



Report to Buckinghamshire Council – Central Planning Committee

Application Number:	23/01691/APP
Proposal:	Change of use from A2 Bank to Class E Offices with removal of windows and cladding with new aluminium cover panels and new windows with beech coloured panels / removal of render and coping stone to Boundary walls and replaced with new painted render and aluminium capping to wall
Site location:	Lloyds Bank Plc, Gatehouse Road, Aylesbury, Buckinghamshire, HP19 8ED
Applicant:	Johnsons Accountants
Case Officer:	Dayna Simmons
Ward affected:	AYLESBURY NORTH WEST
Parish-Town Council:	AYLESBURY
Valid date:	5 June 2023
Determination date:	31 July 2023
Recommendation:	APPROVAL subject to conditions

1.0 Summary & Recommendation

- 1.1 The application seeks full planning permission for the change of use from A2 Bank to Class E Offices and associated works. It has been evaluated against the adopted Vale of Aylesbury Local Plan and the NPPF.
- 1.2 The application site is located on Gatehouse Road in Aylesbury and is a detached unit.
- 1.3 The site is located within an accessible location and there are no concerns regarding an increase in the amount of traffic to and from the development.
- 1.4 Economic benefits would also arise as a direct consequence of the proposal in terms of its contribution to the local economy. This is in terms of accelerated job creation, retention and training opportunities and increased expenditure to support other local businesses. In combination, these weigh very substantially in favour of the proposal.
- 1.5 This application has been considered with regards to the adopted Development Plan and it is considered that the proposal would have a minimal impact on the existing character and appearance of the site and the surrounding area.
- 1.6 The application is referred to the Planning Committee because the application site is owned by Aylesbury Vale Estates LLP (AVE). Because of the commercial link between AVE

and Buckinghamshire Council this item has been brought to the relevant Area Planning Committee to ensure openness and transparency.

1.7 The application is recommended for approval subject to appropriate conditions.

2.0 Description of Proposed Development

2.1 Site Location

2.2 The application site is a two storey, brick built, detached building located to the west side of Gatehouse Road, Aylesbury with Gatehouse Way running adjacent to the south side of the site.

2.3 Site Constraints

- Great Crested Newt Amber Impact Area
- Site is susceptible to surface water flooding

2.4 Proposal Description

2.5 The proposal is for a change of use from a Bank to Class E Offices together with limited external changes. New aluminium cover panels and new windows with beech-coloured panels are proposed together with the removal of some render. The coping stone to boundary walls would be replaced with new painted render and aluminium capping to walls. The existing entrance onto Gatehouse Road would be closed with sole access into and out of the site being from Gatehouse Way to the south.

2.6 To the rear, the existing flat roof would be decked and enclosed to provide an area of outdoor space for employees.

2.7 The application is accompanied by:

- Application Form received on 01.06.2023
- (Unnumbered) Location Plan received 01.06.2023
- (Unnumbered) Block Plan received 01.06.2023
- 1B Plans and Elevations received 01.06.2023
- 11B Car Parking received 10.07.2023

3.0 Relevant Planning History

Reference: 02/00591/APP

Development: Ramp to entrance of bank

Decision: APPROVED Decision Date: 22 April 2002

Reference: 79/01607/AV

Development: Conversion of part of male toilets to form a boiler room

Decision: NOT PROCEEDED WITH Decision Date: 17 September 1979

Reference: 90/02168/AAD

Development: Illuminated sign to cash point

Decision: APPROVED

Decision Date: 5 December 1990

Reference: 90/02169/APP

Development: Installation of cash point

Decision: APPROVED

Decision Date: 5 December 1990

Reference: 96/00475/APP

Development: Installation of satellite antenna

Decision: APPROVED

Decision Date: 15 May 1996

Reference: 98/02148/AAD

Development: Erection of advertisements consisting of shop fascia, illuminated projecting and pole sign

Decision: ADVERTREFUSED

Decision Date: 30 November 1998

Reference: 99/00860/AAD

Development: 1 No internally illuminated fascia sign 1 No internally illuminated projecting sign & 1 No internally illuminated pole mounted sign

Decision: ADVERT APPROVED

Decision Date: 28 May 1999

Reference: 03/00333/AAD

Development: One internally illuminated ATM collar surround and one internally illuminated projecting sign

Decision: ADVERT APPROVED

Decision Date: 31 March 2003

Reference: 06/02927/AAD

Development: Two internally illuminated fascia signs and two internally illuminated projecting signs

Decision: ADVERT APPROVED

Decision Date: 18 December 2006

Reference: 06/02976/AAD

Development: Internally illuminated fascia sign and two internally illuminated projecting signs

