



## Planning Committee

Date: 17 January 2018  
Time: 6.30 pm  
Venue: Council Chamber  
District Council Offices, Queen Victoria Road, High Wycombe Bucks

### Membership

Chairman: Councillor P R Turner  
Vice Chairman: Councillor A Turner

Councillors: Mrs J A Adey, M Asif, Ms A Baughan, S Graham, C B Harriss, A E Hill, D A Johncock, A Lee, N B Marshall, H L McCarthy, Ms C J Oliver, S K Raja, N J B Teesdale and C Whitehead

### Standing Deputies

Councillors H Bull, D J Carroll, M Hanif, M A Hashmi, A Hussain, M Hussain, M E Knight, Mrs W J Mallen and L Wood

**Fire Alarm** - In the event of the fire alarm sounding, please leave the building quickly and calmly by the nearest exit. Do not stop to collect personal belongings and do not use the lifts. Please congregate at the Assembly Point at the corner of Queen Victoria Road and the River Wye, and do not re-enter the building until told to do so by a member of staff.

**Filming/Recording/Photographing at Meetings** – please note that this may take place during the public part of the meeting in accordance with Standing Orders. Notices are displayed within meeting rooms.

## Agenda

- | Item |  | Page  |
|------|--|-------|
| 1.   | <b>Apologies for Absence</b><br>To receive apologies for absence.  |       |
| 2.   | <b>Minutes of the Previous Meeting</b><br>To confirm the Minutes of the meeting of the Planning Committee held on 15 November 2017 (attached).   | 1 - 4 |
| 3.   | <b>Declarations of Interest</b><br>To receive any disclosure of disclosable pecuniary interests by Members relating to items on the agenda. If any Member is uncertain as to whether an interest should be disclosed, he or she is asked if possible to contact the District Solicitor prior to the meeting. |       |

<b>Item</b>	<b>Page</b>
<p>Members are reminded that if they are declaring an interest, they should state the nature of that interest whether or not they are required to withdraw from the meeting.</p>	
<p><b>Planning Applications</b></p>	
4.	<b>Planning Applications</b>
5.	<b>17/05769/FUL - The Spinney, Upper Icknield Way, Whiteleaf, Buckinghamshire, HP27 0LY</b> <span style="float: right;">5 - 20</span>
6.	<b>17/07627/FUL - Land Adjacent to 32 Queen Street, High Wycombe, Buckinghamshire, HP13 6EZ</b> <span style="float: right;">21 - 47</span>
<p><b>Other items</b></p>	
7.	<b>Pre-Planning Committee Training / Information Session</b> <span style="float: right;">48</span>
8.	<b>Delegated Action Authorised by Planning Enforcement Team</b> <span style="float: right;">49 - 52</span>
9.	<p><b>Appointment of Members for Site Visits</b>            To appoint Members to undertake site visits on Tuesday 13 February 2018 should the need arise.</p>
10.	<p><b>File on Actions Taken under Delegated Authority</b>            Submission of the file of actions taken under delegated powers since the previous meeting.</p>
11.	<p><b>Supplementary Items (if any)</b>            If circulated in accordance with the five clear days' notice provision.</p>
12.	<p><b>Urgent items (if any)</b>            Any urgent items of business as agreed by the Chairman.</p>

**For further information, please contact Liz Hornby (01494) 421261, [committeeservices@wycombe.gov.uk](mailto:committeeservices@wycombe.gov.uk)**

## Planning Committee Mission Statement

The Planning Committee will only determine the matters before it in accordance with current legislation, appropriate development plan policies in force at the time and other material planning considerations.

Through its decisions it will:

- Promote sustainable development;
- Ensure high quality development through good and inclusive design and the efficient use of resources;
- Promote the achievement of the approved spatial plans for the area; and
- Seek to improve the quality of the environment of the District.

(As agreed by the Development Control Committee on 7 January 2009).

### Mandatory Planning Training for Planning and Regulatory & Appeals Committee Members

A new Member (or Standing Deputy) to either the Planning or Regulatory & Appeals Committees is required to take part in a compulsory introductory planning training session.

These sessions are carried out at the start of each New Municipal Year usually with a number of 'new Planning & R&A Members/Standing Deputies' attending at the same time.

All Members and Standing Deputies of the Planning and Regulatory & Appeals Committee are then, during the municipal year, invited to at least two further training sessions (one of these will be compulsory and will be specified as such).

Where a new Member/Standing Deputy comes onto these committees mid-year, an individual 'one to one' introductory training session may be given.

No Member or Standing Deputy is permitted to make a decision on any planning decision before their Committee until their introductory training session has been completed.

Members or Standing Deputies on the Committees not attending the specified compulsory session will be immediately disqualified from making any planning decisions whilst sitting on the Committees.

This compulsory training session is usually held on two occasions in quick succession so that as many members can attend as possible.

Please note the pre planning committee training / information session held on the evening of Planning Committee do NOT constitute any qualification towards decision making status.

Though of course these sessions are much recommended to all Planning Members in respect of keeping abreast of Planning matters.

Note this summary is compiled consulting the following documents:

- Members Planning Code of Good Practice in the Council Constitution;
- The Member Training Notes in Planning Protocol as resolved by Planning Committee 28/8/13; and
- Changes to the Constitution as recommended by Regulatory & Appeals Committee.

# Planning Committee Minutes

Date: 15 November 2017

Time: 7.00 - 8.10 pm

**PRESENT:** Councillor P R Turner (in the Chair)

Councillors Mrs J A Adey, M Asif, Ms A Baughan, S Graham, A E Hill, D A Johncock, A Lee, N B Marshall, H L McCarthy, Ms C J Oliver, S K Raja, N J B Teesdale, A Turner and C Whitehead.

Standing Deputies present: Councillors Mrs W J Mallen.

Apologies for absence were received from Councillors: C B Harriss.

## LOCAL MEMBERS IN ATTENDANCE

Councillor Mrs L M Clarke OBE

## APPLICATION

17/06814/FUL

## 65 MINUTES OF THE PREVIOUS MEETING

**RESOLVED:** That the minutes of the Planning Committee meeting held on 18 October 2017 be approved as a true record and signed by the Chairman.

## 66 DECLARATIONS OF INTEREST

There were no declarations of interest.

## 67 PLANNING APPLICATIONS

**RESOLVED:** that the reports be received and the recommendations contained in the reports, as amended by the update sheet where appropriate, be adopted, subject to any deletions, updates or alterations set out in the minutes below.

## 68 17/05241/FUL - WHARF BUSINESS CENTRE, WHARF LANE, BOURNE END, BUCKS, SL8 5RU

The Committee voted in favour of the motion that they were minded to grant permission subject to an amendment to condition 12 requiring retention of balcony screening and the completion of a Planning Obligation or other agreement and that the Head of Planning and Sustainability be given delegated authority to grant Conditional permission provided that a Planning Obligation was made to secure the following matters:

- a) Financial contribution towards the provision of off-site Affordable Housing.

or to refuse planning permission if an Obligation could not be secured.

**RESOLVED:** that the application be granted subject to completion of a Planning Obligation or other agreement.

The Committee was addressed by Councillor Lee, the local Ward Member.

The Committee was addressed by Mr Alex Lidgate in objection and Mr Peter Tanner, the applicant.

**69 17/06814/FUL - 2 KNIGHTS HILL, HIGH WYCOMBE, BUCKS, HP12 3NX**

The Committee voted in favour of the motion to approve the application subject to the amendments as laid out in the Update Sheet in relation to the screening and that an additional Condition be added to ensure that a plan was submitted in relation to the levels of landscaping of the rear garden.

**RESOLVED:** that the application be approved subject to the amendments as stated above.

The Committee was addressed by Councillors Mrs L Clarke, OBE and M Hussain, the local Ward Members.

The Committee was addressed by Mr Martin Ball in objection and Mr Shoaib Kayani on behalf of the applicant.

**70 17/07081/FUL - 32 FENNELS WAY, FLACKWELL HEATH, BUCKS, HP10 9BY - DEFERRED**

This item was deferred prior to the meeting. No debate took place.

**71 PRE-PLANNING COMMITTEE TRAINING / INFORMATION SESSION**

The Committee was informed that Bloor Homes, who were due to make a presentation at the next Information Session had withdrawn their request so therefore, as it stood, there would be no Information Session held. However, the Chairman explained that Members would be informed should a presentation be arranged and that failing that, he proposed that the 13 December Committee meeting commenced at 6.30pm.

A request was made for a presentation on Enforcement. It was agreed that this would be too much information to get into the forty minutes allotted for a Training Session but that some training would be arranged in due course.

**72 APPOINTMENT OF MEMBERS FOR SITE VISITS**

**RESOLVED:** That in the event that it was necessary to arrange site visits on Tuesday 12 December 2017 in respect of the agenda for the meeting on Wednesday 13 December 2017, the following Members be invited to attend with the relevant local Members:

Councillors: Mrs J A Adey, Ms A Baughan, S Graham, D A Johncock, T Lee, N B Marshall, H L McCarthy, Mrs C Oliver, N J B Teesdale, A Turner and P R Turner.

**73 DELEGATED ACTION UNDERTAKEN BY PLANNING ENFORCEMENT TEAM**

The Committee noted the Delegated Actions undertaken by the Planning Enforcement Team.

The Committee also discussed ways of developing a simplified and more straight-forward system to record the Action noted on the Delegated Action Sheets and noted this work was currently being undertaken.

The Committee was informed that should any Member wish to look at a Delegated Action Sheet, the folder was available to view in Democratic Services.

**74 FILE ON ACTIONS TAKEN UNDER DELEGATED AUTHORITY**

The file on actions taken under delegated authority since the previous meeting was circulated for the Committee's attention.

---

Chairman

**The following officers were in attendance at the meeting:**

Mrs S Armstrong	Principal Development Management Officer
Mrs J Caprio	Principal Planning Lawyer
Mrs L Hornby	Senior Democratic Services Officer
Mr R Martin	Development Management Team Leader
Mr P Miller	Technical Officer

This page is intentionally left blank

# Agenda Item 5.

Contact: Toby Cowell DDI No. 01494 421695  
App No : 17/05769/FUL App Type : FUL  
Application for : Demolition of existing two dwellings and garages and erection of 2 x 6 bed detached dwellings with detached double garages  
At The Spinney, Upper Icknield Way, Whiteleaf, Buckinghamshire, HP27 0LY  
Date Received : 21/03/17 Applicant : Mr & Mrs S Ruck  
Target date for decision: 16/05/17

## 1. Summary

- 1.1. Planning permission is sought for the demolition of the existing residential building and garages on site and erection of 2 x 6 bedroom detached dwellings with detached double garages.
- 1.2. The proposal constitutes inappropriate development in the Green Belt, however very special circumstances exist that mean the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. These considerations are that the proposed dwellings would amount to a lesser degree of harm to the openness of the Green Belt than the resultant level of lawful built development which could be achieved at the site.
- 1.3. Moreover, the proposal constitutes an acceptable development in the Chilterns AONB whilst preserving neighbouring amenity and providing an acceptable living environment for future occupants. In addition, the proposal would be unlikely to result in a demonstrable level of harm to an adjacent heritage asset (provided archaeological investigations and recordings be undertaken prior to the commencement of development). Likewise, no issues relating to highways or parking are apparent in this case.
- 1.4. The application is recommended for approval.

## 2. The Application

- 2.1. The application site consists of a detached building and a number of ancillary outbuildings situated within a fairly substantial plot to the immediate rear of the neighbouring property of Long Fortin. Access to the site is provided either side of Long Fortin's curtilage off Upper Icknield Way. The site is located to the north of Whiteleaf village centre within the Metropolitan Green Belt and the Chilterns Area of Outstanding Natural Beauty, together with being sited adjacent to an Archaeological Notification Site to the north, south and east. The site adjoins Whiteleaf Golf Course to the immediate north and east.
- 2.2. The application is accompanied by:
  - Existing site survey;
  - Proposed elevations and floor plans;
  - Proposed site plan;
  - Site location plan;
  - Planning Support Statement.
- 2.3. Amended plans were received on 30/10/2017. These plans reduced the footprint of the proposed dwellings.
- 2.4. From 16 October 2017 the emerging policies of the Wycombe District Local Plan (Regulation 19) Publication Version will also be material. The weight to be given to individual policies will be assessed in accordance with paragraph 216 of the NPPF.



- 2.5. Weight is of course a matter for the decision maker but the NPPF says at Para 216. 'From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
  - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - c) the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).'

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

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 applicants/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 agent was informed/ advised how the proposal did not accord with the development plan, that no material considerations were apparent to outweigh these matters and provided the opportunity to amend the application. The application is considered acceptable based on the amended plans submitted and is therefore recommended for approval. An extension of time for determination was agreed.

