

Contact: Lucy Bellinger DDI No. 01494 421525  
App No : 14/07003/FUL App Type: Full Application  
Application for : Demolition of existing building and hard standing and erection of a mixed use development comprising 9 x 2 bed apartments and 2 x 1 bed apartment and Class A1 (shops) at ground floor (956.9 sqm) with associated parking, manoeuvring, landscaping and ancillary facilities  
At Windsor House 33 - 39 Spittal Street Marlow Buckinghamshire SL7 3HJ  
Date Received : 20/08/14 Applicant : Shanly Group  
Target date for Decision 19/11/14

## 1. **Summary**

- 1.1. The principle of a mix use development comprising retail and residential is acceptable on this site. The following aspects of the proposal are considered to be acceptable:-
- Quality of design and layout which respects and reflects the adjacent Conservation Area
  - Quality of living environment
  - Safeguard the amenity of adjacent occupiers and users
  - Access, servicing and parking arrangements
  - Satisfy sequential and impact test for retail
  - Impact upon heritage assets of archaeological interest
  - Contamination and pollution
- 1.2. The development would accord with development plan policy and is recommended for approval subject to a number of planning conditions. It is considered that the development would be a good use of a town centre site and constitute sustainable development for which there is a presumption in favour, as set out within the National Planning Policy Framework (NPPF).

## 2. **The Application**

- 2.1. Planning permission is sought for the demolition of the existing three storey office building which occupies the site and the erection of a mixed use development comprising 11 flats and a ground floor retail unit of 956.9 sqm.
- 2.2. The proposal would include basement parking with 24 parking spaces which will be accessed via a car lift. The ground floor will incorporate a retail unit which will be accessed by customers from Spittal Street. Communal staircase access to the flats will be provided via Spittal/Dean Street. The first and second floor will each accommodate 5 flats, whilst the third floor would accommodate one flat and a communal amenity deck area. The rear portion of the site would provide a courtyard area providing vehicle access to basement car parking and a two storey building would provide ancillary accommodation to the retail unit, such as storage & staff facilities.
- 2.3. The application is accompanied by:
- a) Planning and Retail Statement

- b) Design and Access Statement
  - c) Transport Statement
  - d) Parking Provision Note
  - e) Marketing Statement and details
  - f) Energy Statement
  - g) Statement of Community Involvement
  - h) Drainage Statement
  - i) Archaeological Desktop Assessment
  - j) Site Waste Management Plan
- 2.4. The application has been amended by the applicant on several occasions in response to officer, consultee and third party comments. By way of summary, the applicant has responded to criticisms about layout, appearance, pedestrian entrances, private amenity space, single aspect flats, servicing and manoeuvring space and archaeology.
- 2.5. The applicant has carried out a community consultation exercise which included an exhibition. The Council has also widely consulted on the planning application and the responses are summarised in Appendix A of this report and are available in full on our web site.

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

- 3.1. In accordance with paragraphs 186 and 187 of the NPPF Wycombe District Council (WDC) take a positive and proactive approach to development proposals focused on solutions. WDC work with the applicants/agents in a positive and proactive manner by:
- offering a pre-application advice service,
  - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions, and,
  - by adhering to the requirements of the Planning & Sustainability Customer Charter
- 3.2. In this instance:
- The applicant was provided with opportunities to submit amendments to the scheme/address issues.
  - The application was considered by the Planning Committee.

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

- 4.1. 14/05458/FUL, Demolition of existing building and erection of a mixed use development comprising 4 x 3 bed dwellings, 1 x 3 bed flat and 9 x 2 bed flats and Class A1 (shops) and/or Class A3 (Restaurants & Cafes) at ground floor (440 sqm) with associated parking, manoeuvring, landscaping and ancillary facilities, application withdrawn July 2014.
- 4.2. 13/06278/PAJ, Prior notification application (Class J) for change of use of existing building falling within Class B1(a) (offices) to Class C3 (dwellinghouses), approved prior approval not required July 2013.

