

17/07655/FUL

Consultations and Notification Responses

Ward Councillor Preliminary Comments

Councillor Zia Ahmed

Initial comments: I would like this application go to planning committee because local residents have lots of issues such as the height of the building blocks, the views and noise and traffic movement. In addition environment issues such as flooding and tree protection. The entrance is at the front of a school which already have a big problem with Grant and Stone big vehicles park outside already most of the school time.

Councillor Nigel Teesdale

As this is a major application which will cause major disruption to the Sands area I must insist on a site visit and the application to be determined by Committee if minded to permit.

Parish/Town Council Comments/Internal and External Consultees

Arboricultural Officer:

Initial comments: No objection in principle.

Condition Arboricultural Method statement and Tree protection plan in regard that parking area which are within the root exclusion zones to the west of the site from the proposed Chapel Lane entrance.

In regards to proposed landscape for providing sufficient scene and access for maintenance of the units 6 to 10. The previous landscape scheme offers Field Maple, Whitebeam, Hornbeam, Small leaf lime, Aspen, Oak to the west and to the south of the units these would still be acceptable subject to any revised scheme

The species selection should be able to be of sufficient height to soften the building and also complement the trees to the south just off site.

As to units 1 to 5 which is within the public realm from Mill End Rd so it is important that the current vegetation is retained to provide screening and supplemented where necessary

Additional comments: No objection in principle

Revised Landscape plans in regards to tree species is acceptable.

Condition Arboricultural Method statement and Tree protection plan in regard that parking area which are within the root exclusion zones to the west of the site from the proposed Chapel Lane entrance.

As to units 1 to 5 which is within the public realm from Mill End Rd so it is important that the current vegetation is retained to provide screening and supplemented where necessary.

Landscape Officer

Initial comments: Marked-up plans with comments provided to case officer via email.

Additional comments: The amended layout has taken on board previous comments about maximising space for landscaping and buffer to the River Wye.

In terms of landscape design proposals, key functions of soft landscaping are visual screening to adjoining housing areas / public roads, and provision of appropriate habitats along the river/stream corridors. The following matters require clarification by submission of further details:

- a contour/levels plan for landscaped areas adjoining the southern boundary, the purpose being to illustrate raised ground levels adjoining the proposed units to maximise the screening effect of planting areas for the benefit of dwellings/gardens to the south and west. This work should inform the contextual sections requested in the Urban Design comments.

- detailed planting proposals for each landscaped area, to comprise a mix of appropriate plant species and their sizes at planting, the depths of topsoil/planting medium required to support their long-term success, and an outline of how these areas will be managed. A predominantly native mix of trees and shrubs, incorporating a proportion of evergreen species (10-20%), would be appropriate for screening purposes, while WDCs Ecologist will advise the appropriate approach to planting/landscaping the river/stream corridors.

- illustrative sections and planting details should be provided for the site boundaries adjoining Mill End Road, indicating where trees/shrubs are to be retained/removed. The existing hedge provides significant screening and should be retained/supplemented with trees and shrubs where possible to avoid removal and replanting which would give rise to short- and medium-term visual impacts from the proposed units while a new hedgerow establishes and matures. If any part of the existing hedgerow is to be removed, this should be clearly indicated on the landscaping plan and the reason for its removal established. Replacement hedgerows should be specified in terms of proposed species mix and sizes, along with any new boundary structures. Similar details should be provided for the entrance area off Chapel Lane.

Updated comments:-

The planting proposals are comprehensive and broadly acceptable, subject to the following.

In order to minimise overshadowing of the property/garden of No. 1 Sandsdown Close, which is small and adjoins the site boundary, the proposed earthworks to the rear of units 7 and 8 should be extended into the corner between these units; shrub planting should also extend into that same corner between the two units while tree species should be moved away from the site boundary. This should allow for low-level screening by a new shrub canopy close to the site boundary / garden, with high canopy screening further away from the site boundary / garden and closer to the new buildings.

Planting adjoining the existing river and de-culverted watercourse is acceptable with regard to landscape amenity, but should be subject to comments from our Ecology Officer.