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

- 4.1. 94/07004/FUL – Demolition of existing double garage and erection of new double garage – Permitted
- 4.2. 15/06439/CLP - Certificate of lawfulness for proposed construction of 2 x front porches, 1 x rear porch, a single storey rear extension and a detached outbuilding comprising a swimming pool, gym, sauna and associated changing room – Certificate granted and under implementation.
- 4.3. 15/07759/FUL - Householder application for construction of part single storey, part two storey side extension, fenestration & external alterations to existing building and alterations to existing ground levels to provide new terrace area to rear – Permitted
- 4.4. 16/05513/FUL - Construction of part single storey, part two storey side extension, fenestration & external alterations to existing building & alterations to ground levels to provide new terraced area to the rear and internally divide existing dwelling to provide 1 x 6 bed and 1 x 2 bed dwellings, parking and access – Permitted

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

#### **Principle of the development in the Green Belt and impact on the character and appearance of the Chilterns AONB**

Adopted Local Plan (ALP): G3, H8, H9, GB2, GB5, GB7, L1;  
Core Strategy Development Planning Document (CSDPD): CS2, CS3, CS9, CS17, CS19;  
Housing Intensification Supplementary Planning Document (HISPD)  
Residential Design Guidance Supplementary Planning Document;  
Emerging Local Plan (Regulation 19) Publication Version: Policies CP1 (Sustainable Development), CP3 (Settlement Hierarchy), CP8 (Protecting the Green Belt), CP9 (Sense of Place), CP10 (Green Infrastructure and the Natural Environment), CP11 (Historic Environment), DM20 (Matters to be determined in accordance with the NPPF), DM30 (The Chilterns Area of Outstanding Natural Beauty), DM31 (Development Affecting the Historic

Environment), DM35 (Placemaking and Design Quality), DM42 (Managing Development in the Green Belt), DM43 (The Replacement or Extension of Dwellings in the Green Belt),

- 5.1. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. In the case of this application, the site is located within Whiteleaf, a small village comprising linear development located in the Metropolitan Green Belt and Chilterns AONB.
- 5.2. As a consequence, such development for new housing must accord with Policies GB2 and GB5 of the Adopted Local Plan which sets out the Council's position for built development within the Green Belt. Policy GB5, which specifically relates to replacement dwellings, states that such proposals will not be permitted where the floorspace of the replacement dwelling would exceed that of the original dwelling by 50% or 120sqm, whichever is the smaller. Where the floorspace of the dwelling being replaced has already been extended by 50% or more, than the floorspace of the replacement dwelling must not exceed that of the existing dwelling.
- 5.3. The Council's definition of an 'original dwelling' is that which existed at the site on 1<sup>st</sup> July 1948 or, if the site was not developed at this time, the first building to be built on the site after this date. This is also consistent with the NPPF's definition of an 'original dwelling'.
- 5.4. However, Paragraph 89 of the NPPF states that local planning authorities should regard the construction of new dwellings in the Green Belt as inappropriate aside from a number of exceptions; one of which includes 'the replacement of a building, provided the building is in the same use and not materially larger than the one it replaces'.
- 5.5. Whilst it is noted that there is some discrepancy between Policy GB5 and the NPPF, it is considered that the policy is generally consistent with the aspirations of the NPPF and as a result it would still be reasonable to largely apply Policy GB5 in this case given that the dwelling had not previously been extended and the NPPF does allow for 'proportionate' additions to an original building in the Green Belt.
- 5.6. It would therefore seem reasonable to allow for a 50%, or 120sqm, increase in floorspace over and above the floorspace of the existing dwelling on site when considering proposals for replacement dwelling(s).
- 5.7. The agent has confirmed that the total floorspace of the existing dwelling on site, together with the outbuildings, comprises a total floorspace of 413.8sqm. It is also noted that permission was granted under Ref: 16/05513/FUL to extend and subdivide the dwelling into two properties which has been partially implemented. Following discussions with the Council, it has been concluded that the principle of constructing two dwellings would be considered acceptable in principle as they would replace two dwellings at the site.
- 5.8. Contrary to the agent's position, the Council has not previously accepted that the floorspace of outbuildings should be included within the floorspace of the original dwelling. Whilst it is noted that case law (Sevenoaks DC v SoS Dawe 1997) has indicated that outbuildings can be considered part of the floorspace of the dwelling, this does specify that outbuildings should be included within the floorspace of dwellings for every subsequent application. The onus is therefore upon the decision maker to determine whether it is reasonable to include outbuildings as part of the floorspace of a dwelling. In the case of this application, the substantial separation distance between the dwelling present on the site and the outbuildings would, in the Council's opinion, dictate that the outbuildings should not reasonably be considered as part of the dwellings existing floorspace.
- 5.9. With regards to the current application, the total floorspace of the proposed dwellings together with the outbuildings has been calculated to be 795.16sqm. This is significantly greater than the 413.8sqm of the existing dwelling on site (including the outbuildings), and even greater than the 339.6sqm of the existing dwelling in

isolation.

- 5.10. Whilst the Council is mindful that a 50% allowance applied to this figure would result in 509.4sqm which has the propensity to be deemed acceptable (albeit a greater increase than 120sqm), this would still be significantly less than the 696.16sqm (outbuildings excluded) proposed for the two new dwellings.
- 5.11. As a consequence, it is considered that the proposed development would be contrary to Policies GB2 and GB5 of the Adopted Local Plan together with Paragraph 89 of the NPPF by reason of constituting replacement buildings which are materially larger than those currently present on site.
- 5.12. Notwithstanding this however, it is accepted that arguing the outbuildings did not have an impact on the openness of the Green Belt and therefore should not be considered as part of this application would be flawed. Moreover, it is also noted that a Certificate of Lawfulness for a Proposed Development was granted in 2015 for various extensions together with a further outbuilding comprising a swimming pool and gym, which would further significantly increase the built form on site. Furthermore, planning permission was granted for additional extensions to the existing dwelling in 2015 which, if implemented, would have a further substantial impact on openness.
- 5.13. The total floorspace of the approved extensions to the existing dwelling on site comprises 188.7sqm with the total floorspace of the consented permitted development additions and outbuildings comprising 334sqm. Such a cumulative level of development spread across a greater extent of the site would, in the Council's opinion, have the propensity to constitute a greater impact upon the openness of the Green Belt than the current proposals which would be concentrated in a smaller portion of the application site.
- 5.14. Furthermore, the granting of consent in this case would allow for restrictive conditions to be imposed which would remove permitted development rights; thereby preventing the future occupants from constructing any further additions or outbuildings without the benefit of express planning permission.
- 5.15. Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 continues by specifying that when considering planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'.
- 5.16. In the case of this particular application, it is considered that the granting of consent for the two detached dwellings and outbuildings together with removing permitted development rights by way of condition would likely have a comparable, if not less harmful, impact upon the openness of the Green Belt than the level of built development which currently exists or which could be achieved at the site.
- 5.17. It is therefore considered that 'very special circumstances' are evident in this particular case which would render the proposed development acceptable from a Green Belt perspective as the other considerations would outweigh the harm.
- 5.18. It is also recognised that the site is located within the Chilterns AONB, the purpose of which is to conserve the natural beauty of the landscape. Policy CS17 of the Core Strategy, in addition to Policy L1 of the Local Plan both seek to provide a basis on which the Council can decide whether new development would contribute to conserving and enhancing the AONB so as not to have any detrimental impact upon it now and in the future.
- 5.19. Due to the application site being situated to the rear of Long Fortin with access to the site from Upper Icknield Way provides either side of Long Fortin's curtilage; the

proposed dwellings themselves would not be readily visible from within the context of the streetscene. Moreover, both dwellings would be sited significant distances from neighbouring dwellings with heavy screening noted as being present around the majority of the site's perimeter.

- 5.20. The design, scale and form of the dwellings are considered to be fairly traditional which would positively contribute to the character and appearance of the wider locality. The use of more traditional fenestration and detailing is noted for the front elevation of the dwellings with more modern fenestration, terraces and a substantial use of glazing noted for the rear elevations. Such a prospect is not considered to be unacceptable in this instance given that the rear elevations of the dwellings would unlikely be visible from outside of the application site.
- 5.21. Likewise, the design and form of the detached garages are considered to appear subservient and ancillary to the main dwellings with their design traditional, uncomplicated and reflective of the remainder of built development proposed within the site.
- 5.22. In light of the above, the proposed development is considered to be reflective of the traditional character and appearance of the wider locality and thereby preserves the special landscape qualities of the Chilterns AONB.

#### **Impact of the development on historical asset**

Adopted Local Plan (ALP): HE19;  
Core Strategy Development Planning Document (CSDPD): CS17;  
Housing Intensification Supplementary Planning Document (HISPD)  
Residential Design Guidance Supplementary Planning Document;  
Emerging Local Plan (Regulation 19) Publication Version: CP11 (Historic Environment), DM20 (Matters to be determined in accordance with the NPPF), DM31 (Development Affecting the Historic Environment),

- 5.23. It is noted that the site lies adjacent to an Archaeological Notification Site believed to contain the remains of a Saxon burial ground first discovered in c.1830. The County Archaeological Service was consulted on this particular application and was conscious that due to the age of the previous discovery, it is possible that further inhumations may be present within the curtilage of The Spinney. However, due to the proposed development generally following the footprint of the existing dwelling present at the site, they considered the potential harm to the heritage asset in question could be mitigated through an appropriately worded condition if planning permission were to be forthcoming.
- 5.24. In light of the comments received, it is considered that the proposed development would not conflict with point 3 of Policy HE19 of the Adopted Local Plan so long as provision is made for archaeological excavation and recording to be undertaken prior to the commencement of development.

#### **Impact of the development on the residential amenities of the neighbouring dwellings**

Adopted Local Plan (ALP): G3, G8;  
Core Strategy Development Planning Document (CSDPD): CS19;  
Residential Design Guidance Supplementary Planning Document;  
Emerging Local Plan (Regulation 19) Publication Version: Policies CP1 (Sustainable Development), CP3 (Settlement Hierarchy), CP9 (Sense of Place), DM20 (Matters to be determined in accordance with the NPPF)

- 5.25. The front elevation of the proposed dwelling within 'Plot 1' would be sited approximately 46m from the rear building line of the neighbouring dwelling of Long Fortin with the front elevation of 'Plot 2' being sited approximately 45m from the same. In light of this separation distance, it is considered that the proposed development would not have any material impact upon the residential amenities of

the occupiers of Long Fortin.

- 5.26. It is also noted that the northern flank elevation of 'Plot 2' would be sited approximately 23m from the flank elevation of the adjoining neighbouring property of Compton to the north. Such a separation distance is also considered substantial enough to ensure that the amenities of the aforementioned neighbouring property would not be unduly impacted by the proposed development. It is also not considered reasonable or practical to require the first floor windows in the northern flank elevation of 'Plot 2' to be fitted with obscure glass by way of condition if planning permission were to be forthcoming.
- 5.27. There are no further neighbouring properties within close proximity that would be materially affected by the proposed development.

### **Living environment created for future occupiers**

Adopted Local Plan (ALP): G3, G8, G12, T5, T6;  
Core Strategy Development Planning Document (CSDPD): CS19;  
Residential Design Guidance Supplementary Planning Document;  
Emerging Local Plan (Regulation 19) Publication Version: Policies CP1 (Sustainable Development), CP3 (Settlement Hierarchy), CP9 (Sense of Place), DM20 (Matters to be determined in accordance with the NPPF)

- 5.28. In regard to the external space created for future occupiers, whilst the Council has no minimum size standards specifically relating to external space, The Council's Residential Design Guidance SPD suggests that more important than quantity is the quality of private amenity space and its usability. Amenity space should:
- Provide a reasonable degree of privacy;
  - Be accessed directly from the dwelling; and
  - Be of a suitable gradient, orientation and shape and freedom from excessive shade.
- 5.29. In the case of this application, the level of front and rear amenity provision proposed for both dwellings is considered to be substantial in size and commensurate to the size of the dwellings proposed without any potential to be overlooked by neighbouring properties.
- 5.30. It is also considered that the internal layout of both dwellings would likely constitute an improvement to the existing property present on site with a greater degree of legibility. Such proposals would therefore provide a higher standard of living for future occupants than the current arrangement and are considered acceptable from this standpoint.
- 5.31. Policy G12 of the Adopted Local Plan states that suitably located and appropriate facilities for storage, segregation and subsequent removal and/or disposal of rubbish and waste materials; i.e. bin stores, must be provided as an integral part of all development. In addition, provision for cycle should also be outlined for new residential development in accordance with Policies T5 and T6 of the Local Plan. Whilst no such provision has been identified within the submitted documentation, it is noted that there is sufficient access from the road to the spacious rear gardens of the proposed dwellings and therefore provision for waste storage/cycle parking could be reasonably accommodated within the site.
- 5.32. Concerns have been raised in regard to the potential impact upon the safety of future occupants of the dwellings given their proximity to the adjacent golf course and the knock on effect this could have for the viability of the golf course. However, it is noted that the rear elevation of the dwellings would be sited between approximately 56m (Plot 1) and 50m (Plot 2) from the existing site's rear boundary (also the location of the proposed rear terraces and traditional amenity area). This is considered a

sufficient distance to ensure that the safety of future occupants would not be unduly comprised by way of stray golf balls. Given that the rear building line of the existing property on site is sited approximately some 62m from the site's rear boundary, it is not considered that this modest encroachment towards the site's rear boundary would result in a greater level of impact upon the safety of future occupants.

### **Impact of the development on parking and highway safety**

Adopted Local Plan (ALP): T2, Appendix 9;

Core Strategy Development Planning Document (CSDPD): CS20;

Buckinghamshire County Council Parking Guidance;

Emerging Local Plan (Regulation 19) Publication Version: Policies DM33 (Managing Carbon Emissions: Transport and Energy Generation), DM35 (Placemaking and Design Quality)

5.33. Upper Icknield Way is an unclassified residential road with a 30mph speed limit with no parking or waiting restrictions. Within the vicinity of the site there are no pedestrian walkways and no street lighting. The current site is withdrawn from the road and gains access to Upper Icknield Way through two long accessed around a neighbouring property which fronts the street.

5.34. The County Highways Authority do not consider that the proposed development would create a material increase in usage of these accesses which are proposed to serve one property each. Both properties also provide optimal manoeuvring within the site curtilage.

5.35. In accordance with the County Council's Countywide Parking Guidance policy document, the application site is located within Zone B with each dwelling comprising a total of 12(no) habitable rooms and 6(no) bedrooms. On this basis, it is suggested that a total of 3(no) parking spaces should be provided. It is apparent from the submitted information that this would could be substantially exceeded within both plots; 2 of which would be provided within the detached garages serving both dwellings.

5.36. As such the development will not have a detrimental impact upon highway safety and convenience and is therefore compliant with Policy T2 of the Adopted Local Plan together with Policy CS20 of the Core Strategy.

### **Infrastructure and Developer Contributions**

Adopted Local Plan (ALP): G19;

Core Strategy Development Planning Document (CSDPD): CS20, CS21;

Developer Contribution Supplementary Planning Document (DCSPD)

Emerging Local Plan (Regulation 19) Publication Version: Policies CP7 (Delivering the Infrastructure to Support Growth)

5.37. The proposal is for two new dwellings and is therefore liable for CIL. There are no other infrastructure implications of the development other than those covered by CIL.

### **Building sustainability**

Core Strategy Development Planning Document (CSDPD): CS18 (Waste, natural resources and pollution)

DSA: DM18 (Carbon reduction and water efficiency)

Living within our limits SPD

Emerging Local Plan (Regulation 19) Publication Version: Policies DM33 (Managing Carbon Emissions: Transport and Energy Generation)

5.38. 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 normally been considered 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 dwellings. However, this was superseded in October 2016 by ministerial policy to transfer the issue to Building Regs. It is considered

necessary to condition the water efficiency only. This matter can be adequately secured by a planning condition.

## **6. 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 (in this case, CIL), and,
  - (c) Any other material considerations
- 6.3. The proposal constitutes inappropriate development in the Green Belt, however very special circumstances exist that mean the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. These considerations are that the proposed dwellings would amount to a lesser degree of harm to the openness of the Green Belt than the resultant level of lawful built development which could be achieved at the site.
- 6.4. Moreover, the proposal constitutes an acceptable development in the Chilterns AONB whilst preserving neighbouring amenity and providing an acceptable living environment for future occupants. In addition, the proposal would be unlikely to result in a demonstrable level of harm to an adjacent heritage asset (provided archaeological investigations and recordings be undertaken prior to the commencement of development). Likewise, no issues relating to highways or parking are apparent in this case.

