by the road on its northern boundary and the existing edge to the village to the east.
19. Details of layout and design are not before me but the Framework Plan and illustrative Master Plan both indicate a fairly standard, cul-de-sac form of development and the appellant advises that the site would be built out over 2

or so years. Some variation in the detailed design of the dwellings would be possible but the proposal would likely result in a development of fairly uniform age and appearance. This uniformity would be out of keeping with the very mixed character which exists across much of the village because of its organic growth. The proposed size and density of the development and the more linear, suburban layout envisaged would also contrast quite markedly with the layout and distinctive character of the buildings at the west end of the village which is defined in the Conservation Area Appraisal as one of Weston Turville's 'distinct ends'.

20. The retention and future management of hedges and trees to the site boundaries would be a positive aspect of the proposal that could provide some degree of enhancement of the landscape and its contribution to the wider character area. This would, however, be achieved at the cost of the permanent loss of part of an existing area of open pasture and its replacement with built development. Although only about 10m of hedge would be removed for the new access, this gap would create an interruption to the continuous roadside hedge between the Pony Field travelling community site access and the entrance to the village. In combination with the access to the Pony Field site, which is itself of considerable width, this additional gap would result in a significant diminution of the rural character of the route between the two settlements.
21. The site is well enclosed by trees and hedging and the visual effects of the proposal are likely to be localised. Although a number of different viewpoints have been identified along Marroway these would likely be experienced by the same users as they move from west to east. The overall effect would be one of a gradual revealing of the development as the viewer moves closer to the village. Roadside hedging would provide a visual screen along much of the route but views of the development would be available through the access to the existing track on the site's western boundary and into and across the new access road. The filtering provided by landscaping to the boundaries and within the site would increase over time but this would not fully screen the development.
22. In the view available through the access track junction the overall scale and modern form of the development would be apparent and the development would substantially limit views across what is now open land towards the Chilterns in the distance. Although the development would be set back behind a landscape edge road users and pedestrians passing the new access would be fully aware of the overall scale of the development and how far this extends back from the road. In addition to the visual effects of the access road and development itself any sense of there being an expanse of open land behind the roadside hedge would be permanently lost, particularly in winter when leaf cover would be at a minimum. Overall, the proposal would have a harmful, urbanising effect on what is currently a very rural approach to the village.
23. The location, scale and likely form of development would lead to a harmful erosion of the coherent edge of the village. Although not before me for determination both the original and revised illustrative masterplans show an estate road extending almost up to the western boundary with shared accesses to the north and south and houses facing outwards from the site. This approach would not, in my view, provide for a strong and coherent new edge to the settlement. Additional landscaping could render this boundary more

attractive but would not make it any more coherent or defensible. It would still represent an edge to what would clearly be a discrete enclave of development that projects far beyond the natural edge of the village. I consider that the proposal would result in substantial harm to the character and setting of the village.

