



Report to West Area Planning Committee

Application Number:	21/06864/OUT
Proposal:	Outline application (including details of layout / scale / access / appearance) for demolition of existing buildings and erection of 6 x detached and 10 x semi-detached two storey dwellings (16 in total). Use of vehicular access off Inkerman Drive and Chestnut Lane (details of landscaping reserved)
Site Location:	Highbury Works & 12 & 13 Inkerman Drive Inkerman Drive Hazlemere Buckinghamshire
Applicant:	Shanly Homes
Case Officer:	Adam Smith
Ward(s) affected:	Hazlemere
Parish-Town Council:	Hazlemere Parish Council
Date valid application received:	28th June 2021
Statutory determination date:	27th September 2021
Recommendation	Permission with Planning Obligation

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Outline planning permission is sought for 16 new dwellings incorporation the demolition of the existing employment units and the retention of the existing childcare nursery. All matters are included except landscaping.
- 1.2 The application site is allocated for mixed use development under Policy HW14 and the proposal would broadly accord with the allocation and the relevant requirements of the development plan including:
 - The provision of a mixed use development incorporating dwellings and the retention of the childcare nursery as required by the policy allocation; the employment floor space also sought in the allocation together with affordable housing has been found to be unviable by the Council's independent viability consultant and thus cannot reasonably be required.
 - Provision of a pedestrian and cycle access between Chestnut Lane and Pheasants Lane.

- Improvements to the accesses to the site and a reduction in vehicle movements to Inkerman Lane, with no adverse impact on highway safety or the highway network.
 - Sufficient car parking would be provided to serve the needs of the development.
 - The design and layout secure an optimal delivery of houses that would improve the character and appearance of the area.
 - It would not have an unacceptable impact on the amenity of neighbours and a good standard of amenity would be afforded for future occupiers.
 - Biodiversity and green infrastructure would be enhanced and the scheme would deliver a net gain in biodiversity.
 - The development would not increase the risk of flooding and would incorporate sustainable drainage.
 - It would mitigate for climate change and manage carbon emissions.
 - It would provide public open space.
- 1.3 The application has been subject to several amendments, including a reduction in the number of dwellings and improvements to the layout and design of the development.
- 1.4 No statutory consultees have objected to the latest scheme.
- 1.5 The latest amendments received five representations from local residents raising objections / concerns regarding the development focusing on residential amenity and highway safety matters.
- 1.6 Hazlemere Parish Council have objected to the application on the basis that they consider that it does not comply with Policy HW14 of the Wycombe Local Plan, Buckinghamshire Parking Standards and the emerging Hazlemere Local Plan.
- 1.7 The application was called-in to the Planning Committee by Cllrs Catherine Oliver, Ed Gemmell and Ron Gaffney on the basis that they consider that it does not conform with Policy HW14 of the Wycombe Local Plan and that the proposal is of concern to local residents.
- 1.8 The application is recommended for approval subject to the completion of a S106 Legal Agreement. A number of planning conditions are recommended which are necessary to ensure the scheme accords with development plan policy.

2.0 Description of Proposed Development

- 2.1 The application seeks outline permission for 16 houses and includes details of all matters except landscaping.
- 2.2 The proposal includes the demolition of the existing employment units on the site and the two existing bungalows at Nos 12 and 13 Inkerman Drive, with the existing childcare nursery retained.
- 2.3 The proposed mix of dwellings comprises 3 x 2 beds (GIA 90m²), 11 x 3 beds (GIA 108m²) and 2 x 4 beds (GIA 146m²). All of the new dwellings would be two storey houses with hipped roof forms varying in height between 8.7 – 9.3m.
- 2.4 Plots 1-9 together with the retained childcare nursery would be accessed off Chestnut Lane, with a new pedestrian and cycle link provided between Chestnut Drive and Pheasant Drive.
- 2.5 Plots 10 -16 would be accessed off Inkerman Drive.
- 2.6 All of the dwellings would be served by at least 2 on plot parking spaces, with 5 visitor bays also incorporated into the layout.

- 2.7 The site is located to the south west of Inkerman Drive and Pheasants Drive and to the north east of Chestnut Lane. It is in a primarily residential area, although the site is occupied by the Class B2/B8 Highbury Works (which was designated under the previous local plan as a badly sited user) as well as a childcare nursery. Dwellings in the locality of the site vary in type, size and design including bungalows and houses with a mixture of hipped and gabled roof forms. The topography in the locality falls in land levels to the southeast along Inkerman Drive and to the southwest along Chestnut Lane, with the site notably falling in land levels to the south west.
- 2.8 The application is accompanied by:
- a) Planning Statement
 - b) Design and Access Statement
 - c) Transport Statement and subsequent Addendum response to LHA comments
 - d) Arboricultural Report and Pre-Development Tree Condition Survey
 - e) Tree Canopy Assessment
 - f) Ecology and Trees Checklist
 - g) Preliminary Ecological Appraisal and subsequent Ecological Impact Assessments including Biodiversity Net Gain Metrics
 - h) Phase I Geo-Environmental Risk Assessment
 - i) Flood risk and Drainage Statement and Subsequent Addendum response to LLFA comments
 - j) Sustainability & Energy Statement
 - k) Viability Appraisal/Report
- 2.9 Amended plans have been submitted during the course of the application to reduce the number of dwellings from 17 to 16 units and to address layout, design, amenity and highway issues.

3.0 Relevant Planning History

- 3.1 The site has a long and complex planning history, however the following application is the most relevant to the current proposal:

Reference	Development	Decision	Decision Date
20/05269/OUT	Outline application for demolition of existing buildings and erection of 8 x detached, 10 x semi-detached & 1 x terrace of three two storey dwellings (21 in total), 3 x detached & 2 attached single garages, use of existing vehicular accesses off Inkerman Drive and Chestnut Lane (including details of layout/ scale/ access/appearance) with details of landscaping reserved	Pending consideration	

3.2 The current application for 16 dwellings was submitted following adverse officer feedback on the above 2020 application for 21 dwellings.

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), Policy HW14 (Highbury Works etc.) DM33 (Managing Carbon Emissions, Transport and Energy Generation)

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

4.1 The site is allocated for mixed use development under Wycombe District Local Plan Policy HW14. Policy HW14 states that development of the site is required to:

1. Provide layouts and building heights that reflect the existing topography;
2. Improve access to the site by creating new accesses at Chestnut Lane and/or Pheasants Drive, and closing or minimising additional traffic using the existing access to Inkerman Drive;
3. Provide a permeable site layout allowing for pedestrian and cyclist access between Chestnut Lane and Pheasants Drive, without creating a “rat run” for larger vehicles;
4. Provide approximately 640 square metres of B1 office space;
5. Retain or provide on-site relocation of the existing nursery at a comparable scale to the existing use.

4.2 The supporting text to the policy set out an indicative capacity for the site as 14 dwellings. This number is not a target or a ceiling to the amount of development that can be accommodated on the site – it is simply a monitoring number.

4.3 The principle of a mixed use development of the site is acceptable under Policy HW14. In addition, the retention of the nursery use accords with the allocation and the layout and design of the 16 dwellings together with the highway impacts broadly accord with the policy requirements as set out in more detail below.

4.4 It is acknowledged that the proposal does not incorporate any office space as sought under Policy HW14, however the application has been accompanied by a viability assessment which has been tested by an Independent Viability Consultant on behalf of the Council. The Independent Viability Consultant advises that the incorporation of an office use within the scheme would render the redevelopment of this site unviable.