### **Conclusion and Recommendation**

- 6.5. Having regard to the NFFP planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole. Although demonstrable harm to the Green Belt has been identified it is concluded that very special circumstances (VSC) exist in this instance such that planning permission ought to be granted.

## **Recommendation: Application Permitted**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
- 2 The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers 1952-PL100A, 1952-PL101A, 1952-PL102A and 01.1 unless the Local Planning Authority otherwise first agrees in writing.  
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.

- 3 Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of the materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority before any work to the external finish of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: To secure a satisfactory external appearance.
- 4 Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of all surfacing materials shall be submitted to and approved in writing by the Local Planning Authority before any work to the finished surfaces of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: To secure a satisfactory appearance.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order), no development falling within Classes A, B and E of Part 1 of Schedule 2 shall be carried out without the prior, express planning permission of the Local Planning Authority.  
Reason: In order that the Local Planning Authority can properly consider the effect of any future proposals on the character and amenity of the locality.
- 6 The development hereby permitted, shall be designed and constructed to meet a water efficiency standard of 110 litres per head per day.  
Reason: In the interests of water efficiency as required by Policy CS18 of the Adopted Core Strategy and Policy DM 18 of the Adopted Delivery and Site Allocations Plan (July 2013).
- 7 Prior to occupation of the development space shall be laid out within the site for parking for four cars and manoeuvring per plot, in accordance with the approved plans. This area shall be permanently maintained for this purpose.  
Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.
- 8 No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The archaeological investigation should be undertaken by a professional qualified archaeologist working to a brief issued by Buckinghamshire County Council Archaeological Service and take the form of a Watching Brief.  
Reason: To protect and conserve the historic environment.

#### INFORMATIVE(S)

- 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 applicants/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 agent was informed/ advised how the proposal did not accord with the development plan, that no material considerations were apparent to outweigh these matters and provided the opportunity to amend the application. The application was considered acceptable based on the amended plans submitted and recommended for approval. An extension of time for determination was agreed.

- 2 It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.
- 3 The archaeological investigation should be undertaken by a professional qualified archaeologist working to a brief issued by Buckinghamshire County Council Archaeological Service and take the form of a Watching Brief. For further information on the Historic Environment Record and procedures relating to archaeology and development (including service specifications and charges) please refer to the County Council's website under Archaeology:

<http://www.buckscc.gov.uk/bcc/archaeology/Archaeology.page>

# Agenda Item 5. Appendix A

17/05769/FUL

## Consultations and Notification Responses

### Ward Councillor Preliminary Comments

**Councillor Alan Turner:** As I have some concerns with this application, given its location within the Green Belt, AONB, and Conservation Area, with regards to potential overdevelopment, impact on both the Conservation Area and the adjacent SSI, if Officers are minded to approve the application I would request it comes to Planning Committee for determination.

### Parish/Town Council Comments/Internal and External Consultees

**Princes Risborough Town Council:** The Princes Risborough Town Council objects to this application as it consider it to be an overdevelopment of the site and area.

**County Highway Authority:** Upper Icknield Way is an unclassified residential road with a 30mph speed limit with no parking or waiting restrictions. Within the vicinity of the site there are no pedestrian walkways and no street lighting. The current site is withdrawn from the road and gain access to Upper Icknield Way through two long accessed around a neighbouring property which fronts the street.

The proposed development will not create a material increase in usage of these accesses which are proposed to serve one property each. Both properties also provide optimal parking requirement and manoeuvring within the site curtilage. As such the development will not have a detrimental impact upon highway safety and convenience.

No objection, subject to condition.

**County Archaeological Service:** We conclude that the proposed development is likely to affect a heritage asset of archaeological interest because it lies adjacent to a quarry pit where a Saxon cemetery was discovered in the mid-19<sup>th</sup> century. Historic records states than in c.1830 around 30 Saxon burials were discovered during the excavation of the quarry pit known as 'Rag Pit'. The burials were recorded as being individual, shallow graves aligned east-west. Given the age of the discovery we do not know if further burials extended outside the quarry area. It is possible that further inhumations could survive on the site of The Spinney, Whiteleaf. However, given the relatively small-scale of the proposed development, and the re-use of existing buildings footprint, it is our view that the potential harm to the heritage asset could be mitigated through an appropriately worded planning condition.

If planning permission is granted for this development then it is likely to harm a heritage asset's significance so a condition should be applied to require the developer to secure appropriate investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 141.

**Control of Pollution Environmental Health:** No objection

### Representations

Three letters of representation objecting to the scheme have been received. A summary of their comments are as follows:

- Detrimental to viability of Whiteleaf Golf Club due to potential injury to future occupants and the cost of insurance to Golf Club, or cost of course redesign/erection of further netting;
- Question over whether site is brownfield land;
- Issues over two separate driveways;
- Impact on privacy;

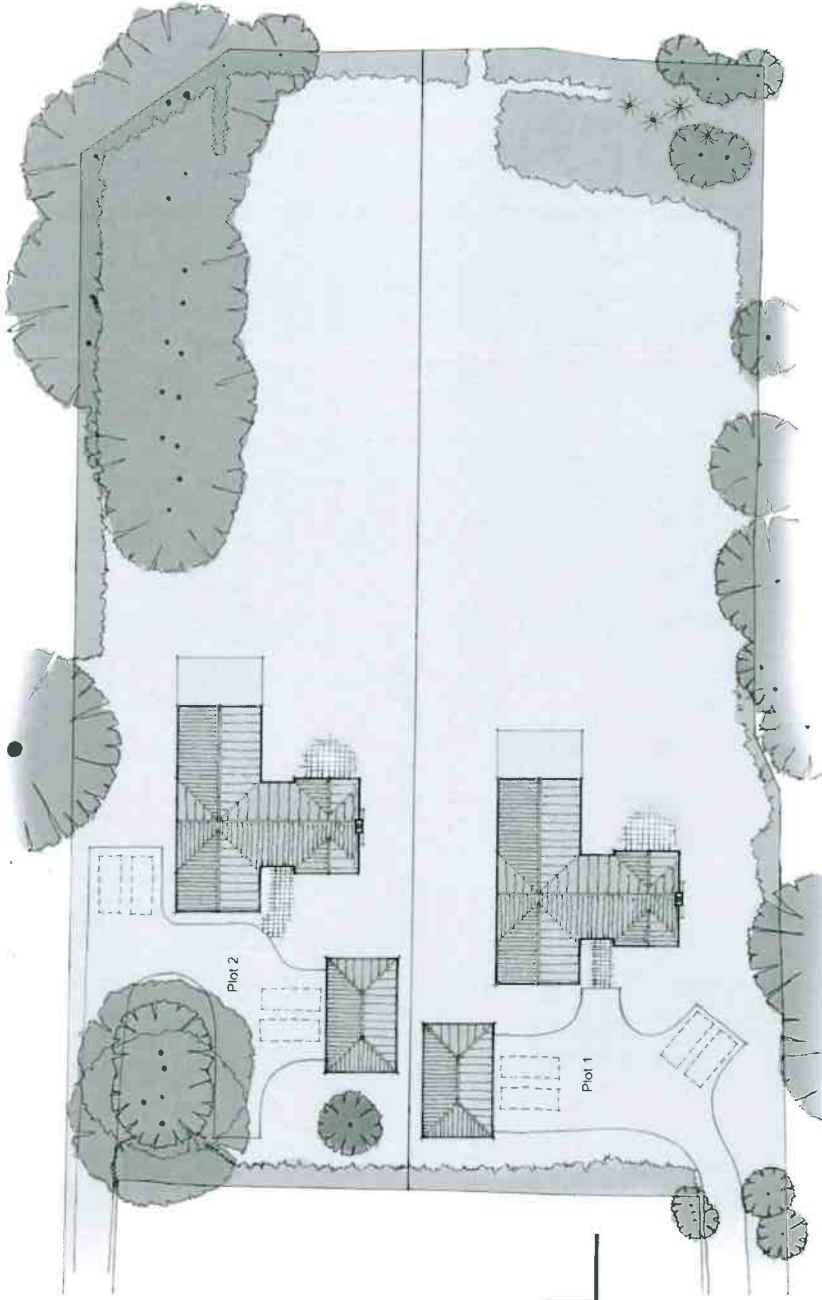
- Proximity to golf course;
- Could set a precedent for redevelopment on neighbouring site's;
- Potential for plot 2 to be sold off – what guarantee is there that the planned house will be built on site?
- Impact on Green Belt – contrary to policy;
- Only a single dwelling currently exists – has not been subdivided;
- Potential impact on trees within the site.

17/05769/FUL  
Scale 1/2500

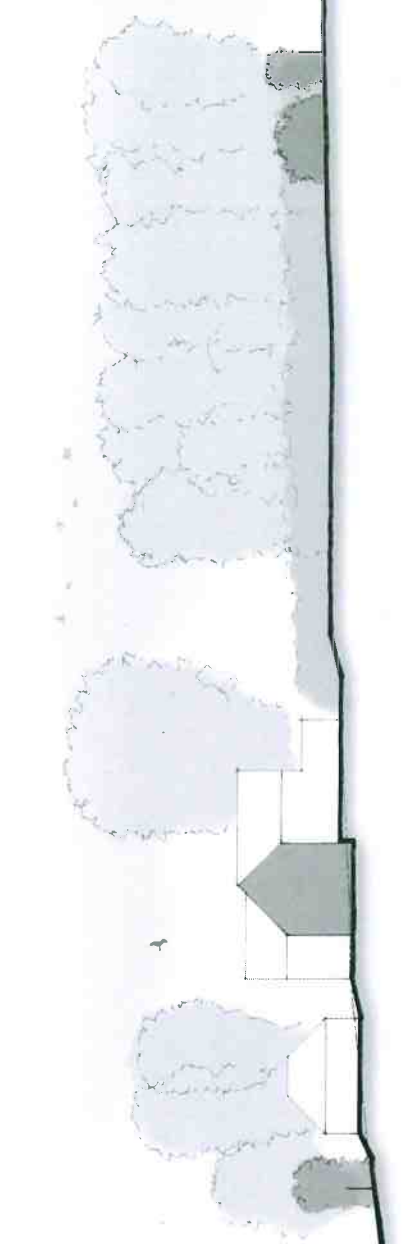
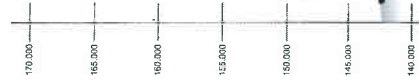




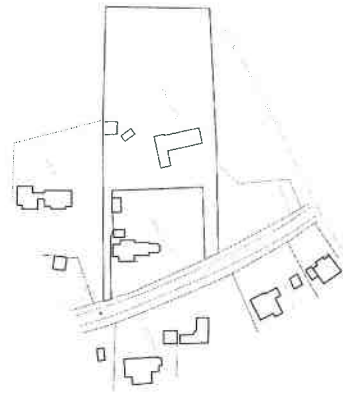
Street Scene Elevation



Proposed Site Plan



Site Section at A-A



Site Location Plan @ 1:1250

Rev.	Date	Description	By	Chk.
1	04/15/2017	Initial Design	AM	AM
2	04/15/2017	Revised Design	AM	AM
3	04/15/2017	Final Design	AM	AM

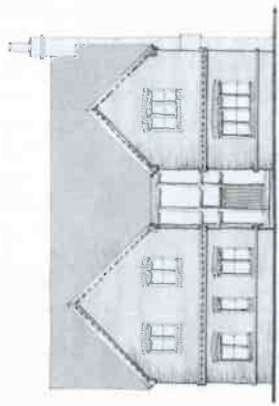
**hap architects**  
 The City Building, 1000 Broadway, Suite 1000  
 New York, NY 10018  
 Tel: 212.512.1234 | Fax: 212.512.1235  
 Email: info@haparchitects.com

Project: The Spinnery, Upper Idemild Way, Westchester, NY 10597, NY  
 Client: AM & MA S. Rock  
 Drawing Title: PLANNING  
 Drawing No.: 1952-PL100A  
 Date: 11/26/12  
 Scale: A1  
 Date: 11/26/12  
 Scale: 1/8" = 1'-0"

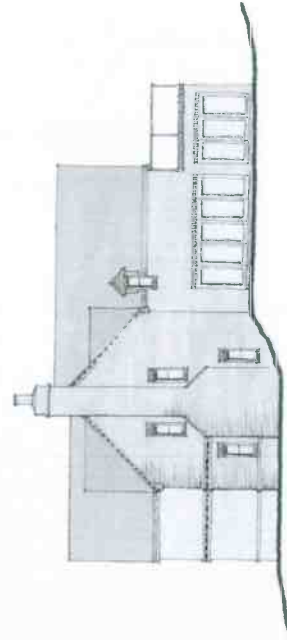
AMENDED



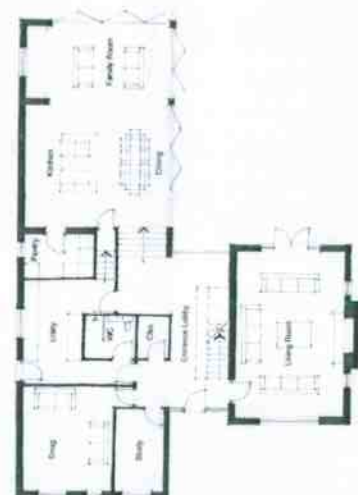
First Floor Plan



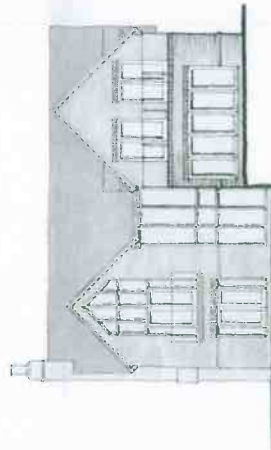
West Elevation



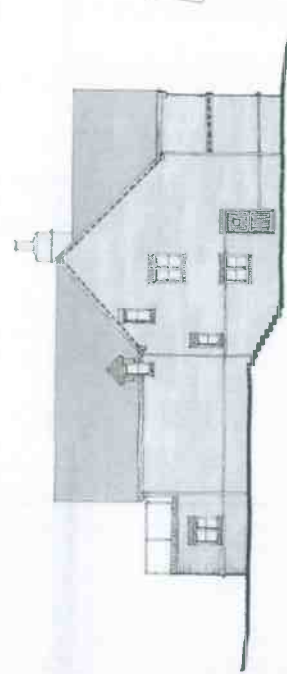
South Elevation



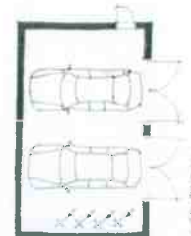
Ground Floor Plan



East Elevation



North Elevation



Double Garage



South Elevation



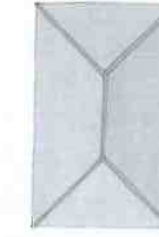
East Elevation



North Elevation



West Elevation



Roof Plan

h a p a r c h i t e c t s

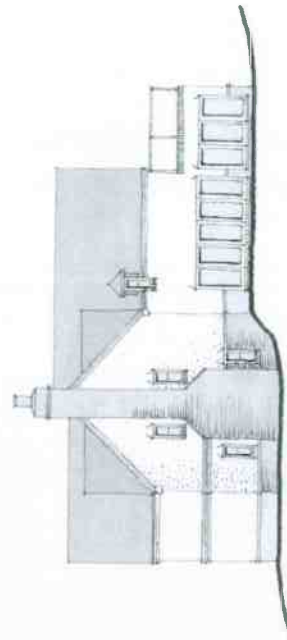
The Springs, 10000 Lakeside Way,  
Scottsdale, Arizona 85258  
Tel: 480.344.1100  
Fax: 480.344.1101  
www.hapararchitects.com

