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App No : 18/05002/R9OUTE App Type: Outline with EA - Regulation 9

Application for : Outline application for the erection of up to 102 dwellings. The application includes details of access (site access, estate roads and widening of Cock Lane) and landscaping (public open space and communal areas only).

At Ashwells Field, Cock Lane, Tylers Green, Buckinghamshire

Date Received : 05/01/18 Applicant : Wycombe District Council Major Projects And Estates

Target date for Decision 27/04/18

## 1. Summary

- 1.1. Ashwells is a Reserve Site for future development. Cabinet resolved in 2014 to release the site and prepare a Development Brief.
- 1.2. The proposal, in terms of its general arrangement of development, is considered to accord with the Development Brief.
- 1.3. As set out in the report it is considered that the proposed development would over provide in respect of some aspects of the development plan (planning benefits) and under provide in respect of others.
- 1.4. In terms of benefits the site would:
  - a) Make a contribution towards the delivery of housing in line with the emerging site allocation and Development Brief for the site.
  - b) Set parameters for the delivery of 109 residential units. The exact layout and design to be reserved for future consideration.
  - c) Contribute towards the Council's five year housing land supply.
  - d) Set the framework for the delivery of public open space and green infrastructure; including the provision of children's play.
  - e) In combination with the Bellfield Road site, deliver above policy level affordable housing in quantitative terms.
  - f) Deliver a diverse housing mix including 13% custom and self-build units.
  - g) Set the parameters for ensuring the amenities of neighbouring dwellings can be protected in accordance with the Council's Residential Design Standards and Development Brief.
  - h) Set the framework for delivering ecological benefits on the site through the retention of existing assets and new enhancements.
  - i) Provide an access strategy for the site that accords with the Development Brief. Including delivery of the first phase of the Gomm Valley and Ashwells Spine Road.
  - j) Make onsite Public Rights of Way (PRoW) improvements and financial contributions towards off-site PRoW improvements.
  - k) Make financial contributions towards bus infrastructure in Tylers Green village.
  - l) Deliver traffic calming on New Road.
  - m) Make improvements to school drop-off provision at the local school.
  - n) Deliver economic and social benefits from the construction process and the creation of new communities.
  - o) Pay into the CIL fund to secure wider infrastructure improvements.

- 1.5. In terms of negatives the site would:
  - a) Not deliver the full Gomm Valley and Ashwells Spine Road, leading to Cock Lane capacity concerns in the short term and an objection from the County Highway Authority. Although it is envisaged that these concerns will be overcome in the medium to long term when the site to the south (Gomm Valley) comes forward.
  - b) The proposed affordable housing mix leads to a degree of social stratification. With rental affordable housing proposed in the Hughenden Quarter and affordable home ownership (DMV) proposed at Ashwells.
  - c) The loss of an area of agricultural land.
- 1.6. On balance, the positive aspects of the proposal are considered to clearly outweigh the negatives and on this basis planning permission should be granted.
- 1.7. The development proposal is considered to accord with Development Plan, Gomm Valley and Ashwells Development Brief, emerging policy and NPPF. Where there are negative aspects to the proposal these are considered to be outweighed by the positives when considering the Development Plan and all other material considerations taken as a whole. On balance, it is considered that subject to suitable conditions and legal agreement planning permission should be granted.

## **2. The Application**

- 2.1. The site is located within open countryside that has been designated as safeguarded land (i.e. a reserve site for future development). For the sake of clarity and avoidance of doubt the site is not within the green belt or Chilterns AONB. The northern boundary of the site lies within 100m of the Katherine Knapp Residential Home, which is Grade II Listed.
- 2.2. The site is part of the wider Gomm Valley Reserve Site for future development. The site comprises agricultural land located on the edge of the village of Tylers Green, which itself is situated approximately 2.5km to the east of High Wycombe town centre and approximately 1.4km north of London Road (A40). The site is approximately 7.5 hectares in area, covering the hillside east of Cock Lane and the flatter field to the east of the hedgerow that divides the site. The green belt abuts the site to the east, with the edge of the Chilterns AONB some 100m further to the east.
- 2.3. Access to the site is provided via Ashwells to the north of the site, a residential cul-de-sac that serves approximately 30 houses and provides access onto Cock Lane. Pedestrian access to the site is currently provided by a public right of way (CWY/15/1), which runs along the southern boundary of the site as well as CWY/14/1, which runs along the north western edge of the site between Cock Lane and Carter Walk. Several informal paths traverse the site.
- 2.4. The site is bound to the north by residential dwellings (a mixture of detached, semi-detached houses and flats). Cock Lane defines the western boundary of the site, beyond which is the Gomm Wood Local Nature Reserve. The rear gardens of the dwellings located along Sandpits Lane form the eastern boundary to the application site. A line of trees and hedges form the southern boundary, beyond which lies the Gomm Valley Reserve Site, which is currently in agricultural use, but proposed (in part) for development.
- 2.5. The outline application proposes:
  - a) Up to 109 new dwellings (range of unit sizes)
  - b) Public open space
  - c) New vehicular access
- 2.6. The application is in outline form with all matters reserved save for the 'site-access'.

Parameter plans are submitted for determination, which set out the broad limits of development.

- 2.7. Alongside the planning application an agreement under S106 of the Town and Country Planning Act is being negotiated.
- 2.8. The application was accompanied by an illustrative layout. This was amended during the course of consideration in the following ways to demonstrate that the level of development applied for could be accommodated on the site:
  - a) Alterations to the illustrative layout and landscaping.
  - b) 25m back to back distance provided between dwellings.
  - c) Removal of formal football pitch and creation of kick about area.
  - d) Root protection area plan provided to support layout.
  - e) Gabions at the entrance removed.
  - f) Revised affordable housing offer including Bellfield Road site.
  - g) Increase in the number of units from 102 to 109.
- 2.9. The application is accompanied by:
  - a) Transport Assessment (main statement plus addendum)– Odyssey
  - b) Residential Travel Plan – Odyssey Markides
  - c) Framework Construction Management Plan – Odyssey Markides
  - d) Design and Access Statement – Savills
  - e) Landscape Planning Statement - LUC
  - f) Statement of Community Involvement – Savills
  - g) Phase 1 Geo-Environmental Survey prepared by Pick Everard
  - h) Phase 1 Geo-Environmental Survey Appendix B (Historical Maps) prepared by Pick Everard
  - i) Phase 2 Ground Investigation prepared by Pick Everard
  - j) Flood Risk Assessment - Odyssey
  - k) Environmental Statement

#### Statement of Community Involvement

- 2.10. The applicant has carried out a community consultation exercise, which has included engagement with the Development Brief and liaison Group process, meetings with residents groups and three public exhibitions, all of which have influenced the submitted proposal. 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 the Council's website.

#### Environmental Impact Assessment

- 2.11. The applicant has agreed that the proposal should be treated as EIA development under the 2017 Regulations. A Scoping Opinion was adopted by the Council in late 2017 and an Environmental Statement was submitted with the application by the developer. The application has been determined in accordance with the EIA Regulations.

### **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:
  - Entering into a Planning Performance Agreement to work on a Development Brief and offer pre-application advice;

- as appropriate updating the applicant/agent of any issues that arose in the processing of the application and where possible suggesting solutions; and,
  - adhering to the requirements of the Planning & Sustainability Customer Charter.
- 3.2. Following amendments to the application and completion of negotiations in respect of the legal agreement the application was considered by Planning Committee and determined without delay.

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

- 4.1. The site has no planning history of relevance to the current proposal. The site has been in use for the keeping of horses for a number of years awaiting allocation for development.
- 4.2. Outline planning permission (details of site access only) is sought on the adjacent land to the south (ref: 19/05281/OUTEA) for a mixed use development comprising:
- residential development of up to 1000 dwellings (Use Class C3);
  - a single form entry primary school and pre-school/nursery (Use Class D1, up to 1200 sqm);
  - retail facilities up to 1800 sqm (Use Class A1, A3, A4, A5);
  - employment facilities up to 2000 sqm (Use Class B1);
  - sheltered housing complex (Use Class C2, up to 4100 sqm);
  - community and leisure facilities up to 1100 sqm (Use Class D1/D2); and
  - public open space.

At the time of writing the application has been submitted and first stage consultation is complete. The consultation process has raised a number of issues. At the present time the application remains undetermined.

- 4.3. 17/08464/R9OUT - Outline planning permission is sought for a residential scheme comprising 68 units on Bellfield Road. Whilst this application is some distance from the application site it is proposed to be linked for the purposes of delivering affordable housing.

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

##### **Planning policy framework**

- 5.1. In considering the application, regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.2. In addition, section 70(2) of the Town and Country Planning Act 1990 (as amended by S.143 of the Localism Act) states that in dealing with planning applications, the authority shall have regard to:
- a. the provisions of the development plan insofar as they are material,
  - b. any local finance considerations, so far as they are material to the application; and
  - c. any other material consideration.
- 5.3. The relevant financial considerations in this instance will be CIL and New Homes Bonus.
- 5.4. 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).
- 5.5. The New Wycombe District Local Plan, whilst not currently part of the Development Plan, has been submitted for examination in public. The examination took place in July and September in 2018. Proposed modifications were published in February 2019. The

Inspectors report is due in mid-May 2019. Individual policies, depending on the level of objection, may be afforded more or less weight. An update may need to be provided to the Planning Committee in respect of this matter.

- 5.6. Other material considerations which need to be taken into account include the National Planning Policy Framework (NPPF 2), the National Planning Practice Guidance (NPPG), the CIL Regulations and relevant Supplementary Planning Guidance, in particular the Gomm Valley and Ashwell's Development Brief.
- 5.7. The Local Planning Authority cannot take into account the fact that this site is owned by the District Council and that the Council (and therefore the public) will benefit from any income generated from the development.

