



Report to South Area Planning Committee

Application Number:	PL/23/2302/FA
Proposal:	Conversion of a single dwelling (Black Park Ranger's accommodation) to two (part retrospective).
Site location:	Boundary Lodge Black Park Cottages Uxbridge Road Iver Heath SL3 6DL
Applicant:	Buckinghamshire Council
Case Officer:	Kaya Allnut
Ward affected:	Stoke Poges & Wexham
Parish-Town Council:	Wexham Parish Council
Valid date:	30 August 2023
Determination date:	29 February 2024
Recommendation:	That the application be deferred and delegated to the Director of Planning and Environment to grant permission subject to the completion of an acceptable Planning Obligation to secure the required mitigation for Burnham Beeches SAC.

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application seeks planning permission for the conversion of the existing single dwelling referred to as Boundary Lodge (Black Park Ranger's accommodation) to two one-bedroom flats. The application is part retrospective.
- 1.2 The planning application is being referred to the South Area Planning Committee as Buckinghamshire Council has an interest in the site, being the site owner.
- 1.3 Whilst Buckinghamshire Council has an interest in the land (subject of the application), the Council are the Local Planning Authority with responsibility for regulating the development of land. Members will be aware of the need to consider planning applications under the legislative framework, in coming to a decision on the proposals, and to only determine the proposals on the basis of the relevant planning issues.
- 1.4 Recommendation for the application is conditional permission subject to completion of an acceptable Planning Obligation.

2.0 Description of Proposed Development

- 2.1 The application site is located within the Metropolitan Green Belt and a Mixed Woodland biological site. The site falls within 5.6km of the Burnham Beeches Special Area of Conservation and the Colne Valley Park.
- 2.2 The existing dwelling on site is a three-bedroom bungalow style dwelling of a simple design approach. The dwelling is positioned centrally within the plot, with an area of parking to the front and gardens to the side and rear. The site is bound to the south and west by other residential properties and by Black Park Country Park to the north and east.
- 2.3 The proposed development seeks to subdivide the existing three-bedroom dwelling into two one-bedroom single occupancy dwellings to be used as park ranger accommodation.
- 2.4 Each dwelling would be serviced by its own front door, open plan kitchen and living space and a separate bathroom and bedroom. The majority of the works proposed are internal, and the only external changes involve the fenestration changes to the front elevation.
- 2.5 The application is accompanied by:
 - a) Ecology and Trees Checklist
 - b) Application form and Certificate
- 2.6 Plans:
 - c) Existing Plans & Elevations
 - d) Block Plan (1:1250)
 - e) Site Location Plan J0074331-23-01
 - f) Waste Management Site Plan 002
 - g) Proposed Ground Floor Plan 001 REV B

3.0 Relevant Planning History

- 3.1 Relevant planning history for the site:

92/08001/CC - Change of use of HORSAs building, previously used as staff residential accommodation to use as a volunteer residential centre to accommodate up to 12 people. - Conditional Consent.

4.0 Summary of Representations

- 4.1 All representations received from the statutory consultees, non-statutory consultees and other interested groups and organisations are set out in Appendix A of the Committee Report.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- National Design Guidance
- South Bucks Core Strategy Development Plan Document (Adopted February 2011): Policies CP1, CP8, CP9, CP12
- South Bucks District Local Plan (Adopted March 1999 Consolidated September 2007 and February 2011): Policies EP3, EP5, H9, GB1, GB2, GB10, TR5, TR7
- South Bucks District Council Residential Design Guide SPD (Adopted October 2008)

- Burnham Beeches special Area of Conservation Strategic Access Management and Monitoring Strategy SPD

Principle of Development

Core Strategy Policies:

CP1 (Housing provision and delivery)

Local Plan Saved Policies:

GB1 (Green Belt boundaries and the control over development in the Green Belt)

GB2 (Re-use of buildings in the Green Belt)

GB10 (Extensions to dwellings in the Green Belt)

- 5.1 The NPPF was updated in December 2023 and whilst this replaced the previous Planning Policy Statements and Guidance Notes, it does not replace existing local policies that form part of the development plan. It does state however, that the weight that should be given to these existing local policies and plans will be dependent on their degree of consistency with the NPPF. Therefore, the closer the policies in the development plan to the policies in the Framework, the greater the weight that may be given to them.
- 5.2 The site falls within the Metropolitan Green Belt and it is noted that policies GB1 GB2, and GB10 are not entirely in accordance with the NPPF. Where there is a difference or conflict in policy, then the NPPF takes precedence with its provisions set out under Chapter 13.
- 5.3 Chapter 11 of the NPPF encourages local planning authorities to make an effective use of land. Paragraph 124 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting needs for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 5.4 Paragraph 128 of the NPPF highlights that planning decisions should support development which makes the efficient use of land, taking into account; housing need, local market conditions, availability and capacity of infrastructure, maintaining the area's prevailing character and securing well-designed places.
- 5.5 The proposal is considered to align with the exceptions under paragraph 154 of the NPPF and would not have a greater impact on the Green Belt than the existing development. The principle of development is therefore considered acceptable subject to other material planning considerations such as the impact in the character area and neighbouring residential amenities. Furthermore, the proposal would align with the aims of the NPPF in providing additional homes, making effective use of land and achieving sustainable development.