Decision: ADVERT APPROVED

Decision Date: 8 January 2007

Reference: 13/00053/AAD

Development: Internally illuminated signage comprising two fascia signs, two projecting signs and one ATM surround

Decision: ADVERT APPROVED

Decision Date: 7 March 2013

Reference: 13/01978/AAD

Development: Non illuminated built up letters, internally illuminated fascia sign, two

projecting signs and one ATM surround

Decision: ADVERT APPROVED Decision Date: 27 September 2013

Reference: 19/02133/APP

Development: New shopfront, new rear security door, two new air conditioning condenser units and two existing extract grilles

Decision: APPROVED Decision Date: 14 August 2019

Reference: 19/03108/APP

Development: New external services door to utilities cupboard

Decision: APPROVED Decision Date: 17 October 2019

4.0 Representations

4.1 See appendix A for responses.

5.0 Policy Considerations and Evaluation

5.1 The starting point for decision making is the development plan i.e., the adopted Vale of Aylesbury Local Plan (and any 'made' Neighbourhood Plans as applicable). S38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) (2021) and the Planning Practice Guidance (PPG) are both important material considerations in planning decisions. Neither changes the statutory status of the development plan as the starting point for decision making but policies of the development plan need to be considered and applied in terms of their degree of consistency with the NPPF.

5.2 Principle and Location of Development

Vale of Aylesbury District Local Plan (VALP): S1 (Sustainable development for Aylesbury Vale); S2 (Spatial strategy for growth), S3 (Settlement hierarchy and cohesive development), E5 (Development outside town centres)

5.3 Sustainable location

5.4 The site is located on Gatehouse Road, Aylesbury, next to the Gatehouse Way industrial area and is readily accessible from the main highway. The application site is located just outside of Aylesbury Town Centre, however, there are nearby bus routes and Aylesbury train station is located a short walk from the site. The site is considered to be in a highly sustainable location.

5.5 Policies S2 and S3 of VALP identify that strategic settlements are the most sustainable locations for development, with the primary focus for growth being at Aylesbury along with other large settlements.

5.6 Paragraph 88 of the NPPF states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the

town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of town centre sites are fully explored.

- 5.7 The general principle relating to employment land and premises is that fit-for-purpose appropriate class E, B2 and B8 key employment sites should be safeguarded to maintain a diverse range of business activities in Aylesbury Vale.
- 5.8 The proposal would create about 9 jobs initially which reportedly would increase to 40 over time according to the submission.
- 5.9 Whilst the change of use to offices (Class E) would result in the loss of a A2 bank use building it is noted that VALP does not afford any protection to banks. A Class E office use is deemed an appropriate use class for the immediate location, the use would sit comfortably within the local area given the variety of commercial uses present. The unit is currently empty having been closed by the existing operator and therefore not contributing to local economic growth nor provision of a service.
- 5.10 It is recognised that Aylesbury is in principle considered to be a highly sustainable location and can accommodate further development as a result of the facilities and services on offer. Furthermore, it is considered that public transport options are available within a short walking distance and so most facilities and services could be accessed without the reliance upon motor vehicles.
- 5.11 A Class E office would contribute to local economic growth and given the small scale and obviously links to the town centre would have no impact upon the vitality and viability of the town centre. Bringing the unit back into use is considered a benefit that is a material consideration, it is noted that the Council's economic development officer supports the application. The proposal is considered acceptable and complies with policies S2, S3 and E5 of VALP and also accords with the relevant policies of the NPPF.

5.12 Transport matters and parking

VALP policies T1 (Delivering the sustainable transport vision), T4 (Capacity of the transport network to deliver development), T6 (Vehicle parking), Appendix B (Parking Standards)

- 5.13 It is necessary to consider whether the proposed development is located where the need to travel will be minimised, the use of sustainable transport modes can be maximised, and that safe and suitable access can be achieved. As set out above, the site is in a sustainable location due to the readily available access to public transport.
- 5.14 Gatehouse Road is an A-class road subject to a speed limit of 30mph. The application site benefits from footways on either side of the road.
- 5.15 The public transport links are located nearby with bus services to Bicester and train services to Central London. The site is considered sustainable in transport terms in the context of the requirements of the NPPF and would not be reliant on the use of the private motor vehicle.

