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App No : 17/07655/FUL App Type: Full Application

Application for : Redevelopment of existing commercial site for commercial purposes including demolition of existing buildings, erection of B1(c), B2 and B8 and Trade Counter (including ancillary offices) premises (8470m2), reuse existing accesses onto Chapel Lane and Mill End Road, on-site parking and landscaping

At Land South of River Wye and Foundry Site Between Translux Mill and Chapel Lane, High Wycombe, Buckinghamshire

Date Received : 23/11/17 Applicant : Ridgepoint Homes Ltd; William Vere (Properties) Ltd; Verco

Target date for Decision 22/02/18

1. **Summary**

- 1.1. This proposal is for employment development on land that is designated as an employment area in the development plan. The development is entirely acceptable in terms of the principle of development. The main assessment presented within this report therefore focusses on the detail of the proposed development.
- 1.2. The report sets out that the proposals are considered to be acceptable in terms of the quality of the layout and design; transport matters and car parking; the impact upon neighbouring property; impact upon Heritage Assets; environmental matters; ecology and sustainability.
- 1.3. Further information is required with respect to flooding and drainage issues and this is reflected in the recommendation which is to delegate approval to the Head of Planning and Sustainability once these issues are resolved.

2. **The Application**

- 2.1. The application site is located between Chapel Lane (west) and Mill End Road (east) within the Mill End Road Employment Area in High Wycombe. The Verco Office Furniture site is located to the immediate north of the site with residential properties surrounding the site to the immediate north-east and south. Millbrook Combined School is located to the immediate east of the site on the opposing side of Mill End Road. The application site is located within the Sands Ward and is within the Desborough Area of Change (as defined in the Delivery and Site Allocations Plan). The site is also located within Accessibility Zone 3 and Non-residential Zone 1 for parking purposes.
- 2.2. Within the existing site is a commercial building in the south-eastern corner adjacent to No. 36 Mill End Road and in close proximity to the site's southerly entrance from Mill End Road. The site in general comprises a significant level of hardstanding, for which the eastern portion is currently utilised as parking for vehicles used in association with the storage and transport of film making props (Translux Ltd).
- 2.3. The western portion of the site is largely comprised of scrubland and further concrete hardstanding which is physically separated from the remainder of the site from earthworks. Further access to the site is provided from Chapel Lane which runs along the northern portion of the site and leads into a tarmacked area. This area is adjacent to a substantial commercial building to the immediate east which in itself is located adjacent to the main Verco factory building; located outside of the application site.
- 2.4. The proposals seek to redevelop the site by way of constructing 10 commercial units with associated parking and landscaping. The revised site layout plan submitted as part of this application details that the site would effectively be split into two functional areas which would operate largely independent of one another.

- 2.5. The western portion, which would utilise the existing access off Chapel Lane, comprises 5 commercial units and constitute the majority of built footprint proposed across the entire site. A total of 68 car parking spaces would be provided in this portion of the site on the basis that all units (unit 6 aside) would be used on a B1c/B2 basis. Unit 6 would operate solely for B8 purposes. The western portion of the site would be physically separated from the adjoining section by the de-culverted tributary running through the site from south to north. It is proposed to introduce a green corridor either side of the buffer which would be set between a row of parking spaces within the western section and the rear of Units 1-5 in the eastern section.
- 2.6. The eastern section of the site, utilising the existing dual access from Mill End Road, would comprise 5 smaller commercial units with a total of 40 car parking spaces.
- 2.7. The current proposals seek a flexible use across the entirety of units in the site (unit 6 aside) within use classes B1c, B2 and B8 in order for the site to have the ability to more successfully respond to market conditions and attract a greater variety of potential occupiers. Moreover, the proposals seek for 24 hour, 7 days a week operations at the site given that the majority of the units would likely be occupied by companies in the distribution and delivery sector which require such hours of operation in order to function successfully.
- 2.8. River corridors have also been proposed to the immediate south of the River Rye in the revised site layout plan in order for the scheme to be fully compliant with Policy DM15 of the Delivery and Site Allocations Plan.
- 2.9. The application is accompanied by:
 - a) Planning Statement
 - b) Design and Access Statement
 - c) Transport Assessment
 - d) Landscaping Plan
 - e) Landscape Management Schedule
 - f) Arboricultural Impact Assessment and Arboricultural Report
 - g) Tree Constraints Plan and Tree Protection Plan
 - h) Site Waste Management Plan
 - i) Daylight and Sunlight Assessment
 - j) Flood Risk Assessment
 - k) Ecological Appraisal
 - l) Existing Site Surveys
 - m) Underground Utility Survey
 - n) Lighting Report
 - o) Noise Report
 - p) Utilities Statement
 - q) Proposed Site Layout
 - r) Proposed Floorplans and Elevations
 - s) Proposed Sections through site
- 2.10. Amended drawings were received during the course of considering the application.
- 2.11. The applicant did not provide a Statement of Community Involvement but the Council has 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. Planning officers have also attended a public meeting in the Sands area with the local member.

