



Appeal Decision

Hearing held on 9 and 10 December 2025

Site visit made on 11 December 2025

by O S Woodward MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd February 2026

Appeal Ref: APP/J0405/W/25/3370338

Land South of Drayton Road, Newton Leys, Buckinghamshire MK17 0EE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for outline planning permission
 - The appeal is made by Richborough against Buckinghamshire Council - North Area (Aylesbury).
 - The application Ref is 24/03601/AOP.
 - The development proposed is for up to 290 dwellings, open space, landscaping, drainage features and associated infrastructure following demolition of existing agricultural buildings.
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Decision

1. The appeal is allowed, and planning permission is granted for up to 290 dwellings, open space, landscaping, drainage features and associated infrastructure following demolition of existing agricultural buildings at Land South of Drayton Road, Newton Leys, Buckinghamshire MK17 0EE in accordance with the terms of the application Ref 24/03601/AOP, and subject to the conditions in the attached schedule.

Preliminary Matters

2. The application is in outline with all matters reserved other than access, which is applied for in full. The agreed drawing set¹ is the Site Location Plan², Proposed Site Access Layout with Visibility Splays³, Proposed Primary Site Access Layout with Visibility Splays⁴, and Land Use Parameter Plan⁵. There are also illustrative drawings⁶, which I refer to and consider as appropriate whilst bearing in mind their illustrative status.
3. A number of submissions were received during and after the Hearing, as set out in Annex B. I am satisfied that in all cases the material was directly relevant to, and necessary for, my Decision. All parties were given opportunities to comment as required and there would be no prejudice to any party from my consideration of these documents. I therefore determine the appeal on the basis of the revised and additional documents.

¹ See Paragraph 3.24 - Statement of Common Ground, dated 12 November 2025

² Ref 241000-CWA-ZZ-XX-DR-A-0001 P00

³ Ref T24509.001 Rev C

⁴ Ref T24509.004 Rev C

⁵ Ref 241000-CWA-ZZ-00DR-A-0100 P04

⁶ In particular, Illustrative Masterplan Ref 241000-CWA-ZZ-00-DR-A-0102 Rev P01, Development Framework Plan Ref 241000-CWA-ZZ-XX-DR-A-0103 – P03, and Building Heights Parameter Plan Ref 241000-CWA-ZZ-00-DR-A-0104 P00

4. A revised National Planning Policy Framework Consultation was released on 16 December 2025. The document is a Consultation which is open until March 2026. It is therefore likely to be subject to change before it is adopted and it carries very limited weight at this time. I have not, therefore, sought any responses from the main parties in this regard.

Planning obligation

5. A final s106 Planning Obligation, dated 12 December 2025, (the s106) has been provided⁷. It has been issued in counterpart form because one of the signatures needed to be in hard copy and the other electronic. The s106 secures:
- affordable housing (AH) at 35% of the total number of dwellings;
 - a Travel Plan including an Annual Travel Plan Report for five years and monitoring fee;
 - travel surveys including baseline surveys and then annually for five years;
 - a Traffic Regulation Order (TRO) and relevant contribution, including an annual Speed Survey Report for three years and, if justified, the TRO itself, which would be to reduce traffic speeds along Drayton Road;
 - the provision of open space, including Local Areas of Play (LAP), Multi-Use Games Areas (MUGA) and Locally Equipped Areas of Play (LEAP), management company provisions, and maintenance funding for two years;
 - two car club spaces and associated car club scheme;
 - mobility hubs and schemes;
 - a public transport contribution, for the enhancement of bus routes;
 - an education contribution, for the provision/expansion of primary school capacity within three miles, secondary school capacity at Sir Thomas Freemantle or Cottesloe School, and SEND Unit or special school capacity at Furze Down;
 - a primary healthcare contribution, for relocating the Water Eaton Health Centre;
 - a sport and leisure contribution, for facilities to be determined within Stoke Hammond parish;
 - the Council's monitoring fee;
 - a Newton Longville Traffic Calming contribution; and,
 - Self-Build and Custom-Build (SBCB) plots of at least 5% of the total number of dwellings.
6. The Council's CIL Compliance Statement⁸ sets out the detailed background and justification for each of the obligations. In addition, the Integrated Care Board⁹ provided justification for the proposed contribution towards relocating the Water Eaton Health Centre. This is agreed between the main parties. I am therefore satisfied that the provisions of the submitted agreement would meet the tests set out in Regulation 122 of the CIL Regulations 2010 (as amended) and the tests at Paragraph 57 of the National Planning Policy Framework (the Framework), and I have taken them into account. This is with exception to the Newton Longville Traffic Calming contribution and the education contribution, both of which are in dispute. I turn to these as appropriate in my Decision.

⁷ HD17 and HD18

⁸ CD4.13

⁹ HD13

Main Issues

7. The appeal is against the non-determination of the application by the Council. Since the appeal was submitted, the Council has confirmed¹⁰ that, had it been in a position to determine the application, it would have been approved under delegated powers. However, there are detailed objections from an interested party with regard to highways issues. There is also a remaining dispute with the Council regarding the level of harm to the character and appearance of the area. The main issues are therefore:
 - the effect of the proposed development on the character and appearance of the area, in particular landscape character; and,
 - the effect of the proposed development on the efficient operation of the highway network.
8. In addition, there are several points of detail raised by the Council with regard to flooding and drainage issues, and the appellant has challenged the weight to be attached to SBCB housing and AH. The principle of the development and the accessibility of the appeal site are also matters which were discussed during the Hearing. Also, although it is common ground that the Council cannot demonstrate a five-year supply of housing land, the amount of shortfall is disputed. I will, of course, need to consider the overall planning balance. Lastly, there are the matters of dispute with regard to the s106, as set out above. All of these are important other matters in addition to the main issues.

Reasons

Character and appearance

Existing

9. The site comprises agricultural fields and some agricultural sheds and buildings associated with Chadwell Farm. The main farmhouse and agricultural buildings are outside the red line and the appeal site wraps around that area. The site slopes downwards from north west to south east, with a shallower gradient nearer Drayton Road before getting steeper further southwards. To the north is Drayton Road with the newly built¹¹ outer suburb of Milton Keynes 'Newton Leys' lying directly opposite. To the east is the busy dual carriageway A4146 and a railway line. To the south and west the boundaries of the site are hedgerows, with agricultural fields beyond.
10. The fields to the northern half of the site are nearest Newton Leys and on a shallower slope. Although intrinsically of agricultural and countryside character, their character is influenced by Newton Leys and the A4146. They feel partly associated with these urban influences. This is mitigated to a degree because of their relationship to the farm complex. However, that sits down the valley, lessening its visual relationship to this part of the appeal site.
11. The buildings in Newton Leys directly along Drayton Road include prominent four-storey blocks of flats. The existing building line ends on a ridge line before the land slopes downwards, including the appeal site, which enhances this prominence. However, it does not feel like a topographical marker to the edge of

¹⁰ See the Delegated Officer Report, 10 October 2025

¹¹ Ref APP/J0405/A/11/2152198/NWF, in January 2012

the town, partly because of the shallowness of the initial slope, partly because the town is clearly itself a newly built area, and partly because of the disrupting north south influence of the A4146 and the railway line.

12. The bottom/southerly fields have a greater agricultural feel. Because they are down the slope towards the valley they are divorced from Newton Leys. They feel intimately connected to the farm complex and they also have a more direct visual relationship with the wider agricultural land both in and on the opposite side of the valley to the south and west.
13. Screening from trees means there are only glimpsed views of the appeal site from the A4146. However, it is clearly visible from along Drayton Road and from the residents in Newton Leys which overlook the site. There is also a bridleway¹² which runs from Newton Leys over Drayton Road and then down the eastern border of the appeal site. This provides regular views of the site. From further afield, the Newton Leys buildings, in particular the large blocks of flats, remain prominent and influence the appreciation of the higher/northerly fields. The A4146 and the railway line are also prominent urban features which influence all of the appeal site.
14. The appeal site does not fall within any statutory landscape designations and is not a valued landscape. It forms part of the Newton Longville-Stoke Hammond Claylands Landscape Character Area (LCA 4.9). The Aylesbury Vale Character Assessment finds that the condition of LCA 4.9 is moderate and the sensitivity is low¹³. The 'key characteristics' are found to include rolling clay mixed farmland but with a nucleated settlement pattern and intrusive urban elements from the suburban edge of Bletchley and the Stoke Hammond bypass and the West-Coast mainline railway, with which I agree and is reflected in my assessment of the existing character and appearance above.