24. The view from the west towards Nos 36-38 Marroway is identified in the Conservation Area Appraisal as a key view in which the local note building demarcates the edge of the village. The view out from the village from the junction at West End is also of importance in appreciating the rural setting of the village. In this view, the local note building and adjacent house serve to denote the existing limits of the village, with the view beyond this point being dominated by well-established roadside vegetation on both sides of the road which disappears into the distance. The construction of the new access would result in a gap in that roadside vegetation which, although only of about 10 metres (m) in width, would be readily apparent in this view. So too would the access junction and related signage. These changes would reduce the rural character of this section of Marroway and, although views of the development within the site would be limited to views of the roofs to some of the houses, it would be apparent from this vantage point that the proposed development extends beyond the existing limits of the village.
25. Views from Public Footpaths 20/1 and 21/1 would largely be restricted but, where views could be obtained through gaps in the vegetation, the roofs to some of the new buildings would be visible. These building elements would be seen in the context of the more prominent caravans and buildings on the Pony Field site but, at present, that development appears clearly detached from the village itself. The views of the new housing would give the viewer a clear indication of built development extending beyond the distinct, linear edge to the village as currently defined by the rear elevations and roofs to houses on World's End Lane and Lodge Farm Close. This would bring the built area of the village much closer to the Pony Field site in that view and reduce the extent to which the Pony Field development is experienced as an isolated development within the open countryside.
26. The development would be visible from the upper floors of some of those nearby houses. Subject to the detailed layout and landscaping proposals the visual effect would likely be significant in the short term but would reduce as new landscaping within the site becomes established. These would, however, be private rather than public views. Residents of the Pony Field site would have only partial or glimpsed views of the development and these could be screened by appropriate landscape treatment to the site's western boundary. Overall screening of the site would be increased as new landscaping becomes established but the development would be visible in a number of public views.
27. Taking all of these considerations into account, I find that, although only of moderate value, the landscape of the local character area as defined by Mr White is correctly rated as having a moderate to high degree of susceptibility to change. For the reasons set out above, I find that the proposal would cause substantial harm to the character of that landscape and to the character and appearance of Weston Turville and its rural setting. Although the landscape effects would be quite localised, I also find that the proposal conflicts with the LCA guidelines with regard to conserving the distinctive historic character and

form of villages and their settings and of restoring and enhancing original field patterns.

28. Accordingly, I find that the proposal conflicts with AVDLP Policy GP35 which requires that new development should respect and complement the physical characteristics of the site and surroundings; the building tradition, ordering and form of the locality; and the historic scale and context of the setting. Policy GP35 is consistent with the policies in the Framework and I give full weight to that conflict.

Identity and distinctiveness of the settlement

29. Weston Turville is much closer to Stoke Mandeville than to other nearby settlements and any remaining sense of separation between the two is largely derived from the rural character of the route along Marroway. This rural character has already been reduced to a material degree by the physical extent of the Pony Field site and the wide access serving that development.
30. The proposal would narrow the gap between the village edge of Weston Turville and the start of the Stoke Mandeville ribbon development on the north side of Marroway, reducing this by about one third from around 380m to approximately 240m. It would also result in a much narrower gap, of around 100m, between the village edge and the Pony Field site. The proposal would lead to a considerable reduction in the width of the remaining gap and would have a significant adverse effect on how that gap between the two villages is experienced.
31. The proposal would introduce another access junction on this section of Marroway and an additional interruption to the roadside vegetation that is of such importance in giving the route its rural character. Views of the development would become available on moving from west to east and a person travelling from Stoke Mandeville would have the sense of arriving in Weston Turville much more quickly than they currently do. For anyone travelling in the other direction the distinct sense of having left the village on passing 36-38 Marroway would be delayed by the experience of passing the new access with its associated lighting and signage and by the views into the site. Although not resulting in physical coalescence the narrowing of the gap to the extent proposed would lead to the substantial loss of the existing sense of separation between the two settlements.
32. The circumstances of the two sites may not be identical but my conclusions on this matter are consistent with those of the Inspector who determined the recent Aston Clinton appeal¹(CD7.12) where the proposed development would have been within 140-300m of the bypass that contains the southern edge of Aylesbury. That Inspector found that, although not resulting in coalescence per se, the sense of separation between the two settlements would be all but lost with consequent harm to the form and character of the village. Similar harm to the form and character of Weston Turville would result from the current appeal scheme. In my judgement the proposal would result in substantial harm to the identity and distinctiveness of Weston Turville as a separate settlement. Although the eastern edge of Stoke Mandeville has already been eroded by the extent of ribbon development there would also be some limited harm to the distinctive character of that settlement.