- 5.16 The Council's Highway Officer has not objected to the works and considers the development to be acceptable in principle.
- 5.17 Concerns were initially raised regarding the existing access off the A41, however following amendments, this access is now proposed to be closed off via extending the existing dwarf wall. Highways alterations will also be required to remove the existing bell-mouth access (kerbed radii), reinstate a footway, undertake drainage works, and alter road markings along the A41 carriageway. This can be secured by condition.
- 5.18 The access of Gatehouse Way is wide enough for two vehicles to pass at low speed in the event that two vehicles enter and exit the site simultaneously. There are no highway objections to an electric sliding gate off Gatehouse Way, as this is a lightly-trafficked side road. The use of this access as both an entrance and exit is acceptable.
- 5.19 It is acknowledged that there is no parking plan submitted with the application, however, it is considered appropriate that this matter be dealt with by way of condition requiring the applicant to submit a parking plan and electric charging point plan prior to occupation. The existing parking provision does not comply VALP standards, the parking area to the front of the site would not be sufficient to provide parking in accordance with VALP for the proposed use; however, given the highly sustainable location and the fact that alternative forms of transport are viable a refusal on this point would not be sustainable if challenged. A plan demonstrating a safe and viable layout should be provided prior to occupation.
- 5.20 Mindful of the above, there is no objection to the application from a highway perspective and the proposal would accord with VALP policies T1, T4-T6, and NPPF.

5.21 Raising the quality of place making and design

VALP policy BE2 (Design of new development).

- 5.22 The exterior of the building would largely remain the same with the introduction of a glazed balustrade around the flat roof of the existing single storey rear projection, and the introduction of additional openings in the front and rear elevations. Given the existence in glazing in these locations and the significant distance to the nearest dwelling, there are no concerns regarding these alterations.
- 5.23 The proposal would also include the introduction of a sliding electric gate to the south of the site and the replacement of the existing boundary wall coping with anthracite coping. The proposed changes would not appear incongruous and would integrate well with the existing building. As such, the proposal would therefore accord with VALP policy BE2.

5.24 Amenity of existing and future residents

VALP policy BE3 (Protection of the amenity of residents).

- 5.25 The NPPF at paragraph 130 sets out guiding design principles. One of the principles set out is that authorities should always seek to create places that have a high standard of amenity for all existing and future users.
- 5.26 Policy BE3 of VALP seeks to protect the amenity of existing residents and achieve a

satisfactory level of amenity for future residents.

- 5.27 The principle of the development was established by the original consent, and it is considered that the nature of the proposed use would be materially no different in terms of noise and other impacts. The local area is commercial in nature with the nearest residential properties being a significant distance from the site.
- 5.28 The Council's Environmental Health (EH) officer was consulted and raised no concerns regarding the proposal.
- 5.29 It is considered that the proposed development would comply with policy BE3 of VALP and NPPF in this regard.

5.30 Flooding and drainage

VALP policy I4 (Flooding)

- 5.31 Paragraph 167 of the NPPF requires new development to consider the risk of flooding to the site and elsewhere.
- 5.32 Policy I4 of VALP requires a site-specific Flood Risk assessment (FRA) on sites of 1 hectare or more in size or where there is evidence of flooding.
- 5.33 The site lies within Flood Zone 1, however the site is within an area susceptible to surface water flooding.
- 5.34 As the proposal is for a change of use of an existing building, it requires no new drainage infrastructure. The application form states that foul sewage and surface water would be disposed of via the main sewer.
- 5.35 Therefore, the proposed development would be resilient to climate change and flooding and it would not increase flood risk elsewhere in accordance with Policy I4 of Vale of Aylesbury Local Plan and National Planning Policy Framework.

5.36 Landscape and Tree Issues

VALP policy NE4 (Landscape character and locally important landscape), NE8 (Trees, hedgerows and woodlands)

- 5.37 Policy NE8 of VALP states that development that would result in the unacceptable loss of, or damage to, or threaten the continued well-being of any trees and hedgerows which make an important contribution to the character and amenities of the area will be resisted.
- 5.38 In this case the site is situated within the built-up area of Aylesbury on an existing developed plot. There are no existing trees, vegetation or other landscape features on the site that make a meaningful contribution to the character and appearance of the area. Given the urban context there is little opportunity to provide any meaningful additional landscaping as part of the scheme, other than a small amenity space at the front. Given the existing site layout, it is considered unreasonable for car parking provision to be lost to achieve limited landscape gains.

5.39 As such, it is considered that the scheme would accord with the aims of policy NE8 of VALP and the advice within the NPPF.

5.40 Ecology

VALP policy NE1 (Biodiversity and geodiversity)

5.41 Regard must be had as to how the proposed development contributes to the natural and local environment through protecting and enhancing valued landscapes and geological interests, minimising impacts on biodiversity and providing net gains where possible and preventing any adverse effects of pollution, as required by the NPPF.

5.42 Policy NE1 of the VALP is reflective of the NPPF in requiring all development to deliver a biodiversity net gain.

5.43 The site is located within a Great Crested Newt Amber Impact Zone, however due to high levels of hardstanding throughout the site, there are no concerns that the protected species would be negatively impacted as a result of the proposal. As such the proposal is considered to accord with Policy NE1 of VALP as well as the advice within the NPPF.

