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App No : 17/06702/FUL App Type: Full Application

Application for : Conversion and extension of Birch House to provide 85 (62 x 1 bed & 23 x 2 bed) residential units, demolition of other buildings and construction of three blocks with 145 (102 x 1 bed & 43 x 2 bed) residential units, B1 commercial space (1054 sq ft) in entrance block. Construction of basement and multi storey car parking with new amenity area, new public realm and improvements to Leigh Street.

At Land Including Leigh Court, Wheelers Yard, Commercial Sq, Birch, Malvern and Llanberis Houses, Leigh Street, High Wycombe, Buckinghamshire

Date Received : 19/07/17 Applicant : Mr M Richardson

18/10/17

Target date for Decision

## 1. **Summary**

- 1.1. Permission is sought for the redevelopment of 0.8ha for commercial land in the Leigh Street Furniture Heritage Conservation Area. The proposal is to redevelop it mainly for residential use in the form of 227 one and two bed apartments in four separate buildings surrounding a central public square.
- 1.2. The development would result in the demolition of a number of historic furniture factory buildings but would include the restoration and reuse of the largest and arguably most important furniture factory building left in High Wycombe, Birch House fronting onto Leigh Street.
- 1.3. The site is well located for sustainable forms of transport, close to major bus routes and within easy walking distance of the Desborough shopping area. The application includes 174 parking space in a combination of underground and surface parking.
- 1.4. The proposal is for a dense form of development and the bulk, scale and massing of the buildings is of a different scale to the Victorian terraces in the residential areas that surround the site. Similarly the existing development on the site is also of a different bulk and scale to its surroundings.
- 1.5. A balance has to be struck between the need to redevelop this part of High Wycombe, the fact that the business use on the site is in buildings that are unsuitable to the uses they are being put to and the potential for the continued gradual decline of the area if re-development does not take place in the near future.
- 1.6. Positive aspects of the development are:-
  - a) the retention and reuse of Birch House,
  - b) the potential for economic improvements through the relocation of many of the current occupiers to modern purpose built accommodation,
  - c) potential knock on effects from the residential use of the site and regeneration of the area in terms of increased economic activity.

- d) Improvements to the ecology through a green roof and green walls, the provision of public open space and a local area of play, new tree planting and improved security through an increased residential presence.
- 1.7. Against this has to be balanced
- a) the loss of most of the existing buildings,
  - b) the impact upon the local area in terms of the bulk and scale of the proposal
  - c) a lack of affordable housing due to the cost of redeveloping this site,
  - d) the limited housing mix of only one and two bed units
  - e) less than one parking space per unit
- 1.8. Taking all the above into consideration it is your officer's opinion that the overall benefits of this scheme considerably outweigh the concerns and subject to a legal agreement to secure financial contributions towards primary education, strategic open space provision and the provision of off-site business units, the application is recommended for approval.

## **2. The Application**

- 2.1. Permission is sought for the redevelopment of Commercial Square and the buildings that surround it within the Leigh Street Furniture Heritage Conservation Area and furniture heritage area. The development proposal is for conversion and extension of Birch House to provide 85 residential units. Demolition of other buildings (Blocks A, B and C and the Wheelers Yard building, plus the Embroidery works and the two residential dwellings), and construction of three blocks (the Entrance Block, Leigh Court 1 and Leigh Court 2) with 145 residential units, and B1 commercial space (115sqm) in the Entrance Block. Construction of basement and multi storey car parking (Wheelers Yard), with new amenity area, new public realm and improvements to Leigh Street.
- 2.2. The proposal brings together a number of landholdings under one application –it is acknowledged in the Development Brief that the numerous land holdings in this area has up to now prevented a comprehensive scheme for redevelopment from coming forward.
- 2.3. The application site is located to the west of High Wycombe town centre and rail station. The site currently comprises commercial and residential uses although a number of the occupiers are artisans such as artists, silversmiths, potters and woodworkers while other units are occupied by clubs such as the Boxing Club and model railway club.
- 2.4. The site is located on the southern side of Leigh Street, to the west of Desborough Avenue and to the north of Kitchener Road within High Wycombe. It is well defined along each of its boundaries by existing built form and is roughly triangular in shape. The current entrance to the site is off Leigh Street on the northern side of the site. The site was formerly a large furniture making factory.
- 2.5. The majority of the site currently comprises large brick buildings dating from the turn of the 20th century to the 1930s of mainly three to four stories in height. These are arranged around a central courtyard area comprising mainly of concrete and tar macadam hard standing. With the exception of Birch House, the buildings have been substantially altered since their original construction however original features remain which highlight the industrial past of the site and surrounding area.
- 2.6. Some of the building space within the site has become vacant in recent years, however, part of all buildings remains in use.