4.5 In addition, the applicant has submitted a statement from a commercial property consultant based in High Wycombe which details that the office market is currently very poor, with an “over-supply of office accommodation and woeful demand”, highlighting that the Covid pandemic has hastened the switch to homeworking affecting office demand and that this trend looks set to continue. Furthermore, the commercial property consultant advises that businesses seeking offices want to be next to or within town centres with good transport links, not in a residential location, and advises that he is presently struggling to let offices in High Wycombe.

4.6 Overall, and in particular given the findings of the Independent Viability Consultant, it is considered that objections cannot reasonably be sustained to the omission of office floor space as part of the proposal.

4.7 It is also acknowledged that representations have been received from Hazlemere Parish Council questioning the conformity of the proposal with the policies in the

emerging Hazlemere Neighbourhood Plan. However, the draft Neighbourhood Plan has only recently been subject to pre-submission consultation and it can only be attributed limited weight as the extent of any unresolved objections and whether it conforms to the WDLP and national policy is unknown at this stage.

Affordable Housing and Housing Mix

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

4.8 Policy DM24 requires 48% on site affordable housing for all proposals of 10 or more units on land used for employment generating uses. However, the viability of the scheme has been reviewed by an Independent Viability Consultant on behalf of the Council and the Consultant advises that the provision of affordable housing for a 16 unit scheme on this site would not be viable. As such, it is considered that it would not be reasonable to require the scheme to incorporate any affordable housing as this would render the scheme undeliverable.

4.9 There is also a requirement under Policy DM22 for residential developments to provide a mix of houses in terms of type, size and tenure taking into account current evidence of need and to support mixed communities. In this instance, the greatest housing need in the area is for three bed units and the proposal is tailored to meet this demand but also includes 2 x 4 beds and 3 x 2 beds to create a mixed community. As such, and mindful of the viability challenges of this site, it is considerable that the proposal would broadly meet the requirements of Policy DM22 to provide a mix of housing.

4.10 Policy DM41 requires that all the dwellings are built to achieve the standards in Building Regulations Approved Document M4(2) regarding accessible dwellings and the scheme has been amended to seek address this. In addition, Policy DM41 requires 20% of dwellings to achieve category M4(3) regarding wheelchair user dwellings. The applicant has identified which these units are and that they have been designed to achieve this standard. Therefore a planning condition is necessary to ensure that the development is built to these standards in order to accord with Policy DM41.

Employment issues

Wycombe District Local Plan (August 2019): CP5 (Delivering Land for Business), DM28 (Employment Areas)

DSA: DM5 (Scattered business sites)

4.11 Policy DM5 seeks to generally protect against the unjustified loss of employment generating uses on scattered employment sites. However, the requirements of this policy are overridden for the application site by its subsequent allocation for mixed use development under Policy HW14. Thus, and given the findings of the Council's Independent Viability Consultant, objections cannot be sustained to the proposal with regards to Policy DM5.

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)

4.12 The site occupies a sustainable location in Hazlemere village within 500m of bus stops with regular services to nearby towns and is allocated for redevelopment under Policy HW14. The allocation of the site includes highway requirements to ensure satisfactory

highway impacts and improve pedestrian permeability, as set out in more detail in the Principle of Development section above.

- 4.13 The proposal would result in a reduction in vehicle movements from the Inkerman Drive access as required under Policy HW14. There would be an increase in vehicle movements onto Chestnut Lane and concerns regarding this have been raised in several of the third party representations. However the Highway Authority has advised that the access to the site from Chestnut Lane is acceptable subject to conditions and is satisfied that all vehicle movements can be safely accommodated in the local highway network.
- 4.14 In addition, the Highway Authority advises that the carriageway widths for the new internal roads are acceptable and that the turning heads are sufficient for refuse and emergency vehicles to manoeuvre within the site.
- 4.15 The amended proposal also incorporates a continuous footway from Chestnut Lane to Pheasants Drive creating a permeable pedestrian layout and the proposal would also allow for cyclist access which accords with the requirements of Policy HW12. The provision and maintenances thereafter of this new connection can be secured by a Section 106 Legal Agreement.
- 4.16 Third party comments regarding the potential for parking on Pheasants Drive associated with visitors to the nursery utilising the new footway are noted. However, the Highway Authority have raised no objections in this respect and there is a policy requirement to provide the pedestrian connection between Pheasants Drive and Chestnut Lane. Furthermore, and in any event, there are controls under the Highway legislation to address matters of obstruction of the highway.
- 4.17 Turning to car parking, the site falls within Residential Parking Zone B and therefore the guidance in the Parking Standards seeks to secure 32 allocated parking spaces and 7 unallocated parking. The proposal provides 33 allocated spaces and 5 unallocated spaces. The optimum on plot parking provision is therefore slightly exceeded and the Highway Authority advises that a shortfall of two unallocated spaces would not in this instance have an unacceptable impact on safety or the convenience of the adjoining public highway.
- 4.18 The submitted plans omit details of cycle parking, however all properties benefit from rear gardens of sufficient size to accommodate cycle parking facilities in accordance with the Parking Standard and this matter can be addressed by condition.
- 4.19 To accord with Policies CP12 and DM33 and the Air Quality SPD, the development is required to provide one electric charging point per house and this can be secured by condition.
- 4.20 The Highway Authority recommends a conditions to secure a Construction Traffic Management Plan and, given the location of the site within an urban area and the scale of the development, this is considered reasonable and necessary to mitigate the transport impacts during the demolition and construction phases of the development.
- 4.21 It is noted that emerging Hazlemere Neighbourhood Plan includes policy requirements relating to sustainable transport. The proposal would meet some of the draft policy requirements, such as improving pedestrian connectivity, providing accessing dwellings and the provision of electric vehicle charging points. However, these policy requirements only carry limited weight at this stage of the Neighbourhood Plan, as detailed above, and as such objections cannot be sustained to the elements of this

emerging policy document which extend beyond the requirements of the adopted development plan, such as funding car clubs.

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)
Residential Design Guide SPD.

Housing intensification SPD

- 4.22 The main building on the application site represents an unusual feature in the area, comprising a sprawling industrial style building with a single storey scale. It is gated to Inkerman Drive and presents an inactive elevation to Pheasants Drive flanked by an overgrown area of open space. The site includes two bungalow style buildings to the Chestnut Drive part of the site with a concrete frontage and gated access.
- 4.23 The site is surrounded by residential properties of varied type and design as a result of incremental development in the area over time, including bungalows and houses with varied roof forms, pitches and heights.
- 4.24 The applicant has explored several different layout options as part of application 20/05269/OUT and the current application, working with officers to seek to optimise the development of this brownfield site.
- 4.25 The latest scheme proposes to create a development served off two separate accesses, with the retained nurseway and Plots 1 – 9 accessed from the turning head at the end of Chestnut Lane and Plots 10 – 16 accessed off Inkerman Drive. This results in the formation of two short culs-de sac with a central perimeter block structure providing good surveillance of the public realm. Perimeter blocks are generally advocated in the Council's design guidance as the most robust and successful way to arrange residential layouts.
- 4.26 In addition, the layout facilitates pedestrian permeability which is subject to high levels of surveillance between Chestnut Lane and Pheasants Drive via the inclusion of continuous footway between the two roads without creating a vehicular cut through.
- 4.27 The proposal includes a triangle of open space onto Pheasants Drive to the benefit of the character of the area and the scheme has also been amended to ensure the neighbouring new dwellings overlook this area, with the design of Plot 3 in particular altered to be double fronted. This open space would be landscaped and together with the proposed tree lined streets would introduce a green corridor running through the site to Chestnut Lane. The access road off Inkerman Drive would also be tree lined and the proposed retention of the hedge along Inkerman would ensure an important green feature of the area is not lost due to the proposed development. The open space can be secured by a S106 Legal Agreement with the detail of the landscaping provided at the reserved matters stage.
- 4.28 The scheme would result in an internal access road running along the side boundary of 11 Inkerman Drive terminating at the rear boundary of 5 Hazlemere View. Whilst this is not ideal from an urban design perspective, the boundary would be subject to good surveillance with Plots 10 – 16 all fronting onto the access road. Furthermore, developments are required to make the best use of land, and it is considered that the proposed layout would make the best use of this constrained site to optimise its allocation for a mixed use development.