### **Principle (Housing)**

Adopted Local Plan (ALP): H2 (Housing Allocations), H4 (Phasing of New Housing Development), C9 (Settlements beyond the Green Belt)

CSDPD: CS1 (Overarching principles - sustainable development), CS2 (Main principles for location of development), CS8 (Reserve Locations for Future Development), CS12 (Housing provision)

DSA: DM1 (Presumption in favour of sustainable development),  
Gomm Valley and Ashwells Development Brief

Reserve Sites Infrastructure Plan

Emerging New Local Plan: CP1 (Sustainable Development), CP2 (Spatial Strategy), CP3 (Settlement Hierarchy), CP4 (Delivering Homes) and HW6 (Gomm Valley and Ashwells)

- 5.8. The site has been identified in successive Local Plans as a potential area for future development. Most recently in the adopted Core Strategy (policy CS8) the site is identified as comprising part of the Gomm Valley reserve site for future development. Wycombe District Council Cabinet resolved to release the site for development on 20 October 2014 to allow the setting up of Liaison Groups and work to commence on the preparation of a Development Brief for the site. In July 2017 a Development Brief for the site was formally adopted by Cabinet. The Development Brief includes an area of residential development in the location currently proposed for development. The site is also proposed as a residential allocation in the emerging New Local Plan (policy HW6). Having regard to adopted policy, the Development Brief and emerging policy, the principle of allowing residential development on the site is considered to be acceptable.

### **Housing Supply**

- 5.9. The Council's latest position in respect of its five year housing land supply is set out in the 5YS Position Statement dated 1 March 2019. The Council is currently able to demonstrate a five year housing land supply (5.7 years supply). The Ashwell's site forms part of the five year housing land supply. On the latest data Wycombe District is set to deliver in accordance with its 5 year housing land projection. Weight is attributed to the contribution that Ashwells could make to ongoing housing delivery in the District.
- 5.10. Irrespective of the 5 year housing land supply position it is acknowledged that the delivery of much needed homes (including affordable housing) is a significant planning benefit.

### **Flooding and Drainage**

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

DSA: DM17 (Planning for flood risk management)

Emerging New Local Plan: DM39 (Managing Flood Risk and Sustainable Drainage Systems)  
Gomm Valley and Ashwells Development Brief

- 5.11. Core Strategy policy CS18 requires that development avoid increasing (and where possible reduce) risks of or from any form of flooding.

#### Fluvial Flood Risk

- 5.12. The site is located in fluvial flood zone 1 (i.e. low risk of river flooding) and therefore is considered to be sequentially suitable for housing.

#### Ground and Surface Water Flood Risk

- 5.13. The Flood Risk Assessment (FRA) submitted with the application correctly identifies that generally the application site is at very low risk of surface water flooding (meaning that there is a less than 0.1% chance of surface water flooding in a given year) apart from the area of surface water ponding related to the existing Chalk pit. The site may also contribute to the surface water overland route that bisects the Gomm Valley. Therefore, as no residential development is proposed in the existing chalk pit, the proposed development is considered to be sequentially acceptable in surface water flood risk terms.
- 5.14. In relation to groundwater flood risk, the Groundwater Flood Risk Map produced by JBA has been reviewed. This mapping indicates that groundwater levels are at least 5 metres below the surface. This is supported by the Phase 2 Ground Investigations Report (Rev. 2, dated August 2017, prepared by Picks Everard) which did not encounter groundwater to a depth of 13 metres. Although these tests were completed during early spring, when groundwater levels are in natural decline, there is a significant buffer between any groundwater level and the proposed base of an infiltration component. Therefore, the proposed development is considered to be acceptable in ground water flood risk terms.

#### Sustainable Urban Drainage

- 5.15. The Lead Local Flood Authority (LLFA) initially raised objection to the proposal on the basis of inadequate infiltration testing and the acceptability of the sustainable urban drainage (SUD) solution. The SUDs solution was amended to reflect the first stage objection. Following amendment the LLFA removed their objection subject to conditions securing a detailed SUDs scheme, ongoing maintenance and the submission of a verification report. Subject to appropriate conditions and S106 requirement in respect of maintenance the SUDs strategy is considered to be 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)

Draft New Local Plan: DM22 (Housing Mix), DM24 (Affordable Housing), DM41 (Optional Technical Standards for Building Regulations Approval)

Planning Obligations Supplementary Planning Document (POSPD)

- 5.16. Policy CS13 of the Core Strategy requires new housing developments to provide for a mix of dwelling sizes, types and tenure that meet the identified housing needs of the community<sup>1</sup>. In the case of greenfield and brownfield sites 40% affordable housing is sought. Provision should be made on-site. Off-site provision would need to be robustly justified.
- 5.17. The Council's Planning Obligations SPD sets out a requirement that of the total affordable housing bedspaces 80% should be for social rent and 20% should be shared ownership or another route to affordable home ownership (i.e. DMV or Starter Homes).

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<sup>1</sup> For the purposes of assessing affordable housing need the community unit of consideration is the District as a whole.

5.18. The applicant is proposing to depart from the Council's standard approach to affordable housing and instead offer a multi-site approach to the provision of affordable housing, which includes the proposed Bellfield Road site in the Hughenden Quarter. The Bellfield Road scheme is in outline form and currently comprises a 68 units (208 bedspaces). The illustrative mix of units and bedspaces is set out in full in the table below:

<b>Site</b>	<b>Tenure</b>	<b>Unit size</b>	<b>Units</b>	<b>Bedspaces</b>	<b>% by unit</b>	<b>% by bedspace</b>
<b>Bellfield</b>	<b>Affordable Rented</b>	1 Bed	32	64		
		2 Bed	34	136		
		3 Bed	2	8		
<i>Sub Total</i>			68	208	38.4%	25.3%
<b>Ashwells</b>	<b>Private</b>	2 Bed	18	72		
		3 Bed	38	228		
		4 Bed	6	48		
<i>Sub-total</i>			62	348	35%	42.3%
	<b>Discount Market Value (DMV)</b>	2 Bed	16	64		
		3 Bed	16	96		
<i>Sub-total</i>			32	160	18%	19.5%
	<b>Self/Custom</b>	3 Bed	7	42		
		4 Bed	8	64		
<i>Sub-total</i>			15	106	8.5%	12.9%
<b>Total</b>			<b>177</b>	<b>822</b>	<b>100%</b>	<b>100%</b>

5.19. In order to consider the proposed affordable housing offer it is first necessary to determine the approximate policy compliant affordable housing baseline. If taken in isolation Ashwell's

would deliver circa 44 units of affordable housing based on an even 40% share of each dwelling size on the site. The Bellfield Road site would deliver circa 27 units of affordable housing. This comprises a total of circa 71 units (across a range of dwelling sizes) in total.

- 5.20. By combining the two sites and taking advantage of cross funding opportunities it would be possible to deliver circa 100 units of affordable housing across the two sites. This amounts to 56.4% of the total units in the combined development and 44.8% of the bedspaces. The discrepancy between the number of units and bed spaces is because the offer is skewed towards the delivery of smaller units (1, 2 and 3 beds), with larger units being delivered for the private sector. Therefore, in quantitative terms delivering the two sites together delivers a better than policy level outcome. This weighs in favour of this approach.
- 5.21. The disadvantage of delivering the two sites together is that the affordable housing tenure mix is less evenly spread with 100% affordable housing (by bedspace and unit) for rent at the Bellfield Road site and circa 30% Discount Market Value by unit (26% by bed spaces) at the Ashwell's site. This will result in a degree of social stratification when viewed on a site basis. The social stratification will be less pronounced when viewed on a town wide basis given the mixed character of both areas. There is some advantage in having affordable housing for rent near the town centre for good access to work and services, but taken in the round the skewed mix is viewed as a negative aspect of the current proposal.
- 5.22. The proposed provision of 15 self/custom build units (13% of total units on the site) is also considered to weigh in the applications favour. The 'Self-build and Custom Housebuilding Act 2015' requires each relevant authority to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the authority's area. At the time of writing Wycombe District Council's register had 177 individuals and 1 group registered (70 in the High Wycombe area). Councils are encouraged to meet this demand by, amongst other things, using their own land where it is suitable for self/custom build. The fact that Ashwell's is capable of delivering custom/self-build to meet an identified housing need in a market, is considered to represent a planning benefit in favour of this proposal. Self-build and Custom Build is capable of being secured via condition.
- 5.23. Taken in the round, the proposed affordable housing and tenure mix offer is considered to be acceptable and is capable of being secured via condition/legal agreement. To ensure delivery of the affordable housing at Bellfield Road a 30% occupation trigger would need to be applied to the Ashwell's site.
- 5.24. Having regard to the fact that the Bellfield Road application is not yet determined and could be refused planning permission when assessed on its own merits it will be necessary to include an alternative provision of policy level 40% affordable housing provision at an 80:20 mix to be provided on the Ashwells site. This would ensure that Ashwell's can move forward even if the Bellfield Road site should be refused planning permission or falter in its delivery.

### **Public Open Space**

ALP: RT3 (Playing Pitch Provision)

CSDPD: CS17 (Environmental Assets), CS19 (Raising the Quality of Place Shaping and Design), CS21 (Contribution of Development to Community Infrastructure)

DSA: DM16 (Open Space in New Development)

Emerging New Local Plan: CP7 (Delivering the Infrastructure to Support Growth), HW6 (Gomm Valley and Ashwells)

Gomm Valley and Ashwells Development Brief

Reserve Sites Infrastructure Delivery Package

Planning obligations SPD

- 5.25. Policy DM16 requires strategic sites (i.e. Ashwells) to meet all local and strategic open space requirements on site as a minimum.



5.26. Based upon the proposed housing number and mix (109 dwellings) the site would generate approximately 260<sup>2</sup> people with the public open space requirements as follows in the table:

Open space typology	OS standard as per policy (DM16) Ha / 1000 population	260 person <sup>3</sup> (26% of 1000)
<b>Strategic</b>	<b>3.3</b>	<b>0.86ha</b>
Public outdoor sport	1.2	0.3ha
Park	1.67	0.43
Allotments	0.23	0.06
Play	0.2	0.05
<b>Local *</b>	<b>1.15</b>	<b>0.30</b>
Informal amenity space	0.55	0.14
Local play	0.6	0.16
<b>Total</b>	<b>4.45</b>	<b>1.16</b>

5.27. In view of the above Ashwells should provide 0.86 ha of Strategic Open Space and 0.30 ha of local open space.

5.28. The proposal is to provide circa 3.8ha of public and incidental open space. This is principally in the form of:

- a) A large amenity grassland area in the south western part of the site, which will become the northern tip of the much larger Gomm Valley country park.
- b) A local play park is proposed at the northern end of the amenity grassland area.
- c) A small pocket park is also proposed in the location of the chalk pit.
- d) The remainder of the green spaces is made up of the retention of vegetated buffer strips on the southern, eastern and northern boundaries, which includes a small copse in the far north of the site.