¹ APP/J0405/W/16/3147513

33. The Hampden Fields urban extension to the north of Marroway was considered by the Council on 25 October 2017 and delegated authority was given to officers to approve the application subject to any direction from the Secretary of State and the completion of a legal agreement in relation to a number of planning obligations. I consider that this resolution, in combination with the proposed allocation of the Hampden Fields site in the emerging VALP, is a material consideration of significant weight and regard should be had to the potential cumulative effects of the appeal scheme together with the Hampden Fields proposals.
34. In relation to the planning appeal decision² in 2015 Inspector Rose noted that the built area of Hampden Fields, as then proposed, would be some 500m from Marroway beyond a substantial landscape belt and that this would not erode the distinction between Stoke Mandeville and Weston Turville. Although the sports provision and other green infrastructure proposed would have undeniable urban characteristics he found that they would help to provide some distinction between Weston Turville and the new development. His overall conclusion was that Weston Turville would remain with its own distinct sense of place albeit with some weakening of its northern edge and a wider loss of open countryside as part of its setting. This was accepted by the Secretary of State.
35. In the revised Hampden Fields proposals the sports pitches have been pulled back by one field and there would be a wider landscape buffer along the site's southern boundary. Due to these changes there would be limited change in the character of much of that site's boundary with Marroway and a reduced risk of coalescence between the Hampden Field development and Weston Turville. The proposed new access to Hampden Field, which would be around 170m from the edge of the appeal site, would however, still be of significance.
36. Inspector Rose found that the construction of that new access, including street lighting, the alteration in road priority and associated signage would bring significant changes to this part of Marroway but that the majority of the gap would remain unscathed. Although the junction proposals are largely unchanged from the previous application the gap between Weston Turville and Stoke Mandeville would be reduced by about a third if the appeal scheme was to go ahead. In that context, the changes resulting from the new Hampden Fields junction would have a much more significant adverse effect on the remaining gap between the settlements.
37. The appellant suggests that the proposed change in priority at the Hampden Fields access could help to increase the sense of separation between Stoke Mandeville and Weston Turville, but I do not agree. Although there would be scope for some landscaping within its design the junction would have a substantially urbanising effect on that part of the route where the Stoke Mandeville ribbon development currently gives way to the predominantly rural character of a road cloaked with vegetation on both sides.
38. A significant length of the existing rural road would be lost to the construction of the new access road and associated reordering of the road priority with the new section of highway connecting to the existing road in very close proximity to the Pony Field access. The realignment of the road would mean that the Pony Field development would be prominent in the view of road users turning off the new primary route to continue to Weston Turville. That would be a very

² APP/J0405/A/12/2189277

different experience from that which users of the route currently have. The increased traffic using the new access road would also have a considerable adverse effect on the character of this part of the route. These changes would significantly reduce the length of the route between Stoke Mandeville to Weston Turville over which users would experience a rural rather than a more suburban character and would materially diminish the sense of a clear separation between the two settlements.

39. I accept that the proposal would not result in physical coalescence. However, it would lead to a significant loss of open land that contributes to the form and character of Weston Turville and would cause substantial harm to that form and character. It would conflict with AVDLP Policy RA2 for this reason. The substantial erosion of what is already a relatively narrow gap separating Weston Turville from the neighbouring village would also have a harmful effect on the individual identity and distinctiveness of Weston Turville as a settlement. Substantial harm would result from the appeal proposal itself and this would be increased when the proposal is considered together with the Hampden Fields development. This harm gives rise to conflict with one of the two specific objectives set out in the second part of AVDLP Policy RA2.
40. Whilst Policy RA2 makes reference to '*specific allocations in the Local Plan*' this is only to identify exceptions to its application and I do not accept that the policy should be regarded as being out-of-date because those site allocations are time expired. RA2 is not written in the same, very restrictive terms as the policies considered in the Colman judgment³ (APP5) and there are other policies in the AVDLP which relate to the achievement of social and economic aims. Policy RA2 requires the exercise of planning judgement as to whether or not the land under consideration contributes to the form and character of settlements and whether any resultant loss of open land would adversely affect the identity of villages and/or lead to coalescence. Its objectives are consistent with the Framework's policies in paragraph 58 and with the core principles set out in the fifth bullet of paragraph 17. I therefore attach full weight to the conflict with this policy.
41. The plans and schedule of applications in Mrs Hewitt-Jones appendices show that there is considerable pressure for housing development in the area to the south of Aylesbury and I note from Mr White's evidence that arable land to the south and west of the Pony Field site has been promoted as a potential housing site. Each application for planning permission must be considered on its merits. However, the proposal would not provide a clear and coherent new edge to the village and I think the Council is right to have some concerns that a grant of permission for the appeal scheme might make it more difficult for it to resist future applications on other land within the gap between the two villages.

