

Mrs Claire Bayley,
Development Control,
Aylesbury Vale District Council.
The Gateway,
Gatehouse Road,
AYLESBURY, HP19 8FF

19th January 2015

Dear Mrs. Bayley,

Application 14/03724/AOP – Land at Valley Farm, Leighton Road, Soulbury

We refer to the application for up to 300 homes and associated development recently submitted to your Council in respect of the above land by Paul Newman New Homes Ltd.

Because the land concerned abuts immediately on to the Leighton-Linslade urban area in Bedfordshire, where the main impact of this proposed development will be felt, this letter – which is one of objection – is written to you on behalf of CPRE's Bedfordshire Branch. It may be that you will also receive a letter of objection from CPRE Buckinghamshire.

It is clear from the applicant's Planning Statement that he relies heavily on the NPPF March 2012 as providing the basis on which to submit this fresh application, which involves a site on which a previous application by him has already been refused by your Council, and was dismissed at Appeal in January 2012.

In particular, he relies on the NPPF'S 'presumption in favour of sustainable development'. The key word here is 'sustainable', which the NPPF defines under 3 headings – economic, social and environmental. Our contention remains as stated in our response to the previous application, namely that this latest proposal will

(a) have unacceptable adverse impacts on landscape of considerable attraction and value

(b) inflict significant unsustainable impacts on the town of Leighton-Linslade

These impacts are such that the proposals fulfil neither the environmental nor the social roles specified under the NPPF's definition of sustainable development. Contrary to the applicant's assertion, it therefore follows that the NPPF 'presumption in favour of sustainable development' is **NOT** engaged when giving consideration to this application.

As to (a) **landscape impact**, we find support for our argument in the Secretary of State's Decision Letter on the applicant's previous proposals, namely (at Para. 16):-

‘For the reasons given at IR446, the Secretary of State agrees with the Inspector that the fact that the appeal site has not been designated as being of special landscape quality should not be seen as relegating its landscape contribution to something substandard..... Accordingly, the Secretary of State agrees with the Inspector’s conclusion at IR560 that these reasons represent a very strong reason for resisting the proposal’.

In our view, the re-configuration of the applicant’s proposals changes little or nothing in terms of its landscape impacts. The development site still embraces the entire valley side, and still fundamentally alters the valley’s character. Indeed, the applicant himself acknowledges at Para. 3.14 of his Planning Statement that *‘Moderately significant adverse effects result from the unavoidable change to certain views into the site’*.

Furthermore, within the overall development site boundary, we note the applicant identifies an area for the potential building of an unspecified number of homes via a ‘Phase 2’ application at some point in the future. This will inevitably entail additional adverse impact on the valley landscape.

The environmental role which the NPPF specifies as one of the 3 determinants for sustainable development includes *‘contributing to protecting and enhancing our natural, built and historic environment’*. The applicant’s proposals conspicuously fail that test of sustainable development.

As to **(b) impacts on Leighton-Linslade**, the situation has clarified considerably since the time of the previous application, in that the proposals for a strategic urban extension to the east of the town, as contained in the earlier CBC/LBC Joint Core Strategy, have since been confirmed in the CBC Development Strategy, and this has now reached the stage of its Examination-Public. In the meantime, outline planning permission has been approved for the various component elements of the East of Leighton-Linslade SSA, which together involve the provision of 2,500 homes.

Therefore, unlike at the time of the applicant’s appeal when, in view of the then withdrawn status of the CBC/LBC Joint Core Strategy, the Secretary of State decided that the implications of the proposed East of Leighton-Linslade urban extension did not require to be weighed into consideration, the situation now is that the impact of the applicant’s proposals, in both traffic and social terms, are now certainly matters which require to be viewed incrementally to those of the ELL scheme.

Taking **traffic impacts** first, there can be little doubt that the consented ELL development is going to place very significant additional pressure on the road network in the town, particularly in relation to cross-town movement, which only has a single bridge available to it for crossing the canal. Significant congestion issues can also be envisaged in relation to peak-time access to the railway station where, from whichever direction, the constraints of the road network are such that only a limited volume of additional traffic movement over the level already prevailing can realistically be accommodated.

