



## Report to West Area Planning Committee

---

<b>Application Number:</b>	20/08349/FUL
<b>Proposal:</b>	Demolition of existing shops and ancillary residential and erection of 3 x 2 and 4 x 1 bed flats with ground floor shop served by new access, bin store and cycle store.
<b>Site Location:</b>	175-179 Gordon Road High Wycombe Buckinghamshire HP13 6AR
<b>Applicant:</b>	Mr R Kirk
<b>Case Officer:</b>	Victoria Burdett
<b>Ward(s) affected:</b>	Totteridge And Bowerdean
<b>Parish-Town Council:</b>	High Wycombe Town Unparished
<b>Date valid application received:</b>	5th February 2021
<b>Statutory determination date:</b>	2nd April 2021
<b>Recommendation</b>	Permitted

### 1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Full planning permission is sought for the demolition of existing shops and ancillary residential and erection of 3 x 2 and 4 x 1 bed flats with ground floor shop served by new access, bin store and cycle store.
- 1.2 The proposal has been amended to address concerns raised by local Councillors and residents. As part of this, a ground floor retail unit has now been incorporated into the proposed development in addition to a reduction in residential units (from 8 to 7), an internal lift added to comply with Policy DM41, internal re-configuration in line with suggestion made by the Council's Urban Designer and car parking area altered to provide motorcycle parking and electrical charging points.
- 1.3 Following amendments made to the scheme, the proposal will have no adverse effect upon the character of the surrounding area or the amenities of adjacent residential properties. The proposal will have no adverse effect upon highway safety or the free flow of traffic in this locality.
- 1.4 The proposal will not be at risk from flooding and will not result in increased flooding elsewhere. This proposal will have no adverse effect on ecology and, subject to the submission of further details, will enhance biodiversity in the area.

- 1.5 This application has been referred to the Planning Committee at the request of Cllr Guy, Cllr Wassell, Cllr Clarke and Cllr Raja due to the loss of the current shops, insufficient parking provision and the provision of electrical charging points. Cllr Clarke had also originally called in the application, however is no longer elected. Cllr Wassell also has requested that following the submission of amended plans, Cllr Guy to address the remaining issues.
- 1.6 To conclude, following the amended plans submitted to address Officer concerns, Cllr Guy and Cllr Raja still wish for the application to be determined by the Committee.
- 1.7 As aforementioned above, the proposed development has been amended following discussions between the Council and the Agent and subsequently is considered to comply with the relevant policies of the Development Plan, and is therefore recommended for approval.

## **2.0 Description of Proposed Development**

- 2.1 Planning permission is sought for the demolition of the existing buildings at nos. 175-179 Gordon Road to provide a new flatted development, comprising of a retail unit at ground floor level and 7 residential flats spread across 3 floors.
- 2.2 The existing buildings comprise a single storey barber shop and two semis featuring shops at ground floor level (a green grocers and convenience store) with ancillary accommodation above.
- 2.3 The existing vehicular access would be utilised to serve the new development which is sited to the north of the units; leading to the rear of the development to provide parking with a cycle store and electrical charging points.
- 2.4 The proposed new building would be 3 storeys high of a flat roofed, contemporary design. The frontage would incorporate a series of balconies facing onto Gordon Road and would be constructed of a red brick with grey steel cladding features.
- 2.5 The application is accompanied by:
  - a) Cover Letter
  - b) Drainage Statement
  - c) Ecology and Tree Checklist
  - d) Tank Size Calculator
  - e) Ecology Report
  - f) Ecology Supplementary Note
  - g) Community Needs Assessment
- 2.6 As aforementioned above, amended plans have been received throughout the duration of the application in order to address Officer concerns.