Other Matters

Heritage assets

42. The listed building at Manor Farm is a considerable distance from the main part of the site and is separated from it by World's End Lane and intervening houses and vegetation. In my judgement the site is not within the setting of the listed building and the proposal would have no material effect on its significance.

³ [2013] EWHC 1138 (Admin)

43. Nos. 36-38 Marroway has been identified as a local note building and is rightly regarded as a non-designated heritage asset. There is some intervisibility between this building and the appeal site but the site itself does not make a meaningful contribution to its setting. The changes in viewpoints that I have identified would largely be changes to the character of Marroway and the edge to the village and I do not consider that these would have a material effect on the setting or significance of the non-designated asset.
44. The finger of land which would accommodate the pedestrian link extends up to the boundary of the Conservation Area but the site itself makes a neutral contribution to the setting of the Conservation Area. There would be little, if any, change to the character and appearance of the corridor through which the pedestrian link would be routed and the proposal would cause no harm to the character or appearance of the Conservation Area or to its setting.

Pedestrian link

45. The pedestrian link would be routed along an existing alley between houses and gardens on World's End Lane. This alleyway is only about 3m wide and would be too narrow for a pedestrian and vehicle to use at the same time. I understand that vehicular access rights are restricted to two or three users and I saw on my site visit that there is clear visibility along the restricted width section of the route. Although shared use would require drivers and pedestrians to exercise appropriate caution and to wait until the path is clear for them to use, I see no reason why this should not provide for the safe operation of the path given the likely level of usage.

Flood risk

46. The information submitted by Mr Yerby raises concerns as to whether there would be adequate storage capacity within the proposed surface water management strategy. The appellant's written response (APP4) states that the calculations used in that assessment are based on incorrect assumptions and I accept that statement. The form and sizing of the storage capacity would need to be agreed as part of the detailed design of the drainage system and it is not unusual for this not to have been carried out at the outline planning stage. No objections were made by the County Council's Strategic Flood Management Team and I have no reason to conclude that a satisfactory scheme that meets the necessary technical requirements could not be achieved.

Housing Land Supply

47. Pending the adoption of the VALP the District's housing requirement has been assessed using the full objectively assessed needs in the Buckinghamshire Housing and Economic Development Needs Assessment (HEDNA) Update 2016 (CD.5.18). The District's housing requirement over the period 2013-2033 has been assessed at 19,400 new dwellings with an annual average requirement of 970 dwellings. This has not as yet been tested in a local plan examination but has been accepted by Inspectors in previous planning appeals as the most appropriate assessment of the housing requirement. The Inspector in the Long Crendon appeal⁴ (CD5.5) found that, although untested, it is based on reasonable and plausible assumptions. I have no evidence that would lead me to reach a different conclusion.

