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App No : 18/06705/FUL App Type: Full Application

Application for : Demolition of existing building, erection of 9 x 2-bed & 1 x 1-bed flat with associated parking, bin/cycle stores, amenity areas and creation of new garden area to 3 Rosebery Avenue

At Frank Hudson and Son, Rosebery Avenue, High Wycombe, Buckinghamshire, HP13 7AH

Date Received : 31/07/18 Applicant : Mr Tim Hudson – Hudson Trust Fund

Target Date: 30/10/18

1. **Summary**

- 1.1. The application is to demolish a furniture factory and replace it with flats.
- 1.2. The application is recommended for refusal due to conflict with policies that protect the historic environment and due to the lack of an agreement to secure affordable housing.

2. **The Application**

- 2.1. The proposal comprises the demolition of the existing factory building, the erection of 9 two bedroom and 1 one bedroom flat with associated parking, bin/cycle stores, amenity areas and creation of new garden area to 3 Rosebery Avenue. The factory is currently occupied.
- 2.2. A three storey building is proposed. The proposed building is of a modern design with a flat roof. Five of the flats would be dual aspect and five would be single aspect. A central stair core would serve all of the flats.
- 2.3. A vehicle access running under the building at ground floor level is proposed to the southern side of the building. This would provide access to the bin store area and to a rear car parking area. This would comprise 11 car parking spaces. Four of the spaces would be partly beneath the building at ground floor level. A secure cycle store would be provided to the rear of the building providing 19 cycle stands.
- 2.4. The flats would all be provided with balconies. One ground floor flat would also be provided with a small garden and a new garden area would be created to serve 3 Rosebery Avenue. There is also a small grassed amenity space of about 25 sq. m. in the car park.
- 2.5. The application is accompanied by:
 - a) Surface Water Drainage Pro-Forma
 - b) Planning and Design and Access Statement
 - c) Transport Assessment
 - d) Drainage Investigation Factual Report
 - e) Flood Risk and SuDS Statement
 - f) Ecology Wildlife Checklist
 - g) Heritage Statement

- 2.6. The drawings have been amended to increase the size of the balconies.
- 2.7. 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.

3. Working with the applicant/agent

- 3.1. In accordance with paragraph 38 of the NPPF Wycombe District Council (WDC) approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. WDC work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 3.2. In this instance
 - The applicant/agent was updated of any issues after the initial site visit, resulting in the submission of a heritage statement.
 - The application was considered by the Planning Committee.
 - Amended plans were received increasing size of balconies and aligning fenestration.

4. Relevant Planning History

- 4.1. 08/05885/FUL- Demolition of factory and redevelopment of site to provide block comprising of 6 two bed flats with associated parking. Four bed detached town house with integral garage. Bin store and cycle store. Construction of vehicle access. Refused by reason of:
 1. In the opinion of the Local Planning Authority the applicant has failed to demonstrate that the loss of this scattered employment site is justified. As such the development would result in the loss of an employment generating site which would be detrimental to the general employment levels within the District.
 2. In the opinion of the Local Planning Authority the proposed development would, by virtue of the layout, scale and appearance of the proposed buildings, result in an incongruous development form out of keeping with the character of the area and visually intrusive on the street scene. The proposed town house would also present a stark north facing wall dominating the entrance to the site, and incorporates an integral garaged frontage which would present a parking dominated appearance out of keeping with the character of the area. Furthermore then proposed rear parking area would, by virtue of its scale would dominate the rear of the site resulting in a detrimental feature out of keeping with the character of the area.
 3. In the opinion of the Local Planning Authority the proposed development would, by virtue of its layout, scale and appearance, present an overbearing feature detrimental to the residential amenities of the occupiers of 3 Rosebery Avenue. Furthermore by virtue of the above factors the development would also result in a loss of privacy detrimental to the occupiers of 12, 13 and 14 Pinions Road and the occupiers of Riverlock Court. Furthermore the siting of the proposed parking layout would also result in a level of noise and disturbance detrimental to the enjoyment of the private rear garden of 3 Rosebery Avenue.
 4. In the opinion of the Local Planning Authority the proposed development would, by virtue of its layout and scale, fail to afford an acceptable level of private amenity

space for the occupiers of the proposed flats and town house. Furthermore the relationship with the adjoining flats at Riverlock Court would result in an unacceptable level of overlooking within the proposed flats. The development also fails to provide a secure level of cycle storage within the site given the highly visible location and open nature of the storage area.