Project: Proposed Residential Foundation  
Site No: 1552  
Scale: A1  
Date: 10/15/14

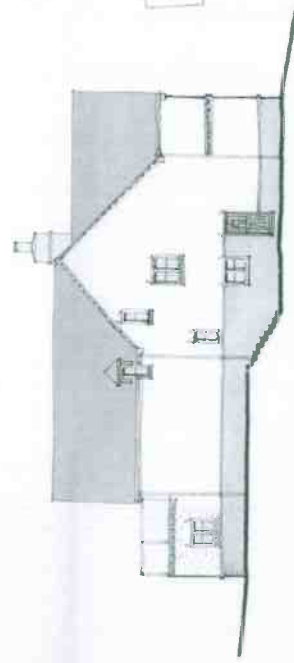
1552-PL10A



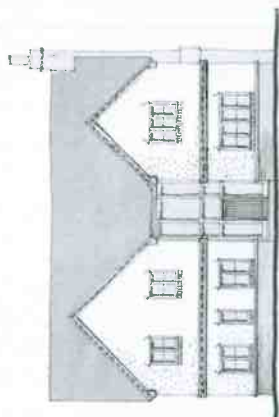
AMENDED



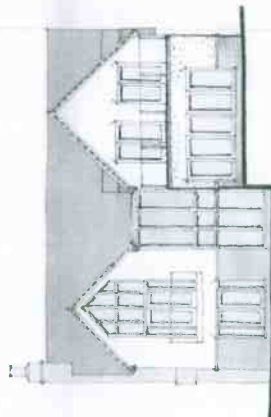
South Elevation



North Elevation



West Elevation



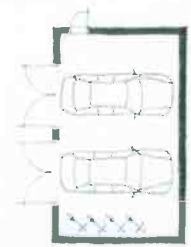
East Elevation



First Floor Plan



Ground Floor Plan



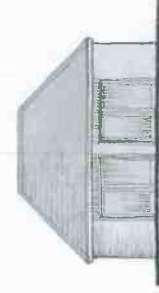
Double Garage



South Elevation



East Elevation



North Elevation



West Elevation



Roof Plan

**haparchitects**  
 1000 Highway 101, Suite 101  
 Victoria, BC V8V 2G2  
 Tel: 250.363.1111  
 Fax: 250.363.1112  
 Email: info@haparchitects.com

**Project Name:** The Springs, Upper Levels Way  
**Plot:** 2 - Proposed Plans and Elevations  
**Scale:** 1:100  
**Date:** 1912-PL-102A

**PLANNING**

**1912-PL-102A**

# Agenda Item 6.

Contact: Sarah Nicholson DDI No. 01494 421514

App No : 17/07627/FUL App Type : FUL

Application for : Erection of 1 x three bed dwelling attached to No. 32 Queen Street and roof alterations

At Land Adjacent 32 Queen Street, High Wycombe, Buckinghamshire, HP13 6EZ

Date Received : 17/10/17 Applicant : Ms N Hodges

Target date for decision: 12/12/17

## 1. Summary

- 1.1. Permission is sought for erection of an attached 3 bed dwelling with on-site parking.
- 1.2. The dwellinghouse would be two storey in height with additional accommodation in the roof slope. The proposal would benefit from two parking spaces to the side of the property.
- 1.3. The site is located in an established residential area, close to High Wycombe town centre and within the Amersham Hill Conservation Area.
- 1.4. This proposal follows on from a similar proposal for a 4 bed dwelling considered at planning committee in December 2016, which was refused by Members on the grounds of displaced parking, its unacceptable impact on the neighbour to the south and its unacceptable impact in the street scene and thus on the Amersham Hill Conservation Area. The Council's decision was upheld at the subsequent appeal, however only on the ground of the proposals overbearing impact on the amenities of the neighbouring property to the south, caused by the proposed two storey rear projection. A copy of the appeal decision is attached at Appendix D.
- 1.5. It is considered that this revised proposal which omits the previously proposed two storey rear wing overcomes the overbearing impact on the neighbouring property which concerned the appeal Inspector. Thus this proposal is considered to be in keeping with the character and appearance of the surrounding area and to have an acceptable impact on the amenities of neighbours and future residents. The development is also considered satisfactory with regards to highways impacts. The proposal is therefore recommended for approval, subject to conditions.

## 2. The Application

- 2.1. The application site was formerly parking and gardens serving no. 32 Queen Street. It is understood that this was separated off from the property relatively recently (N.B. this was the subject on an Enforcement complaint but was concluded not to be development and therefore no action was required to be taken). Whilst the application proposes to attach the dwelling to no. 32, this 'host' property is not included within the red edge (site boundary) nor blue edge (area also within the control of the applicant) and the application should only be considered in terms of the acceptability of the proposed development, i.e. that within the red edge. The relevant notice has been served on the owner of 32 Queen Street.
- 2.2. The rectangular site around 7.7m wide and around 30m deep, is located on the eastern side of Queen Street. This residential street follows a regular street pattern with properties located parallel to the highway. Particularly on the east side, many properties are directly adjacent the pavement or within close proximity and therefore may not benefit from off-street parking. Properties also consist of a range of styles and designs and include detached houses, semi-detached properties and a terrace



of three. Parking restrictions are in force on the road and a single yellow line is directly outside the property restricting parking between 9am-4pm Monday to Saturday.

- 2.3. The proposed dwellinghouse would be two storey in height (with accommodation in the roof space) and would be attached to a currently detached two storey dwellinghouse. It would have a uniform width of around 4.6m sit under a pitched roof with eaves height to match the host property, but slightly lower ridge height. A pitched roof dormer is shown in the front elevation. The depth of the property would be around 11.1m. Two tandem parking spaces would be located to the /side of the site with private amenity space to the rear. The gap to the boundary with the neighbouring property (No. 30) would be around 3m at the closest point, increasing to around 3.3m, towards the rear of the site. A small area of hard and soft landscaping is shown at the front of the site between the proposed property and pavement edge.
- 2.4. The application has been amended to reduce the slope/height of the driveway.
- 2.5. The application is accompanied by:
  - a) Design and Access Statement
- 2.6. As indicated above this application follows a similar proposal for a 4 bed dwelling considered at planning committee in December 2016, which was refused by Members on the grounds of displaced parking, its unacceptable impact on the neighbour to the south and its unacceptable impact in the street scene and thus on the Amersham Hill Conservation Area. A copy of the application including plans and the Council's decision notice are attached at Appendix C. The Council's decision was upheld at the subsequent appeal, however only on the ground of the proposals overbearing impact on the amenities of the neighbouring property to the south, caused by the proposed two storey rear projection. A copy of the appeal decision is attached at Appendix D. The Inspector's decision is a material consideration that has to be given great weight in the determination of any subsequent application.

### **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 applicants/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
- 3.2. In this instance the applicant was considered acceptable as submitted but at the request of the neighbour at No. 30 the applicant was asked to amend the slope of the proposed driveway. The applicant responded by submitted amended plans which were found to be acceptable and the application was recommended for approval.
- 3.3. Should this application be considered at Planning Committee, the applicant/agent will also have the opportunity to speak at the public meeting.

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

- 4.1. 16/06570/FUL- Erection of 1 x 3 bed detached dwellinghouse with allocated parking and private garden. Withdrawn.
- 4.2. 16/07194/FUL - Erection of 1 x 4 bed dwelling attached to 32 Queen Street with allocated parking and private garden. Refused and dismissed at appeal (see details reproduced at Appendix C and D).

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

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

CSDPD: CS1 (Overarching principles - sustainable development), CS2 (Main principles for location of development)

DSA: DM1 (Presumption in favour of sustainable development)

Wycombe District Local Plan (Regulation 19) Publication Version: DM21 (The Location of New Housing), DM35 (Placemaking and Design Quality);

Housing Intensification Supplementary Planning Document (June 2017) (HISPD)

- 5.1. The proposed appearance, location on the plot, style and setting of the dwelling are unchanged from that proposed in the application considered at the appeal. The only external change being the omission of the previously proposed side/rear two storey projecting element; this reduces the depth of the dwelling from 13.5m to 11m and the width from between 4.5m - 5.8m to a constant 4.6m. The Inspector considering the appeal raised no objection to the appearance or style of the dwelling, noting the variety of existing properties in the street. Furthermore, he considered that the size of the dwelling in relation to the size of the plot and the relationship with adjoining neighbouring properties was also acceptable in this context. Therefore the proposal is considered to be appropriate and in keeping with the existing character of the area.

### **Transport matters and parking**

ALP: T2 (On – site parking and servicing)

CSDPD: CS20 (Transport)

Buckinghamshire Countywide Parking Guidance

- 5.2. The Buckinghamshire Countywide Parking Guidance has recently been adopted by the County and therefore is of significant weight in the decision making process. Based on the property being served by 5 habitable rooms, two parking spaces would be required; these are proposed to be provided in tandem style. The size of the parking spaces would also comply with this Guidance.
- 5.3. The Highway Authority expressed concerns in both its previous consultation responses on this site on the potential impact of displaced parking resulting from the implementation of the proposals in consideration that the dwelling would be built on land formally used as parking for No.32. Specifically, they were concerned that although the house would provide parking in accordance with local policy guidelines, the displacement of parking historically occurring off-street in this location would be difficult to accommodate on the Queen Street carriageway due to the extant waiting and parking restrictions, in addition to a plethora of private vehicular accesses.
- 5.4. Nonetheless, in determining the appeal against refusal of consent, the Inspector believed that the application site had not accommodated parking in such a time that the displacement occurring had not appeared to have resulted in a detrimental impact on highway safety and convenience of use. Thus, the Inspector did not agree that the development would be detrimental in terms of highway safety and use.
- 5.5. Whilst the Highway Authority has expressed concern that the Inspector may not have taken into account the amount and nature of on-street parking taking place on Queen Street during times of peak residential demand (i.e. late night/early morning), the Inspectorate's decision is an important material consideration and accordingly, the Highway Authority do not consider that they could defend a highway safety objection at any subsequent appeal.
- 5.6. The condition suggested by the Highway Authority is not considered reasonable or necessary, in light of the Inspector's decision, but concerns around construction are drawn to the attention of the applicant through informatives.

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

ALP: G3 (General design policy), HE6 (New Development in Conservation Areas), Appendix 1

CSDPD: CS17 (Environmental Assets), CS19 (Raising the quality of place shaping and design)

Wycombe District Local Plan (Regulation 19) Publication Version: CP11 (Historic Environment), DM31 (Development Affecting the Historic Environment), DM35 (Placemaking and Design Quality)

Housing Intensification Supplementary Planning Document (June 2017) (HISPD)  
Amersham Hill Conservation Area Study

- 5.7. The surrounding properties are of a mixed style, scale and design including terraced cottages, detached properties and semi-detached units of varying ages. Whilst the design of the proposal is possibly not considered to be the most visually attractive the scheme is considered to be reflective of the surrounding character and appearance of the area and would not detrimentally detract from it. The separation distance from no. 30, which has been increased in this current proposal, is considered to be reflective of the street pattern (and larger than some gaps between existing properties) with the set back from the pavement also in keeping. All these points were considered by the Inspector in the recent appeal and no objection was upheld. Therefore the proposal is considered to have an acceptable impact on the character and appearance of the area, thereby preserving the character and appearance of the Conservation 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)

Wycombe District Local Plan (Regulation 19) Publication Version: DM35 (Placemaking and Design Quality)

- 5.8. Considering the amenities of neighbours, whilst it is noted that there are some side windows in the neighbouring property No. 30 and the proposed property would be at a higher level than No. 30, given that these windows are not the sole windows for the rooms (or serve non-habitable rooms) as well as the separation distance at around 3m, the development is not considered to result in loss of light to neighbours to a detrimental extent. Furthermore the scheme complies with light angle guidance to the front and rear. It is noted that a patio area serves the rear of No. 30. Considering the separation distance now being proposed at this point which has been increased from around 2m to 3m by the omission of the two storey side and rear projection and the reduced depth of the proposal against this patio (from around 4.75m to 2m), this is considered to have overcome the detrimental overbearing impact on this neighbour that led the Inspector to dismiss the appeal. The staggered design would ensure that the proposal would not have a detrimental overbearing impact on No. 32 either.
- 5.9. Considering the impact on neighbour's privacy, the scheme is not considered to impact on No. 32. Considering No. 30 whilst the front door would be on the side facing a ground floor side window, a 2m high boundary treatment is shown to be erected on this boundary which would limit overlooking, which, by the nature of a front door, is likely to be limited. Previously side facing windows, which would have served a kitchen window and a bedroom window have now been omitted, so no overlooking of this neighbour would occur.
- 5.10. Considering the amenities of future occupiers of the site, the development is considered to have an acceptable impact on residential amenities. The rear amenity space is considered to be of a sufficient size, with a reasonable amount of privacy and would be relatively flat; therefore it is considered acceptable for the development proposed.
- 5.11. In summary, the proposal is considered to have overcome the Inspector's concerns

with regards to its overbearing impact on No. 30, to provide an acceptable impact on neighbours' and future occupiers' amenity levels and would conform with planning policy. However, given the concerns raised by the Inspector it is considered appropriate in this instance to remove the property's permitted development rights to allow the Council to fully consider the impact of any future extension or out building on the amenities of the neighbours.