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, and following significant rounds of engagement and discussion with the applicant, a final set of amended plans and accompanying documents were received which were found to be acceptable. The application was subsequently recommend for approval subject to the submission of further information relating to drainage and flooding.
- 3.3. The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

4. Relevant Planning History

- 4.1. 89/07721/FUL – Erection of a finished goods distribution warehouse and formation of parking area – Permitted
- 4.2. 92/06820/FUL – Infilling of existing loading bays for use as office accommodation and storage and additional parking – Permitted
- 4.3. 95/05639/FUL - Change of use to B2 (General Industrial) – Permitted
- 4.4. 95/06963/FUL - New boundary fence and landscaping to frontage of 45- 47 Chapel Lane – Permitted
- 4.5. 96/06882/RCDN - Continuation of use of premises for B2 (General Industrial) use without complying with condition 3 (Operating Hours) of W/95/05639/FUL – Permitted
- 4.6. 97/06241/FUL - Erection of section of 2.4m high palisade boundary fencing (retrospective) – Permitted
- 4.7. 01/07479/FUL - Erection of 120 residential units, associated car parking, landscaping and open space: erection of acoustic enclosure around existing Verco Mill – Refused
- 4.8. 01/07480/FUL - Erection of 117 residential units, associated car parking, landscaping and open space: erection of acoustic enclosure around existing Verco Mill - Refused
- 4.9. 15/06618/FUL - A hybrid planning application seeking detailed planning permission for demolition of 2 industrial buildings to enable a mixed use redevelopment comprising 79 dwellings (5 x 1 bed apartments, 43 x 2 bed apartments, 1 x 2 bed coach house, 1 x 3 bed apartment, 19 x 3 bed houses and 10 x 4 bed houses) with associated infrastructure, open space, landscaping, de-culverting of watercourse, car-parking for Millbrook Combined School served by a relocated entrance on Mill End Road and an access from Chapel Lane. Outline planning application for construction of up to 1,176sqm of commercial floorspace with all matters reserved – Withdrawn
- 4.10. 17/07643/FUL - Erection of 2 x 2 bed dwelling with associated parking and alterations to access off Chapel Lane - Refused

5. Issues and Policy considerations

Principle and Location of Development

Adopted Local Plan (ALP): G3 (General design policy), E3 (Employment Areas);
Core Strategy (CSDPD): CS1 (Overarching principles - sustainable development), CS2 (Main principles for location of development), CS11 (Land for Business);
Delivery and Site Allocations Plan (DSA): DM1 (Presumption in favour of sustainable

development);

The New Local Plan submission version: CP1 (Sustainable Development), CP5 (Delivering land for business), DM28 (Employment Areas)

- 5.1. The application site, sited to the south of Verco Office Furniture, comprises an existing commercial site (Use Class B2) within the Mill End Road Employment Area. Employment Areas are a finite resource and form the principal employment base within the District. Policy E3 of the Adopted Local Plan seeks to safeguard against the redevelopment of Employment Areas for uses falling outside of classes B1, B2 and B8. The principal of redeveloping employment areas within the abovementioned uses is therefore supported within Policy E3.
- 5.2. Policy CS11 of the Core Strategy DPD further promotes the redevelopment, regeneration and, where appropriate, the intensification of existing employment sites in order facilitate a prosperous local economy. The proposals in question seek a flexible use of the units within the site across use classes B1a (light industrial), B2 (general industrial) and B8 (storage and distribution). Such flexibility is general encouraged within Policy CS11 in order for employment sites to remain financially sustainable in perpetuity and be better able to respond to changing market conditions if necessary.
- 5.3. This is further supported by Policy HW1 of the Delivery and Site Allocations Plan which seeks the retention and, where appropriate, the redevelopment of existing Employment Areas within the Desborough area in order to facilitate social and economic regeneration.
- 5.4. The abovementioned policies of the Development Framework are consistent with Policies CP5 and DM28 of the New Local Plan which safeguard against the redevelopment of Strategic and Local Employment Areas for non-business development and facilitate their regeneration for continued employment purposes where appropriate.
- 5.5. The principal of the development of this employment site for employment purposes is therefore clearly established.

Raising the quality of place making and design

Adopted Local Plan (ALP): G3 (General design policy), G7 (Development in relation to local topography), G8 (Detailed Design Guidance and Local Amenity), G10 (Landscaping), G11 (Trees), Appendix 1;

Core Strategy (CSDPD): CS4.1 (High Wycombe Key Areas of Change – Desborough Area) CS19 (Raising the quality of place shaping and design);

Delivery and Site Allocations Plan (DSA): HW1 (Desborough delivery and design framework), DM11 (Green networks and infrastructure), DM15 (Protection and enhancement of river and stream corridors);

The New Local Plan submission version: CP9 (Sense of place), CP10 (Green infrastructure and the natural environment), DM32 (Landscape character and settlement patterns), DM35 (Placemaking and design quality)

- 5.6. Policy G3 of the Adopted Local Plan requires development proposals to achieve a high standard of design and layout that represents the local urban context so as to maintain and reinforce its distinctiveness and particular character. Specifically, such proposals should take account of existing site characteristics such as local land form, natural features, views and vistas. Furthermore, development will be expected to be compatible with the immediate surroundings of the site and be appropriate to its wider context. In addition, proposals should be sympathetic to the design and appearance of their surroundings, including buildings materials and profile, architectural details and landscape treatment.
- 5.7. This is supported by Policy CS19 of the Core Strategy which seeks to secure improvements in the quality of place-shaping and design. In particular, high standards of design and layout are expected to be achieved with development proposals and the locally distinctive qualities of place are to be reinforced by enhancing landscape and built characteristics of the site.

- 5.8. The above policies are reinforced by Policy CS4.1 of the Core Strategy and Policy HW1 of the DSA which seek to ensure high quality developments within the Desborough Area which successfully integrate with their surrounds and help support and reinforce a local sense of distinctiveness.