5. In recognising the problems associated with increasing demand on highways, education and other infrastructure, the Council has adopted a Supplementary Planning Document aimed at providing improvements or additions to this infrastructure. This requires development to make a commensurate contribution towards this infrastructure where the proposal would otherwise have an unacceptable impact on the provision of these services. In the absence of a S106 Planning Obligation or other agreement to secure a contribution towards: transport; Open Space; Education (secondary); Indoor Sport and Leisure; Fire Services and Environmental Schemes, this proposal would undermine the objectives of the strategy and would have an unacceptable impact on these services. Accordingly the proposal is contrary to policies IN1 and TR1A(g) of the Buckinghamshire County Council Structure Plan, policies G2, H7 & T1 of the adopted Wycombe District Local Plan (as saved and extended), policies 22 and 23 of the Emerging Core Strategy and the requirements of the Wycombe Development Framework Developer Contributions Supplementary Planning Document (Adopted April 2007).

- 4.2. 08/07650/FUL- Demolition of factory and redevelopment of site to provide 5 x 3 bed houses with associated parking. Construction of vehicle access. Withdrawn.

5. Issues and Policy considerations

Development Plan Framework

- 5.1. For the purposes of considering this application the relevant parts of the Development Plan are the Wycombe Development Framework Core Strategy (July 2008), the Wycombe District Local Plan (January 2004) and the Delivery and Site Allocations Plan (July 2013).
- 5.2. The New Local Plan Submission Version – March 2018. The emerging policies of the New Local Plan should be given some weight in any planning decisions as a material consideration.

Historic environment

ALP: HE1 (Demolition of listed building), HE2 (Alterations and extension to listed building), HE5 (Local list buildings)

CSDPD: CS17 (Environmental assets)

New Local Plan (Submission Version): CP9 (Sense of place), CP11 (Historic Environment), DM31 (Development Affecting the Historic Environment)

- 5.3. The Frank Hudson site includes a former furniture factory, yard and workshop. The site includes a two storey rear wing built before 1925 and a three storey brick building fronting Rosebery Avenue built between 1925 and 1934. By virtue of its use (as a furniture factory), height and appearance, it is a prominent building in a street that is otherwise developed with semi-detached housing. The building is not listed but is contained on the Council's local list.

- 5.4. The County Archaeologist has recommended that a planning condition be attached to any planning approval requiring investigation and recording of the building due to its value as a former furniture factory.
- 5.5. The historic development of the site is set out in the Conservation Officers report which is attached as part of the consultation response. The report sets out:
 - (a) The architectural interest of the premises
 - (b) The communal interest as part of High Wycombe's furniture industry, and
 - (c) An assessment of the proposal.
- 5.6. The building was added to Wycombe District Council's List of buildings of local architectural or historic interest on 28 June 2019 in response to the threat of demolition. The criteria for adding a building to a local list are set out in the Wycombe Local Plan and the premises was considered to sufficiently meet the criteria.
- 5.7. Local plan Policy HE5 states that the Council will maintain a local list of buildings and when determining a planning application will have regard to the contribution made by the building to the local scene or local historical associations.
- 5.8. The application proposes the demolition of the buildings on the entire site. In recent years many former furniture factory buildings have been demolished and the Frank Hudson premises is considered to be a rare survivor of an increasingly diminishing building type.
- 5.9. The three storey block and rear workshop were added to the local list (the single storey element to the side covering the former yard is not of interest) because the factory is a locally distinctive building of character, a typical example of High Wycombe's Industrial furniture heritage, one of only a few remaining, and association with Frank Hudson to High Wycombe. It also has communal and social value as an employer within High Wycombe.
- 5.10. The designation of a building on a local list does not confer statutory protection to a building. However, the building's inclusion on the local list means that it should be regarded as a non-designated heritage asset and as such its significance is a material consideration in the determination of any planning application.
- 5.11. Paragraph 184 NPPF 2019 states that Heritage Assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 5.12. The applicant has submitted a heritage statement. This assesses the significance of the site as having 'some, limited heritage interest, primarily historical and to a much lesser degree architectural ...with no archaeological or aesthetic interest'. It points to Historic England declining to list the building at national level as confirmation that it is not of architectural significance. The Conservation Officer considers that this somewhat misses the point as buildings associated with the furniture industry were generally characterised by their rudimentary, utilitarian appearance.
- 5.13. It is accepted that there have been alterations to the building. While the original roof covering was slate, it has now been altered to profiled metal sheeting but the essential form and appearance of the building remains substantially intact. Nevertheless, the factory is of significance to a town where the chair making industry had such a profound impact on its economic and social welfare and continues to positively contribute to the historic environment of this part of High Wycombe.