- 4.29 The proposed design of the dwellings has also been amended during the course of the application to introduce additional windows for surveillance and to simplify the scheme, with all of the proposed houses having hipped roofs to create a coherent form of development. The design of the dwellings does not replicate the appearance of surrounding properties, however there is considerable variety in the area, and subject to appropriate materials secured by condition, and a condition withdrawing householder permitted development rights for roof extensions and extensions, it is considered that the scale and design of the proposed properties are acceptable.
- 4.30 The site falls in land levels to the south west from Pheasants Drive and Inkerman Drive to Chestnut Lane and the use of detached and semi-detached dwellings would allow buildings to step down in levels to follow the underlying topography, however it is important than details of the finished floor levels are secured by condition.
- 4.31 Overall, it is considered that the proposal would comprise an efficient use of the site which would secure an optimal delivery of houses that would improve the character and appearance of the area.

Amenity of existing and future residents

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

Residential Design Guide.

Housing intensification SPD.

- 4.32 All habitable rooms in the proposed dwellings would be served by windows offering good levels and outlook and daylight, with the internal floor space of all the units exceeding the nationally described (internal) space standard such that the proposal would comply with Policy DM40.
- 4.33 In addition, the new dwellings would all be served by gardens with a depth in excess of 10m and the central perimeter block (containing 13 dwellings) would predominantly have two storey separation distances in excess of 25m to accord with the Council's design guidance. The separation distance between Plots 14 - 15 and 5 would fall slightly under 25m, but it would be less than a one metre shortfall with the properties benefiting from relatively generous rear gardens and would allow for some frontage landscaping for these plots to the benefit of the character of the area such that the separation distance is not objectionable in this instance. However, it is recommended that permitted development rights are removed for roof enlargements, extensions and outbuildings in the interests of the amenity of future occupiers of the site and neighbouring residents.
- 4.34 Turning to the amenities of occupiers of neighbouring properties in more detail, the scheme has been amended to improve the separation from the new dwellings on Plots 1-2 to the side boundary of 3 Swallow Drive. It is considered that the amended scheme, subject to a finished floor level condition, would not give rise to unacceptable overlooking to this neighbouring property.
- 4.35 In addition, the altered scheme also improves the separation from the new dwelling on Plot 10 to the rear boundaries of 3 – 5 Hazlemere View. The amended plans also indicate that the hedge to the rear of 3 – 5 Hazlemere View would be retained to soften the initial impact of the development and seek to address third party representations. Plot 10 would be set on a higher land level than properties on Hazlemere View due to the underlying topography of the area, but it is considered that the amendments

together with its proposed hipped form would ensure that it would not appear unduly prominent or overbearing when viewed from these neighbouring properties. However, it is recommended that that the first floor flank windows in Plot 10, and also Plots 9, and 16, are conditioned to be obscure glazed, with a condition also imposed to prevent the insertion of additional first floor side windows, to protect the privacy of neighbouring properties on Hazlemere View, Chestnut Lane and Inkerman Drive and future occupiers of the new development.

- 4.36 The proposed houses would be set to the side of 14 Chestnut Lane and 14 Inkerman Drive, such that there would only be angled views between the fronts and rears of these properties maintaining acceptable levels of privacy and outlook. In addition, the hipped roof forms and insets from the boundary would ensure that the development would not appear unduly prominent or overbearing when viewed from these neighbouring properties nor result in an unacceptable loss of sunlight or daylight to 14 Inkerman Drive which is set to the north eastern side of the site
- 4.37 Plots 10 – 15 would face towards the side boundary of 11 Inkerman Drive, but with a separation distance in excess of 18m and intervening access road such that there would not be any unacceptable overlooking or detrimental visual impact on this neighbouring property. Furthermore, the new access road would only serve a limited number of properties such that it would not give rise to unacceptable impact in terms of disturbance and activity associated with vehicle movements.
- 4.38 Overall, it is considered that the proposal would afford a good level of amenity for future occupiers of the proposed development and would not have an unacceptable impact on the residential 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)

- 4.39 The proposal would remove an employment use, identified under the previous local plan as a badly sited user, and thus would represent a benefit to neighbouring residential properties in terms of a reduction in noise, activity and disturbance.
- 4.40 In addition, the Council's Environmental Health Officer has reviewed the application and raises no objections to the proposal subject to conditions to address contamination from the employment use of the site and electric vehicle charging points to address air quality matters.
- 4.41 A planning condition is recommended to control any lighting associated with the development to ensure the provision is made for street lighting to create a secure development, whilst safeguarding neighbours and ecological considerations.

Flooding and drainage

Wycombe District Local Plan (August 2019): CP12 (Climate Change), DM39 (Managing Flood Risk and Sustainable Drainage Systems)

- 4.42 The application site is in Flood Zone 1 and is therefore at low risk of river flooding. In addition, the Environment Agency's Flood Map for Surface Water shows that the site is at low risk of surface water flooding and flooding from groundwater is also unlikely.
- 4.43 However, the proposal comprises a major development and therefore there is a policy requirement for the application to be accompanied by a Flood Risk Assessment together with details of Sustainable Drainage. The LLFA has assessed the submitted

details, raising no objections to the flood risks proposed by the development and advising that details of sustainable drainage can be secured by conditions.

Green networks, infrastructure and ecology

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development)

DSA: DM11 (Green networks and infrastructure), DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance), DM14 (Biodiversity in development), DM15 (Protection and enhancement of river and stream corridors)

- 4.44 The application was accompanied by a Preliminary Ecological Appraisal, with a subsequent Ecological Impact Assessment submitted including bat emergence surveys, habitat plan and Defra metric. The Ecology Officer has assessed the submitted details and advises that the proposal would result in a net gain in biodiversity and would not be likely to have an adverse impact on protected species, subject to conditions to secure an Ecological Design Strategy and a Landscape and Ecological management plan (LEMP).
- 4.45 Turning to green infrastructure, the Council's Arboricultural Officer recommends the imposition of a tree protection condition to secure the retention of the trees and hedgerows shown to be retained in the submitted Arboricultural Method Statement.
- 4.46 It is noted that third parties are seeking a Tree Preservation Order (TPOs) or covenant to protect the hedge to the rear of properties on Hazlemere View, however hedges cannot be protected by TPOs and covenants are civil matters outside the scope of planning. Although, controls can be imposed through planning conditions to seek to protect the hedge during the construction process and to secure its retention for at least 5 years to soften the initial impact of the development and encourage its long term retention and management.
- 4.47 In addition, the Arboricultural Officer advises that the submitted details indicate that the 25% canopy cover requirement set out in Policy DM34 can be met for the development proposal, which would include tree lined streets, the retention of trees and hedgerows and some trees to the rear garden of properties. However, given the constrained nature of the development and to secure the long term retention of trees in rear gardens, the Arboricultural Officer recommends that a condition is imposed to secure the provision of detailed information regarding canopy cover and tree planting.
- 4.48 Also, it must be recognised that the layout would allow for the provision of street trees and other vegetation to provide green infrastructure connections running from north to south across the site and also to the boundaries of the site. Therefore, the proposal would offer benefits to local green infrastructure networks.

