

**17/07081/FUL**

## **Consultations and Notification Responses**

### **Ward Councillor Preliminary Comments**

**Councillor David Johncock** - At the moment local opinion seems to be that this proposal is an over-development of the site and needs to be scaled down. Can you please let me see your final report thereby giving me the opportunity to decide whether I could justify a call in or not?

Further Comments: Having read the officers report, I am inclined to ask that this application come to the Planning committee for determination as it is the view of many locally that the proposal is over-development of the site. I am also very concerned about the lack of a proper visibility splay at the junction of Fennels Way with Swains Lane. This is an existing concern but being exacerbated by the increasing number of properties in this road and therefore the ever increasing number of vehicles using this junction. I believe that there is a major road safety issue here that BCC have not seriously considered.

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

#### **Chepping Wycombe Parish Council**

Original Comments: Whilst we do not oppose the development of this site in principle, we have some concerns regarding this proposal. By virtue of its bulk, mass and volume the built form would become dominant in the street scene. It is somewhat disingenuous in the accompanying Design and Access Statement to compare this proposal to the pair of semi-detached properties adjacent to Waydown in Treadaway Road. These appear to be set a little further back in the plot and are screened as you approach from the centre of the village by an existing, mature hedge almost to ground floor fanlight height, reducing the intrusiveness in the street scene. In this proposal the dominance in the street scene will also be accentuated by the increased ridge height compared to the properties on either side.

We note it is proposed to provide 4 parking spaces for each property placed haphazardly as otherwise they would not fit on the frontage. Apart from the haphazard placing it appears that no manoeuvring space has been allowed for vehicles to ingress and egress the site in forward gear. This space is very important as the site is situated where the carriageway is very narrow and also there are no pavements for pedestrian safety. Although it would appear 4 parking spaces for each dwelling are sufficient due to the haphazard nature and lack of manoeuvring space the parking would not work for service vehicles etc. so there would inevitably be overspill parking on the narrow carriageway which would be most unsatisfactory.

In conclusion this is an over development of the site

Comments on amended plans:

It is very disappointing this amendment does virtually nothing to address our concerns. Despite the change to a hipped roof, the proposed development would still appear dominant in the street scene due to its bulk, mass and volume.

Whilst we appreciate 4 parking spaces have been allocated to each of the proposed dwellings there is still no proper manoeuvring space to enable vehicles to ingress and egress the site in forward gear. The provision of such space is we feel essential in this location as the carriageway in this area of Fennels Way is very narrow and there are no pavements for pedestrian safety. The parking as such is not suitable for service vehicles and any overspill parking on the carriageway would be an immediate hazard for children and other pedestrians not only due to the lack of pavements but also because the site is just before a bend which leads to a well-used footpath into Fennels Wood. Due to the narrow carriageway overspill parking would also obstruct access for larger emergency service vehicles.

Whilst we normally leave comments on junctions to the Standard Consultee, Bucks Highways, in

this instance we feel we must make comment. The SOLE exit and entrance to the whole of Fennels Way and its tributary road system i.e. not only Fennels Way but also Bernards Way, Glenmore Close, Hawthorn Gardens and a substantial portion of St Hildas Way is the junction with Swains Lane. This is because all other possible exits are closed off either with non-penetrable vegetation or as in the case of Oakland Way and the other portion of St Hildas Way with substantial bollards. The junction with Swains Lane is too narrow to allow two vehicles to pass each other so it is not possible for a vehicle to ingress if a vehicle is waiting to egress. As Swains Lane is a busy road this means traffic backs up on Swains Lane in particular and this is exacerbated if traffic cannot exit Fennels Way due to a further lack of vision if a bus is waiting at the bus stop on Swains Lane which is in close proximity.

We have noted the supposed Highway Consultant's Statement (Dermot McCaffery) which clearly shows an ignorance of the road system so it can only be concluded that the area was not visited as had it been it would have been seen that no other exit from the road system was possible and also the spelling of Swains Lane may have been correct. Hence the result is the 'expert' does not realise that in reality well in excess of 100 properties have no alternative but to use this junction as other possible means of ingress and egress are blocked to vehicles.

As the actual figures for the numbers of vehicles using Fennels Way and the junction with Swains Lane far exceeds that suggested in the Dermot McCaffery letter, this letter and its conclusions are based on a false premise and therefore should be completely disregarded.

In conclusion this is the usual trying to squeeze a quart into a pint pot resulting in an overdevelopment of the site. Whilst we do not object to the replacement of the present outdated property we feel any replacement must be a single property which would prevent the future risks the current proposal causes regarding parking and increasing the existing traffic issues and strain on the substandard junction with Swains Lane

#### **Arboricultural Officer**

Comments: No objection. Development to be in accordance with Arb Implications/ method Statement and tree protection plan.

#### **County Highway Authority**

Original Comments: The proposed development is located clear of the public highway on Fennels Way, a private road not maintained at public expense by the County Council. As such, I do not believe that this will have a detrimental impact on the safety and convenience of highway users on the adjoining network.

Mindful of the above, I do not have any objections or conditions to recommend for this application with regard to highway issues.

#### **Revised Comments:**

I write further to my letter dated 14<sup>th</sup> September 2017 with regard to the above application.