Design and layout

- 5.9. The design proposed for the 10 units within the site is typical of modern commercial buildings and consistent with similar schemes permitted within the District, with each unit comprising a pitched roof and central apex with the gable on the flank elevations. Units 7-10 within the western portion of the site would be conjoined with Unit 8 extending a further 8m past the rear building line of Unit 9 to the west and with unit 7 extending a further 14m past unit 8. The front building line of unit 7 would be recessed 4m from that of unit 8 in order to accommodate further parking and the required HGV turning areas. Unit 6, the largest of the units proposed, would be physically detached with the rear building line set between 10m and 15m from the site's southern boundary.
- 5.10. Whilst the ridge height of the units would range between 11m and 12m within the western portion of the site, they would not be overly if at all visible from the Chapel Lane streetscene given the significant setback of the units from the entrance point. Moreover, the most westerly unit proposed, unit 10, would be shielded from view of the streetscene by Nos. 55-61 Chapel Lane together and the 4.5m noise barrier proposed to the immediate rear of these properties.
- 5.11. By contrast, units 1-5 within the eastern portion of the site would be entirely conjoined, have a uniform front building line and setback in excess of 20m from Mill End Road. Whilst the ridge height of these units would be 11m and exceed the height of neighbouring residential properties either side by 3m (no. 36) and 4.5m (nos. 22-28), their setback from the streetscene and substantial screening from existing trees to be retained adjacent to Mill End Road would ensure such units would not constitute a prominent feature within the streetscene. Moreover, such screening would be enhanced through further planting as identified in the submitted landscaping scheme.
- 5.12. The external materials proposed for the units, namely a combination of grey profiled metallic cladding, is also consistent with modern commercial developments and typical for an employment site such as this. As previously mentioned, the units proposed within the site would not be overly visible from either streetscene and therefore have a minimal impact upon the character and amenities of the wider locality. This is emphasised through the submitted conceptual streetscene elevation drawings. Notwithstanding this however, the final iteration of external materials would be controlled by way of a condition if planning permission were to be forthcoming.
- 5.13. With regards to the layout, it is noted that this has primarily been informed by the need to reduce any potential impact the development would have upon the amenities of adjacent residential properties to the south; particular from a noise perspective which will be covered in a subsequent section of this report.
- 5.14. Bands of landscaping will run through the site. There will be screen planting on the southern site boundary and particularly to the rear of units 6-10 and within the River Wye corridor. The site itself would be physically split by the de-culverted tributary and subsequent landscaped buffer either side. This is considered to provide an enhanced focal point within the site which successfully links into the remainder of the site layout.
- 5.15. Parking would primarily be provided to the front of units 6-10, to the west of unit 10 and the east of unit 6. In addition, further parking would be provided to the immediate north of unit 5 and to the front of units 1-5. The layout of parking proposed is considered to be satisfactory with the location of buildings, principally in the southern portion of the site for the western section, considered to be a sensible location given residential properties are primarily located to the south of the site with the Verco Factory site located to the immediate north.

River corridors

- 5.16. Policy DM15 of the Delivery and Site Allocations Plan (DSA) states that development adjacent to rivers and watercourses should seek to conserve and enhance the biodiversity, landscape and recreational value of the watercourse and its corridor through good design. Opportunities for the de-culverting of watercourses should also be actively pursued and development should not prejudice future opportunities for de-culverting.
- 5.17. Such development should provide or retain a 10m buffer between the top of the river bank and development, and include a long term landscape and ecological management plan for this buffer.
- 5.18. Policy CS17 of the Core Strategy further emphasises the importance of conserving and enhancing watercourses given they are a vital element of the Green Infrastructure of the District.
- 5.19. A 10m wide corridor will be provided as part of the development on the south side of the River Wye. While a small section of this corridor is less than 10m wide, for instance where the western access enters the site, this is more than compensated by other parts of the buffer that exceed 10 metres (indeed in places it exceeds 16 metres). The proposed buffer/corridor is considered to be acceptable.
- 5.20. Aside from the river itself, there is an existing tributary/spring that runs in a culvert through the site from south to north and joins the River Wye beneath the existing Verco factory. The revised proposals intend to de-culvert the tributary and create a moderate buffer either side with the total width measuring 5.5m. The de-culverted tributary would effectively divide the site into two portions and run to the rear of units 1-5.
- 5.21. In order for the proposals to be in complete conformity with Policy DM15, there would need to be a 10m landscaped buffer each side of the de-culverted watercourse. It is also noted that the Environment Agency has maintained their objection on this basis. However, it is considered that the creation of such a buffer would substantially reduce the availability of land within the site for redevelopment with impacts on the viability of the redevelopment. It is therefore not considered realistic or pragmatic to require a 10m buffer either side of this particular watercourse. The emphasis in this redevelopment has instead been to create a decent buffer to the River Wye, deculvert the stream and provide a reduced but ecologically enhanced buffer to it. As a package of measures this is considered to be acceptable.

Landscaping and Arboriculture

- 5.22. Policies G10 and G11 of the Adopted Local Plan seek to ensure that development proposals take adequate account of and, where possible, retain existing planting and tree cover including hedgerows and other landscape features. Such schemes for the redevelopment of sites should incorporate appropriate landscaping as an integral part of development proposals and take into account the need for development to integrate within the landscape of the neighbouring area.
- 5.23. Development proposals will also be required to retain existing trees and hedgerows of good quality and/or visual significance where possible. Such development should not put the future retention of such trees and hedgerows at risk; this includes during the course of construction.
- 5.24. Moreover, appropriate landscaping and design features should be incorporated into such schemes, with details of areas of hard and soft landscaping to be provided together with open space for habitats and wildlife. This is reinforced by Policy CS19 of the Core Strategy which states that locally distinctive qualities of place should be reinforced by enhancing landscape characteristics of the site and the wider context.
- 5.25. Substantial landscaping is proposed to the rear of units 6-10 in the form of a mixed species of trees including Field Maple, Alder, Poplar, Beech, Hornbeam, Rowan, Whitebeam and Small Leaf Lime. Such landscaping would include the banking up of earth along the southern boundary of the site directly in front of an existing concrete wall. Trees are proposed to be planted atop this bank providing a significant

level of screening together with further planting in front leading up to the rear elevation of the commercial units.

