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App No : 17/08452/FUL App Type: Full Application

Application for : Erection of 1 x 3 bed dwelling with associated car parking, cycle & refuse storage, alterations incorporating access, landscaping and re-configuring public house car park & amenity area.

At : The Squirrel, Squirrel Lane, High Wycombe, Buckinghamshire, HP12 4RZ.

Date Received : 22/12/17 Applicant : Hawthorn Leisure Limited

Target date for Decision: 6/02/18

1. Summary

- 1.1 This application follows the recent refusal of a previous scheme for the erection of two dwellings. An appeal has been lodged with the Planning Inspectorate against this decision, but it is yet to be registered.
- 1.2 This resubmitted scheme is now for a single 3-bed dwelling, and whilst the built form has reduced, the amenity concerns, loss of land associated with a community facility and increased built up appearance still remain as per the previous application.
- 1.3 The application is recommended for refusal.

2. The Application

- 2.1. In an attempt to overcome the previous refusal of planning permission, this application seeks permission for the erection of a 3-bed detached dwelling measuring 6.7m to the ridge. As before vehicular access is via The Coppice and two dedicated parking spaces are provided to the front of the proposed dwelling. Unlike the previous planning application a footpath is not now proposed to be provided along Squirrel Lane.
- 2.2. Members may recall that when the previous application on this site for the erection of two x 2 bed dwellings was considered at Planning Committee in August 2017 the Committee weighed and balanced the issues differently to their officers, as it is entitled to do, and refused the planning application. The full reasons for refusal are provided in full in the planning history section of the report below.
- 2.3. This resubmitted application differs from the previous scheme as set out below:-
 - Reduction from two to a single dwelling,
 - Increased separation distance from public house building and proposed dwelling,
 - Reconfigured parking layout for the public house, (resulting in less parking spaces than previous scheme), and,
 - The retention of a small soft landscaping area to front of public house restaurant.
- 2.4. The application is accompanied by a Planning Statement, a Viability Report, a Transport Report, a Tree Report, and a Noise Impact Assessment. The submitted plans under consideration are:

Drawing Number	Description	Date
16.2204.123 P1	Proposed Context Elevations	Dec 17
16.2204.124 P1	House 1 Plans	Dec 17
16.2204.125 P1	House 1 Elevations	Dec 17
16.2204.126 P1	OS map/Block Plan	Dec 17

16.2204.120 P2	Proposed Site Layout	Dec 17
16.2204.121 P1	Existing Site Layout	Dec 17
16.2204.121 P1	Existing Context Elevations	Dec 17

2.5. Since 16th October 2017 the emerging policies of the Wycombe District Local Plan (Regulation 19) Publication Version are also be material. The weight to be given to individual policies is a matter for the decision maker but para 216 of the NPPF says that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- 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,
- 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

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.

In this instance the Agent was informed that, in the light of the earlier refusal of planning permission, this application would be considered at a meeting of the Planning Committee.

4. Relevant Planning History

4.1. **16/8400/FUL:** Erection of 2 x 2 bed dwellings with associated car parking, cycle & refuse storage, alterations incorporating accesses, landscaping and re-configuring public house car park & amenity area. The application was refused for the following reasons:

1. In the opinion of the Local Planning Authority the proximity of the new dwellings to the public house results in a poor relationship to potential sources of noise nuisance; from within the public house itself, due to the comings and goings and from the use of the external pub garden area. Furthermore the proximity of the additional parking spaces and resulting concentration in the use of the pub garden and patio areas adjacent to number 2 The Coppice will result in a concentration of activity closer to this existing residential property, resulting in an unneighbourly and poor relationship to potential sources of noise and nuisance. This leaves the Local Planning Authority unconvinced that the development as proposed is capable of delivering an acceptable level of amenity for existing and future residents.

As such the development is contrary to policies G8 (Detailed design guidance and local amenity), H19 (Residents amenity space and gardens) of the Adopted Wycombe District Local Plan to 2011 (As Saved, Extended and Partly Replaced); and policies CS19 (Raising the quality of place shaping and design) of the Adopted Core Strategy Development Planning Document.

2. In the opinion of the Local Planning Authority the proposed loss of land allocated

as a community facility, in this instance the loss and residential redevelopment of an area of pub garden and parking area, would be likely to prejudice the long term viability of the public house which is currently a valuable local community facility. Symptomatic of this is the community facility having to operate within a smaller physical area, resulting in an intensification in the use of the outdoor areas and therefore potential noise complaints, and restricting opportunities for future expansion and change to ensure its ongoing viability. It would also reduce the quality of this community facility, for instance diners would overlook the extended front car park rather than the existing enclosed garden. The development could therefore prejudice the long term viability of the community facility.

