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TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref No. 4/1684/93

Skim Milk Supplies Ltd
Pension Trustees
c/o Archdeacon Russell & Co
Trolley Hall
Castle Street
Bucks

Nigel Moor & Associates PLC
19-20 High Steet
Newmarket
Suffolk
CB8 8LX

DEVELOPMENT ADDRESS AND DESCRIPTION
=====

Marsworth Airfield, Lukes Lane, Gubblecote

CHANGE OF USE OF LAND TO PUBLIC OPEN SPACE ASSOCIATED WITH PROPOSAL FOR 100
RESIDENTIAL DWELLINGS (OUTLINE)

This application for *outline planning permission* dated and received on 20.12.1993
was **WITHDRAWN** on 12.12.1994.

Director of Planning



GOVERNMENT OFFICE
FOR THE SOUTH EAST

CB
3RD

DAS AM
1ST 2ND
36/96

RPS Nigel Moor
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PLANNING DEPARTMENT DACORUM BOROUGH COUNCIL							
CL					Ask.		
DP				RC	Admin.	File	
Received				30 JUL 1996			
Comments				A Good outline but it looks like it's not in the file			

Berkshire, Oxfordshire
& Buckinghamshire
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Your ref: DW/JAL/9307
Our ref: APP/J0405/A/95/252761

Dear Sirs

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JH

TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 78
APPEAL BY SKIM MILK SUPPLIES LTD PENSION TRUSTEES
APPLICATION NOS: 94/0041/AOP (Aylesbury Vale)
4/1684/93/FL (Dacorum)

1. I am directed by the Secretary of State for the Environment to say that consideration has been given to the report of the Inspector Mr P D Wilson DipArch DipTP RIBA MRTPI who held a local inquiry into your clients' appeal against the decision of Aylesbury Vale District Council to refuse outline planning permission for 100 residential dwellings, affordable housing, recreation use and public open space on land at Marsworth Camp, Long Marston Road, Marsworth.
2. The Inspector, whose conclusions are reproduced in the annex to this letter, recommended that the appeal should be dismissed. A copy of his report is enclosed.
3. The Secretary of State notes that the greater part of the appeal site is in Aylesbury Vale District but that part of the site falls within Dacorum Borough. On 10 March 1994, Dacorum Borough Council resolved that authority to determine the whole application be given to Aylesbury Vale District Council.
4. The Secretary of State notes that the usual procedure for notifying interested persons was not followed in this case. However, bearing in mind the amount of local publicity undertaken, the number of written representations and the submissions made at the inquiry on behalf of local residents, he is satisfied that no substantial prejudice has been caused by the Council's failure to carry out the normal notification of owners, and that adequate publicity has been given to the appeal.
5. In deciding this appeal, the Secretary of State has had regard to section 54A of the Town and Country Planning Act 1990. This provision requires him to determine the appeal in accordance with the development plan unless material considerations indicate otherwise. In this

case, at the time of the inquiry, the development plan comprised the Buckinghamshire County Structure Plan (BCSP) - Incorporating Alterations 1,2,3 and 4 and the Aylesbury Vale Rural Areas Local Plan 1995 (RALP) and, for that part of the site within Hertfordshire, the Hertfordshire County Structure Plan 1991 and the Dacorum Borough Local Plan 1995. However, the New Buckinghamshire County Structure Plan 1991-2011 (NBCSP) was adopted on 28 March 1996 and, with the RALP and the relevant Hertfordshire plans, now forms part of the development plan for the purposes of determining the appeal. The Secretary of State notes that the submissions at the inquiry took into account the imminence of the adoption of NBCSP and were concerned with its policies rather than with those in BCSP. He agrees with the parties that the most relevant policies in this case are policy OC3 of the NBCSP and policy RC8 of the RALP, both of which relate to the re-use of major existing sites in the countryside.

6. The Secretary of State considers that the main issues in this case are the impact of the development on the rural area, the impact on the local road network of the additional traffic generated by the development and the impact on the listed canal bridge at Marsworth of the proposed traffic-light scheme at the bridge. If the Secretary of State finds that the scheme would be harmful, he has to consider whether there are any other material considerations which indicate that permission should be granted.

7. In relation to the effect of the proposal on the rural area, the Secretary of State notes that both the development plan policies cited above stipulate that the impact of redevelopment should be no greater than the existing use. Although the site, at present, contains buildings in poor condition, the visual impact is not severe because there is an absence of intense activity and because the site's former use as a military airfield is apparent. While the footprint of new buildings on the site may be similar to that of existing structures, the appeal proposal would introduce a sizeable residential development into a rural area where there are few settlements and where development tends to be small-scale and dispersed. The development would be isolated in the countryside and poorly-related to existing settlements. The Secretary of State takes the view that the proposed new housing and associated activity would have a considerable impact on the character and appearance of the local environment and would have a greater impact on the countryside than the existing use. Accordingly, notwithstanding that the site is redundant, he considers that the proposal conflicts with national and development plan policies on development in the open countryside.

8. As regards highway matters, the Secretary of State notes that the roads in the vicinity of the appeal site tend to be irregularly aligned and narrow in places. He agrees with the Inspector that, although the additional traffic would have a harmful effect on the rural character of the area, there would not be a serious and unacceptable risk to highway safety. However, he gives greater weight than the Inspector with regard to the degree of importance to be attached to the lack of a continuous footway on the road between the appeal site and Marsworth village. Given the remoteness of the appeal site from existing settlements and services, he considers that this is a factor which would militate against the Government's policy that developments should be sustainable and that reliance on the private motor car should be reduced and serves to reinforce the Inspector's overall view in paragraph 11.24 of his report that the appeal proposals would be in conflict with the principles of sustainable development.

9. In terms of the impact of the proposed traffic-light scheme on the listed bridge at Marsworth, the Secretary of State accepts the Inspector's view that the proposal would not impinge unacceptably on the setting of the listed building.

10. The Secretary of State has proceeded to consider whether the harm resulting from the development is outweighed by any other material considerations, the principal one of which in this case appears to be the question of housing land supply. He notes that differing methods of calculating the supply have been submitted, ie for the rural areas only and for the district as a whole. Paragraph 54 of PPG3 states that when dealing with specific planning applications the relevant area to be considered for assessing land supply will normally be the whole of an administrative district, but where areas other than districts are used, reasons for this approach will need to be given. The Secretary of State notes that the division of the district into two parts for the purposes of land supply calculations derives support from BCSP and RALP and as such must be given due weight. However, the housing policies in NBCSP provide for a specific allocation within or adjoining Aylesbury but do not otherwise give guidance as to the location of sites between town and country. Future land availability assessments will need to be made on the basis of the provision in NBCSP and, for the purposes of this appeal, the Secretary of State has given greater weight to the assessment for the district as a whole than for rural areas only. On this basis, he observes that the supply, even using the Council's estimates, is less than 5 years. He further notes that preparation of the district wide Local Plan is at a very early stage and that there is little evidence of action being taken to identify additional sites. Nevertheless, having regard to the harm to the countryside that would result from the appeal proposals, the Secretary of State agrees with the Inspector that the need to identify additional sites is not so pressing as to justify the use of the appeal site for housing purposes.

11. The Secretary of State recognises that benefits would accrue from the proposal. These include the re-use of a redundant, rather than a "green-field" site, the improvement of the site by the removal of derelict structures and the removal of possible contamination, the provision of affordable housing and the provision of open space. However, he agrees with the Inspector, for the reasons given in paragraphs 11.11 -11.14 of his report, that the benefits of the proposal outweigh the policy objections as stated above to this proposed residential development in the countryside. Accordingly, he has concluded that there are no material considerations in this case that would indicate that the development should be permitted contrary to the development plan.

12. Accordingly, for the above reasons, the Secretary of State accepts the Inspector's recommendation and hereby dismisses your clients' appeal.

Yours faithfully



MISS A GERRY

Authorised by the Secretary of State for
the Environment to sign in that behalf

Note: italicised numbers in square brackets refer to paragraphs in preceding parts of this report.

Development Plan

11.1 The development plan for the main area of the appeal site, at the time of the Inquiry, consisted of the Buckinghamshire County Structure Plan - Incorporating Alterations 1,2,3 and 4 and the Aylesbury Vale Rural Areas Local Plan 1995 [3.1, 3.11]. The New Buckinghamshire County Structure Plan was due to be adopted on 29 March 1996 [3.6]. The development plan for the small area of the appeal site not within Buckinghamshire County or Aylesbury Vale District consists of the Hertfordshire County Structure Plan 1991 and the Dacorum Borough Local Plan 1995 [3.18]. The appeal site forms part of an area of countryside and is so indicated in the relevant local plans.

Main Considerations

11.2 I am of the opinion that the main considerations in this case are firstly the effect of the development proposed on the character of the area, having regard to the rural location of the appeal site. Secondly, if the development were to be considered harmful, whether there are special circumstances that might support the grant of planning permission. Finally, whether the development would be likely to give rise to conditions prejudicial to the safety of the users of the local highways. In addition, having regard to the duty imposed by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, it will be necessary to comment upon the possible implications of the proposal for the setting of the Grade II listed canal bridge at Marsworth.

Impact on Local Character

11.3 The appeal site forms part of an extensive area of countryside which, although containing settlements, scattered houses and other buildings, has a well-defined rural character [2.1, 2.6]. The site contains buildings of generally poor appearance and poor structural condition [2.3-2.5, 3.19]. However, the buildings tend to be seen as isolated and public views of them are limited by the inaccessibility of the site and softened by established boundary planting [2.2]. The obvious military origin of the camp and its buildings gives some explanation to the unusual presence of built development in this particular location [2.1, 3.21].

11.4 The absence of military or any other intensive activity serves to reduce the sense of visual intrusion upon the rural character of the area caused by the existing buildings. In addition, the absence of conventional roads, footways, signage and other incidental features combine to limit the impact of built development on the countryside [2.3, 3.21]. Those existing buildings nearest to public viewpoints are generally small in size and unassertive in appearance while the larger structures, sited away from the road frontage, may, in distant views from the north, be taken for agricultural buildings. Their

combined impact on the character of the area, while appreciable, is not substantial [2.3, 2.5].

11.5 The appeal proposal is in outline but the number of houses for which permission is sought indicates a sizeable residential estate located in an area of countryside where settlements are few and where isolated development tends to be small in scale and well-dispersed [2.9, 3.23, 3.24]. The size of the appeal site and the potential that it provides for landscaping are positive aspects of the appeal proposal. While the footprint of built development proposed might not differ greatly from that which already exists, the appearance of the new buildings would be clearly residential and would be likely to be more intrusive upon the countryside setting than buildings presently occupying the appeal site [2.4, 2.5, 4.7, 4.9, 5.1, 8.1]. In addition, the formation of access roads and footways to a standard normally associated with residential development of the scale proposed, together with street lighting and the level of activity normally associated with residential use would accentuate the presence of a residential estate in the countryside [4.1, 5.8].

11.6 Although the scheme proposed could include extensive landscaping, together with provision for recreational activity and areas accessible to the public, the development would not, in my view, sympathetically reflect the form and character of established rural settlements in the area. It would, in my opinion, be seen as isolated development poorly related in scale and location to existing settlements in this predominantly rural area [4.9, 5.7, 6.2, 6.3, 7.1, 8.1].

11.7. Government advice encourages the re-use of land previously developed for other purposes. The appeal site is clearly not a green field site but, while the appeal proposal would utilise land that has, to some extent, already been developed, this does not justify new and permanent development of the type and scale envisaged, unless overriding need can be shown, in an area that is subject to well-established countryside protection policies [4.1, 4.3, 4.4, 5.1-5.4, 6.2].

Other Material Considerations

11.8 Site Redundancy: Notwithstanding evidence of a previous and continuing agricultural use, both main parties agree that the appeal site may be regarded as redundant [3.21, 4.1, 5.3]. It is an important part of the Appellant's case that the re-use or redevelopment of major existing developed sites in open countryside are, subject to certain criteria, permitted by the New Buckinghamshire County Structure Plan Policy OC3. Both this policy and Policy RC8 of the Rural Areas Local Plan require that, if redevelopment is to take place, it should have no greater impact than any existing development. Furthermore, Policy OC3 requires that a site to which the policy applies should be identified in an adopted local plan [3.8, 3.9]. In this case I consider that the development proposed would have a significantly greater impact on its surroundings than present development on the appeal site and, in addition, the site is not on that has been identified in the relevant local plan. While some of the criteria of NBCSP Policy OC3 and RALP Policy RC8 might be capable of being satisfied, the appeal proposal would be in clear conflict with other, more important, criteria. Comparisons between the appeal site and

other sites, identified in the Rural Areas Local Plan and where conditions may well be very different, should be accorded little weight [4.3, 4.4, 5.2, 5.3, 8.1].