⁴ APP/J0405/W/16/3142524

48. By means of a Memorandum of Understanding (MOU), signed in July 2017, the Council has agreed that the unmet housing need in three neighbouring local authorities (where development capacity is more constrained) is to be provided for in the emerging VALP. The level of unmet need is estimated at 8,000 dwellings but that figure could increase or decrease as plan preparation proceeds. The parties agree that this unmet need should not be included in the 5 year Housing Land Supply (HLS) calculation.
49. The appellant contends that, if the Council continues to calculate its 5 year HLS against the HEDNA requirement excluding the unmet need, a substantial backlog is likely by the time that the VALP is adopted and that the unmet need is a material consideration in the appeal. On this matter, I agree with the Council that it would be wrong to have regard to the increased requirement resulting from the MOU without also taking into account allocations in the VALP that seek to meet that increased level of need. Although still to be tested the Council's trajectory for the delivery of sites in the VALP suggests that any backlog would be cleared by the end of 2020/21. I have seen no evidence that challenges that expectation.
50. The January 2017 Housing Economic Land Availability Assessment (HEELA) (CD5.20) identifies sites with a potential capacity of 26,872 dwellings against the likely increased total requirement of 27,400 (assuming an unmet need of 8,000 dwellings). As completions in the first four years of the plan period amounted to some 3,600 dwellings the HEELA demonstrates more than sufficient capacity to meet the remaining need. Even if there is some element of backlog when the VALP is adopted in or around late 2018, the appeal site would be unlikely to make any meaningful contribution to clearing that backlog given the likely programme for its development. Accordingly, I attach limited weight to any contribution that the appeal scheme might make to meet the MOU element of housing need.
51. The Housing Supply Position Statement of August 2017 (CD5.21) shows a 9 year supply of deliverable housing sites and this has not been disputed by the appellant. This is a very healthy supply position and I note that this does not include any contribution from the two large developments at Hampden Fields and Woodlands which have recently received resolutions to grant planning permission (AVDC4).
52. Paragraph 47 of the Framework requires local planning authorities to boost significantly the supply of housing but I see no basis in that paragraph for the appellant's contention that a 5 year HLS should be regarded as a 'bare minimum'. However, I am not aware of any policy in the Framework or elsewhere that expressly suggests that the weight to be given to the provision of new housing should be tempered or reduced because of the existence of a housing supply comfortably in excess of 5 years. The Phides judgment (AVDC6) provides that, where a shortfall in the 5 year supply exists, the extent of that shortfall and evidence of what measures are in place to remedy it might inform the weight to be given to the provision of new housing development. However, it does not indicate that the weight given to such provision should be reduced because a Council can demonstrate a supply comfortably in excess of 5 years.
53. The provision of up to new 50 dwellings would be a positive social benefit in terms of boosting the supply of housing, increasing the range and choice of

housing available in the area and of helping to tackle the relatively high costs of housing in the district. I attach significant weight to that benefit but, in the absence of any evidence of a clear and pressing need for the release of housing on unallocated sites, it should not attract any additional weight.

Affordable Housing

54. Mr Ireland's note (AVDC2) indicates a district-wide need for 2,609 affordable dwellings based on the latest check of the Housing Register. The Council argues that this will be met by a district-wide pipeline of 1,747 dwellings and average relets of 472 dwellings per annum. That evidence has not been challenged but should be considered in the context of the HEDNA Addendum's identification of a need for 4,200 affordable homes over the plan period, taking account of both need and the turnover of existing stock. This and the evidence that house prices in the district are 11.5 times the average salary (compared to a ratio of 8 nationally) indicate an ongoing need for additional affordable dwellings to be brought forward.
55. Within the South East sub area, within which Weston Turville is located, there are some 380 households on the Register of which 255 are assessed as being in priority need. The low stock turnover rate, of only 5 dwellings per annum, suggests a strong demand for people to stay within this area and the current pipeline of 255 dwellings would not meet that identified level of need. Many people seeking an affordable home may be prepared to move to a suitable dwelling within the wider parish but the very low number of new affordable homes within Weston Turville itself is a cause for concern. The provision of up to 15 affordable homes on a site in close proximity to the facilities and services in the village would, therefore, amount to a social benefit of significant weight.

Other potential benefits

56. Although extending only over two or so years the construction works would involve a meaningful level of investment and employment which could benefit local people and suppliers. Some economic benefits would also flow from the increased expenditure by future residents of the new homes in shops and services in Weston Turville and the surrounding area. However, the village already has a substantial population and I have seen no evidence that the vitality of these services is threatened. I attach significant weight to these economic benefits.
57. The proposed contributions to extend the No. 50 bus service could bring positive social benefits to existing residents and this should be afforded some, limited weight. The proposed on-site open space would, however, be of limited benefit given the quality of the existing provision and the site's location outside of the village limits. The potential environmental benefits are of modest scale and would be offset by the loss of the contribution that the site currently makes to landscape character and to supporting wildlife, as evidenced by the statements from local residents. In my judgement very little weight can be given to these suggested environmental benefits.

Whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits

58. The proposal would cause substantial harm to landscape character and to the character of Weston Turville and its rural setting. It would result in the loss of

open land which makes a positive contribution to the form and character of the settlement and would cause substantial harm to the identity and distinctiveness of Weston Turville as a separate settlement. Having regard to the policies in the Framework as a whole, I find that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits of granting planning permission. Accordingly, the proposal does not benefit from the presumption in favour of development as set out in paragraph 14 of the Framework and does not represent sustainable development, when the Framework is taken as a whole.

Conclusions

59. The appeal proposal would conflict with Policies GP35 and RA2 of the AVDLP and with the development plan as a whole. Those policies are consistent with the Framework and full weight should be attached to that conflict.
60. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. I have not identified any material considerations which would lead me to conclude that planning permission should be granted notwithstanding the conflict with the development plan.
61. Two UUs have been submitted which set out a number of planning obligations in relation to the appeal proposal. I have taken the affordable housing provision and proposed contribution to the extension of the local bus service as benefits to be considered in the planning balance. However, in view of the outcome of the appeal, there is no need for me to examine whether the sought planning obligations comply with Community Infrastructure Levy (CIL) Regulations 122 and 123.
62. For the reasons set out above, and having regard to all matters raised, I conclude that the appeal should fail and that outline planning permission should be refused.

Paul Singleton

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Nina Pindham, of counsel, instructed by Laura Tilston of Gladman Developments Ltd.

She called:

Gary Holliday BA (Hons) MPhil CMLI Director, FPCR Environment and Design Ltd

Laura Tilston BSC (Hons) MA MRTPI Planning Director, Gladman Developments

FOR THE COUNCIL:

Hugh Flanagan, of counsel, instructed by Laura Lee Briggs of HB Public Law

He called:

Simon White DipLA DipUD (Dist) MA CMLI Director, White Consultants

Nick Ireland BA (Hons) MTPI MRTPI Planning Director, GL Hearn

Nina Hewitt-Jones MA (Dist) MRTPI Senior Planning Officer, AVDC

INTERESTED PARTIES

Tony Jeffryes Local Resident

Phil Yerby Local Resident

Robert Warman Local Resident

Martin Jarvis Chairman of Weston Turville Parish Council

DOCUMENTS SUBMITTED AT THE INQUIRY

APP1 Weston Turville Neighbourhood Plan Evidence Report September 2016

APP2 Extract from the draft Vale of Aylesbury Local Plan (Regulation 18 version) concerning the Sustainable strategy for growth and its distribution

APP3 Extract from the draft Vale of Aylesbury Local Plan (Regulation 18 version) concerning Spatial Options for meeting HEDNA conclusions

APP4 Enzygo response to Jones-Parry Associates' letter re flood water storage concerns

APP5 Judgment in Colman, SoSCLG, North Devon District Council and RWE Power Renewables Ltd [2013] EWHC 1138 (Admin)

AVDC1 Mr White's comparison of FPCR's Indicative and Alternative Masterplans

AVDC2 Mr Ireland's note regarding Affordable Housing Need

AVDC3 Extract from Planning Practice Guidance re the calculation of a 5 year housing supply

AVDC4 Mrs Hewitt-Jones' note re Council resolutions with regard to the Hampden Field and Woodlands planning applications

AVDC5 Schedule dealing with the compliance of the proposed planning obligations with the Community Infrastructure Levy Regulations.