## **3.0 Relevant Planning History**

<b>Reference</b>	<b>Development</b>	<b>Decision</b>	<b>Decision Date</b>
01/06251/FUL	Change of use to create one 2 bed flat at first floor 177/179 Gordon Road and the erection of an external stair.	PER	24 July 2001
94/05788/FUL	REFURBISHMENT OF FLAT &	PER	30 June 1994

	PREPARATION ROOM & GROUND FLOOR EXTENSION		
94/06788/FUL	REFURBISHMENT OF FLAT & PREPARATION ROOM & GROUND FLOOR EXTENSION	PER	7 December 1994
00/06823/ADV	Display of 1 x 6 sheet, single sided, free standing, internally illuminated hoarding unit (retrospective)	PER	9 October 2000
01/06251/FUL	Change of use to create one 2 bed flat at first floor 177/179 Gordon Road and the erection of an external stair.	PER	24 July 2001

#### 4.0 Policy Considerations and Evaluation

##### Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

DSA: DM1 (Presumption in favour of sustainable development), DM6 (Mixed-use development)

- 4.1 The application site is located within a Tier 1 Settlement (Large Urban Area) which is a settlement type where development is focussed towards across the District, including new housing and new economic development. The regeneration and change in the existing built-up area including the redevelopment of suitable previously developed sites for both housing and employment purposes are acceptable.
- 4.2 In this case, the application site constitutes previously developed land which is considered suitable for re-development.
- 4.3 Therefore, there is no objection, in principle, to the provision of additional residential development in this area, subject to compliance with all other relevant Development Plan Policies.

##### Affordable Housing and Housing Mix

Wycombe District Local Plan (August 2019): DM22 (Housing Mix), DM24 (Affordable Housing), DM41 (Optional Technical Standards for Building Regulations Approval) Planning Obligations Supplementary Planning Document (POSPD)

- 4.4 This application falls below the Council's threshold for affordable housing.
- 4.5 Other flatted developments have been approved and implemented within the vicinity. Given the large urban area, with regarding to housing mix it is considered that the proposed development is considered to be appropriate in this location.

## **Retail issues**

Wycombe District Local Plan (August 2019): CP6 (Securing vibrant and high quality town centres), DM29 (Community facilities), DM35 (Placemaking and design quality)

DSA: DM6 (Mixed-Use Development)

Community Facilities SPD (2011)

- 4.6 Objections have been received from nearby residents regarding the loss of the existing shops at ground floor level at no's 175-179 Gordon Road. These include a barbers shop, greengrocers and convenience store.
- 4.7 As aforementioned, a retail unit would be incorporated at ground floor level as part of the proposed development. However, given the loss of 3 shops, it is considered to assess the proposal against Policy DM29 of the Local Plan. Subsequently, a Community Needs Assessment (CNA) has been prepared.
- 4.8 The CAN evaluates whether the land and/or buildings proposed to be lost are surplus to any community needs and therefore whether their loss can be accepted.
- 4.9 Two of the units on the site are currently occupied by the Kirk Store (general store) and the Carrot & Coriander (Green Grocer). One of the units is currently vacant and was last occupied by a barber shop. It has been stated within the submitted CAN that due to the condition of the single storey building (no. 175) it is incapable of being reoccupied as a barber shop (or any other use) without significant investment and refurbishment.
- 4.10 The buildings are not listed and do not sit within a Conservation Area. The row of shops is not designated as a community centre or designated community assets.
- 4.11 The structures offer retail uses at ground floor level comprising a barber shop, a greengrocers and a convenience store. All the buildings are in a poor state of repair. The barbershop is currently vacant and incapable of being re-let in its current condition. The flat above the greengrocers is in need of complete refurbishment before it can be inhabited and it is anticipated that the convenience store (the current occupier of which is soon to retire) would be incapable of being re-let without substantial internal and external improvement. The Carrot and Coriander ceased trading for a number of years only to reopen at the start of the Covid-19 pandemic. Its future trading potential is currently unknown. It is capable of being accommodated in the proposed scheme should it wish to keep trading from the Site.
- 4.12 The current rent amounts for the Carrot and Coriander and Kirk Stores are too low to facilitate a refurbishment of the buildings. Several local shops and other community facilities are located in close proximity to the site. High Wycombe town centre is located within a 15-minute walk where there is an abundance of shopping, education, and recreational facilities.
- 4.13 It has been demonstrated within the submitted CAN that there is little demand and therefore need for the retention of these shops/retail units. The day-to-day needs of local residents can be adequately met by other nearby shop units offering the same or similar services. The proposal does however include the retention of one shop unit, which can be occupied by one of the existing units present if sought.
- 4.14 Totteridge Ward is not identified as having a community facility deficiency and therefore there would be no objection to the loss of these community facilities. The long-term demise of the current shop units on the site is evidence of the absence of

need. Notwithstanding this, a modern shop unit is proposed to be provided and marketed for use.