- 5.26. The existing trees located along the southern boundary of the site adjacent to the properties within Penmoor Close and No. 36 Mill End Road are covered by a Tree Preservation Order. Such trees would be protected during construction by virtue of tree protective fencing and in themselves provide further screening of the development from view of adjacent residential properties.
- 5.27. Likewise, existing trees to the immediate rear of Nos. 55-61 Chapel Lane would also be retained and protected during construction. It is considered that the protection of such trees are important as they provide natural screening of the development and play an important role in the wider landscaping strategy of the site.
- 5.28. A variety of trees and shrubs are also proposed to be planting within the de-culverted tributary corridor together with the proposed river corridors to the immediate south of the River Wye in the northern sections of the site.
- 5.29. Both the Council's Landscaping and Arboricultural officers have found such proposals to be acceptable and considered the level, variety and species of planting proposed to be appropriate for this particular location.

Connectivity

- 5.30. Policy CS4.1 of the Core Strategy and Policy HW1 of the DSA focus specifically on the Desborough Area and, inter alia, seek to improve the wider integration of the area with the Town Centre through the provision of pedestrian and cycle routes within sites. Specifically, redevelopment of sites within the Desborough Area should seek to improve its legibility by providing links to open spaces within Desborough.
- 5.31. Concerns have been raised, specifically from the Council's Ecology Officer, over the lack of a pedestrian/cycle route within the site providing east-west connectivity between Desborough Recreation Ground and West Wycombe Park. Following conversations with the applicant, it was accepted that introducing a pedestrian walkway/cycle route through a commercial site would not be an ideal solution from a safety and amenity standpoint.
- 5.32. The current Verco factory building which is outside of the site but which the site wraps around provides a major obstacle in achieving such connectivity. The Council considers an ideal solution would be for such link to be provided within the river corridor. However, given the factory building currently projects across a culverted section of the River Wye and would thereby subdivide the river corridor; providing such a direct connective route would not be possible at this time..
- 5.33. It is considered that introducing such a link which would pass along the river corridor and around the southern edge of the factory building and thereby within the entirety of the development site would be illegible, impractical and not conducive to a successful connective link.
- 5.34. It is therefore considered that the most plausible solution would be to future proof such a connective route by way of attaching a planning condition requiring the implementation of a footpath/cycle route within the river corridor should the adjacent Verco site be developed. This would allow for the creation of a river corridor stretching all the way across from Chapel Lane to Mill End Road and further allow for a straight, legible connective route within the corridor.

Transport matters and parking

Adopted Local Plan (ALP): T2 (On – site parking and servicing), T4 (Pedestrian movement and provision), T5 and T6 (Cycling);

Core Strategy (CSDPD): CS16 (Transport), CS20 (Transport and Infrastructure);

Delivery and Site Allocations Plan (DSA): DM2 (Transport requirements of development sites)

The New Local Plan submission version: CP7 (Delivering the infrastructure to support growth), DM33 (Managing carbon emissions: transport and energy generation)

Transport/Highways Considerations

- 5.35. The Highway Authority's final comments are still awaited on the latest amended plans. However, the general principal of the scheme from a highways perspective has not fundamentally changed and therefore the original comments received from the Highways Authority can be used as an overarching guide at this stage.
- 5.36. The original comments requested the submission of a Swept Path Analysis for OGV2 vehicles with respect to the Mill End Road access and egress points. Such an analysis was previously sent to the Highways Authority and considered to be acceptable in principal.

The comments received from the Highways Authority noted that the proposed development would result in an increase of vehicular movements as a result of the increased floorspace at the site. It was also noted that the respective capacity analysis for the local junction's surroundings the development site shows in some cases that certain arms are either approaching capacity or beyond its theoretical operational limit. However, this can be attributed to the natural growth in traffic. The Highways Authority conclude that the development is not the cause of the capacity issues and the development traffic does not represent a severe material impact upon the highway.

The Highways Authority has considered that the proposed redevelopment of this existing brownfield site is acceptable in that there are no overall principle impediments in transport terms. One of the outstanding issues is currently in relation to existing pedestrian refuge outside Nos. 33 and 35 Mill End Road and its close proximity to the site's intended Mill End Road egress point close to a school. The Highways Authority considers that, in order to safeguard pupil safety when crossing the road, off-site highways works will be required which include the removal of this refuge area. In addition, a specific financial contribution will also be required that will investigate and install a zebra crossing slightly further to the north of the refuge's current position. The exact amount required for a financial contribution has not yet been finalised but would be secured via a planning condition in the form of a S.278 agreement.

- 5.37. No issues were previously raised from the Highways Authority with regards to sight lines from the access/egress points within the development site. Moreover, the application site is noted as being located within a reasonably sustainable location with two bus stops (Dashwood Avenue and Mill End Road) being located within approximately 250m of the Mill End Road site access with a further bus stop on West Wycombe Road (A40) approximately 450m from the site.