Ecological Officer

Initial comments: There are two main issues I will comment on. The ecology of the site as a whole and the importance of the watercourses and buffering of them for wildlife and access. The site is a previously developed brownfield site with an open mosaic character. This habitat diversity can support rich assemblages of invertebrates, which has led to 'open mosaic habitats on previously developed land' being added to the UK Biodiversity Action Plan (UK BAP) as a Priority habitat listed on Section 41 of the Natural Environment and Rural Communities Act 2006 (NERC Act). It is known that the site supports the reptiles slow worms and grass snakes, and this is associated with the open mosaic habitat which replicates a rocky habitat where there are areas for reptiles to bask in the sun and hide in piles of rubble and there are often very significant populations of a wide range of invertebrates which are an important food source. It would be appropriate for an invertebrate survey to be carried out as this is a key important feature of this type of habitat which needs to be properly taken into account.

The Ecological Report fails to make reference to relevant policies in the DSA (DM11-DM15) Of particular relevance is DM11 (Green Infrastructure) which relates to Opportunity Area 2 which also relates to the Biodiversity Opportunity Area 'Central Chilterns Chalk Rivers' which seeks to enhance access and biodiversity along the river, this links with policy DM14 which seeks to conserve and enhance biodiversity and DM15 which seeks to protect and enhance watercourses with a 10m buffer. The report also fails to notice the culverted tributary running across the site and it miss identifies the Wye as a tributary of the Wye. Although the priority habitat status and the reptiles which live there have been recognised in the Ecological report, other key information has not been collected or not taken into account and it is not possible to understand how the development of this site should progress with regards to wildlife. Indeed the report gives very little information on how the site will accommodate wildlife, it instead makes high level suggestions of how wildlife could be accommodated within the landscaping, however the space left over for landscaping is very limited and nothing has been presented which would suggest that appropriate compensation could be achieved.

A better understanding of the value of the site to ecology needs to be given and how this can be dealt with in the development of the site to deliver a biodiversity net gain Details need to be specific and detailed and proportionate. A biodiversity accounting exercise which help with this understanding and justification. Measures which are of benefit to wildlife (as well as wider multifunctional roles) such as green roofs, green walls and more street trees and SuDS which are integrated with the landscaping need to be incorporated to compensate for the loss of an important habitat. DSA policy DM15 seeks a 10m buffer to all watercourses. The previous application on this site (15/06618/FUL) did not meet this requirement with regards to the river Wye nor the tributary which runs across the site. The proposals which are contained within this new application are a retrograde step from the previous application from the perspective of the river buffer and the tributary.

The width of the buffer given to the river Wye in the proposals is insufficiently wide for it to be acceptable. The buffer must be at least 10m in order for it to comply with DSA policy DM15 as well as Environment Agency guidance and Wycombe District Council's River Wye Advice Note. In this scheme the buffer is less than half this, for much of the edge. There are several reasons why it is particularly important to ensure that there is a minimum of 10m of buffer on this site. This site is the first urban area of High Wycombe through which the river flows and therefore this is a particularly important area to ensure that this site is not a barrier to wildlife moving down stream. Just downstream of the site is Desborough park and so a buffer through this section of river will allow both people and wildlife through access between west Wycombe park and Desborough Park.

From a pedestrian and cyclist point of view there is a bridleway into West Wycombe park just a short distance from the chapel lane access and there is a cycle way which comes out of Desborough park on the Mill End Road side but the site acts a barrier in between. Shared use access for pedestrians and cyclists must therefore be provided across the site, and it should be on the edge of the buffer to make it as attractive as possible to use and yet not too disturbing to wildlife. It will need to go around the building which is built over the river. Considering the narrow or non-existent buffer on the opposite bank, it is particularly important to ensure that the buffer is at least 10m on this side. The site is all the more important because of the tributary which joins the river under the adjacent building this must be brought out of its culvert given a 10 m buffer and realigned across the site to join the river in the open.

The area of the Wye adjacent to the proposed industrial units on the east side of the site is poorly described. Is it in a channel here? If it is in a channel this must be put back to a natural profile. The way in which the river buffer will be landscaped and managed needs to be explained to ensure it is suitable as a functioning habitat. As per paragraph 6.94 of the DSA, the buffer needs to be maintained as a natural or semi natural habitat which is free from formal landscaping. And per 6.95 'the buffer is the minimum width of habitat needed to provide for the functioning of wildlife habitats, while being able to facilitate informal access for enjoyment of the river'. The proposals show a road in a location which is different to that of another current application (17/07643/FUL) the two applications are therefore in conflict with each other. The proposals are poorly thought out from the perspective of ecology and the

river, insufficiently detailed and the scheme is therefore unacceptable. The applicant needs to go away, collect more information, and then design a scheme which deliver the required river, wildlife and access benefits. I have plans showing overlays and measurements if you want to see them.