- 4.3. 12/006102/FUL, Change of use of ground floor (part) from B1 (office) to two A1 retail units with associated external and internal alterations, approved June 2012.

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

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

CSDPD: CS1 (Overarching principles - sustainable development), CS2 (Main principles for location of development), CS10 (Town centre hierarchy), CS12 (Housing provision)

DSA: DM1 (Presumption in favour of sustainable development), DM6 (Mixed-use development), DM7 (Town Centre Boundaries), DM8 (Primary Shopping Areas), DM10 (Thresholds for the assessment of schemes for town centre impact)

- 5.1. The site occupies a town centre location where town centres uses, such as retail are acceptable in principle. The site is located just outside the designated primary shopping area but planning policy would allow retail in this area providing it complies with the sequential and impact tests. Officers are satisfied that the scheme passes the sequential test as there are no suitable sequentially preferable sites available for the proposed development within the town centre.
- 5.2. The application is accompanied by a retail assessment which adequately demonstrates that the development would not have a significant adverse impact on Marlow town centre both in relation to town centre investment and the vitality and viability of the town centre, which is the test to be applied under the National Planning Policy Framework paragraph 26.
- 5.3. The proposal is acceptable in terms of both national and local retail policy. The provision of housing within a town centre location is also acceptable.

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

ALP: H9 (Creating balanced communities)

CSDPD: CS13 (Affordable housing and housing mix), CS21 (Contribution of development to community infrastructure)

Planning Obligations Supplementary Planning Document (POSPD)

- 5.4. The scheme would be below the policy threshold so would not require the provision of affordable housing. In terms of housing mix the scheme would comprise one and two bedroom flats, which is considered to be appropriate and reflective of the town centre location.

### **Employment issues**

CSDPD: CS11 (Land for business)

DSA: DM5 (Scattered business sites)

- 5.5. The existing office premises on the site have been vacant for quite some time and marketing activity has been carried out since 2012. The ground floor already has the benefit of planning permission for change of use from office to retail (ref 12/06102/FUL) and regard should also be had to the fall back position that the remaining office floorspace can be converted to residential under permitted development rights.
- 5.6. A number of design and layout aspects (including lack of lift & limitations on internal configuration) of the existing office accommodation curtail its attractiveness to occupiers and further reduce the likelihood of the premises being practicable for employment generating use.

- 5.7. Overall, it is considered that it has been demonstrated that the use of the premises as an office is no longer practicable. The inclusion of a retail element within the proposed development would provide an employment generating opportunity which is an acceptable town centre use. The mix of uses would not be detrimental to and compatible with surrounding land uses. As such the proposal would accord with planning policy.

### **Transport matters and parking**

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

CSDPD: CS16 (Transport), CS20 (Transport and Infrastructure), CS21 (Contribution of development to community infrastructure)

DSA: DM2 (Transport requirements of development sites)

### Highway network capacity and safety

- 5.8. The County Highway Authority is content that the Transport Statement is sufficiently robust and that local junctions and highway capacity will not be detrimentally affected by traffic associated with the proposal. As such a refusal on the grounds of severe impact on Marlow's highway network could not be justified.
- 5.9. A planning condition is recommended securing details of a management plan for construction traffic which is considered necessary in the interests of highway safety and prevention of congestion.
- 5.10. The development would be accessed via the existing vehicle access onto Dean Street albeit that the access point will be relocated slightly further to the north. This will necessitate some off-site highway works in the form of relocating the existing zebra crossing some 2m north of its current location to maintain pedestrian safety. The Highway Authority is satisfied with this and a planning condition is recommended to secure the timely implementation of the off-site highway works.
- 5.11. The archway will be of sufficient height to allow delivery and servicing vehicles to enter the site and manoeuvring diagrams illustrate that there would be sufficient space for vehicles servicing the shop to enter and turn within the site thereby ensuring that the highway is not obstructed. Whilst vehicles are servicing the shop there would still be sufficient space for residents to access the basement car parking.