6.0 Weighing and balancing of issues / Overall Assessment

6.1 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.

6.2 The proposal would contribute to local economic growth, have no negative impact upon the vitality and viability of the area and would avoid the unit standing empty. The scheme has been considered acceptable in terms of its design and the impact on residential amenity, biodiversity and transport and parking.

6.3 Taking all the relevant factors into account and having regard to all relevant policies of the VALP and NPPF, it is considered that proposal would accord with an up to date development plan and is therefore recommended for approval.

7.0 Working with the applicant / agent

7.1 In accordance with paragraph 38 of the NPPF (2021) Buckinghamshire Council takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. Buckinghamshire Council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions. In this case, the applicant/agent was informed of the issues arising from the proposal and given the opportunity to submit amendments/additional information in order to address those issues prior to determination. The applicant/agent responded by submitting amended plans/additional information which were found to be acceptable so the application has been approved.

8.0 Recommendation

The officer recommendation is that the application be **APPROVED** for the following conditions and reasons:

Conditions:

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(1) of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the details contained in the planning application hereby approved, unnumbered drawings 'Location Plan' and 'Block Plan' and plan number 1B received on 1st June 2023 and plan number 11B received by the Local Planning Authority on 10th July 2023 and in accordance with any other conditions imposed by this planning permission.

Reason: To ensure that the development is carried out in accordance with the details considered by the local planning authority.

3. The external materials to be used in the construction of the development hereby permitted shall be as specified on plan numbers 1B received by the Local Planning Authority on 1st June 2023 and 11B received by the Local Planning Authority on 10th July 2023.

Reason: To ensure a satisfactory appearance to the development and to comply with policy BE2 of the Vale of Aylesbury Local Plan, and the National Planning Policy Framework.

4. Prior to the occupation of the development hereby permitted, the existing access off the A41 shall be closed off by removing the existing bell-mouth access (kerbed radii) and reinstating the footway and highway boundary to the same line, level, and detail as the adjoining footway and highway boundary. For the avoidance of doubt, a highways legal agreement will be required to undertake the highway works which will include any required drainage works and alterations to the road markings along the A41 carriageway.

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

5. Prior to the occupation of the development hereby permitted, a parking plan is to be submitted to and approved in writing by the Local Planning Authority which demonstrates the maximum number of parking spaces able to be provided while meeting the standards required within VALP. The parking plan should also include the provision of electric charging points in accordance with VALP requirements.

Reason: To ensure highway safety and the promotion of clean technologies.

6. At no time shall this site be used for any other use other than that permitted under Class E without permission of the Local Planning Authority.

Reason: to ensure appropriate use remains and certainty about what is being permitted.

Informatives:

1. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to: deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstructing access to a resting or sheltering place. Planning consent for a development does not provide a defence against prosecution under these acts. Ponds, other water bodies and vegetation, such as grassland, scrub and woodland, and also brownfield sites, may support great crested newts. Where proposed activities might result in one or more of the above offences, it is possible to apply for a derogation licence from Natural England. If a great crested newt is encountered during works, advice should be sought from a suitably qualified ecologist.
2. The applicant is advised that the off-site works will need to be constructed under a Section 184 / 278 of the Highways Act legal agreement. This 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. Please visit the Council's website for further guidance or contact Highways Development Management via highwaysdm@buckinghamshire.gov.uk

List of approved plans:

Plan Reference	Received
<i>(Unnumbered) Location Plan</i>	<i>01 June 2023</i>
<i>(Unnumbered) Block Plan</i>	<i>01 June 2023</i>
<i>1B Plans and Elevations</i>	<i>01 June 2023</i>
<i>11B Car Parking</i>	<i>10 July 2023</i>

Appendix A: Consultation Responses and Representations

Appendix B: Site Location plan

APPENDIX A: Consultation Responses and Representations

Ward Councillor Comments (Aylesbury North West)

None received at the time of writing this report.

Town Council Comments (verbatim)

Aylesbury Town Council has no objection to this application.

Consultation Responses

Highways (16.06.2023):

- Amendments required to the proposed electric sliding gate entrance off of the A41 to allow cars to safely pull clear of passing traffic.

Highways (30.06.2023):

- Amendments required to the proposed electric sliding gate entrance off of the A41 to allow cars to safely pull clear of passing traffic or alternatively the access off the a41 could be closed off.

Highways (14.07.2023):

- No objections subject to condition

Environmental Health:

- No objections

Economic Development (10.07.2023):

- Economic Development welcomes this application change of use of 1037 sq. m of A2 into an office buildings of 1037 sq. m of E use.

Representations

- None received at the time of writing this report.

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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