The development is therefore considered to be contrary to Policy CS15 (Community Facilities and Built Sports Facilities) of the Wycombe Development Framework Core Strategy (Adopted July 2008) and the Community Facilities Supplementary Planning Document (October 2011).

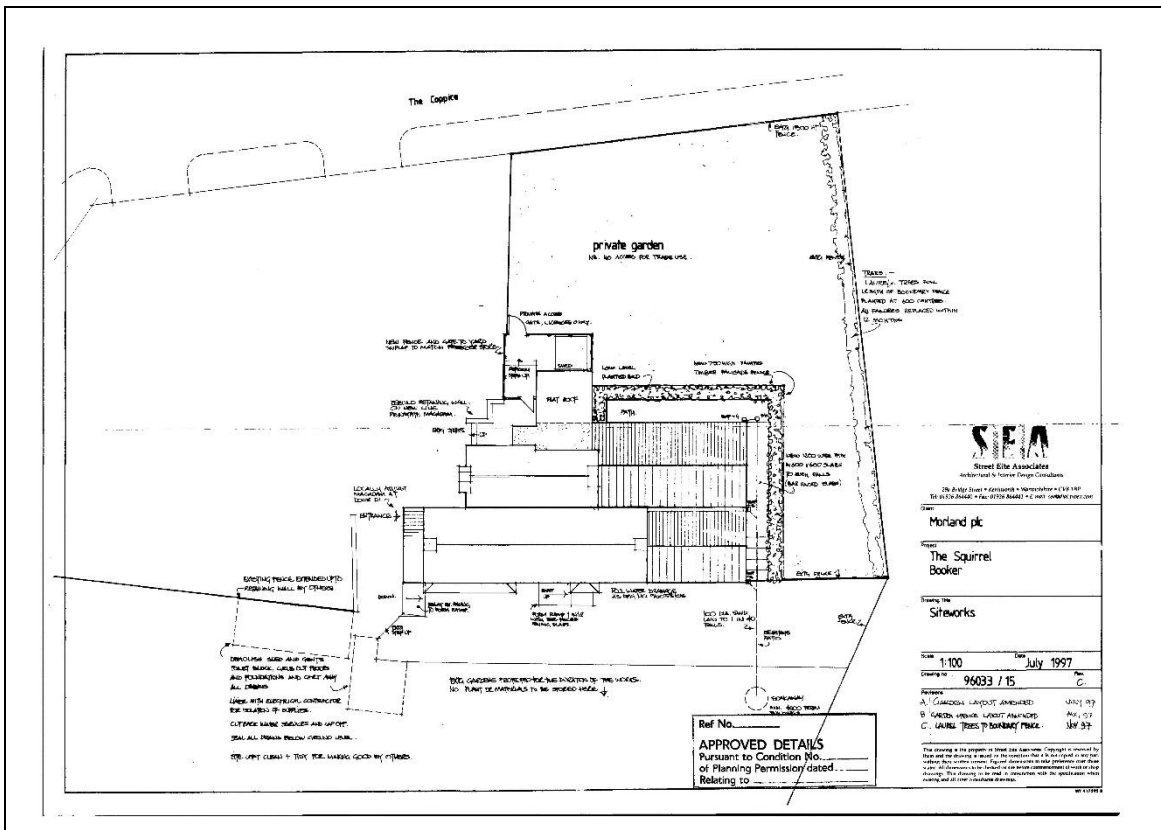
3. Viewed from The Coppice and Squirrel Lane the proposed properties would significantly increase the built-up appearance of the site to the detriment of the pleasant semi-rural character of its immediate locality. It is considered that the form and layout results in a loss of an open area which is an important visual feature in the street scene, and allows views through to Booker Common behind. This coupled with the increase in hardstanding to accommodate replacement parking for the public house will result in a dominant and overbearing feature. The proposal detracts from the distinctive local qualities of the area and thus fail to achieve a high standard of design.

The proposal is therefore contrary to Adopted Local Plan Policies G3 (General Design Policy), G8 (Detailed Design Guidance and Local Amenity) and CS19 (Raising the Quality of Place Shaping and Design) of the Core Strategy Development Plan Document and to the National Planning Policy Framework.