11.9 **Housing Land Supply:** The Appellant's case for permitting the development is not centred upon a need to identify additional housing land but evidence indicates the probability of an overall shortfall in housing land supply in Aylesbury Vale District. While it may have some bearing on the location of new housing, and has featured as an argument in planning appeals relating to other sites, I do not consider the issue of a town/rural split to be crucial in this case. Insofar as it may be relevant to the amount and distribution of housing in the longer term, this is a matter for consideration in the Council's proposed District Plan [3.2, 3.3, 3.7, 3.18, 4.10-4.12].

11.10 **There is evidence that the Council is aware of the current shortfall in housing land supply and that initiatives are being taken to promote residential development on other sites.** While the appellant discounts the availability of housing land in Dacorum Borough [4.16, 6.5], this is not a factor that can be ignored, if the location of the appeal site in relation to the boundary between the two administrative areas is taken into account. I therefore consider that while some weight may be attached to the need to identify additional land suitable for housing development, it is not factor that should be permitted to override other important development plan policies for the area [4.10, 5.12-5.16, 9.7].

11.11 **Affordable Housing:** While some evidence of a need for affordable housing has been provided by the Appellant, there is real doubt in my mind as to the quantum of need and whether the actual requirements of the community would be best served by affordable housing in the location proposed. While the provision of affordable housing would be consistent with national planning guidance and development plan policies, I do not consider, in this instance, that the appellant's willingness to provide affordable housing carries particular weight in determining whether planning permission may be granted [3.2, 3.7, 3.14, 3.18, 4.17, 5.18, 6.6, 6.7, 7.1, 9.5].

11.12 **Open Space and Recreation:** The laying out and landscaping of parts of the site as open space could provide an attractive setting for new dwellings and might attract non-residents seeking passive recreation. However, I am doubtful whether the provision of open space as part of an essentially private development, set apart from existing settlements, would satisfy a wider social purpose. The sports facilities proposed are an integral part of the overall scheme and, with positive management, there is every likelihood that they would be used. However, there is no evidence of a deficiency of recreational facilities in the area that might only be met by the use of part of the appeal site and the needs of Marsworth, the nearest local settlement already appear to be met. The Parish Council's search for an alternative location for a recreation ground, more convenient to the village, supports the view that the local demand for public recreational facilities is more likely to be from within the village of Marsworth [3.5, 3.6, 3.16, 3.23, 4.1, 5.1, 5.7, 6.1, 7.4].

11.13 **Site Improvements:** The simple removal of existing buildings from the appeal site would benefit the appearance of the surrounding area but it is, for reasons of cost, not an option that has been, or appears likely to be pursued [4.1, 4.5, 4.7]. The

replacement of existing buildings by a scheme of housing on the scale proposed would not, even taking into account the benefits of landscaping, change the appearance of the site in a way that would be more in keeping with the character of surrounding countryside. Some, if not the majority, of existing structures appear incapable of an alternative and immediately beneficial use, but there is evidence that the land and its buildings have, in the past, been put to a use compatible with a countryside location [3.21, 5.5, 5.6]. While Marsworth North Camp is used for purposes that I consider would be wholly unsuited to the appeal site, I am satisfied that other possible uses remain to be explored [4.5, 4.7, 5.1].

11.14 Evidence concerning ground contamination is not conclusive but it is possible that ground contamination occurred at the time when the land was used as a military base. However, in the absence of a known threat to public health and safety, and bearing in mind that the land has been used in the past for agricultural purposes with no apparent harmful consequences, I do not consider that the opportunity that the development proposed could provide for removing possible sources of contamination is sufficient to justify granting planning permission in the face of real planning objections [3.16, 3.21, 4.1, 5.1].

Highway Safety

11.15. The distance between the appeal site and centres of population, employment and transport interchanges suggests that the occupiers of the proposed dwellings would, even if local bus services were to be improved, be heavily reliant upon private transport. Roads in the general area of the appeal site are mostly narrow and irregularly aligned and humped back canal bridges add to driver and pedestrian hazards. The roads nevertheless form part of a local network whose characteristics would be familiar to regular users and evidence indicates that most of the additional traffic generated by the development would pass southward through Marsworth to the Lower Icknield Way [2.7, 2.9, 3.4, 3.9, 3.15, 3.18, 4.18, 6.8, 8.1, 8.3, 9.2].

11.16 A general increase in the use of roads in the locality would be bound to add to the risk of accidents occurring but I do not consider that conditions would be so different as to make this a serious and unacceptable risk. The lack of a continuous footway along the length of highway between the appeal site and Marsworth village is not a factor of great significance, except that it could encourage the use of the motor car for local journeys as an alternative to walking, not least on the part of parents with children attending the local primary school [4.18-4.20, 5.9, 5.10, 9.2, 9.7].

11.17 Having regard to the width and alignment of the carriageway to the north of Marsworth bridge and present and anticipated traffic flows along roads in the area, I do not consider that an increase in traffic attributable to the appeal proposal would necessarily increase the hazard for road users. However, the harmful effect on the rural environment of additional traffic generated by a significant concentration of new residential development beyond established settlements is a factor that should be accorded some weight [3.4, 3.9, 3.15, 3.18, 4.21, 5.11, 9.3, 9.4].

11.18 Conditions at the Marsworth canal bridge require considerable caution to be exercised by motorists and pedestrians unfamiliar with the road layout and the effect on visibility and turning movements of the bridge itself. Development on the scale proposed would attract additional visitors to the area unused to local conditions. In these circumstances and bearing in mind the possibility of a higher level of pedestrian movement between the appeal site and Marsworth Village, I consider that some form of regulation of traffic flow at Marsworth canal bridge would be necessary [4.22, 5.11, 7.3].

11.19. The appellant has indicated an arrangement of traffic lights that would provide a technically satisfactory method of controlling traffic movement at this point. The installation is not proposed as part of the planning application but is the subject of a suggested planning condition. In Vicarage Road, the main thoroughfare of Marsworth, I do not consider that conditions would, as a direct consequence of the development proposed, be such as to require vehicle/pedestrian separation in the manner suggested by the Appellant, but objected to by the District and Parish Councils [4.22, 4.33, 5.10].

Other Matters

11.20 The option of providing a footbridge to achieve vehicular/pedestrian separation at Marsworth bridge has been withdrawn in favour of the arrangement described above. The bridge is a Grade II listed building dating from the time of the construction of the Grand Union Canal through the area in the early 19th century. The appearance of traffic lights on a relatively minor road would not be entirely in keeping with the rural character of the area, but I judge the positions indicated for the installation of the lights to be sufficiently removed from the bridge structure for them not to impinge unacceptably upon its setting [1.4(4), 1.5, 7.3].

11.21 There is no suggestion by the appellant that the development proposed would be aimed specifically at the housing needs of the rural community and there is good reason to believe that the dwellings proposed would be occupied by persons drawing a livelihood from larger towns in the region. The railway system and other modes of public transport are accessible from the appeal site. Even so, such matters as personal convenience and safety, and limited local community facilities, suggest to me that householders and their families would, contrary to the general thrust of current government policies concerned with protection of the environment and with sustainability, be heavily dependent upon the private motor car for business, leisure and other social activity [3.1, 3.4-3.6, 3.10, 3.11, 5.9, 6.2].

Overall Conclusions

11.22 I conclude that the proposed development would, contrary to the aims underlying development plan policies concerned with the protection of the countryside, be harmful to the rural character of the area of which the appeal site forms part. Although there is evidence to indicate a shortfall in the supply of land to meet the housing requirements of the District the need to identify additional sites is not so pressing in this case as to justify the use of the appeal site for housing purposes. The Appellant's offer to provide an element of affordable housing is not one which, on available evidence of the need for such housing in the locality, to which significant weight should be attached.

11.23 The benefits of open space and recreational facilities as part of the development, together with improvements to the appearance of the site that might be achievable as part of the development are not so great as to overcome that harm that would be caused by development of the type and on the scale proposed. Similarly, the opportunity that the development would provide to remove possible sources of contamination from the site is not on which, in the face of other objections, provides a sound basis for granting planning permission.

11.24 Additional traffic generated by the development proposed would not, of itself, be a source of serious concern for highway safety; but the remoteness of the appeal site from Marsworth village and other sizeable settlements would be a cause of traffic generation on a level that would intrude upon the rural character of the area and be in conflict with the principles of sustainable development set out in national planning policy guidance. Traffic conflict arising from conditions at Marsworth canal bridge could, if the development were to proceed, be satisfactorily addressed by local traffic management measures. Although the presence of traffic lights would not be entirely consistent with a predominantly rural situation, they would not have an unacceptable effect on the setting of the Grade II listed bridge.

Conditions

11.25 Should my recommendation not be accepted I draw attention to the conditions suggested by the Council and substantially agreed by the Appellant. I agree with the Appellant that suggested Condition (7) is unnecessary and that a modification to the wording of Conditions (9), in the form suggested, would render Condition (10) superfluous. Subject to these observations, I consider each of the conditions to be necessary.

AYLESBURY VALE DISTRICT COUNCIL

APPEAL

by

SKIM MILK SUPPLIES LIMITED PENSION TRUSTEES

Inspector: - P D Wilson DipArch DipTP RIBA MRTPI
Date of Inquiry: 13, 14, 15 and 16 February 1996
File No. APP/J0405/A/95/252761

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Tollgate House
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BS2 9DJ

May 1996

To The Right Honourable John Gummer MP
Secretary of State for the Environment

Sir

1.1 I have the honour to report that on 13 February 1996 I opened an Inquiry at the Civic Centre, Aylesbury into an appeal by Skim Milk Supplies Ltd Pension Trustees under Section 78 of the Town and Country Planning Act 1990 against the refusal of the Aylesbury Vale District Council to grant outline planning permission for 100 residential dwellings, affordable housing, recreation use and public open space on land at Marsworth Camp, Long Marston Road, Marsworth.

1.2 Land comprising the appeal site falls within areas administered by the Aylesbury Vale District Council and the Dacorum Borough Council. The larger part of the appeal site falls within the District of Aylesbury Vale. Separate planning applications were made to each Council in respect of land within each administrative area in December 1993. The application made to the Aylesbury Vale District Council, local authority's reference 94/0041/AOP, is dated 16 December 1993. It sought outline planning permission for the development described above. All matters, apart from means of access, were reserved for later determination.

1.3 Application was made to the Dacorum Borough Council on 20 December 1993, local authority's reference 4/1684/93/FL, for a change of use of land within the Borough of Dacorum to recreational use and public open space. The applicant's supporting statement indicated that the two planning applications were to be considered as part of the same development. On 10 March 1994 the Dacorum Borough Council resolved that, as provided for by Section 101 of the Local Government Act 1971, authority be given to the Aylesbury Vale District Council to determine the application relating to land and development within Dacorum Borough. Thereafter, the proposals were considered and determined by the Aylesbury Vale District Council as a single application.

1.4 The appeal was recovered for determination by the Secretary of State by direction made on 12 June 1995 for the reason that the appeal raises issues relating to residential development on more than 6 hectares of land.

1.5

The reasons for refusal are:

1. The proposed development would be contrary to national planning advice as stated in PPG3 and 7 and in PPG13. It would also be contrary to the policies contained within the Approved Buckinghamshire County Structure Plan and the policies in the Draft Revised County Structure Plan. Further, it would be contrary to the policies and objectives of the Council's Rural Areas Local Plan in that it proposes significant residential development of land within the open countryside well away from the presently built-up limits of Marsworth and other villages, community facilities and employment opportunities. The application does not relate to a site which can be described as an exception foreseen by the plan. The Council's development control policies limit development in such areas to that required in the essential interests of agriculture, forestry or some other essential need. The Local Planning Authority has taken account of the statement submitted in support of the application, but sees no reason to make an exception to its normal policies.
2. The Local Planning Authority has made provision in the Rural Areas Local Plan for sufficient housing land within the rural areas of the District in accordance with the requirements of the Buckinghamshire County Structure Plan, and there is no justification for the release of other sites, particularly those remote from existing settlements.
3. The highway serving the site is inadequate by reason of its width and lack of continuous footways. In addition, there is restricted visibility over the two canal bridges at Dixon's Gap, Wingrave Road and Tring Road, Wilstone; this, coupled with the restricted width of these two bridges would, if this development is permitted, result in conditions detrimental to highway safety.
4. Either of the footbridge details relating to the Marsworth canal bridge adjacent to the Red Lion public house submitted would have a detrimental effect upon the special interest of the listed canal bridge.