### Parking

- 5.12. Twenty four parking spaces would be located within the basement accessed via a car lift. The site is near a number of public car parks and the applicant intends to rely on these and alternative modes of transport to the car and linked trips to serve the retail element. The site is within walking distance of a frequent bus service and the railway station is also within reasonable walking distance. Local cycle trips are also an option with the terrain being relatively flat.
- 5.13. Surveys of existing public car parking capacity have been undertaken and submitted with the application. These demonstrate that there is capacity within existing town centre car parks.
- 5.14. In terms of the level of residential parking provision, the local plan would require a maximum of 20 spaces to serve the flats and 16 spaces to serve the retail store. By way of a comparison the draft County parking standards would

suggest an optimum provision of 21 residential spaces and 25 for the retail. Separate parking provision to solely serve the retail element would not be expected in a town centre location where trip linkage and the use of existing town centre parking should be the focus.

- 5.15. The applicant has addressed concerns regarding the functionality of the basement parking demonstrating that there would be sufficient manoeuvring space. The same can be said for the courtyard area and vehicles servicing the shop.
- 5.16. Comments have been made in relation to the loss of existing parking provision to the rear of 27 – 31 Spittal Street. This is private parking provision which is leased by the applicant to local businesses. A total of seven parking spaces are privately leased. The applicant has confirmed that the one space leased to 31 Spittal Street (Subway sandwiches) will be re-provided off-site on nearby land within the applicant's control. Any remaining users will have to rely upon existing parking provision available within the town centre or find alternative means.
- 5.17. Taking account of the town centre location, alternatives to car travel and availability of public car parking, it is considered that the amount of parking provision would be sufficient to serve the development. The Highway Authority has not raised a highway safety concern from potential displaced parking. A refusal on the grounds of inadequate parking provision could not be justified.
- 5.18. Cycle parking storage will be accommodated within the basement which would be adequate subject to a planning condition securing its provision.
- 5.19. A bin storage building is proposed adjacent to the rear northern boundary shared with 8 Klondyke. The occupiers of this property have raised concerns about the position of this and impact upon their amenity. Half of the length of the bin store would abut an adjacent outbuilding and planning conditions are suggested restricting the store opening hours which would as a consequence restrict commercial use of the bin store. It is considered that the position and use of the bin store would not result in an unreasonable loss of amenity for the neighbouring property.

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

ALP: G3 (General design policy), G7 (Development in relation to topography), G8 (Detailed Design Guidance and Local Amenity), G10 (Landscaping), G11 (Trees), G26 (Designing for safer communities), HE11 (Development Adjoining Conservation Areas), Appendix 1

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

DSA: DM11 (Green networks and infrastructure), DM16 (Open space in new development)

Housing intensification SPD

- 5.20. The site is located adjacent to Marlow Conservation Area as such new development is expected to respect the character and appearance of the conservation area.
- 5.21. It is considered that the overall scale of the proposed development is appropriate given both its context and the existing buildings currently on site. The building will project further forward within the site frontage than the existing office but will follow the existing established building line within Spittal Street. The four storey Georgian block is the most prominent feature of the scheme and will form a key gateway/focal point in views along Chapel Street which is one of the main entrances to the town. Three dimensional representations of

the scheme and street scene views demonstrate that this element will work in its context and overall the scheme would not appear unduly prominent or out of scale.

- 5.22. The scheme has been amended to ensure that it provides a clear communal pedestrian entrance onto the street to serve the flats. Secondly, a pedestrian route from Spittal Street will be retained so that the existing flats at 31 Spittal Street can easily be accessed rather than having to divert through the new development. The scheme would also not protrude into the existing extent of the highway/pavement.
- 5.23. The design of the rear service building has been amended to ensure that it is not heavy and oppressive. The eaves height has also been reduced in response to reducing the scale of the building and minimising impact upon the adjacent Methodist Church.
- 5.24. The scheme has taken the approach of trying to fit in with the context using historical clues from the surrounding area, which is considered to be an appropriate response. To be successful the scheme will need to be constructed to a high level of detail and quality. To ensure this a number of detailed planning conditions covering aspects such as window details and brickwork are recommended to ensure that the detail is properly executed. It is considered that such planning conditions are necessary and will ensure a high quality finish.
- 5.25. In summary it is considered that the proposal would respect and reflect the character and appearance of the adjacent conservation area, would be compatible with the surroundings by reference to scale, form, building materials and architectural detail. The inclusion of planning conditions will ensure a sufficiently high standard of design and layout.