Impact upon the Green Belt

Core Strategy Policies:

CP9 (Natural environment)

Local Plan Saved Policies:

GB1 (Green Belt boundaries and the control over development in the Green Belt)

GB2 (Re-use of buildings in the Green Belt)

GB10 (Extensions to dwellings in the Green Belt)

- 5.6 Paragraph 142 of the National Planning Policy Framework (NPPF) states that the Government attaches great importance to Green Belts. The fundamental aim of Green

Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

- 5.7 Paragraphs 154 and 155 of the Framework states the construction of new buildings in the Green Belt is inappropriate subject to several exceptions, including (d) the re-use of buildings provided that the buildings are of permanent and substantial construction.
- 5.8 Policy GB1 of the South Bucks District Local Plan sets out exceptions where planning permission will be granted for development in the Green Belt. Policy GB2 establishes where the re-use of buildings may be permissible subject to a number of exceptions including a) where the building to be re-used is of a permanent and substantial construction capable of conversion without major or recomplete construction, and where c) where the proposed new use would not detract from the open and undeveloped character of the Green Belt.
- 5.9 The proposed scheme seeks to convert the building, currently used as a single dwellinghouse, into two separate one-bedroom dwellings. The building as existing is of a permanent and complete construction, and the development would not result in any substantial changes to the external building structure other than the closing up of two windows within the front elevation.
- 5.10 The proposed development would not result in any extension of the building or increase in built form on site. The proposed alteration, given its modest nature would not be considered to result in disproportionate additions over and above the original dwelling.
- 5.11 Whilst the proposed development would involve a net increase of residential units on site, it would not be considered to result in a level of intensification that would result in a detrimental harm to the Green Belt and would be considered to maintain the open, undeveloped character of the Green Belt.
- 5.12 Overall, for the reasons set out above it is considered that the proposed development would align with the NPPF in terms of an exception to inappropriate development. The proposal is considered not to have a greater impact on the Green Belt than the existing development and the scheme is considered to align with policies GB1 and GB2 of the south Bucks District Local Plan (adopted March 1999) and the exceptions set out under Paragraph 154 and 155 of the NPPF.

Transport matters and parking

Local Plan Saved Policies:

TR5 (Access, highways work and traffic generation)

TR7 (Traffic generation)

- 5.13 The proposal involves the subdivision of the existing three-bedroom dwelling to two one-bedroom dwellings. Parking standards are taken from the following document: Buckinghamshire Parking Guidance September 2015. Iver Heath is within Zone B (Mid-range population) where guidance requires one off street parking space per dwelling with 1-4 habitable rooms including one-bedroom. The site currently has parking provisions for a minimum of 3 vehicles clear of the Highway and as such, has sufficient capacity to accommodate the required level of parking in line with the parking standard requirements set out above.
- 5.14 The Council's Highway Officer has reviewed the submitted application and raises no objections in regards to Highways safety, trip generation and parking provision. The Officer has noted that they would support a condition securing the use of the site as

rangers accommodation to minimise potential additional vehicular movements located at the junction with Uxbridge Road (A412) typical of a development involving an increase in the number of residential dwellings onsite. The existing use of the building as a rangers accommodation has no such restrictive condition and it is not considered necessary in this instance to introduce this.

Raising the quality of place making and design

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development)

H9 (Residential development and layout)

- 5.15 Section 12 of the NPPF was revised in 2023 and sets out the requirements for achieving well-designed and beautiful places. Paragraph 131 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 states that planning decisions should ensure that developments, (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 5.16 C1 of the National Design Guide places important on local identity, stating that well-designed new development should respond positively to the features of the site itself and the surrounding context beyond the site boundary. New development should integrate well with the wider surroundings including an understanding of existing built form and layout within the local area.
- 5.17 Local Plan policy EP3 highlights that development will only be permitted where its scale, layout, height, design and external materials and use are compatible with the character and amenities of the site itself, adjoining development and locality in general.
- 5.18 Local Plan Policy H9 states that proposals involving the development of land for residential purposes will only be permitted where the proposal would be compatible with the character of the surrounding area in terms of density, layout, design, height, scale, form and materials. The proposal should not adversely affect the character or amenities of nearby properties or the locality in general, for example through overdominance, obtrusiveness, loss of important trees or important groups of trees, loss of privacy or loss of daylight.
- 5.19 As previously noted, the proposed development largely consists of internal changes, and the only external works include the removal of two existing front elevation windows which are to be replaced with matching external materials to that of the existing building. There would consequently be no significant change to the dwelling which would maintain the outward appearance of a single dwelling when viewed from within the street scene.
- 5.20 The application site currently contains three bedrooms, while the proposal would result in two one-bedroom dwellings. It is anticipated that any increase in footfall or vehicular movements would remain consistent with that likely and realistically

achievable through the use of the dwelling as existing and would not unduly impact upon the character and appearance of the area.