1.6 Reason for refusal 4 refers to the construction of a footbridge at the Marsworth canal bridge, outside the appeal site but to be regarded as an integral part of the development scheme. The bridge is a Grade II listed building. This element of the scheme was withdrawn at the Inquiry and modified proposals put forward in its place. They involve the installation of traffic lights and other traffic management measures at the bridge and nearby on the public highway [Doc 23 App F]. In the light of this change, reason for refusal 4 was not pursued by the local planning authority and no evidence was given by either party concerning the possible effect of the original or the revised proposals on the special architectural or historic interest of the bridge.

1.7 Before the Inquiry, on 11 July 1995, the Aylesbury Vale District Council were requested to inform owners and occupiers of property near to the appeal site, and other interested persons, of the Inquiry details. An oversight on the Council's part

resulted in details of the appeal and of the Inquiry not being circulated. However, it was confirmed on the Appellant's behalf that a statutory notice, giving details of the development and of the Inquiry, had been displayed at the site for at least two weeks before the Inquiry. In addition, a representative of the Gubblecote Residents' Association reported that the Association had, roughly three weeks before the Inquiry, distributed leaflets to households in the locality setting out details of the development proposed, the Inquiry and the means by which representations might be made. In addition, the Council reported that a news item, referring to the appeal and to the Inquiry, was broadcast by a local radio station on 13 February 1996.

1.8 The usual procedure for notifying interested persons was not followed in this case but a significant number of written representations were received in connection with the appeal [Doc 2]. In addition, the Marsworth Parish Council and the Gubblecote Residents' Association were represented at the Inquiry. In view of the extent of local publicity undertaken, the number of representations received and the presence at the Inquiry of two locally representative bodies, I did not consider it necessary to adjourn the Inquiry to allow further publicity to be undertaken. It will be for the Secretary of State to decide whether adequate publicity was given to the appeal.

1.9 This report includes a description of the appeal site and surroundings. The gist of the representations made at the Inquiry and my conclusions and recommendation. Lists of appearances, documents and plans are attached.

2. THE SITE AND ITS SURROUNDINGS

2.1 The appeal site is part of the site of a former military airfield to the north of the village of Marsworth. It is bordered on its south side by Long Marston Road. The extent of the appeal site, agreed by the parties, is indicated by Plan A. The plan also illustrates the boundary between the two adjacent authority areas. The area of land falling within Aylesbury Vale District and the County of Buckinghamshire is agreed as being 11.34 ha. Land within Dacorum Borough and the County of Hertfordshire extends to 2.63 ha, giving an agreed total site area of 13.97 ha. It was confirmed by the parties at the Inquiry that a tongue of land to the west of a group of 6 houses fronting Long Marston Road, within Dacorum Borough and shown on some drawings circulated during the time that the application was under consideration, does not form part of the appeal site.

2.2 The appeal site is continuously fenced with the only means of vehicular access being through a gated entrance on the north side of Long Marston Road at a position where its alignment changes [Doc 21 App 14 photo 1]. Views into the site from Long Marston Road are partly obstructed by a row of cypresses and birch trees growing close to the southern site boundary [Doc 22 Fig 4 photo 1]. Elsewhere, tree cover is confined to scatterings of birch, willow, hawthorn or field maple. The appeal site is generally level.

2.3 Some 29 buildings and other structures survive from the wartime and later military occupation of the site. Most are within the central portion of the site. They are linked to each other and to the main access from Long Marston Road by an arrangement

of concrete tracks and former taxiways. In places, concrete surfacing is overlaid with soil and grass, or has acquired a mossy covering. These areas are distinguishable through variations in the colour and texture of surface vegetation. [Doc 22 Figs 2 and 10] Some tracks and taxiways are still used, in connection with an informal arrangement which permits a local farmer to graze sheep and cattle on the site and to store hay.

2.4 The largest structures are two hangar-style buildings which appear, from their construction, to be contemporary with the former airfield. These buildings measure about 30 m x 45 m and are clad with corrugated metal sheets. They have pitched roofs, rising to about 8 m, and large doors at each end. Both have solid floors. At the time of the Inquiry one was subdivided for keeping livestock, but no animals were present. Several large storage tanks are positioned close to the western end of this building. The other building was being used for storing farm equipment and hay bales [Doc 21 App 14 photos 2,4].

2.5 The most common type of building on the appeal site is a rectangular, single storey and concrete framed structure with brick and render infill panels and corrugated sheet roofs. They appear to have been constructed for personnel and are subdivided internally. They have not been maintained [Doc 21 App 14 photos 1,7,8] and, at the time of my site inspection, none appeared to be in use. The third main type of building on the site is a steel-framed and corrugated sheet clad metal building of semi-circular section. One of these buildings has partly collapsed [Doc 21 App 14 photos 3,5,6,8,9].

2.6 Views northward from the appeal site take in the flat and largely featureless former airfield. To the north-east are two low hills from a predominantly agricultural landscape. Below and to the west of these are the former airfield buildings of Marsworth North Camp, now mainly in storage, industrial and transport related uses. These buildings cannot readily be seen from the appeal site. A flat and enclosed field borders the appeal site to the south-east. Views to the west are similar to those to the north but with the embanked features of a firing range in the foreground.

2.7 Long Marston Road links the appeal site with the village of Marsworth to the south-east [Plan E]. The north-western edge of the village corresponds roughly with the position of a bridge across the Grand Union Canal, about 900 m distance from the appeal site by road. Marsworth village extends northward from the junction of Vicarage Road, its main street, with the Lower Icknield Way. The village is largely residential in character, its architectural focus being All Saints' Church. Marsworth Church of England Primary School is located to the north-east of Vicarage Road and to the east of the church. A scattering of dwellings and other buildings fronts Long Marston Road between the village and the appeal site.

2.8 To the west of the appeal site, Long Marston Road turns south-westward to become Lukes Lane. At this point, on the north side of the road, three pairs of semi-detached, 2-storey houses straddle the boundary between Aylesbury Vale District and Dacorum Borough. Other dwellings near to the appeal site also take their access from Lukes Lane. The Lane continues westward to Gubblecote, a hamlet of roughly 30

dwellings. An egg-packing station fronts Lukes Lane to the east of Gubblecote [Plan E].

2.9 The villages of Long Marston, Wilstone, Cheddington, Pitstone and Pitstone Green lie to the north-west, south-west, north-east and east, respectively, of the appeal site [Doc 21 App 2]. To the south of Pitstone is a redundant cement works whose buildings feature prominently in the local landscape. My site inspection included visits to five other former airfields, at Oakley, Westcott, Finmere, Turweston and Wing [Plan F]. Runways, taxiways and buildings can still be seen at these airfields but only at Turweston does organised flying appear to be continuing. In some cases former military buildings have been adapted to new uses and in some places new buildings have been erected to accommodate leisure or agricultural uses.

3. PLANNING POLICY BACKGROUND AND PLANNING HISTORY

Statutory Policy Background

3.1 The development plan for that part of the appeal site falling within the County of Buckinghamshire [Plan A] consists of the **Buckinghamshire County Structure Plan - Incorporating Alterations 1, 2, 3 and 4 (BCSP)** and the **Aylesbury Vale Rural Areas Local Plan 1995 (RALP)**. The BCSP became fully operative on 5 November 1990 [Doc 11]. Its central strategy is to restrain development in south Buckinghamshire and to channel new urban growth to selected locations in the remainder of the County, particularly to Milton Keynes. The appeal site lies in that part of the County classified as north Buckinghamshire. The plan concentrates most new urban development into a few centres. Encouragement is given to employment in tourism and small firms, including those which can be accommodated in redundant buildings. The travel needs of those without access to a car, especially in relation to rural areas, are recognised [Doc 11 paras 1-4].

3.2 With regard to housing, the plan seeks to provide sufficient land for 53,500 additional dwellings over the period 1986-2001. This includes an allocation in Aylesbury Vale District of about 11,200 dwellings with about 8,600 to be built during the period 1986-1996. The figures exclude net gain from conversions or changes of use. The BCSP requires local authorities to protect open countryside while meeting the housing and employment needs of rural areas. New development is required to meet environmental criteria set out in the plan and the character, appearance and environment of towns villages and hamlets are to be conserved, so far as is practicable. Encouragement is given to the provision of low-cost starter and retirement homes [Doc 11 para 5].

3.3 Subject to safeguarding agricultural land, local authorities are required, so far as is practicable, to meet housing and employment needs in north Buckinghamshire within existing settlements. Provision is made for the building of about 6,200 dwellings in the town of Aylesbury within the period 1986-2001. The locations in which 2,200 of this number are to be built are identified [Doc 11 para 8]. The plan states that, in north and mid Buckinghamshire, housing development should normally be restricted to sites within the existing built up areas of settlements, unless there are special overriding reasons for doing otherwise. Large development should not be permitted [Doc 11 para 12].

3.4 The BCSP sets out a general presumption against sporadic and unrelated development in open countryside with any surplus agricultural land to be used for a rural purpose. Examples of appropriate uses are given [Doc 11 para 28]. The presumption against development in open countryside appears elsewhere in the plan [Doc 11 para 36], but with exceptions that include development for agriculture or forestry and the use of redundant buildings for small scale commercial and industrial activities [Doc 11 para 36(k)]. Criteria to be taken into account when considering the highway implications of development proposals include the improvement of road safety, the provision of public transport and the general suitability of the road system to accommodate an increase in traffic [Doc 11 para 45B].

3.5 Local authorities are encouraged to secure a close correlation between the provision of homes, jobs, community facilities and infrastructure. New residential development must be consistent, so far as is possible, with the availability of services, including road capacity, public transport and schools [Doc 11 para 65].

3.6 The New Buckinghamshire County Structure Plan 1991-2011 (NBCSP) has passed through its key stages and was expected to be formally adopted by the County Council on 29 March 1996. Its policies are broadly similar to those of the BCSP and its overall strategy is to plan for development that will, taking into account other plan objectives, reduce the need for travel. The plan continues to seek a close correlation between new homes, jobs, community facilities and supporting infrastructure. Most new urban development is expected to be concentrated in Milton Keynes City, Aylesbury Town and High Wycombe.

3.7 NBCSP Policy H1 makes a housing allocation for the Aylesbury Vale District for the period 1991-2011 of 15,600 dwellings. Policy H2(b) proposes an allocation of not less than 3,000 dwellings within or adjoining Aylesbury Town for the period 2001-2011 [Doc 26 App 18]. The NBCSP acknowledges that locations, other than those listed, and well-related to public transport corridors, could offer opportunities for housing and related growth. Discretion is given to local planning authorities by Policy H3 to allocate development to these locations. Local authorities are encouraged to examine derelict, vacant or underused urban land before developing new areas within or adjoining present settlements. Policy H5 requires that new housing development should normally be located within existing settlements, be well-related in scale and be consistent with other policies of the plan. Policies H8 and H9 stipulate the need for variety and affordability in all housing development.

3.8 Policy OC1 limits the types of development in the countryside beyond existing or planned limits of built up areas. These include agriculture and forestry related development and the re-use or redevelopment of major existing developed sites identified in a local plan in accordance with Policy OC3 [Doc 26 App 18].

3.9 This latter policy, OC3, permits the re-use or redevelopment of major existing developed sites in the open countryside, provided that:

- (a) the site has been identified in an Adopted Local Plan;

- (b) the impact of any conversion or redevelopment on the countryside is no greater, and preferably less, than the existing use;
- (c) any new buildings are well-integrated with their surroundings;
- (d) the amenity and nature conservation value of the site as a whole is enhanced;
- (e) the new use would not lead to unacceptable loadings on the existing highway networks;
- (f) no additional expenditure by the public sector on the provision of infrastructure made necessary by the development is required; and
- (g) there is no significant conflict with any other relevant policies of this plan.

The explanation for the Policy OC3 refers to the undesirability of major developed sites becoming derelict and points to environmental benefits arising from re-use or redevelopment. Examples of redundant or underused sites are quoted; the appeal site is not among these.

3.10 NBCSP Policy TR1 aims to restrain traffic growth and promote more environmentally sustainable travel. Measures to achieve these include traffic management and highway improvement measures and development control policies, to be incorporated in local plans by District Councils [Doc 24 App E NBCSP para 160].

3.11 The general aims of the Aylesbury Vale Rural Areas Local Plan (RALP) include the protection of the environment and the countryside; protection of the identity of settlements; limiting pollution, traffic congestion and energy consumption; optimising the use of existing infrastructure and the close correlation of homes and jobs. RALP Policy RC1 stresses the importance of protecting the countryside for its own sake and provides a general presumption against development, other than that essential for agriculture, forestry or recreation or as otherwise provided for in the plan [Doc 26 App 17] .