- 5.12. It is noted that the neighbour at No.30 has raised new concerns about the height of the proposed driveway to the new house. There appears to be no difference in the driveway proposed under the current proposal to that proposed in the last application for this site and this was not raised as an issue at that time by the neighbour, Case Officer or the appeal Inspector. However, the applicant has agreed to lower the driveway which is now shown to be set below the level of the intervening retaining wall by 0.6m at its eastern end. Given the sensitivity of this issue it is considered prudent to ask for additional level details of before and after levels on the site. This can be covered by condition. This coupled with the removal of the rear projection are considered to have overcome the concerns of the appeal Inspector with regards to the unacceptable impact on the amenities of the neighbour at No. 30.

### **Building sustainability**

CSDPD: CS18 (Waste, natural resources and pollution)

DSA: DM18 (Carbon reduction and water efficiency)

Living within our limits SPD

- 5.13. Policy DM18 requires new development to deliver a minimum of 15% reduction in carbon emissions on-site through the use of decentralised and renewable or low carbon sources. No details of such have been provided as part of this application nor has it been demonstrated that such a reduction is not feasible or viable on this site.
- 5.14. Policy DM18 also requires new development to be designed to a water efficiency standard of 105/litres/head/day equivalent to levels 3 or 4 for water within the Code for Sustainable Homes. Such a requirement could however be conditioned.

### **Infrastructure and Developer Contributions**

CSDPD: CS21 (Contribution of development to community infrastructure)

DSA: DM19 (Infrastructure and delivery)

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

### **Weighting and balancing the issues**

- 5.16. In weighting and balancing the planning issues the main consideration in this instance is whether or not the omission of the previously proposed two storey side and rear projection has overcome the significant harm to the amenities of No. 30 Queen Street.
- 5.17. As a result of the omission of this element the proposed dwelling is further away from the neighbour and the common boundary and does not extend so far back within the plot, thus in the opinion of officers the overbearing impact of the proposal has been overcome.
- 5.18. As part of their case at the recent appeal the applicant sighted that the benefits of developing this site and adding to the local housing stock in their view outweighed the dis-benefits of the development. The inspector dismissed this indicating that the developments small contribution to housing numbers was not outweighed by the significant harm he considered would result to neighbouring amenity and therefore considered the proposal unsustainable. By removing this significant harm and in the absence of any new material considerations or changes in site circumstances the proposal is considered to accord with relevant development plan policies and the NPPF proposing, a sustainable form of development that is recommended for approval.

## Recommendation: Application Permitted

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
- 2 Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of the materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority before any construction works on the external finishes of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: To secure a satisfactory external appearance.
- 3 Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of all surfacing materials shall be submitted to and approved in writing by the Local Planning Authority before any construction works on the finished surfacing materials takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: To secure a satisfactory appearance.
- 4 Drawings of the site identifying the following shall be submitted to and approved in writing by the Local Planning Authority before any development takes place;
  - a) Existing ground levels on site (spot heights) including a datum point that is located off site. Levels should be Above Ordnance Datum (AOD).
  - b) The level of the road outside the site. (AOD).
  - c) The proposed levels on site following completion of the development (for each existing height a proposed height should be identified.
  - d) The location and type of any retaining structures needed to support ground level changes.
  - e) The Finished Floor Level for every building that is proposed.
  - f) Cross sections within the site taken up to the site boundaries. The information supplied should clearly identify if land levels are being raised or lowered.
  - g) In the case of residential development, sections showing the level of the proposed garden(s) and retaining structures.The development shall be carried out only in accordance with the approved details.  
Reason: To ensure that the work is carried out at suitable levels in relation to adjoining properties and highways.
- 5 The scheme for parking, garaging and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.  
Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.
- 6 A fully detailed landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is first occupied. This shall include boundary treatment and landscaping to the front of the site.  
Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping.

- 7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees, plants or areas of turfing or seeding which, within a period of 3 years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.  
Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping.
- 8 No further windows, doors or openings of any kind shall be inserted in the side elevations of the development hereby permitted at first floor level or above without the prior, express planning permission of the Local Planning Authority.  
Reason: To safeguard the privacy of occupiers of the adjoining properties.
- 9 The development, hereby permitted, shall be designed and constructed to meet a water efficiency standard of 110 litres per head per day.  
Reason: In the interests of water efficiency as required by Policy CS18 of the Adopted Core Strategy and Policy DM 18 of the Adopted Delivery and Site Allocations Plan (July 2013).
- 10 The development hereby permitted shall be built and retained in accordance with the details contained in the planning application hereby approved and plan numbers 01, 02, 03B, 04B, 05B and 06 unless the Local Planning Authority otherwise first agrees in writing.  
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.
- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order), no development falling within Classes A, C and E of Part 1 of Schedule 2 shall be carried out without the prior, express planning permission of the Local Planning Authority.  
Reason: In order that the Local Planning Authority can properly consider the effect of any future proposals on the character and amenity of the locality.

#### INFORMATIVE(S)

- 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 applicants/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 was considered acceptable as submitted but at the request of the neighbour at No. 30 the applicant was asked to amend the slope of the proposed driveway. The applicant responded by submitted amended plans which were found to be acceptable and the application was recommended for approval.  
Should this application be considered at Planning Committee, the applicant/agent will also have the opportunity to speak at the public meeting.
- 2 It is contrary to section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system.

- 3 It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.
- 4 No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

**17/07627/FUL**

## **Consultations and Notification Responses**

### **Ward Councillor Preliminary Comments**

#### **Councillor Tony R Green**

Comments: This application would build on what was the parking spaces for number 32 Queen Street and would result in a reduction in off road parking in the street. It is also out of character in the conservation area and over development of the site. If minded to approve, I would like this application to be determined by the planning committee.

Comments on amended plans: The changes do not allay any of my concerns regarding this application. If minded to approve I would still like the application determined by planning committee.

### **Parish/Town Council Comments/Internal and External Consultees**

#### **High Wycombe Town Unparished - Terriers and Amersham Hill Ward**

##### **County Highway Authority**

Comments: You will recall that the Highway Authority provided comments on both previous applications at this site and within respective letters dated 26 July 2016 (16/06570/FUL) and 14 December 2016 (16/07194/FUL). Whilst the former application was withdrawn by the applicant, the latter was refused permission and the decision appealed by the applicant.

This Authority expressed concerns in both its consultation responses pertaining to the impact of displaced parking that would result from the implementation of the proposals in consideration that the dwelling would be built atop a former parking area. Specifically, although the house would provide parking in accordance with local policy guidelines, the displacement of parking historically occurring off-street in this location would be difficult to accommodate on the Queen Street carriageway due to the extant waiting and parking restrictions, in addition to a plethora of private vehicular accesses.

Nonetheless, in determining the appeal against refusal of consent, the Inspector believed that the application site had not accommodated parking in such a time that the displacement occurring had not appeared to have resulted in a detrimental impact on highway safety and convenience of use. Ergo, whilst the appeal was dismissed due to the relatively significant impact harm upon neighbouring amenity, the Inspector did not agree that it would be detrimental in terms of highway safety and use.

Whilst the Highway Authority believes that this decision may not have taken into account the amount and nature of on-street parking taking place on Queen Street during times of peak residential demand (i.e. late night/early morning), the Inspectorate's decision sets a precedent that would not allow us to lodge the same objection.

Mindful of these comments, and should you be minded to grant permission this should be subject to a condition requiring a Construction Traffic Management Plan.

##### **Control of Pollution Environmental Health**

Comments: No objections

##### **Conservation Officer**

Comments: Accepted in principle by appeal decision. Should be single central window to street front: two is overcrowded and architecturally unresolved.



## Representations

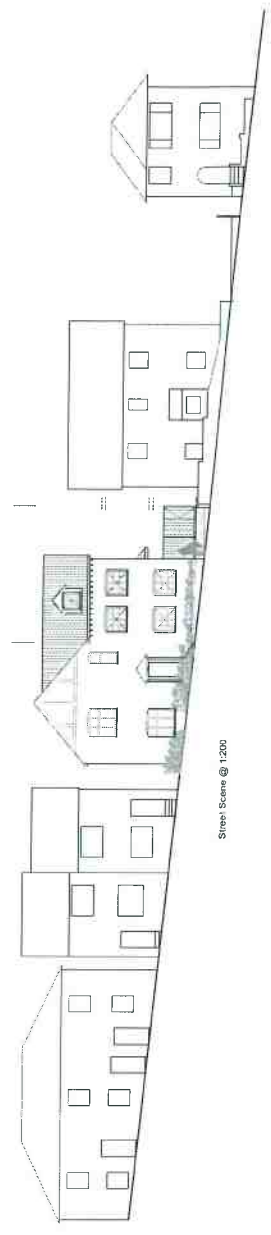
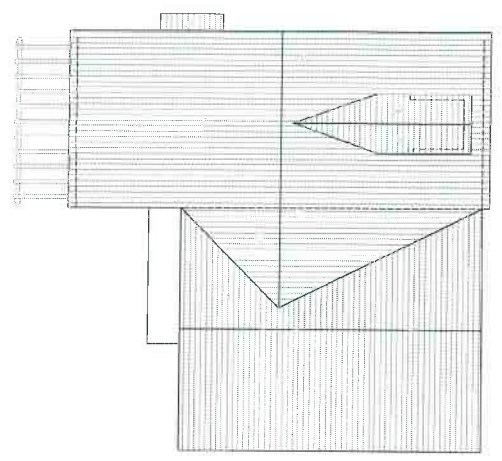
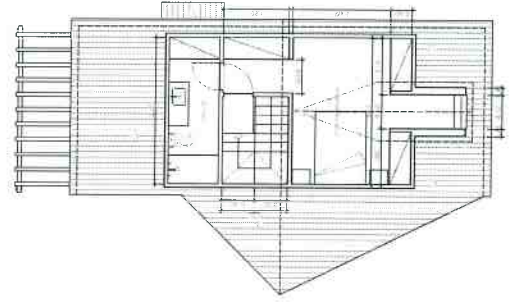
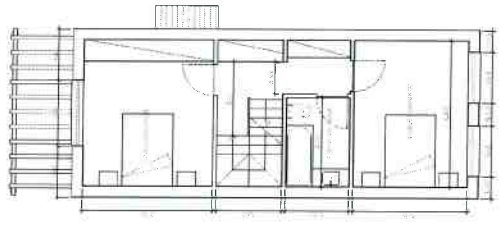
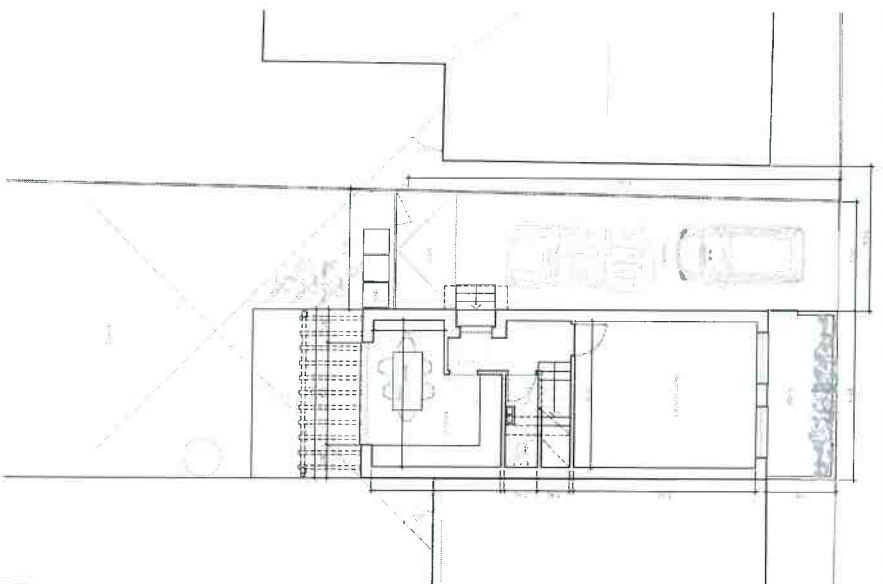
Objections from 10 x neighbours and interested parties have been received, summarised as follows:

- Plot has been created without permission and now overgrown
- Detrimental impact on amenities of neighbours
- Poor visual impact
- Detrimental impact to highway safety and convenience
- Will dominate street scene
- Proposal fails to respect the historic assets of the Amersham Hill Conservation Area
- Inadequate parking. Impact on highway safety and accesses to other properties.
- Loss of air flow
- Loss of light to neighbours
- Loss of privacy to neighbours on opposite side of the road from dormer window
- Overbearing impact on neighbours due to height of driveway
- Overdevelopment
- Could be reconfigured to provide more bedrooms
- Shortage of parking in road
- Inspector failed to consider evening and weekend higher demand for on street-parking
- Property could turn into HMO, like no. 32
- Not in keeping
- There is a 1m- 1.4m level difference with no. 30
- Use of elevated driveway will cause noise and disturbance to neighbours at No. 30.

One objection received to the amended plans rising no new issues.