- 2.7. The site's topography is gently sloping from south-west to northeast (towards the River Wye that flows west to east approximately 300m to the north of the site). The south west corner of the site is at approximately 82m Above Ordnance Survey (AOD).
- 2.8. The application is accompanied by:
- a) Planning Statement
  - b) Design and Access Statement
  - c) Archaeological desk based assessment
  - d) Daylight and sunlight report
  - e) Heritage statement
  - f) Structural appraisal of Birch House
  - g) Transport Statement
  - h) Noise Assessment
  - i) Air quality assessment
  - j) Sustainability Statement
  - k) Energy Statement
  - l) Utilities and services statement
  - m) Geo-environmental desk study/risk assessment report
  - n) Statement of Community Involvement
  - o) Landscape Character Assessment
  - p) Flood Risk Assessment and drainage strategy
  - q) Ecology Wildlife Checklist
  - r) Site waste management plan
- 2.9. The application has been amended during its consideration to provide clarity on a number of aspects of the overall design. These amendments including the drainage system, improved security following comments by the police, hard and soft landscaping and changes to ground floors and entrance areas to buildings. Further information has also been provided regarding highways and parking matters. Where necessary these changes have resulted in additional consultations.
- 2.10. The development has been screened under the Environmental Impact Assessment Regulations and the local planning authority has concluded that an environmental impact assessment will not be required in this case.
- 2.11. Statement of Community Involvement. The applicant has carried out a community consultation exercise which has included an exhibition and meetings with a community interest group and stakeholders. The Council has also widely consulted on the planning application and the responses are summarised in Appendix A of this report and are available in full on our web site.

### **3. Working with the applicant/agent**

- 3.1. In accordance with paragraphs 186 and 187 of the NPPF Wycombe District Council (WDC) take a positive and proactive approach to development proposals focused on solutions. WDC work with the applicants/agents in a positive and proactive manner by:
- offering a pre-application advice service,
  - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions, and,
  - by adhering to the requirements of the Planning & Sustainability Customer Charter

In this instance the applicant/agent was

- updated of issues throughout the application process,
- was provided with pre-application advice,
- The applicant was provided the opportunity to submit amendments to the scheme/address issues.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

#### **4. Relevant Planning History**

- 4.1. The site forms part of the Leigh Street Quarter for which the Leigh Street Quarter Development Brief was produced and adopted in 2008 as a supplementary planning document.
- 4.2. There is no other relevant planning history on the site.
- 4.3. The site opposite, the former Needham Bowl, has extant planning permission for demolition of existing former factory building, construction of 77 residential units comprising 1 and 2 bedroom flats and 7 Use Class B1 units, landscaping, underground parking, modification of the access to Desborough Road and creation of new footpath from Desborough Road to Leigh Street.

#### **5. Issues and Policy considerations**

##### **Principle and Location of Development**

ALP E3 (Employment Areas)

CSDPD: CS1 (Overarching principles - sustainable development), CS2 (Main principles for location of development), CS3 (High Wycombe Principles), CS4 (High Wycombe Key Areas of Change – Desborough Area), CS12 (Housing provision)

DSA: DM1 (Presumption in favour of sustainable development), DM6 (Mixed-use development) HW1 (Desborough Delivery and Design Framework) HW2(Delivering Regeneration, New Open Space and River Corridor Improvements in Desborough)

Leigh Street Quarter Development Brief (2008)

Draft New Local Plan: CP1 (Sustainable Development), CP3 (Settlement Hierarchy), CP4 (Delivering Homes), DM32 (Accessible locations, sustainable transport and parking)

- 5.1. The site is part of the area covered by the Leigh Street Quarter Development Brief. This document sets out the principles for the redevelopment of the Leigh Street Quarter. The Brief advocates a development of a mix of uses including business, live / work units, residential and community uses. It seeks to secure significant environmental improvements to protect and enhance the Conservation Area, facilitate the retention buildings of heritage value and provide high quality pedestrian links to the surrounding area. It seeks the following from development in the area:
  - a) Retain at least 1 hectare of business use across the whole site allowing other complementary uses as appropriate.
  - b) Retain flexibility in land use to accommodate changes in market conditions and likely phased approach to redevelopment.
  - c) Protect existing residential amenity
  - d) Allow for growth in uses that complement and feed off the increase in activity and value resulting from development in the town centre and wider Desborough area.

- e) Retain existing community uses and ensure that studios remain affordable to help foster a creative industries culture.
  - f) Provide community facilities for small meeting places.
- 5.2. The Brief sets out the changing nature of policy covering the Leigh Street Quarter. Most of the Quarter is designated as an employment area under adopted Local Plan policy E3, however this has been overtaken by the Desborough Area policies in the adopted delivery and site allocations document. These policies (HW1 and HW2) seek to encourage social and economic regeneration of Desborough, of which the Leigh Street Quarter forms the south eastern corner. This is to be achieved through the retention, and where appropriate, redevelopment of employment and mixed use sites for a mix of employment and residential uses, community facilities and open space. HW2 deals with development adjacent to the River Wye and therefore does not impact upon this proposal.
- 5.3. Based on the above a mixed use development of this section of the Leigh Street Quarter (0.8ha out of a total of 2.8ha) for residential and commercial uses would be acceptable in principle. However, it has to be acknowledged that this part of the site has been home to a large proportion of the community uses and creative industries within the Quarter and therefore any development here will have to re-provide for those uses either on or off site.