Assessment

15. A group of agricultural buildings to the north and east of the farmhouse complex would be demolished. The existing agricultural buildings are of nondescript appearance and are slightly divorced from the main farmhouse complex. There would be no harm from the demolition of these buildings.
16. The proposed development would introduce a housing estate across the appeal site. It is in outline but a drawing for determination¹⁴ confirms that the built form would be across the northern half of the site and also in the south west corner. Illustrative details are for a mixture of detached, semi-detached and small terraces of homes between two and three-storeys high. The proposal would, therefore, urbanise the site and this would cause some intrinsic harm to the landscape, more pronounced in the area to the south and east where the existing quality of the landscape is higher and there is the greater relationship to the wider countryside.
17. There would be significant areas of open space around the retained farmhouse complex and along the southern and eastern boundaries, and further pockets of open space throughout. This would provide some mitigation, which would

¹² Bridleway SHA/8/4

¹³ Pdf 8, CD7.10

¹⁴ Land Use Parameter Plan Ref 241000-CWA-ZZ-00-DR-A-0100 Rev P04 – CD1.5

increase over time as proposed landscaping matured. However, even these areas would be of a different character to the existing agricultural land because they would be of parkland appearance and use, with obviously manmade intrusions such as the balancing ponds. In addition, the proposed landscaping would not fully screen views of the proposal, either from nearby or longer distance viewpoints. Some harm would therefore remain from the principle of development of the agricultural land.

18. Importantly, though, the proposal would read as a natural extension to Newton Leys, with built form up to the border with Drayton Road. As set out above, the southern border of Newton Leys does not relate particularly well to the surrounding landscape, with the four-storey blocks of flats being particularly prominent. The existing extent of built form is not only new but does not form a logical boundary to Bletchley/Milton Keynes. Instead Newton Leys provides an existing urbanising influence which partially mitigates the harm from the proposed built form. A further mitigating feature is the A4146 and railway line to the east. These are prominent and obvious manmade intrusions and the proposal would not intrude beyond them to the east.
19. When seen from wider views, the proposal would simply read as an extension to Newton Leys, which is prominent in the immediate backdrop to the site. There would not, therefore, be any harm to Newton Leys and the proposal would integrate well with this existing community. A combination of the softening of the edges of the site through landscaping and open space areas, which could be controlled by condition(s), and the maximum heights of three-storeys for the proposed buildings, would ensure that the proposal would not cause unacceptable harms to the wider agricultural and countryside landscape.
20. From closer up, particularly from the sensitive users of the Public Right of Way (PRoW) to the east, there would be a more meaningful harm from the urbanisation of the site. However, this is only over a small stretch of a much longer PRoW and this is only along a part of the PRoW which already has significant urban influences from Newton Leys and the A4146. This limits the harm in this regard.
21. The Council has raised concerns regarding some elements of the detailed design, for example the use of cul-de-sacs. However, the design is only illustrative. The proposed density is 32 dwellings per hectare, which provides sufficient capacity for changes to be made to the detailed design at reserved matters and condition discharge stages, and there is no reason to believe that a high quality and appropriate final design could not be achieved at this density. For example, the slope of the site provides the opportunity to provide interesting design solutions, and the possibility to play with building heights, which could enhance the design quality of the proposal.

Overall

22. Because of the inherent urbanisation of the site, and particularly towards the more sensitive and higher quality southern part of the site, the proposed development would harm the character and appearance of the area, in particular landscape character. However, this would only be to a limited degree because of the existing backdrop of Newton Leys, which the development would read as an extension to, and become visually associated with, once built. There is also

further partial mitigation from existing urban influences of the A4146 and railway line to the east, and from the extensive proposed areas of open space and landscaping, albeit that these would also result in a change in character away from the existing agricultural feel. There is no reason to believe that a high quality detailed design could not be achieved on the site, including responding to the slope across the site and the relationship to Newton Leys.

23. Nevertheless, there would be a limited degree of harm to the character and appearance of the area. The proposal therefore fails to comply with Policies BE2 and Policy NE4 of the Vale of Aylesbury Local Plan 2013-2033, dated 2021 (the LP), which require high quality design with a particular focus on landscape character.

Highways

Methodology

24. It is common ground between the main parties that the traffic that would be generated by the proposal could be satisfactorily accommodated within the local highway network, subject to improvements to Drayton Road. However, there are detailed objections to the proposal from an interested party¹⁵, focussing on the use of the Milton Keynes Multi-Modal Transport Model 2023 (MKMMM)¹⁶ to inform the trip generation and distribution used in the Transport Assessment March 2023 (the TA)¹⁷ and Transport Assessment Addendum July 2025 (the TA Addendum)¹⁸.
25. The key concern of the interested party is the effect of the traffic that would be generated by the proposed development on the crossroads in Newton Longville, where Whaddon Road, Bletchley Road, Stoke Road and Drayton Road all meet. A series of objections are raised to the approach of the appellant, many of which are technical and detailed. The interested party has set out a series of alternative assessments¹⁹, considering various different scenarios. These are a helpful way to distil the implications of the concerns and objections raised. I therefore assess them below.
26. With regard to traffic distribution, the TA uses traffic counts that consider the Newton Longville crossroads and its baseline usage, and other priority junctions²⁰. Therefore, even if there are residual concerns regarding the accuracy of the MKMMM data, particularly at the local level of Newton Leys and around the appeal site, this additional information, which builds upon the data in the MKMMM, provides re-assurance that the traffic levels have not been under-counted and/or predicted. With regard to a specific concern raised, the natural route for traffic leaving Newton Leys is via Jersey Drive so I do not view heavy use of Lansbury Road to be likely. Therefore, whether or not such traffic is accounted for in the TA modelling, it would not have a material effect on the results. Overall, a re-assessment of the TA modelling with regard to Newton Leys traffic and traffic distribution is not, therefore, necessary.

¹⁵ CD4.19 and CD4.21

¹⁶ CD4.22 to CD4.27

¹⁷ CD1.39

¹⁸ CD1.40

¹⁹ Page 12, CD4.19

²⁰ The Drayton Road/Lansbury Road junction and the A4146/Drayton Road/Jersey Drive roundabout

27. There is a planning application called Willis Dawson in Newton Leys²¹. However, the evidence before me is that this is not yet determined, so it is not a committed development. There is a further proposal at Shenley Park²². However, this is included within the MKMMM and therefore in the TA modelling, as confirmed at Paragraph 7.10 of the TA. The traffic from these proposals do not, therefore, need to be added to what has already been included within the TA modelling.
28. I do not, therefore, view it as necessary to consider alternative modelling scenarios to those as submitted by the appellant. This is in agreement with the Highway Authority, whom has stated that it is satisfied that the TA methodology is robust²³. I also note that there is no objection from National Highways²⁴.

The crossroads

29. The Newton Longville crossroads junction operates at over capacity in the AM and PM peak periods as existing. The appellant's own assessment acknowledges that the proposal would add additional traffic through this junction in those peak periods, as well as at other times.
30. The most appropriate scenario to consider is the 2031 prediction with the development and commitments included, to gain a picture of the likely operation of the junction soon after the development is completed and occupied. The prediction is that the delays and queues to the Stoke Road arm of the crossroads, which is the most relevant arm because it is that which leads towards the proposed development site, would increase by 47 seconds and five vehicles respectively.
31. This is a material increase in queuing time and number of vehicles. However, the increases must be considered in the context that the existing queues would be moderately long in 2031 even without the proposed development, at approximately four minutes in the AM peak²⁵. The increase in vehicles would be from 35 to 40. The proportionate effect of the proposal is therefore only moderate, and I do not view this as a severe impact on the road network.

Mitigation

32. Even if not severe, there is an impact. The s106 secures a contribution that could be used towards traffic calming in and around the affected junction in Newton Longville. The detail of what these measures would be is not set out in the s106, but the aim is confirmed to be to deter development traffic from using Whaddon Road/Stoke Road, by increasing journey times. Potential measures could include average speed camera systems, chicanes in the road, or narrowing of the carriageway. However, the efficacy of such measures to make the journey through Newton Longville so unattractive that it would materially deter journeys has not been substantiated. In addition, I do not see this as necessary with reference to Paragraph 115 of the Framework, because the effect of the proposal on traffic through the crossroads would not be significant.

²¹ Ref 24/03820/AOP

²² Ref 23/02180/AOP

²³ CD2.5

²⁴ CD2.17

²⁵ Table 14, CD1.39

33. In addition, the Salden Park development has already secured a contribution towards traffic calming through Newton Longville. Any further works in this regard are not justified by the only moderate additional effect of the proposal on the highway network in this area. I therefore direct, using the powers at Clause 7.15 of the s106, that the Newton Longville traffic calming contribution is not a material consideration and shall cease to have effect.