17/07627/FUL  
Scale 1/1250



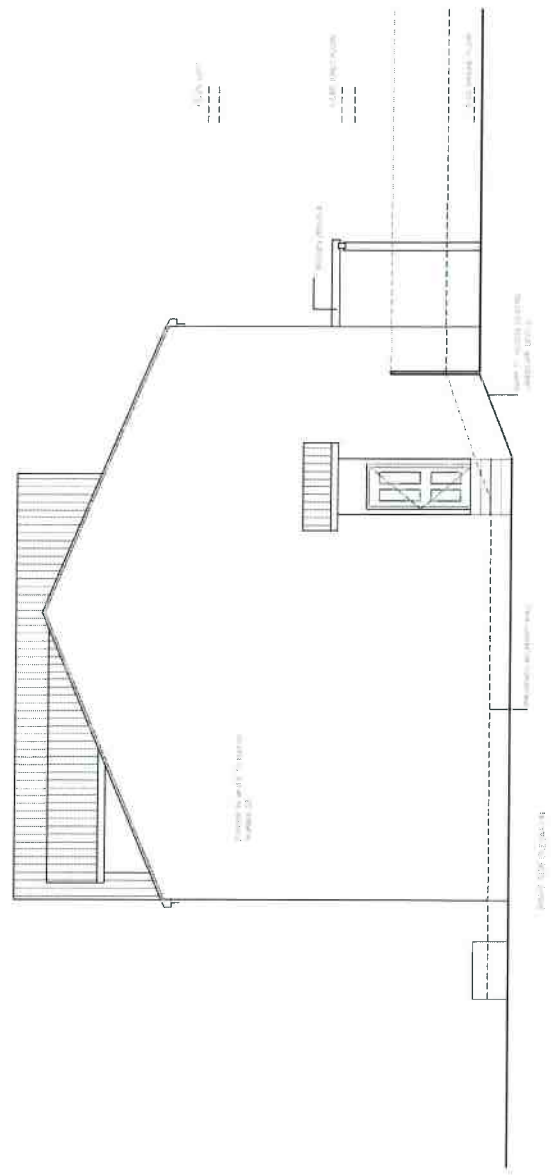
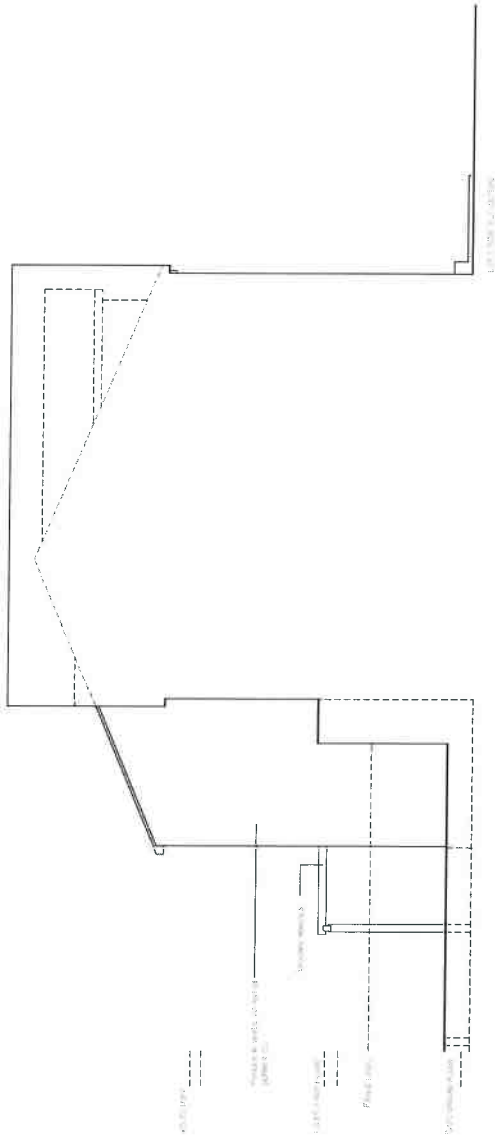


Street Scene @ 1:200

CLIENT: Mr. Nicola Hoyos PROJECT: Popular Plans and Street scene ARCHITECT: ALEXANDRE M. MARQUEZ GUISO (C.A.) RUC: 11197405 HONOLULU, HI 96814		DATE: 11/00 @A2 1:200 December 2017	03B N
JACOBO: Este es un proyecto de un edificio de viviendas con un diseño innovador y moderno. El proyecto se encuentra en un terreno de 1000 metros cuadrados en el centro de la ciudad. El edificio tendrá una altura de 10 pisos y una superficie construida de 10000 metros cuadrados. El proyecto está sujeto a los requisitos de zonificación y de construcción de la ciudad. El arquitecto se reserva todos los derechos de autor y de propiedad intelectual. Este documento es un borrador y no debe ser utilizado para fines legales o financieros.			



<b>TITLE</b>	Erection of a 3 bedroom semi detached house with allocated parking and private garden
<b>PROJECT</b>	Proposed Front and Rear Elevations
<b>CLIENT</b>	Ms Nicola Hobbes
<b>PLACE</b>	Land adjacent to 32 Queen Street High Wycombe Bucks HP 8EZ
<b>ARCHITECT</b>	<b>ALEXANDRE M. MARQUES DUARTE</b> RIBA Registration No: 2/011737 A/RB Registration No: 01774/D
<b>SCALE</b>	1:100 @A3
<b>DATE</b>	December 2017
<b>Drawings Number</b>	04B
<b>NOTES</b>	This drawing is subject to copyright under the Copyright Designs & Patents Act 1988. It is an infringement of copyright to reproduce or to copy in any form, in whole or in part, without the written consent of the author. It is not to be used for any other purpose without the written consent of the author.



TITLE: Erection of a 3 bedroom semi detached house with allocated parking and private garden

PROJECT: Proposed Left and Right Elevations

CLIENT: Ms Nicola Hodges

PLACE: Land adjacent to 32 Queen Street High Wycombe Bucks HP 6EZ

ARCHITECT:  ALEXANDRE M. MARQUES DURSÃO  
RIBA Registration No. 20011737 APR  
Registration No. 0777400

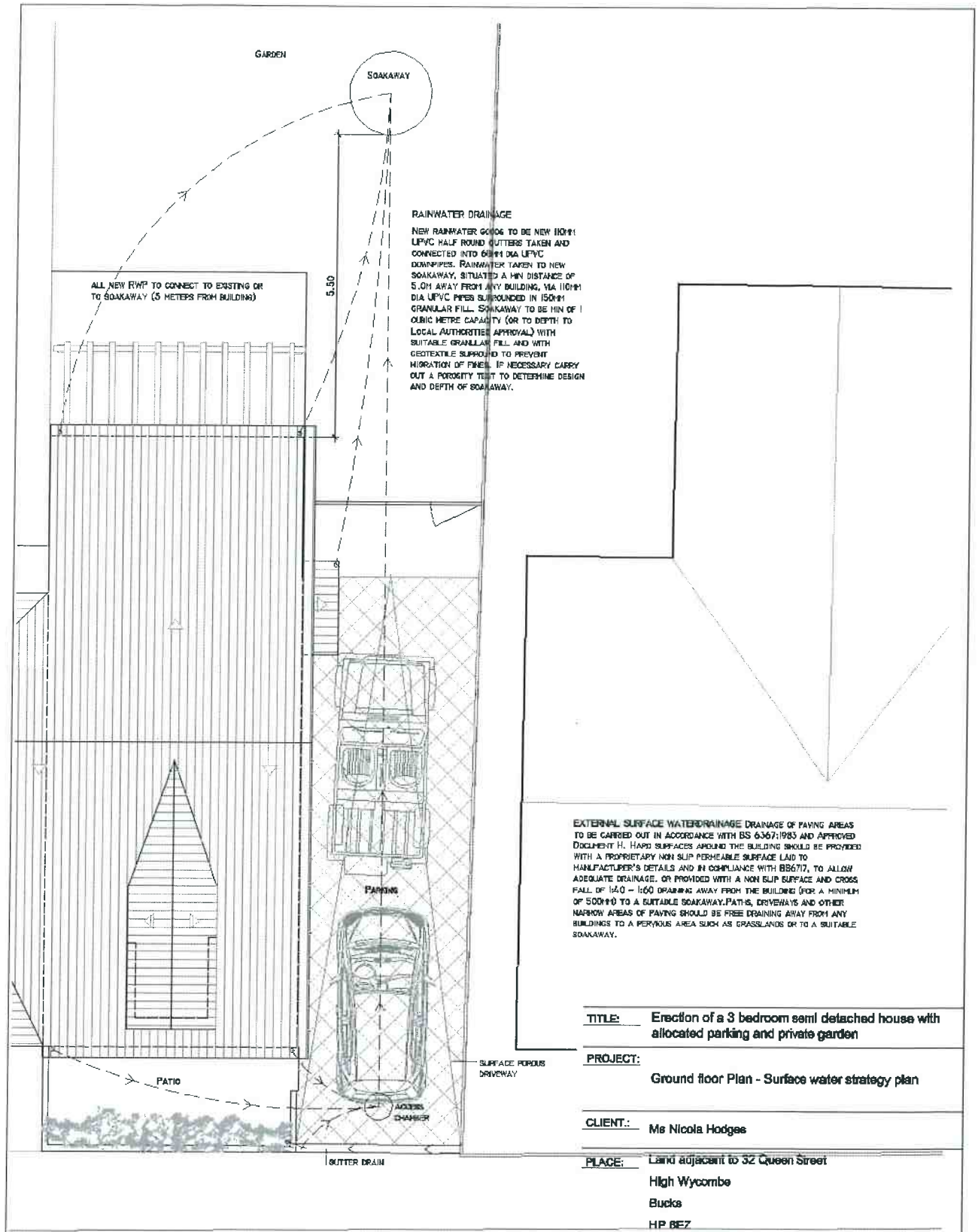
SCALE: 1:100 @A3  
DATE: December 2017

Drawing Number: 05B

NOTES:  
This drawing is subject to copyright under the Copyright, Design & Patents Act 1988.  
It is an infringement of copyright for another person to copy, by any means, any part of this drawing without the prior written consent of the architect.  
This drawing is subject to a professional indemnity policy.







**RAINWATER DRAINAGE**  
 NEW RAINWATER GUTTERS TO BE NEW 100MM UPVC HALF ROUND GUTTERS TAKEN AND CONNECTED INTO 60MM DIA UPVC DOWNPIPES. RAINWATER TAKEN TO NEW SOAKAWAY, SITUATED A MIN DISTANCE OF 5.0M AWAY FROM ANY BUILDING, VIA 100MM DIA UPVC PIPES SURROUNDED IN 150MM GRANULAR FILL. SOAKAWAY TO BE MIN OF 1 CUBIC METRE CAPACITY (OR TO DEPTH TO LOCAL AUTHORITIES APPROVAL) WITH SUITABLE GRANULAR FILL AND WITH GEOTEXTILE SURROUND TO PREVENT MIGRATION OF FINES. IF NECESSARY CARRY OUT A PERGITY TEST TO DETERMINE DESIGN AND DEPTH OF SOAKAWAY.

**EXTERNAL SURFACE WATER DRAINAGE**  
 DRAINAGE OF PAVING AREAS TO BE CARRIED OUT IN ACCORDANCE WITH BS 6367:1985 AND APPROVED DOCUMENT H. HARD SURFACES AROUND THE BUILDING SHOULD BE PROVIDED WITH A PROPRIETARY NON SLIP PERMEABLE SURFACE LAID TO MANUFACTURER'S DETAILS AND IN COMPLIANCE WITH BS6717, TO ALLOW ADEQUATE DRAINAGE. OR PROVIDED WITH A NON SLIP SURFACE AND CROSS FALL OF 1:40 - 1:60 DRAINING AWAY FROM THE BUILDING (FOR A MINIMUM OF 500MM) TO A SUITABLE SOAKAWAY. PATHS, DRIVEWAYS AND OTHER NARROW AREAS OF PAVING SHOULD BE FREE DRAINING AWAY FROM ANY BUILDINGS TO A PERVIOUS AREA SUCH AS GRASSLANDS OR TO A SUITABLE SOAKAWAY.

**TITLE:** Erection of a 3 bedroom semi detached house with allocated parking and private garden

**PROJECT:** Ground floor Plan - Surface water strategy plan

**CLIENT:** Mr Nicola Hodges

**PLACE:** Land adjacent to 32 Queen Street  
 High Wycombe  
 Bucks  
 HP 8EZ

**ARCHITECT**  
 ALEXANDRE M. MARQUES DURÃO  
 RIBA Registration No: 20011737 ARB  
 Registration No: 077740D

**SCALE:** 1:100 @A4  
**DATE:** September 2017

**Drawing Number**  
 06



**NOTES:**  
 These drawings are subject to copyright law under the "Copyright, Designs & Patents Act 1988".  
 It is an infringement of copyright for another person to copy the work, distribute copies, lend or rent copyrighted work to another, or to adapt the work to create something else without the author's permission

GROUND FLOOR



## Town and Country Planning Act 1990

Town and Country Planning  
(Development Management Procedure) (England) Order 2015

Agent :

Alex D Architects Ltd  
Milton Pools Farm  
Access Roads To Harrington Farm And  
Great Milton  
Oxford  
OX44 7JE

Applicants Details :

Ms Nicola Hodges  
Galamina  
Piddington Lane  
Wheeler End  
HP14 4NG

In pursuance of its powers under the above-mentioned Act and Orders the Wycombe District Council as Local Planning Authority hereby REFUSE PERMISSION for:-

**Proposal: Erection of 1 x 4 bed dwelling attached to 32 Queen Street with allocated parking and private garden**

**At: Land Adjacent:  
32 Queen Street  
High Wycombe  
Buckinghamshire  
HP13 6EZ**

In accordance with your application received on 10.08.2016 and the plans and particulars accompanying it.

The reason(s) for refusing your application are:

- 1 Whilst the proposed development will provide parking clear of the highway for vehicles associated with its use, the scheme will result in the displacement of existing parking onto the highway on a residential street replete with limited parking availability and is subject to waiting restrictions. The development, if permitted, would therefore be likely to lead to additional on-street parking on the highway to the detriment of public and highway safety and is contrary to Policy CS20 (Transport and Infrastructure) of the Wycombe Development Framework Core Strategy (adopted July 2008).
- 2 The proposed dwelling, by virtue of its relative height, depth and juxtaposition to the neighbouring property to the south, would cumulatively result in an un-neighbourly form of development. It would result in an undue loss of outlook from the ground floor rear facing window and the adjacent courtyard amenity area of 30 Queen Street and as a result it would be to the detriment of the amenity of its occupiers. The proposal is thus considered to be contrary to policies G3, G8 and H17 of the Adopted Wycombe District Local Plan to 2011 (as saved, extended and partially replaced) and Policy CS19 of the Wycombe Development Framework Core Strategy DPD (Adopted July 2008).

- 3 The proposed dwelling, by virtue of its size, layout and design is considered to represent an incongruous feature in the street that would fail to preserve or enhance the character or appearance of the Amersham Hill Conservation Area. The proposal is thus considered to be contrary to policies G3 and HE6 of the Adopted Wycombe District Local Plan to 2011 (as saved, extended and partially replaced) and Policies CS17 and CS19 of the Wycombe Development Framework Core Strategy DPD (Adopted July 2008).

#### INFORMATIVE(S)

- 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:

- o offering a pre-application advice service,
- o as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions, and,
- o by adhering to the requirements of the Planning & Sustainability Customer Charter

In this instance a previous application was submitted for a detached 3 bedroom dwelling. Following concerns of the case officer this was withdrawn, leading to the submission of the current application. Following further concerns, amended plans were submitted. The application was considered at Planning Committee and as such the applicant/agent had the opportunity to speak at the public meeting.

Dated: 15 December 2016

*Penelope Tollitt*

PENELOPE TOLLITT  
Head of Planning and Sustainability  
For and on behalf of the Council

#### **FURTHER INFORMATION:**

##### **The plans & details considered include:**

03/b; 04/b; 05/b; 01/A; 02/A;

##### **Appeals to the Secretary of State**

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.



Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN . Tel: 0303 444 5000, e-mail: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.