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

ALP: G8 (Detailed design guidance and local amenity), H19 (Residents amenity space and gardens), G15 (Noise), G16 (Light pollution), Appendix 1

CSDPD: CS18 (Waste, natural resources and pollution), CS19 (Raising the quality of place shaping and design)

Housing intensification SPD

- 5.26. The scheme has also been amended to minimise the number of single aspect flats thereby alleviating concerns about living quality in terms of daylight, aspect, outlook and ventilation.
- 5.27. Where feasible, flats would be provided with private amenity space in the form of a terrace or balcony to the rear of the building. It is not feasible in this instance to provide every flat with a balcony, as the inclusion of balconies to the Spittal Street elevation would be subject to unacceptable noise and air pollution. Residents would have access to a large communal amenity deck on the third floor. Overall, it is considered that residents would be provided with appropriate outdoor amenity space taking account of the town centre location of the site.
- 5.28. Properties to the rear would be over 35 m away and the retail outbuilding would also obscure direct views. The east side boundary of the site is shared with the Marlow Methodist Church. The church has 3 Velux windows to the roof and 3 high-cill windows which light the church hall. The proposed new building would be set 5m off the existing church boundary which currently comprises a 1.8-2m high close boarded fence. The applicant has sought to reduce the bulk of the service building by dropping the eaves height adjacent to the church and

proposing screening to balconies. It is considered that the relationship between the new development and church hall is acceptable and would not result in unreasonable overshadowing or overlooking. The on-going use of the church hall would not be prejudiced.

- 5.29. A number of planning conditions are recommended to ensure that future occupiers of the flats and adjacent occupiers are not subjected to unreasonable noise disturbance from the retail unit. Planning conditions are recommended in relation to hours of deliveries, opening hours and plant noise. Traffic noise from Spittal Street will also need to be mitigated against noise by appropriate glazing and means of ventilation, the details of which can be controlled by planning condition.

### **Environmental issues**

CSDPD: CS18 (Waste, natural resources and pollution)

- 5.30. The Environmental Health Officer has highlighted that the site has a history of industrial/commercial use and therefore there is a risk of residual contamination. In order to assess and appropriately deal with any risk a planning condition is recommended to ensure that potential contamination is properly investigated and mitigated.

### **Flooding and drainage**

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

DSA: DM17 (Planning for flood risk management)

- 5.31. The site is located in flood zone 1 (low probability). Therefore the development is acceptable in relation to flood risk.
- 5.32. Thames Water has confirmed that they do not object to the proposal in relation to sewerage and water infrastructure capacity.
- 5.33. The development would incorporate appropriate Sustainable Drainage Systems (SUDs) measures, the detail of and future implementation and maintenance should be secured by planning condition.

### **Archaeology**

CSDPD: CS17 (Environmental Assets)

- 5.34. The application is accompanied by a desk based archaeological assessment. Both this document and the County Archaeologist identifies that the site has the potential to include heritage assets of archaeological interest, with the interest relating to the sites location on the edge of the medieval town. In response to a request from the County Archaeologist the applicant has undertaken archaeological evaluation which has recovered medieval assets. Given that further buried archaeological features could be discovered during ground work, a planning condition requiring appropriate archaeological investigation during construction is recommended.