In quantitative terms these areas exceed the open space requirement. However, given that they are largely ecologically and landscape motivated they do not address the need for formal sports provision that would be generated as a consequence of the development. Due to the topographic challenges on the site the undeveloped land is unsuitable for sports pitches or outdoor sports facilities.

5.29. As part of the preparation for the release of the Reserve Sites Wycombe District Council prepared a Reserve Sites Infrastructure Delivery Plan (IDP). This addresses the issue of open space provision across the Reserve Sites. It seeks to ensure that strategic and local open space is provided in accordance with local need and to ensure effective delivery across the five Reserve Sites. At the time of preparation of the Reserve Site IDP it had been envisaged that a single application (or two co-joined applications) would have been submitted for the Gomm Valley and Ashwell's site. For a number of reasons this has not been possible and therefore any off-site contributions would need reflect this and be apportioned on a pro-rata basis between Ashwell's and the remainder of the Gomm Valley site.

5.30. The Ashwell's site is in relatively close proximity to the sports facilities at Penn and Tylers Green however these are known to be utilised to capacity. Other significant facilities in the

<sup>2</sup> Rounded to the nearest person

<sup>3</sup> 2 bed: 34 x 1.75 = **59.5**. 3 bed: 61 x 2.6 = **158.6**. 4 bed: 14 x 3 = **42**.

local area to the south of the site are the Kingsmead Recreation Ground and Dareham's Lane Sports Ground. In order to meet the remaining outdoor sports requirements, reflect the needs identified in the Sports Facility Strategy and to ensure there is a wide range of facilities are provided by the reserve sites, there is a requirement that Gomm Valley and Ashwell's provides for a bowls green and tennis courts. It has been identified that there is capacity at Dareham's Lane sports ground for the delivery of these facilities. Therefore, subject to a commensurate sum being secured towards the provision of these facilities the proposal is considered to be acceptable in this regard.

- 5.31. It is also recognised that there are few play facilities in the local area and therefore the Ashwell's site is required to provide a Neighbourhood Equipped Area of Play (NEAP) and Local Area of Play (LAP), catering for young children through to early teens. These facilities are illustratively proposed to be delivered at the northern end of the open space, which is located relatively centrally within the site offering good accessibility for residents. It is considered to be reasonable and necessary to secure details of these facilities via condition and their long term maintenance via S106.
- 5.32. In view of the above, and subject to appropriate conditions and S106 provisions securing the proposed open space strategy, the open space provision is considered to be acceptable.

### **Landscape and Visual Impact**

CSDPD: CS17 (Environmental assets)

Emerging New Local Plan: CP8 (Sense of Place) and DM32 (Landscape Character and Settlement Patterns),

Gomm Valley and Ashwells Development Brief

Character Map of England (Character Area 110 and 108)

Local Landscape Plan for Buckinghamshire

The Chiltern Conservation Boards Position Statement on Development Affecting the Setting of the Chilterns AONB.

- 5.33. The Development Brief has sought a landscape led approach to development on the Gomm Valley and Ashwells Reserve Site, which recognises the natural beauty of the valley, whilst accommodating opportunities for development. It emphasises the importance of structural planting within development parcels to soften and break up their hard form.
- 5.34. The development on the site broadly follows the extent of developable areas identified in the Gomm Valley and Ashwells Development Brief.
- 5.35. A landscape and visual impact assessment (LVIA) was submitted with the application, which assess views of the site from key vantage points both near and far. The assessment makes the case that once the proposed vegetation has established, significant landscape and visual effects would be localised.
- 5.36. The Council's Natural Environment (Landscape Officer) has been consulted. Following amendments to the scheme the view was taken that the proposal appropriately balances the need to break up views coming into the site with the desire to provide views looking out of the site at key vantage points. It was considered that the parameter plans had demonstrated that 109 units of accommodation could be accommodated. Concerns were raised in respect of the potential impact of development on parcel 11 and the need to provide and maintain structural planting within the built-up area of the site as indicated on the illustrative Master Plan. It is considered that these concerns are capable of being addressed by limiting the scale of development in parcel 9 to 2 storeys (as per the Development Brief). Issues of landscaping are capable of being addressed at the Reserve Matters stage.

5.37. In view of the above, the landscape impact is considered to be acceptable.

### Green Infrastructure and Ecology

CSDPD: CS17 (Environmental assets)

DSA: DM11 (Green networks and infrastructure), DM13 (Conservation and enhancements of sites, habitats and species of biodiversity and geo-diversity importance) and DM14 (Biodiversity in Development).

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

#### Green Infrastructure

5.38. The entire Gomm Valley and Ashwell's Reserve Site is allocated as a Green Infrastructure Area. The Gomm Valley and Ashwell's Development Brief sets out the strategy for the green infrastructure area. The strategy needs to:

- a) retain the character of the valley;
- b) provide enhanced recreational amenity;
- c) protect and enhance the site's biodiversity and ecological value; and
- d) improve connectivity within and beyond the site boundary.

5.39. The full strategy is set out on pages 48 to 50 of the Development Brief and provides for a total of circa 53ha of undeveloped land (or 73% of the Gomm Valley and Ashwells site, excluding the potential employment area within parcel 12). The Ashwell's site makes a relatively small, yet important, contribution to the northern tip of the green infrastructure area of some 3.5 hectares of land.

5.40. The relevant part of the Development Brief plan relating to Ashwell's in inserted below:



5.41. The key contributions required from the Ashwells site by the Development Brief were:

- a) The retention of existing hedgerows and trees with a 5 metre buffer to adjacent development thereby preserving the existing ecological network on the site;
- b) The retention of a good quality ecological link to Kingwood and Gomms wood;
- c) Provision of amenity grassland to relieve pressure on the proposed chalk grassland further south in the valley;
- d) The provision of a treed/hedged bank to Cock Lane;
- e) Public access to the land and provision of east/west and north/south cycle connections; and,
- f) A NEAP in the northern part of the site.

5.42. The proposal has delivered against these key objectives in the following ways:

- a) The outline of the undeveloped area reflects the plan in the brief;
  - b) The existing hedge lines are retained and enhanced as necessary;
  - c) The ecological link to Kings and Gomms Wood is capable of being delivered. It should be noted that the gabion walls and football pitch, which were previously sited in this area has been removed;
  - d) The site is fully publically accessible (capable of being secured via condition);
  - e) A strong bias towards native planting can be achieved (secured under the Reserve Matter of Landscaping);
  - f) An East/West cycle route is capable of being delivered via condition/financial contribution towards enhanced footpaths;
  - g) A NEAP is proposed in the northern corner of the site, which is capable of being secured via condition and maintained for the life of the development via S106; and,
  - h) The first part of the north/south cycle route linking Ashwell's to the remainder of Gomm Valley site is capable of being delivered. Details of construction can be secured at the Reserve Matters stage.
- 5.43. In view of the above, the development proposal is considered to accord with the Development Brief. It is considered to make a positive contribution towards the green infrastructure strategy for Gomm Valley (in line with the Development Brief) and therefore is considered to be acceptable.
- 5.44. To ensure that the vision for the green infrastructure area is deliverable in the long term it will be necessary to ensure that the land is adopted by a responsible body (Chepping Wycombe Parish Council, Wycombe District Council or put into Trust). This matter is capable of being addressed as part of any future legal agreement.
- 5.45. Through the consultation process concerns have been expressed that the Copse in the northern part of the site has not been indicated correctly on the illustrative masterplan. Having verified the masterplan and other supporting plans with survey plans and aerial photographs it can be confirmed that the copse is considered to have been shown correctly on the illustrative master plan. The issue would appear to have arisen as a consequence of the development encroaching within a fence line that surrounds the copse. The purpose of the fence was to enclose animals, not define the boundary of the copse. Therefore, no part of the copse would be lost as a consequence of the proposed development, although some buildings do get close to the copse, which is undesirable. It is considered that this matter is capable of being addressed at the Reserve Matters stage.

## Ecology

- 5.46. Policy DM14 requires all development proposals to maximise opportunities for biodiversity by conserving, enhancing or extending existing opportunities. The Development Brief requires development to deliver net gains in bio-diversity.
- 5.47. An ecological statement was submitted by the applicant. The statement sets out the law and planning policy relating to flora and fauna on the site and the findings of the survey work. The report concludes that there are no habitats of international, national or county wide importance that would be directly affected by the proposals. The species recorded on the site can be described as common or abundant and are found in similar locations across much of Britain. There was some evidence of protected species such as slow-worms, grass snakes and common toads (a Priority Species), badgers and bats (albeit with a low level of bat foraging/commuting activity). The removal of protected species would require an application to be made to Natural England (NE) for a full European Protected Species (EPS) licence before development work can be undertaken. A range of mitigation/enhancement measures have been suggested including a capture, rescue and translocation exercise prior to construction. The mitigation and enhancement measures, if implemented effectively, are

considered to reduce the impact of the proposals on local wildlife and potentially increase the nature conservation value of the site in the long term in accordance with Government guidance as set out in National Planning Policy Framework and Development Brief.

- 5.48. In considering the current proposal the Local Planning Authority must have regard to Regulation 9 (5) of the Conservation of Habitats Regulations 2010 and the impact the grant of planning permission may have on any protected species and apply the Derogation test accordingly. In this instance there is considered to be a clear public interest in developing the site in accordance with the Development Brief for much needed housing. The harm to existing species is considered to be limited and in a large part capable of being mitigated through translocation and the long term enhancement of the site and wider Development Brief area. On this basis it is considered to be likely that NE will grant a licence and therefore planning permission should not be withheld on ecological grounds.
- 5.49. Overall, the findings of this ecological assessment would indicate that, subject to appropriate conditions, there are no over-riding ecological constraints to the development proposal.