Overall

34. For the reasons set out above, the proposed development would only have a moderately negative effect on the efficient operation of the highway network. It would therefore comply with Policy T1 of the LP which reflects the Framework with regard to not creating severe impacts on the highway, Policy T4 which is that there should be evidence that there is sufficient capacity in the transport network to accommodate the increased travel demand, and Policy T5 of the LP which is to only permit development if necessary mitigation is provided.

Other Matters

Principle

The Local Plan

35. Policies S2 and S3 of the LP²⁶ set out the spatial strategy for the Council. This includes the provision of homes at various specified locations, including on sites adjacent to Milton Keynes²⁷ for up to 1,150 homes. The appeal site is not one of the allocated sites for these 1,150 homes and the proposal for up to 290 houses is therefore in conflict with this policy.
36. Policy S3 of the LP confirms that sites outside of allocations which are in the countryside, as is the case for the appeal site, should be avoided for development. This is especially so when the proposal would compromise the countryside character between settlements and result in the coalescence of settlements. A 'settlement' is not defined in the policy. However, Table 2 lists settlements. This includes Stoke Hammond but not Newton Leys. It is debatable whether Newton Leys is a settlement because it could be seen as an extension to Milton Keynes/Bletchley rather than a village in its own right. Milton Keynes as a whole and Newton Leys in part are in a separate Council area, bringing further ambiguity. Overall, Newton Leys is a 'settlement' because it is either so as a village in its own right or by being considered as part of Milton Keynes/Bletchley, and Borough boundaries do not affect the physical nature of settlements.
37. The proposal would therefore be in a countryside location between the settlements of Newton Leys and Stoke Hammond and would compromise the character of the countryside, as set out above. However, it would not lead to coalescence because there would remain a significant gap to Stoke Hammond, as well as the physical barriers created by the A4146 and the railway line. Both parts of the policy that are required for development to be especially avoided are not therefore met. However, the principle of the development still represents a

²⁶ CD3.1

²⁷ Sometimes described as 'land to north east of Aylesbury Vale', as can be seen by cross-referencing to Table 1 and Table 2

conflict with the general principle of avoiding countryside development, and therefore there is conflict with Policy S3.

38. The Council has confirmed that housing delivery has been below anticipated rates and that, therefore, Policy D3 of the LP is engaged. This policy supports proposals on non-allocated sites but only subject to six criteria, all of which must be met. As set out above, there would be harm to landscape character, and one of the criteria is that there be no adverse impact on landscape. The proposal does not, therefore, accord with Policy D3.

The Stoke Hammond Neighbourhood Plan

39. The Stoke Hammond Neighbourhood Plan 2030 – 2040²⁸ (the NP) was published in July 2024. The appeal site lies within the area covered by the NP. The Inspector's Report was issued 4th November 2025²⁹. The Council has issued a position statement³⁰, dated 10th December 2025, confirming that it will adopt the recommendations made in the Inspector's Report and then seek to take the NP to a referendum. This is expected to take place on 5 February 2026³¹. Although there is now a clear route towards the NP being 'made', it is not yet known if it will pass the referendum. I therefore place only moderate weight on the NP.
40. With regard to the content of the NP, Policy SH1 defines settlement boundaries (SB) for Newton Leys and Stoke Hammond. Development outside the SB, such as on the appeal site, will not be supported unless it is essential or appropriate to a countryside location. It is self-evident that the proposed housing scheme does not fulfil this criteria. There is a proposed modification regarding this policy in the Inspector's Report³², however this is with regard to the precise wording to be used to describe Newton Leys and does not alter the principles of the policy. The NP also sets out various site allocations at Policy SH9 for up to 150 homes, none of which relate to the appeal site. The proposal therefore conflicts with these policies and with the spatial strategy of the NP.

The emerging Local Plan

41. Regulation 18 consultation has been undertaken for the Local Plan for Buckinghamshire, dated September 2025 (eLP)³³. However, the current programme is for Regulation 19 consultation to be undertaken in July 2026, with an Examination in Public in early-2027 and adoption in late-2027. In its current form, the eLP has several high level options with regard to spatial strategy, for example with seven different options for the approach to housing delivery³⁴. The eLP therefore carries very limited weight.

²⁸ CD3.2

²⁹ CD3.28

³⁰ HD14

³¹ HD19

³² PM1, page 21 – CD3.28

³³ CD3.3

³⁴ Part 1, pg 39 table – CD3.3

Accessibility

Existing

42. The appeal site lies 700m from the Newton Leys local centre, which includes a supermarket, cafes, a barber, and takeaways. Slightly further afield, at approximately two miles walk or three miles drive, is the town centre of Bletchley with a wide range of shops, services and facilities. Milton Keynes, with extensive services, facilities, employment opportunities, and cultural offerings, is approximately a six mile drive. There are two primary schools and one secondary school within two kms³⁵.
43. Currently, there are no footways on either side of Drayton Road along the site frontage, and no safe crossing points over the road. However, once in Newton Leys, the estate has footpaths providing pedestrian access to the Newton Leys local centre and Newton Leys primary school. The Water Hall primary school and Sir Herbert Leon secondary schools can be reached on a footpath from Newton Leys along Drayton Road. Although this passes over a narrow ridge, the footpath is separated from the road at that point by a barrier.
44. Bridleway SHA/8/4 runs along the eastern side of the site, parallel with the A4146, and connects the site with Stoke Hammond via Bridleways SHA/8/3 and SHA/6/1. The bridleway is unlit, in places overgrown, and has poor surfacing. It is useable, at least during daylight hours, by pedestrians and horses, but less so for cyclists. In general, there are no dedicated cycle lanes in the immediate area and cyclists are expected to use the main carriageway.
45. The nearest bus stops are on St Helena Avenue at approximately 400m from the appeal site, which serve bus routes 100 and MAS002. There are also bus stops further into Newton Leys at approximately 650m from the site, which serve bus routes 5, 603, 701 and 943. Between these stops, there are regular services to Milton Keynes, Aylesbury and Bletchley. There are also several school services. Some of the bus routes provide connections to Bletchley and Milton Keynes Central train stations, which provide services further afield, including regular services to London.

Proposed

46. The appellant has proposed to provide a Pegasus crossing for cyclists and pedestrians from Bridleway SHA/8/4 to the existing footway to the north of Drayton Road. This is in the same location as the current informal crossing of the PRow over Drayton Road, near to the roundabout with the A4146. This would then connect into the appeal site on this north eastern boundary. The Council's preference is that the crossing of Drayton Road should be further away from the roundabout and then link directly into the appeal site before then cutting back to the existing bridleway further south.
47. It is also proposed to upgrade the existing footway running along the western verge of Jersey Drive to a 4.0m wide shared footway between the proposed Pegasus crossing and the Jersey Drive/Hebrides Gate traffic signal junction. There would be further improvements to the ability to cross Drayton Road at the

³⁵ My apologies for mixing and matching kms and miles – I have largely used the distances as provided in the evidence

proposed signalised junction through the creation of light controlled pedestrian crossing points.

Assessment

48. The services and facilities which can be reached on foot and bike from the appeal site are all located in Newton Leys or Bletchley, to the north of Drayton Road. The proposed controlled crossings of the road and works to integrate these into the existing footway network in the estate would create convenient and safe access to those services and facilities for the future occupants of the proposal.
49. With regard to the location of the Pegasus crossing, the location indicatively indicated by the Council³⁶ would likely be safer because of the increased distance from the major roundabout with the A4146. Subject to the detail of the crossing and its links to the existing footway being controlled by condition, this would be acceptable.
50. The proposed works to widen the footway to become a shared cycle/pedestrian route that would link to existing cycle routes further north would provide the opportunity for cyclists to cycle off the main carriageway and would therefore enhance accessibility by bicycle in the area and to the appeal site.
51. The bridleways provide access to Stoke Hammond but are unlit and in a poor state of repair for the purposes of cycling. However, Stoke Hammond only offers a very limited range of services and facilities and providing access to the village is not necessary.
52. Whilst the two sets of bus stops are close to the northernmost part of the appeal site, they would be over 500m for the occupants of the future dwellings to the south and west part of the proposal. This would therefore be in excess of the desirable distance to walk to a bus stop to encourage its use of 400m or less, as set out in the Institute of Highways and Transportation (IHT) guidance document 'Providing for Journeys on Foot'. This route is also an uphill walk from the site to the stops, as well as involving crossing Drayton Road. However, the s106 secures a public transport contribution, which could be used by the Council, if necessary, to enable bus routes to be diverted into the appeal site. I am therefore satisfied that there would be convenient and suitable access to bus services for all the future residents of the proposal.