- 5.14. Paragraph 192 of NPPF requires local planning authorities to take into account:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.15. In relation to a) and b), the condition of the building is such that it appears capable of conversion and re-use and no information has been submitted to suggest otherwise.
- 5.16. In regards to c) the site's redevelopment would comprise a single apartment building that neither reflects the footprint nor disposition of the heritage asset on site. At three stories in height across the entire site frontage, it would be conspicuously bulkier than the existing built form and at odds with the street scene. It would result in the total loss of the locally listed building and consequently, it would fail to reinforce local distinctiveness.
- 5.17. In accordance with Para 197 of the NPPF a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset. In this case it is considered that the harm arising from losing the building significantly outweighs the benefits of the new development.

Housing supply and need

Adopted Local Plan (ALP): H2 (Housing Allocations), H4 (Phasing of New Housing Development),

Core Strategy: CS1 (Overarching principles - sustainable development), CS2 (Main principles for location of development), CS12 (Housing provision)

- 5.18. Wycombe District Council is able to demonstrate more than five years' supply of specific deliverable housing sites (from a 31st March 2018 base date). This accords with paragraph 73 of the 2019 NPPF, which requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing.
- 5.19. Paragraph 73 of the new NPPF sets out that "Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old". The most recently adopted strategic housing policies for Wycombe District are in the Core Strategy which was adopted in 2008 and as such they are more than five years old.
- 5.20. The Council submitted the new local plan for examination in March 2018 based on the Objectively Assessed Need (OAN) as set out in the Housing and Economic Development Needs Assessment (HEDNA) Addendum. The plan has been subject to a number of hearing sessions, however, at this stage it still remains the case that until the Council adopts the Local Plan full weight cannot be given to the housing requirements set out in the Local Plan. However the publication of the Main Modifications to the Plan gives an indication of the Inspector's 'direction of travel' and when the Inspector's report is received very substantial weight can be attached to the housing requirements set out in the Local Plan.

- 5.21. As such until the Local Plan is adopted, local housing need is calculated using the standard methodology as set out in the NPPG. The minimum annual local housing need for Wycombe in 2018 is 453 dwellings per year.
- 5.22. The Council can currently demonstrate 5.7 years housing supply.
- 5.23. The Frank Hudson site currently features in the Council's Housing Trajectory as a site that will be developed for housing in the next five years.

Principle of Housing Development, Affordable Housing and Housing Mix

ALP: H9 (Creating balanced communities)

CSDPD: CS1 (Overarching principles - sustainable development), CS2 (Main principles for location of development), CS12 (Housing provision), CS13 (Affordable housing and housing mix), CS21 (Contribution of development to community infrastructure)

DSA: DM1 (Presumption in favour of sustainable development)

New Local Plan (Submission Version): CP1 (Sustainable Development), CP4 (Delivering Homes), DM22 (Housing Mix), DM24 (Affordable Housing), DM41 (Optional Technical Standards for Building Regulations Approval)

Planning Obligations Supplementary Planning Document (POSPD)

Principle of housing development

- 5.24. The site would represent a sustainable site for housing development. It is located within the built up area of High Wycombe close to good quality public transport. Many facilities are easily accessible from the site including employment, shops, leisure, schools, medical and social facilities.

Affordable housing

- 5.25. The development for 10 dwellings falls below the Council's threshold for seeking affordable housing. This is set out in the Core Strategy at policy CS13.
- 5.26. The NPPF changes these thresholds. This sets out that for developments of 10 or more dwellings at least 10% of the homes should be available for affordable home ownership. Under this policy at least one dwelling would need to be made available for affordable home ownership and would need to be secured by a legal agreement. Vacant Building Credit does not apply in this – the premises is not vacant.

Housing mix

- 5.27. Policy CS13 requires that new housing development provides a mix of dwelling size, type and tenure that meets the identified housing needs of the community. The proposed development comprises mainly 2 bed flats with one x 1 bed flat. This is considered to be acceptable given that the site lends itself to higher density flat development rather than family housing and because family housing is already well provided for in the immediate area.