- 4.2. **97/06186/FUL:** Extensions and alterations to the Public House. This created a restaurant area to the southern elevation and the application which was permitted in August 1997 and implemented. The private garden area prohibited from public use to the front of the restaurant was protected by means of condition 6 which stated:

The development shall not be occupied until a fence of minimum height 0.75m is erected around the south and east elevations of the extension as indicated in the drawings hereby permitted. The fencing shall thereafter be retained.

Reason: To prevent public access into the adjoining domestic garden to take account of the application as amended in order to protect the amenities of occupiers of nearby properties.



4.3. The plan above shows the location of the restaurant and toilets approved. It also indicates the approved landscaping required by condition 5 including the laurel hedge along the boundary with number 2 The Coppice. The “private garden – no access for trade use” is also identified.

5. Relevant Development Plan Policies

5.1. The development plan policies of particular relevance to the consideration of this proposal are as follows:

Adopted Local Plan (ALP):

- G3 (General Design Policy).
- G8 (Detailed Design Guidance and Local Amenity).
- G10 (Landscaping).
- H19 (Residents’ Amenity Space and Gardens).
- T2 (On-Site Parking and Servicing).

Core Strategy Development Planning Document (CS):

- CS15 (Community Facilities and Built Sports Facilities).
- CS18 (Waste/ Natural Resources and Pollution).
- CS19 (Raising the Quality of Place-Shaping and Design).
- CS20 (Transport and Infrastructure).

Delivery and Site Allocations Plan (DSA):

- DM18 (Carbon Reduction and Water Efficiency).

Other Planning Documents:

- Buckinghamshire Countywide Parking Guidance (adopted Sept 2015).
- Community Facilities SPD (adopted Oct 2011).

Draft New Wycombe District Local Plan (June 2016):

- CP1 (Sustainable Development).
- DM 34 (Placemaking and Design Quality).

- 5.2. With the exception of the parking restraint element of Local Plan Policy T2, these policies are considered to be consistent with the National Planning Policy Framework and therefore should be awarded due weight.

6. Main Issues and Policy Considerations

Amenities of the residents of the proposed new dwelling

- 6.1. The proposed dwelling is located to the northern part of the site directly adjacent to the Public House. Effectively half of the previously proposed semi-detached property has been removed leaving the previously proposed plot as a grassed area, presumably be used as a further area for patrons to sit out.
- 6.2. The proposed layout provides private rear amenity space for the proposed dwelling. It is noted that the garden area will suffer some overshadowing and leaf litter from the existing trees along Squirrel Lane. On balance however a sufficient level of amenity is considered to be provided which is not compromised.
- 6.3. A concern of the Local Planning Authority with regard to the earlier proposal was that whether customers leave by the rear door, or the side door, of the pub they will pass between the flank wall of the pub and the flank wall of the proposed semi-detached properties. It was considered that at such close proximity there will inevitably be a degree of noise and disturbance as groups of patrons leave and bid each other goodnight often around the 11.00pm closing Sunday to Thursday, and midnight on Friday and Saturday.
- 6.4. Although the flank wall of the proposed dwelling is now 6m further away from the public house building, patrons will still leave in the same way and 6m is considered unlikely to reduce the potential noise resulting.
- 6.5. Due to the removal of a dwelling in the proposal now under consideration two of the car parking spaces designated for customer use (located at right angles to the entrance) are now within the area designated to remain as a public house. Whereas previously they intruded directly in front of the closest new dwelling.
- 6.6. Given its proximity and the compact nature of the revised car park layout there will inevitably be a degree of noise and disturbance from the opening and closing of car doors, starting of engines and manoeuvring as vehicles leave. During the hours of darkness vehicles headlights may also add to the disturbance.
- 6.7. A particular attraction of this pub is the large rear beer garden with its children's play equipment and its views out over Booker Common. At present given the size of the beer garden this allows the external benched tables to be generously spaced giving privacy to its customers. The size of the garden also allows large numbers of customers to enjoy its facilities on a warm day and into the evening.
- 6.8. As with the previously refused scheme the existing patrons would occupy a smaller beer garden (although now including the area occupied by the dwelling deleted from the earlier proposal) separated from the rear garden of the new dwelling by only a 1.8m close boarded fence. While it is appreciated that the weather is such that the rear beer garden is only used intensively during part of the summer, it does however have the potential to generate a level of noise and disturbance which could be a significant nuisance to its potential new neighbours.
- 6.9. Under the previous scheme Environmental Health Officers noted that the Asset of Community Value application for the site stated that the pub holds Summer BBQ's in the beer garden, holds summer party events, including live music and also holds a weekly karaoke/live music evening. Members noted that with the previous scheme the proposed new dwellings and their gardens were very close to the beer garden and pub building, separated only by a timber fence. It was therefore considered likely that the future residents would be exposed to a degree of noise disturbance.
- 6.10. This revised scheme is now for one dwelling and there is a greater separation