In his proposals for the west side of Leighton-Linslade, the applicant argues that diversion of the existing (limited) bus service into his development, together with the promotion of cycling and walking options, will reduce the need to resort to car use and mitigate its adverse impact on traffic levels in the town. The reality is, however, that the distance of this urban-edge location from the town centre, from cross-town employment, from the

railway station, and from schools and leisure facilities, is such that this will inevitably be a very heavily car-dependent development.

The ‘Non-technical Summary’ of the applicant’s Environmental Statement asserts that *‘traffic on the local highway network is predicted to increase by less than 8%, and will typically increase by less than 5%’*, and that *‘These are increases taking account of other planned growth in the local area’* – presumably a reference to the East of Leighton-Linslade scheme. However, even if one takes these percentages at their face value (which can be disputed in view of his optimistic estimates for the contribution from bus, cycling and walking modes), it is precisely this kind of percentage level which, at peak times, will push the critical locations in the town’s road network beyond their capacity – in other words, into unsustainability.

The ES Non-Technical Summary does in fact itself admit there will be adverse impacts, though it claims they will be *‘no greater than minor negative at worst’*. Even so, this assessment hardly squares with the applicant’s assertion at Para 4.28 of his Planning Statement that *‘it is unlikely the proposal would have any detrimental impact on the highway network or users of the highway’*. The ES makes it very clear that there will be adverse impacts, and we say that these adverse traffic impacts will be at a level and of a nature sufficient to make them unsustainable for the town.

The prospect of such unsustainable levels of traffic generation is a further indication of the applicant’s failure to fulfil the NPPF’s environmental test of sustainable development.

Turning now to **social impacts**, these too have to be considered against the background of the pressures which will already arise from the East of Leighton-Linslade scheme. The NPPF’s specification for the social role of ‘sustainable development’ includes *‘accessible local services that reflect the community’s needs, and support its health, social and cultural well-being’*. However, on-site social facilities would be confined to a small community building and a ‘potential’ playing field area, access to which would appear to be possible only were the applicant to gain consent for ‘Phase 2’ of his development. In terms of ‘accessibility’, therefore, the site’s edge-of-urban location means that the town’s main schools, sports and leisure centres, medical services, and club and cultural facilities are all at a considerable distance.

Moreover, these community services – particularly those, such as medical, that are strained already – are unavoidably now going to come under additional strain as a result of the ELL scheme. In our view, the further incremental demands that would then arise from the applicant’s proposals will be such as to significantly compromise the standards of support that the town’s community infrastructure will be able to offer.

In other words, in social impact terms, the applicant’s proposals are also unsustainable.

A further area of social concern is the lack of any commitment by the applicant as to the quantum of affordable housing he would provide. The NPPF’s social role for sustainable development envisages *‘the supply of housing required to meet the needs of present and future generations’*. This clearly includes a need for affordable housing, but on this aspect we note that the applicant makes no commitment other than to an unspecified percentage negotiated via a S.106 Agreement. There must be considerable concern, therefore, that having secured his outline planning consent, the applicant will then produce Viability Assessments alleging that only a very small number of affordable homes can actually be constructed.

Thus, in housing terms, the social benefits of the applicant's scheme are not only undeterminable, but at considerable risk of being delivered only on a relatively token basis.

On this issue too, therefore, the application fails the NPPF test of sustainable development.

By way of conclusion, we note that the applicant refers to NPPF guidance on deliverable land supply, and seeks to establish that AVDC's supply of deliverable sites falls short of the NPPF's requirement in relation to the SMHA calculation of the Council's housing needs over the 5 years 2015-2020.

The Council itself is obviously in the best position to address this claim, but we would point out

- (i) that the fact that the applicant's proposals do not represent sustainable development means that the NPPF guidance on this matter is not engaged anyway
- (ii) that the Ministerial Written Statement of 16th December 2014 clearly spells out that SHMA-based housing need forecasts are not a 'be all and end all' in the formulation of Local Plans and that *'Councils can take account of constraints which indicate that development should be restricted'*. The Statement goes on to say *'A Strategic Housing Market Assessment is untested, and should not automatically be used as a proxy for the final housing requirement in Local Plans'*.

In the light of this Statement, we submit that, irrespective of the relevance of NPPF guidance, little weight needs to be attached to the applicant's arguments as to site shortfalls against SMHA-based housing need figures.

For all the above reasons, we trust that AVDC will refuse this application.

Yours sincerely,

(Signed)

T.H. Adburgham
Area Representative, South Beds & Luton