Community facilities

Wycombe District Local Plan (August 2019): DM29 (Community Facilities)

Community facilities SPD

- 4.49 The existing childcare nursery would fall within the definition of a community facility within the development plan and its retention as part of the proposal would accord with Policy DM29, as well as the requirements to retain this facility as set out for this allocated site in Policy HW14.

Building sustainability

Wycombe District Local Plan (August 2019): CP12 (Climate Change), DM33 (Managing Carbon Emissions), DM41 (Optional Technical Standards for Building Regulations Approval)

- 4.50 The application has been supported by a Sustainability and Energy Statement which details that water efficiency measures would be incorporated within the new homes to ensure the water use is less than 110 litres per person per day and achieves the enhanced standard required by the Building Regulations. This matter can be secured by a compliance condition to comply with Policy CP12.
- 4.51 In addition, Policies CP9 and DM33 seek to secure the integration of renewable technologies into development to address carbon emissions. The submitted Sustainability and Energy Statement assesses a number of options for reducing carbon emissions including incorporating renewable energy technology but sought to focus on the fabric first approach. However, this statement was submitted last year and the applicant has subsequently agreed to a condition to secure a scheme to ensure at least 15% of the energy supply of the development comes from decentralised and renewable or low carbon energy sources to address the policy requirements.
- 4.52 It is noted that the draft Hazlemere Neighbourhood Plan includes policy requirements relating to zero carbon homes which the proposal would not comply with. However, these emerging policies only carry limited weight at this stage of the Neighbourhood Plan, as detailed above, such that objections cannot be sustained to the proposal in these respects.

Public open space

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth)

DSA: DM16 (Open space in new development), DM19 (Infrastructure and delivery)

- 4.53 Policy DM16 details that the provision of strategic and local open space for schemes of less than 10 dwellings will generally be provided off site and funded through CIL. Although there is also a requirement to provide communal open space as part of providing sustainable communities and high quality environments.
- 4.54 In this instance, the proposal includes a triangular shaped area of public open space adjacent to Pheasants Drive and the retention of a hedgerow along Inkerman Drive to benefit the character and appearance of the area. The implementation and maintenance of this open space needs to be secured within a legal agreement.

Infrastructure and Developer Contributions

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth)

DSA: DM19 (Infrastructure and delivery)

Planning Obligations SPD

- 4.55 The development is a type of development where CIL would be chargeable.
- 4.56 The Planning Obligations SPD sets out the Local planning Authority's approach to when planning obligations are to be used in new developments.
- 4.57 It is considered that there would not be other types of infrastructure, other than those previously highlighted that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.

4.58 Having regard to the statutory tests in the Community Infrastructure Levy regulations and the National Planning Policy Framework it is considered that the following planning obligation(s) are required to be secured within a section 106 agreement:

- Open space provision and maintenance/management in perpetuity
- Provision and maintenance of pedestrian and cyclist access between Chestnut Lane and Pheasants Drive
- SUDS maintenance/management
- Monitoring Fee

4.59 The applicant has confirmed a willingness to enter into a legal agreement.

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 broadly accord with the development plan policies. The lack of affordable housing would weigh against the grant of planning permission but this has been justified by the viability assessment which has been checked and agreed by the Council's consultant. As the site is an allocated site and its delivery is part of the housing strategy for the west area, the lack of affordable housing is not considered to warrant refusal of the application. The development would regenerate a site and create a new development more in keeping with the character and quality of the area than the buildings it replaces.

5.4 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

6.0 Working with the applicant / agent

6.1 In accordance with paragraph 38 of the NPPF (2019) 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 was provided the opportunity to submit amendments to the scheme and additional information to address issues.

7.0 Recommendation

7.1 That the application be delegated to the Director of Planning and Environment for APPROVAL subject to the satisfactory completion of a legal agreement to secure the following:

- Open space provision and maintenance/management in perpetuity
- Provision and maintenance of pedestrian and cyclist access between Chestnut Lane and Pheasants Drive
- SUDS maintenance/management
- Monitoring Fee

It is anticipated that any permission would be subject to the following conditions:

Reserved matters and time limits

- 1 Details of landscaping (hereinafter 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.
Reason: That the application is expressed to be an outline application only.
- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).
- 3 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the reserved matters, whichever is the later.
Reason: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

Approved Plans

4. The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and the following schedule of plans:

Drawing Numbers	Drawing Title
HWIDH/PLN/200	Location Plan
HWIDH/PLN/214	Site Survey
HWIDH/PLN/101	Existing Site Buildings
HWIDH/PLN/303 Rev E	Proposed Block Plan
HWIDH/PLN/304 Rev A	Plots 1 and 2
HWIDH/PLN/305 Rev B	Plot 3
HWIDH/PLN/306 Rev B	Plot 4
HWIDH/PLN/307 Rev B	Plots 5 and 9
HWIDH/PLN/308 Rev B	Plot 6
HWIDH/PLN/309 Rev A	Plots 7 - 8 and 14 - 15
HWIDH/PLN/310 Rev A	Plot 16
HWIDH/PLN/311 Rev A	Plots 10 and 11

Reason: In the interest of proper planning and to ensure a satisfactory development of the site.

Landscaping and Trees

5. The reserved matters of landscape shall comply with the canopy cover requirements of Policy DM34 and the Canopy Cover Supplementary Planning Document. At the reserved matters stage the following shall be submitted:
- An assessment of the existing and retained canopy of the site which relates to details produced in line with BS5837:2012 (electronic copy as per SPD)
 - An assessment of the canopy cover value to be provided by new trees (electronic copy as per SPD) demonstrating how a future canopy cover of 25% of the site area will be achieved.
 - An assessment of the canopy cover value to be provided by new green infrastructure elements (electronic copy as per SPD)
 - A canopy cover plan showing existing, retained trees and new canopy cover provided by trees (with canopy at size of planting and in the future), green walls and green roofs.
 - The plan will be annotated with a reference for each tree/element and their canopy cover area value.

Reason: To ensure the canopy cover requirements for the site can be met in accordance with the Canopy Cover Supplementary Planning Document.

6. No development (other than demolition) shall take place until a tree planting and canopy cover implementation and management scheme produced in line with the Canopy Cover Supplementary Planning Document has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:
1. Details of the required soil volume,
 2. The locations of underground infrastructure to demonstrate that there are no clashes.
 3. Details of monitoring and supervision of the tree planting process including provision to take photographs of each tree pit/soil volume space, prior to filling with soil.
 4. Details of how the tree planting is to be phased across the development so that planting takes place in line with the occupation of the development.
 5. Details of maintenance and management (and replacement procedure if necessary) of trees for at least 5 years after planting

Thereafter the development shall be carried out and completed in accordance with the approved scheme unless otherwise first agreed in writing by the Local Planning Authority. An annual monitoring and supervision report from a qualified arboriculturalist, shall be submitted to and approved in writing by the Local Planning Authority in line with the phased planting scheme and management and maintenance scheme approved under 4 and 5 above.