Additional comments: Not received at the time of drafting the report.

Control of Pollution Environmental Health

Initial comments: Identified Environmental Services issues relevant to Planning: Air quality implications of largescale B8 use in an area bounded by near an Air Quality Management Area (AQMA).

Conclusion: On 22.12.17 the Council declared a new AQMA covering the main arterial roads into the town centre of High Wycombe. The map below shows the AQMA in relation to the application site - it is clear that the only access the application site is via one of the AQMAs and, as this application proposes a freight distribution centre of significant size, it will therefore worsen the already poor air quality in the AQMA that is currently negatively impacting the health of residents living within it. The applicant's model predicts that there will be 604 vehicle movements each day, including 46 HGV movements. Half of these vehicle movements are expected to pass through the AQMA on the A40 West Wycombe Road whilst the other half are expected to travel up the A4010 to join the AQMA on the AQMA.

Recommendation: refuse.

Additional comments: I can confirm that I find the proposed noise barriers, as shown in the noise report uploaded onto consultee access on 18th May 2018, to be acceptable in terms of noise mitigation.

The amended layout plan uploaded to consultee access on 15th May 2018 shows that 17 parking spaces will be provided with Electric Vehicle Charging Points. This is an important provision that will make the impact from the site on the neighbouring Air Quality Management Area more acceptable. I would therefore recommend that this provision is conditioned.

Condition - Electric Vehicle Charging Points Prior to the occupation of the development hereby permitted, 17 electric vehicle charging point must be installed. Thereafter the electric vehicle charging points must be maintained in full working order and, as such, a long-term management and maintenance plan shall be submitted in writing and approved by the Local Planning Authority. Reason – to reduce the negative impact on the health of residents living within the Air Quality Management Area.

County Highway Authority

Initial comments: No objection in principle. The respective capacity analyses for the local junctions surrounding (and have been/will be frequented by traffic associated with) the application site shows in some cases that certain arms are either approaching capacity or beyond its theoretical operating limit.

Whilst the proposals increase the sites traffic generation potential up to 341 daily movements, it should be noted that, when viewing a future scenario at a point when it would be reasonable to expect the proposed development to be constructed and fully operational, the predominant factor in the aforementioned situation arises from predicted background traffic growth. Whilst the proposals will obviously contribute to this in the sense that they will produce a vehicular intensification of the site over its historical use, when this loading is applied to the respective analyses, it is not the causation of the capacity issues and does not represent a severe material impact upon the highway.

The level of parking proposed is also considered to be acceptable in principle of the basis of the use split identified within the application form.

The Highway Authority finds that, particularly with regard to the brownfield re-use of an existing employment site, the proposals are acceptable in that there are no overall principle impediments in

transport terms. Nevertheless, there are issues and elements identified here that require further investigation or should form part of the development.

As previously noted, the swept path analysis drawings within Appendix H of the TA show goods' vehicles manoeuvring through the three site access points. However, those corresponding with the Mill End Road accesses only show OGV1 (rigid) vehicles. Given that there is no restriction on the use of these accesses in terms of vehicle types and sizes, and that the northernmost access will be brought back into regular use, I will require an OGV2 vehicle swept path analysis for the respective Mill End Road access and egress points.

Also, in order to control traffic flow and prevent a larger portion of OGV2 vehicles from crossing between the portions of the site dividing Units 1–7 and 8–12, the proposed gate should be augmented with dragon's teeth that prohibit vehicular flow from west to east.

Finally, and in liaison with the School Crossing Patrol (SCP) Supervisor from our Transport Strategy team, I am aware of an existing SCP for Millbrook Combined School that utilises the pedestrian refuge outside Nos.33 & 35 Mill End Road in close proximity to the site's intended Mill End Road egress point.

Therefore, in order to safeguard pupil safety when crossing the road, I will require any off-site highway works upgrading the aforementioned access to remove this feature in addition to a specific financial contribution that will investigate and install a zebra pedestrian crossing slightly further to the north of the refuge's position.

Additional comments: Not received at the time of drafting the report.