### **Site Accessibility**

ALP: T2 (On – site parking and servicing), T4 (Pedestrian movement and provision), T5 and T6 (Cycling), T8 (Buses), T12 (Taxis), T13 (Traffic management and calming) and T16 (Green travel)  
CSDPD: CS16 (Transport), CS21 (Contribution of development to community infrastructure)  
DSA: DM2 (Transport requirements of development sites)  
Emerging New Local Plan: CP7 (Delivering the Infrastructure to Support Growth), DM33 (Managing Carbon Emissions: Transport and Energy Generation)  
Gomm Valley and Ashwells Development Brief  
Reserve Sites Infrastructure Delivery Plan (June 2016)  
High Wycombe Reserve Sites Transport Framework  
Buckinghamshire Countywide Parking Guidance

- 5.50. The applicant has submitted a Transport Statement prepared by Odyssey (December 2017) and an associated Addendum dated March 2019 in support of the application. The Transport Assessment sets out the applicant's position with regard to vehicle movements, accessibility, junction design, the spine road and car/cycle parking.

### **Network Capacity**

- 5.51. It was recognised early in the Development Brief process that highway capacity on the network was a core issue in the release of the Reserve Sites. For this reason the Local Planning Authority and County Highway Authority instructed Jacobs to prepare the High Wycombe Reserve Sites Transport Framework to inform the development of the Reserve Sites. The report was published on 19 January 2016. Of particular relevance to the current proposal is the impact on Cock Lane and London Road.

### **Cock Lane**

- 5.52. High Wycombe Reserve Sites Transport Framework (by Jacobs) advises the following:

“It would not be appropriate to locate any access points from the Reserve Site onto the narrow section of Cock Lane, unless the proposal also made provision for accompanying improvement works to Cock Lane. Should subsequent evolution of the Masterplan indicate a potential impact on this section of road, route upgrades should be considered further.

In its present condition Cock Lane is subject to operational issues, particularly at peak travel times and therefore without upgrade is not a suitable route for accommodating

material increases in traffic growth. A material increase in traffic volume is likely to occur if either Gomm Valley or Ashwells are developed in isolation without significant infrastructure improvements. The issues would be further intensified if both the northern and southern ends of the site are developed.” (emphasis added)

- 5.53. The findings of the Jacobs report have been verified by the applicants Planning Statement in respect of the Ashwell’s site when it states:

“it is accepted that Cock Lane operates at, or close to capacity during peak periods and so widening proposals have been prepared to alleviate current levels of delay and improve highway safety. The widening proposals also offer some future proofing from the potential impact of the development from the Gomm Valley Reserve Site”.

And the Vehicle Access Strategy, on the adjacent Gomm Valley site when it states:

“The traffic survey confirms that the lane is already operating at or around typical capacity for the design of the road”

Albeit it is acknowledged that this is within the context of a wider debate about whether capacity constraint is a good or bad highway condition.

- 5.54. The recommendation in the Jacobs report was incorporated into the Reserve Sites Infrastructure Plan and the Gomm Valley and Ashwell’s Development Brief. The Development Brief states:

“Development proposals will need to provide a continuous spine road through The Site from Cock Lane to Gomm Road”

- 5.55. In view of the findings of the Wycombe Transport study and the requirements of the Development Brief the applicant has offered to widen the northern section of Cock Lane, as far as the Southern boundary of the application site. The land owner to the south (currently AVIVA) would then continue the spine road into their site.

- 5.56. Notwithstanding the fact that the applicant has offered to widen the northern section of Cock Lane, they have simultaneously made the case that the impact of the proposed development on Cock Lane does not necessitate the improvement on the basis the impact is not material. The County Highway Authority do not accept that the proposed development will not give rise to a material increase in traffic growth on Cock Lane. They objected to any planning permission being granted for development at Ashwell’s without a full and deliverable solution for the widening and/or bypassing (via a spine road) of Cock Lane. The County Highway Authority have recommended refusal of the application on the basis that the section of Cock Lane between Tyler’s Green and High Wycombe is inadequate by reason of its width in order to safely and conveniently accommodate the additional vehicle movements generated by the proposed development. The County Highway Authority objection needs to be weighed in the balance of decision making.

- 5.57. Notwithstanding the County Highway Authority objection the current proposal is considered to make a positive contribution towards the delivery of the spine road solution identified in the Development Brief and would not frustrate a full spine road solution coming forward in the future. As such, it is envisaged that any capacity and safety issues identified on Cock Lane by the County Highway Authority will be relatively short lived. This will diminish the weight that can be attributed to the County Highway Authority objection.

- 5.58. A number of objections have been received by residents in respect of any road widening on Cock Lane on the basis that the proposed development (i.e. 109 dwellings at Ashwell’s) does not generate sufficient vehicle movements to justify the intervention (an estimate of 5 vehicles per hour in AM peak is offered by one resident). Representations also

acknowledge that Cock Lane, in its current form, limits the level of traffic that may pass through Tylers Green. For the reasons set out above, the County Highway Authority does not accept that the impact (in terms of vehicle movements from Ashwells) is immaterial in terms of Cock Lane capacity, nor do they accept that the Ashwells site should be viewed in isolation. However, it is acknowledged that any spine road would need to be traffic calmed to ensure that it fulfils the function for which it was designed (i.e. existing traffic, the traffic impact of the developments and associated background growth) and does not pull in commuter traffic from further afield. It is considered that the detailed design issues associated with the road are capable of being addressed via condition and the S.278 process.

- 5.59. Traffic calming on New Road and improved crossing features for the school have already been proposed and will go some way to limiting the future capacity and attractiveness of Cock Lane as a commuter route and serve to address some existing acknowledged issues. These proposed features are capable of being secured via condition.

#### London Road

- 5.60. London Road is acknowledged as having a significant capacity and congestion issues along much of its length. A package of measures is being designed to improve journey time along the road, cut congestion and improve air quality. This is in part funded by the National Productivity Investment Fund (£4.13m) with additional sources of funding being secured from Buckinghamshire County Council and the Reserve Sites. The County Highway Authority have requested £180k from Ashwell's as a commensurate contribution towards this programme of work. This sum is considered to be reasonable and proportionate and therefore, subject to it being secured via S106 the impact on London Road is considered to be acceptable.
- 5.61. Therefore, in summary, while the County Highway Authority acknowledge in part that the highway capacity issues in the vicinity of the development will be overcome, they maintain an objection on basis that there is not a fully deliverable scheme at the present time for Cock Lane. It is for the Council to determine through the weighing and balancing of this application whether there is sufficient planning benefit to justify accepting a short term harm to highway safety/convenience if it forms part of a longer term solution.

#### Access

- 5.62. In line with the Development Brief the site is proposed to have three vehicular access points:
1. The existing Ashwell's development.
  2. Cock Lane.
  3. Development Brief parcel 9 within AVIVA's ownership.
- 5.63. The County Highway Authority has reviewed the design of all three accesses and confirmed they are acceptable in terms of capacity and sight lines. The delivery of these access points is capable of being secured via condition.
- 5.64. The initial submission included a one-way section of road linking to the Ashwell's development. It was not considered that there was any highway justification for this approach and that it would not be intuitive to highway users and therefore detrimental to highway safety. In response to these concerns the developer made the access point two way. A condition will need to be imposed on any planning permission granted ensuring that the unimpeded two way access is retained.

## Street Design

- 5.65. The Design and Access Statement and illustrative material indicates a hierarchy of road designs set over a range of widths along with shared surface squares. The general approach would appear acceptable. The internal access roads and street designs are a Reserved Matter and therefore for future consideration.

## Servicing

- 5.66. The illustrative material indicates that servicing will be possible. The County Highway Authority have requested a condition securing road designs to an adoptable standard whether they are adopted or not to ensure that minimum servicing requirements are met. This matter is reserved for consideration at the Reserved Matters stage.

## Parking Provision

- 5.67. Parking will be addressed in detail at the Reserved Matters stage. The illustrative material indicates that circa 250 spaces can be accommodated on the site, with a mixture of on plot and on-street parking. It is noted that with an appropriately designed street network that there would be additional capacity for on-street parking. Therefore, the illustrative material is considered to demonstrate that an acceptable parking solution will be deliverable.
- 5.68. Objection was raised to the presence of two rear parking courts. The Council's design guidance does not rule out rear parking courts, but just finds them sequentially less preferable than street, front of plot or side of plot parking. In this instance the rear parking courts have been proposed as a consequence of trying to achieve car free frontages facing the chalk-pit. This matter will be considered in more detail at the Reserved Matters stage.

## Pedestrian and Cycle Provision

- 5.69. The Gomm Valley and Ashwell's Development Brief (DFO4) sought to provide a pedestrian and cycle permeable development so as to maximise the attractiveness and take up of sustainable modes of travel. The Reserve Site Infrastructure Delivery Plan also identified a number of PRoW improvements, which would link the Reserve Sites by walk and cycle to the surrounding network and destinations.
- 5.70. The exact location of the foot and cycle network is a matter to be determined at the Reserve Matters stage. Illustratively the link to the proposed north/south cycle route has been included as has the route along the eastern side of the site linking the Hammersley Lane footpath (CWY/15/1) to Carter Walk. Missing from the illustrative plan is a direct footpath connection running parallel with Cock Lane and a dedicated upgraded PRoW along the southern boundary. Both these issues are considered to be capable of being addressed via condition and/or at the Reserve Matters stage.

