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App No : 17/07148/OUT App Type : OUT

Application for : Outline application (including details of access and layout) for demolition of existing buildings and erection of 9 x 2 bed apartments and 1 no 2 bed bungalow with associated external works and new access

At 8 - 10 Wellington Avenue, Princes Risborough, Buckinghamshire, HP27 9HY

Date Received : 21/08/17 Applicant : Carrington Residential Ltd

Target date for decision: 20/11/17

## 1. **Summary**

- 1.1. Outline permission is sought for the demolition of a pair of bungalows on the site and erection of 9 x 2 bed apartments and 1 x 2 bed bungalow with associated external works and new access.
- 1.2. This application relates to details of access and layout only, with appearance, landscaping and scale reserved to be submitted at a later date. Floorplans submitted are indicative only.
- 1.3. The development is considered to be in keeping with the character and appearance of the surrounding area and the access and layout details would not be detrimental to the amenities of neighbours. The scheme demonstrates that sufficient parking could be obtained on site. Therefore the proposal is recommended for approval.

## 2. **The Application**

- 2.1. The application site comprises two bungalows on the eastern side of Wellington Avenue, a mainly residential road within the built up area of Princes Risborough and located within a reasonable walking distance of the town centre and local facilities. The site is located adjacent to the sheltered development of 46 apartments known as Windsor Lodge and is in close proximity to Princes Risborough Primary School.
- 2.2. The site is approximately 30 metres wide and 75 metres in length. It is a relatively flat site and is surrounded on all sides by residential properties; two storey apartment blocks to the south, and bungalows/ chalet bungalows opposite and to the north. Properties to the rear of the site are two storey in scale. The bungalows on site would be demolished to enable the development to take place.
- 2.3. It is proposed that the three accesses that currently serve the two properties would be closed up with the development site benefitting from a single access point onto Wellington Road. The scheme would involve a single block located to the rear of the site and stretching the entire width. This block would consist of 4 apartments and an attached bungalow. A second apartment block would be located towards the front of the site and again would stretch the entire width of the site. This would house a further 5 units. Parking would mainly be located in the centre of the site (10 spaces), between the apartment blocks, utilising an undercroft driveway through the front apartment block. A further three spaces would be located at the front of the site.
- 2.4. All the units proposed would be two bed and an indicative floor plan has been provided. However appearance, landscaping and scale details are reserved for approval at a later date.
- 2.5. Details within the application suggest that the development will be restricted to occupation by persons over 60 years of age. However the description of development sought did not include reference to age restricted accommodation and

the scheme has been assessed on the basis that it is for standard (not age restricted) C3 development. However, should it be considered appropriate to restrict the age of occupants, this could be done by condition.

2.6. The application is accompanied by:

- a) Planning/ Design and Access Statement
- b) Ecology Wildlife Checklist
- c) Transport Statement and Addendum
- d) Drainage Statement
- e) Ecological Assessment

2.7. Additional information was supplied during the course of this application, consisting of an indicative floor plan, addendum to the transport statement and preliminary soakage testing. In addition an amended plan was received increasing the separation distance between the apartment blocks to at least 25m.

2.8. The Council has also widely consulted on the planning application and the responses are summarised in Appendix A of this report and are available in full on our web site.

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

3.1. In accordance with paragraphs 186 and 187 of the NPPF Wycombe District Council (WDC) take a positive and proactive approach to development proposals focused on solutions. WDC work with the applicants/agents in a positive and proactive manner by:

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

3.2. In this instance

- The applicant was provided with pre-application advice and the application will be considered by the Planning Committee where the applicant/agent may have the opportunity to speak to the committee and promote the application.

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

4.1. No relevant planning history for the site.

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

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

CSDPD: CS1 (Overarching principles - sustainable development), CS2 (Main principles for location of development), CS12 (Housing provision)

DSA: DM1 (Presumption in favour of sustainable development)

Draft New Local Plan: CP1 (Sustainable Development), CP3 (Settlement Hierarchy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions: Transport and Energy Generation)

#### **Development Plan Framework**

5.1. For the purposes of considering this application the relevant parts of the Development Plan are the Wycombe Development Framework Core Strategy (July 2008), the Wycombe District Local Plan (January 2004) and the Delivery and Site Allocations Plan (July 2013).

5.2. The Wycombe District Local Plan (Regulation 19) Publication Version was published on 16 October 2017. The emerging policies of the New Local Plan should be given some weight in any planning decisions as a material consideration.