**TITLE:** Erection of a 4 bedroom semi detached house with allocated parking and private garden

**PROJECT:** Block Plan

**CLIENT:** Nicola Hodges

**PLACE:** Land adjacent to 32 Queen Street  
High Wycombe  
Bucks  
HP BEZ

**ARCHITECT**



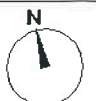
**ALEXANDRE M. MARQUES DURÃO**  
RIBA Registration No: 20011737 ARB  
Registration No: 077740D

**SCALE:** 1:500 @A4

**DATE:** August 2016

**Drawing Number**

**02**



**AMENDED PLAN**

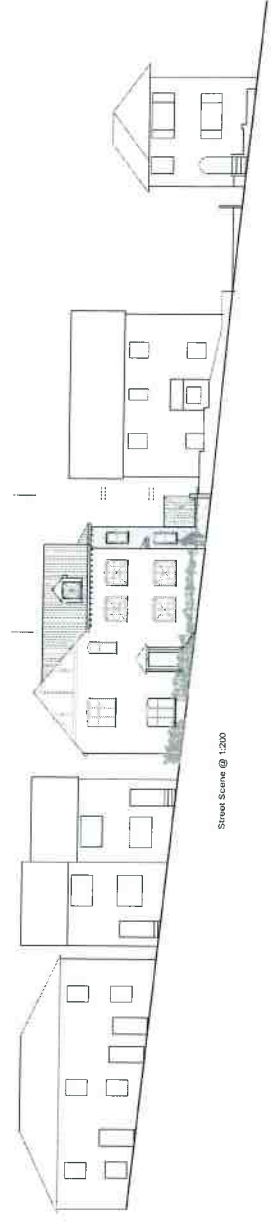
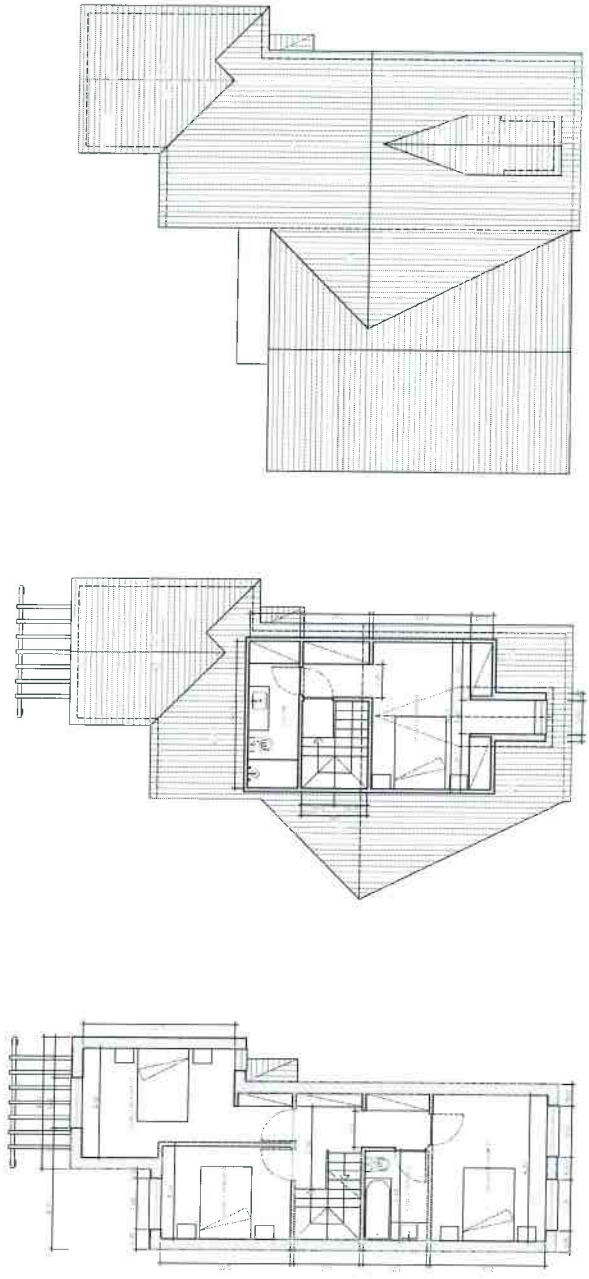
16/07194/FUL



**NOTES:**

These drawings are subject to copyright law under the "Copyright, Designs & Patents Act 1988". It is an infringement of copyright for another person to copy the work, distribute copies, lend or rent copyrighted work to another, or to adapt the work to create something else without the author's permission.

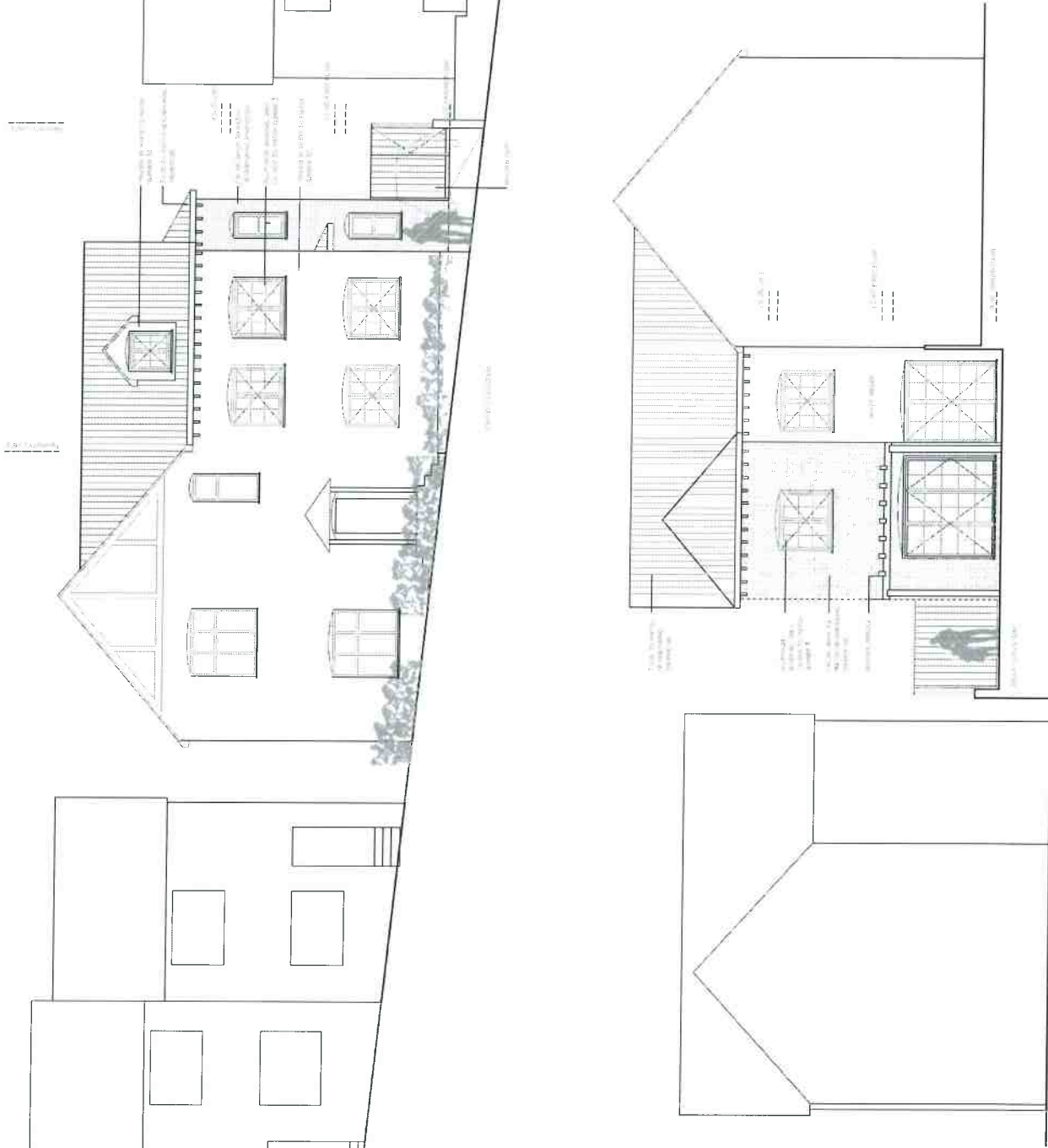
16/07194/FUL



TITLE	Erection of a 4 bed semi detached house with associated parking and driveway
PROJECT	Proposed Plans and Street Scene
CLIENT	Mr. Niall Hygin
ADDRESS	Land adjacent to 25 Owen Street Wyn, Phoenix RP, U.K.
ARCHITECT	ALEXANDRE M. MARQUELLE DUBOIS Région de Bruxelles-Capitale (RBR) N° 127749
SCALE	1:100 @A2 1:200
DATE	September 2016
BY	
NO.	
03b	

NOTES:  
1. The client has approved the plans for the proposed design.  
2. The client has approved the proposed design.  
3. The client has approved the proposed design.  
4. The client has approved the proposed design.

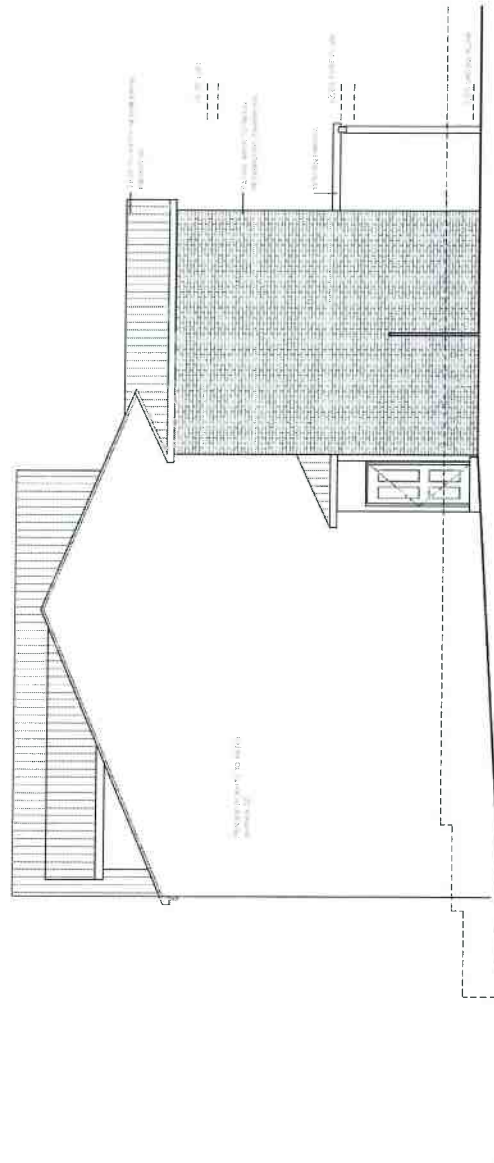
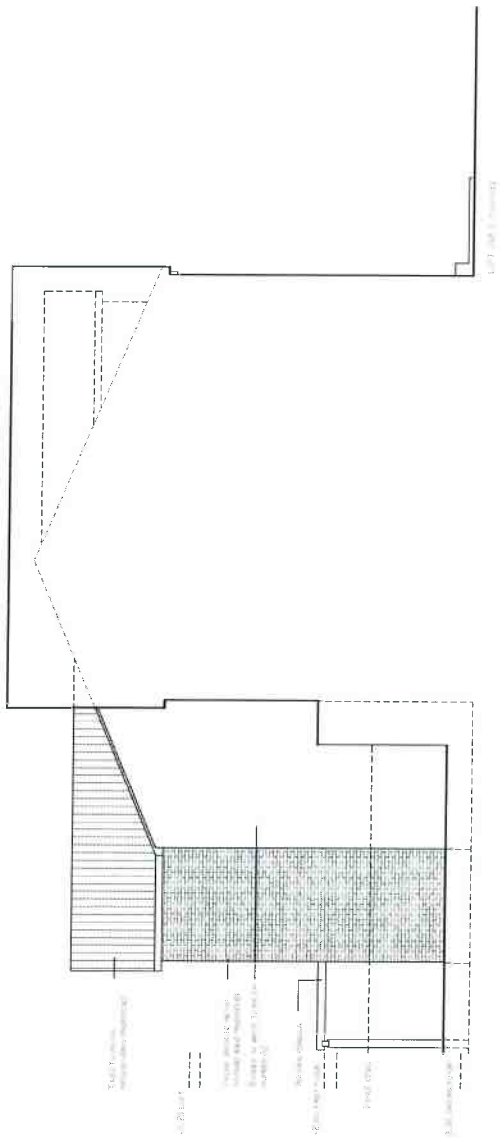
16/07/194/FUL



TITLE	Erection of a 4 bedroom semi detached house with allocated parking and private garden
PROJECT	Proposed Front and Rear Elevations
CLIENT	Ms Nicola Hodges
PLACE	Land adjacent to 32 Queen Street High Wycombe Bucks HP 12Z
ARCHITECT	ALEXANDRE M. MARQUES DURÃO RIBA Registration No: 201177 ARR Registration No: 3777400
SCALE	1:100 @A3
DATE	September 2016
Drawings Number	04b

NOTES  
 1. These drawings are subject to approval by the Local Planning Authority.  
 2. It is an acknowledgment of copyright for any drawings or photographs used in this document, to the author or in writing, to have been  
 3. prepared and used without the author's permission.

16/07194/FUL



<b>TITLE</b>	Erection of a 4 bedroom semi detached house with allocated parking and private garden
<b>PROJECT</b>	Proposed Left and Right Elevations
<b>CLIENT</b>	Ms Nicola Hodges
<b>PLAGE</b>	Land adjacent to 32 Queen Street High Wycombe Bucks HP12EZ
<b>ARCHITECT</b>	ALEXANDRE M. MARQUES DURAO RIBA Registration No. 2011177 ARB Registration No. 2077400
<b>SCALE</b>	1:100 @A3
<b>DATE</b>	September 2016
<b>Drawing Number</b>	05b

**NOTES**  
 1. The drawings are subject to copyright law under the Copyright Designs & Patents Act 1988.  
 2. It is an infringement of copyright for anybody to copy the whole or part of these drawings, and for any person to do so without the written consent of the architect.  
 3. No liability is accepted for any errors or omissions.



---

## Appeal Decision

Site visit made on 25 July 2017

**by David Cliff BA Hons MSc MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

**Decision date: 17<sup>th</sup> August 2017**

---

**Appeal Ref: APP/K0425/W/17/3174433**

**Land adjacent to 32 Queen Street, High Wycombe HP13 6EZ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ms Nicola Hodges against the decision of Wycombe District Council.
  - The application Ref 16/07194/FUL, dated 9 August 2016, was refused by notice dated 15 December 2016.
  - The development proposed is erection of a 4 bedroom semi-detached house with allocated parking and private garden.
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. I consider that the main issues are:
  - i) The effect upon the living conditions of the occupiers of 30 Queen Street, with particular regard to outlook,
  - ii) Whether the proposal would result in an increase in on-street parking and any consequent implications of this for highway safety,
  - iii) Whether the proposal would preserve or enhance the character and appearance of the Amersham Hill Conservation Area.