### **Ecology**

CSDPD: CS17 (Environmental assets)

DSA: DM14 (Biodiversity in development)

- 5.35. The site has very low ecological value being devoid of any greenery. A landscaping scheme is included with the application which includes some tree planting and shrubbery. Although planting would be limited it would be an

improvement over the existing situation and serve to soften a harsh town centre site. Planning conditions would be necessary to secure the detail and implementation of landscaping.

### **Building sustainability**

CSDPD: CS18 (Waste, natural resources and pollution)

DSA: DM18 (Carbon reduction and water efficiency)

Reducing the environmental footprint of new development in Wycombe District

- 5.36. 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.
- 5.37. Policy DM18 requires that the development will be required to deliver a minimum of 15% reduction in carbon emissions on site through the use of decentralised and renewable or low carbon sources and achieve a water efficiency standard equivalent to Level 3 and 4 of the Code for Sustainable Homes for the residential element and BREEAM “Excellent” for the non-residential element.
- 5.38. An Energy Statement has been submitted which states that PV panels are likely to be installed. This matter could be adequately secured by a planning condition seeking submission of full details of the carbon reduction scheme. Equally so, the water efficiency standard set out within policy DM18 could also be secured by a planning condition. Such planning conditions are considered to be necessary and reasonable and should be imposed should planning permission be forthcoming.

### **Infrastructure and Developer Contributions**

CSDPD: CS21 (Contribution of development to community infrastructure)

DSA: DM19 (Infrastructure and delivery)

- 5.39. The development is a type of development where CIL would be chargeable. It is considered that there would not be other types of infrastructure that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.

### **Recommendation: Application Permitted**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason.  
To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
- 2 This permission is in respect of the application as amended by drawing numbers WHM\_PLN-FH\_002, WHM\_PLN-FH\_003, WHM\_PLN-FH\_005, WHM\_PLN-FH\_004, 1391/01C, 1391/02E, 1391/03E, 1391/04D, 1391/05D, 1391/06D, 1391/07E, 1391/08C, 1391/09A, 1391/10, 1391/11A, 1391/12, 1391/13A, 1391/14, 1391/15A, 1391/16C.  
Reason.  
For the sake of clarity.



- 3 Prior to occupation of the development the new means of access shall be altered in accordance with the approved drawing and constructed in accordance with Buckinghamshire County Council's guide note "Commercial Vehicular Access Within Highway Limits 2013."  
Reason.  
In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.
- 4 No other part of the development shall commence until the off-site highway works shown in principle on drawing 13-T064 09 Rev B, which includes relocating the existing zebra crossing, have been laid out and constructed in accordance with details to be first approved in writing by the Local Planning Authority in consultation with the Highway Authority.  
Reason.  
This is a pre-commencement condition as development cannot be allowed to take place, which in the opinion of the Highway Authority, could cause danger, obstruction and inconvenience to users of the highway and the development.
- 5 Within one month of the altered access being brought into use following the first occupation of any unit on site, all parts of the existing access point not incorporated in the development hereby permitted shall be stopped up by removing the existing bellmouth and reinstating the footway and highway boundary to the same line, level and detail as the adjoining footway and highway boundary.  
Reason.  
To limit the number of access points along the site boundary for the safety and convenience of the highway user.
- 6 Notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking or re-enacting that Order) no gates or other means of enclosure shall be erected on the site access.  
Reason.  
To enable vehicles to draw off clear of the highway for the safety and convenience of the highway users.
- 7 The scheme for parking, garaging and manoeuvring and the loading and unloading of vehicles shown on the approved plans shall be laid out prior to first occupation/operation of the development hereby permitted and that area shall not thereafter be used for any other purpose.  
Reason.  
To enable vehicles to draw off, park, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.
- 8 Prior to the commencement of any works on the site, a plan detailing the management of construction traffic, including deliveries and parking of site operatives vehicles, shall be submitted and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with such approved management plan, unless otherwise first agreed in writing by the Local Planning Authority.  
Reason  
This is a pre-commencement condition as development cannot be allowed to take place, which in the opinion of the Highway Authority, could cause danger, obstruction and inconvenience to highway users.