When reviewing the proposals as part of compiling the initial consultation response, the acceptability of the proposed development was based upon the site's proximity to the adopted highway network. This is measured at 210 metres (Fennels Farm Road) against 360 metres (Swains Lane).

However it is accepted that the longer route to the adopted network would more likely be taken in the first instance in consideration that it connects directly to a classified road and not an unclassified estate road.

Albeit considerably closer to the Fennels Way/Swains Lane junction than No.32, further investigation has revealed that the Highway Authority objected to an application at No.8 Fennels Way back in 2004. Unlike subsequent applications at No. 37 (12/06410/FUL) and No.4 (14/05569/FUL) whereby the proposals only sought extensions to an existing dwelling or a replacement dwelling respectively, application 04/07050/FUL proposed the demolition of an

existing dwelling and the erection of 2(no) 4-bed houses.

The Highway Authority objected and stated that an additional dwelling would lead to the intensification of an access with substandard visibility, in addition to the creation of additional slowing and turning manoeuvres on a section of classified highway. Although the latter is now not a standard reason for refusal on C-class roads due to the subsequent loss of policy and publication of updated guidance, the former still stands true.

The application was refused permission, against which the applicant appealed. Nonetheless, in his decision notice dated 21st April 2005, the Inspector upheld the objection and cited it in dismissing the appeal. Having read the decision in full, I am confident that it sets a precedent for supporting the objection of application 17/07081/FUL given the development's propensity to adversely impact upon highway safety and convenience of use.

Mindful of these comments, I now formally object to this application on highway grounds for the following reason:

**Reason 1:** The proposed development would result in an intensification of use of the existing Fennels Way/Swains Lane junction at a point where visibility is substandard and would lead to danger and inconvenience to people using it and to highway users in general. The development is therefore contrary to Policy CS20 (Transport and Infrastructure) of the Wycombe Development Framework Core Strategy (adopted July 2008)

In response to comments from the Parish Council about access restrictions preventing use of the Fennels Farm Road junction, the Highway Officer confirmed that he had no further comments to add.

Comments on Transport Statement submitted by applicant:

Having reviewed the statement, I find no information within that circumvents my objection to the current proposals or the Inspector's reasoning within his decision notice pertaining to the appeal against refusal of 04/07050/FUL.

#### **Ecological Officer**

Comments: No comment

#### Representations

Four comments have been received objecting to the proposal:

- Too large, wide and high for both the plot and the surrounding area
- Increase in traffic along Fennels Way and through the junction onto Swains Lane
- Loss of smaller more affordable dwelling.
- Surface water drainage issues along Fennels Way would be exacerbated by the increased hardstanding unless it drains within the site.
- Bat report does not address use of trees / rear garden.
- Impact on wildlife such as hedgehogs.
- Need to ensure good visibility and manoeuvrability as road is narrow at this point and vehicles don't always observe 20mph speed limit.
- Contractors' vehicles will need to park on site.
- Fennels Way is a private road and the developer will need to contribute to the road maintenance fund.
- Style of houses retrograde and uninteresting.
- Four parking spaces per dwelling seems excessive.
- One house would be preferable
- Parking layout is unrealistic with not enough room to manoeuvre and vehicles would have to reverse out.

- Height of dwellings would set a precedent – most properties in the vicinity are single or 1.5 storeys.
- Loss of light and overshadowing to immediate neighbours.
- Overlooking to neighbours rear gardens from first and second floor windows.
- Loss of light to kitchen window at Cordoba – BRE light assessment should be done.
- Comparison with development at no. 4 is not appropriate due to different plot size, spacing and the size of surrounding properties.
- Contrary to H17, G3 and G8 and CS19
- Query adequacy of bat survey as bats are notably active in the area. Suggest bats are roosting in the yew tree at the back of the property.
- Fennells Way contains 77 dwellings, 33 are bungalows of which 16 have been adapted in some way.
- Loss of light to no. 34 particularly direct sun to south elevation and to patio at the rear.
- Would obstruct views from the observatory in the rear garden of no. 34.

Three representations received in relation to the amended plans making the following comments

- The amended plans do not address the issues previously raised.
- Understood the policy for Fennells Way was that proposals would only be granted for one for one replacements.
- The issue of traffic has not been addressed. There is no car access to Fennells Way via Oakland Way or Bernard's Way and the transport consultant's report is therefore inaccurate.
- Size of the proposed building is still inappropriate, will reduce the amenity of 34 Fennells Way and result in considerably increased vehicle use for which very limited on-site parking is available.
- Parking provision should be calculated on the worst case scenario of 8 double bedrooms potentially resulting in 16 vehicles, rather than on average or typical use. At this level the development would result in on-street parking, limiting access and sight lines for existing dwellings.

#### Recommendation: Application Refused

- 1 The proposed development would result in an intensification of use of the existing Fennells Way/Swains Lane junction at a point where visibility is substandard and would lead to danger and inconvenience to people using it and to highway users in general. The development is therefore contrary to Policy CS20 (Transport and Infrastructure) of the Wycombe Development Framework Core Strategy (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:
  - 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, following consideration of points raised by third parties by the Highway Authority, the application was recommended for refusal. The applicant was offered the opportunity to submit additional information but this did not overcome the concerns. The applicant was also given the opportunity to amend the plans to address comments made by third parties regarding the design and scale of the dwellings.