3.12 With regard to major redundant sites in the countryside, the plan recognises that it is normally inappropriate to require clearance of the site and its return to agriculture or a forestry use. Buildings should be re-used or converted, but if redevelopment is warranted its impact should be no greater than that of the existing development. Factors to be considered include height and site coverage, the character and dispersal of development in relation to the landscape, nature conservation, public access and opportunities for outdoor sport or recreation. The Council's approach to such sites is set out in Policy RC8. It states that;

- (a) permission will not normally be granted for the clearance of the site and erection of new buildings unless neither reuse of the existing buildings for a purpose suitable for their location, nor, if the former is shown not to be viable, redevelopment by conversion for other appropriate uses is realistic;

- (b) should clearance of the site and erection of new buildings prove to be the only realistic option the aim should be to ensure that the impact on the countryside is no greater than that of the existing development and where possible it is less;
- (c) the proposals will be required, where possible, to enhance the amenity value of the site;
- (d) redevelopment should not normally involve additional expenditure by the public sector or the provision of infrastructure or overload existing facilities.

3.13. General policies concerned with the more detailed aspects of design are set out in Policies RCD1, RCD2, RCD3, RCD4 and RCD5. Policy RCD2 requires that development be in scale and character with its surroundings and not result in serious erosion of environmental quality through loss of open land of value to the character or structure of a settlement.

3.14. The RALP notes that the BCSP does not propose new settlements in the countryside but anticipates that dwelling provision will be met by additional development at existing settlements. The position is reflected in Policy RH3, which contains a strong presumption against residential development in the countryside [Doc 26 App 17 para 6.17]. Policies RH14 and RH15 provide for a range of housing types and affordable housing to meet local needs. In particular, Policy RH15 seeks a minimum provision of 15% of affordable dwellings from major residential developments. Where local conditions justify, the Council may permit low cost housing in rural areas within the terms of Policy RH16. Clear evidence of need would be required and an assessment of the proposal made against other planning policies.

3.15 RALP Policy RT1 encourages the provision of a network of bus services between villages and Policy RT2 seeks an improvement in local rail services. Policy RT12 contains a presumption against development generating traffic that would adversely affect the use, character or appearance of rural roads and lanes. Policy RT13 seeks, among other things, safe and convenient access to new development by means of an adequate road network.

3.16 Standards for recreational open space in relation to new residential development are set out in RALP Policy RRT8. Policies RGM9 and RGM10 require that an investigation be undertaken of sites known to have been used for a purpose which may have caused contamination and the rendering safe of the site before a planning permission for development may be implemented.

Development Plan - Hertfordshire and Dacorum Borough

3.17 It is intended that the partly concrete surfaced element of the appeal site falling within Hertfordshire and Dacorum Borough be restored to a condition suitable for cultivation. No objection is raised to this aspect of the scheme by either local planning authority. Nevertheless, the planning application is in outline and does not identify areas where built development is proposed, other than for illustrative purposes. It is also accepted by the Appellant that traffic generated by the development would use highways

in Hertfordshire. In these circumstances, I consider it appropriate to identify development plan policies, relating to Hertfordshire and Dacorum Borough, which may have a bearing on the appeal proposal.

3.18 The development plan comprises the **Hertfordshire County Structure Plan Review - Incorporating Approved Alterations 1991 (HCSP)** and the **Dacorum Borough Local Plan (DBLP)**, formally adopted by the Council on 12 April 1995. HCSP Policy 16 sets out strategic policy for leisure in the County and Policy 27 addresses strategic housing needs. Policy 27A requires provision in local plans for low cost housing to meet local needs and Policy 37 aims to direct traffic onto appropriate routes in a road hierarchy. Policies 47 and 48 seek to protect and enhance existing settlements and the character of urban and rural areas. Policy 60 sets out specific housing allocations for Dacorum Borough during the plan period 1986 to 2001 [Doc 25 App E]. Policy 83 sets out the means by which provision for public and private transport and traffic movement will be improved [Doc 3 App VV2]. Paragraph 7.7.10 of the Explanatory Memorandum indicates the County Council's intention to resist development prejudicial to highway safety, where the width, alignment or condition of the road is poor or where an increase in traffic would have an adverse effect on the local environment, the rural character of the road or residential properties [Doc 25 App E].

3.19 DBLP Policy 5 reflects national guidance for rural areas set out in PPG7. Policy 8 addresses the qualitative aspects of development proposals and Policies 13, 15 and 16 set out the Council's housing strategy in terms of supply and control. The Council's approach to securing low cost housing and criteria relating to need are set out in Policies 19 and 23. Policies 46 and 49 deal with development and traffic impact while Policy 89 seek out to encourage the creation of an attractive landscape in the Borough. Under this policy the appeal site is categorised as 'land of varied visual quality' [Doc 25 App F].

Government Policy and Advice

3.20 Reference was made by the parties during the Inquiry to guidance set out in Planning Policy Guidance note 1, PPG1 - General Policy and Principles, PPG3 - Housing, PPG7 - Countryside and the Rural Economy, PPG12 - Local Plans, PPG13 - Transport, PPG17 - Sport and Recreation and PPG23 - Planning and Pollution Control. Reference was also made to the October 1995 White Paper 'Rural England' and to Department of Transport Design Bulletin 32.

Relevant Planning History

3.21 Marsworth Camp was used as a military airfield between 1942 and 1945, following which it was used as an RAF Medical Training Establishment [Doc 21 App 22]. In 1947 one of the larger buildings on the site was used for car storage. In 1948 Marsworth Camp was formally disbanded, but the site remained in government ownership. Between 1948 and 1982 buildings on the site appear to have been used for military radar and meteorology research. The site was acquired by the Appellant from the Ministry of Defence in 1982. No new buildings have been erected and the land and existing buildings were, until 1990, used as a pig farm. A planning application made to

Aylesbury Vale District Council in 1986, for pre-delivery car inspection and storage use, was withdrawn [Doc 21 App 34].

3.22 Planning applications were made to Aylesbury Vale District Council and to Dacorum Borough Council in May 1989 for outline planning permission in respect of 17.7 ha of land within Aylesbury District and 7.9 ha of land in Dacorum Borough. Permission was sought for 155 dwellings in Aylesbury Vale District and 58 dwellings in Dacorum Borough. The Aylesbury Vale application was refused in August 1989 for reasons relating to settlement policy, visual amenity, highway safety and the absence of a compelling need to provide additional housing land [Doc 26 App 4,5]. Planning permission was refused by Dacorum Borough Council in respect of land in their area for similar reasons [Doc 25 App B].

3.23 An outline planning application was made to Aylesbury Vale District Council in May 1994 for the redevelopment of the former Pitstone Cement Works site for housing, employment and leisure purposes [Doc 26 App 6]. This application has yet to be determined but has been the subject of a Council report concerning the progress of consultations and negotiations [Doc 26 App 7]. In December 1994 an appeal against refusal of planning permission for the erection of an agricultural worker's dwelling about 400 m to the south-east of the appeal site was dismissed (T/APP/A/94/237610/P7) [Doc 26 App 8].

The Appeal Proposal

3.24 Matters arising from the involvement of two local planning authorities in this case are set out in paragraphs 1.2 and 1.3 of this report. The application proposes that all redundant military buildings, bunkers, hardstandings and security fencing be removed from the site and that 100 dwellings be erected, to include an element of affordable housing, together with recreational areas and public open space [Plan A].

3.25 It is proposed that vehicular access to the site should be by way of an improved entrance from Long Marston Road [Plan B - 93030/SK2]. The initial application was accompanied by illustrative material showing the locations of the main elements of the scheme with public open space on land in Dacorum Borough [Plan B - 9307]. Fresh illustrative proposals were presented at the Inquiry, in the form of a master plan for the site [Doc 22 Fig 9]. These represent the Appellant's current intentions concerning the proposed scheme which has, in addition, been modified to the extent described in paragraph 1.5 of this report.

4. THE CASE FOR THE APPELLANT

The material points are:

4.1 The proposed development accords with the relevant provisions of the development plan and it would considerably improve the visual amenity of this major, redundant site. It would also secure significant environmental improvements, including the removal of possible sources of land contamination, and provide both public open space and facilities for recreation. In addition, it would make a contribution to the urgent need

for additional housing land in the District and provide for an element of affordable housing to meet the needs of local parishes.

Planning Policy

4.2 The appeal falls to be determined in the context of the current development plan. At the time of the Inquiry this comprised the BCSP and the RALP. It is probable that the NBCSP will have been adopted before the Secretary of State makes his decision in this case. No issue exists between the principal parties on the weight to be accorded to its policies. Guidance on the approach to be taken where the adoption of a new structure plan is imminent is contained in a recent Secretary of State's decision (APP/H0330/A/94/234964) [Doc 21 App 21].

4.3 The appeal site must, against the meaning usually attached to the term, be regarded as a major site. Neither the NBCSP nor the RALP attempt to define or qualify the term 'major'. The local planning authority accept that the appeal site is redundant. The site and the development proposed therefore fall squarely within the scope of Policy OC3 of the NBCSP and RALP Policy RC8. The argument that the appeal site is not identified in an adopted local plan, as required by criterion (a) of Policy OC3 [Doc 26 App 18 p278], is not sound in that the RALP was adopted before this criterion was added to NBCSP Policy OC3. It is relevant that the RALP expressly identifies redundant sites in the District as being suitable for housing development, including the St John's Hospital at Stone. This site is smaller than the appeal site. Policy RC8 is included in the local plan to deal with redundant sites in the District that may come forward during the plan period. The view that sites with the characteristics of the appeal site were not intended to be subject to Policy RC8 cannot be substantiated.

4.4 National policy set out in the White Paper 'Rural England' supports the use for housing of redundant sites in the countryside, including defence bases which are no longer needed. Objection to the appeal proposal, on the grounds that the land is subject to countryside protection policies, is ill-founded as both NBCSP Policy OC3 and RALP Policy RC8 support development that might otherwise be contrary to such policies. Moreover, the local planning authority's emerging District Local Plan strategy continues to support the re-use of redundant sites. Policy RC8 is intended to be a general policy and if there is any conflict between NBCSP Policy OC3 and RALP Policy RC8 it should, in accordance with PPG12 guidance, be resolved in favour of the local plan.

Alternative Uses

4.5 Restrictions on development imposed by criterion (a) of Policy RC8, relating to the re-use or conversion of existing buildings, are not reflected in NBCSP Policy OC3. The poor state of repair of buildings on the appeal site is confirmed in reports on the 1989 application [Doc 26 App 4 p46] and on the current proposal [Doc 21 App 5 p1]. Only two buildings are capable of being used and their refurbishment cost would be in the region of £200,000 [Doc 21 App 41]. The remaining buildings are derelict and unsuitable for livestock. Their use for pig rearing has been shown not to be viable and the local planning authority, in any case, regard this use in close proximity to residential property as undesirable.

4.6 The limited use of two buildings cannot address the dereliction or possible contamination of the remainder of the site [Doc 21 App 25]. There is no evidence that an agricultural use could improve the appearance of the land which it is proposed should be developed and it would be impractical to use or convert existing buildings in a manner appropriate to a rural area. It is also unclear whether the Council draw support for their case from criterion (a) of RALP Policy RC8 or criterion (b), which is concerned with the impact of replacement development [Doc 26 App 17 p24].

4.7 The local authority suggest that the buildings might be used for employment purposes. If they were, they would be bound to attract users whose activities would disturb nearby residents and attract to local roads vehicles of a type that would be of concern to the County Council as highway authority. Action being contemplated by the local planning authority in respect of buildings at Marsworth North Camp confirms the undesirability of an employment use. It is also evident that the low-cost occupation of serviceable buildings could not fund the removal of other buildings, or the restoration and improvement of the site.

4.8 The appeal proposal would satisfy the requirements set out in the preamble to RALP Policy RC8 with regard to the amenity of the site, its landscaping, public access, sports and recreational facilities [Doc 26 App 17 p23]. The footprint of new buildings would be less than that of existing buildings on the appeal site. Criteria (b) and (c) of Policy RC8 would therefore be satisfied and the appeal proposal should be welcomed as an opportunity to improve the environment of the area. There would inevitably be some change in local character, but change does not, of itself, constitute an objection. The scheme should be viewed in the medium to long term and as a whole, and against the housing, environmental and recreational benefits that would be realised. These could not be achieved without valuable development.

4.9 The development proposed would fit in with the fragmented pattern of local settlements [Doc 22 Fig 14] and be well related to Marsworth Village, from which it would be accessible by way of an existing footway - as it was during the time that the site formed part of a camp. The development would be close to employment areas [Doc 21 App 24] and would be better related to railway stations at Cheddington and Tring than some residential areas in the town of Aylesbury [Doc 21 App 9]. Discussions have taken place with a local bus company on the diversion of an existing bus route to serve the development proposed [Doc 21 App 8]. The scheme proposed is highly sustainable in that it would be built upon disturbed land and would restore a 'green field' element to the area.