### **Affordable Housing and Housing Mix**

ALP: H9 (Creating balanced communities)

CSDPD: CS13 (Affordable housing and housing mix), CS21 (Contribution of development to community infrastructure)

Draft New Local Plan: DM22 (Housing Mix), DM24 (Affordable Housing), DM39 (Optional technical standards for Building Regulations approval)

Planning Obligations Supplementary Planning Document (POSPD)

- 5.4. Policy requires the development to provide 40% affordable housing. However, the Brief for developing this area seeks to secure significant environmental improvements to protect and enhance the Conservation Area, facilitate the retention buildings of heritage value and provide high quality pedestrian links to the surrounding area.
- 5.5. The retention of Birch House and its conversion, together with the need to provide parking at a level commensurate with the vehicle ownership in the local area and the need to facilitate off-site business accommodation adds additional costs to the development of the site. A viability report has been submitted with the application which demonstrates that the proposal cannot comply with the requirements of the development brief as well as providing affordable housing.
- 5.6. The viability report has been checked by an independent assessor and found to be sound. As such no affordable housing contribution is required.

### **Employment issues**

ALP: E2 (Existing business parks), E3 (Employment areas)

CSDPD: CS11 (Land for business)

DSA: DM5 (Scattered business sites)

Draft New Local Plan: CP5 (Delivering Land for Business), DM29 (Business parks and industrial areas)

- 5.7. The site currently has just over 9,000 sq m of B2 employment floor space, the table below indicates the breakdown of the current floor space.

Premises	GFA (sq.m)	Vacant	Community use	Creative community	Commercial
Block A	2351	119	816	305	1111
Block B	1355	221		798	336
Block C	1800	562		624	614
Birch House	2638	2638			
Wheelers Yard	691		330		361
Substation	29				29
Embroidery works	418				418
Total	9282	3540	1146	1727	2869

- 5.8. The proposed development will result in a loss of commercial space within the site, contrary to the Leigh Street Quarter Development Brief. In order to overcome this issue the developer has agreed to part fund the provision of off-site low cost business space through a section 106 developer contribution. This space is (subject to planning permission) being developed by the Council and will be made available initially to current occupiers of the existing business accommodation that will be lost due to the development. The funding would be confined to two sites within the town that are due to provide small and medium sized accommodation for business use and this would be controlled through a Section 106 agreement.
- 5.9. The site itself will provide for a limited amount (115sq m) of B1 commercial space to the front of the Entrance Building.
- 5.10. Based on the above it is considered that the proposal complies with the requirements of the development brief as far as the provision of employment is concerned.

### **Retail issues**

CSDPD: CS10 (Town centre hierarchy)

DSA: DM7 (Town centre boundaries), DM8 (The Primary shopping areas), DM9 (District centres), DM10 (Threshold for the assessment of schemes for town centre impact)

Draft New Local Plan: CP6 (Securing Vibrant and High Quality Town Centres)

- 5.11. The site is very well located in terms of its proximity to the Desborough Road area and Eden Centre beyond. The additional residential units in this area will bring retail spend to this part of the town and help to sustain the retail offer in the Desborough Area.
- 5.12. The site is outside the primary and secondary shopping areas and it is not proposed to provide any retail offer as part of this development.

### **Transport matters and parking**

ALP: T2 (On – site parking and servicing), T4 (Pedestrian movement and provision), T5 and T6 (Cycling), T7 (Public transport), T8 (Buses), T12 (Taxis), T13 (Traffic management and

calming), T15 (park and ride), T16 (Green travel)

CSDPD: CS16 (Transport), CS21 (Contribution of development to community infrastructure)

DSA: DM2 (Transport requirements of development sites)

Draft New Local Plan: CP7 (Delivering the infrastructure to support growth), DM32 (Accessible locations, sustainable transport and parking)

5.13. The site is well connected being on the edge of the town centre and close to the main bus routes into town on Desborough Avenue and Desborough Road. An existing public footpath links Leigh Street to Desborough Avenue, although it is acknowledged that this path is poor and should be improved when possible – this is not possible as part of this application as it is outside the control of the applicants.

5.14. The transport statement provided by the applicant shows that the development will provide 174 parking spaces on-site in three separate parking areas – two under Commercial Square and a two storey surface carpark on the Wheelers Yard area. This is an increase of 116 spaces on the current provision.