Overall

53. Once on the opposite side of Drayton Road, the appeal site is accessible by foot and bicycle to a range of services and facilities in Newton Leys and Bletchley, and further afield by bus. The proposed works would create safe and suitable access over the road, and also enhance cycle provision beyond. Accessibility to bus routes would be good and could also be enhanced either via redirecting bus routes into the appeal site. Overall, therefore, the accessibility of the appeal site by non-car based modes of transport would be high.

³⁶ See pdf 2, CD2.5

Highway safety

54. Two new vehicular access points are proposed, both from Drayton Road. The primary access would be opposite the existing t-junction with Lansbury Road, creating a signal-controlled x-junction. Associated pedestrian crossing facilities, cycle access, and road improvement works would be made. The works would involve re-aligning and then closing up the existing vehicular access to both the farm and a house called 'The Lodge'. The secondary vehicular access point would be further west along Drayton Road and would form a simple un-signalled t-junction with associated widening and realignment of Drayton Road. The HA has reviewed the proposed junctions and does not object to them³⁷, and I see no reason to disagree.
55. Drayton Road has a national speed limit, ie 60 mph. The proposed development would create a signalised junction shortly after/before a roundabout, a second junction, as well as built form close to the road. All these features would naturally reduce driving speeds, particularly because the road would become a route through built form on both sides. However, it is not known to what degree speeds would be naturally lessened. It is therefore proposed that, through clauses in the S106, the appellant undertake speed surveys over a three year period along the road, which would be submitted to the Council and made publicly available. If this finds that the driving speeds along the road are at unsafe levels, then the s106 includes clauses to enable the official speed limit of Drayton Road to be reduced.
56. Subject to the measures set out in the s106 and to be controlled by conditions, I therefore agree with the common ground between the main parties that that the proposed development would be served by safe and suitable accesses, and that there would be no unacceptable effects on highway safety.

Flooding

57. Most of appeal site is in Flood Zone 1 (FZ1) 'low risk' for fluvial flooding, although there are parts in Flood Zone 2 (FZ2) 'medium risk'. This is, as you would expect, to the south eastern corner of the site nearest the existing watercourse³⁸. The appellant's Flood Risk Assessment, dated 30 May 2025³⁹ (the FRA) demonstrates that all the proposed built development would lie outside FZ2. Only a small part of the proposed open space on the far edge of the appeal site, which would not be required for access to any of the proposed built development, is in FZ2. The Environment Agency (EA) has confirmed⁴⁰ that the proposal, subject to control of the detailed design at reserved matters stages, would remain safe for its lifetime with regard to fluvial flooding and would not increase flood risk elsewhere. This is subject to control by condition to ensure that any influence on the culverts underneath the A4146 are properly taken into account.
58. In addition, because there would be no built form, access points or other vulnerable elements within the area within FZ2, a sequential assessment is not required, as set out at Paragraph 175 of the Framework. It is therefore common

³⁷ CD2.5

³⁸ See Appendix B, Flood Risk SoCG – CD4.9

³⁹ CD1.31

⁴⁰ See Appendix A, Flood Risk SoCG – CD4.9

ground, and I agree, that, subject to control by condition and the detailed design at reserved matters stage, the proposal is acceptable with regard to fluvial flood risk.

Drainage

Existing

59. There is an existing pond to the south west of Chadwell Farm. This pond and immediately surrounding it, further small areas to the south east of the pond, and a small completely separate area to the north west of the farm are identified by the EA as being at risk of pluvial flooding with a 1 in 30 chance of flooding each year. There would likely be built form on the area to the north west of the farm and potentially also to small parts of the areas near the pond. In addition, an important aspect of pluvial flows is an existing culvert under the A4146 to the east of the application site. This is a large, concrete culvert.

Proposed

60. The proposed surface water drainage strategy is primarily to create attenuation basins to control discharge off the site and into the watercourse to the south and east of the appeal site. The run-off rate is proposed to be slightly lower than greenfield run-off rates, at three l/s/ha.

Assessment

Drainage and modelling

61. With regard to controlling surface water flows and the risk of off-site flooding, the Local Lead Flood Authority (LLFA) objected to the proposal⁴¹, primarily based on the hydraulic model used by the appellant and the calculation of greenfield run-off rates. At the Hearing, the LLFA confirmed that it requires more detailed information to calculate the greenfield run-off rate and to inform modelling. This information is not possible to provide until reserved matters stages, when the final layout is known. The LLFA confirmed⁴² that it expects any changes to the run-off rates, and therefore to the proposed drainage strategy, to be minor. The Council and LLFA confirmed⁴³ that there is no reason to believe that any changes cannot be accommodated as part of the normal design evolution of the proposals at reserved matters stages, subject to control by condition(s).
62. The Internal Drainage Board (IDB) objects to the proposal⁴⁴, primarily because of concerns regarding what would happen if the culvert under the A4146 became blocked, and also because of related requests that more detailed modelling and work on the drainage strategy are undertaken prior to determination of the appeal. However, with regard to the culvert under the A4146, the LLFA confirmed at the Hearing that this appears to be in good condition. It is also large and the likelihood of it being blocked to a meaningful degree is low. IDB have a responsibility to keep it clear. There is therefore a very low risk that a satisfactory design solution with regard to drainage could not be achieved, and I am content that the detailed design of the drainage proposals and associated modelling can

⁴¹ See CD2.3, CD2.13 and CD4.5

⁴² At the Hearing

⁴³ At the Hearing

⁴⁴ CD2.11

be left until the reserved matters and condition discharge stages. The s106 also secures the maintenance of the drainage features once agreed and installed.

On-site pluvial flooding

63. The areas on the appeal site which are shown as being at risk of pluvial flooding are isolated low points and depressions, or directly associated with an existing pond. The pond is proposed to be incorporated into the public open space. At least one of the isolated low points and depressions would potentially, however, be in areas where built development is proposed. However, these small areas of ponding would naturally be alleviated as part of the detailed design process and as part of the reserved matters coming forward. Further detail of the surface water drainage scheme could be controlled by condition(s).
64. Nevertheless, there are areas which are at current risk of pluvial flooding and a sequential assessment has not been undertaken. However, the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development without increasing flood risk elsewhere. Therefore, in accordance with Planning Practice Guidance, a sequential test need not be applied⁴⁵.
65. The Preliminary Drainage Strategy⁴⁶ shows the northern bank of a proposed drainage basin (Basin 3) extending into the easement of a gas main. The basin must be located wholly outside of the easement. However, the incursion is small and this could be rectified in the detailed design of the drainage proposal, as could be controlled by condition.

Overall

66. It is therefore common ground, and I agree, that, subject to control of the detail, installation and maintenance of suitable drainage works, and of the overall layout and design, at reserved matters stage and by conditions and the s106, the proposal is acceptable with regard to on-site pluvial flooding and drainage.

Education

67. The s106 proposes an education contribution. This is with regard to the effect of the proposal on local schools. The contribution is agreed with regard to secondary schools. However, there is dispute regarding the requested contribution towards primary education⁴⁷.
68. In this regard, the DoFE's guidance is that a reasonable walking distance to a primary school is two miles. Within this catchment area of the appeal site there are five primary schools, all within Milton Keynes City Council (MKCC) boundaries. There is also one school just outside this catchment within Buckinghamshire County Council (BCC). There is a total of 218 spare spaces in these schools, 11 of which are in the BCC school⁴⁸. Using a methodology from BCC, the proposal would likely create a child yield of 94 primary aged children. Using the Department for Education's (DoFE) methodology, the yields rise

⁴⁵ PPG Flood risk and coastal change, Paragraph: 027 Reference ID: 7-027-20220825

⁴⁶ DR-0004 Rev C, 29/05/25 – CD1.33

⁴⁷ See CD4.15 and as agreed at the Hearing

⁴⁸ See Table 4.1, CD1.33

substantially to 163 primary aged children⁴⁹. Therefore, even using the DofE's figures, there is sufficient capacity to accommodate the child yield.

69. The majority of schools with capacity are in MKCC boundaries. The s106 secures funding for BCC with regard to primary education. However, there is sufficient capacity in the MKCC and BCC schools such that they would be able to accommodate the proposed child yield. I acknowledge that the catchments of the MKCC schools might not currently expand towards the appeal site, particularly because it is on BCC land. However, there is nothing to prevent this changing in the future in response to the proposal. This is not in the control of the planning system. The important factor from a planning perspective is that there is capacity within schools accessible to the future occupants of the appeal site, irrespective of the administrative boundaries. In this regard, because there is capacity within primary schools within a reasonable distance of the appeal site, a contribution cannot be necessary.
70. I therefore direct, using the powers at Clause 7.15 of the s106, that the education contribution as it relates to primary school places only, is not a material consideration and shall cease to have effect.