Housing Land Supply

4.10 The case for granting planning permission does not rely on housing land availability arguments, but is underpinned by a pressing need to identify additional housing land in the District. The Council concede that there is significant shortfall, the Appellant's calculations indicate 3.65 years of housing land supply, the Council's 4.25 years [Doc 17]. In determining the supply of land for housing there will, with the adoption of the NBCSP, be no case for doing so other than on a District-wide basis. NBCSP Policy H1 indicates a dwelling requirement of 15,600 for the District for the

period 1991-2011, with no suggestion of a town/rural split. In addition, the County Council recognise that there is no prospect of development at Aylesbury Town in the immediate future, due to highway constraints.

4.11 In current circumstances, and in the light of emerging District Local Plan strategy, the local planning authority cannot reasonably argue that housing provision should continue to be based on a 55%/45% town/rural split. The local planning authority's agreement that housing land supply should be on a District-wide basis is recorded in a 1992 appeal decision (T/APP/J0405/A/91/185766) [Doc 9 para 6]. The Appellant's case is further supported in a report on an appeal relating to development in Aylesbury where it was anticipated that housing provision in the emerging NBCSP would be subject to modification [Doc 7 para 11.20].

4.12 Reliance placed by the local planning authority on the findings of a Joint Housing Study in 1994 [Doc 26 App 25] must be appreciated in the context of the then current BCSP requirement of a town/rural split. These factors demonstrate that there can be no basis, certainly not before 2001, for a study of housing land availability other than on a District-wide basis. In addition, it must be the case that the larger the shortfall in the five year supply, the greater the significance of the shortfall.

4.13 In calculating housing land availability there are a number of sites in contention between the parties [Doc 17]. At Pitstone the local planning authority suggest that 100 dwelling per annum will be provided from 1998 onwards. This estimate takes insufficient account of the work needed before development commences and the lack of an interested developer. The Council's position on the provision of dwellings on this site shifted during the Inquiry. Furthermore, the rate of completions anticipated by the Council is more representative of an urban than a rural location.

4.14 There is no issue between the parties concerning its availability of land at Mount Pleasant. The availability of the Calvert Brickworks site is disputed by the House Builders' Federation and no other information was provided to the Inquiry. With regard to the Oxford Road Mill site, there is no indication that residential development will take place, other than in a statement of a range of possible uses for the site set out in the local plan. The Coldharbour site has appeared in housing land supply figures for several years and the local planning authority's expectations have not been realised. The Council also take an over-optimistic view of housing completions on this site.

4.15 A cautious and realistic approach leads to the conclusion that there is no more than 3.65 years supply in the District. This is a serious position and one that would be exacerbated by an improvement in the national economy. It requires an urgent identification of additional housing land. PPG3, at paragraph 53, advises that considerable weight be given to the need to increase the supply of housing land in circumstances where there is a substantial shortfall in land supply; but the local planning authority in this case propose doing nothing and preparation of the District Plan has not proceeded much beyond broad strategy.

4.16 If the five-year study is undertaken on the basis of the rural area, there is a shortfall in the District as a whole. If considered suitable and in conformity with NBCSP

Policy OC3 and RALP Policy RC8, there is no reason why this site should not come forward for housing. The availability of housing land in Dacorum Borough is of limited materiality as Dacorum is a different administrative District which includes a substantial element of Green Belt land.

Affordable Housing

4.17 Support for the provision of affordable housing, to meet the needs of those who have grown up in the countryside and to maintain the principle of sustainable development, is given in the White Paper 'Rural England'. The provision of up to 15 dwellings as part of the proposed development would be consistent with this strategy and in accord with RALP Policy RH15. It would also reflect the findings of a housing needs survey undertaken by the Council which indicates a need for 14 affordable dwellings within the Parish of Marsworth. A local Housing Association has expressed interest in this aspect of the development proposed. Affordable housing is not promoted on an exception basis, but it is a material consideration in favour of the proposal.

Traffic and Highways

4.18 The reason for refusal on highway grounds is concerned with highway safety. It refers to inadequate highway width and the lack of a continuous footway. Reference is also made to restricted visibility over two canal bridges - at Dixon's Gap, Wingrave Road and at Tring Road, Wilstone - and their restricted width. Both bridges are in Hertfordshire [Plan E]. There is no evidence of the extent to which additional traffic would use the Wilstone bridge but any increase would be, in absolute terms, very small.

4.19 To the extent that the reason for refusal relates to highway conditions in Aylesbury Vale District and Buckinghamshire, any deficiency in local highway conditions has been exaggerated out of all proportion and the existing highway network, including the Lower Icknield Way and its junctions, is perfectly capable of carrying additional traffic [Doc 23 App B,C]. Forward visibility between Church Lane and Church Farm Way is good, and better than between Church Farm Way and the appeal site. The width of the highway between Marsworth and the appeal site is adequate for present traffic and this is borne out by existing accident records [Doc 23 App D]. The highway is typical of many rural roads.

4.20 The highway standards quoted by Buckinghamshire County Council apply to new roads and are therefore of limited relevance. Furthermore, the width of 5.5 m recommended by Design Bulletin 32 contemplates the parking of vehicles on the carriageway [Doc 23 Annex A1,A2]. The width of roads in the vicinity of the appeal site serves only to slow traffic. The issue of width relates, in any case, to highway capacity, not highway safety.

4.21 The presence of an existing footway between the appeal site and Marsworth Village is an advantage of the proposed scheme. It is of little consequence, and certainly not a determining issue, that the footway is discontinuous; particularly if its likely usage is borne in mind.

4.22 Traffic conditions at the Marsworth canal bridge are presently satisfactory, there being low traffic flows and limited pedestrian usage. The Appellant has responded to the County Council's request that something be done at the bridge by proposing the installation of traffic lights. These would have the effect of achieving one-way working, while permitting a dedicated pedestrian route to be established over the bridge and along the highway beyond [Doc 23 App F]. The traffic lights could incorporate a pedestrian phase but there would, in reality, be no need for this arrangement. Nevertheless, the principle of traffic lights is accepted and details of its design and operation can be agreed with the highway authority.

4.23 The Appellant is also prepared to delineate a strip of the existing carriageway, along that part of Village Road which has no footway, for the benefit of pedestrians [Doc 23 App F]. The Appellant does not concede that this arrangement is essential for safety reasons, but it would serve to make drivers aware of the village environment of Marsworth.

4.24 The appeal proposal complies, not only with the essential requirements of NBCSP Policy OC3 and RALP Policy RC8, but also with the thrust of advice concerning redundant defence bases expressed in the recent White Paper 'Rural England'. It is also requested that the Secretary of State be advised that the shortfall in the five year housing land supply in the District is so serious as to require additional land to be brought forward.

5. THE CASE FOR AYLESBURY VALE DISTRICT COUNCIL

The material points are:

5.1 The appeal site forms part of the countryside to the north of the village of Marsworth. Buildings presently on the site are not prominent in public views, for reasons connected with their general scale, dispersed nature and limited exposure. In contrast, new development on the scale proposed would be visually intrusive and alien to a countryside setting. In addition, the development would be poorly sited in relation to existing settlements, public transport and other services and would not provide an opportunity to reduce reliance upon the motor car. Some existing buildings on the site have a use and improvements to the appearance of the site could be undertaken without the need for substantial new development. Adequate housing land is available within the rural part of the District and there is no pressing need for affordable housing in the area. The development would result in an increase in the use by traffic of local roads which do not meet current design standards, thereby creating hazards for road users and pedestrians. Any benefit that might be derived from the provision of low-cost housing or facilities on the appeal site would not outweigh the harmful effects of the development proposed.

Planning Policy

5.2 Residential development of the appeal site would be contrary to the aims of national, strategic and local planning policies. It represents a wholly inappropriate form of development to which there is considerable local opposition. The site is within the countryside where strong policies against inappropriate development apply, as indicated by

paragraphs 28 and 36 of the BCSP [Doc 26 App 16]; Policies BS1, BS3, H3 and H5 of the NBCSP [Doc 26 App 18]; and Policies RC1 and RH3 of the RALP [Doc 26 App 17]. Appeal decision T/APP/A/94/237610/P7 [Doc 26 App 8] supports the general thrust of countryside protection policies for the area. It is conceded by the Appellant that, unless the development complies with NBCSP Policy OC3 and RALP Policy RC8, it would be contrary to a strong line of policy. This must be the starting point in assessing the proposal.

5.3 It is agreed that the appeal site is redundant, but it has not, at any stage, been identified in the RALP as a major redundant site; nor was it intended that Policy RC8 should be applicable to it. This view is confirmed by a change made to the wording of the policy during preparation of the RALP, to include a reference to sites and not buildings. Policy RC8 is not applicable to the proposal as the policy is intended to cover sites similar to those identified in the RALP, including the Calvert Brickworks and Pitstone Cement Works sites.

5.4 Criterion (a) of NBCSP Policy OC3 [Doc 26 App 18] requires a site in open countryside, where re-use or redevelopment is contemplated, to be identified in an adopted local plan. It is clear from this that Policy OC3 was conceived with the local identification of specific sites in mind, an approach entirely consistent with NBCSP Policy H3 [Doc 26 App 18] which emphasises that sites outside urban areas that may be considered suitable for housing should be identified in local plans.

Viability

5.5 Viability, in relation to Policy OC3, has not been tested through the marketing process, nor have agents been instructed to examine options for the site, other than its use for housing. That the site could support a viable use is supported by evidence that for eight years, until the 1990s, the site operated as pig farm. Local complaints arising from this use were limited in number and ceased in the mid 1980s. No reduction in the intensity of use appeared to have occurred as a result of the complaints made to the operator and it can reasonably be assumed that, from the mid 1980s, the site was used in a way that did not cause offence. There is no evidence that such an agricultural use could not be viable.

5.6 Views concerning a possible re-use of existing buildings differ. While some buildings are past their useful life but the largest are in use and beneficial use could be made of some, if not most, others [Doc 26 App 19]. Consequently, RALP Policy RC8 criterion (a) is not satisfied [Doc 26 App 17].

Impact of Development

5.7 The impact of the proposed development on its surrounding is the primary issue in this case and is one to be examined in the context of NBCSP Policy OC3 and RALP Policy RC8. The area in which the appeal site lies is characterised by small, fragmented clusters of development, with isolated buildings beyond [Plan C]. In contrast, the Appellant proposes 100 houses located about 1 km from Marsworth, the nearest settlement of any significance [Doc 26 App 1]. The Appellant is unable to identify any

other development of comparable scale in the locality. The appeal proposal would amount to a small village, but without the facilities normally associated with a village. The public open space intended to form part of the scheme would be used mainly by residents of the new development. Setting aside their inconvenient location in relation to Marsworth, there is no evidence that the playing fields indicated as part of the scheme are needed by existing communities in the area.

5.8 Built development on the scale proposed would, in a position so remote from the existing village, be alien to the character of the local countryside. There would be an inevitable change in visual aspects of the appeal site which is at present quiet and relatively little used [Doc 26 App 20]. The existing concrete hard standing has a minimal impact on the appearance of the site, considerable less than the site coverage that would be associated with new residential development, especially if carriageways, footways and other hard surfaced areas were to be taken into consideration. On the basis of the Appellant's indication that the proposed houses would be of 2-storey construction, most new buildings would be higher than existing structures on the site and less dispersed. These factors - coupled with movement, general activity on the site and artificial lighting - would have a seriously adverse effect on medium and long distance views.

Traffic and Highways

5.9 The general thrust of development plan policy is to encourage links between homes and jobs, as indicated by BCSP [Doc 26 App 16 para 2] and NBCSP Policy TR1(a) [Doc 24 App E para 160]. The local road network is lightly trafficked, but is sub-standard [Doc 24 App C and D, Plan E]. The development proposed would result in a significant increase in traffic, at the higher end of estimates put forward by the Appellant at the Inquiry, and there is real doubt about the availability of public transport. A new road serving the proposed dwellings would, for reasons of highway safety, be expected by the County Council to have a 5.5 m wide carriageway with at least one 1.8 m footway [Doc 24 App F].

5.10. Traffic flow to the north of Marsworth canal bridge, between Marsworth village and the appeal site, would double as a result of the development [Doc 24 App D]; a significant change from present circumstances. There is a low accident record on this road but it is still hazardous by reason of its discontinuous and poorly maintained footway [Plan E]. To the south of the bridge, pedestrians are presently required to walk along the carriageway for part of the length of Vicarage Road and neither the District Council nor Parish Council find the suggested white lining of the carriageway, to indicate a pedestrian route, acceptable [Doc 23 App F]. Such an arrangement would offer virtually no protection for pedestrians.