## Public Rights of Way

- 5.71. A number of PRoW and permissive paths traverse the site providing links to the north, east, south and west. The land to the south of the site is currently in private ownership, but is proposed to come forward for development in due course providing walk/cycle links to the London Road.
- 5.72. The Reserve Sites Infrastructure Delivery Plan identifies the value of improved walk/cycle connections to:
- The Horse and Jockey PH on Church Road and Tylers Green Primary School and beyond;



- Hammersley Lane - a significant north/south route between Tylers Green and London Road;
  - Cock Lane - a significant north/south route between Tylers Green and London Road;
  - Herbert Road in Micklefield - with links on lightly trafficked roads to the town centre;
  - Amersham Road via Kingswood.
- 5.73. These routes are currently comprise largely unmade footpaths, which limits their attractiveness as functional commuter routes particularly in the winter months when they tend to be very muddy. Improvements to these routes with tarmac in the more urban areas and crushed granite and/or lime in the more rural locations, would greatly enhance the walk/cycle connectivity of the site making what is otherwise a relatively poorly connected development more sustainable. It would also contribute to the vision set out in the Development Brief for the site.
- 5.74. On this basis direct delivery or financial contributions towards the following walk/cycle routes is sought:
- 5.75. Direct Delivery of the following walk/cycle routes:
- a) Delivery of a public footpath on the eastern boundary of the site linking Hammersley Lane to Carter Walk - 2m wide tarmac finish to adoptable standard.
  - b) Provision of a made surface on the footpath on the southern boundary of the site on the alignment of CWY/15/1 – 2m wide tarmac finish to adoptable standard.
  - c) Realignment and surfacing of CWY/14/1 - 2m wide tarmac finish to adoptable standard.
- 5.76. Financial Contributions towards the following walk/cycle routes:
- a) Provision of a route through King's Wood, using existing private tracks and public bridleways to connect Cock Lane with the A404 Amersham Road (at the Beech Tree Pub) providing an attractive shared use pedestrian / cyclist / equestrian facility – financial sum secured via S106.
  - b) Upgrade CWY/14/1 – Site to Horse and Jockey - financial sum secured via S106.
  - c) CWY/15/1 – Upgrade (Granite to dust) - Site to Hammersley Lane – financial sum secured via S106.
  - d) HWU/50/1 – Make surface (Asphalt with thermoplastic coloured surfacing) - Site to Cock Lane on AVIVA land - financial sum secured via S106.
  - e) HWU/49/1 – Make surface (Crushed Lime Stone) - Cock Lane to Herbert Road - financial sum secured via S106.
- 5.77. Financial contributions securing financial sums or direct provision via condition are is considered to be reasonable, directly related and necessary to make the development acceptable.

#### Public Transport

- 5.78. DFO 3 of the Gomm Valley and Ashwell's Development Brief requires developments facilitate the provision of a sustainable bus service within reasonable walking distance (approximately. 400 metres) of any development on the site.
- 5.79. There is an existing bus service serving Tylers Green located some 400m to the North of the site. This is considered to fall within a reasonable walk distance (on predominantly flat ground) for the future occupiers of the site. A contribution has been sought towards the provision of additional bus stop infrastructure in Tyler's Green. This is considered to be a reasonable and proportionate contribution to support the ongoing provision of this service. Therefore, with regard to public transport accessibility the proposed development is considered to be acceptable.

## Site Accessibility

- 5.80. The site is not located in the most sustainable location being some distance from town. However, it is considered to have taken the opportunities available through direct provision or financial support for sustainable transport provision (walk/cycle/bus) to promote alternative to the private car. Therefore, the site is considered to be compliant with the Development Brief and emerging Local Plan policy.

## Environmental issues

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

CSDPD: CS18 (Waste, natural resources and pollution)

### Land Contamination

- 5.81. This is a greenfield site where the risk of contamination is minimal.

### Lighting

- 5.82. Tylers Green is a dark neighbourhood with no street lighting, which adds to its rural character. Illumination within the curtilages of dwellings is unrestricted. The current proposal does not propose any street lighting, which is consistent with the established rural character of the area.

### Bins

- 5.83. This matter is capable of being addressed at the reserved matters stage.

### Water

- 5.84. Thames Water were consulted as part of the application.
- a) Waste water – Thames Water have indicated that the existing system is unable to accommodate the needs of the application and have requested provision of an on/off site drainage strategy to be secured via condition. They have also raised concern in respect of the impact on the existing sewage pumping station adjacent to Cock Lane, which may be affected by the development both physically and/or by the quantum of future users.
  - b) Mains Water – Thames Water have indicated that the existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development and have requested impact studies of the existing water supply infrastructure be submitted.
  - c) Surface Water - Thames Water have resisted any connection to the public sewer and requested an informative advising that applicant that special consent is required to make a connection.
- 5.85. Thames Water have also requested a condition in respect of any potential piling on the site, given the proximity of proposed development on the site to subsurface water infrastructure.
- 5.86. Conditions requiring the submission of a foul drainage strategy, water supply infrastructure and a piling method statement are considered to be reasonable and necessary. With the planning authority maintaining control over the condition discharge this will serve to prevent Thames Water exercising ransom control in respect of the provision of water infrastructure.
- 5.87. Concern has been raised by local residents in respect of the proposed relocation of a mains pumped sewer and the need for a 6m no build over zone (the sewer currently passes east to west over the northern part of the site). This matter has been raised with the applicant and it has been confirmed that the intention is to site the sewer under a road. The no build over requirement is aimed principally at buildings. Therefore, it is not considered that the

relocation of the pumped sewer represents an impediment to development. In the event an issue did arise it would be possible to review alternative layouts and or reduce the number of units on the site to accommodate the relocation of the pipe.

### **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), Appendix 1

CSDPD: CS17 (Environmental Assets) and CS19 (Raising the quality of place shaping and design)

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

Housing intensification SPD

Emerging New Local Plan: CP8 (Sense of Place), DM35 (Placemaking and Design Quality)

Gomm Valley and Ashwells Development Brief

The Environmental Guidelines for the Management of Highways in the Chilterns

Residential Design Guide

- 5.88. Details of Access, Layout, Scale, External Appearance and Landscaping are reserved for future consideration. The purpose of the illustrative layout is to demonstrate that 109 units can be acceptably accommodated on the site. The illustrative layout is not proposed to be fully resolved or fixed at this stage.
- 5.89. The Development Brief has a number of design orientated policies. These policies seek to ensure:
- a) that the site is well integrated with its surroundings;
  - b) that coalescence between High Wycombe and Tylers Green is avoided;
  - c) that the need for earth moving and retaining walls is minimised;
  - d) Good quality and clearly defined public/private spaces are provided.
- 5.90. In addition to the Development Brief the Council has a residential design guide, which provides more detailed guidance and minimum amenity standards.

### **Layout**

- 5.91. The illustrative proofing layout demonstrates that it is possible to bring forward a form of development that broadly conforms to the comprehensive layout approach set out in the adopted Development Brief. The illustrative layout:
- makes use of the screening benefits of the existing large mature hedgerows;
  - Fits within an overarching movement strategy;
  - clearly defines public/private space; and,
  - respects the separation of High Wycombe and Tylers Green.
- 5.92. There is also variation in terms of plot sizes and dwellings typologies.
- 5.93. Whilst parcel 9<sup>4</sup> has not been proposed in the current application, as it is beyond the application sites ownership, the site has been designed in such a way that its future incorporation is possible.
- 5.94. The Council's Urban Designer has been consulted, and concluded that the illustrative master plan demonstrates that 109 units can be acceptably accommodated on the site while satisfying the requirements of the Development Brief.
- 5.95. There are some issues with the illustrative master plan, which have been identified through

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<sup>4</sup> As identified in the Development Brief.

the consultation process. These relate to:

- a) the use of standard house types;
  - b) estate feel;
  - c) the use of rear parking courts;
  - d) poor allocation of garaging
  - e) the general absence of landmark buildings as indicated in the Design and Access Statement;
  - f) a poor materials pallet; and,
  - g) a need to redesign the northern section of the site and address the current long sinuous cul-de-sac.
- 5.96. There is merit in a number of these observations. However, it is acknowledged that this is an outline application and there is scope to resolve these matters at the Reserved Matters stage.
- 5.97. Given the complex nature of the proposed release of this site to small scale house builders and self/custom builders it is considered to be necessary and reasonable to impose a phasing, masterplan and design code condition on the application to ensure that the detailed release of the site supports a coherent design approach.

#### Scale

- 5.98. The proposed parameter plan indicates that development on the site will not exceed 2.5 storeys. This does not suggest that all development on the site will be 2.5 storeys in height, but rather 2.5 storeys will represent the maximum height of any new development. With the exception of the area backing onto Ashwells and Greenridge, this scale of development accords with provisions of the Development Brief and therefore is considered to be acceptable. The exact scale and form of the built development on the site will need to be determined at the Reserve Matters Stage, but the illustrative information provided indicates that conformity with the Development Brief is achievable.
- 5.99. For landscape, design and amenity reasons it is considered to be reasonable and proportionate to limit the height of new development backing onto Ashwells and Greenridge to two storeys via condition.

#### External Appearance

- 5.100. The Planning Statement and Design and Access Statement indicate that the external appearance of buildings will be based on a traditional form of design and construction. The materials palette will likely be red bricks, render, plain tiles and slate, with the occasional use of high quality stone and timber details where appropriate.
- 5.101. At the entrance to the site a more contemporary design approach is proposed for the custom/self-build dwellings. This approach at the entrance to the site is considered to be appropriate because the changing levels lend themselves to a more modern split level approach. It is considered that a design code will need to be conditioned to ensure continuity in the design approach.
- 5.102. Whilst the exact external appearance will need to be determined at the Reserve Matters Stage, the illustrative information provided indicates that conformity with the Development Brief is achievable.

#### Landscaping

- 5.103. In support of the application the applicant has submitted a 'Tree Constraints Plan', 'Tree and

Vegetation Removals Plan' and 'Root Protection Zone Plan'. The majority of existing vegetation is located around the perimeter of the site, the main exception being the mature hedgerow that passes centrally through the site on a north/south axis. The majority of the existing structural vegetation on the site would be retained as part of the development. There would be some losses centrally within the site, but there would also be some gains in the form of street tree planting and a central green spine that is proposed to pass through the centre of the site. The existing vegetation is capable of being protected and the proposed vegetation secured as the Reserve Matters applications come forward.

### **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

Emerging New Local Plan: DM40 (Internal Space Standards), DM41 (Optional Technical Standards for Building Regulation Approval)

Gomm Valley and Ashwells Development Brief

Residential Design Guide SPD

Future occupiers of the development

5.104. The details of the proposal are reserved for future consideration. However, the parameter plans and proofing masterplan are considered to illustrate that the site can deliver the quantum of development proposed whilst delivering an acceptable living environment for future occupiers in terms of: size of units, size of garden, dual aspect accommodation, privacy and access to light and outlook. The precise details of the proposed dwellings on the site can be secured at the reserve matters stage.