Agricultural land

71. The appeal site is agricultural land. This is mostly Grade 3b, ie not Best and Most Versatile (BMV) land as defined by the Framework. However, there is approximately 2.1 ha of Grade 2 land, which is BMV land. All this land would be lost as a result of the proposal. Policy NE7 of the LP requires that in such circumstances, the benefits of the proposal should outweigh the harm resulting from the loss of BMV and that a sequential assessment be undertaken to ascertain if poorer quality agricultural land could accommodate the proposed development.
72. Only around 2.1 ha of BMV land would be lost. The benefits of the proposal are extensive, including the provision of up to 290 dwellings in an area where the five-year supply of housing land is not being met. It is therefore common ground, and I agree, that the benefits of the proposal outweigh the harm from the proposed loss of BMV, and that this part of the policy is therefore met.
73. A sequential assessment has not been undertaken. There is therefore a technical conflict with Policy NE7. However, the harm is limited because only 2.1 ha of BMV land would be affected. The proposal would therefore accord with the Framework which, at Footnote 65, confirms that a sequential approach to the consideration of BMV is only required where significant development of BMV is proposed. The Council has not, therefore requested that a sequential assessment be undertaken and, although there is some harm from the technical conflict with Policy NE7, this is limited.

⁴⁹ See Table 4.3, CD4.15

Planning Balance

Positive

Market housing

74. It is common ground that the Council's five-year housing requirement is 7,648 homes. The Council's position in its latest North and Central Area Five Year Housing Land Supply Position Statement 2025 (the Position Statement) is that its supply is 5,543 homes, equating to a 3.62 year supply of housing land⁵⁰. In the Council's evidence⁵¹, and as reiterated at the Hearing, the Council agrees that the sites which it has classed as 'developable' as opposed to 'deliverable' should not be counted in the housing land supply as a point of principle.
75. However, it is unclear how the Council's supply has been calculated because the figures quoted in Table 3 of its Position Statement do not tally with those provided at Appendix 1 of the same document. For example, the appendix has 2,569 homes on Category A sites whereas Table 3 quotes 2,890 dwellings for the same sites. It is not, therefore, possible to have a clear picture on whether or not, and to what extent, 'developable' sites have been included in the Council's supply calculation. What I can say with certainty, though, through the simple summation of the totals provided for each site, is that Appendix A shows a supply of 4,587 homes on Category A and B sites. With the addition of the windfall allowance of 560 homes, this equates to a total supply of 5,147 homes, or 3.36 years.
76. There is further dispute regarding Site AGT4 (a Category B site). This is a large site with permission for 3,000 homes. The assumed build-out rate by the Council is 300 dwellings per annum (dpa). A site of similar scale at Kingsbrook has achieved an average buildout rate over the past four years of 230 dpa⁵². In addition, that site had four housebuilders. At Site AGT4, there is only one housebuilder. The evidence from the appellant is that the average buildout rate for similar sites is 144 dpa. The Council's position is based on information from developers as well as internal consultation⁵³. However, the detail of these responses has not been provided and its position is largely unsubstantiated. Partly because of this, and partly because there is only one housebuilder on the site, I therefore adopt the 144 dpa figure. This reduces the contribution from Site AGT4 to the five-year housing land supply from 925 to 507 homes.
77. The build-out rates assumed for the site 'Salden Park' (also Category B) are also contested. The appellant's evidence is that for a site of this size and type, the build-out rate should be 102 dpa. Again, in the absence of substantiated evidence to the contrary, I adopt this figure. This reduces the contribution from this site to the housing land supply from 780 to 356 homes.
78. I therefore calculate the housing land supply to be $2,569^{54} + (2,018 - (418 + 424))^{55} = 3,745$ homes. This is 2.44 years. There is some uncertainty over this

⁵⁰ Table 4, CD3.16

⁵¹ Paragraph 4.7, Ibid

⁵² Row 28, CD3.18

⁵³ Paragraph 4.1, CD3.16

⁵⁴ Category A as calculated directly from Appendix A

⁵⁵ Category B as calculated directly from Appendix A, minus the homes to be removed from Site AGT4 and Salden Park

figure because of the inconsistencies between the figures in Appendix 1 of the Position Statement and the claimed approach to the calculation within the same document. However, it is clear that, even adopting the Council's case, there is a significant shortfall of housing supply against the target of five years. Under either a 3.62 or 2.44 year supply or any figure between, I place substantial weight on the proposed market housing.

Affordable housing

79. 35% AH is proposed, as secured through the s106. This is 10% more than the LP requirement of 25% as set out in Policy H1⁵⁶. Evidence has been submitted by the appellant with regard to the AH need, delivery, shortfall and consequences in the Borough. This was also discussed at the Hearing. However, the provision of AH is at least as important as market housing because AH is, after all, also the provision of homes for people to live in. I therefore place substantial weight on 25% of the AH. In addition, I place very substantial weight on the 10% of AH which goes beyond policy requirements. Any extra weight to be applied to the proposed AH would not, therefore, be determinative, and I do not need to consider the detail of this factor further.

Self-Build Custom-Build

80. 5% SBCB housing is proposed, as secured through the s106. Similarly to AH, the appellant has submitted evidence in this regard and it was discussed at the Hearing. The key difference between the parties is that the Council applies moderate weight to the SBCB whereas the appellant applies substantial weight. SBCB housing is housing. It should not, therefore, carry any lesser weight than I have applied to the proposed market housing. This is substantial weight, as set out above. I do not, therefore, need to consider the detail of this factor further.

Economic

81. The proposal would bring economic benefits through the creation of jobs during construction and then the expenditure by future residents on local goods and services. I agree with the parties that economic benefits are not automatically 'significant' because of Paragraph 85 of the Framework. In this case of the appeal proposal, it is of medium scale and features no commercial floorspace. I therefore attribute moderate weight to the economic benefits of the proposal.

Public open space

82. Substantial public open space is to be provided, including LAP, LEAP and MUGA facilities. This space and the facilities would be useable not only by the future occupants of the proposal but also by existing residents in the nearby area, in particular Newton Leys. Particularly because of the ability for the proposed open space and facilities to be used by existing residents, I place moderate weight on this element of the proposal.

Biodiversity

83. There would be a Biodiversity Net Gain (BNG) of 11.27% habitat units, 21.3% hedgerow units and 13.8% watercourse units, as could be secured by condition. This is above the statutory requirement for a 10% BNG. Irrespective of the

⁵⁶ Page 182, CD3.1

statutory requirement, all the proposed BNG is an improvement on the existing situation. I therefore place moderate weight on this element of the proposal.

Transport

84. The s106 secures a contribution towards the enhancement of bus routes and also the provision of two car club spaces. Both the enhanced bus routes and the car club spaces would benefit existing residents in the surrounding areas. There would also be improvements to the highway in the area, including to cycle lanes and through upgrades to the PRow crossing of Drayton Road, which again would benefit existing persons in the local area as well as the future occupants of the proposal. Nevertheless, the extent of enhancements would be limited and the majority of the benefits would accrue to the future occupants of the proposal. I therefore place limited weight on these factors.

Neutral

85. The contributions secured in the s106 towards leisure facilities, health facilities and education would be in mitigation of the effect of the proposal on local infrastructure. Therefore, whilst there would be some benefit to the wider community from the works that the contributions would fund, there would not be a net benefit when factoring in the increased pressure on these services and facilities that would be imposed by the future occupants of the proposal. These factors therefore weigh neutrally in the planning balance.
86. It is the appellants intention to construct the development so that it exceeds the requirements of Part L of the Building Regulations. A condition could control that, in general terms the detailed design of the proposal would reduce and minimise energy and water use. However, as it stands, there is no guarantee of what the final scheme would achieve in these regards. Without this certainty, I can only assume that the proposal would meet Building Regulations but not beyond. These factors therefore weigh neutrally in the balance.
87. The proposed development would be served by safe and suitable accesses, there would be no unacceptable effects on highway safety, and there would be no unacceptable on-site risks from, or effects on off-site, fluvial or pluvial flood risk. These are all technical matters which it is expected that the proposal would meet, and therefore they weigh neutrally in the balance.

Negative

Principle

88. As key policies relating to the spatial strategy of the Council, the conflict I have identified with Policies S2, S3 and D3 of the LP is important. However, because the Council cannot demonstrate a five-year supply of housing land, the policies which are most important for determining the appeal, which must include those relating to the spatial strategy of the Council, are out-of-date, as set out at Paragraph 11d and Footnote 8 of the Framework. I therefore only place moderate weight on the conflicts with the spatial strategy.
89. With regard to the conflicts with Policies SH1 and SH9 and therefore the spatial strategy of the NP, there is no housing requirement figure or detailed calculation

of housing need underpinning the spatial strategy and/or site allocations⁵⁷. The Inspector of the NP was content with the overall allocations⁵⁸. However, this was not as a result of a detailed interrogation of housing need. Because of a combination of this ambiguity and that these policies are not only not yet adopted but, even if they were, would become out-of-date for the same reasons as set out above with regard to the LP, I therefore only place limited weight on the conflict with the NP in this regard.