5.11 Marsworth Bridge is an acknowledged safety hazard where traffic lights are likely to provide the only solution to vehicle/vehicle conflict. They could not, however, satisfactorily address vehicle/pedestrian conflict. The Appellant's suggested 1.2 m wide pedestrian strip across the bridge, distinguishable from the carriageway, would be tight for both drivers and pedestrians with hazardous conditions being exacerbated by the fact that the carriageway to the north of the bridge is not straight. A real potential for danger

would result and the impact of traffic attributable to the development proposed would be unacceptable against RALP Policy RC8 criterion (d) [Doc 26 App 17] .

Housing Land Availability

5.12 If 45% is accepted to be the appropriate housing provision for the rural area, the difference between the local planning authority and the Appellant on housing land supply is marginal. Land supply calculations for the rural area produce figures of 5.7 years and 4.75 years respectively. A precise prediction is impossible because of inherent uncertainties in establishing a basis for calculation; indeed, PPG3 - paragraph 52 supports the view that time spent in trying to prove a case with mathematical exactitude may not be fruitful. If the Appellant's calculations and a 45% allocation for the rural area of the District are taken to be correct, a five year supply of land probably does exist in the District. If 45% is not accepted, a significant deficit exists in the District as a whole.

5.13 The 55%/45% town/rural split is supported by the Secretary of State's letter of approval of the BCSP [Doc 22 - para 3.22] and the Inspector's report leading to the Secretary of States's decision (E1/J0405/2/4/06) in respect of land at Aylesbury [Doc 7 para 11.20]. This approach has also been supported by the RALP Inspector and by a very recent appeal decision (T/APP/J0405/A/94/243940/P2) concerning a proposal for residential development proposed at Weston Turville [Doc 26 App 27 para 14]. It has not been criticised by the House Builders' Federation and is an approach that should not be set aside simply because the NBCSP does not expressly refer to a town/rural split. The NBCSP certainly does not oppose this approach and the RALP, which is only 6 months old and covers the period to 2001, was adopted with knowledge of matters to be included in the NBCSP.

5.14 The local planning authority's intention to continue with a 55%/45% town/rural split until the year 2001 is conveyed by that part of the RALP concerned with housing strategy and land requirements [Doc 17 p67 para 6.2B]. The County Council appear satisfied that the local planning authority has a sufficient supply of housing land and their conclusion cannot have been based on a District wide provision. There is no suggestion that the town/rural split should be abandoned on the adoption of the NBCSP on 29 March 1996.

5.15 The local planning authority has given no indication that it intends to dispense with a town/rural split in its emerging District Plan. The local planning authority's approach on housing land supply is set out Council's Strategy Issues Paper which notes that the split between housing provision in rural and key urban areas will be a matter for the District Council to determine [Doc 8 page D14 para 7.7]. If it is correct that a 45% rural housing allocation is appropriate, then a significant shortfall in housing provision in the town of Aylesbury must be a material consideration. While not advanced as an argument for aggregating housing land supply, this shortfall should be considered alongside a very large surplus of housing land in Dacorum Borough.

5.16 Whichever approach is adopted in determining housing supply, land availability is not an overriding factor in this case. The local planning authority is sensitive to PPG3 guidance and, although it is still at an early stage of preparation, the

appropriate allocation is being examined in the context of an emerging District Plan. Insofar as the local planning authority is required to take action, in accordance with PPG3 guidance, it is taking action through the District Plan process.

Travel to Work

5.17 The majority of the working population of the development proposed would be likely to work other than locally and their journey's to work would involve the use of a car. This is a significant disbenefit of the appeal proposal. There is, in addition, no evidence that additional residential development is needed to sustain, or add to, the village facilities of Marsworth.

Affordable Housing

5.18 The position regarding the need for affordable housing in the area is far from clear and a preliminary survey of Wards, local to the appeal site, does not provide strong evidence of need. The Appellant has not been able to draw support from the Parish Council, who are involved in such matters, or from the local community in general who, where a view has been expressed, appear to consider the location unsuitable for affordable housing. The Appellant's offer to provide an element of affordable housing cannot be regarded as significant factor in this case.

6. THE CASE FOR DACORUM BOROUGH COUNCIL

The material points are:

6.1 In 1989 Dacorum Borough Council refused planning permission for the residential development of 7.9 ha of land forming part of the Marsworth Airfield site and falling within their administrative area [Doc 25 App B]. Refusal was based upon rural housing policy and the availability of an adequate provision of land for housing. A planning application, relating to the current scheme of development and submitted to the Council in December 1993, proposed that land within Dacorum Borough be used for public open space in connection with a proposal for 100 dwellings in Aylesbury Vale District. On the delegation of authority to Aylesbury Vale District Council to determine the application incorporating land within Dacorum Borough, the planning application made to Dacorum Borough Council was withdrawn.

6.2 The amended scheme, indicating the restoration of all land within Dacorum Borough to agriculture, is welcomed; but the planning application is in outline only and there can be no certainty regarding the eventual location of built development. Planning objections arise from conflict with relevant national planning guidance, conflict with the development plan for the area, the harmful effect of the proposal on the character and appearance of the area, the unacceptable environmental effect of the proposal on the local road network and, finally, conflict with affordable housing policies.

6.3 Government guidance, as set out in PPG3, reaffirms a commitment to protecting the countryside and re-using urban land. The proposal in this case is a 'stand alone' scheme isolated from existing settlements. It is therefore contrary to guidance

indicating that new housing should be well related in terms of scale and location to existing development. It also conflicts with PPG7 guidance which advises strict control over new housing in open countryside, away from established settlements. Furthermore, the development proposed would not meet the Government's aims, as expressed in PPG7, of encouraging economic activity in rural areas, conserving and improving the landscape, encouraging opportunities for recreation and conserving wildlife. It could not be said to safeguard the countryside for its own sake.

6.4 In similar respects the development would conflict with Hertfordshire Structure Plan Policies 16, 47 and 48, concerned with leisure and settlement planning, and with Policies 5 and 8 of the Dacorum Borough Local Plan (DBLP), which aim to protect the intrinsic quality and purpose of the countryside and secure good quality development. In addition, conflict would also arise with DBLP Policy 89, which seeks to preserve and improve the landscape [Doc 25 App E,F].

6.5 A position statement concerning housing land commitments, published by the Dacorum Borough Council in October 1995, indicates a balance of 589 dwellings to be provided for the period 1986 to 2001, compared with a Structure Plan requirement of 5,200 additional units. A calculation of the five year housing land supply requirement based on this figure, taking into account commitments and with no allowance for unidentified sites, demonstrates an excess housing commitment of 489 units. This represents a current rate of provision for 9.56 years, thereby confirming that there is no quantitative need for further housing in the Borough for the remaining period of the Structure Plan and adding weight to development plan policies concerned with housing land supply [Doc 25 App I].

6.6 Policy 23 of the Dacorum Borough Local Plan provides for affordable housing on sites not appropriate for general housing development, provided that a genuine need exists which cannot be met in any other way and where village character and the appearance of the countryside are not damaged. Accommodation would need to be managed in a way that meets local needs in perpetuity. Exceptions to locational criteria would need to be justified in relation to established settlement patterns, protection of the countryside and need.

6.7 Dacorum Borough Council has not been consulted on a method of establishing whether a local need for affordable housing exists and need has not been demonstrated in this case; nor has the proposed element of affordable housing been promoted in conjunction with the Tring Rural Parish Council or another responsible local body. The appeal site fails the locational criteria set out in Local Plan Policy 23 and no convincing reason has been put forward to justify an exception to this policy. The provision of affordable housing would not outweigh the harm that would be caused to the development strategy for the area, its local character and appearance and the rural highway network.

6.8 The poor relationship of the appeal site to the settlements of Marsworth and Long Marston and the lack of local public transport facilities would encourage the use of the private motor car. Within Hertfordshire, local roads are narrow and winding with few stretches of footway. An increase in traffic would have an adverse impact on the local

rural character and the development proposed could not, therefore, be regarded as sustainable in terms of PPG13 guidance or consistent with guidance set out in PPG12 concerned with directing new development to locations which reduce the need for car journeys. It would, in addition, not accord with the County Council's stated intention to resist development where increased traffic would have an adverse effect on the rural character of a road, or residential properties along it. Nor would it, in this respect, be consistent with the environmental aims underlying Local Plan Policies 46 and 49 [Doc 25 App F p60-63).

6.9 In summary, the development proposed would be inappropriate to this rural area and in conflict with the settlement strategy of the development plan. It would also conflict with national planning guidance concerned with sustainability and with protecting the countryside from inappropriate forms of development. In the absence of evidence of need, the benefits of affordable housing cannot outweigh the harm that would be caused by the development.

7. THE CASE FOR MARSWORTH PARISH COUNCIL

The material points are:

7.1 If the appeal succeeds, the proposal would create a new settlement outside the boundary of any village. There is adequate provision for housing land in the Aylesbury Vale Rural Areas Local Plan and the location is not ideal for affordable housing. The local road network is not suitable for the development and there is concern regarding the capacity of Marsworth Primary School. The appeal site is roughly half way between Marsworth and Long Marston and, notwithstanding the presence of some development between the appeal site and Marsworth, the development cannot be looked upon as part of Marsworth village.

7.2 The proposed development is not a proposal of the Rural Areas Local Plan, nor would it meet the requirements of the Structure Plan in respect of new settlements. It amounts to significant residential development in the countryside, in conflict with the development plan and national planning guidance. If a need for affordable housing can be demonstrated, it should be situated close to local services and to public transport, for example at Pitstone.

7.3 On the matter of access, neither of the routes passing through Gubblecote or Marsworth is suitable for a major increase in traffic without improvements to the highway. If undertaken, these would tend to destroy the rural character of the countryside and its existing settlements. Proposals to install traffic lights and a pedestrian margin at the Marsworth canal bridge, a listed building, are not welcomed. There are five other listed buildings within sight of the bridge and the effect would be to create an urban outpost in a rural corner of the District.

7.4 The local primary school is not operating at capacity, but children might, at some future date, need to be bussed to other schools. A loss of the family atmosphere of Marsworth Primary School would follow. With regard to the sports field proposed, it is relevant that the Parish Council already owns a large recreation ground at the edge of

Marsworth and permission has been granted to provide parking at the ground. The Parish Council is presently seeking an alternative site for a recreation ground, more convenient to the village centre. The Parish Council would, for reasons of cost, probably be unable to maintain the open areas forming part of the development. The timetabling of local public transport facilities is quite unsuitable for commuters and a diversion of an existing service would be unlikely to have an effect on the number of employees at the egg-packing factory in Lukes Lane choosing to travel by bus.

7.5 In response to local representations made in support of the proposed development, there can be no doubt that Marsworth is a rural village, having less than 600 electors and an equivalent Band D tax base of £302. The day to day running of the local church cannot be supported by Sunday collections, but income from other sources provides a small annual surplus. The loss of the village shop and post office is regrettable, but a Post Office facility remains available in the village on two afternoons per week.

7.6 It is doubtful whether a shop on the appeal site would be successful, if it were to be contemplated. The matter of whether the existing village hall should be refurbished or replaced is being considered with the investigations into an alternative location for a recreation. A new hall on the appeal site would not necessarily be viewed favourably by existing villagers, because of its remote location and the need for travel along unlit country roads. The Parish Council has not objected to local proposals for 'horseyculture' development, but it has drawn attention to the matter of materials, the Council's barn conversion policy and a possible increase in traffic movement.

8. THE CASE FOR THE GUBBLECOTE RESIDENTS ASSOCIATION

The material points are:

8.1 The Association was established in 1978 and represents some 40 households. The proposed development is objected on the grounds of its environmental impact on the surrounding rural communities and countryside; increased traffic and concerns regarding safety and the ability of the local infrastructure to sustain a development of the size proposed. Specifically, the proposed development will dramatically change the rural character of the area. The boundaries of the villages of Cheddington, Marsworth and Long Marston will be eroded and these villages will lose their individual character. The current use of the appeal site, as grazing for sheep and cattle, is perfectly acceptable and in keeping with the area's rural character.

8.2 Local roads are well used and increases in traffic have resulted from vehicles using the A41 by-pass to Tring, to link with the M25, rather than former routes to the M1 and M25 using junctions at Whipsnade and Hemel Hempstead. It is relevant that Hertfordshire County Council have consulted on traffic calming measures in Long Marston and Wilstone. Local car ownership ranges from between 1.6 to 2.5 cars per household. Traffic on local roads will inevitably increase if the development were to take place and the majority of additional traffic would use Long Marston Road and Lukes Lane as part of routes to Tring, Aylesbury and local railway stations. Traffic would also flow

through Marsworth Village, which is primarily residential in character with a primary school and old persons' bungalows facing the road.