Parking

- 5.38. The proposed development has sought flexibility of uses across the entirety of the site ranging between planning use classes B1(c) (light industrial), B2 (general industrial) and B8 (storage and distribution) in order for the site to better respond to market conditions and allow a degree of flexibility for future users.
- 5.39. Buckinghamshire County Council's Parking Guidance specifies the optimum level of parking required for a range of non-residential uses which has been deemed appropriate following research undertaken by the County Council which subsequently informed this document. Wycombe District Council uses this document as a basis for determining whether development proposals would provide the required level of parking in order to serve it.
- 5.40. In the Parking Guidance, there is no defined criteria available for the level of parking required in relation to B1(c) (light industrial) uses. However, the Highways Authority at Buckinghamshire County Council have advised that development seeking B1(c) (light industrial) uses should be assessed against B2 (general industrial) criteria for parking purposes.
- 5.41. On this basis and in accordance with the Parking Guidance, such B2 (general industrial) development should provide 1 parking space per every 64sqm. Likewise, B2 (industrial estate) development should provide 1 parking space for every 87sqm

- with B8 (storage and distribution) providing 1 space per every 130 sqm of floorspace.
- 5.42. Being mindful of the proposition of all units having a flexible use (B1(c), B2 or B8) and given that a B2 (general industrial) use across the entirety of the site would constitute a 'worst case scenario' for car parking purposes; the developer was advised that a total of 133 parking spaces would be required across the entirety of the site in order for the development to be compliant from this perspective.
 - 5.43. Moreover, given that the revised plans proposed no through access between the eastern and western portion of the site; each section of the proposed development site would need to be individually compliant from a parking perspective (i.e. a shortfall in the western portion of the site could not be accommodated in the eastern portion and vice versa).
 - 5.44. The eastern portion of the site, that being accessed from Mill End Road, comprises a total floorspace of 2540sqm. From a worst case scenario perspective, i.e. a B1(c) use across units 1-5, a total of 40 parking spaces would be required. The updated site plan indicates that 40 parking spaces would be provided in this section and therefore renders the eastern portion of the site compliant from a parking perspective. It would therefore seem reasonable to allow a flexible use across the B use classes for units 1-5.
 - 5.45. With regards to the western portion however, only 68 car parking spaces have been provided which is a shortfall of 25 parking spaces when assuming that units 6-10 would have a completely flexible use (worst case scenario being use class B1(c)).
 - 5.46. It was therefore suggested that the largest unit, unit 6, comprising a total floorspace of 2805sqm, should be conditioned for a B8 (storage and distribution) use only with units 7-10 having a fully flexible use. From a worst case scenario perspective (i.e. units 7-10 comprising a B1(c) use), there would be a requirement for 70 parking spaces across the western portion of the site and 68 parking spaces would be provided.
 - 5.47. In this scenario, the proposed shortfall of 2 parking spaces is considered to be acceptable given such a shortfall is so minor and it is in any case unlikely that units 7-10 would be used for B1(c) simultaneously at any one time.
 - 5.48. In light of the above, the level of parking proposed at the development site is considered to be acceptable, on the condition that unit 6 only be used for Class B8 purposes.

Impact upon the amenities of neighbouring residential properties

Adopted Local Plan (ALP): G8 (Detailed design guidance and local amenity), H19 (Residents amenity space and gardens);

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

Residential Design Guidance SPD;

The New Local Plan submission version: DM35 (Placemaking and design quality)

- 5.49. Policy G8 of the Adopted Local Plan states that development proposals will be required to safeguard the future amenity of residents in land surrounding development sites. Particular consideration will be given to the impact such development has upon: daylight and sunlight; privacy and overlooking; visual intrusion and overshadowing; traffic noise and disturbance and parking and manoeuvring of vehicles.
- 5.50. The residential properties most likely to be affected by the proposed development comprise Nos. 1-15 Sandsdown Close, Nos. 1-15 Penmoor Close and No. 36 Mill End Road to the south, together with Nos. 22-26 Mill End Road to the north.
- 5.51. With regards to the residents of Sandsdown Close and Penmoor Close, it is noted that the land levels drop by between approximately 2m – 2.5m in relation to the development site; specifically with regards to the location of units 6-10. Moreover, the existing 1.7-2.5m high concrete retaining wall with 1.8m high close boarded fence on top running along the site's southern boundary would be retained. Realistically therefore, the first 3.5m – 4m of the proposed development would be shielded from

view with respect to the properties on Sandsdown Close directly facing the development site. Substantial landscaping is also proposed to the rear of units 6-10 with existing trees present to be retained and protected during construction.