Employment issues

CSDPD: CS11 (Land for business)

DSA: DM5 (Scattered business sites)

- 5.28. The site is a scattered employment site having been used as a furniture factory.

Scattered employment site

- 5.29. The site is located within the urban area of High Wycombe and has no particular designations in the development plan. The immediate surroundings are characterised by a mix of commercial and residential uses. The former factory sites close to the site have

been redeveloped for residential uses. The site is subject to Policy DM5 which protects the Class B employment use of scattered employment sites.

- 5.30. In 2008 an application for residential redevelopment was refused for failure to demonstrate that the loss of this scattered employment site is justified.
- 5.31. Policy DM5 states that planning permission will only be granted for residential uses on scattered employment sites if it has been clearly demonstrated that the re-use of the site for employment uses or uses that deliver economic development such as employment generating sui generis uses, community facilities or main town centre uses are no longer practicable. This is normally achieved by a marketing exercise. No marketing has been undertaken here and the development is contrary to Policy DM5.
- 5.32. The New Local Plan is also relevant to the consideration of the application. The plan is not yet adopted so that the policies do not currently have the same weight as the development plan policies (e.g. Policy DM5).
- 5.33. Policy DM21 relates to the Location of new housing. This states that housing will be supported at sites listed for housing or mixed use with housing listed at Appendix D of the plan. The list includes the Frank Hudson site describing it as a 0.11 ha site and identifies 11 dwellings.
- 5.34. It is considered that the new local plan has reached a stage where weight can be given to it in respect of the Frank Hudson site. It is considered that this up to date emerging plan, which will soon become an adopted plan, is a material consideration that has weight when considering policy DM5 in the adopted DSA.
- 5.35. Your officers therefore consider that no objection should be made on employment policy grounds to the loss of employment land and buildings at this site.

Transport matters and parking

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

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

DSA: DM2 (Transport requirements of development sites)

New Local Plan (Submission Version): CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

- 5.36. The Highway Authority has not objected to the proposal, subject to planning conditions. The highway network serving the site is adequate to accommodate the transport needs of the development.

Layout

- 5.37. The vehicle access can achieve the requisite visibility splays commensurate with the likely vehicle speeds on Rosebery Avenue.

Car parking

- 5.38. Eleven car parking spaces are proposed to serve the 10 flats. The standard required by the Buckinghamshire Countywide Parking Guidance is one space per flat. The proposal is therefore considered to show an adequate number of parking spaces.

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 Amenities), G10 (Landscaping), G11 (Trees), G26 (Designing for safer communities), Appendix 1

CSDPD: CS19 (Raising the quality of place shaping and design)
New Local Plan (Submission Version):CP9 (Sense of place), DM34 (Delivering Green
Infrastructure and Biodiversity in Development), DM35 (Place making and Design Quality)
Residential Design Guidance
Housing intensification SPD

- 5.39. The proposal is located within a street that is predominantly residential of two storey character. Two residential developments that have been completed in the last 20 years on former employment sites in Spring Gardens Road to the rear of the site. These flatted developments are predominantly three storeys in height. Their scale, bulk and height contrasts and is somewhat discordant with the two storey family house character of the surroundings.
- 5.40. The tall existing furniture factory building at the Frank Hudson site on the road frontage is also three storeys but is more slender and has a distinctive simple architectural style. The building that is proposed is a flat roof three storey building. It will have a similar overall height to the neighbouring houses but its bulk is greater because of the depth of the building, its lack of a pitched roof at second floor level, the large windows and balconies on its frontage and because of the scale of its frontage.
- 5.41. Local Plan Policy G3 requires development to respect and reflect the local urban context so as to maintain and reinforce its distinctiveness. Policy C1 of the Residential Design Guide (RDG) aims to use new development to improve or reinforce the existing positive character of the place it is part of. The usefully defines character as:
- Character is a pattern or repeated trait that defines a places identity. It's an essential element or elements that if transgressed dilutes the quality of an area. The key to a successful new development is to find what these essential ingredients are and make sure they are reflected in the new design.
- Designing to improve or reinforce character does not imply to copy what is already there, creating something that is "in keeping". It is instead about reinterpreting the essential positive character traits that define the place (see C2 for more details). Character is not the same as style or about traditional versus contemporary. It's about designing buildings and spaces that feel of the place.
- Contrast can be good. There are some places where character can be ignored or changed, but there need to be good reasons for doing so. For example, in some key locations where something different would aid legibility and place making or where the proposal is of particular high architectural quality.
- However for most schemes we are just looking for something that fits with the current place. Buildings that quietly contribute to the sense of place improving its character.
- 5.42. The bulk and scale of the proposed building is not reflective of its immediate neighbours which are semi-detached Edwardian era houses. The proposed building is much larger and bulkier.
- 5.43. The proposed building draws its design cues from the two recent flatted developments in Spring Gardens Road rather than from the immediate neighbouring dwellings or the existing factory buildings at the site.
- 5.44. The proposed flatted building is similar to many that have been erected in the town in recent years. It is of three storey flat roof appearance with large windows and prominent balconies facing the street. The proposed building will reflect the context of the newer