8.3 The carriageways of Long Marston Road and Lukes Lane are narrow and winding with the canal bridge having a width of only about 4 m. Some houses in Lukes Lane front the road and there is real concern about the safety of residents, damage to property and pollution. The Lane is used by walkers, horse riders and cyclists and a survey has confirmed that the canal bridge at Marsworth is well used by pedestrians, anglers, canal users and customers of the nearby public house. Substantial stabling lies adjacent to Long Marston Road near to Marsworth. The appeal proposal would have a detrimental effect on the recreational nature of the area and the local infrastructure, including public transport provision, is insufficient to sustain it. The views of local residents indicate overwhelming local opposition to the proposed development.

9. WRITTEN REPRESENTATIONS

The material points are:

Hertfordshire County Council (Highway Authority)

9.1 The County Council is Highway Authority for all roads in Hertfordshire. Its Transport Policies and Programmes (TPP) includes among its themes the promotion of environmentally led policies, a reduction in car usage in peak periods, the use of passenger transport, minimising accidents and the integration of land use and transport planning. Policies set out in the County Structure Plan and in the TPP are directed towards preserving the rural character and environment of local roads and minimising traffic using them. The County Council's intends to resist all developments served by rural roads, other than very minor ones and especially those that could be a precursor to larger developments. This intention is conveyed by both Structure Plan and TPP policies.

9.2 Roads in the vicinity of the appeal site are of a rural nature, some of restricted width with poor forward visibility and limited footway provision. Canal bridges represent a particular hazard, by reason of their limited width and restricted visibility. The isolation of the appeal site from other settlements would encourage the use of private vehicles for journeys to work, for shopping, school and pleasure trips to Marsworth Village, Tring and places beyond. Accidents statistics for the 3 year period between July 1992 and July 1995, for the area north-west of Tring, indicate a relatively high proportion of accidents resulting in serious injuries or involving pedestrians. The greatest proportion of accidents have occurred on the Lower Icknield Way, a secondary distributor road, but the figures also indicate a susceptibility of local roads to accidents.

9.3 There are no nationally recognised capacity standards for rural roads. Capacity will be largely a matter of judgement, taking into account road widths, the frequency of bends, stopping and sight distances and the vulnerability of pedestrians, cyclists and horse riders. Survey findings and assumptions based on local highway conditions suggest that the proposed development would generate about 800 daily trips, of which between 60% and 75% would use Vicarage Road on the way to and from Lower Icknield Way. Lukes Lane would be used as an alternative route. On this basis, having

regard to PPG13 advice concerning whether or not increases in traffic may be regarded as material, there would be a material increase in traffic flows along roads from the development to Lower Icknield Way. This would create conditions unacceptable on environmental and highway safety grounds. This conclusion is borne out by studies that clearly indicate that, in rural settings, accidents rates increase with traffic flow.

9.4 Were planning permission to be granted considerable improvements to the highway network would be required. These would include local increases in carriageway widths, the provision of footways, measures to improve visibility, improvements to some junctions and measures to improve safety at humpback canal bridges in the area. Improvements of these kinds would be contrary to the County Council's policy in that the rural environment would be effectively destroyed. Planning permission should not, therefore, be granted.

Other Written Representations (Document 2)

9.5 Fifty-nine letters of representation were received in response to publicity concerning the appeal and the Inquiry. The owner of land to the north of the appeal site, **Mr H Hodgskiss of College Farm, Marsworth**, supports the proposal on the grounds that it would make best use of a derelict site. **Mr K J Wheeler of 35 Lower Icknield Way** takes the view that the proposal is unobjectionable, subject to the development being sensitively implemented with properties of good value. **A G P Ibotson of 4 Wellington Place, Cheddington** considers that the development proposed would improve the countryside and the viability of Marsworth and its facilities and provide much needed housing in a location where the cost of property is beyond the reach of original villagers. **H L Pountney, of The Anglers Retreat, Marsworth** supports the proposal for reasons similar to those put forward by Mr Ibotson. Another correspondent raises no objection to the proposal, subject to there being improvements to the highway locally.

9.6 **The Beacon Villages Society**, representing the villages of Ivinghoe, Pitstone, Marsworth, Cheddington, Aldbury and Bulborne, reiterate previous objections to the proposal on the grounds that the site is remote from the village of Marsworth and that access to amenities would require use of cars, contrary to principles of sustainable development.

9.7 Other, individual representations are, for the most part, from residents of Marsworth, Gubblecote, Wilstone, Long Marston and Cheddington. All object to the appeal proposal, the most common objections being related to traffic generation and highway safety, conflict between motor traffic, pedestrians and horse riders, noise and other pollution arising from additional traffic, an absence of need for additional housing in the area - especially bearing in mind proposals for significant residential development at Pitstone, the effect of the proposal on the character and appearance of the area, erosion of the countryside and a general sense of urbanisation. Comment is also made on the remoteness of the appeal site from the village of Marsworth and the adequacy of accommodation at the village schools at Marsworth and Long Marston.

9.8 Several objectors are concerned that the granting of permission would establish a precedent for similar and additional development in the area. Reference is also

made by some to the amount of traffic that would need to make use of canal bridges in the area and the possible effect on the bridges of an increase in traffic. A number of residents of Long Marston refer to a Hertfordshire County Council survey relating to traffic calming measures contemplated in that village. Suggestions for the use of the appeal site include its planting as woodland, its use as a recreational area - similar to a scheme at Bovingdon - and a continuation of grazing by livestock.

10. PLANNING CONDITIONS

10.1 Document 19 sets out a list of suggested planning conditions substantially agreed by the Appellant and the District Council. The list takes into account comments made at the Inquiry on a draft set of conditions [Doc 18] and a the Appellant's proposed replacement for draft Conditions (13) and (14) [Doc 20]. The suggested conditions cover the following matters; (1) statutory time limit; (2) time limit on approval of reserved matters; (3) approval of reserved matters, excluding means of access; (4) foul and surface water drainage; (5) construction and completion of estate roads; (6) access to be provided before development commences; (7) storage under tree canopies; (8) burning of materials near trees; (9) approval of master plan with details of development phasing; (10) provision of open spaces; (11) management scheme for open spaces; (12) management scheme for playing fields; (13) provision of affordable housing (14) occupation of affordable housing; (15), (16) and (17) site contamination - investigation and remedial measures; (18) approval and implementation of off-site highway works.

10.2 It is suggested by the Appellant that Condition (7) anticipates details to be submitted pursuant to a reserved matter. A modification to the wording Condition (9) is agreed by the parties, substituting in line 5 '...proposed to be restored to...' in place of '...suitable...', and adding to the condition the sentence, 'Provision of the community woodland/parkland, incidental open space and playing field shall be in accordance with a programme to be agreed by the Council'. Subject to the foregoing amendments to Condition (9), it is agreed by the main parties that Condition (10) is unnecessary.

11. CONCLUSIONS

Note: italicised numbers in square brackets refer to paragraphs in preceding parts of this report.

Development Plan

11.1 The development plan for the main area of the appeal site, at the time of the Inquiry, consisted of the Buckinghamshire County Structure Plan - Incorporating Alterations 1,2,3 and 4 and the Aylesbury Vale Rural Areas Local Plan 1995 [3.1, 3.11]. The New Buckinghamshire County Structure Plan was due to be adopted on 29 March 1996 [3.6]. The development plan for the small area of the appeal site not within Buckinghamshire County or Aylesbury Vale District consists of the Hertfordshire County Structure Plan 1991 and the Dacorum Borough Local Plan 1995 [3.18]. The appeal site forms part of an area of countryside and is so indicated in the relevant local plans.

Main Considerations

11.2 I am of the opinion that the main considerations in this case are firstly the effect of the development proposed on the character of the area, having regard to the rural location of the appeal site. Secondly, if the development were to be considered harmful, whether there are special circumstances that might support the grant of planning permission. Finally, whether the development would be likely to give rise to conditions prejudicial to the safety of the users of the local highways. In addition, having regard to the duty imposed by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, it will be necessary to comment upon the possible implications of the proposal for the setting of the Grade II listed canal bridge at Marsworth.

Impact on Local Character

11.3 The appeal site forms part of an extensive area of countryside which, although containing settlements, scattered houses and other buildings, has a well-defined rural character [2.1, 2.6]. The site contains buildings of generally poor appearance and poor structural condition [2.3-2.5, 3.19]. However, the buildings tend to be seen as isolated and public views of them are limited by the inaccessibility of the site and softened by established boundary planting [2.2]. The obvious military origin of the camp and its buildings gives some explanation to the unusual presence of built development in this particular location [2.1, 3.21].

11.4 The absence of military or any other intensive activity serves to reduce the sense of visual intrusion upon the rural character of the area caused by the existing buildings. In addition, the absence of conventional roads, footways, signage and other incidental features combine to limit the impact of built development on the countryside [2.3, 3.21]. Those existing buildings nearest to public viewpoints are generally small in size and unassertive in appearance while the larger structures, sited away from the road frontage, may, in distant views from the north, be taken for agricultural buildings. Their

combined impact on the character of the area, while appreciable, is not substantial [2.3, 2.5].

11.5 The appeal proposal is in outline but the number of houses for which permission is sought indicates a sizeable residential estate located in an area of countryside where settlements are few and where isolated development tends to be small in scale and well-dispersed [2.9, 3.23, 3.24]. The size of the appeal site and the potential that it provides for landscaping are positive aspects of the appeal proposal. While the footprint of built development proposed might not differ greatly from that which already exists, the appearance of the new buildings would be clearly residential and would be likely to be more intrusive upon the countryside setting than buildings presently occupying the appeal site [2.4, 2.5, 4.7, 4.9, 5.1, 8.1]. In addition, the formation of access roads and footways to a standard normally associated with residential development of the scale proposed, together with street lighting and the level of activity normally associated with residential use would accentuate the presence of a residential estate in the countryside [4.1, 5.8].

11.6 Although the scheme proposed could include extensive landscaping, together with provision for recreational activity and areas accessible to the public, the development would not, in my view, sympathetically reflect the form and character of established rural settlements in the area. It would, in my opinion, be seen as isolated development poorly related in scale and location to existing settlements in this predominantly rural area [4.9, 5.7, 6.2, 6.3, 7.1, 8.1].

11.7 Government advice encourages the re-use of land previously developed for other purposes. The appeal site is clearly not a green field site but, while the appeal proposal would utilise land that has, to some extent, already been developed, this does not justify new and permanent development of the type and scale envisaged, unless overriding need can be shown, in an area that is subject to well-established countryside protection policies [4.1, 4.3, 4.4, 5.1-5.4, 6.2].

Other Material Considerations

11.8 Site Redundancy: Notwithstanding evidence of a previous and continuing agricultural use, both main parties agree that the appeal site may be regarded as redundant [3.21, 4.1, 5.3]. It is an important part of the Appellant's case that the re-use or redevelopment of major existing developed sites in open countryside are, subject to certain criteria, permitted by the New Buckinghamshire County Structure Plan Policy OC3. Both this policy and Policy RC8 of the Rural Areas Local Plan require that, if redevelopment is to take place, it should have no greater impact than any existing development. Furthermore, Policy OC3 requires that a site to which the policy applies should be identified in an adopted local plan [3.8, 3.9]. In this case I consider that the development proposed would have a significantly greater impact on its surroundings than present development on the appeal site and, in addition, the site is not on that has been identified in the relevant local plan. While some of the criteria of NBCSP Policy OC3 and RALP Policy RC8 might be capable of being satisfied, the appeal proposal would be in clear conflict with other, more important, criteria. Comparisons between the appeal site and

other sites, identified in the Rural Areas Local Plan and where conditions may well be very different, should be accorded little weight [4.3, 4.4, 5.2, 5.3, 8.1].

11.9 Housing Land Supply: The Appellant's case for permitting the development is not centred upon a need to identify additional housing land but evidence indicates the probability of an overall shortfall in housing land supply in Aylesbury Vale District. While it may have some bearing on the location of new housing, and has featured as an argument in planning appeals relating to other sites, I do not consider the issue of a town/rural split to be crucial in this case. Insofar as it may be relevant to the amount and distribution of housing in the longer term, this is a matter for consideration in the Council's proposed District Plan [3.2, 3.3, 3.7, 3.18, 4.10-4.12].

11.10 There is evidence that the Council is aware of the current shortfall in housing land supply and that initiatives are being taken to promote residential development on other sites. While the appellant discounts the availability of housing land in Dacorum Borough [4.16, 6.5], this is not a factor that can be ignored, if the location of the appeal site in relation to the boundary between the two administrative areas is taken into account. I therefore consider that while some weight may be attached to the need to identify additional land suitable for housing development, it is not factor that should be permitted to override other important development plan policies for the area [4.10, 5.12-5.16, 9.7].