- 4.15 Notwithstanding the above, a fall-back case has been put forward to the Council following the new Use Classes Order amendment. The existing units fall within the new Use Class E (Commercial, Business and Service) whereby under Class M or MA of Part 3 (Change of Use) of the GPDO 2015 (as amended) it is possible for the units to change use to residential (C3) subject to prior approval of matters of detailed design; without the need for a full planning application.
- 4.16 In addition, Class ZA (Demolition of buildings and construction of new dwellinghouses in their place) of Part 20 (Construction of new dwellinghouse) of the GPDO allows for the demolition of the existing buildings on the site and the redevelopment of the site for residential purposes, subject to prior approval. As such, the shops could be removed without a full planning application being submitted.
- 4.17 In both cases the permitted development entitlement grants planning permission for the principle of development. The prior approval process, relating to the exercise of the permitted development entitlement in both instances, is readily achievable on the site. This fall-back position means that the shop units on the site would be lost irrespective of the outcome of the current application, which diminishes any weight that can be attributed to their loss.
- 4.18 Moreover, the permitted development fall-back position, adds weight to the material consideration that the current application provides for the provision of a new shop unit (falling within Class E) on the site, which would not be permitted to change use under Class M, due to the time limitation.
- 4.19 Overall, given the above reasoning, the proposed development is not considered to result in the loss of any important retail units which should be preserved. Notwithstanding this, efforts have been made to incorporate a retail unit into the scheme in order to address concerns raised by neighbouring residents.
- 4.20 To this effect, it is considered necessary to remove permitted development rights for the approved retail unit to ensure that it is not converted to an alternative use in the future, without the benefit of full planning permission.

#### **Transport matters and parking**

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

DSA: DM2 (Transport requirements of development sites)

- 4.21 This application proposes the demolition of the existing units and the erection of a block of flats containing 7 residential units.
- 4.22 Access to the site is gained via Bowerdean Road/Gordon Road, both are unclassified, residential roads subject to a speed restriction of 30mph. Parking and waiting restrictions are in place within the vicinity of the site in the form of double yellow lines. The road benefits from pedestrian footways, as well as the street lighting.
- 4.23 The Highways Officer has confirmed that they would expect the proposals to result in a reduction in vehicle trips and parking requirements associated with the site when compared with its historical use.
- 4.24 Nonetheless, a site visit has been carried out to assess the access arrangements serving the site. Within the submitted application it has been advised that the site

does not benefit from any off-street parking provision. Following the development, the site will be able to accommodate up to 6 (no) vehicles, clear of the public highway, therefore the existing access will be subject to an intensification of use and will need to be assessed.

- 4.25 The Highways Officer originally objected to the submitted scheme as the access width was under the requirement suitable to allow for two-way simultaneous vehicular movements, clear of the highway. The development was subsequently amended to allow for the access width to be 4.1m which would be wide enough to allow for safe, simultaneous two-way movements.
- 4.26 The proposed amount of parking (6 parking spaces) with one motorcycle space and cycle storage is considered to be acceptable by the Highway Authority. The level of parking proposed would still result in a reduction in the amount of displaced parking when compared with the current use of the site, in accordance with the Buckinghamshire Countywide Parking Guidance Policy document.
- 4.27 Many residents have objected on the basis of the impact of parking for the development. As the development leads to a reduction in parking requirements, and the level of off-street parking is increased, it is not considered that the development would cause a highway safety concern nor justify this as a reason for refusal of the application.
- 4.28 As such, the Highways Officer has raised no objections subject to conditions.

#### **Raising the quality of place making and design**

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality) DSA: DM11 (Green networks and infrastructure), DM16 (Open space in new development)

- 4.29 As aforementioned, it is proposed to demolish the existing units 175-179 and construct a three storey block comprising 7 residential units with a shop at ground floor.
- 4.30 There is no defined building style within the immediate locality and the form consists of a mixture of two and three storey apartment/sheltered housing blocks and two storey terraced and semi-detached dwellings.
- 4.31 As a part of this application the Council's Urban Designer has been consulted. From the scheme originally submitted, the Urban Designer suggested that the number of units were reduced with an internal re-configuration. Amended plans were submitted taking into account the advice given from the Urban Designer, to which no objections were subsequently raised.
- 4.32 The building itself is of a similar design to a neighbouring development at 185-197 Gordon Road which was approved under REF: 12/07667/FUL and subsequently built.
- 4.33 The design, bulk and massing of the proposed development is considered to be acceptable. Subject to the use of suitable high quality materials, the impact of the development upon the street scene would similarly be acceptable. These will be secured via a planning condition.
- 4.34 The only opportunity for landscaping on the site would be to the front of the block, and at the rear boundary; adjacent to the parking area. The Council's Tree Officer has been consulted and considers it necessary to condition for a landscaping scheme to be submitted prior to the commencement of development.