5.15. Census information has also been provide which indicates that over all housing types over the five Census output areas closest to the site in the High Wycombe area (Lower Super Output Area) 41.5% of households own no car 38.1% one car 16.4% two and the remaining 4% have more than 2 cars. This indicates that there is a reduction on the norm for the district in terms of car ownership and the figures are provided below. The 'Output Area' is the smallest area immediately adjacent to and containing the site.

**Table: Car ownership**

Cars	High Wycombe area (Wycombe ualad09):	%	Output Area 2011: E00172600	%	Lower Super Output Area 2011: E01017837 : Wycombe 015B	%
Total Households	67,861		136		779	
No cars or vans in household	9,288	14%	76	56%	316	41%
1 car or van in household	25,887	38%	46	34%	296	38%
2 cars or vans in household	24,248	36%	13	10%	134	17%
3 cars or vans in household	5,973	9%	1	1%	25	3%
4 or more cars or vans in household	2,465	4%	0	0%	8	1%

sum of All cars or vans in the area

103,330 100%

75

681

5.16. In broad brush terms the figures suggest that on average over the district households have approximately 1.5 vehicles while in the main Wycombe urban area closest to the town centre this reduces to about 0.85 vehicles per household. This information has been further refined by looking at the information for the local area on the number of vehicles owned per household for the type of development proposed. This has been used to produce the table below.

**Table: Parking Demand based on Census Car Ownership Data for Flats and Maisonettes (Oakridge and Castlefield Ward)**

Habitable Rooms	Number of Cars Available per Household								
	Total Household	0 cars	%	1 car	%	2 cars	%	3 cars	%
1 – 3	603	241	40%	294	49%	58	10%	10	2%
<b>Leigh Street Proposed Development</b>									
1 – 3	230	92	40%	112	49%	22	10%	4	2%
<b>Total Veh.</b>	<b>168</b>	<b>0</b>	<b>-</b>	<b>112</b>	<b>-</b>	<b>44</b>	<b>-</b>	<b>11</b>	<b>-</b>

- 5.17. If we apply this to the proposal before us then we would expect the development to generate the need for 168 spaces while 174 are being provided on site.
- 5.18. Notwithstanding the above, the developers have also undertaken a Lambeth style survey of available parking in the area surrounding the site. The parking surveys have shown that there is sufficient capacity on-street within 200m and 400m of the site to accommodate any additional overspill parking generated by the development or for people visiting the occupiers and arriving by car. Based on the information provided the likelihood of overspill parking occurring is however unlikely given the accessible location of the site. It is therefore concluded that the proposals are acceptable and would not have an unacceptable impact on the supply of on-street parking in the local area.
- 5.19. The highways officer has also raised concerns over the access to the parking areas. These will be controlled by condition for the larger parking areas. Due to constraints of the existing building, the vehicle access to the car parking spaces at the Entrance Building will permit one-way working only. However, this ramp is just 13m in length and only serves four parking spaces. It is therefore highly unlikely that any conflict between vehicles would occur, and on the rare occasion when two vehicles meet, they would simply give way to one another.
- 5.20. Again, due to the constraints of the building, the vehicle access to the car park under Birch House can provide a 4.5m in width (kerb to kerb) at its narrowest point. Whilst this would allow two cars to pass, due to the turning movement required vehicles would have to give way. However, the access is only 10m in length and therefore the likelihood of two cars meeting at exactly this point is unlikely.
- 5.21. Given the above the parking proposed is considered to be acceptable subject to conditions to control the access and egress and to ensure it is retained for the lifetime of the development.
- 5.22. There were concerns raised by the police over security for undercroft parking to the rear of the Entrance Building (5 spaces), also concerns over access to the central square by vehicles. These concerns have been overcome through:
- a) removing the parking and using that area as a refuse collection point for waste vehicles outside the central square
  - b) by fitting the whole development with a sprinkler system so that there is no need for emergency service vehicles to enter the central square.
  - c) By gating the potential vehicle access points to the square
- 5.23. There have been concerns raised by local residents that the development will prevent them from parking on Leigh Street and the perceived under provision of parking within



the site will exacerbate an existing lack of on and off street parking in the local area. The parking survey shows that there is parking – although it is limited – and may not be as convenient as parking in Leigh Street itself. However, it has to be taken into account that Leigh Street is a private road and there is no right for anybody other than the owners to park there and the developers have provided adequate on-site parking given the proposed housing mix and the sustainable nature of the area in terms of public transport, cycling and walking.