- 5.21 The proposed development would, therefore, comply with Local Plan policies EP3 and H9, C1 of the National Design Guide and the provisions within the NPPF.

Amenity of existing and future residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

- 5.22 The proposed development would provide two one-bedroom dwellings. The proposed floor plans indicate that each of the habitable rooms within both dwellings would afford sufficient daylight and outlook. In addition, the proposal would accord with the National Standards in terms of floor space meeting the minimum requirement of 39sqm for a one-bedroom single occupant dwelling.
- 5.23 The South Bucks Residential Design Guide states that 'all houses should have an enclosed private garden. The size of garden will normally be expected to be commensurate with the size of the dwelling, with larger dwellings having larger gardens. Where possible gardens should be large enough to accommodate mature trees and planting and provide private sitting out areas which are not over-looked'. The garden area surrounding the building would be of an acceptable size and would provide an adequate level of outdoor amenity for future residents.
- 5.24 Local Plan Policy H9 requires that proposal for development of land for residential purposes should not adversely affect the character or amenities of nearby properties through overdominance, obtrusiveness, loss of privacy or loss of daylight.
- 5.25 With the exception of the closing up of two of the front elevation windows, no external physical alterations are proposed. Therefore, the application would not represent additional amenity harm through appearance or physical form.
- 5.26 The use of the building would remain as existing and given the single storey nature of the site and the sufficient separation distances between the existing dwelling and the neighbouring properties to the south, no objections are raised in regard to overlooking.
- 5.27 Overall, the proposed development is considered to comply with Local Plan policies EP3, EP5 and H9.

Impact on Burnham Beeches

Core Strategy Policies:

CP9 (Natural Environment)

- 5.28 Core Policy 9 of the adopted Core Strategy sets out that the highest priority will be given to the integrity of Burnham Beeches Special Area of Conservation (SAC). Para 3.3.11 of the Core Strategy also states that "where a specific development could result in significant effects on the SAC, a Project level (regulation 48) HRA will need to be carried out by the developer when the planning application is submitted to determine whether mitigation measures are required." This is also consistent with Section 15 of the NPPF relating to 'Conserving and enhancing the natural environment'. The Council's approach to the impact of new residential on Burnham Beeches SAC is set out in the Burnham Beeches Special Area of Conservation Strategic Access Management and Monitoring Strategy SPD (2020). Natural England have advised that when there is sufficient scientific uncertainty about the likely effects of the planning

application under consideration, the precautionary principle is applied to fully protect the qualifying features of the European Site designated under the Habitats Directive.

- 5.29 Due to new evidence on the impacts of recreational and urban growth at Burnham Beeches SAC carried out by Footprint Ecology as part of the emerging Local Plan, Natural England recognises that new housing within 5.6km of the Burnham Beeches SAC can be expected to result in an increase in recreation pressure. The 5.6km zone represents the core area around the SAC where increases in the number of residential properties will require Habitats Regulations Assessment. Mitigation measures will be necessary to rule out adverse effects on the integrity of the SAC from the cumulative impacts of development.
- 5.30 Impacts to the SAC as a result of increasing recreation pressure are varied and have long been a concern. These impacts, which have the potential to adversely affect its interest features, include: Contamination (e.g. dog fouling, litter, spread of plant pathogens); Increased fire risk; Trampling/wear (e.g. loss of vegetation, soil compaction, erosion, damage to trees from climbing); Harvesting (e.g. fungi, wood); Difficulties in managing the site (e.g. maintaining the grazing regime); Disturbance (e.g. affecting the distribution of livestock and deer).
- 5.31 Natural England confirm that, in light of the new evidence relating to the recreation impact zone of influence, planning authorities must apply the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended), to housing development within 5.6km of the SAC boundary. The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SAC.
- 5.32 Given the above, the Council has carried out an Appropriate Assessment for the proposed development. This concludes that without mitigation measures the development is likely to have a significant effect upon the integrity of the SAC with the result that the Council would be required to refuse this planning application.
- 5.33 In order to mitigate such impacts the Council has adopted a Strategic Access Management and Monitoring Strategy (SAMMS). The Council consider that the SAMMS, which is supported by Natural England, is robust and capable of mitigating the likely significant effects of the proposal over 500 metres and up to 5.6 kilometres provided the proposal pays a contribution towards the SAMMS.
- 5.34 The applicant has agreed to provide the required mitigation, and subject to an acceptable Planning Obligation being completed to secure this, it is considered that the proposal would not have a significant effect upon the integrity of the SAC and is therefore acceptable.