4.35 Overall, it is considered that this proposal will have no adverse effect upon the urban character of the surrounding area or the visual amenities of the street scene.

#### **Amenity of existing and future residents**

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality), DM40 (Internal space standards)

Housing intensification SPD

4.36 The proposed development will provide a good standard of habitable accommodation for future occupiers. The submitted plans show that each property will benefit from an area of private amenity space, with balconies at first and second floor levels and a small front garden area for the ground floor unit. No communal amenity space is available on the site, however given the private areas available and the short distance to local amenities such as The Rye; it is considered that the proposed amenity sources are sufficient.

4.37 With regard to adjoining occupiers, the development does not breach the Council's light angle guidance. There would be a sufficient gap retained between the proposed block and the neighbouring units, which consist of retirement housing. The proposed access road and a public footpath lie in between which separate the proposed development from the neighbouring occupiers. The gap is considered to be sufficient to prevent any direct overlooking or loss of privacy. In addition, the proposed balcony screens would further protect the amenities of neighbouring properties from any overlooking. It is however necessary to condition the windows serving the en-suite bathrooms at first and second floor levels within the northern elevation to be obscurely glazed in order to protect the amenities of both neighbouring properties and future occupiers.

4.38 Given the distance in between the development and neighbouring buildings it is not considered that the proposed development would appear overbearing or obtrusive, to the detriment of the amenities of neighbouring properties.

4.39 To the rear of the site lies a commercial unit; currently occupied by 'Wycombe Engineering'. Given its commercial use, it is not considered that the proposed development would be detrimental.

4.40 To conclude, the proposed development is not considered to adversely affect the amenities of neighbouring properties.

#### **Environmental issues**

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM20 (Matters to be determined in accordance with the NPPF)

4.41 The Council's Environmental Health Officer has been consulted on this application and has requested a condition to ensure that the 6 electrical car charging points illustrated on Drg No. 1676-SP1D are installed and retained for the lifetime of the development, in accordance with the council's Air Quality SPD.

4.42 Furthermore, noise readings have been taken alongside Gordon Road, and levels have shown that the site falls within an area exposed to traffic noise. The internal noise levels should adhere to the levels as stated in BS8233:2014 and all habitable rooms fronting, or that have direct exposure to Gordon Road will need to include acoustic glazing and mechanical ventilation. Details of this will be conditioned accordingly.

### **Flooding and drainage**

Wycombe District Local Plan (August 2019): DM39 (Managing Flood Risk and Sustainable Drainage Systems)

- 4.43 The application site is not located in Flood Zones 2 or 3.
- 4.44 In support of this application, the applicant has submitted a Drainage Statement. The LLFA has reviewed the amended scheme and has raised no objection, subject to the submission of a detailed surface water drainage scheme. A pre-start planning condition will be required to this effect.

### **Landscape Issues**

Wycombe District Local Plan (August 2019): DM34 (Delivering Green Infrastructure and Biodiversity in Development)

DSA: DM11 (Green networks and infrastructure), DM12 (Green space), DM13 (Conservation and enhancements of sites, habitats and species of biodiversity and geodiversity importance) [Sensitivity of landscape; landscape character; landscape and visual impact assessment; mitigation of impact]

- 4.45 Policy DM34 states that development is required to achieve a future canopy cover of 25% of the site area on sites outside of the town centre and 0.5ha or more. This will principally be achieved through retention and planting of trees, but where it can be demonstrated that this is impractical the use of other green infrastructure (e.g. green roofs and walls) can be used to deliver equivalent benefit.
- 4.46 In this instance, the existing site is largely covered by hardstanding with limited vegetation present. The area to the rear of the existing shops is occupied by buildings and hardstanding, and therefore has limited canopy cover as existing. The proposed development seeks to incorporate some level of landscaping; to the front and rear of the site.
- 4.47 Due to the size of the site and the parking provision required to serve the proposed flats, it is not possible in this instance to secure 25% of canopy cover. However, when compared with the current situation, further landscaping would be incorporated onto the site and this is therefore considered to be an improvement.
- 4.48 Details of the landscaping have not been provided, and therefore this will be required by condition.