- 9 The facilities for the storage of refuse bins shall be provided in accordance with the approved plans before the development that they relate to is first occupied and thereafter the facilities shall be permanently retained.  
Reason.  
To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents.
- 10 No development shall take place until the applicant or their successors in title have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted and approved in writing by the local planning authority.  
Reason.  
This is a pre-commencement condition as development cannot be allowed to take place, which in the opinion of the County Archaeological Officer could harm a heritage asset's significance.
- 11 The development hereby permitted shall not be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:  
a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;  
b) include a timetable for its implementation; and  
c) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.  
Reason.  
To ensure that the development does not increase the risk of flooding.
- 12 Notwithstanding the detail illustrated on drawing 15A, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The development shall be implemented in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.  
Reason.  
In the interests of amenity and to ensure a satisfactory standard of landscaping.
- 13 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees, plants or areas of turfing or seeding which, within a period of 3 years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.  
Reason:  
In the interests of amenity and to ensure a satisfactory standard of landscaping.

- 14 The development shall be carried out in accordance with the surfacing materials illustrated on approved drawing 15A, unless otherwise first agreed in writing by the Local Planning Authority.  
Reason.  
In the interests of amenity and to secure a satisfactory standard of landscaping.
- 15 A carbon reduction scheme for delivering a 15% reduction in carbon emissions on site through the use of decentralised renewable and/or low carbon sources shall be submitted to and approved in writing by the Local Planning Authority before first occupation of the development. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development, unless otherwise first agreed in writing by the Local Planning Authority.  
Reason.  
In the interests of sustainability.
- 16 The following shall be submitted to and approved in writing by the Local Planning Authority before any development takes place:  
a) A detailed site investigation has been carried out to establish:-  
i) If the site is contaminated;  
ii) To assess the degree and nature of the contamination present;  
iii) To determine the potential risks to human health, the water environment, the natural and historical environment, and buildings and other property by contaminants.  
Such detailed site investigation to accord with a statement of method and extent which shall previously have been agreed in writing by the Local Planning Authority and  
b) The results and conclusions of the detailed site investigations referred to in (a) above have been submitted to and the conclusions approved in writing by the Local Planning Authority and  
c) A scheme showing appropriate measures to prevent the pollution of the water environment, to safeguard the health of intended site users, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation and approved conclusions has been submitted to and approved in writing by the Local Planning Authority.  
Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in (c) above.  
Reason:  
This is a pre-commencement condition as development cannot be allowed to take place which could cause contamination risk to future site occupiers and to controlled waters.
- 17 The development, hereby permitted, shall be designed and constructed to meet a water efficiency standard equivalent to 'excellent' under the BREEAM rating with a maximum number of water credits for the retail element and a standard of 105 litres per head per day for the residential element.  
Reason  
In the interests of water efficiency and sustainability.

