

BUCKINGHAMSHIRE COUNCIL**Town and Country Planning Act 1990****17/00771/APP**

Mr Gareth Roberts
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Equinox North
Great Park Road
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Mr Adrian W Rowlands
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Swansea
SA6 8EX

Subsequent to your application that was valid on the **1st March 2017** and in pursuance of their powers under the above mentioned Act and Orders, Buckinghamshire Council as Local Planning Authority **HEREBY REFUSE PERMISSION FOR:-**

Erection of 21 flats with associated parking

AT:-

Watermead Village Carpark Lakeside Watermead Aylesbury Buckinghamshire

The reasons for refusing your application are:-

1 The siting, scale, layout and design of the built development, together with the loss of open space and existing landscaping would be out of keeping with its surroundings and as such would significantly harm the character and appearance of the area. The proposal is therefore contrary to policies BE2, I1 and NE8 of the Vale of Aylesbury Local Plan and paragraphs 126, 130 and 131 of the National Planning Policy Framework (2021).

2 The proposed development by virtue of a lack of private amenity space, cramped accommodation, close proximity to car parking spaces and lack of defensible space would be prejudicial to the amenities of its future occupants, contrary to policy BE3 of the adopted Vale of Aylesbury Local Plan and paragraph 130(f) of the National Planning Policy Framework.

3 Insufficient information has been submitted to the Local Planning Authority to confirm how the development would address climate change and be energy efficient. The development could therefore cause harm to the environment, contrary to policies C3 and T8 of the adopted Vale of Aylesbury Local Plan and paragraphs 127 and 158 of the National Planning Policy Framework.

4 The proposed development comprises solely of 2-bedroom flats and the majority housing need identified in VALP policy H6a is for houses, with only a limited need for flats. The application is not accompanied by any supporting justification for the level of flats proposed and as such falls contrary to adopted Vale of Aylesbury Local Plan Policy H6a.

5 Insufficient information has been submitted to the Local Planning Authority to demonstrate that it would deliver any housing built to Category 2 Accessible and Adaptable Dwelling standards and as such it falls contrary to Policy H6c of the Vale of Aylesbury Local Plan (2021).

6 In the absence of a Section 106 legal agreement to secure either on site delivery of, or contributions towards, affordable housing and contributions towards the provision of open space, sport and recreation facilities, primary and secondary education, the proposed development fails to mitigate against the demands created, contrary to Policies I2, I3 and H1 of the Vale of Aylesbury Local Plan (2021).

INFORMATIVE(S)

Your attention is drawn to the attached notes.

A handwritten signature in black ink, appearing to read 'S Bambrick', written in a cursive style.

Steve Bambrick
Service Director Planning and Environment
On behalf of the Council
18th May 2023

NOTES FOR RPP1, AOP2 & ATNR

1. APPEALS

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development, then you can appeal to the Secretary of State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990. If you want to appeal, you must do so within the appropriate time limit shown below, using a form which you can get from the Secretary of State, Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN . You can also lodge an appeal via the internet at <https://www.gov.uk/planning-inspectorate>

Appeals against refusal of planning permission for:	Time period for submitting appeals to Planning Inspectorate
Minor commercial (shop front) development	Within 12 weeks of the date of this decision notice
Development where an enforcement notice was previously served for substantially the same land and development	Within 28 days of the date of this decision notice
Development where an enforcement notice is subsequently served for substantially the same land and development	Within 28 days of the date the enforcement notice is served or within 6 months of the date of this notice, whichever period expires earlier
All other development	Within 6 months of the date of this decision notice

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

If either the local planning authority or the Secretary of State for Communities and Local Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.

2. BUILDING REGULATIONS

This Refusal under the Town and Country Planning Act **DOES NOT** operate as a refusal under the provisions of the Building regulations. A further application may be required under this legislation. You are advised to seek advice from the Council's Building Control section on this matter, by emailing buildingcontrol.av@buckinghamshire.gov.uk

3. PROTECTED SPECIES

Certain wild plants and animals are protected under UK and European legislation. Approval under that legislation is required if protected habitats or species are affected by development. If you discover protected species proceeding with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England. Further details are contained in our leaflet 'Biodiversity and the Planning process'.