Occupiers of neighbouring dwellings/buildings

5.105. Ashwells and Greenridge – the Development Brief acknowledges that the relationship between parcel 11 and the existing properties in Ashwells and Greenridge is particularly sensitive due to their location on lower ground. To manage this relationship the Development Brief advises that direct back-to-back window distances achieve a distance of circa 35 metres or more and gardens should be of a sufficient size to accommodate structural planting. Where no windows are present a distance of 20 metres should be achieved. The proposal is to site 8 self-build dwellings along the boundary with Ashwells. Given the outline form of the application the precise siting and design is proposed to be agreed at the reserve matters stage. However, the amended illustrative proofing layout indicates that the 35 meter back-to-back distances can be achieved and there is scope for the provision of structural planting. Therefore, it is considered that the proposed quantum of development can be achieved without an adverse impact on the amenities of the occupiers of the properties in Ashwells or Greenridge.

5.106. Sandpits – The dwellings at Sandpits have deep gardens at circa 70 metres and therefore their habitable space and most usable private amenity areas are unlikely to be materially affected by the proposed development by reason of overshadowing, loss of light and/or noise/disturbance. The rear boundaries of these dwellings would be exposed to the public realm within the development. However, given that a long standing path (potentially permissive) already exists along the rear of these properties it is not considered that this will result in a new issue. Therefore, the impact on the occupiers of properties in Sandpits is considered to be acceptable.

5.107. Carter Walk – The dwellings in Carter Walk would be separated from the developed part of the Ashwells site by a wooded copse. The wooded copse is proposed to be retained.

Therefore, in terms of overshadowing, loss of light and/or noise and disturbance it is not considered that their amenities would unacceptably affected.

5.108. Concerns have been raised that a footpath is illustratively shown passing through the copse and concerns have been raised that this would give rise to a loss of privacy and exposure of the Carter Walk properties to the risk/fear of crime. Given that the land is already publically accessible and the copse, if retained as landscaping within the public realm, would be publically accessible, it is considered that the exposure of rear boundaries would occur under any circumstance. It is currently, and would remain the case, that the occupiers of these dwellings could enclose their boundaries (up to 2m in height), as they see fit, to appropriately secure their boundaries. As the copse is proposed to be retained it is important that it has an active use to promote public surveillance and discourage anti-social behaviour in this space (including garden encroachment and dumping of garden waste). Notwithstanding the above, this is a matter is currently illustrative and the final decision is reserved for future consideration.

5.109. In summary, the proposed development is not considered to have a detrimental impact on the amenities of adjoining residential development.

### **Historic Environment**

ALP: HE3 (Development affecting the setting of a listed building),

CSDPD: CS17 (Environmental assets)

Draft New Local Plan: CP8 (Sense of place), DM20 (Matters to be determined in accordance with the NPPF), DM31 (Development Affecting the Historic Environment)

Gomm Valley and Ashwells Development Brief.

5.110. Stretton House is located to the north of the site and is designated as a Grade II listed building. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires decision makers to give weight to the harm development would do to the setting of heritage assets. In addition, Paragraph 132 of the National Planning Policy Framework (the Framework) requires local planning authorities to give great weight to a heritage asset's conservation. Stretton House is located some 48 metres from the northern boundary of the site and is partially screened by existing vegetation. The Listed Building has no significant physical or functional connection to the application site either now or in the past and the importance of the site to the Listed Building is principally one of providing a setting. The proposed development whilst visible from the Listed Building is not considered to be overbearing or incongruous in its setting and is proposed to be further screened by additional vegetation. On this basis, the proposal is considered to have an acceptable impact on the setting of Stretton House.

### **Archaeology**

ALP: HE19 (Archaeology – Unscheduled Sites and Monuments)

CSDPD: CS17 (Environmental Assets)

Emerging New Local Plan: DM31 (Development Affecting the Historic Environment)

5.111. Local Plan policy HE19 states that planning permission will not be granted for any proposed development which would harm unscheduled archaeological remains or their setting which are considered to be of county, regional or national importance and worthy of preservation.

5.112. A number of Archaeological investigations have been undertaken to the south of the application site by WY AS Archaeological Services and Sumo Survey. They have identified some potential for Iron Age and 2<sup>nd</sup> to 3<sup>rd</sup> century Roman material. This potential would need to be 'ground truthed' through trial trenching. The County Council Archaeologist is therefore at variance with paragraph 8.9.4 of the Environmental Statement and would expect the whole of the proposed development area to be assessed through trial trenching. To this end

the County Archaeologist has requested that a condition be applied to any planning permission granted requiring the developer to secure appropriate investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 141. Subject to the imposition of an appropriate condition no archaeological objection is raised.

## **Agricultural Land**

### NPPF 2

5.113. The site was last actively used for the grazing by horses, which comprises a relatively low grade agricultural use. It is unclear whether the land has been farmed for arable purposes. Whilst an agricultural land classification has not been undertaken it is anticipated that the site, along with much of the Chilterns, would not comprise the best and most versatile agricultural land. Nevertheless, the loss of any agricultural land is a negative aspect of the proposal, which must be weighed in the balance.

## **Economic and Social Role**

### NPPF

#### Economic

5.114. It is acknowledged that there would be economic benefits associated with the development. These would include:

- a) short term job creation and spending on construction, particularly if small scale builders are involved;
- b) added spending power in the local area in the future from economically active residents;
- c) transport infrastructure contributions;
- d) CIL; and
- e) New Homes Bonus.

These are considered to represent planning benefits that weigh in favour of the development.

#### Social

5.115. It is acknowledged that the proposal would contribute to the housing supply for current and future generations and that the future occupiers of the site would have the potential to contribute positively to a strong, vibrant and healthy community, particularly when the land to the south is developed. These social benefits attract modest weight in favour of the proposed development.

## **Infrastructure**

CSDPD: CS1 (Overarching principles - sustainable development),  
Emerging New Local Plan: CP7 (Delivering the Infrastructure to Support Growth)  
Reserve Site Infrastructure Delivery Plan – June 2016

### Education

5.116. Buckinghamshire County Council (BCC) is the Local Education Authority (LEA) and has a statutory duty to ensure that there are sufficient school places in its area.

5.117. BCC stated that the increase in housing planned across Buckinghamshire is projected to put increased pressure on school places with projections of a deficiency of places across Wycombe District in primary and secondary schools.

5.118. In June 2010 BCC adopted a policy to ensure a coherent and consistent methodology for assessing the additional education infrastructure requirements generated by new housing developments. This sets out relevant standards including the pupil generation rates per 100 new dwellings and cost per pupil of new provision.

#### Primary

5.119. As part of the Reserve Sites Infrastructure Delivery Plan BCC has carried out an assessment of the impact of the release of the five Reserve sites on primary education provision in the area. This assessment has been updated to reflect the development applied for at Ashwell's. In line with the County Council formula a contribution of circa £550k is sought in respect of the provision of primary school places in the District. It is envisaged that this money will be spent on the construction of the proposed new school in the south of Gomm Valley. Depending on the timing of development on the Gomm Valley site the money could also be spent on the temporary or permanent expansion of other schools in the High Wycombe/Hazlemere/Tylers Green area as set out in the Reserve Site Infrastructure Plan. The proposed contribution is considered to be reasonable, necessary, directly related and proportionate and therefore accords with CIL regulations.

#### Secondary

5.120. Based on projections BCC state there is a requirement for an additional 5 forms of entry at secondary school level required by 2020 in High Wycombe (a form of entry is an additional class per year group). BCC estimate that all the Reserve sites will generate the need for one of these 5 forms of entry. To meet increased demand in the short term, works have recently commenced on site or are planned shortly to expand the following schools by a form of entry each:

- St Michael's Catholic School, Daws Hill Lane, High Wycombe
- Sir William Ramsay, Rose Avenue, Hazlemere
- Great Marlow, Bobmore Lane, Marlow

5.121. The CIL for the site will cover a commensurate contribution towards Secondary School provision.

5.122. Subject to a commensurate S106 contribution towards primary school education, and payment of CIL, there is no objection in respect of the provision of school places

#### **Health**

CSDPD: CS1 (Overarching principles - sustainable development),

Emerging New Local Plan: CP7 (Delivering the Infrastructure to Support Growth)

Reserve Site Infrastructure Delivery Plan – June 2016

5.123. NHS England Thames Valley and NHS Property Services were consulted as part of the Reserve Site Infrastructure work. The NHS advised that there will be requirements for adaption, modifications and extensions to local GP surgeries and potentially additional or new surgery fabric to provide the additional accommodation necessary to meet the additional demand generated from the reserve sites as well as managing longer term needs. NHS England advised that the cumulative impact of the Terriers Farm, Gomm Valley and Ashwells developments would likely result in a requirement for between 1 and 1.45<sup>5</sup> additional GPs. It was considered by NHS England that sufficient capacity could be made available within the existing premises of the Penn Surgery and Kingswood Surgery. However, these practices may need to make internal modifications to their premises in order to create additional capacity. These modifications would involve converting existing office

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<sup>5</sup> Full time equivalent.



space into an additional clinical room or remodelling internally to create a new room altogether. To fund this work the NHS expects to make bids to Wycombe District Council for CIL funding as well as using their own capital funding (i.e. Estates and Technology Transformation Fund). Chiltern Clinical Commissioning Group will continue to review existing GP capacity to review expected growth in demand for services over the short, medium and long term. Critically, for the purposes of the current application no S106 contribution is sought to expand an existing surgery or land to build a new surgery. Capital funding may be sought from CIL.

### **Building Sustainability**

CSDPD: CS18 (Waste, natural resources and pollution)

DSA: DM18 (Carbon reduction and water efficiency)

Draft New Local Plan: DM41 (Optional technical standards for Building Regulation approval)

Living within our limits SPD

5.124. 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. Emerging policy DM41 sets out the latest standards in respect of the provision of on-site renewables and water standards. The Development Brief also requires the incorporation of low carbon technologies and sustainable construction practices.

5.125. In accordance with adopted and emerging policy it is considered to be necessary and reasonable to impose conditions securing:

- a) a 15% reduction in carbon emissions on site through the use of decentralised and renewable or low carbon sources;
- b) the higher water efficiency standard in Part G of the building regulations; and,
- c) Provision of charging points for electric vehicles.

Subject to conditions securing the above, the sustainability credentials of the development are considered to be acceptable.

### **Infrastructure and Developer Contributions**

CSDPD: CS21 (Contribution of development to community infrastructure)

DSA: DM19 (Infrastructure and delivery)

Emerging New Local Plan: CP7 (Delivering the Infrastructure to Support Growth)

5.126. DFO 1 of the Development Brief requires proposals to deliver improvements on and off the site in accordance with the Wycombe Reserve Site Infrastructure Delivery Plan (June 2016).