Reason: To ensure the canopy cover requirements for the site can be met in accordance with the Canopy Cover Supplementary Planning Document

7. With the exception of any pruning, tree surgery or felling specifically shown in the Arboricultural Report (reference 1219-8092 Rev2) submitted as part of the application or landscaping scheme to be submitted as part of the reserved matters application, no trees or hedge shown to be retained shall be pruned, felled or removed without the prior approval of the Local Planning Authority. If during construction of the development, or within a period of five years of its completion, any such tree or hedge shown to be retained dies or becomes damaged, destroyed, diseased or dangerous, it shall be replaced during the following planting season by another healthy tree, or hedge as the case may be of a similar size and species, unless otherwise approved in writing by the Local Planning Authority. Thereafter any such replacement planting shall be maintained or further replaced as necessary for five years after replacement.

Reason: To ensure the satisfactory retention of existing trees, and hedges in the interests of amenity, green infrastructure and biodiversity.

8. The development shall take place in accordance with the Arboricultural Report (reference 1219-8092 Rev2) and accompanying Tree Protection Plan submitted as part of the application, and any permitted works within the Construction Exclusion Zone and other works which are specified in the submitted Arboricultural Report shall take place under the supervision of a retained arboricultural specialist.

No site clearance works or development shall commence, and no machinery or equipment shall be allowed on site until protective fencing and/or other protective measures have been erected around each tree and hedge to be retained in accordance with the recommendations in the submitted Arboricultural Report. The area surrounding each tree and hedge to be retained within the approved protective fencing shall remain undisturbed during the course of the works.

Reason: To ensure that the retained trees and hedgerows are not damaged during the construction process in the long term interests of amenity, green infrastructure and biodiversity.

9. The development hereby permitted shall be landscaped and planted in accordance with a fully detailed scheme which shall be submitted as part of the reserved matters detail of landscaping for the development. 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 5 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, green infrastructure and biodiversity, and to ensure a satisfactory standard of landscaping

Contamination

10. No development shall take place until the following has been submitted to and approved in writing by the Local Planning Authority before any development takes place:

- a) A detailed site investigation has been carried out to establish:-
- i. If the site is contaminated;
 - ii. To assess the degree and nature of the contamination present;

- iii. To determine the potential risks to human health, the water environment, the natural and historical environment, and buildings and other property by contaminants.

Such detailed site investigation to accord with a statement of method and extent which shall previously have been agreed in writing by the Local Planning Authority and

- b) The results and conclusions of the detailed site investigations referred to in (a) above have been submitted to and the conclusions approved in writing by the Local Planning Authority and
- c) A scheme showing appropriate measures to prevent the pollution of the water environment, to safeguard the health of intended site users, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation and approved conclusions has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in (c) above.

Reason: This is a pre-commencement condition to ensure that the potential contamination of this site is properly investigated and its implication for the development approved fully taken into account.

11. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

Before development recommences on the part of the site where contamination is present a scheme outlining appropriate measures to prevent the pollution of the water environment, to safeguard the health of intended site users, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation and approved conclusions shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall not be implemented otherwise than in accordance with the approved remediation scheme.

Reason: To ensure that the potential contamination of this site is properly investigated and its implication for the development approved fully taken into account.

Construction Traffic Management Plan

12. No development shall take place until a Construction Traffic Management Plan (CTMP) 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. Thereafter, the development shall be carried out in accordance with such approved CTMP.

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.

Vision splays – Inkerman Drive

13. No other part of the development shall begin until visibility splays have been provided on both sides of the Inkerman Drive access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.
Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

Chestnut Lane – Access alterations

14. The development shall not be occupied until the existing means of access onto Chestnut Lane has been altered in accordance with the approved drawing and constructed in accordance with the Buckinghamshire Council guide note “Commercial Vehicular Access Within the Public Highway”.
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

Car Parking

15. The car parking spaces, garaging and manoeuvring areas indicated on the plans hereby approved shall be laid out prior to the initial occupation of the development hereby permitted. Thereafter the car parking spaces shall only be used for the parking of vehicles and shall not 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.

Refuse and cycle storage

16. Prior to first occupation of the development hereby permitted, details of facilities for the storage of refuse bins and cycles shall be submitted to and approved in writing by the local planning authority for approval. The approved details shall be provided before the dwelling(s) that they relate to is first occupied and shall thereafter the facilities shall be permanently retained for their purpose.
Reason: To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents.

Surface materials

17. Notwithstanding the submitted details, no development (other than demolition) shall take place until a schedule and/or samples of all surfacing materials has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.
Reason: To secure a satisfactory appearance.

Surface water drainage

18. No works (other than demolition) shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, 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:

- Discharge rate limited to 2l/s
- Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index
- 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.
- Active rainwater harvesting calculations in accordance with British Standard EN 16941-1:2018
- Demonstration that the viability of locating all outlet pipes from the attenuation tanks within shared public spaces has been explored
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
- SuDS components agreed in the outline application
- Full construction details of all SuDS and drainage components
- 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.

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 167 and 169 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

19. Prior to the occupation of the development, a whole-life surface water drainage 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.

Reason: To ensure that arrangements have been arranged and agreed for the long term maintenance of the drainage system as required under Paragraph 169 of the National Planning Policy Framework.

Levels

20. Notwithstanding the submitted details, no development (other than demolition) shall take place until drawings of the site identifying the following have been submitted to and approved in writing by the Local Planning Authority:

- a. Existing ground levels on site (spot heights) including a datum point that is located off site. Levels should be Above Ordnance Datum (AOD).
- b. The level of the roads outside the site. (AOD).

- c. The proposed levels on site following completion of the development (for each existing height a proposed height should be identified).
- d. The location and type of any retaining structures needed to support ground level changes.
- e. The Finished Floor Level for every building that is proposed.
- f. Cross sections within the site taken up to the site boundaries. The information supplied should clearly identify if land levels are being raised or lowered.
- g. In the case of residential development, sections showing the level of the proposed garden(s) and retaining structures.

The development shall be carried out only in accordance with the approved details.

Reason: To ensure that the work is carried out at suitable levels in relation to adjoining properties and highways

Ecological design strategy

21. No development shall take place until an ecological design strategy (EDS) addressing mitigation, compensation and enhancement has been submitted to and approved in writing by the local planning authority. The EDS shall include the following.
- a) Purpose and conservation objectives for the proposed works.
 - b) Review of site potential and constraints.
 - c) Detailed design(s) and/or working method(s) to achieve stated objectives.
 - d) Extent and location/area of proposed works on appropriate scale maps and plans.
 - e) Specification and source of materials (plants and otherwise) to be used where appropriate, e.g. native species of local provenance.
 - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
 - g) Persons responsible for implementing the works.
 - h) Details of initial aftercare before hand over to the long-term maintenance contained within the LEMP.
 - i) Details for monitoring and remedial measures.
 - j) Details for disposal of any wastes arising from works.
 - k) Details including the location and specification for the creation of new wildlife features, including the inclusion of bat roosts, bird nesting features within buildings (at least 6), and hedgehog holes in fences.
 - l) Details including the location and specification for compensatory hedge planting.
 - m) An updated version of the biodiversity metric which reflects the detailed proposals and includes recognition of the hedgerow to be compensated for.

The EDS shall where appropriate be cross reference in other relevant details (e.g. landscape plans, detailed building design), and it shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: This is a pre-commencement condition to comply with the requirements of the Conservation of Habitats and Species Regulations 2010, Schedules 1, 5 and 8 of the Wildlife & Countryside Act 1981 (as amended), and the Protection of Badgers Act 1992. And to

ensure that there is a net gain in biodiversity in line with the requirements of the National Planning Policy Framework (NPPF) and policy DM34.