- 5.52. Notwithstanding this however, it is accepted that the ridge heights of units 6-10 would range between 11m and 12m and, whilst on lower land levels that the adjacent residential properties on Sandsdown Close and Penmoor Close, would still exceed the ridge height of these aforementioned properties by a small degree. The outlook from the rear of properties on Sandsdown Close would be somewhat reduced as a result of the built development proposed, and this is a material consideration in the determination of this application.
- 5.53. However, the submitted Daylight and Sunlight report does demonstrate that the ridge height of the proposed units would not intersect a 25 degree angle measured from the lowest ground floor rear windows of properties along Sandsdown Close or Penmoor Close. The proposals would therefore conform to Building Research Establishments (BRE) guidance 'Site layout planning for daylight and sunlight: a guide to good practice' (BRE, 2011) and the British Standard document BS8206 Part 2 and, in the Council's opinion, not materially affect the level of sunlight or daylight permeating the windows of the abovementioned properties.
- 5.54. In addition, units 7-10 include a pitched roof with the eaves height of the buildings decreasing to between 8m and 9m in height. Given the differentiation in land levels, the existing concrete retaining wall and close boarded timber fence atop; only the top 4m – 4.5m of the built development would be visible from the rear gardens of Sandsdown Close facing directly onto the development site.
- 5.55. Likewise, the proposed 4.5m high timber acoustic barriers to the rear of Nos. 55-61 Chapel Lane would primarily be obscured from view of the rear of these properties by the differentiation in land levels and the existing close boarded timber fence to the rear. Therefore, only the top 1m of the noise barriers would be visible from the rear elevation of these properties which would in itself be offset from the boundary by approximately 2m.
- 5.56. It is also noted that the separation distances proposed between the rear of dwelling along Sandsdown Close and the rear building lines of units 6-10, and together with screen planting proposed and existing/proposed fencing would be satisfactory enough to mitigate against a demonstrable level of harm upon the amenities of Sandsdown Close and Penmoor Close residents. The resultant relationship between the proposed units and the neighbouring dwellinghouses along the aforementioned streets is, in the Council's opinion, not harmful enough to result in the refusal of this application.
- 5.57. No concerns are considered apparent with regards to potential overlooking given no windows have been proposed in the rear elevations of units 6-10 which face the dwellings within Sandsdown Close and Penmoor Close. Moreover, the aforementioned residential dwellings are sited to the south of the application site and therefore the proposals would not result in overshadowing of the amenity space of the properties.
- 5.58. In relation to other residential properties within close proximity to the site, the rear garden of No. 36 Mill End Road is located perpendicular to unit 1 in the eastern portion of the site with no windows proposed in the southern flank elevation of the building. Again, no concerns are considered apparent with regards to overshadowing and existing trees to be retained together with further planting proposed would significantly shield the development from view of No. 36. It is also noted than an existing commercial building present within the site which abuts the boundary with No. 36 would be demolished with the resultant development, being pushed off the boundary by between 8m to 11m, would result in an improved relationship with this residential property.
- 5.59. The residential properties of Nos. 22-26 Mill End Road, whilst being sited to the north of the application site, would be located approximately 37m from the northern flank building line of unit 1 and therefore unlikely be to materially affected by the proposed

developments.

- 5.60. Issues relating to noise and lighting associated within the proposed development will be covered in the following section of this report.

Environmental issues

Adopted Local Plan (ALP): G15 (Noise), G16 (Light pollution);
Core Strategy (CSDPD): CS18 (Waste, natural resources and pollution);
The New Local Plan submission version: CP7 (Delivering the infrastructure to support growth), DM20 (Matters to be determined in accordance with the NPPF)

Noise

- 5.61. Policy G15 of the Adopted Local Plan seeks to safeguard against development proposals which, by reason of noise or vibration associated with such development, have an adverse effect on the amenities of neighbouring properties and/or the surroundings in general. Conditions may be attached to any forthcoming planning permission in order to restrict such effects.
- 5.62. Development proposed within noise sensitive areas, such as those adjoining or within close proximity to residential areas, must be suitably designed and laid out in such a way as to reduce the future ambient noise level both within and adjacent to buildings to acceptable levels.
- 5.63. The overall mitigation strategy at the site is based on the development operating on a 24/7 basis. Consequently, the noise emanating from the proposed development has to conform to British Standard (BS 8233: 2014 'Sound Insulation and Noise Reduction for Buildings') night time (23.00 – 07.00) requirements in relation to acceptable decibel levels (dB). This equates to 30dB within bedrooms between the hours of 23.00 – 07.00 hours.
- 5.64. The most recent iteration of the submitted noise report indicates that an acceptable level of noise would emanate within adjacent residential properties within the development confirming to the requirement dB levels; both during the day and night time hours.
- 5.65. The strategy for ensuring this has been partly formed by the layout of development insofar as units 6-10 (the largest of the units), have been positioned within the southern portion of the site with noise receptors emanating directly in front. This ensures that the buildings themselves act as a natural noise buffer with respect to the residential properties within Sandsdown Close and Penmoor Close.
- 5.66. A combination of 2.5m and 4.5m high noise barriers are proposed along the rear and flank boundaries of Nos. 55-61 Chapel Lane in order to prevent noise levels associated with the development reaching or exceeding the required decibel levels. Likewise, a 4.5m high noise barrier is proposed along a small section of the site's southern boundary adjacent to No. 36 Mill End Road, together with a further 4.5m high barriers immediately adjacent to the predicted noise receptor emanating from unit 5. A further 2.5m high barrier has been proposed along a section of the river corridor adjacent to Nos. 22-26 Mill End Road on the opposite side of the River Wye.
- 5.67. The Council's Environmental Services department have considered the proposed layout of the scheme together with the mitigation strategies proposed in order to prevent noise levels emanating from the development reaching an acceptable level in relation to neighbouring residential properties and found the proposals to be acceptable.
- 5.68. If planning permission is to be forthcoming, planning conditions would be imposed relating to details being required pursuant to plant and internal machinery within the units.

Lighting

- 5.69. Policy G16 of the Adopted Local Plan specified that any scheme including lighting should minimise glare and spillage from the development site, having regard to the nature and sensitivity of adjacent land uses and the character of the surrounding

area. Consideration will therefore be given to the effect of the light produced on the amenities of nearby residents, highway safety and the visibility of the night sky. With regard to such development adjacent to sensitive areas, conditions may be imposed to, inter alia, restrict the level of lighting, hours of operation, height and luminance if planning permission were to be forthcoming.