development nearby. The building is no taller than the ridge of the roofs of the neighbouring houses and although it is much bulkier. On balance it is nonetheless considered the proposed building respects and reflects the local character.

Amenity of existing and future residents

ALP: G8 (Detailed design guidance and local amenity), H19 (Residents amenity space and gardens) Appendix 1

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

Housing intensification SPD

Residential Design Guide

New Local Plan (Submission Version): DM35 (Place making and Design Quality), DM40 (Internal space standards)

- 5.45. The flats are provided with a small area of communal space within the car park. The proposed flats will be served by balconies or ground floor patios (and one ground floor flat will have a small garden). The Residential Design Guide (RDG) Policy F5 requires every flat has its own usable private amenity space which must offer a reasonable degree of visual/acoustic privacy and sunlight. The RDG requires that balconies are at least 1.5m in depth to allow enough room for two people to sit out. The minimum sizes for private amenity space are 4 sq. m. for a 1 bed flat and 6 sq. m. for a two bed flat.
- 5.46. The development provides adequate private amenity space.
- 5.47. Policy F1 of the RDG requires developments to avoid layouts with a predominance of single aspect flats. In this case half the flats are single aspect. However where these occur the flats are wide and not deep, allowing light to penetrate to the rear of the flat and no flat faces north.
- 5.48. RDG Policy F2 is to ensure each ground floor flat has its own independent access onto the street. Small flatted development (4-8 flats) designed to appear as a large dwelling can just have a central access where this reflects the character of the existing area. In this case the building would be too large to appear as one dwelling but is considered to be not so large that a single entrance would appear to provide the street with too few accesses.
- 5.49. The building is close to neighbouring residential property. The relationship of the building to properties in Pinions Road is considered to be acceptable. Obscure glazed windows are proposed in the elevation facing these properties serving en-suites and bathrooms. The sides of balconies also face towards the rear of these properties but these are considered to be located at a suitable distance.
- 5.50. The flat building Riverlock Court is located to the rear of the proposed building. The window to window distances between the existing and proposed flats would be 25.0 metres. Balconies are also located on the elevation of the existing flats that faces the proposed development and the separating distance would be 23.6 metres. The Council's normal standard for window to windows is 25 metres and the development complies with this. The presence of balconies should make little difference to privacy because the space between the two buildings has a semi-public function (as a car park for the proposal and a communal amenity area serving Riverlock Court) thereby reducing privacy for the flats and because balconies are likely to only be used at limited times of the year and day.

Environmental issues

ALP: G15 (Noise), G16 (Light pollution)

CSDPD: CS18 (Waste, natural resources and pollution)

New Local Plan (Submission Version): CP7 (Delivering the infrastructure to support growth), DM20 (Matters to be determined in accordance with the NPPF)

5.51. There are no specific environmental issues of concern. Environmental Services have made no comments on the proposals.

Flooding and drainage

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

DSA: DM17 (Planning for flood risk management)

New Local Plan (Submission Version): DM39 (Managing Flood Risk and Sustainable Drainage Systems)

5.52. The site is located some distance from the River Wye well beyond its floodplain. The data does identify some surface water flooding at the property, mainly on the forecourt but also within the site. The reliability of the surface water data is questioned as the majority of the area identified as subject to surface water flooding is the roof of the building (which is drained in the normal way). The site has been sequentially tested for residential development in the Strategic Flood Risk Assessment.