Environment Agency (south-east)

Initial comments: Objection. Inadequate buffer zone to water courses on and adjacent to site. Development eliminates the possibility of reversing the substantial loss of watercourse habitat due to the existing culvert. Failure to restore the ecological value of the watercourse and its associated river corridor.

Additional comments: Objection maintained. Improvement to the width of the buffer zone however it is unclear where the buffer zone between the River Wye and the development is measure from – it should be from the top of the river bank. No details are provided with regards to ecological enhancements to be carried out within the buffer zone, including the river channel and how this would be managed in the long term.

Deculverted channel noted but there is opportunity to achieve further ecological gain. Channel would be completely straight and in a very narrow corridor squeezed between the development either side. No cross sections of the channel have been provided but from the information supplied the river bank would be very steep. Deculverted stream should be realigned so that it enters the River Wye downstream of the Verco building. The channel should be designed so as to not be straight with a naturalised buffer either side – 10m from the top of the river bank.

Final comments: Not received at the time of drafting the report.

Buckinghamshire County Council (Major SuDS)

Initial comments: Various issues outstanding for which further information is required as detailed in consultation response.

Additional comments: Issues still outstanding requiring the submission of further information as detailed in consultation response.

County Archaeological Service

No objection.

Representations

Amenity Societies

Sands Residents Association

Initial comments: The Sands Residents' Association has severe reservations about this application.

It is accepted that this area is scheduled for employment use in the existing and emerging local plan. However whilst B1 uses are regarded as suitable for land adjacent to residential areas B2 is pushing the envelope.

The buildings in this proposal will back on to 24 or so residential properties, visible from many more and as designed will be overbearing in bulk. This is a very unneighbourly proposal, already off on the wrong foot with a pre-emptive tree felling operation.

The previous proposal for flats on this site at least gave some community gain, with school parking and a footpath route between Chapel Lane and Mill End Road. This application gives nothing.

Although the traffic analysis makes light of it, the exit opposite the school is very unsatisfactory, and here there is a chance to correct a very unsafe exit.

The landscaping, if adequate will considerably reduce the light available to the adjacent properties, so the assessment supplied has to be questioned. It takes no account of the fact that the screening will be between the buildings and the properties, and if it is adequate will reduce the subtended angles of daylight. The drawings in this document are to be questioned, with an apparent mix up between mm and m, and only guesstimates of the building heights in the adjacent properties. In spite of the mass of documentation, there is no properly drawn section of elevations through the site including the adjacent properties, and as scanned it is not possible to determine the exact heights.

Given the difficulties with the noise and odour from the Hillbottom Estate, which is much further away from residential properties than this proposal, there would need to be restrictions on usage. The existing Translux operation has not been neighbourly with lighting problems and noise during night-time hours.

Surface water will need careful design given that the buildings will increase the slab area, and the adjacent Thames Valley Water bore hole. The whole site appears to be in flood zone 2.

It is worth considering that a more neighbourly design could come from siting the buildings adjacent to the factory, and not the housing, since the parking area would require much lower landscaping.

This is a poor development, and should not proceed as designed.

Additional comments: The Sands Residents' Association strongly objects to the revised plans that do little to ameliorate the problems with this proposal.

Specifically:

The site is not suitable for this type of B8 warehousing operation due to the proximity of residential properties.

There would need to be a restriction in the operating hours, given the precedent of the restrictions on the existing smaller Translux operation, to minimise light and noise pollution.

Notwithstanding any limits on operations, any air handling or conditioning units would run continuously which would be unacceptable.

The number of HGV movements forecast would be concentrated on Chapel Lane and will make an unacceptable contribution to the already excessive pollution levels in West Wycombe Road, which has just been named as an Air Quality Management Area (AQMA).

The type of low value employment, which this proposal will generate, will do little to create economic growth for Wycombe.

The treatment of the river does not seem to meet the environment authority requirements.

There appears to have been no soil testing. On previous applications, the presence of heavy metals was said to prevent surface water drainage to soakaways.

The bulk of the development adjacent to the residential properties is overbearing. The overlook drawings, particularly of the larger units, are not acceptable to the adjacent properties. These will seriously reduce the sunlight on to these properties. This also applies to the tall acoustic screens.