### **Ecology**

Wycombe District Local Plan (August 2019): DM34 (Delivering Green Infrastructure and Biodiversity in Development)

DSA: DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance), DM14 (Biodiversity in development) [Presence of ecology; protected species; effect of development and mitigation]

- 4.49 The Council's Ecologist has been consulted on this application. The site is considered to be of low ecological value. The potential for bats being present on site is very low but there are nevertheless un-inspected parts of the buildings. Following receipt of the AAE Supplementary Note (1st March 2021) due to the structure of the un-inspected part of the building, there is a very low chance of bats being present and it is therefore necessary for a final inspection to be undertaken by condition.
- 4.50 In addition, Policy DM34 of the Plan requires a measurable net gain in biodiversity to be delivered, in new development. Therefore, a pre-start planning

condition should be imposed requiring a scheme for ecological enhancements be submitted and thereafter implemented.

4.51 It has been identified that Japanese knotweed is present on site, and therefore a condition will be added to ensure its safe removal is undertaken prior to the commencement of development.

#### **Building sustainability**

Wycombe District Local Plan (August 2019): DM41 (Optional Technical Standards for Building Regulations Approval)

4.52 It is considered necessary to condition water efficiency in accordance with Policy DM31.

#### **Infrastructure and Developer Contributions**

4.53 The development is a type of development where CIL would be chargeable.

### **5.0 Weighing and balancing of issues / Overall Assessment**

5.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.

5.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
- b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
- c. Any other material considerations

5.3 As set out above it is considered that the proposed development would accord with the development plan policies.

### **6.0 Working with the applicant / agent**

6.1 In accordance with paragraph 38 of the NPPF the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

6.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

6.3 In this instance:

- the applicant/agent was updated of any issues after the initial site visit,
- The applicant was provided the opportunity to submit amendments to the scheme/address issues.
- The application was determined without delay.

### **7.0 Recommendation**

**Application Permitted**

Subject to the following conditions and reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
2. The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers 1676 SK1 P02, 1676 TOPO, 1676 P1C, 1676 P2C and 1676 SP1D; unless the Local Planning Authority otherwise first agrees in writing.  
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.
3. Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of the materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority before any work to the external finish of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: To secure a satisfactory external appearance.
4. Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of all surfacing materials shall be submitted to and approved in writing by the Local Planning Authority before any work to the finished surfaces of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: To secure a satisfactory appearance.
5. A fully detailed landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any development takes place. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.  
Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping and to provide green infrastructure in line with policy DM34.
6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees, plants or areas of turfing or seeding which, within a period of 3 years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.  
Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping.
7. Prior to demolition a follow-up full internal and external building check for bats must be completed. Prior to commencement of the main demolition works the removal of the tiles will be carried out under a soft strip protocol as detailed in the AAE letter

report. In the unlikely event of any bats or evidence of bats being encountered, then further measures in accordance with current guidelines should be implemented as necessary and if required a licence from Natural England will be sought. The follow up inspection and soft strip toolbox talk shall be carried out by an experienced and suitably licensed ecologist.

Reason: To ensure that bats are not negatively impacted upon by the proposals.

8. Prior to the commencement of development a strategy for the eradication of Japanese knotweed on site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall thereafter be followed.

Reason: To ensure Japanese Knotweed is dealt with in accordance with pest practice.

9. Prior to the commencement of development details of ecological enhancements through landscaping, incorporation of features of benefit to protected species, and minimising light spillage (which are in line with the AAE letter report) shall be shown on a plan and given a full specification and be submitted to and approved by the Local Planning Authority. The enhancements shall thereafter be completed prior to occupation of the development and thereafter be retained for the lifetime of the development.

Reason: To ensure a biodiversity net gain, in line with policy DM34.