### Reasons

#### *Living conditions*

3. The rearmost part of the new dwelling would extend significantly beyond an adjacent rear facing window of the neighbouring property (30 Queen Street) serving a dining room/study. An outdoor paved amenity area to No.30 is also located to the rear of this window, immediately adjacent to the side facing wall of the proposed dwelling house.
4. The effect of the proposal upon No.30 would be exacerbated by the difference in ground levels between the two properties, with the appeal site being higher than No.30. A separation distance of over 2m would be provided between the proposed side wall of the rear part of the proposed dwelling and the side boundary of the site. Nevertheless, given its considerable height and massing, this part of the proposed dwellinghouse would appear as being particularly dominant and visually overbearing when viewed from both the adjacent rear



facing window and outdoor amenity area of No.30. Although the neighbouring window faces eastwards the facing wall of the proposed development would be very prominent and visually intrusive when viewed from both the window and the adjacent amenity area.

5. I acknowledge that the proposal has been designed so as not to breach the Council's guidelines requiring that two storey developments do not breach a line of 45 degrees drawn from a neighbouring window. However, in this case whilst the relevant part of the development would be two storeys in height, its massing and consequent impact on No.30 would be increased due to the difference in height between the two properties. Furthermore, the impact would not only be upon the adjacent rear facing window of No.30 but also the paved amenity area. The harm upon outlook would therefore be substantial in this case, and I consider that it should be determined as an exception to the Council's usual guidance.
6. Given that the proposal would be to the north of No.30, I do not consider that it would result in any significant loss of sunlight. However, this does not override the harm I have found to result from the unacceptably overbearing impact that would result as set out above.
7. Therefore, the proposed development would result in significant harm upon the residential living conditions of the occupiers of 30 Queen Street. It would be contrary to the relevant amenity aims of saved policies G3, G8 and H17 of the Wycombe District Local Plan to 2011 ('the Local Plan'), policy CS19 of the Wycombe Development Framework Core Strategy July 2008 ('the Core Strategy') and the National Planning Policy Framework ('the Framework').

#### *Parking and highway safety*

8. The Council's objection in this regard concerns what it considers to be the displacement of parking from the site. Whilst the site has previously been used for residential parking for 32 Queen Street, it was clear from my site visit that this is no longer the case. From the evidence before me, the appeal site is now separate from 32 Queen Street and the former parking area has been removed. The proposed development would therefore not result in any reduced availability of off-street parking from the existing situation. The proposed development would also include satisfactory parking provision with two off-street spaces being provided.
9. Notwithstanding the current position and any ownership issues, it may theoretically be possible for the site to be utilised for parking in connection with 32 Queen Street, were the proposals for a new dwelling not able to be implemented. However, this makes little difference to my conclusions on this issue. This is because I am not persuaded that the additional on-street parking that has occurred since the sub-division of the site is likely to have resulted in any significant impacts upon highway or pedestrian safety. There is no compelling evidence that there are insufficient on-street residents' parking spaces available in the vicinity of the site. Furthermore, the road is not a particularly busy one, there is good visibility along it and I do not consider that any significant safety issues would be likely to arise from the small increase in on-street parking in this case.

10. I am not aware of the full circumstances relating to the previous appeal case cited by the appellant<sup>1</sup> though my findings on the parking displacement issue are generally consistent with that Inspector's decision. I have, in any case, considered the current proposal on its particular merits.
11. The proposed development would not result in the likelihood of any significant highway safety impacts. It would satisfactorily accord with the highway safety aims of policy CS20 of the Core Strategy.

*Character and appearance*

12. Whilst the heights of properties in Queen Street are broadly consistent, there is a mixture of different external designs in the vicinity of the appeal site, including detached, semi-detached and terraced properties of varying age. The gaps between existing properties also vary, and the separation distance proposed to No.30 would satisfactorily safeguard the character and rhythm of the streetscene.
13. Several of the existing dwellings in the vicinity of the site within the Conservation Area are narrow fronted and of a simple design. No. 30, however, is a considerably wider property. The proposed side entrance would still be visible from the road, the new dwelling has some differences in its elevation design to No. 32 and I therefore do not consider that the proposal along with No.32 would be read in the streetscene as a single dwellinghouse. The lack of a front facing doorway is not such a significant factor to result in any harm to the character or appearance of the Conservation Area. Given the context of the streetscene in general, possessing such a variety of building forms, I do not consider in this case that the proposal needs to copy other buildings in the Conservation Area in order for it to preserve its character and appearance.
14. Given the positioning of the adjacent properties, I am not persuaded that the depth of the dwelling would be read as being out of keeping with other houses in the road. The main roof of the proposed dwelling has been stepped down from the main ridge of the existing dwelling at No.32. The Council's Conservation Area Character Appraisal guards against front dormer windows. However, in this case the proposed dormer window would be small and, given the variety of other existing roof forms in the streetscene, it would not appear as being incongruous or harmful in the context of the surrounding townscape.
15. There are a variety of materials in use at different properties in the streetscene. Notwithstanding this, materials used in the Conservation Area should be of a suitably high quality, and this matter would have been able to be resolved by condition should the appeal have been allowed.
16. Front landscaping is not a strongly important aspect of this particular part of the Conservation Area on Queen Street. The front hedging proposed to be removed is not of a high value in landscape terms and its loss would not be harmful in this case. The proposed plans show an opportunity for some replacement landscaping adjacent to the front boundary and the proposed driveway would not be of such a size or prominence to appear as obtrusive in this location.

---

<sup>1</sup> APP/K0425/A/14/2224567



17. I am therefore satisfied that the proposed development would not appear as incongruous within the streetscene. It would preserve the character and appearance of the Conservation Area. The proposal would accord with the relevant design and heritage aims of policies G3 and HE6 of the Local Plan, policies CS17 and CS19 of the Core Strategy and the Framework.
18. Whilst the appellant's Design and Access Statement makes no reference to the Conservation Area, there is sufficient information before me based on the entirety of the appeal documents to conclude as I have on this issue.

### **Other matters**

19. Despite the contribution of a single family dwelling, I have found significant harm to result to neighbouring living conditions and consequently the development is contrary to the development plan when read as a whole.
20. The parties agree that the Council is not able to demonstrate a five year supply of housing land and therefore relevant policies for the supply of housing should not be considered up to date, in accordance with paragraph 49 of the Framework.
21. The Council's Five Year Housing Land Supply Position Statement December 2016 states that the Council can demonstrate a 4.91 year supply. Although it goes on to state that full weight should not be attached to the objectively assessed need as significant planning and environmental constraints exist. It also highlights close working with other Buckinghamshire Councils which would improve the Council's position. However, such evidence has not been tested by this appeal. The appellant draws attention to the contribution made towards the housing supply of small sites including single dwellings. Even so, even in the worst case scenario on the Council's housing land supply position, I consider that the contribution of one dwelling arising from this proposal would be a very modest one.
22. The Council's policies in respect of the protection of the residential amenity are generally consistent with the relevant aim of the Framework set out in paragraph 17 requiring that a good standard of amenity is sought for all existing buildings. Such policies need not be a constraint on the supply of housing as good design can usually overcome amenity issues. These policies therefore carry significant weight.
23. Matters regarding the purchase price of the adjacent property (30 Queen Street) and land ownership carry minimal weight in my determination of this appeal which I have based on the main planning issues highlighted above.

### **Conclusion**

24. The contribution of one house would be a modest one whilst significant harm would result to neighbouring amenity. I therefore find that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits in this case. The proposal would not therefore amount to sustainable development.
25. Therefore, having had regard to all other matters, I conclude that the appeal should be dismissed.

26. I acknowledge that the planning application was recommended for approval by the planning case officer. Nevertheless, I have come to a different view based on my consideration of the relevant issues and evidence before me including the Development Plan and all other material considerations.

*David Cliff*

INSPECTOR

# Agenda Item 7.

## 1. Pre-Planning Committee Training/ Information Sessions

Officer contact: Alastair Nicholson DDI: 01494 421510  
Email: alastair.nicholson@wycombe.gov.uk

Wards affected: All

### PROPOSED DECISION OR RECOMMENDATION TO COUNCIL

- 1.1 The Committee note that the next pre-committee training/information session is scheduled for 6.00pm on Wednesday 14<sup>th</sup> February 2018 in Committee Room 1.
- 1.2 At present no requests have been received to present development proposals, but Members will be updated should a request be received prior to the meeting.

### Corporate Implications

- 1.3 Members of both the Planning Committee, and the Regulatory and Appeals Committee, are required to complete a minimum level of planning training each year.

### Sustainable Community Strategy/Council Priorities - Implications

- 1.4 None directly.

### Background and Issues

- 1.5 The pre Planning Committee meeting gives an opportunity for member training or developer presentations.

### Options

- 1.6 None.

### Conclusions

- 1.7 Members note the recommendation.

### Next Steps

- 1.8 None.

**Background Papers:** None.

## Agenda Item 8.

**For information: Delegated Action Authorised by Planning Enforcement Team**

**Between 31/10/17 and 01/01/2018**

Reference	Address	Breach details	Authorised Date	Type of Notice
17/00514/CU	Turville Heath Farm Turville Heath Buckinghamshire RG9 6JY	Alleged material change of use to cafe and wedding venue	08-Nov-17	Planning Contravention Notice
17/00481/MS	2 Sabina Close High Wycombe Buckinghamshire HP12 3HF	Alleged dumping of rubbish and sale of motor vehicles	14-Nov-17	S215
16/00505/OP	Datcha Kiln Lane Lacey Green Buckinghamshire HP27 OPT	Alleged erection of unauthorised dwelling, engineering works & erection of outbuilding	17-Nov-17	Enforcement Notice
17/00449/OP	Sewage Treatment Works Bassetsbury Lane High Wycombe Buckinghamshire HP11 1HS	Alleged non-compliance with conditions on permission 13/07221/REM	13-Nov-17	Not in Public Interest
16/00556/OP	Cornerways Horsenden Lane Princes Risborough Buckinghamshire HP27 9NE	Alleged erection of boundary fence	13-Nov-17	Enforcement Notice
17/00393/AD	46 St Mary Street High Wycombe Buckinghamshire HP11 2HE	Alleged unauthorised display of adverts and material change of use to taxi booking office	09-Nov-17	Discontinuance

Reference	Address	Breach details	Authorised Date	Type of Notice
13/00572/PR	Hybank 159 Dashwood Avenue High Wycombe Buckinghamshire HP12 3EE	the carrying out of engineering operations comprising excavation and the formation of hardstanding to create vehicular access onto Dashwood Avenue	10-Nov-17	Not in Public Interest
17/00540/CU	172 Micklefield Road High Wycombe Buckinghamshire HP13 7HA	Alleged material change of use from residential to care home	17-Nov-17	PCN
17/00526/OP	Bledlow Cricket Club West Lane Bledlow Buckinghamshire HP27 9PF	Alleged erection of shed	17-Nov-17	Planning Contravention Notice
16/00644/OP	Brackendale Northend Road Northend Buckinghamshire RG9 6LJ	Alleged development not in accordance with planning permission	01-Nov-17	No Material Harm
17/00494/CU	23 Hughenden Avenue High Wycombe Buckinghamshire HP13 5SJ	Alleged change of use of site to mixed use comprising residential and car sales/storage	01-Nov-17	Planning Contravention Notice
17/00063/OP	29 Wycombe Lane Wooburn Green Buckinghamshire HP10 0HD	Alleged erection of 2M fence adjacent to highway	15-Nov-17	No Material Harm
17/00065/CU	H K H Autos Arnison Avenue High Wycombe Buckinghamshire HP13 6DD	Alleged use of site as a car wash	17-Nov-17	No Material Harm

Reference	Address	Breach details	Date Authorised	Type of Notice
17/00228/CU	Land North Of Stables Farm Marsh Road Little Kimble Buckinghamshire HP17 8TF	Without planning permission a material change of use of the Land to B8 open general storage including builders waste, building materials and associated plant and equipment	21-Dec-17	Enforcement Notice
14/00533/OP	Field Off Of Blind Lane Flackwell Heath Buckinghamshire	Without planning permission a material change of use of the Land to B8 open general storage including builders waste, and building materials.	21-Dec-17	Enforcement Notice
17/00208/CU	19A High Street High Wycombe Buckinghamshire HP11 2BE	Without planning permission the installation of shade awning to the front of the premises	21-Dec-17	Enforcement Notice
17/00030/OP	Downley Lodge Plomer Green Lane Downley Buckinghamshire HP13 5XN	Without planning permission the erection of brick piers and metal railings in excess of 2m in height and the erection of flank sweeping retaining walls along front boundary	13-Dec-17	Enforcement Notice
17/00501/OP	7 Willow Close Flackwell Heath Buckinghamshire HP10 9LH	Installation of solar panels	07-Dec-17	No Material Harm
17/00530/CU	Field 1 Between Stables Farm And Footpath 22A Marsh Road Little Kimble Buckinghamshire HP17 8TF	Without planning permission a material change of use of the Land to B8 open general storage including builders waste, building materials and associated plant and equipment.	21-Dec-17	Enforcement Notice
17/00496/OP	35 Barnhill Gardens Marlow Buckinghamshire SL7 3HB	Erection of single storey rear and side extensions and raising of roof, roof extensions and alterations including x 8 dormer windows and front porch extension not in accordance with permission	29-Nov-17	No Material Harm

Reference	Address	Breach details	Date Authorised	Type of Notice
		17/05596/FUL		
17/00512/OP	6 Hill View Great Kimble Buckinghamshire HP17 9TP	Construction of single storey rear extension and fenestration alterations not in accordance with permission 17/05590/FUL	29-Nov-17	Not in the Public Interest
17/00483/OP	19 Butterfield Wooburn Green Buckinghamshire HP10 0PX	Without planning permission the erection of outbuilding	29-Nov-17	No Material Harm
17/00393/AD	46 St Mary Street High Wycombe Buckinghamshire HP11 2HE	Illegal display of externally illuminated advertisement on a display structure on the frontage of a Grade II listed building	04-Dec-17	Removal Notice
17/00539/OP	Newholme Park Lane Lane End Buckinghamshire HP14 3LB	Development not in accordance with planning permission 17/06076/FUL (Householder application for raising of roof, roof extensions/alterations, rear extension and associated external/internal alterations)	28-Nov-17	Not in the Public Interest
17/00251/OP	Cavendish Skirmett Road Skirmett Buckinghamshire RG9 6TD	Development not in accordance with approval 16/06412/FUL	18-Dec-17	No Material Harm