5.127. This is a form of development where CIL would be chargeable. The total CIL receipt is currently unknown because layout is a reserved matter, but it is likely to be significant. The CIL receipt is a material consideration weighing in the developments favour.

5.128. The Planning Obligations SPD sets out the Local Planning Authority's approach to when planning obligations are to be used in new developments.

5.129. Having regard to the statutory tests in the Community Infrastructure Levy regulations and the National Planning Policy Framework, it is considered that the following planning obligation(s) are required to be secured within a section 106 agreement:

- a. Contribution to education

- b. Contribution to foot/cycle paths and PRow improvements.
- c. Transport Infrastructure improvements
  - i. London Road
  - ii. Bus improvements
- d. Affordable housing
- e. Green infrastructure
  - a. NEAP
  - b. LAP
  - c. Maintenance
  - d. Public accessibility
- f. Open Space contribution
- g. SUDs maintenance
- h. Public accessibility.

5.130. The justification for the S106 requirements is set out throughout the report. The contributions and works sought under the S106 are considered to be necessary to make the development acceptable and directly/reasonably/fairly related in scale and kind to the development.

### **Weighing and Balancing**

5.131. 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.

5.132. As set out in this report it is considered that the proposed development would over provide in respect of some aspects of the Development Plan (planning benefits) and under provide in respect of others.

5.133. In terms of benefits the site would:

- a) Make a contribution towards the delivery of housing in line with the emerging site allocation and Development Brief for the site.
- b) Set parameters for the delivery of 109 residential units. The exact layout and design to be reserved for future consideration.
- c) Contribute towards the Council's five year housing land supply.
- d) Set the framework for the delivery of public open space and green infrastructure; including the provision of children's play.
- e) In combination with the Bellfield Road site, deliver above policy level affordable housing in quantitative terms.
- f) Deliver a varied housing mix including 13% custom and self-build units.
- g) Set a framework for ensuring the amenities of neighbouring dwellings can be protected in accordance with the Council's Residential Design Standards and Development Brief.
- h) Set the framework for delivering ecological benefits on the site through retention of existing assets and new enhancements.
- i) Provide an access strategy for the site that accords with the Development Brief. Including delivery of the first phase of the Gomm Valley and Ashwells Spine Road.
- j) Make onsite PRow improvements and financial contributions towards off-site PRow improvements.
- k) Make financial contributions towards bus infrastructure in Tylers Green village.
- l) Deliver traffic calming on New Road.
- m) Make improvements to school drop-off provision at the local school.
- n) Deliver economic and social benefits from construction process and the creation of new communities.
- o) Pay into the CIL fund to secure wider infrastructure improvements.

5.134. In terms of negatives the site would:

- a) Not deliver the full Gomm Valley and Ashwells Spine Road leading to Cock Lane capacity concerns in the short term. It is envisaged that these will be overcome in the medium to long term when the site to the south comes forward.
- b) The proposed affordable housing mix leads to a degree of social stratification.
- c) The loss of an area of agricultural land.

5.135. On balance, the positive aspects of the proposal are considered to clearly outweigh the negatives and on this basis planning permission should be granted.

5.136. In considering other material considerations, the proposal has also been assessed against the policies in the NPPF. It is considered that the positives of granting planning permission outweigh the negatives when assessed against the framework taken as a whole.

**RECOMMENDATION:** Minded to grant outline planning permission subject to completion of a Planning Obligation or other agreement.

That the Head of Planning and Sustainability be given delegated authority to grant Conditional Permission provided that a Planning Obligation is made to secure the following matters:

- a) Contribution to education
- b) Contribution to foot/cycle paths and PRow improvements.
- c) Transport Infrastructure improvements
  - a. London Road
  - b. Bus improvements
- d) Affordable housing
- e) Green infrastructure
  - a. NEAP
  - b. LAP
  - c. Maintenance
  - d. Public accessibility
- f) Open Space contribution
- g) SUDs maintenance
- h) Public accessibility.

or to refuse planning permission if an Obligation cannot be secured.

It is anticipated that any planning permission would be subject to the following conditions:

### **Time Limit and Plans**

1. Details of the access (save for the site access as illustrated in the master plan; ref: IMP002), appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") for each phase of the development identified on the phasing plan approved under condition 4 shall be submitted to and approved in writing by the local planning authority before any development begins on that phase and the development shall be carried out as approved.  
Reason: That the application is expressed to be an outline application only.
2. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.  
Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990

(as amended) and allow time for a potentially complex disposal involving multiple developers.

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

## Phasing

4. No reserved matters shall be submitted until there has been submitted to and approved in writing by the Local Planning Authority a Phasing Plan for the site in its entirety. All reserved matters shall be in accordance with the approved phasing plan. Any subsequent applications for revisions to the approved phasing plan shall be submitted to and approved by the Local Planning Authority. Thereafter applications for the approval of reserved matters shall be in accordance with the approved Phasing Plan.

Reason - To ensure that high standards of urban design and comprehensively planned development, and to ensure the development proceeds in a coordinated manner to accord with the Development Brief and design principles set out in the Council's Residential Design guide and Development Brief.

## Master Plan and Design Framework

5. No reserved matters shall be submitted until there has been submitted to and approved in writing by the Local Planning Authority a detailed masterplan and design framework for the site, which shall be in compliance with the submitted parameter plans. It shall include the subdivision of each phase into development parcels to provide a basis for reserved matters submissions. Any subsequent applications for revisions to the approved Detailed Masterplan shall be submitted to and approved by the Local Planning Authority.

Each of the Detailed Masterplans shall include a two-dimensional layout drawing, preferably at a scale of 1: 1000 that shows:

- The arrangement of public open space and the context or proposed structural planting
- Details of walking and cycling routes and how they link with the wider external network. In particular:
  - The location and design of vehicular, pedestrian and cycle routes and connections to the Gomm Valley site.
  - A footpath (minimum of 2 metres wide) to an adoptable specification between the rear of 10 Carter Walk and the junction with CWY/15/1 in the south of the site.
  - A footpath (minimum of 3 metres wide) to an adoptable specification along the alignment of CWY/15/1 within the site.
- Treatment of public realm (including open space, play areas, and areas of hard landscaping)
- The arrangement of street and buildings down to plot level
- The arrangement for block interiors
- The arrangements for car parking
- Building heights/massing
- Architectural principles
- Principles for custom/self-build plots, including delivery strategy.

Reason: To ensure that high standards of urban design and a comprehensively planned Development. To aid a complex release program involving small scale builders and self/custom builders.

## **Housing Tenure (affordable, custom and self-build)**

6. The development shall not begin until a scheme for the provision of affordable housing, custom build and self-build, has been submitted to and approved in writing by the local planning authority. Thereafter the affordable housing, custom build and self-build shall be delivered in accordance with the approved scheme unless further agreed in writing.

The scheme include details of:

- 1) The location of affordable housing and self/custom build units.
- 2) Size of affordable housing and the number of bed spaces.

Reason: to ensure acceptable delivery of affordable housing on the site.

7. All custom/self-build development shall comply with the definitions and requirements of the Housing and Planning Act 2016 or other subsequent legislation or guidance.

Reason: to ensure that the custom/self-build properties are built by individuals, associations of individuals or persons working with or for individuals or associations of individuals.

## **Limitations**

8. The development hereby approved shall comprise no more than 109 dwellings.  
Reason: In order to control the amount of development in the interests of the character and appearance of the area and to limit the development to the quantum that has been assessed within the Environmental Statement.

9. The development hereby approved shall be limited to and accord with the following parameters:-
- a) The maximum developable residential area shall not exceed the area indicated on the Land Use parameter plan (ref: PP002 dated March 2019).
  - b) the maximum heights of buildings shall not exceed the following:
    - up to 2.5 storeys on the eastern part of the site.
    - Up to 2 storeys on the north-western part of the site in the area identified for custom build on plan ref: IMP004 dated Jan 2019.

Reason: In order to control the amount of development in the interests of the character and appearance of the area, to limit development to the quantum that has been assessed within the Environmental Statement and in the LVIA.

10. The reserved matter of access and layout shall include a road of adequate width and design to serve the adjacent site to the South (indicated as parcel 9 in the Development Brief) of a similar design and alignment to that indicated on plan ref: IMP002 (Illustrative Master Plan). The road shall stop contiguous with the boundary.

Reason – to ensure that all necessary permissions are in place to allow direct access to the land to the south.

## **Landscaping and Ecology Management**

11. No building shall be occupied until a detailed landscape and ecological management plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved landscape and ecological management plan unless otherwise first agreed in writing by the Local Planning Authority.

The landscape and ecological management plan shall include:

- Details of the relevant management company and its legal status including details of the Articles of Association.
- Description of the features to be managed.

- Details of how the site will be managed for the benefit of wildlife to contribute to an overall gain in biodiversity.
- Lifespan of the management plan.
- Aims and objectives of management.
- Appropriate management options for achieving aims and objectives.
- An annual work schedule.
- Personnel responsible for implementation of the plan.
- Monitoring and remedial measures.

Reason: In the interests of amenity, to ensure a satisfactory standard and comprehensive approach to ongoing management of the landscaped areas.

12. All planting, seeding or turfing comprised in the approved details of landscaping (to be approved as part of the Reserved Matter of Landscape) 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.

### **Open Space**

13. No dwelling shall be occupied until the Reserved Matter of landscape, addressing the strategy for the Parkland and Parkland Edge, the area of which is indicated on the Land Use parameter plan (ref: PP002 dated March 2019), has been submitted to and approved by the Local Planning Authority. Thereafter, no dwelling shall be occupied until the strategy for the Parkland and Parkland Edge has been implemented.

The Strategy for the Parkland and Parkland Edge shall include:

- A hard/soft landscape plan at a scale of 1:500.
- A hard/soft landscape ecological mitigation and enhancement plan
- A plan showing services at 1:500.
- Plan showing Sustainable urban drainage features.
- Sundry hard landscape features such as benches, means of enclosure, bins etc.
- Details of all paths
- Details of 1 x Neighbourhood Equipped Area of Play (NEAP)\*.
- Details of 1 x LAP (Local Areas Play)\*.