Agricultural land

90. Only approximately 2.1 ha of BMV would be lost. The proposal accords with the Framework. However, there remains a technical conflict with Policy NE7 of the LP due to the failure to undertake a sequential assessment, to which I apply limited weight.

Character and appearance

91. As set out above, the proposed development would result in limited harm the character and appearance of the area, in particular landscape character. However, because the level of harm is limited this therefore also carries limited weight.

Free-flow of traffic

92. The proposal would create additional traffic by the future occupants of the homes. This would worsen the free-flow of traffic in the area, including through the already congested Newton Longville crossroads. However, the impact on the highway network would be only moderate. I therefore only place moderate weight on this factor.

Overall

93. The proposal's conflict with the spatial strategy of the Council, both at a district level in the LP and at a neighbourhood level in the NP, only carries limited to moderate weight because of the failure of the Council to demonstrate a five-year supply of housing land. There would also be moderate weight from the increased traffic and therefore worsening of the free-flow of traffic on the local highway network. The harm to the character and appearance of the area, including landscape, is limited. The loss of BMV and conflict with Policy NE7 of the LP are also limited in weight. By contrast, the benefits of the proposal are many and weighty. The proposed housing, of all types, would carry at least substantial weight. There would also be important economic, biodiversity, transport and open space benefits.
94. The cumulative weight of the benefits of the proposal clearly outweigh the moderate to limited harms. The proposal therefore complies with the Development Plan when considered as a whole. There are no material considerations which indicate that a decision should be made otherwise. Therefore, whilst the 'tilted balance' as set out at Paragraph 11dii of the Framework is engaged, this does not need to be considered further.

⁵⁷ See Paragraph 5.21, CD3.2

⁵⁸ Paragraph 4.49, CD3.28

Conditions

95. In addition to the standard reserved matters and time limit conditions, a condition specifying the relevant drawings provides certainty.
96. The pedestrian/cycle access points, parking and manoeuvring, electric vehicle parking, motorcycle parking and cycle storage, off-site highway works, Construction Traffic Management Plan (CTMP), signalised access, secondary access, post construction survey of the highway, visibility splays, and access to The Lodge conditions are necessary to ensure acceptable highway safety.
97. The pedestrian/cycle access points, Wayfinding Strategy, and cycle storage conditions are necessary to ensure that the proposal would be suitably accessible by non-car based modes of transport.
98. The landscaping condition is necessary to protect and enhance the character and appearance of the area.
99. The landscaping, Flood Risk Assessment (FRA), Surface Water Drainage Scheme (SWDS), and Whole-Life Maintenance Plan conditions are necessary to suitably control fluvial flooding, and drainage and surface water flooding.
100. The landscaping, great crested newt compensation, Construction Environmental Management Plan (CEMP): Biodiversity, Habitat Management Monitoring Plan (HMMP), Arboricultural Method Statement (AMS), Lighting Scheme, Ecological Impact Assessment, Organisational Licence, and Great Crested Newt Mitigation Principles conditions are necessary to protect and enhance biodiversity.
101. The CTMP, CEMP – for residential amenities, Air Quality Assessment (AQA), and pumping station noise conditions are necessary to protect the living conditions of existing occupiers.
102. The Acoustic Assessment and pumping station noise conditions are necessary to protect the living conditions of future occupiers.
103. The Energy Statement/Natural Resources Strategy, Written Scheme of Investigation, Contaminated Land Assessment, Validation Report, unexpected contamination, and accessibility and adaptability conditions are necessary to ensure that these technical considerations are met.
104. The housing mix condition is necessary to ensure that the final range of housing is suitably reflective of the housing need for the area.
105. The off-site highway works, CTMP, great crested newt compensation, CEMP: Biodiversity, HMMP, Acoustic Assessment, AMS, Contaminated Land Assessment, CEMP - for residential amenities, AQA, FRA, and SWDS conditions are necessarily worded as pre-commencement conditions, as a later trigger for their submission and/or implementation would limit their effectiveness or the scope of measure which could be used.
106. As discussed at the Hearing, it is important that there is co-ordination between the highways works covered by the signalised access, access to The Lodge, and pedestrian/cycle access points conditions. I have therefore used the same trigger of pre-occupation for the signalised access and pedestrian/cycle access points conditions, which will allow for the works to be co-ordinated so as they

can happen at the same time, if desired. The trigger for the access to The Lodge condition is necessarily after the implementation of the signalised junction, because one action follows the other.

107. As discussed at the Hearing, a draft condition in relation to requiring a Travel Plan is not necessary because it has been secured by the revised and engrossed s106.

Conclusion

108. For the reasons above, the appeal is allowed.

O S Woodward
INSPECTOR

ANNEX A: APPEARANCES

FOR THE APPELLANT:

Zack Simons KC. He called:

Cameron Austin-Fell MRTPI	Planning Director, RPS/Tetrattech
Steven Dury MRTPI	Planning Director, RPS/Tetrattech
James Parker CIHT MILT	Director, Hub Transport Planning
Mark Fleming FIHE	Associate Director, Hub Transport Planning
Wendy Lancaster FLI FRSA	Director, Tyler Grange
Chris Patmore CEnv MIES	Flood Risk & Drainage Consultant, RPS/Tetrattech
MCIWEM MCIHT	
Ben Pycroft MRTPI	Director, Emery Planning
Andy Moger MRTPI	Director, Tetlow King
James Stacey MRTPI	Director, Tetlow King
Will Thomas	Partner, Browne Jacobson
Rory Brooke MRTPI MIED	Savills
Kate Moodey	Savills
Richard Lomas	Richborough

FOR THE LOCAL PLANNING AUTHORITY:

Sue Pilcher MRTPI	Principal Planning Officer, Buckinghamshire Council - North Area (Aylesbury) (the Council)
Jonanthan Bellows CMLI	Team Leader Landscape Architecture and Urban Design, the Council
James Duncan	Lead Highways Officer, the Council
Justin Holley	Highways Officer, the Council
Kate Pearce	Sustainable Drainage Officer, Local Lead Flood Authority
Rachel Steele	Solicitor, the Council
Stephen Chinnani,	School Place Planning, the Council

INTERESTED PARTIES:

Steve Heath	Local resident
Stephen Clarke	Member, Stoke Hammond Parish Council

ANNEX B: HEARING DOCUMENTS

DOC 1	Appellant's List of Participants
DOC 2	Site visit itinerary
DOC 3	Decision Notice Ref 23/02299/APP, dated 21 November 2025
DOC 4	Appendix AA – Newton Longville Traffic Calming Scheme
DOC 5	Draft Conditions Schedule v6
DOC 6	Draft Conditions Schedule v6 Council comments
DOC 7	Draft Conditions Schedule v6 Inspector comments
DOC 8	Draft Conditions Schedule v7
DOC 9	Draft s106 Agreement dated 08/12/2025
DOC 10	Draft s106 Agreement dated 08/12/2025 Inspector comments
DOC 11	Draft s106 Agreement dated 09/12/2025
DOC 12	Water Eaton Health Centre Relocation Feasibility drawing, Ref 06452-102A
DOC 13	Milton Keynes Integrated Care Board comments, dated 8 December 2025
DOC 14	Stoke Hammond Neighbourhood Plan: Decision Statement on Proceeding to a Referendum, dated 10 December 2025
DOC 15	Great Crested Newt District License Planning Conditions and Informatives v7, dated July 2025
DOC 16	District License Report, dated 11 June 2025
DOC 17	S106 Planning Agreement, dated 12 December 2025, Council and appellant counterpart
DOC 18	S106 Planning Agreement, dated 12 December 2025, landowner counterpart
DOC 19	Notice of Neighbourhood Plan referendum date

ANNEX C: CONDITIONS SCHEDULE

1. Details of the appearance, landscaping, layout and scale, (herein after called “the reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
2. Applications for approval of the reserved matters of the development shall be made to the Local Planning Authority before the expiration of 18 months from the date of this permission.
3. The development hereby permitted shall be begun before the expiration of two years from the date of the approval of the related reserved matters application.
4. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Site Location Plan Ref 241000-CWA-ZZ-XX-DR-A-0001 P00;
 - Proposed Site Access Layout with Visibility Splays Ref T24509.001 rev C; and,
 - Proposed Primary Site Access Layout with Visibility Splays Ref T24509.004 rev C.