- 18 A scheme to protect the proposed development from traffic noise from Spittal Street shall be implemented before any part of the accommodation hereby approved is occupied, unless the Local Planning Authority otherwise agrees in writing. The scheme shall ensure the indoor ambient noise levels in living rooms and bedrooms meet the good standard in BS 8233:2014 of 30dB LAeq for the appropriate time period. Unless otherwise agreed in writing with the Local Planning Authority it shall be assumed that the existing noise level at the facade of the proposed development is 72dB LAeq16 hour and 66dB LAeq, 8 hour. The scheme shall include mechanical ventilation to meet the requirements of the Noise Insulation (Amended) Regulations 1988.  
Reason  
To protect the occupants of the new development from noise disturbance.
- 19 A scheme to protect the proposed development from plant noise associated with the ground floor commercial unit shall be implemented before any part of the accommodation hereby approved is occupied, unless otherwise agreed in writing by the Local Planning Authority. The scheme shall ensure the indoor ambient noise levels in living rooms and bedrooms meet the good standard in BS8233:2014 of 30dB LAeq for the appropriate time period.  
Reason.  
To protect the occupants of the development from noise disturbance.
- 20 A scheme which specifies the provisions to be made for the control of noise emanating from any plant to be installed shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any plant. The target levels for the plant would be that the rating level (defined in BS4142) be at least 5dB below the background noise level at the existing nearest residential property. In the event of tonal emissions, a 5dB penalty shall apply therefore making the specific noise level at least 10dB below the minimum background (LA90) level. Thereafter any plant associated with the use shall not commence until the approved scheme has been implemented.  
Reason.  
To protect nearby occupants from noise and disturbances.
- 21 The use of the retail premise shall be restricted to the hours of 08:00 to 22:00 Monday to Saturday and 10:00 to 18:00 on Sunday and Bank or Statutory Holidays.  
Reason.  
In the interests of the amenities of adjoining residents.
- 22 Deliveries to the retail premise shall be restricted to the hours of 07:00 to 19:00 Mondays to Fridays and 07:00 to 13:00 on Saturdays.  
Reason.  
In the interests of the amenities of adjoining residents.
- 23 All new windows and external joinery including eaves and cornices, where applicable, shall be painted timber unless otherwise first agreed in writing by the Local Planning Authority.  
Reason.  
To secure a satisfactory external appearance.
- 24 All rainwater goods shall be black powder coated metal or cast iron, unless otherwise first agreed in writing by the Local Planning Authority.  
Reason.  
To secure a satisfactory appearance.

- 25 Samples of all facing materials and finishes as informed by those illustrated on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority before any external finishing work takes place. Thereafter the development shall only be carried out in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.  
Reason.  
To secure a satisfactory external appearance.
- 26 Sample panels measuring at least 1.5m x 1.5m for the bricks and their pointing and for the proposed render shall be constructed on site and shall be approved in writing by the Local Planning Authority before any external finishing work takes place. The development shall thereafter take place only in accordance with the approved details.  
Reason.  
To secure a satisfactory external appearance.
- 27 The development shall be carried out in accordance with the approved typical window detail illustrated on drawing 10, unless otherwise first agreed in writing by the Local Planning Authority.  
Reason.  
To secure a satisfactory external appearance.
- 28 Typical architectural detail of the cornice, parapet wall and roof ridge at a scale of 1:10 or 1:20 shall be submitted to and approved in writing by the Local Planning Authority before any external finishing work takes place. Thereafter the development shall be carried out in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.  
Reason.  
To secure a satisfactory external appearance.
- 29 Flats 1 and 6 shall not be occupied until 1.8 m high obscure screening as illustrated on approved drawings 1391--07E and 08C has been erected to the balcony/terrace serving that flat. The screening shall be permanently retained in that condition thereafter.  
Reason.  
In the interests of the amenity of neighbouring occupiers.

#### INFORMATIVE(S)

- 1 In accordance with paragraphs 186 and 187 of the NPPF Wycombe District Council (WDC) take a positive and proactive approach to development proposals focused on solutions. WDC work with the applicants/agents in a positive and proactive manner by;
- \* offering a pre-application advice service,
  - \* as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions, and,
  - \* by adhering to the requirements of the Planning & Sustainability Customer Charter.

- 2 It is contrary to section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system.
- 3 The applicant is advised that the off-site works will need to be constructed under a section 278 of the Highways Act legal agreement. This agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 8 weeks is required to draw up the agreement following the receipt by the Highway Authority of a completed Section 278 application form. Please contact the Transport Development Control Section at the following address for information:-  
  
Development Management, Buckinghamshire County Council, 9th Floor, County Hall, Walton Street, Aylesbury, Buckinghamshire, HP20 1UY  
Tel: 01296 395000
- 4 It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.
- 5 No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.
- 6 You are advised to contact the Environmental Health Section of the Environment Service on 01494 421737 in order to ensure that all regulations, licensing, etc is carried out in order to comply with the requirements of the Food Hygiene (England) Regulations 2006.