\* The play spaces would be provided to Field Houses Bench Mark Standards unless an alternative standard is agreed.

Reason: To ensure the Parkland is delivered in accordance with the open space strategy and Development Brief. In the interests of comprehensive development. Provisions in respect of the timing and on-going management are contained within the accompanying legal agreement.

### **Ecology**

14. No development within any phase shall take place until the capture, rescue and translocation exercise indicated in para. 7.6.1 of the Environmental Statement (Dated December 2017) has been undertaken.

Reason: minimise the impact on existing wildlife. A pre-commencement condition is necessary to ensure vulnerable species are removed prior to any heavy machinery passing over the site.

15. The reserved matter of landscaping shall include a detailed ecological mitigation and enhancement strategy for each phase. The strategy should include details of:

- a) The proposed enhancement for all ecology within that phase, as identified in section 7 of the Environmental Statement (dated Dec 2017).

Reason: To comply with the requirements of the Conservation & Natural Habitats Regulations (as amended) and the Wildlife & Countryside Act 1981 (as amended) and ensure ecological mitigation and enhancement on the site.

### **Flooding/SUDs/Water**

16. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority (in consultation with Thames Water and the Lead Local Flood Authority). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include an:
- Assessment of SuDS components to meet water quality standards as set out in the CIRIA SuDS Manual (C753) and provide justification for exclusion if necessary.
  - Infiltration in accordance with BRE365 in the location of the proposed infiltration devices, such as infiltration swale(s).
  - SuDS components shall include infiltration basins, swales and permeable paving in car parks and low trafficked roads.
  - Full construction details of all SuDS and drainage components.
  - Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
  - Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
  - Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.

Reason: The reason for this pre-start condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 163 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk. To avoid sewage flooding.

17. Prior to the first occupation of the development, a demonstration (such as as-built drawings and/or photographic evidence) of the as-built surface water drainage scheme carried out by a suitably qualified person must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.

Reason: The reason for this pre-occupation condition is to ensure the Sustainable Drainage System has been constructed as per the approved is designed to the technical standards

### **Highways/parking**

18. The details to be submitted for the approval of the Local Planning Authority within a Reserved Matters application seeking to determine matters of Access shall demonstrate estate roads and footways designed to an adoptable standard.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development whether or not they are offered for adoption as highway maintained at public expense.

19. No more than 20 units of the development site shall be occupied until the following off-site highway works:

- Widening works to Cock Lane in order to provide a 6.5m wide road, for the length of the western boundary of the site, as indicated on the illustrative master plan for the site (ref: IMP002, dated March 2019).
- A traffic calming scheme for New Road and Church Road as indicated on plan ref: 15-090-234 (dated Jan 2017)
- A pedestrian crossing to serve the existing drop-off area on Cock Lane serving Tylers Green Middle School as indicated on plan ref: 15-090-240 (dated Nov 17).

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: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

20. The access points hereby approved shall be sited and laid out in accordance with the approved drawings 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.

21. Each respective access point (on to Ashwell's and Cock Lane) shall provide both access to and egress from the development hereby permitted.

Reason: To minimise danger and inconvenience to highway users and ensure vehicular permeability through the development.

22. Notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no gates shall be erected upon the roads of the development hereby permitted that prevent vehicular access.

Reason: To enable vehicles to draw off clear of the highway for the safety and convenience of the highway users.

23. The construction of dwellings shall not commence until visibility splays have been provided on both sides of the Cock Lane access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.

Reason: To provide adequate inter-visibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

## **Archaeology**

24. Prior to the submission of the Reserved Matters and to any development being undertaken, unless authorised by the local authority, the applicant, or their agents or successors in title, shall undertake archaeological evaluation in the form of trial trenching in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. Where significant archaeological remains are confirmed these will be preserved in situ.

Prior to the submission of the reserved matters where significant archaeological remains are confirmed, no development shall take place until the applicant, or their agents or successors in title, have provided an appropriate methodology for their preservation in situ, which has been submitted by the applicant and approved by the planning authority.



Where archaeological remains are recorded by evaluation and are not of sufficient significance to warrant preservation in situ but are worthy of recording no development shall take place until the applicant, or their agents or 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 by the applicant and approved by the planning authority.

The archaeological investigation(s) should be undertaken by a professionally qualified archaeologist working to the agreed written scheme(s) of investigation which should be based on our on-line template briefs.

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.

### **Energy/water/electric vehicle charging**

25. Prior to occupation of the first dwelling in phase 1 a strategy for the provision of car charging points shall be submitted to the Local Planning Authority for approval. The development shall thereafter be constructed in accordance with the approved strategy and maintained in full working order for a minimum period of 5 years.

The strategy should include:

- Direct access to a vehicle changing point for all dwellings where parking is immediately adjacent to the dwelling.
- Shared provision for flats and dwellings where parking is not immediately adjacent to the dwelling.

Reason: To reduce the negative impact on the health of residents living within the Air Quality Management Area. Reduce air pollution. Promote more sustainable forms of fuel. Ensure that the site is prepared for the phasing out of petrol and diesel vehicles.

26. The development hereby permitted shall integrate and utilise high-efficiency alternative energy generation systems sufficient to deliver at least 15% of the total Target Fabric Energy Efficiency for the development. The dwellings hereby permitted shall not be occupied until 15% total Target Fabric Energy Efficiency is achieved. The TFEE and the % contribution made by high-efficiency alternative systems shall be calculated in accordance with Building Regulations Approved Documents L (2013, as amended 2016, or any update to this methodology in any future amendment of the Approved Documents) and be made available within 7 days upon request.

Reason: In the interests of sustainability, carbon reduction and the promotion of renewable technologies pursuant to Policy DM18 of the adopted Delivery and Site Allocations DPD and emerging policy DM33 of the New Local Plan.

27. No dwelling hereby permitted shall be occupied until the higher water efficiency standard set out in the appendix to Building Regulations Approved Document Part G (2015 or any update to this standard in any future amendment of the Approved Document) has been achieved.

Reason: This is an optional standard to be addressed at the Building Regulations stage. In the interests of water efficiency and to conform to policy DM18 of the adopted Delivery and Site Allocations DPD and emerging policy DM39 of the New Local Plan.

### **Services and Utilities – Thames Water**

28. No development shall take place until a drainage strategy detailing any on and/or off site foul drainage works, has been submitted to and approved by the local planning authority (in consultation with the sewerage undertaker – Thames Water). Thereafter the development shall not be occupied other than in accordance with the timing strategy agreed as part of the foul drainage strategy.

Reason: the development may lead to sewage flooding to ensure that sufficient capacity is made available to cope with the new development and in order to avoid adverse environmental impact

upon the community.

29. No development shall take place until Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point. Thereafter the development shall not be occupied other than in accordance with the timing strategy agreed as part of the water supply strategy.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

30. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority (in consultation with Thames Water). Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 08000093921 to discuss the details of the piling method statement.

## 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:
- Entering into a Planning Performance Agreement to work on a Development Brief and offer pre-application advice;
  - as appropriate updating the applicant/agent of any issues that arose in the processing of the application and where possible suggesting solutions; and,
  - adhering to the requirements of the Planning & Sustainability Customer Charter.

Following amendments to the application and completion of negotiations in respect of the legal agreement the application was considered by Planning Committee and determined without delay.

## S106

2. The following matters addressed by an accompanying legal agreement:
- i. Contribution to education
  - j. Contribution to foot/cycle paths and PRow improvements.
  - k. Transport Infrastructure improvements
    - iii. London Road
    - iv. Bus improvements
  - l. Affordable housing
  - m. Green infrastructure
    - a. NEAP
    - b. LAP
    - c. Maintenance
    - d. Public accessibility
  - n. Open Space contribution
  - o. SUDs maintenance
  - p. Public accessibility.

## Highways

3. 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.
4. This permission shall not be deemed to confer any right to obstruct the public footpath/bridleway now crossing the site which shall be kept open and unobstructed until legally stopped up or diverted under section 257 of the Town and Country Planning Act 1990.
5. 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 Development Management at the following address for information:-

Development Management (Works Co-ordination & Inspection)  
Buckinghamshire County Council  
6<sup>th</sup> Floor, County Hall  
Walton Street,  
Aylesbury  
Buckinghamshire  
HP20 1UY

6. 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.
7. 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 willful obstruction is an offence under S137 of the Highways Act 1980.
8. The applicant is advised to contact the Highways Development Management delivery team to determine the extent of pre-condition surveys.
9. This permission shall not be deemed to confer any right to obstruct the public footpath crossing the site which shall be kept open and unobstructed unless legally stopped up or diverted under Section 257 of the Town and Country Planning Act 1990, or temporarily closed by Traffic Regulation Order under Section 14 Road Traffic Regulation Act 1984.

## Water

10. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

11. There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.
12. There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

## Ecology

13. The applicants attention is drawn to the fact that a licence to disturb any protected species needs to be obtained from Natural England under the Conservation (Natural Habitats &c) Regulations 2010.
14. The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally:
  - take, damage or destroy the nest of any wild birds while the nest is in use or being built;
  - take kill or injure any wild bird; and,
  - take or destroy the egg of any wild bird.

Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the Act.

The consent given by this notice does not override the protection afforded to these species and their habitat.

15. The applicant is also advised that protected species (including all bats) use trees. The Conservation of Habitats and Species Regulations 2010 provides very strong protection for these species and so you must be certain that they are not present before works begin. If the presence of bats or other protected species is suspected, a licence may be required from Natural England before works can commence. If protected species are found in a tree whilst carrying out work, all work must stop and Natural England must be informed. Trees should be inspected prior to works commencing and if the presence of bats is suspected advice will need to be sought from Natural England via the Bat Line on 0845 1300228. Further advice on bats is available from The Bat Conservation Trust (020 7627 2629).

## Design

16. Generally speaking the illustrative layout was considered to represent a useful illustration of how the site may be satisfactorily developed. However, urban design concerns remain in respect of:
  - pedestrian priority (particularly at the first junction in the site);
  - distribution of unallocated parking;
  - inefficiencies in the parking layout;
  - Absence of directly pedestrian link running in parallel with Cock Lane; and,
  - The length of the northern cul-de-sac.

The applicant is advised to consult with officers in respect of these concerns in advance of submitting Reserved Matters.