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

ALP: G3 (General design policy), G7 (Development in relation to topography), G8 (Detailed Design Guidance and Local Amenity), G10 (Landscaping), G11 (Trees), G26 (Designing for safer communities), Appendix 1

CSDPD: CS19 (Raising the quality of place shaping and design)

DSA: DM11 (Green networks and infrastructure), DM16 (Open space in new development)  
Housing intensification SPD

Draft New Local Plan: CP8 (Sense of place), DM33 (Delivering green infrastructure in development), DM34 (Placemaking and design quality)

- 5.24. The design and access statement (D&A) and the addendum to it gives a clear indication of the vision for the site and the design ethos behind the proposal. The 2d plans to some extent fail to capture this and don't show the detailing to the same degree, which is a concern on such a large development in a Conservation Area. In order to overcome this the addendum to the D&A provides details of windows, balconies, buttressing, etc. these details can be controlled by condition on any approved scheme.
- 5.25. The bulk, scale and massing of the development has to some extent been designed to reflect the existing scale of the one retained building of Birch House and the hillside location. The Landscape and Visual assessment of the proposal acknowledges that the proposed buildings, while of a similar scale to those they replace are larger than those in the surrounding area and therefore have the potential to be dominant and slightly overbearing. Where this is the case the design has been amended to reduce this impact as much as possible through setting the upper floors back from the Green Street elevation on the Entrance Building, reducing the window sizes to the bedrooms on that elevation and providing deeper reveals to reduce the potential for overlooking.
- 5.26. Leigh Court 1 and 2 have been set into the side of the hill and duplex apartments used where necessary to facilitate this, their roofs have been designed to utilise all available space and retain an industrial appearance while keeping the height to a minimum. The tallest building has been located in a position where it has the least impact upon the surrounding area and does not detract from Birch House which is still the focal point of the development.
- 5.27. The design is considered to be of a high standard that picks up on the industrial past of the area and seeks to reflect it in the style and detailing of the buildings. The open space has been modified to provide an area that has the potential to be a vibrant and well used addition to the currently very limited open space in the local area which should also improve the local ecology through additional green infrastructure.
- 5.28. Concerns were initially raised by the police about the open nature of the site, its permeability, the lack of a demarcation of public, private and semi-public space and the lack of information on security in general. Further information has been provided and changes made to overcome these concerns. These changes include:

- a) Removing the need for vehicles to enter the Leigh Court amenity area and the provision of gates at the eastern and western ends of the court while still allowing for free access off Leigh Street.
- b) On-site 24 hour security presence to alleviate the concerns of having multiple units accessed of the Birch House atrium.
- c) Car park security.
- d) Clear delineation between the public and private areas with 'defensible' areas and suitable boundary treatments.

5.29. Based on the above the overall design is considered to be acceptable and in line with both policy and the requirements of the development brief for the area.

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

ALP: G8 (Detailed design guidance and local amenity), H19 (Residents amenity space and gardens) Appendix 1

CSDPD: CS19 (Raising the quality of place shaping and design)

Housing intensification SPD

Draft New Local Plan: DM34 (Placemaking and design quality), DM38 (Internal space standards)

Impact upon existing residents

5.30. The proposed development has existing residential areas to the south on Kitchener Road and to the North West on Upper Green Street.

5.31. Houses to the south back onto the site and have gardens that are between 22 and 30 metres in length. These gardens are currently overlooked by the rear of Blocks B and C, the flank of Block A and, to a lesser extent by the rear elevation of Wheelers Yard. The ground slopes down from the rear for the dwellings towards the site

Considering the impact of Leigh Court Block 1

5.32. The proposed development will be taller than block C which it replaces, but set at a ground level approximately 6 metres below that of the rear of dwellings on Kitchener Road such that the apex of the roofs of the dwellings are slightly below that of the proposed development, despite Block 1 having 6 floors of accommodation. It is considered that given the relative separation between the buildings, the impact of the proposal in terms of bulk and scale of development upon these neighbours is an acceptable one.

5.33. The main elevations of the dwellings to the rear of Block 1 are 34 metres away, ground floor projections are 28 metres away. If balconies are taken into account then the distance is 26 metres which is still above the 25 metre minimum required.

5.34. While the general relationship between the buildings is considered to be acceptable the balconies have been designed so that they have a rear facing perforated screen up to 1.5 metres in height to reduce the impact of overlooking from the development.

Considering the impact of Leigh Court Block 2

5.35. Block 2 is five floors and therefore slightly lower than block 1, it is 'L' shaped and has a narrower span. Due to the irregular site boundary it has a southern projection with a blank flank wall facing dwellings on Kitchener Road. Distance between this projecting gable and the rear of dwellings on Kitchener road is 23 metres which is considered to be an acceptable relationship.

- 5.36. The southern projection has windows that look across the very rear of the gardens on Kitchener Road, which is also the area closest to the rear elevation of Blocks 1 and 2 and furthest away from the backs of the affected dwellings. Subject to conditions to secure balcony details this is considered to be acceptable, as the most used areas of the existing gardens are liable to be those furthest from the development and most easily screened from it.