## Principle and Location

- 5.3. The proposal would represent the redevelopment of residential land. The redevelopment of this site represents a development opportunity on previously developed land within the urban area, in so far as this is compatible with any site specific constraints and limitations.
- 5.4. The proposal would be located in an established residential area in which some housing intensification has already occurred. Berndene Rise is an example of such development which has resulted in two storey housing within an area mainly characterised by detached bungalows. There is also a block of 46 sheltered housing apartments located adjacent the site. Given this, the principle of an additional residential accommodation is considered compatible with the surrounding area.
- 5.5. Furthermore, the proposed redevelopment site is within the built up area of Princes Risborough and is located within a reasonable walking distance of the town centre and local facilities. Given the provision of local bus services and Princes Risborough station the site is considered to be a relatively sustainable location in transport terms.
- 5.6. Therefore the principle of the redevelopment of the site for residential purposes is acceptable.

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

ALP: H9 (Creating balanced communities)

CSDPD: CS13 (Affordable housing and housing mix)

Draft New Local Plan: DM22 (Housing Mix), DM24 (Affordable Housing), DM41 (Optional technical standards for Building Regulations approval)

Planning Obligations Supplementary Planning Document (POSPD)

- 5.7. The scheme comprises 10 units and therefore falls below the threshold for the current provision of affordable housing. Therefore there is no requirement for affordable housing.
- 5.8. The scheme comprises 10 x 2 bed units. Whilst providing limited variety, this is considered compatible with the surrounding area.

### **Transport matters and parking**

ALP: T2 (On – site parking and servicing)

CSDPD: CS16 (Transport)

DSA: DM2 (Transport requirements of development sites)

Draft New Local Plan: CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions: Transport and Energy Generation)

- 5.9. Plans show that 13 parking spaces would be provided mainly towards the centre of the site. Indicative floor plans have been provided to assist assessment of the scheme against the Buckinghamshire Countywide Parking Guidance. As the site is within residential zone B, 1 parking space would be expected for apartments (without age restrictions) that have up to 4 habitable rooms and 2 parking spaces would be required for 5 habitable rooms. The indicative plan shows that all the apartments would have 3 habitable rooms and therefore the optimum number of space would be 10 (if more than 50% unallocated) and 12 (if less than 50% unallocated).
- 5.10. As 13 spaces are shown, the scheme is considered acceptable to meet the parking requirements for standard residential (C3) accommodation. An age-restricted scheme would have a lower parking requirement.
- 5.11. In addition, the scheme allows for two-way simultaneous traffic movements and achieves suitable levels of visibility and there is no objection from County Highways.

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

ALP: G3 (General design policy), G8 (Detailed Design Guidance and Local Amenity), G10

(Landscaping), G11 (Trees), G26 (Designing for safer communities), Appendix 1  
CSDPD: CS19 (Raising the quality of place shaping and design)  
DSA: DM11 (Green networks and infrastructure), DM16 (Open space in new development)  
Housing intensification SPD  
Draft New Local Plan: CP8 (Sense of place), DM34 (Delivering green infrastructure and Biodiversity in development), DM35 (Placemaking and design quality)

- 5.12. Scale, appearance and landscaping are matters reserved for consideration at a later date. However, in terms of layout and access, the scheme is considered to have been designed to reflect good design principles; bringing parking away from the most sensitive boundary with no. 12, reducing the potential impact of parking on the street scene and generally ensuring the layout is compatible with the surrounding area.
- 5.13. It is noted that the Tree Officer would like to see an Arboricultural Impact Assessment given the collection of trees located towards the rear of the site which add to the general character of the area. It is accepted that some of these trees would be lost but dependent on condition, some could be retained or their loss mitigated for in a landscaping scheme. On this basis, it is considered that acceptable landscaping, appearance and scale details could come forward which would make the development appropriate in its context, ensuring it is in keeping with the street scene and the character and appearance of the surrounding area.
- 5.14. Therefore the proposal is considered to be in accordance with planning policies in this respect.

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

ALP: G8 (Detailed design guidance and local amenity), H19 (Residents amenity space and gardens) Appendix 1  
CSDPD: CS18 (Waste, natural resources and pollution), CS19 (Raising the quality of place shaping and design)  
Housing intensification SPD  
Draft New Local Plan: DM35 (Placemaking and design quality), DM41 (Internal space standards)