- 5.70. The applicant's External Lighting Assessment indicates that a combination of column and wall mounted LED fittings will be used, with the assessment indicating that the type and level of illumination proposed would conform to BREAAAM requirements; Pol 04 (Reduction of night time light pollution), ENE 03 (External lighting) and Part L2A of the building regulations.
- 5.71. External lighting proposed would be controlled by a combination of photocells and timeclocks to be installed. The time clocks would act as a master control and be set to switch off between the hours of 23.01 – 06.59 in order to prevent night time light pollution and for the development to be compliant with Pol 04 and L2A.
- 5.72. The Council's Environmental Services department have reviewed the level of lighting proposed in this E3 Environmental Zone (as classified by BS EN 12464-2:2014, Lighting of Work Places, Part 2) and deemed it to be acceptable. It is therefore not considered that a condition requiring details of external lighting to be submitted prior to construction would be necessary in this instance if planning permission were to be forthcoming. However, a condition would be required relating to the control of external lighting during night time hours (23.00 – 07.00).

Air Quality

- 5.73. Core Strategy Policy CS18 (Waste/Natural Resources & Pollution) seeks to avoid unacceptable air pollution.
- 5.74. Under Environmental legislation new Air Quality Management Areas (AQMAs) were declared and ratified by the Council in December 2017; two of note include an area encompassing West Wycombe Road and the subsequent junctions with Chapel Lane and Mill End Road together with Handy Cross roundabout and the section of the M40 motorway in the District.
- 5.75. An objection was initially received from the Council's Environmental Services department over the impact the proposed development on air quality within the nearby AQMAs due to the increase of B8 (storage and distribution) uses and associated vehicles. Following amendments to the original plans however which include the reduction in floorspace and estimated use of the site for B8 (storage and distribution) purposes, the Environment Services department have since withdrawn their objection on these grounds.
- 5.76. Concerns have been raised from local residents with regards to the impact the proposed development would have upon the local air quality and the subsequent health of local residents. Specifically, concerns have primarily been focused on the increased HGV activity within and around the site as a result of the proposed development.
- 5.77. The application site has a longstanding designation as an Employment Site and its authorised use is for employment purposes (Class B2). Albeit over recent years the use of this part of the site has been low key, without the need for further planning permission a more intensive use could lawfully commence. Such a fall-back position is therefore a material planning consideration.
- 5.78. Whilst it is accepted that the proposed development could have some impact on the HGV traffic passing through the AQMAs, and air quality generally, this would be no greater than could result from the current lawful use of the site.

Flooding and drainage

Core Strategy (CSDPD): CS1 (Overarching principles - sustainable development), CS18 (Waste, natural resources and pollution);
Delivery and Site Allocations Plan (DSA): DM17 (Planning for flood risk management);
The New Local Plan submission version: DM39 (Managing flood risk and sustainable

drainage systems)

- 5.79. The majority of the site lies within a surface water flood risk area. There are localised areas within the site that hold a medium (1-3.3% AEP) or high (>3.3% AEP) risk of surface water flooding. The Lead Local Flood Authority (LLFA) has advised that these areas could experience a flooding depth of up to 900 mm.
- 5.80. The LLFA requested the submission of further information after received the initial Flood Risk Assessment (FRA) submitted by the applicant. Following the submission of a revised FRA, the LLFA still has a holding objection against the proposals due to requiring further information.
- 5.81. Such information includes the further assessment of surface water and groundwater flood risk with appropriate mitigation where applicable, and further information as detailed on the latest set of comments from the LLFA.
- 5.82. The Council considers that such information would be required in order to fully assess the drainage requirements and therefore agrees with the LLFA on this point. The implications of this area further discussed in the Weighing and Balancing section of this report.

Archaeology and impact on adjoining Conservation Area

Adopted Local Plan (ALP): HE11 (Development adjoining Conservation Areas);

Core Strategy (CSDPD): CS17 (Environmental Assets);

The New Local Plan submission version: CP9 (Sense of place), CP11 (Historic environment

- 5.83. The application site is located within close proximity to West Wycombe Park, an Archaeological Notification Site and West Wycombe Conservation Area to the west of the Chapel Lane site entrance on the opposing side of the road.
- 5.84. The Buckinghamshire County Archaeological Service have been consulted as part of this application and have not raised any objection, nor proposed any conditions to be imposed if planning permission were to be forthcoming.
- 5.85. Furthermore, the proposed development within the site would not be readily visible from the Chapel Lane streetscene and is therefore not considered to have any material impact upon the intrinsic landscape qualities of West Wycombe Park or the special character or appearance of the adjoining Conservation Area. Consequently, the proposals are considered compliant with Policy HE11 of the Adopted Local Plan which seeks to safeguard against development adjoining Conservation Areas which would result in harm to their special and intrinsic character.

Ecology

Core Strategy (CSDPD): CS17 (Environmental assets);

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

The New Local Plan submission version: DM34 (Delivering green infrastructure and biodiversity in development)

- 5.86. The site in its current form is dominated by hardstanding and two large commercial buildings comprising brick, concrete and metal structures.
- 5.87. Previously developed land, comprising demolished buildings, crushed concrete and hardcore are present to the south and west of the site, along with large rubble bunds. Much of these areas comprise bare substrate with some covering of prostrate bramble, whilst others areas are succeeding into ephemeral/short perennial vegetation along with some sparse, dry grassland. A wide range of species were noted as being recorded within short vegetation and sparse dry grassland areas.
- 5.88. It is noted that the existing hardcore/crushed concrete substrate lies over chalk, as evident in mounds surrounding bore holes. This habitat, taken together with scrub and tall ruderal is characteristic of 'brownfield' land and is developing into the S41 priority habitat 'Open Mosaic Habitat on Previously Developed Land' (OMH). Scrub Areas of colonising dense scrub and young trees are present around brownfield

areas, particularly on rubble/earth mounds and boundary areas.