#### Considering the impact of the Entrance Building

- 5.37. The entrance building is proposed on the site of the existing Malvern and Llambris dwellings. It would be set back a similar distance from the road as the existing buildings and would maintain the public access that currently runs down the side of number 6 Green Street to commercial premises at the rear. The building is designed to step up the hillside so that the front section has commercial premises at ground floor level with three full floors of residential above and two further residential elements above that front onto 'Leigh Court' – the central public open space.
- 5.38. The proposal would have three floors of residential windows that face across the rear gardens of Green Street. These views are currently restricted by an area of overgrown hedging (approximately 3 metres in height) that runs between the boundary of no 6 and the access road. The landscaping scheme shows this to be replaced with a 2 metre high close boarded fence and an evergreen screen up to 3 metres. In addition to this the windows facing North West have been designed to be recessed with projecting reveal panels that restrict views down and to the north so they screen diagonal views towards the rear of the houses and across the closer gardens. Similarly the only balcony has been set in and is located so it has views across the very rear of the gardens. As such the relationship between the properties on Green Street and the units in the Entrance Block in terms of overlooking is considered to be acceptable.
- 5.39. In order to reduce the impact the bulk of the entrance block has been reduced on its north western flank and the upper two floors have been set back. It is considered that this reduces the impact of the building to an acceptable level when viewed from properties fronting onto Green Street.

#### Impact upon future residents

- 5.40. The application is accompanied by noise, daylight and sunlight reports. These have been taken into consideration when looking at the impact upon future residents.

#### Outdoor amenity

- 5.41. The proposal provides a combination of private gardens, patios, balconies for most of the units. The exception to this is the units in Birch House, the upper floors of Birch House extension and the upper floor of Leigh Court 1. These units will have to rely upon the communal space being provided in Leigh Court. This communal area has been designed with this in mind and has a combination of informal raised grassed areas and more formal seating areas on the norther side of the area where they will receive most sunlight and some protection from the prevailing westerly wind. It is considered that this combination of private and public space is an acceptable compromise for development in an edge of town location such as this.
- 5.42. The public space is also open to all and is proposed to have a local area of play so could also be used by existing residents in the area should they wish. Strategic open

space is being dealt with through an off-site contribution to help fund improvements within the local area.

#### Overlooking between residential property

- 5.43. Design features have been used to minimise overlooking between units within the site. Balconies proposed to each have single side screens to allow an element of privacy while still allowing for maximum sunlight. Balconies on the south eastern elevation of Leigh Court 1 will mean that all the windows above the ground floor on the north western elevation of Leigh Court 2 would have to be fixed shut and obscurely glazed to prevent overlooking from the balconies. These windows are all secondary windows in the living area and therefore this would not have a materially significant impact upon the occupiers. This could be dealt with by condition should the application be approved.
- 5.44. The section of Birch House extension to the south east of its entrance is set at an angle to Leigh Court Block 2. At its eastern end the distance between the two is under 10 metres. Therefore Oriel windows with integral horizontal louvre on the larger of the two lights are proposed so the occupiers of the units in the Birch House extension have the option to avoid overlooking while maintaining light levels into these single aspect units. Based on this the relationship between the two is considered to be acceptable.
- 5.45. Birch House and Birch House extension have windows that face onto the 'public' areas within the atrium. Birch House windows are all existing and are all proposed to be obscurely glazed where they face onto the atrium, this can be controlled by condition, the windows on the extension have all be designed so that they are high level and as such the relationship would be acceptable.

#### Environmental issues

ALP: G15 (Noise), G16 (Light pollution)

CSDPD: CS18 (Waste, natural resources and pollution)

Draft New Local Plan: CP7 (Delivering the infrastructure to support growth), DM20 (Matters to be determined in accordance with the NPPF)

- 5.46. A noise report has been provided that has satisfied the council's environmental health team that the development can deal with noise from external sources subject to conditions.
- 5.47. There are concerns over how the atrium has been designed and whether the impact of noise from within the confined space will have a negative impact upon the residential amenity of the occupiers of the units in Birch House due to the large single pane windows onto the atrium. It is considered that this can be dealt with by a condition requiring details of how this is to be dealt with to be submitted and approved.

#### Flooding and drainage

CSDPD: CS1 (Overarching principles - sustainable development), CS18 (Waste, natural resources and pollution)

DSA: DM17 (Planning for flood risk management)

Draft New Local Plan: DM37 (Managing flood risk and sustainable drainage systems)

- 5.48. The proposed development site is within water Source Protection Zones 1, 2 & 3 and is located on a principal aquifer. The previous uses of the proposed development site includes activities which present a risk of contamination that could be mobilised during construction to pollute the 'controlled waters' that feed the aquifer.

- 5.49. The Environment Agency are satisfied that subject to conditions on any approval the Geo-environmental desk study/preliminary risk assessment dated 04 April 2017 submitted in support of the application demonstrates that it will be possible to suitably manage the risk posed to 'controlled waters' by this development.
- 5.50. The proposal has been amended so that elements of the landscaping scheme are incorporated into the SuDS system for the development
- 5.51. The lead local flood authority have, based on the information provided, have accepted that the site can deal with surface water subject to conditions to cover infiltration rate testing to BRE 365 standard and Ground Investigations, including groundwater monitoring during the winter months. The results of the contamination testing will inform the need for infiltration testing and groundwater monitoring. Should the results of the contamination report prove favourable to infiltration, the applicant will have to revise the Drainage Strategy accordingly, in compliance with the discharge hierarchy.