Landscape and Ecological Management Plan

22. Prior to the occupation of the development hereby permitted, a landscape and ecological management plan (LEMP) shall be submitted to and be approved in writing by the local planning authority. The content of the LEMP shall include the following.
- i. Description and evaluation of features to be managed.
 - ii. Ecological trends and constraints on site that might influence management.
 - iii. Aims and objectives of management.
 - iv. Appropriate management options for achieving aims and objectives.
 - v. Prescriptions for management actions.
 - vi. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - vii. Details of the body or organisation responsible for implementation of the plan.
 - viii. Ongoing monitoring and remedial measures.

The LEMP 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 also set out (where the results from monitoring show that conservation aims and objectives of the LEMP 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 will be implemented in accordance with the approved details.

Reason: To ensure appropriate protection and enhancement of biodiversity, to make appropriate provision for natural habitat within the approved development and to provide a reliable process for implementation and aftercare.

Materials – Elevation treatments

23. Prior to the construction of any dwelling hereby permitted above ground floor slab level, and 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. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To secure a satisfactory external appearance.

Boundary treatments

24. Prior to the construction of any dwelling hereby permitted above ground floor slab level, details of all boundary walls, fences and any other means of enclosure within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details and the dwellings hereby approved shall not be occupied until the details have been fully implemented.

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.

Renewable Technologies

25. Prior to the construction of any dwellings hereby permitted above ground floor slab level, a scheme to demonstrate how renewable technologies will be integrated into the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure at least 15% of the energy supply of the development comes from decentralised and renewable or low carbon energy sources. The development shall be implemented in accordance with the approved scheme and no unit shall be occupied until the measures within the scheme relating to that house have been provided. The scheme shall remain operational for the lifetime of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of managing carbon emissions and mitigating climate change as required by Local Plan policy CP12 and DM33.

Water Efficiency Standard

26. The development hereby permitted shall be designed and constructed to meet a water efficiency standard of no more than 110 litres per head per day.

Reason: In order to meet the requirements of Local Plan policy CP12 and DM41 in the interests of water efficiency.

Access to and use of buildings

27. Plots 1 to 3 hereby permitted shall be designed and built to achieve the standards in Building Regulations Approved Document M4(3) and the remaining dwellings hereby permitted shall all be designed to achieve the standards in Building Regulations Approved Document M4(2).

Reason: To meet the need for accessible, adaptable and wheelchair user dwellings as required by policy DM41.

Electric Vehicle Charging Points

28. Prior to occupation of each respective unit hereby permitted, one electric vehicle charging point shall be installed for each house with allocated parking. Thereafter the electric vehicle charging points shall be retained as such and maintained in full working order for the lifetime of the development unless otherwise first agreed in writing by the local planning authority.

Reason: To manage carbon emission generation and mitigate for climate change and the impact on the health of Nitrogen Dioxide emissions in accordance with local plan policy CP12 and DM33 and the Air Quality SPD

Street Lighting

29. Prior to the occupation of the development hereby permitted, full details of all external lighting within the application site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and be fully implemented prior to the occupation of the dwellings and retained and maintained thereafter.

Reason: In the interests of amenity, crime prevention and biodiversity

Removal of permitted development rights

30. 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 Classes A to E of Part 1 of Schedule 2 shall be carried out without the prior, express planning permission of the Local Planning Authority.
Reason: In order that the Local Planning Authority can properly consider the effect of any future proposals on the character of the locality, the amenity of neighbouring properties and surface water drainage.
31. No further windows, doors or openings of any kind shall be inserted in the flank elevations 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.
32. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a highway.
Reason: In order to safeguard the visual amenities of the area.
33. Notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no gates shall be erected upon the development's estate road.
Reason: To prevent vehicles reversing out onto Wycombe Road and enable vehicles to draw off clear of the highway, turn within the site and re-enter Wycombe Road for the safety and convenience of all highway users.
34. Notwithstanding any other details shown on the plans hereby approved, the first floor window(s) in the flank elevations of the dwellings on Plots 9, 10 and 16 shall, up to a minimum height of 1.7 metres above finished floor level, be fixed shut (without any opening mechanism) and glazed in obscure glass. The window(s) shall thereafter be retained as such.
Reason: In the interests of the amenity of neighbouring properties.

INFORMATIVE(S):

1. The applicant is advised that Planning Obligations have been entered into in connection with this permission.
2. The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Health Section of the Environment Service on 01494 421737 at the Council Offices.
3. It is drawn to the applicant's attention 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

4. The applicant is advised that no vehicles associated with the building operations on the development site should 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.
5. It is drawn to the applicant's attention that 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 should therefore be so designed and constructed that surface water from the development should not be permitted to drain onto the highway or into the highway drainage system.
6. The applicant is advised that 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.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Cllrs Catherine Oliver, Ed Gemmell and Ron Gaffney called this application as “it does not conform to Policy HW14 within the Wycombe Local Plan 2019 and despite several applications is still of concern to local residents”.

Hazlemere Parish Council Comments

June 2022 – Comments on latest amended scheme:

The Parish Council wishes to draw the Case Officer's attention to Policy HW14 of HWLP 2019 which states:

4. Provide approximately 640 square metres of B1 office space. The Parish Council would like it noted the developer has yet again not proposed any office space

5.1.109 The indicative capacity of the site is 14 dwellings; the developer has proposed 16.

5.1.110 Development proposals should deliver a mixed use site which integrates with the local character of the area, as well as delivering B1 office space in line with the policy requirement above. There is no office space proposed.

Buckinghamshire Countywide Parking Guidance September 2015 defines number of parking and cycle spaces for a development. This proposal has 32 spaces and 2 garages and only five visitor parking spaces. There is no provision for cycle storage in this proposal although it could be argued that numbers 4 and 6 can use their garages. The Parish Council therefore require a minimum of 28 cycle parking spaces for the remaining plots.

According to Table 5. Residential car parking standards (above 10 dwellings), there should be a minimum of 32 residential parking spaces. This has been achieved however where more than half of parking is allocated, an additional 20% of the total number of spaces are required for unallocated/visitor parking. Therefore, this development requires a minimum of 6 additional unallocated visitor parking spaces.

Hazlemere Neighbourhood Plan (at regulation 14 consultation stage and therefore a material consideration)

POLICY HAZNP2: Protecting and Improving Green Infrastructure D. ' In addition, on sites of 0.5 ha or more, future canopy cover of at least 30% of the site area within ten years should be achieved. As this site is 0.62Ha, this level of canopy cover is a requirement.

POLICY HAZNP3: Delivering Zero Carbon Buildings

- A. All development must be 'zero carbon ready by design'
- B. All new development must be certified to a Passivhaus or an equivalent standard
- C. All planning applications for development (except householder applications) are also required to be accompanied by a Whole Life-Cycle Carbon Emission Assessment
- D. An Energy Statement will be submitted to demonstrate compliance with the policy

All of Policy HAZNP3 is a requirement of this application

POLICY HAZNP4: Promoting Sustainable Transport

- A. All development proposals should sustain, enhance the functionality of local footpaths and cycleways and public transport infrastructure by way of their layout and means of access, and by linking up existing routes.
- B. All development schemes will be required to make a financial contribution to a package of local measures to reduce the reliance on car ownership and to achieve the aim of enabling someone to walk/cycle from one end of the parish to the other without going on a road.
- C. All development schemes will be required to provide car club spaces and to establish/fund appropriate car clubs. Requirements for provision of private car parking will be adjusted to reflect the provision of car club spaces.
- D. All development schemes will be required to provide access to EV charging for all parking spaces.
- E. Not applicable
- F. All developments must ensure that transport routes and public spaces within the development meet best standards of accessibility, so that the whole development meets the needs of people with a wide range of disabilities, including age-related impacts and hidden disabilities.