AVDC6 Judgment in Phides Estates (Overseas) Ltd, SoSCLG, Shepway District Council and David Plumstead [2015] EWHC 827 (Admin)

AVDC7 Summary of judgment in R v Newbury District Council and Newbury and District Agricultural Society, ex parte Chiveley Parish Council [1999] P.L.C.R. 51

Mr Jeffryes' statement and photographs

Jones-Parry Associates letter regarding flood risk matters

CORE DOCUMENTS

CD1 Application Documents

- 1.1 Application Covering Letter, Application Form and Certificates
- 1.2 Location Plan (0000-L-01 rev -)
- 1.3 Framework Plan Revision D (7230-L-03 rev D)
- 1.4 Design and Access Statement (Aug 2016)
- 1.5 Landscape and Visual Impact Appraisal (16th Aug 2016)
- 1.6 Transport Assessment (July 2016)
- 1.7 Travel Plan (July 2016)
- 1.8 Ecological Report (June 2016)
- 1.9 Arboricultural Report (Aug 2016)
- 1.10 Phase 1 Site Investigation Report (Aug 2016)
- 1.11 Flood Risk Assessment (Aug 2016)
- 1.12 Foul Drainage Analysis (Aug 2016)
- 1.13 Air Quality Screening Report (2nd Aug 2016)
- 1.14 Noise Screening Report (20th July 2016)
- 1.15 Archaeological DBA (June 2016)
- 1.16 Heritage Report (July 2016)
- 1.17 Socio-Economic Report (July 2016)
- 1.18 Statement of Community Involvement (Aug 2016)
- 1.19 Planning Statement (Sept 2016)
- 1.20 Draft Section 106 Heads of Terms

CD2 Additional & amended Reports submitted after validation

- 2.1 Response to Highways Consultation (09/01/2017)
- 2.2 Framework Plan Revision E (November 2016)

CD3 Correspondence with Local Planning Authority

- 3.1 Application Covering Letter (28/09/16)
- 3.2 AVDC Registration Letter (11/10/16)
- 3.3 Email Gladman to AVDC
- 3.4 Email AVDC to Gladman ref Highways Comments (09/12/16)
- 3.5 Email Gladman to AVDC ref update letter (22/12/16)
- 3.6 Gladman to AVDC - copy of update letter (22/12/16)
- 3.7 Email Gladman to AVDC ref Highways Consultation (11/01/17)

3.8 Email Gladman to AVDC

CD4 Consultation Responses

- 4.1 AVDC Affordable Housing
- 4.2 BCC Archaeology
- 4.3 Open Space
- 4.4 Weston Turville Parish Council
- 4.5 MOD Estates Safeguarding
- 4.6 BCC Drainage
- 4.7 Environmental Health (Noise)
- 4.8 MOD Estates Safeguarding
- 4.9 BCC Highways
- 4.10 BCC Education
- 4.11 BCC Highway Comments