- 5.15. A minimum of 25 metres would exist between the two blocks which is considered to ensure acceptable levels of privacy for future residents. Window separation distances of at least 25 metres would also exist between the proposal and windows in neighbouring properties. This is with exception to any potential windows in the flanks of the front building and the flanks of the neighbouring properties, but this could be dealt with by obscurely glazing windows/ careful consideration of internal layouts where necessary.
- 5.16. In relation to size of units, whilst figures are indicative at this stage, all would be of an appropriate size to ensure the residential amenities of future residents would be acceptable; for information, the plans state all would be at least 86 sq. m. each.
- 5.17. The indicative layout indicates that all units could potentially achieve dual aspect which is in accordance with the Residential Design Guidance (RDG).
- 5.18. Considering amenity space, developments are expected to provide good quality private amenity space where possible. Whilst no private amenity space has been shown on plans, it is considered that this could reasonably be provided through private courtyard areas to ground floor units and balconies to first floor units. Given that details of appearance, scale and landscaping are still to be submitted, details of private amenity spaces could be provided at this later stage.
- 5.19. Plans however do demonstrate that the apartment blocks would sit within green space which, whilst improving the setting of the development would also serve as communal amenity space.
- 5.20. The scheme is considered to be able to provide sufficient car parking spaces and is located to ensure the parking to be overlooked by flats in both blocks. The parking

and bike storage and bin storage is shown (indicatively) to be provided at the ground floor within the first block.

- 5.21. Considering any potential overbearingness on neighbouring properties, the front apartment block would line up with the adjacent neighbour at no. 12, thus protecting their amenities. The rear apartment block would be located around 30 metres behind this property and therefore would have a limited impact on the residential amenities of this neighbour. The rear parking area proposed (and the access driveway) are also set away from the boundary with this neighbour by at least 4 metres.
- 5.22. Considering the neighbours to the opposite side (block of 46 apartments), the development layout is considered to have been appropriately designed so as to ensure there would not be a detrimental impact on the residential amenities of these neighbouring occupants.
- 5.23. Properties to the rear of the application site benefit from rear gardens of a significant length (at least 40 metres) and therefore the proposal is considered to have a limited impact on the amenities of neighbours to the rear.
- 5.24. Given the above, the proposal is considered to have an acceptable impact on the residential amenities of future and neighbouring occupants.

### **Flooding and drainage**

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

DSA: DM17 (Planning for flood risk management)

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

- 5.25. A drainage statement has been submitted with this application. The site falls within Flood zone 1. However the site has been identified as being at risk of surface water and groundwater flooding. (1.5% of the site is at high risk of surface water flooding, 3% at medium risk and 24% at low risk). Whilst Policy DM17 Planning for Flood Risk Management DM17 requires a sequential approach to development in Flood zones 2 and 3 it is silent in respect of other forms of flooding, the second part of the policy requires that all forms of flooding are taken into account including groundwater and surface water. The NPPF states at paragraph 101 that "A sequential approach should be used in areas known to be at risk from any form of flooding."
- 5.26. The Drainage Strategy has identified that the site is within Flood Zone 1 and makes reference to the Planning Practice Guidance (Para 033) which states that:

"Nor should it normally be necessary to apply the Sequential Test to development proposals in Flood Zone 1 ... unless the Strategic Flood Risk Assessment for the area, or other more recent information, indicates there may be flooding issues now or in the future..."
- 5.27. The applicant was made aware of parts of the site are liable to surface water and groundwater flooding. The data comes from surface water mapping for the Environment Agency's Flood Risk and the data on groundwater flood risk is produced by Jacobs on behalf of the Buckinghamshire County Council. The precise extent of the surface water and ground water has not been assessed.
- 5.28. The applicant has not provided any information in support of a sequential test. It is the duty of the LPA to carry out such a test. When considering alternative sites for residential redevelopment of this scale it follows that there will be plenty of sites that come forward within the District where 10 dwellings could be accommodated on land not liable to flood. It is considered that the sequential test would be failed. The proposal therefore fails to comply with policy requirements in this respect.
- 5.29. There is a flood risk vulnerability classification. Buildings used for dwelling houses are considered to be 'more vulnerable' however as the site is for residential redevelopment the proposed use has the same vulnerability classification as the

existing use. The situation will not be made worse in terms of use of the land.

- 5.30. The submitted drainage statement and supplementary soakage testing report are considered to demonstrate that the development could be safe for its lifetime which is in agreement with the SUDs team at Bucks County Council who were consulted on the proposals. The SUDs team however has raised concern regarding flood risk. The evidence provided by way of sampling of groundwater levels was satisfactory. This is a period of groundwater drought and it is expected that the groundwater levels would normally be higher. However the evidence has demonstrated that the sustainable drainage strategy will work and the site will not flood. The SUDs team have removed their objection and conditions have been recommended which include further ground level monitoring over the winter period.

### **Ecology**

CSDPD: CS17 (Environmental assets)

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

- 5.31. A Wildlife Checklist and Ecological Statement have been submitted. On this basis, it is considered unlikely that there are protected species or habitats or species of importance on site and therefore the proposal is considered acceptable in this respect.

### **Building sustainability**

CSDPD: CS18 (Waste, natural resources and pollution)

DSA: DM18 (Carbon reduction and water efficiency)

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

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

### **Infrastructure and Developer Contributions**

CSDPD: CS21 (Contribution of development to community infrastructure)

DSA: DM19 (Infrastructure and delivery)

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

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

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

- 5.34. This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.