- distance between the flank wall of the dwelling and the public house. As before a 1.8m high acoustic fence is shown on the boundary.
- 6.11. A noise impact assessment has been submitted with the planning application. It is noted that the ambient noise levels were recorded only over one 24 hour period in September, which is not likely to be one of the busiest nights of the year for the premises. It is understood that the proposed source noise levels have been based on the likely noise created by 10 people conversing on the patio area. It is however not this type of noise event that was of particular concern to Members.
 - 6.12. The concern was related to the impact of less frequent events held in the beer garden. Benches are provided across the entire rear grassed area and so activity is not restricted to just the paved patio area. Events such as a BBQ, or just a packed beer garden on a warm day/evening, can have a detrimental impact on the ability of the neighbours to enjoy summer weather in their own garden. Similarly the noise from a live music event, or just the fact that occasionally revellers who have particularly enjoyed the range of alcohol on sale may be considerably louder than usual when leaving the establishment and this can result in an unneighbourly noise event.
 - 6.13. Without the need for a specific noise survey the type of noise events described are universally associated as a particular issue with residential development in close proximity to a public house use. Indeed the issues particularly associated with new residential properties in the vicinity of pre-existing businesses, especially over questions of noise and live music in particular, have recently resulted in the House of Commons giving its approval to the Planning (Agent of Change) Bill. If it progresses into statute this would specifically require property developers to take account of pre-existing businesses, such as this community use, before moving forward with a project.
 - 6.14. Although they may not be a daily occurrence, on the balance of probabilities, the potential noise and disturbance described is likely to occur with such frequency as to result in demonstrable harm to the residential amenities of the occupiers of the proposed new dwelling. Neither double glazing nor a 1.8m acoustic close boarded fence is considered likely to prevent these types of sporadic noise disturbance.

Amenities enjoyed by the residents of Number 2, The Coppice.

Car Park

- 6.15. This amended scheme under consideration remains the same as the earlier one with respect to the layout of development adjacent to the boundary with number 2.
- 6.16. At present the northern boundary of number 2 The Coppice adjoins a private area laid to lawn which traditionally is not used by the public. It is currently screened by a laurel hedge which was required by planning condition when the restaurant extension was permitted and implemented.
- 6.17. The beer garden is currently located across the entire rear area of the public house. This front lawn therefore has provided a buffer between the residential property and the activity taking place in the car park and beer garden. This was also protected by planning condition when the restaurant extension was permitted.
- 6.18. The recently refused scheme proposed 13 dedicated public house spaces on a reconfigured car park. At present vehicles park on the tarmac surfaced car park located at the northern end of the site. The bays are unmarked but it provides sufficient space for vehicles to park and turn. Under the refused scheme however the car park was relocated and vehicles would park directly adjacent to the boundary with number 2, and the hedge would be removed.
- 6.19. The revised car park layout is very tight and it was considered that the shunting back and forward of vehicles would increase the level of noise and disturbance late at night when customers vacate the pub at closing time. In any event simply by moving the

car parking from the opposite end of the site directly adjacent to number 2, into an area previously free from “trade” activity, would increase the noise and disturbance experienced by the occupants of that property to the detriment of the amenities they currently enjoy.

- 6.20. Under the scheme currently being considered the number of car parking spaces proposed has been reduced, but the concerns previously expressed regarding the relocation of the car park and the impact on the residential amenities of the occupants of number 2 remain.

Beer Garden

- 6.21. At present the beer garden lies beyond the bottom of their rear garden. With the consolidation of the pub activities onto the smaller remaining site a new beer terrace was proposed between the flank wall of the pub and the boundary fence, directly adjacent to their rear garden.
- 6.22. This remains unchanged in the current proposal and for similar reasons already described above (with regard to the impact of the beer garden on the proposed rear garden of the new proposed property), customer’s located outside in such close proximity to number 2 is considered likely to result in a potential further increase in noise and disturbance not previously experienced.

Impact upon the character and appearance of the street scene and surrounding area.