Councillor Darren Hayday (BCC)

Initial comments: Objection. Increased congestion associated with the proposed development and would result in the recent Bucks CC project on improving the junctions with West Wycombe Road impotent. Development will impact the safety of school children due to increased vehicular activity. Also noted that there has been lack of consultation over this application which in itself is inappropriate in a residential area.

Additional comments: Objection. Proposed traffic movements and required road improvements would have a major impact on the overall traffic flow from Chapel Lane to the A40. HS2 construction traffic will also be using the same roads and cumulative traffic will have a severe impact. Unfair for the tax payer to foot the bill for any road scheme attached to potential planning permission. BCC should also not pay for any newly adopted road, ongoing maintenance or any further associated costs.

Friends of Millbrook School

Objection. Local roads under too much pressure already, concerns over increased levels of noise and pollution, parking for cars and lorries of the scale proposed inappropriate in residential area, Mill End Road entrance/exit close to school crossing patrol, Mill Lane and local roads used during the weeks by our families.

Millbrook School Parent Council

Mill End Road is the nucleus of many activities involving children and their parents/carers and the core area for many community events and services. It is already a busy road operating at full capacity from lorries and large vehicles from Eros and Grant and Stone. To consider adding another industrial/commercial site is utter lunacy and the Parent Council of Millbrook School strongly object to the planning application.

A total of 26 letters of representation have been received from local residents objecting to the initial proposals on the following grounds:

- Impact on the amenities of local residents and local school children from pollution associated with the development;
- Increased congestion on the roads from HGVs associated with the development and subsequent impact on safety of local school children attending Millbrook Combined School on Mill End Road;
- Height of the buildings proposed out of keeping with the area and too close to residential

properties;

- Overlooking into neighbouring gardens from proposed buildings;
- Loss of outlook from residential properties as a consequence of proposed development;
- Reduction in sunlight/daylight as a consequence of proposed buildings – particularly due to their height and positioning within the site;
- No consultation with local residents prior to submission;
- No considered for noise or congestion associated with the development;
- Impact on quality of life for local residents associated with proposed 24/7 operation of the site – particularly from a noise and disturbance standpoint;
- Impact of development on trees along site's southern boundary covered by TPO;
- Development is not beneficial to local residents and out of keeping in a residential area;
- Impact of lighting upon residential amenity during the night;
- Potential decrease in house prices of surrounding properties;
- Cumulative impact of commercial development upon traffic congestion and safety and convenience of pedestrians; particularly children during peak school hours (Grant and Stone, Verco factory and proposed development at site);
- Impact on local environment;
- Fumes associated with the development and impact upon health of local residents; particularly children;
- Poor quality of plans and lack of elevation/conceptual plans to give a full grasp of the impact cause by the proposed development;
- Impact upon protected species, particularly slow worms within close proximity to application site;
- Impact upon air quality – objection from Environmental Health noted;
- Little consideration given for groundwater and potential contamination of tributaries to River Wye;
- Site should be used instead for providing affordable homes;
- Highway capacity already at breaking point – potential for further accidents.

Following re-consultation with local residents, a further 22 letters of representation have been received objecting to the revised proposals. In addition to the comments listed above, the following further issues have also been noted:

- Do not agree that development would only be viable if allowed to operate on a 24/7 basis;
- Overdevelopment of the site;
- Proposed treatment of the river does not meet the Environment Agency's requirements – no soil testing
- Revised plans in relation to building heights and located do little to alleviate the impact of the proposals upon the amenities of neighbouring properties; particularly with regards to light, outlook and the loss of existing outward views;
- Little economic benefit associated with the development;
- Potential for the site to be better used for more creative, entrepreneurial purposes;
- Deculverting of the stream could potentially affect the stream flow and result in flooding or the stream drying up;
- Limited information on how proposals would affect area to the immediate south bordering the site (i.e. rear of properties along Penmoor Close);
- Area unsuitable for this form of development – would be better suited in areas such as Cressex;
- 24/7 operation of the site should not be considered – inappropriate for residential area;
- Amended plans further highlight the impact of the buildings upon residential properties;
- Proposed noise barriers are excessive, out of keeping and will impact neighbouring amenity;
- No consideration for trees covered by TPO; particularly Willow tree;
- Lack of consultation with local residents;

- Amended plans for little to alleviate impact of additional HGV traffic associated with proposed development;
- Noise impact associated by the development; particularly from proposed 24/7 operations at the site.