5.53. The Lead Local Flood Authority (LLFA) has commented on the drainage proposals for the site. The LLFA has stated that due to the slope of the site permeable paving is not suitable however a reinforced grass will be used in the parking bays. They suggest that to provide amenity and biodiversity benefits:

(a) The applicant considers a green roof on the cycle store as plans show it to be flat.

(b) Rain gardens could be provided: rainwater downpipes can be disconnected from the main system and directed to depressions in the ground and allowed to infiltrate.

5.54. These are matters that could be the subject of planning conditions.

Ecology

CSDPD: CS17 (Environmental assets)

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

New Local Plan (Submission Version): DM34 (Delivering Green Infrastructure and Biodiversity in Development)

5.55. The site currently has little ecological value. The buildings occupy most of the site and are of a construction that leaves little space for occupation for bats. In order to comply with Policy DM14 the proposed development will need to be capable of maximising biodiversity. It is considered that this could be done by requiring that the development either includes bird/bat boxes or includes structural details to offer the opportunity for bird nesting or bat habitat.

Building sustainability

CSDPD: CS18 (Waste, natural resources and pollution)

DSA: DM18 (Carbon reduction and water efficiency)

New Local Plan (Submission Version): DM41 (Optional Technical Standards for Building Regulations Approval)

5.56. 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 dwelling. 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

CSDPD: CS21 (Contribution of development to community infrastructure)

DSA: DM19 (Infrastructure and delivery)

BCSNP: Policy 13 (Connecting the Parish)

New Local Plan (Submission Version): CP7 (Delivering the infrastructure to support growth)

- 5.57. The development is a type of development where CIL would be chargeable.
- 5.58. It is considered that there would not be other types of infrastructure, other than the provision of affordable housing, that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.
- 5.59. The Planning Obligations SPD sets out the Local Planning Authority's approach to when planning obligations are to be used in new developments.
- 5.60. Having regard to the statutory tests in the Community Infrastructure Levy regulations and the National Planning Policy Framework it is considered that a planning obligation is required to be secured within a section 106 agreement to provide appropriate affordable housing.
- 5.61. The application is recommended for refusal and no legal agreement has been entered into therefore the lack of affordable housing will need to feature as a reason for refusal.

Weighing and balancing of issues – overall assessment

- 5.62. 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.
- 5.63. In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
 - b. Any local finance considerations, so far as they are material to the application (in this case, CIL), and,
 - c. Any other material considerations.
- 5.64. As set out above it is considered that the proposed development would conflict with policies that protect the historic environment. There is also no legal agreement in place to secure the affordable housing.

Recommendation: Application Refused

1. The proposal would result in the demolition of a building included in the Wycombe District Council's List of buildings of local architectural or historic interest. The factory is of significance to a town where the chair making industry had such a profound impact on its economic and social welfare and continues to positively contribute to the historic environment of this part of High Wycombe. The demolition of these buildings (three storey block and rear workshop) would therefore result in the loss of this non-designated heritage asset, which is considered to be contrary to requirements of paragraph 184 of the National Planning Policy Framework (NPPF); that Heritage Assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

The proposal would result in the total loss of the locally listed building and consequently, it would fail to reinforce local distinctiveness. In this case it is considered that the harm arising from losing the building significantly outweighs the benefits of the new development.

The loss of a locally listed building is contrary to policy HE5 of the Wycombe Local Plan, policy CS19 of the Core Strategy, CP11 of the emerging local plan and advice in the NPPF (Feb 2019) specifically paragraphs 184, 192, and 197.

2. The development fails to make adequate provision and secure affordable housing as such it would not contribute to the objective of creating mixed and balanced communities. In the absence of a legal agreement to secure the required level of affordable housing the development would be contrary to the National Planning Policy Framework; Policy CS13 (Affordable Housing and Housing Mix) of the Adopted Core Strategy DPD, policy DM24 (Affordable Housing) of the Wycombe District Local Plan (Submission Version) and the Planning Obligations Supplementary Planning Document.

INFORMATIVE

- 1 In accordance with paragraph 38 of the NPPF2 Wycombe District Council (WDC) approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. WDC work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

In this instance:

- The applicant/agent was updated of any issues after the initial site visit, resulting in the submission of a heritage statement.
- The application was considered by the Planning Committee.
- Amended plans were received increasing size of balconies and aligning fenestration.