Dwelling Design:

- 6.23. The detached three bedroomed dwelling proposed is in line with the adjacent Public House to the south. The height of the proposed dwelling is some 6.7m to ridge, but to the top of the chimney the height is approximately 8.7m.
- 6.24. The removal of the flat “crown” roof previously proposed is welcomed and overall the scale and design of the dwelling is considered to be in keeping with the adjacent Public House and the street scene generally.

Street Scene:

- 6.25. When considering the wider site, The Squirrel Public House and spacious grounds clearly predates the residential development which has grown up around it. As a result it possesses a very unique character, very different to that of the surrounding residential development.
- 6.26. At the southern end of the site the proposal involves the loss of the laurel hedging along the boundary adjacent to number 2 The Coppice, and that along the private garden area fronting The Coppice.
- 6.27. Squirrel Lane lies to the immediate north of the site boundary and is quaint in its character comprising of a single width carriageway, with a high bank of trees and vegetation prominent on the southern boundary of the lane adjoining the application site. This is at odds with the linear road pattern fronted by suburban housing which surrounds it.
- 6.28. Although in vehicular use the lane presents a narrow carriageway with no footpath on either side, or frontage development, both of which are very different to its immediate surroundings. The considerably tree cover along the boundary overhanging this lane further adds to a more rural than urban character.
- 6.29. Whereas it was previously proposed to remove this tree bank to create a pedestrian footpath along Squirrel Lane, this is not now proposed in the scheme now submitted for consideration. The boundary trees/hedging along Squirrel Lane are shown to be retained and could be protected by means of a condition should planning permission

be forthcoming.

- 6.30. When viewing the property from the junction of Fernie Fields and The Coppice looking west, the site falls away down towards Glenister Road. As a result extensive views exist out across the adjacent Booker Woods.
- 6.31. Under the previous application it was considered that the openness of the appeal site free from built form, the tree cover along the boundary and the extensive distant woodland views all play an important part in defining the character of this part of the street scene. This creates a unique semi-rural character which is very different to its very suburban wider surroundings.
- 6.32. The refused scheme introduced into the open vista a pair of semi-detached houses with a 10.8m wide frontage to the road and a building height of approximately 12.2m. It was considered that the positioning of these dwellings together with their size and bulk significantly changed the open appearance of the site and resulted in a loss of an open area which is an important visual feature in the street scene, and in particular allows views through to Booker Woods behind. The proposed single dwelling is now only some 7.8m wide and 6.7m high to ridge and so has less impact on the views through to Booker Woods.
- 6.33. A large garden area adjacent to number 2 The Coppice was also lost to the increase in hardstanding and parked vehicles to accommodate the displaced car parking area. This is still proposed and would further erode the character of the immediate street scene.
- 6.34. On balance therefore, viewed from The Coppice and Squirrel Lane the proposed development would increase the built-up appearance of the site to the detriment of the pleasant semi-rural character of its immediate locality. This coupled with the loss of the southern boundary hedge and increase in hardstanding to accommodate replacement parking for the public house will result in a dominant and overbearing feature. The proposal is therefore considered to detract from the distinctive local qualities of the area and thus fail to achieve a high standard of design.

Community Facilities

- 6.35. The provision and retention of community facilities is integral to sustaining viable communities. It is therefore important to safeguard community facilities given that land is scarce for such uses. Therefore the principle of the loss of community land is not supported unless it can be demonstrated that there is no need for the facility in its current use or in another community facility use.
- 6.36 It is very important that existing community facilities are retained, or where a particular community facility is no longer required that the land is available for the provision of a different community facility for which there is need. Thus necessary new facilities can be provided in areas of deficiency, ensuring the right locations for the specific need.
- 6.37 Community facilities are defined as a use which forms part of the Use Class D1 (non-residential institutions) and also includes public houses. A public house (the building and its curtilage) is identified as a community facility and so a fundamental issue which needs to be addressed is therefore the loss of a significant part of a site currently in a community facility use.
- 6.38 Policy CS15 of the Adopted Core Strategy and the Community Facilities SPD are therefore relevant. Part 2 of Policy CS15 states that unless it can be demonstrated that there is no community need for the facility the Council will resist the development of such land for other purposes.
- 6.39 The Council updated its Community Facilities Strategy in 2014. At that time no community facilities deficiency was identified for the Booker and Cressex ward, and no more recent assessment of community needs has been undertaken by either the

Council or the applicant. Land is scarce for community uses and the Council is concerned that such a significant reduction in the overall size of the current community site could prejudice the long term viability of either a public house or some further community use for which there is need within the ward.