With reserved matters

5. Details of the precise pedestrian/cycle access points between the development to the public right of way (Bridleway SHA/8/4) and the crossing of the Drayton Road shall be submitted at the same time as the relevant reserved matters submission(s). The details to be submitted shall provide a crossing further from the roundabout than as shown on the submitted drawings, to be broadly in accordance with the suggested route by the Highway Authority in its comments dated 30 July 2025. The approved details shall be delivered prior to occupation of the development and thereafter retained as approved.
6. Reserved matters submission(s) shall include a detailed Wayfinding Strategy as appropriate. The approved Strategy shall be implemented at the locations identified prior to occupation of the development and thereafter retained as approved.
7. Reserved matters submission(s) shall include details of parking and manoeuvring in accordance with Policy T6 of the Vale of Aylesbury Local Plan. The approved details shall be implemented in accordance with the approved details and made available for use before the relevant dwellings are occupied. The areas shall thereafter not be used for any other purpose.
8. Reserved matters submission(s) shall include a schedule for electric vehicle parking, motorcycle parking and cycle storage in accordance with Policies T6, T7 and T8 of the Vale of Aylesbury Local Plan. The approved schedule shall be implemented in accordance with the approved details and made available for use before the relevant dwellings are occupied. The areas shall thereafter not be used for any other purpose.

9. Reserved matters submission(s) shall include:
- a scaled plan (1:200) showing all existing trees, shrubs and hedgerows to be retained, including crown spreads and Root Protection Areas (RPAs) for trees and plants to be planted;
 - location, type and materials to be used for hard landscaping, including specifications, where applicable for: a) permeable paving; b) sustainable urban drainage integration; c) use within tree RPAs;
 - a schedule detailing species, sizes and numbers/densities of all proposed trees/plants; including soil volume requirements, support measures, guards or other protective measures; biosecurity procedures including best working practices to reduce the spread of pests and disease. Species selected must be suitable to the soil and climate resilience and meet the Landscape Institute's 10:20:30 rule for species, genera and families;
 - a minimum 5m natural buffer to each face of existing and proposed hedgerows;
 - tree-line streets with verges accommodating tree planting to be a minimum of 2.5m in width and length throughout the urban areas;
 - the type, dimension, soil volume and infill components of the proposed planting pits of all new trees, including soil volume requirements and cross-sectional drawings, noting that trees in urban areas will require the use of underground rooting apparatus or modular systems to achieve soil volume and prevent compaction;
 - locations of all existing services and those proposed, which should be positioned within the highways to ensure they do;
 - not conflict with existing or proposed trees, including underground rooting apparatus;
 - specifications for operations associated with plant establishment and maintenance that are compliant with best practice; methods to improve the rooting environment for retained and proposed trees and landscaping including watering, weed control, pruning, etc.; and,
 - types and dimensions of all boundary treatments (including excavations and methodologies required for their implementation).

The development thereafter shall be implemented in strict accordance with the approved details.

10. Reserved matters submission(s) shall include an Energy Statement/Natural Resources Strategy to demonstrate how the energy hierarchy has been applied and how the development minimises the use of natural resources through the implementation of specific measures on site. The Statement/Strategy shall address the following:
- How energy use is reduced and minimised, in particular through the use of sustainable design and construction methods;
 - How water efficiency and minimisation of use are to be encouraged;
 - Measures to promote waste minimisation and recycling; and,
 - Making use of renewable energy.

The development shall be implemented in accordance with the approved Statement/Strategy prior to the occupation of the dwellings to which the identified measures to be installed/used relate.

11. Reserved matters submission(s) shall include a programme of necessary archaeological fieldwork, in accordance with a Written Scheme of Investigation (WSI). The WSI will detail any field work to be undertaken, which may include post excavation works, reporting and archiving. The development shall only be implemented in accordance with the approved WSI.

Pre-commencement

12. Prior to commencement of development, details of the off-site highway works shown on drawing Ref T24509 011 as it relates to the widening of the carriageway to create a wider entry width and 35m flare only, shall have been submitted to and approved in writing by the Local Planning Authority. Such details should be in general accordance with the works shown on the drawing. The development shall thereafter be carried out in accordance with the approved details prior to the occupation of the 51st dwelling.
13. Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall provide for the following:
- Management of construction traffic including vehicle types and use of a banksman;
 - Construction access details, temporary or otherwise;
 - The parking of vehicles of site operatives and visitors;
 - Loading and unloading of plant and materials storage of plant and materials used in constructing the development;
 - Operating hours;
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - Wheel washing facilities; and,
 - Before construction condition survey(s) of the highway and a commitment to fund the repair of any damage caused.

The approved CTMP shall be adhered to throughout the construction period.

14. Prior to commencement of development, a certificate from the Delivery Partner (as set out in the District Licence WML-OR152, or a 'Further Licence') confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, shall have been submitted to and approved in writing by the Local Planning Authority, including an authorisation for the development to proceed under the district newt licence.
15. Prior to commencement of development (including demolition, ground works, vegetation clearance), a Construction Environmental Management Plan (CEMP: Biodiversity) shall have been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
- Risk assessment of potentially damaging construction activities;
 - Identification of "biodiversity protection zones";
 - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);

- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an ecological clerk of works or similarly competent person; and,
- Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

16. Prior to commencement of development (including demolition, ground works, vegetation clearance), a Habitat Management Monitoring Plan (HMMP) shall have been submitted to and approved in writing by the Local Planning Authority. The content of the HMMP shall include the following:
- Description and evaluation of features to be managed;
 - Ecological trends and constraints on site that might influence management;
 - Aims and objectives of management which will (without limitation) include the provision of Biodiversity Net Gain (BNG) within the site to achieve at least the statutory requirements of 10%, noting that the BNG Metric with the application indicates that 11.27% in habitat units, 21.3% in hedgerow units and 13.8% in watercourse units could be achieved;
 - Appropriate management options for achieving aims and objectives;
 - Prescriptions for management actions;
 - Preparation of a work schedule (including an annual work plan capable of being rolled forward over a thirty-year period);
 - Details of the body or organization responsible for implementation of the plan;
 - Species specific measures proposed including locations and specifications; and,
 - Ongoing monitoring and remedial measures.

The HMMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The Plan shall be for no less than 30 years. The HMMP shall also set out (where the results from monitoring show that conservation aims and objectives of the HMMP are not being met) how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved Plan shall thereafter be implemented in accordance with the approved details.

17. Prior to the commencement of development, a detailed Acoustic Assessment showing how all dwellings for the development will meet the indoor ambient noise levels outlined in BS 8233:2014 table 4 and that individual noise events will not normally exceed 45dB LA_{maxF} more than 10 times at night in bedrooms, shall have been submitted to and approved in writing by the Local Planning Authority. The Assessment will also demonstrate that noise levels in external amenity spaces associated with individual dwellings shall not exceed 55 dBLA_{eq}16hr.

Any mitigation required to achieve these requirements will be included in the detailed design, and the Acoustic Assessment, and shall be provided prior to the occupation of the dwelling to which it relates.

18. Prior to the commencement of development (including demolition), an Arboricultural Method Statement (AMS) with Tree Protection Plan (TPP) in accordance with current BS 5837 shall have been submitted and approved in writing by the Local Planning Authority. Tree protection measures, including the erection of tree protective fencing and installation of ground protection, shall be in situ prior to the commencement of any works on site (including demolition) and shall conform to current BS 5837 guidance. No work shall be carried out, or materials stored within the construction exclusion zone or other protected areas, without prior written agreement from the Local Planning Authority. The AMS and TPP shall include:
 - details of trees to be removed and retained;
 - detailed plans for demolition (if applicable) and construction showing location of the tree protective fencing and any additional ground protection whether temporary or permanent;
 - details as to the location of proposed and existing services and utilities including sustainable drainage, attenuation basins and swales, where these are close to RPAs;
 - details as to the method, specification and materials to be used for any "no dig" cellular confinement systems where the installation of no-dig surfacing is within the RPAs of retained or planted trees is to be in accordance with current nationally recognised best practice guidance BS 5837 and current Arboricultural Guidance Note 'Cellular Confinement Systems Near Trees'; demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses;
 - details of the proposed level changes close to existing trees or their root protection areas;
 - details of all proposed access facilitation pruning, including root pruning, as outlined in current BS 5837 guidance shall be carried out in accordance with current BS 3998;
 - all phases and timing of the project, including phasing of demolition and construction operations, in relation to arboricultural matters and details of supervision by a suitably qualified arboriculturist with details of how evidence of this supervision may be made available to the Local Planning Authority and escalation where details are not complied with; and,
 - siting of work and welfare facilities, contractor parking, areas for the storage of materials and machinery and siting of skips, the erection of scaffolding any required working spaces. The development thereafter shall be implemented in strict accordance with the approved details and the approved tree protection measures shall be retained and maintained until all building, engineering or other operations have been completed.