11.11 Affordable Housing: While some evidence of a need for affordable housing has been provided by the Appellant, there is real doubt in my mind as to the quantum of need and whether the actual requirements of the community would be best served by affordable housing in the location proposed. While the provision of affordable housing would be consistent with national planning guidance and development plan policies, I do not consider, in this instance, that the appellant's willingness to provide affordable housing carries particular weight in determining whether planning permission may be granted [3.2, 3.7, 3.14, 3.18, 4.17, 5.18, 6.6, 6.7, 7.1, 9.5].

11.12 Open Space and Recreation: The laying out and landscaping of parts of the site as open space could provide an attractive setting for new dwellings and might attract non-residents seeking passive recreation. However, I am doubtful whether the provision of open space as part of an essentially private development, set apart from existing settlements, would satisfy a wider social purpose. The sports facilities proposed are an integral part of the overall scheme and, with positive management, there is every likelihood that they would be used. However, there is no evidence of a deficiency of recreational facilities in the area that might only be met by the use of part of the appeal site and the needs of Marsworth, the nearest local settlement already appear to be met. The Parish Council's search for an alternative location for a recreation ground, more convenient to the village, supports the view that the local demand for public recreational facilities is more likely to be from within the village of Marsworth [3.5, 3.6, 3.16, 3.23, 4.1, 5.1, 5.7, 6.1, 7.4].

11.13 Site Improvements: The simple removal of existing buildings from the appeal site would benefit the appearance of the surrounding area but it is, for reasons of cost, not an option that has been, or appears likely to be pursued [4.1, 4.5, 4.7]. The

replacement of existing buildings by a scheme of housing on the scale proposed would not, even taking into account the benefits of landscaping, change the appearance of the site in a way that would be more in keeping with the character of surrounding countryside. Some, if not the majority, of existing structures appear incapable of an alternative and immediately beneficial use, but there is evidence that the land and its buildings have, in the past, been put to a use compatible with a countryside location [3.21, 5.5, 5.6]. While Marsworth North Camp is used for purposes that I consider would be wholly unsuited to the appeal site, I am satisfied that other possible uses remain to be explored [4.5, 4.7, 5.1].

11.14 Evidence concerning ground contamination is not conclusive but it is possible that ground contamination occurred at the time when the land was used as a military base. However, in the absence of a known threat to public health and safety, and bearing in mind that the land has been used in the past for agricultural purposes with no apparent harmful consequences, I do not consider that the opportunity that the development proposed could provide for removing possible sources of contamination is sufficient to justify granting planning permission in the face of real planning objections [3.16, 3.21, 4.1, 5.1].

Highway Safety

11.15. The distance between the appeal site and centres of population, employment and transport interchanges suggests that the occupiers of the proposed dwellings would, even if local bus services were to be improved, be heavily reliant upon private transport. Roads in the general area of the appeal site are mostly narrow and irregularly aligned and humped back canal bridges add to driver and pedestrian hazards. The roads nevertheless form part of a local network whose characteristics would be familiar to regular users and evidence indicates that most of the additional traffic generated by the development would pass southward through Marsworth to the Lower Icknield Way [2.7, 2.9, 3.4, 3.9, 3.15, 3.18, 4.18, 6.8, 8.1, 8.3, 9.2].

11.16 A general increase in the use of roads in the locality would be bound to add to the risk of accidents occurring but I do not consider that conditions would be so different as to make this a serious and unacceptable risk. The lack of a continuous footway along the length of highway between the appeal site and Marsworth village is not a factor of great significance, except that it could encourage the use of the motor car for local journeys as an alternative to walking, not least on the part of parents with children attending the local primary school [4.18-4.20, 5.9, 5.10, 9.2, 9.7].

11.17 Having regard to the width and alignment of the carriageway to the north of Marsworth bridge and present and anticipated traffic flows along roads in the area, I do not consider that an increase in traffic attributable to the appeal proposal would necessarily increase the hazard for road users. However, the harmful effect on the rural environment of additional traffic generated by a significant concentration of new residential development beyond established settlements is a factor that should be accorded some weight [3.4, 3.9, 3.15, 3.18, 4.21, 5.11, 9.3, 9.4].

11.18 Conditions at the Marsworth canal bridge require considerable caution to be exercised by motorists and pedestrians unfamiliar with the road layout and the effect on visibility and turning movements of the bridge itself. Development on the scale proposed would attract additional visitors to the area unused to local conditions. In these circumstances and bearing in mind the possibility of a higher level of pedestrian movement between the appeal site and Marsworth Village, I consider that some form of regulation of traffic flow at Marsworth canal bridge would be necessary [4.22, 5.11, 7.3].

11.19. The appellant has indicated an arrangement of traffic lights that would provide a technically satisfactory method of controlling traffic movement at this point. The installation is not proposed as part of the planning application but is the subject of a suggested planning condition. In Vicarage Road, the main thoroughfare of Marsworth, I do not consider that conditions would, as a direct consequence of the development proposed, be such as to require vehicle/pedestrian separation in the manner suggested by the Appellant, but objected to by the District and Parish Councils [4.22, 4.33, 5.10].

Other Matters

11.20 The option of providing a footbridge to achieve vehicular/pedestrian separation at Marsworth bridge has been withdrawn in favour of the arrangement described above. The bridge is a Grade II listed building dating from the time of the construction of the Grand Union Canal through the area in the early 19th century. The appearance of traffic lights on a relatively minor road would not be entirely in keeping with the rural character of the area, but I judge the positions indicated for the installation of the lights to be sufficiently removed from the bridge structure for them not to impinge unacceptably upon its setting [1.4(4), 1.5, 7.3].

11.21 There is no suggestion by the appellant that the development proposed would be aimed specifically at the housing needs of the rural community and there is good reason to believe that the dwellings proposed would be occupied by persons drawing a livelihood from larger towns in the region. The railway system and other modes of public transport are accessible from the appeal site. Even so, such matters as personal convenience and safety, and limited local community facilities, suggest to me that householders and their families would, contrary to the general thrust of current government policies concerned with protection of the environment and with sustainability, be heavily dependent upon the private motor car for business, leisure and other social activity [3.1, 3.4-3.6, 3.10, 3.11, 5.9, 6.2].

Overall Conclusions

11.22 I conclude that the proposed development would, contrary to the aims underlying development plan policies concerned with the protection of the countryside, be harmful to the rural character of the area of which the appeal site forms part. Although there is evidence to indicate a shortfall in the supply of land to meet the housing requirements of the District the need to identify additional sites is not so pressing in this case as to justify the use of the appeal site for housing purposes. The Appellant's offer to provide an element of affordable housing is not one which, on available evidence of the need for such housing in the locality, to which significant weight should be attached.

11.23 The benefits of open space and recreational facilities as part of the development, together with improvements to the appearance of the site that might be achievable as part of the development are not so great as to overcome that harm that would be caused by development of the type and on the scale proposed. Similarly, the opportunity that the development would provide to remove possible sources of contamination from the site is not on which, in the face of other objections, provides a sound basis for granting planning permission.

11.24 Additional traffic generated by the development proposed would not, of itself, be a source of serious concern for highway safety; but the remoteness of the appeal site from Marsworth village and other sizeable settlements would be a cause of traffic generation on a level that would intrude upon the rural character of the area and be in conflict with the principles of sustainable development set out in national planning policy guidance. Traffic conflict arising from conditions at Marsworth canal bridge could, if the development were to proceed, be satisfactorily addressed by local traffic management measures. Although the presence of traffic lights would not be entirely consistent with a predominantly rural situation, they would not have an unacceptable effect on the setting of the Grade II listed bridge.

Conditions

11.25 Should my recommendation not be accepted I draw attention to the conditions suggested by the Council and substantially agreed by the Appellant. I agree with the Appellant that suggested Condition (7) is unnecessary and that a modification to the wording of Conditions (9), in the form suggested, would render Condition (10) superfluous. Subject to these observations, I consider each of the conditions to be necessary.

12. RECOMMENDATION

12.1 I recommend that the appeal be dismissed, and that planning permission be refused.

I have the honour to be

Sir

Your obedient Servant


P D WILSON

APPEARANCES

FOR THE APPELLANT

Mr Adrian Trevelyan Thomas,

- of Counsel, instructed by RPS Nigel Moor, Centurion Court, 85 Milton Park, Abingdon, Oxon OX14 4RY

He called:

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Mr K P Trew
BSc(Hons) DipLD FLA

- Landscape Director, RPS Clouston

Mr F E Noble BSc CEng

- Partner, Noble Lewis Partnership, Consulting Engineers

FOR THE LOCAL PLANNING AUTHORITIES

Mr Richard Rundell

- of Counsel, instructed by the Solicitor to Aylesbury Vale District Council; appearing for Aylesbury Vale District Council and Dacorum Borough Council

He called:

Mr J Stevens CEng MICE MIHT

- Senior Engineer, Buckinghamshire County Council, Planning and Transportation Department

Mr J Doe BSc(Hons) MRTPI
(In place of Mrs H M Higenbottam)

- Planning Officer, Dacorum Borough Council

Mr W Nicholson BA(Hons) MRTPI

- Area Planning Officer, Aylesbury Vale District Council

FOR THE MARSWORTH PARISH COUNCIL

Mr M Frost

- Parish Councillor - Marsworth Parish Council, 29 Lukes Lea, Marsworth, Bucks HP23 4NH

INTERESTED PERSON

Mr S Finlan

- Gubblecote Residents' Association,
10 Long Marston Road, Gubblecote,
Bucks HP23 4NF

DOCUMENTS

- Document 1 - List of persons present at the Inquiry - 13, 14, 15 and 16 February 1996.
- Document 2 - Representations received in response to publicity concerning the appeal and the Inquiry.
- Document 3 - Statement from Hertfordshire County Council.
- Document 4 - Letter dated 1 February 1996 from Aylesbury Vale District Council (AVDC) to RPS Nigel Moor.
- Document 5 - AVDC memorandum recording complaints received by the Council concerning activity on the appeal site.
- Document 6 - Initial and amended statements on behalf of the Gubblecote Residents Association, submitted by Mr Finlan.
- Document 7 - SoS planning appeal decision E1/J0405/2/4/06 - Land at Lower Road, Aylesbury.
- Document 8 - Extract from report to AVDC Plans Sub-Committee 24 October 1995 - Aylesbury Vale District Local Plan: Strategy Issues Paper and Minute.
- Document 9 - Planning appeal decision T/APP/J0405/A/91/185766 - Land at Stablebridge Road, Aston Clinton.
- Document 10 - Table 6 to Mr Moor's Proof of Evidence.
- Document 11 - Approved Buckinghamshire County Structure Plan - Incorporating Alterations 1,2,3 & 4: Written Statement - November 1990.
- Document 12 - Buckinghamshire County Structure Plan 1991-2011 (Deposit Draft): Proposed Modifications.

- Document 13 - Buckinghamshire County Structure Plan 1991-2011: Schedule of Policies (to be adopted) - January 1996.
- Document 14 - Schedule of Housing Provision Requirements for Rural Area to 31 March 2000, and Land Availability - Appellant's Table A.
- Document 15 - Schedule of Housing Provision Requirements for Rural Area to 31 March 2000, and Land Availability - Council's Table B.
- Document 16 - Documents 14 and 15 reproduced with District-wide data.
- Document 17 - Typed versions of Document 16.
- Document 18 - Council's list of suggested planning conditions, initial draft.
- Document 19 - Council's amended list of suggested planning conditions.
- Document 20 - Appellant's suggested replacement for Council's suggested Conditions 13 and 14.
- Document 21 - Appendices to Mr Moor's proof of evidence and rebuttal proof.
- Document 22 - Appendices to Mr Trew's proof of evidence.
- Document 23 - Appendices to Mr Noble's proof of evidence and annexes to rebuttal proof.
- Document 24 - Appendices to Mr Steven's proof of evidence.
- Document 25 - Appendices to Mrs Higenbotham's proof of evidence (adopted by Mr Doe).
- Document 26 - Appendices to Mr Nicholson's proof of evidence.

PLANS

- Plan A - Appellant's drawing APP.AREA confirming planning application site boundary and agreed by Council.
- Plan B - Application drawing 9307 and bundle of illustrative drawings accompanying outline planning application submitted to Aylesbury Vale District Council.

- Plan C - Drawing, reference 94/0041/AOP, submitted by the Council illustrating distribution of built development in vicinity of appeal site.
- Plan D - Drawings 93030/SK1, SK2 and SK3, submitted on the Appellant's behalf, illustrating existing and proposed access arrangements from Long Marston Road.
- Plan E - Drawing CC/2, extracted from Mr Steven's appendices.
- Plan F - Location Plan, identifying sites at Oakley, Westcott, Finmere, Turweston and Wing.