10. Prior to the occupation of the development hereby permitted, six electric vehicle charging points with a minimum rating of 32amp must be installed (one per dwelling) and retained for the lifetime of the development.

Reason: To comply with the air quality SPD and, to reduce the carbon emissions and the impact on the health of Nitrogen Dioxide emissions from the development.

11. A scheme to protect the proposed development from traffic noise from Gordon Road shall be implemented before any part of the accommodation hereby approved is occupied, unless the Local Planning Authority otherwise agrees in writing. The scheme shall ensure the indoor ambient noise levels in living rooms and bedrooms meet the standards in BS 8233:2014 for the appropriate time period. Unless otherwise agreed in writing with the Local Planning Authority, it shall be assumed that the existing noise level at the façade of the proposed development is 72dB LAeq16 hour and 66dB LAeq, 8 hour. The scheme shall include mechanical ventilation to meet the requirements of the Noise Insulation Regulations 1975 as amended 1988.

Reason: To protect the occupants of the new development from noise disturbance.

12. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

13. No other part of the development shall be occupied until the existing means of access has been altered in accordance with the approved drawing and constructed in accordance with Buckinghamshire Council's guide note "Commercial Vehicular Access Within Highway Limits" 2013.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

14. Prior to the commencement of any works on the site, a Construction Traffic Management Plan detailing the management of construction traffic (including vehicle types, frequency of visits, expected daily time frames, use of a banksman, on-site loading/unloading arrangements and parking of site operatives vehicles) shall be submitted and approved in writing by the Planning Authority in consultation with the Highway Authority. Thereafter, the development shall be carried out in accordance with such approved management plan.

Reason: This is a pre-commencement condition as development cannot be allowed to take place, which in the opinion of the Highway Authority, could cause danger, obstruction and inconvenience to users of the highway and of the development.

15. No works other than demolition shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles 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 completed. The scheme shall also include:

- 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
- Existing and proposed discharge rates and volumes
- Ground investigations including:
- Infiltration in accordance with BRE365
- Groundwater level monitoring during the winter period (November to March)
- 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 080 of the Planning Practice Guidance.
- Drainage layout detailing the connectivity between the dwellings and the drainage components, showing pipe numbers, gradients and 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 onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- Construction details of all SuDS and drainage components
- Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction.

Reason: The reason for this pre-construction condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 163 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

16. Details of all screen and boundary walls, fences and any other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority before any

development above damp proof course takes place. The development shall thereafter only be carried out in accordance with the approved details and the buildings hereby approved shall not be occupied until the details have been fully implemented. The screen and boundary walls, fences and any other means of enclosure which are part of the approved scheme shall thereafter be retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not adversely affect the privacy and visual amenities at present enjoyed by the occupiers of neighbouring properties, and to ensure a satisfactory environment within the development.

17. The development, hereby permitted, shall be designed and constructed to meet a water efficiency standard of 110 litres per head per day.

Reason: In the interests of water efficiency as required by Policy DM41 (Optional Technical Standards for Building Regulations Approval) of the Local Plan.

18. The approved bin and cycle storage facilities illustrated on drawing 1676-SP1 D, shall be provided prior to occupation and thereafter the facilities shall be permanently retained, unless otherwise first agreed in writing by the Local Planning Authority. These facilities shall thereafter be so retained.

Reason: To ensure the continued provision of waste storage and in the interests of the amenities of the occupiers and adjacent residents.

19. Notwithstanding any detail shown on the drawings hereby approved, prior to the commencement of development above damp proof course, details of privacy screens for each balcony feature shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved screens shall be installed before the first occupation of the approved development and retained for the lifetime of the development.

Reason: In the interests of the privacy of adjacent residents.

20. No further windows or openings of any kind shall be inserted in the flank elevations at first floor or above of the development hereby permitted without the prior, express planning permission of the Local Planning Authority.

Reason: To safeguard the privacy of occupiers of the adjoining properties.

21. Before the first occupation of the development hereby permitted the first and second floor windows serving the en-suite bathrooms within the north flank elevation shall be fitted with obscured glazing and shall be fixed shut up to 1.7 meters above the finished floor level of the room it serves and only openable at the top section. The windows shall be permanently retained in that condition thereafter.

Reason: To prevent any direct overlooking or loss of privacy to the neighbouring property.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order), no development falling within Part 3 of Schedule 2 shall be carried out without the prior, express planning permission of the Local Planning Authority.