- 6.40 The public house is currently a valuable local community facility, especially as the only other two public houses within the ward have closed in recent times (Turnpike & Live & Let Live). The concern being expressed is that the future public house will have to operate within a smaller physical area, resulting in an intensification in the use of the outdoor areas and therefore potential noise complaints previously discussed.
- 6.41 In the previous application the proposal would also reduce the quality of this community facility, for instance diners would overlook the extended front car park rather than the existing enclosed garden. The reduction in physical area also limits opportunities for future expansion and change to ensure its ongoing viability, such as increasing the size of the restaurant, or making the car park larger.
- 6.42 In this regard it has been noted that many other such public houses are changing their business model to become “destination dining”, or looking to capture an events market, or even introduce bed and breakfast. In short traditional public houses are having to diversify to survive and reducing the size of the site would clearly hamper the future options available.
- 6.43 It is noted that in the current application the number of car parking spaces has been reduced to allow the provision of a 5.3m deep grassed area to improve the outlook from the restaurant in response to one of the concerns raised.
- 6.44 The policy also protects community land such as this so that it will be available for other community uses should the need arise. Again the larger the site the easier it would be to accommodate a different community use: e.g. public hall, place of worship, day nursery/crèche, or doctor’s surgery, etc.
- 6.45 This amended scheme does result in the loss of less of the protected community facility to residential use, but this is not considered to overcome the concerns as set out in the previous reason for refusal.
- 6.46 It is noted that a Viability Report has been submitted with the scheme, and it does state that trade has increased since 2016. It concludes that the loss of land to a dwelling and loss of parking will not impact on trade. However, it has not been demonstrated that this land is no longer required for community use and the principle concerns relating to the loss of land therefore still remain.
- 6.47 On balance the proposed loss of land allocated as a community facility, in this instance the loss and residential redevelopment of an area of pub garden and parking area, would be likely to prejudice the long term viability of the public house which is currently a valuable local community facility. Symptomatic of this is the community facility having to operate within a smaller physical area, resulting in an intensification in the use of the outdoor areas and therefore potential noise complaints, and restricting opportunities for future expansion and change to ensure its ongoing viability. It has not therefore been demonstrated that the development would not prejudice the long term viability of this community facility.

Transport matters and parking.

Proposed New House

- 6.48 The site is located within Zone A in the Buckinghamshire County Parking Guidance. Accordingly a 5 habitable room dwelling (3 bedrooms plus a through living/ dining room counted as a further 2) would require the provision of two spaces. The proposal has provided two spaces per dwelling.

Public House

- 6.49 For the public house, submitted plan 16.2204.120 P2 indicates a proposed new parking layout of 10 spaces on a reconfigured car park. The earlier refused scheme had provided 12 dedicated public house spaces.
- 6.50 In response to the concerns raised regarding that scheme, in the current proposal three spaces directly in front of the restaurant have been removed to improve the outlook of diners. Effectively two spaces have been deleted and one space has been re-provided next to the entrance. To achieve this the proposed pedestrian access has moved over into the area previously occupied by the proposed semi-detached house deleted from the submitted scheme.
- 6.51 The Bucks County Parking Standards makes clear that as far as car parking spaces are concerned the aim is to reflect the right amount of parking, both in numbers and configuration, to meet demand. The guidance provides general standards as a starting point to assessing the needs of a particular development.
- 6.52 In this instance the starting requirement for a public house serving bar food in Zone 1 (more accessible) is one space per 25sqm. The approved 1997 planning application gives the floor area of the pub use as being 162m² which provides a starting point for the assessment of 7 spaces.
- 6.53 To ascertain what would be the right amount of parking a survey has been undertaken.

Date	Time	Vehicles parked in car park
Wed 7 Feb 2018	17:45	10
Fri 9 Feb 2018	19:15	5
Mon 12 Feb 2018	18:05	13
Thurs 15 Feb 2018	18:55	14
Fri 16 Feb 2018	18:10	16 (and 3 on pavement outside).
Mon 19 Feb 2018	17:40	7
Wed 21 Feb 2018	18:45	10