### **Landscape and visual Impact**

CSDPD: CS17 (Environmental Assets)

Draft New Local Plan: CP8 (Sense of place), DM31 (The Chilterns Area of Outstanding Natural Beauty), DM44 (Landscape character outside of the Chilterns AONB)

- 5.52. A landscape and visual impact report has been provided. This shows that the site and Birch House will remain a prominent feature in the local landscape; that the entrance building will relate to Birch House but not dominate it; and the overall landscape composition will ostensibly remain unaltered. Birch House was already largely obscured from the south and had the backdrop of tall buildings behind it from the north, this general relationship remains the same.
- 5.53. The assessment does highlight that the development due to its bulk and scale will have a moderately overbearing impact upon neighbouring properties and this has been picked up earlier in this report.
- 5.54. Given the bulk and scale of the existing and retained buildings the proposal is not considered to be out of character with its locality nor does it impact in such a way as to detract from the site or its surroundings. Birch House will remain prominent in both local and long distance views from the North and the site as a whole will form part of a series of larger buildings that punctuate the valley between the Eden centre to the East and the Verco factories to the west.

### **Archaeology**

CSDPD: CS17 (Environmental Assets)

Draft New Local Plan: CP8 (Sense of place)

- 5.55. The County Archaeology officer is content that the proposal will retain an important local building and has sought conditions to ensure that the buildings to be removed will be recorded for the county records office prior to their removal and that an archaeological investigation of the site will be undertaken as part of the development package.

### **Ecology**

CSDPD: CS17 (Environmental assets)

DSA: DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance), DM14 (Biodiversity in development)

- 5.56. There is very little of wildlife value currently on the site and so simple mitigation measures can deal with the existing situation, this can be emphasised through the use of the standard ecological informative.
- 5.57. Ecological enhancement are proposed through the landscaping scheme which includes a green wall and a green roof as well as tree, hedge and shrub planting. It is important that these features are implemented to maximise their ecological as well as landscape value. This can be controlled through condition.

### **Historic environment (or Conservation Area or Listed Building Issues)**

ALP: HE1 (Demolition of listed building), HE2 (Alterations and extension to listed building), HE3 (Development affecting the setting of a listed building), HE5 (Local list buildings), HE6 (Conservation areas), HE10 (Burgage plots), HE11 (Development adjoining Conservation Areas), HE18 (Ancient monuments), HE19 (Archaeology), HE20 (Parks and gardens of special historic interest)

CSDPD: CS17 (Environmental assets)

Draft New Local Plan: CP8 (Sense of place), DM20 (Matters to be determined in accordance with the NPPF)

- 5.58. The site forms part of the Leigh Street Furniture Heritage Conservation Area. This contains a number of locally listed buildings including the 1901 building, Birch House and its extension; in general terms it is acknowledged that the proposal will result in the demolition of at least one building of local significance, the original William Birch 1901 factory building. This building (referred to as Block B) has been subsumed into the southern row of buildings and has had external and internal alterations to the point where its loss as part of a package to retain, refurbish and reuse the later Birch House and Birch House extension is considered acceptable. A condition of the removal of Buildings A, B and C, is that they are all recorded for the historic records office prior to their demolition.
- 5.59. The Heritage Statement submitted as part of the application highlights the more architectural nature of Birch House. Designed by the High Wycombe Architect, Thomas Thurlow, it has red brick headers and dressing and diamond lozenge pattern set into the stock bricks and blue engineering bricks used for the plinth and detailing on the wagon entrance. This strong 'Industrial' theme has been used throughout the design process to ensure that the development, while residential, respects the industrial past of this part of the town.
- 5.60. The Council's conservation officer has been keen to ensure that Birch House retains its horizontal and vertical rhythm. The character of Birch House is in part derived from the simplicity, repetition and regularity of the existing openings. Interventions have been kept to a minimum and the design ethic of those in Birch House has been altered to reflect its historical architecture while the link and the extension give a modern interpretation of industrial ethic.
- 5.61. The conservation officer has highlighted the need for the development to tie back to the details of industrial architecture that give this part of the Conservation Area its character. The application, in its design and access statement addendum, gives examples of how this can occur through the street furniture, gates and balcony details. Similarly the bulk and scale of the new buildings together with their roof types and window to wall ratios all reflect an architectural style that is more industrial than residential in nature.

5.62. Subject to conditions to ensure that the detailing of the development is controlled through the construction phase, it is considered to comply with the design guidance for new development contained within the Conservation Area Character Survey.