- 5.89. Areas dominated by tall herb growth are present within the brownfield areas, particularly along the southern site boundary. Hedgerows and tree lines are present along the site frontage to the east, on the southern site boundary, along the two section of the watercourse to the north and associated with the western site entrance.
- 5.90. Hedgerows include a variety of native and some non-native species. A small wooded copse is also present to the northwest of the site with a section of watercourse running through it. The canopy comprises ash and poplar. Small areas of amenity grassland are present to the northwest of the site, all of which are short cropped and dominated by rye grass.
- 5.91. A watercourse (tributary to the River Wye) runs to the north of the site, part of which is culverted under existing buildings to the north, which do not form part of the site.
- 5.92. The watercourse on the northern boundary of the site is relatively overgrown along its western section, being choked with ruderal vegetation and having relatively low water levels. Despite this, a good variety of bankside and aquatic vegetation are noted along earth banks.
- 5.93. The eastern stretch of the watercourse along the northern boundary of the site is canalised adjacent to residential dwellings but some aquatic and marginal vegetation is establishing along its southern bank. A tributary of the River Wye channel to the north of the Site emerges from two spring just south of the site, and crosses the site within a culvert. The culverted watercourse joins the River Wye via a second culvert off-site to the north.
- 5.94. The submitted Preliminary Ecological Appraisal indicates that the only protected species noted as being within the site comprises slow worms (*Aguis fragilis*), the common lizard (*Zootoco vivipara*) and grass snake.
- 5.95. The Appraisal states that no evidence of bat roosting was found within the site, however the brownfield/Open Mosaic Habitats, treelines/hedges wood habitat and riparian corridors within the site provide a range of foraging and navigation opportunities for a range of bat species.
- 5.96. The Appraisal states that the site is dominated by habitats of limited ecological interest, such that their loss through the proposed development would not give rise to significant adverse effects. Moreover, the majority of wooded habitat to the north-west in addition to boundary tree lines and hedges to the east and west would be retained as part of the redevelopment; this includes tree protection measures as previously outlined in this report.
- 5.97. With regards to the Open Mosaic Habitat (bare ground, dry grassland and scrub), this has developed a significant ecological interest since the cessation of commercial uses at the site. Given that much of this habitat would be lost as a result of the development, mitigation measures would be required to avoid a net loss of biodiversity.
- 5.98. Significant landscaping has been provided as part of the development proposals which had been suggested within the Preliminary Ecological Appraisal to provide mitigation for the loss of such identified habitats. The Appraisal has also suggested that safeguards during construction (i.e. pollution prevention measures and exclusion fencing to prevent damage to banks and vegetation), could be included within a Construction Environmental Management Plan for the site. This could be adequately secured by way of condition if planning permission were to be forthcoming.
- 5.99. A Reptile Mitigation Strategy has also been produced which identifies that a total of 0.2 hectares of reptile habitat would likely be lost as a result of the proposed development. The report recommends a number of forms of mitigation:
- 5.100. At the time of writing this report, the final comments from the Council's Ecological Officer have not been available. Consequently, it is considered necessary at this stage for a condition to be imposed requiring the submission of details pursuant to ecological enhancements at the site if planning permission were to be forthcoming. In

addition, further conditions would be required pursuant to the long term ecological management of the site as indicated within the Reptile Management Strategy and Preliminary Ecological Appraisal.

- 5.101. In the event that the ecological enhancements and mitigation strategies proposed are considered acceptable by the Council Ecological Officer; then such a condition requiring the submission of details pursuant to ecological enhancements/mitigation strategies would be removed from any forthcoming permission.

Building sustainability

Core Strategy (CSDPD): CS18 (Waste, natural resources and pollution);
Delivery and Site Allocations Plan (DSA): DM18 (Carbon reduction and water efficiency);
The New Local Plan submission version: DM41 (Optional technical standards for Building Regulation approval)

- 5.102. 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 development. 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

Core Strategy (CSDPD): CS21 (Contribution of development to community infrastructure);
Delivery and Site Allocations Plan (DSA): DM19 (Infrastructure and delivery);
The New Local Plan submission version: CP7 (Delivering the infrastructure to support growth)

- 5.103. The proposed development is not liable for CIL.
- 5.104. Off-site highway works would be required in relation to the proposed development, including upgrades to the existing access and the exploration of installing a zebra crossing on Mill End Road. Such works would be funded by the developer via a S.278 agreement which would be secured by way of a planning condition.

Weighing and balancing of issues – overall assessment

- 5.105. 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.
- 5.106. 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
- 5.107. As set out above it is considered that the proposed development would accord with many development plan policies and constitute a sustainable re-use of an existing employment site.
- 5.108. There is some conflict with DSA policy DM15 relating to river corridors. However, the overall river corridor enhancements that are proposed are considered to outweigh any harm that results from this.
- 5.109. There have been a number of concerns about the impact of the development upon neighbouring property. These have been thoroughly considered and amendments or clarifications have been sought during the processing of the application.

Consequently the proposal is considered to comply with the relevant development plan policies relating to such impact.

5.110. Given the need to provide further information in relation to drainage and flooding at the site, your officer's recommend that planning permission be issued only after the outstanding drainage and flooding issues have been satisfactorily resolve.

Recommendation: Minded To Grant
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That the Head of Planning and Sustainability be given delegated authority to grant Conditional Permission provided that the objections of the Lead Local Flood Authority are resolved including any planning conditions that may arise.