- 6.54 This shows that in the early evening the demand ranges from 5 to 16. The Design & Access Statement states that the existing car park provides 18 un-demarcated car spaces. On the 16th February the 16 parked vehicles reached the capacity of the car park and as a result a further 3 vehicles were parked on the road immediately adjacent (The Coppice).
- 6.55 The Coppice is a narrow cul-de-sac and a resident has previously observed that parked cars make it difficult for residents to drive into and out of their driveways. From the survey it would appear that with general day-to-day trading the 7 off-street car parking spaces proposed is too low for the demand. If the demand for 19 spaces reoccurs regularly then this will displace 12 cars onto the surrounding roads, and most probably into the cul-de-sac part of The Coppice to the detriment of the amenity of its residents.
- 6.66 The proposal involves the loss of the most useable northern proportion of the public house car park, and as set out, concerns have been noted regarding the re-provided car park associated with the public house in terms of both its size and configuration.
- 6.67 On balance it is considered that the development would fail to provide adequate on-site parking facilities to cope with predicted demand. This would be likely to give rise to displaced car parking on the adjoining residential streets. This would increase the on-street parking stress which would lead to a loss of residential amenity and inconvenience for local residents and their visitors.

Park spaces configuration

- 6.68 Evidence shows that the size of vehicles has increased over time. The Ford Anglia which was introduced in 1959 was just 1.42m wide, whereas a modern Ford Fiesta is

1.72m wide and the Vauxhall Corsa is now 16% larger than it was 15 years ago. To reflect the average size of a modern family saloon car the adopted Buckinghamshire County Parking Guidance requires that each space (residential and non-residential) should be a minimum of 5m x 2.8m.

- 6.69 In addition to these minimum bay sizes, where spaces are constrained by a wall on one side, which would consequently prevent a door from opening, the space width will need to be larger. Increasing the length of the bay will also be needed for a parallel parking bay and these should be 6m x 3m.
- 6.70 The proposed car parking layout has been designed to meet these size requirements, but as a result of the tight layout it is likely to take some shunting and manoeuvring to get into and out of the space immediately adjoining the boundary with number 2 and the closest two parallel spaces next to the front boundary wall. This would make them less attractive to patrons and could result in displaced on-street car parking.

Blue Badge parking

- 6.71 The Access Officer has commented that the proposed car park layout does not appear to have any dedicated disabled parking bays and recommends one is included. As many people with reduced mobility are dependent on cars for getting around the Buckinghamshire parking standards requires the provision of Blue Badge parking bays.
- 6.72 The guidance explains that the positioning of blue badge parking is critical and should be located close to the entrance on firm level ground in well-lit areas. The dimensions on these bays should be 5.1m x 3.8m, or for parallel bays 6.6 x 3.8m. This could be provided by combining two of the proposed spaces, but this would further reduce the available parking, or by reinstating the spaces in front of the restaurant removed in this proposal. Both options have obvious negative consequences.
- 6.73 The existing car park is deepest at its northern end and this provides more capacity. Due to the site levels the area of land available for car parking adjacent to The Coppice is limited. The proposed new dwelling is sited such that it occupies a considerable area of the current car park and it is simply not possible to re-provide this capacity on the remainder of the site, notwithstanding the additional consequences to amenity highlighted elsewhere in the report.

Highway Safety

- 6.74 During the consideration of the previous application concerns were raised regarding the proposed access and substandard visibility, particularly when exiting onto Squirrel Lane. This was overcome and it is this amended proposal that is before the Authority for consideration.
- 6.75 Two access points are proposed onto The Coppice. One for residential use and one for the public house. Two accesses currently exist on site. The proposed private residential access, whilst being located closer to the existing bend, has sufficient visibility and should the application be approved the Highway Authority have recommended a planning condition to ensure this is maintained.
- 6.76 A Transport Statement has been prepared to consider vehicle movements from the existing use. This Statement concludes that the additional trips generated by the development are minimal with an additional trip being generated every hour. This will make a negligible impact on the existing network.
- 6.77 In terms of highway safety the Highway Authority, Bucks County Council, have raised no objection to the proposal subject to suggested planning conditions.

7. Infrastructure and Developer Contributions

- 7.1. The Council has adopted a Community Infrastructure Levy (CIL) which applies to new dwellings. This scheme would therefore be liable for CIL. No other infrastructure

requirements have been identified that would not be addressed through CIL.

8. Carbon Reduction and Water Efficiency

- 8.1. Core Strategy Policy CS18 requires development to minimise waste, encourage recycling, conserve natural resources and contribute towards the goal of reaching zero-carbon developments as soon as possible, by incorporating appropriate on-site renewable energy features and minimising energy consumption.
- 8.2. 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 dwelling. However, the carbon emission element was superseded in October 2016 by ministerial policy to transfer the issue to Building Regulations.
- 8.3. Policy DM18 however still requires that a water efficiency standard of 110 litres/person/day is expected to be achieved. A planning condition could appropriately be imposed to secure this should planning permission be forthcoming.