Reason: In order to retain the proposed retail unit.

## Informative(s)

1. In accordance with paragraph 38 of the NPPF the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

In this instance:

- the applicant/agent was updated of any issues after the initial site visit,
  - the applicant was provided the opportunity to submit amendments to the scheme/address issues.
  - the application was determined without delay.
2. The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Highways Development Management at the following address for information: -

Highway Development Management (Delivery)  
Buckinghamshire Council  
6th Floor, Walton Street Offices  
Walton Street,  
Aylesbury  
Buckinghamshire  
HP20 1UY

It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

It is contrary to section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system.

## **APPENDIX A: Consultation Responses and Representations**

### Councillor Comments

Original Comments:

**Councillor J Wassell** – Further to email exchanges with you I would like to request that if you are mindful to agree the above application, the matter be called in to the Planning Committee. I request the right to speak at such a meeting. The grounds for my request are due to concerns from Council Officers, local residents and residents' associations and are summarised as follows:

1. Change of use from retail to residential only.
2. Loss of shops to older persons and local residents within walking distance.
3. Out of character with the area facing the green traffic island bordered by Gordon Road, Bowerdean Road and Totteridge Avenue.
4. Inadequate parking and electric car charging facility.
5. The impact on older people residing adjacent who have mobility issues.
6. The objection of the Highways Officer of Buckinghamshire Council that they access to the site is inadequate by reason of width' and 'therefore contrary to planning policy'.
7. The public footpath adjacent forms a network of pedestrian paths from the Railway Station through East Wycombe known as the East Wycombe Panoramic Walkway, for which CIL money has been earmarked for improvement following my application.
8. The impact of noise disturbance in as set out by the Buckinghamshire Council Control of Pollution Department.

**(Former) Councillor M Clarke** – Given the number of objections on the Planning Portal to this application please bring to committee if you are minded to approve.

**Councillor S Raja** – If the Officer is minded to approve this application then I would like this brought to the Planning Committee. As a number of residents have concerns regards to this development.

Following amended plans:

**Councillor S Guy** – I strongly feel that this application must be decided by the planning committee.

1. The current shops are an important community facility. There are many elderly residents nearby and many of those have no car. We need reassurance that the retail unit in the proposals will meet their needs.
2. I am concerned by the insufficient parking provision, since there are few opportunities for on street parking nearby.
3. I am concerned how the developer will meet the obligation to provide sufficient facilities for charging electrical vehicles for seven dwellings.

**Councillor S Raja** – if the Officer is minded to approve this application then I would like this brought to the Planning Committee. As a number of residents have concerns regards to this development.

**Councillor J Wassell** – My colleague Steve Guy has requested to address this. I can see many of the objections are addressed and we are delighted with the retail unit offer. I am sure he will be asking about charging points.

### Parish/Town Council Comments

**Unparished.**

### Consultation Responses

## **Highways Authority**

Comments: No objection subject to conditions regarding means of access, parking and a Construction Traffic Management Plan.

## **Arboriculture Spatial Planning**

Comments: No objection subject to a condition requiring landscape details.

## **Ecological Officer**

Comments: No objection subject to conditions for further checks to be completed for bats, the removal of Japanese Knotweed and the submission of details for ecological enhancements.

## **Urban Designer**

Comments: No objection following amendments made to the scheme, subject to a condition requiring the details of materials.

## **Flood Officer**

Comments: No objection subject to a condition requiring a Surface Water Drainage scheme.

## **Environmental Health Officer**

Comments: No objection subject to a condition requiring Electrical Charging Points to be incorporated as part of the development and for a scheme to protect residents from traffic noise to be implemented.

## Representations

### **Other Representations**

107 comments and a petition have been received objecting to the proposal:

- Appearance would not be out of keeping with the local construction
- Shops are an asset of community value
- Services are there for the local community
- Parking reduced
- Increased vehicle pollution and further congestion
- Area is lacking in local facilities
- No more flats are needed
- Building is out of character
- Loss of privacy and overlooking
- Loss of light
- Smell from bins

# APPENDIX B: Site Location Plan

20/08349/FUL  
Scale 1/1250



Planning Committee  
© Crown Copyright and database rights 2020.  
Ordnance Survey 100062456