CD5 Council's Documents

- 5.1 Case Officer Report, 09 June 2017
- 5.2 Land at Valley Farm, Soulberry, Leighton Linlade APP/J0405/W/16/3146817
- 5.3 Buckingham Road and Watermead, Aylesbury APP/J0405/A/14/2219574
- 5.4 Land West of College Road South, Aston Clinton APP/J0405/W/16/3147513
- 5.5 Land Adjacent to 80 Long Chilton Road, Long Crendon APP/J0405/16/3142524
- 5.6 Land West of Castlemilk, Moreton Road, Buckingham APP/J0405/V/16/3151297
- 5.7 Land east of Buckingham Road, Steeple Claydon, Buckingham APP/J0405/W/16/3154432
- 5.8 Land South East of Aylesbury (Hamptden Field) APP/J0405/A/12/2189277
- 5.9 Suffolk Coastal District Council v Hopkins Homes [2017] UKSC 37
- 5.10 Hunston Properties Limited v (1) SSCLG and (2) St Albans City and District Council [2013] EWCA Civ 1610
- 5.11 Oadby and Wigston Borough Council v SSCLG [2016] EWCA Civ 1040
- 5.12 Aylesbury Vale District Local Plan, May 2004
- 5.13 AVDC Policies Saved by Direction of the Secretary of State, 24 September 2007
- 5.14 Emerging VALP (Pre-Submission Version)
- 5.15 Affordable Housing Supplementary Planning Document, November 2007
- 5.16 Affordable Housing Policy Interim Position Statement, June 2014
- 5.17 Supplementary Planning Guidance on Sport and Leisure Facilities (August 2004) and Companion Document (August 2005) sets out the detailed requirements for such facilities to support residential development
- 5.18 Buckinghamshire Housing and Economic Development Needs Assessment Update: Final Report (HEDNA), December 2016
- 5.19 Buckinghamshire HEDNA addendum, September 2017
- 5.20 Housing and Economic Land Availability Assessment v4 (HELAA), January 2017
- 5.21 AVDC Five Year Housing Land Supply Position Statement, August 2017
- 5.22 Settlement Hierarchy Assessment for the Vale of Aylesbury Local Plan to accompany Proposed Submission Plan, September 2017
- 5.23 Gladman Statement of Case, March 2017
- 5.24 Weston Turville Neighbourhood Plan 2017-2033 (Pre-Submission Version)
- 5.25 National Planning Policy Framework, March 2012 with Planning Practice Guidance 2014
- 5.26 DCLG letter from Brandon Lewis to PINS, 27 March 2015

- 5.27 The Landscape Plan for Buckinghamshire, 2000 (extract of)
- 5.28 Landscape Advice to Aylesbury Vale DC, 2015 (LUC)
- 5.29 Buckinghamshire Historic Landscape Characterisation study extracts
- 5.30 An Approach to Landscape Character Assessment, Natural England, 2014
- 5.31 Landscape Institute Advice Note 01/2011. Photography and photomontage in landscape and visual impact assessment
- 5.32 European Landscape Convention
- 5.33 Building for Life 12 (2016 Edition)

CD5 LPA SOC

- 5.1a LPA Statement of Case

CD6 Planning Documents

- 6.1 AVDC Five year housing land supply position statement August 2017
- 6.2 VALP Local development scheme November 2016
- 6.3 VALP Local development scheme May 2017
- 6.4 Buckinghamshire Memo of understanding July 2017
- 6.5 Draft settlement hierarchy assessment July 2016
- 6.6 VALP Draft plan for summer 2016 consultation
- 6.7 Settlement Hierarchy Assessment for the Vale of Aylesbury Local Plan to accompany Proposed Submission Plan September 2017

CD7 Appeal Decisions

- 7.1 Homelands Farm / Deans Farm, Bishops Cleeve
- 7.2 Verney Road, Winslow
- 7.3 Watermead, Aylesbury
- 7.4 Broughton Road, Moulton
- 7.5 Dark Lane, Burton upon Trent
- 7.6 Hook Norton, Banbury
- 7.7 Money Hill, Ashby-de-la-Zouch
- 7.8 Southminster Road, Burnham on Crouch
- 7.9 Haygate Road, Wellington
- 7.10 Foldgate Lane, Ludlow
- 7.11 Valley farm, Soulbury
- 7.12 College Road South, Aston Clinton

CD8 Court Judgements

- 8.1 Barker Mill Estates v Test Valley & SSCLG
- 8.2 Cheshire East v Renew Land & SSCLG
- 8.3 Gladman v Daventry & SSCLG
- 8.4 Suffolk Coastal v Hopkins Homes and Richborough Estates v Cheshire East
- 8.5 Forest of Dean v Gladman & SSCLG
- 8.6 Stroud District v Gladman & SSCLG

CD9 Landscape Documents

- 9.1 NCA 108 Upper Thames Clay Vales (extract of)
- 9.2 Aylesbury Vale Landscape Character Assessment - May 2008 (Minor Corrections to the Study) May 2013
- 9.3 Weston Turville Conservation Areas Appraisal - 2007
- 9.4 Hampden Field Cumulative Effects Plan