The above clauses of Policy HAZNP4 are a requirement of this application

March 2022 – Comments on second set of amendments:

The Parish Council would like to draw the Case Officer's attention to the discrepancy that the site plan has been amended but not the block plan.

The Parish Council wishes to thank the developers for hearing the previous highways objections and making sufficient amendment.

The Parish Council continues to object that there is no office space and that the allocated site policy HW14 shows an indicative number of dwellings of 14; this application shows 16 dwellings. This application should therefore be refused as it is contrary to the WDLP 2019.

July 2021 – Comments on scheme as originally submitted:

Hazlemere Parish Council recognise the number of changes made in response to this comment, but we note that this proposal still delivers 3 more houses than indicative capacity in the local plan (and lack of office space). Given the increasing demand for roof extensions locally, the Councillors think that this is likely to put increasing pressure on parking space in future.

There remains concern that access from the narrow Chestnut Drive and would like to see vehicular access from Pheasants Drive for some of the properties without creating a rat run. We are concerned about the blind exit from the Inkerman Drive end, so some form of mitigation (eg signage) would be desirable.

We would like to see EVC points for all dwellings.

We would like to see a construction management plan submitted to reduce impact on neighbours, and particularly the working of the nursery. No construction traffic should be permitted down Chestnut Drive or Pheasants Drive.

Consultation Responses (Summarised)

Highways

June 2022 – Comments on latest amendments

- Having assessed the amendments, satisfied that the proposed parking is in line with the requirements of the Buckinghamshire Countywide Parking Guidance policy document
- Whilst the Chestnut Lane access have been slightly altered, the carriageway widths are acceptable and the turning heads are sufficient for refuse and emergency vehicles to manoeuvre within the site.
- No objections subject to the conditions and informatives set out within previous response.

February 2022 – Comments on second set of amendments

- Shortening of spur ensures the reversing manoeuvres or refuse and fire service vehicles would not have a detrimental impact upon road safety users
- Development will offer a level of allocated parking which is the optimum standards when taking into account the level of habitable accommodation for each dwelling
- No objection subject to conditions relating to secure a Construction Traffic Management Plan and the provision of the altered vehicular access to Chestnut Lane, vision splays to Inkerman Drive access, and car parking as per the plans.
- In addition, informatives should be included to highlight the need for a highway licence and that it is an offence for vehicles to obstruct or carry mud onto a highway or for water to runoff onto a highway.

October 2021 –Comments on first set of amendments:

- Objection on the basis of inadequate provision of satisfactory turning space within the site resulting in danger and inconvenience to highway users.

July 2021 – Comments on scheme as originally submitted:

- The site would utilise two accesses, with the proposal generating fewer vehicle movements from the Inkerman Drive access compared to the existing situation but resulting in a slight intensification of the Chestnut Lane access. However, satisfactory visibility can be secured from the access and improvements to the access can be secured by condition to ensure the intensification will not have a detrimental impact on highway safety and convenience. Therefore, satisfied that all vehicle movements can be accommodated in the local highway network.
- The proposal is for carriageway widths of 4.8m mostly flanked by 1.2m footways and the tracking data for refuse vehicles is acceptable. However the siting of the spur is objectionable as it would result in fire and service vehicles having to reverse more than 20m which would be detrimental to pedestrian safety.
- The development would offer a level of allocated parking which is the optimum standard and thus a shortfall of two unallocated spaces (i.e. 5 spaces rather than 7 spaces) would not have a severe impact upon the safety and convenience of the adjoining public highway, nor justify this as a reason for refusal of the application.
- The development is located within 500m of bus stops providing regular services to High Wycombe and Chesham.

Urban Design

May 2022 – Comments on latest amendments:

- No further comments, proposals acceptable.

March 2022 – Comments on second set of amendments:

- It would be preferable to explore re-orientating plots to front onto Pheasants Drive to make a better streetscape or, alternatively, the triangle of open space adjoining Pheasant's Drive should be configured as a public open space, incorporating ornamental planting and seating.
- Some plots do not include at least one parking space capable of enlargement to 3.3 metres wide to allow M4(2) properties to be adapted to a higher standard
- A continuous public pavement between Pheasants Drive and Chestnut Lane should be provided
- The mature hedgerow along Inkerman Drive should be retained as a permanent feature.
- Areas for new planting must be substantial and not at risk of loss, such as for enlarging parking spaces (see above); the planting areas alongside Plots 1 and 7/8/9 and to the rear of the visitor parking spaces are too small.
- A substantial portion of the hedge and tree planting is proposed in private gardens, but more needs to be done within the streetscape.
- All tree planting locations must make provision for suitable soil volumes in accordance with the Council's Tree Canopy Calculator, including using reinforced soils beneath paved areas where necessary.

August 2021 – Comments on scheme as originally submitted:

- The principal concern would be the access to the northern half of the site from Chestnut Lane. This road is already a long and narrow cul-de-sac, to which the proposed development will add more traffic, and the proposed access arrangement is awkward.
- Unless advised otherwise in pre-application advice (e.g. by the Council's Highway Department), a new access from Pheasants Drive should be provided, with a pedestrian connection to Chestnut Lane provided but with no road connection.

Environmental Health Officer

March 2021 – Comments on latest amendment:

- Previous comments still stand.

July 2021 (amended by email of September 2021) – Comments on scheme as originally submitted:

- A report submitted alongside the application suggest that further investigation of potential contaminants on the land is required. A detailed site investigation must therefore take place prior to the commencement of development; a condition to address this is recommended.
- As per the air quality SPD, electric vehicle charging points with a minimum rating of 32 amp (one per dwelling) must be provided prior to the occupation of the development.
- An informative is recommended relating to construction noise.

Ecological Officer

May 2022 – Comments on second set of amendments:

- The issues raised in the previous ecological comments have been addressed.
- The bat emergence surveys have now been submitted and so have the habitats plans and the defra metric. The Biodiversity Metric 3.0 shows that there will be a Biodiversity Net Gain of habitats of approximately 80.13%, however the metric fails to account for the lost hedgerow which is mentioned in the Amended Ecological Impact Assessment as being 40m in length. It seems likely that there will be opportunities for the hedgerow to be compensated for through the new scheme.
- The Amended Ecological Impact Assessment includes recommendations in section 6 which need to be incorporated into the proposals to make it acceptable and this can be secured by conditions

to require an Ecological Design Strategy and a Landscape and ecological management plan (LEMP).

December 2021 – Comments on scheme as originally submitted:

- The Preliminary Ecological Appraisal (PEA) omits details of on the bats surveys undertaken and no habitat map/plan is included.
- No metric or assessment of the biodiversity value to be gained or lost has been included.

Arboriculture Spatial Planning

July 2022 - Comments on latest scheme:

The submitted documents are acceptable in principle, subject to submission of detailed canopy cover/landscaping details showing tree species and tree pit details. This should be submitted in accordance with the SPD.

As a managed hedgerow, H14 cannot be made subject of a TPO, but can be safeguarded by condition for a limited period. This will help the applicant meet the biodiversity/canopy requirements of DM34 and add maturity to the scheme.

March 2022 – Comments on second set of amendments:

Please see previous comments. Information required by the SPD still appears to be outstanding. Happy to discuss. Please refer applicant to the guidance for canopy cover.

November 2021 – Comments on first set of amendments:

- There are concerns that the proposal may not meet the canopy cover requirements of policy DM34; not all documents required by the Canopy Cover SPD guidance have been provided.
- Regarding retained trees, it is likely that a detailed AMS and TPP can be submitted by condition reflecting any changes in layout.
- Details regarding new planting can likely be conditioned also, subject to the council being satisfied that 25% canopy cover is achievable.