9. Other Matters.

- 9.1. Although not part of the application under consideration the applicant has indicated that a contributory purpose of the new residential development is to provide the financial capital required for the refurbishment of the existing pub.
- 9.2. It should be noted that this development has not been promoted as enabling development as such and there is no mechanism to require any of the capital realised to be spent on the refurbishment of the pub. If such capital is required it is considered that the very positive viability appraisal suggests that this could be achieved through the normal mechanism of a commercial loan.

10. Weighing and balancing of issues – overall assessment.

- 10.1. 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.
- 10.2. 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.
- 10.3. It is acknowledged that compared to the proposal currently at appeal this scheme has been significantly amended. However as set out above it is considered that the proposed development would not accord with the development plan policies in relation to the impact on amenity for existing and future occupiers, loss of land associated with a community facility, fail to provide adequate off-street car parking and it would have a detrimental impact on the character of the area.
- 10.4. Having regard to the NPPF, 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.
- 10.5. It is considered that the adverse impacts of the proposal significantly and demonstrably outweigh the benefits and that the proposal is contrary to relevant

policies in the development plan. In light of this the application is recommended for refusal.

Recommendation: Application Refused

1. In the opinion of the Local Planning Authority the proximity of the new dwelling and garden to the public house results in a poor relationship to potential sources of noise nuisance; from within the public house itself, due to the comings and goings and from the use of the external pub garden area. Furthermore the proximity of the additional parking spaces and resulting concentration in the use of the pub garden and patio areas adjacent to number 2 The Coppice will result in a concentration of activity closer to this existing residential property, resulting in an unneighbourly and poor relationship to potential sources of noise and nuisance. This leaves the Local Planning Authority unconvinced that the development as proposed is capable of delivering an acceptable level of amenity for existing and future residents.

As such the development is contrary to policies G8 (Detailed design guidance and local amenity), H19 (Residents amenity space and gardens) of the Adopted Wycombe District Local Plan to 2011 (As Saved, Extended and Partly Replaced); and policies CS19 (Raising the quality of place shaping and design) of the Adopted Core Strategy Development Planning Document.

2. In the opinion of the Local Planning Authority the proposed loss of land allocated as a community facility, in this instance the loss and residential redevelopment of an area of pub garden and parking area, would be likely to prejudice the long term viability of the public house which is currently a valuable local community facility.

Symptomatic of this is the community facility having to operate within a smaller physical area, resulting in an intensification in the use of the outdoor areas and therefore potential noise complaints, and restricting opportunities for future expansion and change to ensure its ongoing viability. The development could therefore prejudice the long term viability of the community facility. The development is therefore considered to be contrary to Policy CS15 (Community Facilities and Built Sports Facilities) of the Wycombe Development Framework Core Strategy (Adopted July 2008) and the Community Facilities Supplementary Planning Document (October 2011).

3. Viewed from The Coppice and Squirrel Lane the proposed development would increase the built-up appearance of the site to the detriment of the pleasant semi-rural character of its immediate locality. This coupled with the loss of the southern boundary hedge and increase in hardstanding to accommodate replacement parking for the public house will result in a dominant and overbearing feature. The proposal detracts from the distinctive local qualities of the area and thus fail to achieve a high standard of design.

The proposal is therefore contrary to Adopted Local Plan Policies G3 (General Design Policy), G8 (Detailed Design Guidance and Local Amenity) and CS19 (Raising the Quality of Place Shaping and Design) of the Core Strategy Development Plan Document and to the National Planning Policy Framework.

4. On balance it is considered that the development would fail to provide adequate on-site parking facilities to cope with predicted demand. This would be likely to give rise to displaced car parking on the adjoining residential streets. This would result in on-street parking stress which would lead to a loss of residential amenity and inconvenience for local residents and their visitors.

As such the development was contrary to Policies G8 (Detailed Design Guidance and Local Amenity) and T2 (On-Site Parking and Servicing) of the Adopted Wycombe District Local Plan to 2011 (as saved, extended and partially replaced); and Policies CS19 (Raising the Quality of Place-Shaping and Design), CS5 (Marlow), CS20 (Transport and Infrastructure) of the Adopted Core Strategy Development Planning Document and the Buckinghamshire Countywide Parking Guidance (adopted Sept 2015).