### **Building sustainability**

CSDPD: CS18 (Waste, natural resources and pollution)

DSA: DM18 (Carbon reduction and water efficiency)

Draft New Local Plan: DM39 (Optional technical standards for Building Regulation approval)

5.63. Following the Adoption of the Delivery and Site Allocations Plan (July 2013) and in particular policy DM18 (Carbon Reduction and Water Efficiency) it would have previously been necessary to impose a condition to secure the required 15% reduction in carbon emissions as well as reducing future demand for water associated with the proposed dwelling. However, this will be superseded in October 2016 by ministerial policy to transfer the issue to Building Regulations. It is only considered necessary to condition water efficiency.

5.64. The submitted sustainability statement highlights the key sustainability features of the proposal including:-

- a) The new build elements of the development are predicting a 3.69% CO<sub>2</sub> reduction over part L 2013 established baseline.
- b) The renovated Birch House is predicting a 9.64% CO<sub>2</sub> reduction over the current pre-renovated condition through extensive upgrades to the fabric and the use of photovoltaic panels
- c) The commercial space will be assessed under BREEAM (2014) to achieve a rating of 'Very Good'
- d) Water efficiency measures and devices will be installed in the dwellings to achieve a maximum daily water usage of 105 ltrs/person/day.
- e) Recycling facilities, encouraging sustainable modes of transport and ecological enhancements
- f) The site will be registered with the Considerate Constructors Scheme and measures to reduce construction site impacts will be implemented.

### **Public open space**

CSDPD: CS21 (Contribution of development to community infrastructure)

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

Draft New Local Plan: CP7 (Delivering the infrastructure to support growth)

5.65. To accord with policy DM16, the development will be required to make provision for public open space to serve new residents. In this case the local open space is being provide on-site in the form of a publicly accessible central amenity area with formal and informal seating areas and a local area of play for young children.

5.66. Given the restricted space on the site there is no on-site opportunities for strategic open space and the developers have therefore agreed an off-site contribution to be secured through a section 106 legal agreement.

### **Infrastructure and Developer Contributions**

CSDPD: CS21 (Contribution of development to community infrastructure)

DSA: DM19 (Infrastructure and delivery)

Draft New Local Plan: CP7 (Delivering the infrastructure to support growth)

- 5.67. The development is a type of development where CIL would be chargeable. The amount of CIL that this development would be liable to pay is approximately £1,500,000.00.
- 5.68. As referred to above given the size of the proposed development and the need for off-site business uses to be secured it is considered that there would be other types of infrastructure, other than the provision of affordable housing, that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.
- 5.69. The Planning Obligations SPD sets out the Local planning Authority's approach to when planning obligations are to be used in new developments.
- 5.70. 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:
- (a) Strategic open space
  - (b) Contribution to the provision of off-site employment space within the local area
  - (c) Contribution towards primary school places in the local area
- 5.71. The applicant has confirmed that he is willing to enter into a legal agreement.

#### **Weighing and balancing of issues – overall assessment**

- a) 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.
- 5.72. 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 (in this case, CIL)
  - c) Any other material considerations
- 5.73. As set out above a development of this scale has both positive and negative impacts. It is acknowledged that it is of a bulk and scale that is out of character with its surroundings and will therefore have a greater impact upon its neighbours than the existing site currently does. This impact has however been reduced wherever possible through a high quality design that seeks to reflect the industrial heritage of this part of High Wycombe. There are still concerns though and this weighs against the proposal.
- 5.74. The housing mix of the proposal is limited, due mainly to the limited site area and the requirement to retain Birch House. This restricts the diversity of population that would seek to live here which weighs against the proposal.
- 5.75. The design has resulted in the proposed removal of a locally listed building and the loss of a number of non-designated heritage assets, but it also facilitates the retention, refurbishment and re-use of Birch House probably the most iconic of the remaining furniture factory buildings remaining in the town, given the current state of disrepair the



building needs to be saved in the near future or it will potentially be beyond repair. This on balance weighs heavily in favour of the proposal.

- 5.76. The district cannot currently demonstrate a five year supply of housing and this development would make a significant contribution to the housing supply for the area, while still enabling the current occupiers to move into more modern business units within the town. This weighs in favour of the development.
- 5.77. The parking is below the average that is recommended in general by the adopted parking standards but is higher than the census would suggest is required for this form of accommodation in this area. The impact of the parking is therefore considered to neither weigh for or against the proposal.
- 5.78. The proposed local open space and contribution to strategic open space weigh in favour of the proposal in an area where there is little open space available to the public. As does the improvements to the local ecology and surface water drainage system.
- 5.79. There will also be economic benefits to the local area through the construction phase of development and through CIL.
- 5.80. On balance, it is your officer's opinion that the proposal is policy compliant and the benefits of the proposal outweigh any negative aspects and the proposal is therefore recommended for permission subject to condition and a section 106 agreement.

**Recommendation: DEFOBL**