- 5.35. In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a) Provision of the development plan insofar as they are material
- b) Any local finance considerations, so far as they are material to the application (in this case, CIL)
- c) Any other material considerations

- 5.36. As set out above it is considered that the proposed development accords with the development plan policies in relation to impact on character and appearance of the area, amenities of neighbours and future occupiers and parking/ highway safety. However it is considered that it is in conflict with the NPPF requirement for a sequential approach. The proposed development has failed a sequential test.
- 5.37. The flooding issues relate to surface water flooding and ground water emergence. Some of the flooding is due to man-made intervention in the past such as the laying of non-porous surfaces. The scheme identifies the use of permeable paving and this will be able to contribute significantly to the storage of surface water runoff from the proposed units.
- 5.38. It is acknowledged that further information has subsequently been submitted including an additional Drainage Statement 13.11.2017 and Preliminary Soakage Testing 13.11.2017. The latest evidence has demonstrated that a sustainable drainage strategy which has sought to address the issues of surface water and ground water flooding is feasible for the site which should not increase flood risk. This additional information has enabled the Local Lead Flood Authority to remove their original objection to the drainage strategy subject to conditions. The failure to pass the sequential test is outweighed by the merits of the scheme which complies with the development plan in other respects.
- 5.39. Overall, it is considered that planning permission should be granted subject to conditions. No legal agreement is required.

### **Recommendation: Application Permitted**

- 1 Approval of the details of the appearance, landscaping and scale, hereinafter called the "reserved matters" shall be obtained from the Local Planning Authority before any development is commenced.  
Reason: That your application is expressed to be an outline application only.
- 2 Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990.
- 3 The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers 1484-SP1A, F 1617, 1482-P1 and WDC1 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.
- 4 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
  - Consideration of permeable paving and provide justification for exclusion if necessary
  - Demonstrate that water quality, ecological and amenity benefits have been considered
  - Existing and proposed discharge rates and volumes
  - Ground investigations including:

- Infiltration in accordance with BRE365
- Groundwater level monitoring over the winter period
- Subject to infiltration being inviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the drainage hierarchy listed in the National Planning Policy Guidance.
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
- Full construction details of all SuDS and drainage components
- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.
  - Flow depth
  - Flow volume
  - Flow velocity
  - Flow direction

Reason: The reason for this pre-start condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 103 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

- 5 Development shall not begin until a "whole-life" maintenance plan for the site has been submitted to and approved in writing by the local planning authority. The plan shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SuDS component) during and following construction, with details of who is to be responsible for carrying out the maintenance. The plan shall subsequently be implemented in accordance with the approved details.

Reason: The reason for this being a pre-start condition is to ensure that maintenance arrangements have been arranged and agreed before any works commence on site that might otherwise be left unaccounted for.

- 6 Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.

Reason: The reason for this pre-occupation condition is to ensure the Sustainable Drainage System is designed to the technical standards

- 7 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).

- 8 The development hereby permitted shall be carried out in accordance with a fully detailed Arboricultural Impact Assessment and/or Arboricultural Method Statement and Tree Protection Plan (to BS5837:2012) which will be submitted to the Local Planning Authority with the reserved matters submission for the details of the landscaping of the site.

Reason: In order to protect trees the interests of the visual amenities and character of the area.



- 9 Within one month of the new access being brought into use all other existing access points not incorporated in the development hereby permitted shall be stopped up by raising the existing dropped kerb or removing the existing bellmouth and reinstating the footway and highway boundary to the same line, level and detail as the adjoining footway and highway boundary.  
Reason: To limit the number of access points along the site boundary for the safety and convenience of the highway user.
- 10 No other part of the development shall be occupied until the new means of access has been sited and laid out in accordance with the approved drawing and constructed in accordance with Buckinghamshire County Council's guide note "Commercial Vehicular Access Within Highway Limits" 2013.  
Reason: To minimise danger, obstruction and inconvenience to users of the highway and of the development.
- 11 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.
- 12 Prior to the commencement of any works on the site, a construction traffic management plan detailing the management of construction traffic (including vehicle types, frequency of visits, expected daily time frames, use of a banksman, on site loading/unloading arrangements and parking of site operatives vehicles) shall be submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with such approved management plan.  
Reason: This is a pre-commencement condition as development cannot be allowed to take place, which in the opinion of the Highway Authority could cause danger, obstruction and inconvenience to users of the highway and of the development.

#### 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.

The applicant was provided with pre-application advice and the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

- 2 The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Transport for Buckinghamshire at the following address for information:-

Development Management, Buckinghamshire County Council, 9th Floor, County Hall, Walton Street, Aylesbury, Buckinghamshire, HP20 1UY