Community Housing

No comments received.

Legal - Rights Of Way

No comments received.

Lead Local Flood Authority (Major SuDS)

October 2021 – Comments on second set of amendments:

- Information has been provided regarding maintenance responsibilities and the drainage layout has been revised.
- No objections subject to planning conditions to secure full details of a surface water drainage scheme for the site and a whole life management plan.

July 2021 – Comments on scheme as originally submitted:

- The Flood Map for Surface Water provided by the Environment Agency shows that areas of the site are at low risk of surface water flooding and flooding from groundwater is also unlikely.
- The surface water drainage can be addressed by way of planning condition.
- Further information is required regarding maintenance responsibility and the location of SuDS components prior to the determination of this application.

Crime Prevention Design Advisor

No comments received.

Representations

Five comments have been received objecting to the latest amendment to the proposal:

- Changes are positive in relation to the impact on Hazlemere View, but the hedge needs to be safeguarded by condition/legal covenant on amenity and wildlife grounds
- Hedge / trees to the rear of Hazlemere View should be the subject of a Tree Preservation Order
- Concerned houses will be elevated in relation to bungalows on Hazlemere View and overlook bedrooms
- Concerned that the footway from Pheasants Drive may encourage cars to park on Pheasants Drive and walk down the footway, causing parking issues and damaging the new open space - suggest parking restrictions imposed on Pheasants Drive.
- Vehicles accessing along Chestnut Lane will generate noise
- Visitors to the development will park on Chestnut Lane

Four comments were received objecting to the second set of amendments (February 2021):

- Development should be bungalows to blend in with area
- Plots 10 and 11 would be imposing on properties on Hazlemere View, they are huge in comparison to the bungalows they would replace and they would be more imposing due to the lay of the land
- Proposal would overlook bedrooms on Hazlemere View
- Hedges on boundary with Hazlemere View are paramount for screening; concerned hedge would be destroyed in construction process, exacerbating issues with scheme
- Proposal should provide public pedestrian footway to Pheasants Drive from Chestnut Lane
- Transport Statement does not adequately assess impacts on Chestnut Lane
- Adverse impact of traffic on Chestnut Lane and surrounding roads
- The increased traffic flow on Chestnut Lane will change the dynamic of Chestnut lane, making it more dangerous and detrimentally impacting upon its character
- Chestnut Lane is a narrow road and large vehicles have to mount the footpath, causing damage to footway
- The visibility on the exit of Chestnut lane onto Eastern Dene is poor and the proposal will there increase the risk of accidents
- Chestnut Lane is not suitable for construction traffic

Four comments were received objecting to the proposal as original submitted:

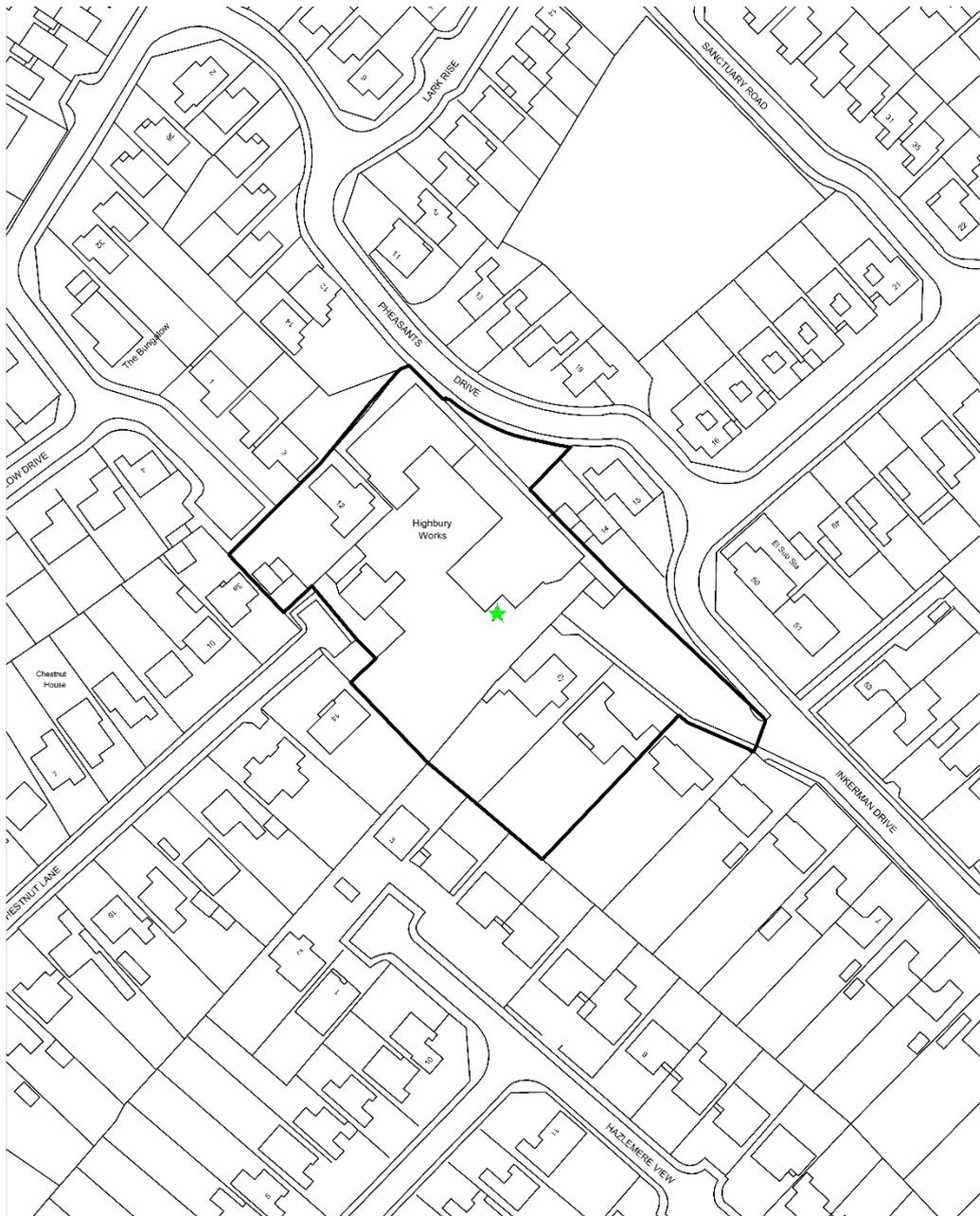
- Preferable to invest in office and factory jobs to create jobs
- Semi-detached houses are not in keeping with Chestnut Lane
- The rotation of the new house perpendicular to the properties on Hazlemere View is welcomed
- Properties neighbouring Hazlemere View should be single storey in keeping with the surrounding properties
- First floor windows would overlook neighbouring properties on Hazlemere View
- Loss of hedgerow to boundary with properties on Hazlemere View will affect the privacy of these neighbours; concerned whether development would impact on roots of this hedge. Also suggest that retention of hedge should be secure by a covenant
- Chestnut Lane cannot accommodate the additional traffic from the development; it is only

limited in width and existing access/obstruction/passing issues for residents would be exacerbated with for example emergency service vehicles not able to access properties.

- Junction of Chestnut lane is a natural bottleneck onto a very busy road
- Concerned regarding potential contamination impacts from removal of buildings, including asbestos impacts

APPENDIX B: Site Location Plan

21/06864/OUT
Scale 1/1250



Planning Committee
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