Other Matters

- 5.35 The proposed development would be served by a waste store to the front of the property. The Council's waste team have reviewed the plans and have no objections to the proposed development.

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 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
- 6.3 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 6.4 It is acknowledged that the Council cannot demonstrate a 5-year supply in the South Bucks Area and paragraph 11(d) of the NPPF is engaged.
- 6.5 Housing delivery is a strategic aim of the Core Strategy. The proposed development would make a positive contribution to the Council's housing needs and supply. This housing provision represents a benefit that weighs in favour of the proposal.
- 6.6 Compliance with Core Strategy and Local Plan policies have been demonstrated in terms of Green Belt, transport and parking, neighbour amenity, visual amenity and conserving and enhancing the natural environment, however these do not represent benefits of the scheme but rather demonstrate an absence of harm to which weight should be attributed neutrally.
- 6.7 In terms of applying paragraph 11 d of the NPPF it is concluded that, subject to the completion of the aforementioned memorandum of understanding, there are no policies that protect areas or assets of particular importance, that provide a clear reason for refusing the development proposed and there are no adverse effects of the proposal would significantly and demonstrably outweigh the benefits.
- 6.8 Taking all of the above into account it is considered that the proposal would provide for a sustainable form of development that meets the requirements of the NPPF and relevant Development Plan policies.
- 6.9 It is considered that a fair and reasonable balance would be struck between the interests of the community and the human rights of the individuals concerned in the event planning permission being granted in this instance.

7.0 Working with the applicant / agent

- 7.1 In accordance with paragraph 38 of the National Planning Policy Framework, 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.

7.2 In this instance the plans as submitted are considered acceptable by the Council. An amended TPP was requested during the course of the application by the Councils Tree Officer and subsequently found acceptable.

8.0 Recommendation: that the application be deferred and delegated to the Director of Planning and Environment to grant permission subject to the completion of an acceptable Planning Obligation to secure the required mitigation for Burnham Beeches SAC. Subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice. (SS01).
Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).
2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building. (SM03).
Reason: To safeguard the visual amenities of the area. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
3. The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
18 Aug 2023	Location Plan
7 Aug 2023	J0074331-23-01
30 Aug 2023	CA 002
6 Dec 2023	CA 001 Rev B

APPENDIX A: Consultation Responses and Representations

Councillor Comments

None received.

Parish/Town Council Comments

Parish response received 11th October 2023 - I write to advise you that Wexham Parish Council have no objections to this application however we would not wish for the exterior of the building to be altered as it is unique in its design.

Consultation Responses

Highway Officer response received 12th October 2023 - The proposed works are located remote from the public highway, along a private road named Peace Road which is not maintained by Buckinghamshire Council. Having assessed the submissions in support of the application, the provision of ranger's accommodation in this location is unlikely to result in a material increase in vehicles using the access onto the public highway, located at the junction with Uxbridge Road (A412). Whilst a typical residential dwelling would be expected to generate additional vehicle movements, generally, the provision of on-site worker accommodation reduces the number of vehicular trips associated with the site as future residents would otherwise be required to travel to and from the site for work. I would, however, support a condition to be placed upon any planning consent granted that the proposed dwellings should only be for ranger's accommodation. With regard to parking provision, having assessed the development using the Buckinghamshire Countywide Parking Guidance policy document, the development would generate a parking requirement of 2(no) spaces (1(no) space each). I am satisfied that the site has sufficient capacity to accommodate this required level of parking. Mindful of the above, the Highway Authority does not have any objections or conditions to recommend for this application with regard to highway issues.

Waste Officer response received 10th October 2023 - I have looked at the plans and due consideration has been given to waste management and container provision aspects of the proposal. On the plans within the site plan, which states that, bins will have appropriate external storage for containers within the curtilage of the property. Standard container provision for domestic households is one of each bin for refuse (180L), recycling (240L),

paper/card box (55L) and food caddy (23L). It is assumed that the 2 x ?ats will share these containers. The proposal would be a comparable service currently provided to Boundary Lodge Black Park Cottage by the Council. Therefore, Waste services have no objections towards the proposal for waste and recycling provisions at property. Residents to present their waste and recycling at the property boundary for kerbside collections. All collections to take place in accordance with Council policies.

Natural England response received 12th October 2023 - no objection. Based on the plans submitted, Natural England considers that the proposed development will not have a significant adverse impacts on statutory protected nature conservation sites or landscapes. Natural England generic advice on other natural environment issues is set out at Annex A.

Representations

None received.