19. Prior to the commencement of development, a Contaminated Land Assessment and, if required, a Remedial Strategy, together with a timetable of works, shall have been submitted to and approved in writing by the Local Planning Authority. The Assessment / Strategy shall include the following:
 - A Site Investigation, including relevant soil, soil gas, surface and groundwater sampling, carried out by a suitably qualified and accredited

- consultant/contractor in accordance with a Quality Assured sampling and analysis methodology; and,
- A Site Investigation Report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and, if required, a proposed Remediation Strategy. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters. The Local Planning Authority shall approve in writing such remedial works as required prior to any remediation works commencing on site.
20. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) - for residential amenities shall have been submitted to and approved in writing by the Local Planning Authority. The CEMP is to include air quality mitigation measures for the construction phase of the development as outlined within the Air Quality Assessment, reference: NLBWB-XX-ZZ-LA-RP-0001_AQA, written by BWB Consulting. The CEMP shall also include a detailed Noise and Vibration Impact Assessment, based on the finalised Construction Method Statement, with appropriate mitigation measures to address unacceptable impacts on residential amenities. The mitigation measures agreed shall be implemented in accordance with the recommendations prior to the commencement of the development.
21. Prior to the commencement of development, an updated Air Quality Assessment shall have been submitted to and approved in writing by the Local Planning Authority. The Assessment shall relate to the construction phase road traffic emissions to consider the impact of development-generated road traffic on local air quality at identified receptor locations. For the avoidance of doubt, road traffic emissions will be modelled using the dispersion model ADMS-Roads and concentrations of nitrogen dioxide and particulate matter (PM10 and PM2.5) will be predicted at identified sensitive receptor locations. The Assessment will be undertaken in accordance with Defra Local Air Quality Management Technical Guidance (TG22) and the Institute of Air Quality Management & Environmental Policy Implementation Community (previously Environmental Protection UK) guidance and by a suitably qualified professional(s). The updated Assessment must also recommend any necessary mitigation. The details of all required mitigation measures identified as part of the above must be agreed in writing by the Local Planning Authority. Prior to commencement of the development, mitigation measures associated with the construction phase road traffic emissions shall be carried out in accordance with the details agreed by the Local Planning Authority.
22. Prior to the commencement of development, a revised Flood Risk Assessment (FRA) shall have been submitted to and approved in writing by the Local Planning Authority. The FRA must include detailed hydraulic modelling of the Internal Drainage Board watercourse to the south of the site, incorporating:
- Accurate representation of culverts under the A4146 and railway line using known dimensions;
 - Blockage scenarios to assess residual flood risk; and,
 - Assessment of climate change impacts using appropriate allowances.

The development shall be carried out in accordance with the approved FRA. Any flood risk mitigation measures identified within the approved FRA shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements set out in the FRA, or within any other period as may be agreed in writing by the Local Planning Authority.

23. Development, other than demolition, shall not begin until a Surface Water Drainage Scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The Scheme shall include:
- An assessment of SuDS components as listed in the CIRIA SuDS Manual (C753) and provide justification for exclusion if necessary;
 - Demonstration that water quality, ecological and amenity benefits have been considered;
 - A water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority should be given to above ground SuDS components;
 - Calculations of the greenfield runoff rates (using FEH data) and proposed discharge rates and volumes, to be capped at a discharge rate of 3 l/s per ha;
 - Ground investigations including:
 - Infiltration rate testing in accordance with BRE365; and,
 - Groundwater level monitoring over the winter period (from November until April);
 - Subject to infiltration being inviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the drainage hierarchy as outlined in paragraph 056 of the Planning Practice Guidance;
 - Floatation calculations based on groundwater levels encountered during winter monitoring (November-March) or based on the worst-case scenario of groundwater at surface level;
 - SuDS components agreed in the outline application;
 - Full construction details of all SuDS and drainage components;
 - Detailed drainage layout with pipe numbers, gradients, and pipe sizes complete, together with storage volumes of all SuDS components;
 - Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any on-site flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site; and,
 - Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.

Pre-occupation

24. Prior to occupation of the development, the signalised access, as shown in drawing Ref T24509.004 Rev C, shall have been fully delivered, including visibility splays and all associated pedestrian infrastructure, and constructed to the appropriate Buckinghamshire Council access standards.

25. Prior to occupation of the development, if required, the approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. Prior to occupation of the development hereby approved, if remedial works have been completed, a Validation Report shall have been submitted to and approved in writing by the Local Planning Authority. The Validation Report shall include details of the completed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to demonstrate that the site has reached the required clean-up criteria shall be included in the Validation Report together with documentation detailing the type and quantity of waste materials that have been removed from the site.
26. Prior to occupation of the development, full written details of artificial lighting shall have been submitted to and approved in writing by the Local Planning Authority. In addition to considering the impact on residential amenity for adjacent neighbouring residential properties, the Lighting Scheme shall incorporate a 'lighting design strategy for biodiversity' for the entirety of the proposed development. The Scheme shall:
- identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and,
 - show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the Scheme, and these shall be maintained thereafter for the lifetime of the development.

27. Prior to occupation of the development, a Whole-Life Maintenance Plan for the site must be submitted to and approved in writing by the Local Planning Authority. The Plan shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SuDS component), with details of who is to be responsible for carrying out the maintenance. The Plan shall also include as as-built drawings and photographic evidence of the drainage scheme carried out by a suitably qualified person. The Plan shall subsequently be implemented in accordance with the approved details and thereafter complied with for the life of the development.

Pre-specific trigger

28. Prior to the occupation of the 200th dwelling, the secondary access, as shown on drawing Ref T24509.001 Rev C, shall have been fully delivered, including visibility splays and all associated pedestrian infrastructure, and constructed to the appropriate Buckinghamshire Council access standards.

29. Prior to the completion of the development or the occupation of the last of the dwellings to be completed, whichever is the sooner, a post construction survey of the highway shall be submitted to the Local Planning Authority. The survey shall be based on the before construction condition survey(s) required by the Construction Traffic Management Plan. Any damage to the highway caused shall be repaired to the satisfaction of the Local Planning Authority in accordance with a scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. Any repair works shall be carried out within three months of the completion of construction works or within three months of the last of the dwellings to be occupied, whichever is the sooner.
30. Prior to the installation of the foul pumping station, an assessment of noise shall have been conducted for nearby affected residential receptor(s) (or proposed receptor(s) if not yet constructed). Detail of the assessments and any necessary mitigation shall have been submitted to and approved in writing by the Local Planning Authority, with any necessary mitigation being implemented, before the pumping station is first brought into use. Thereafter the development shall be carried out as approved and any mitigation measures shall be retained as approved.

For observation

31. Visibility splays shown on the approved drawings for all means of vehicular access shall be provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction between 0.6 and 2 metres in height above the nearside level of the carriageway.
32. Within one month of the signalised junction as shown on drawing Ref T24509.004 Rev C being delivered in full, the existing access to The Lodge shall be removed and the highway boundary re-instated to the same line, level and detail as the adjoining footway and highway boundary.
33. The development shall be implemented in accordance with the agreed recommendation measures detailed in the Ecological Impact Assessment from Ramm Sanderson, dated November 2024.
34. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR152, or a 'Further Licence') and with the proposals detailed on plan "Land South of Drayton Road: Impact plan for great crested newt District Licensing (Version 1)", dated 10th June 2025.
35. No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence (WML-OR152, or a 'Further Licence'), and in addition in compliance with the following:
 - Works to existing ponds onsite may only be undertaken during autumn/winter, unless otherwise in accordance with the Great Crested Newt Mitigation Principles;
 - Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians;

- Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e., hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development); and,
 - Amphibian fencing and pitfall trapping must be undertaken at suitable habitats and features, prior to commencement of the development.
36. If during the development works contamination is encountered which has not previously been identified, this additional contamination shall be fully assessed through the completion of a Site Investigation. A Site Investigation Report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and, if required, a Remediation Strategy shall also be submitted and approved in writing by the Local Planning Authority. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters. The approved Remediation Scheme shall be carried out in full, and a Validation Report shall be submitted to and approved in writing by the Local Planning Authority.
37. For the avoidance of doubt, the sizes and types of dwellings (i.e. the housing mix) to be submitted shall have regard to the latest evidence on housing need.
38. The proposed dwellings shall be designed to provide an appropriate level of accessibility and adaptability, with all dwellings compliant with Category 2 Part M4(2) of the Building Regulations and 15% of the affordable units compliant with Category 3 Part M4(3) of the Building Regulations unless demonstrated by an accompanying report that the development would be unviable to do so.

===== END OF SCHEDULE =====