

Contact: Robert Harrison DDI No. 01494 421641
App No : 17/07195/FUL App Type: Full Application
Application for : Demolition of existing bungalow and construction of a two & a half storey block containing 12 flats (8 x 2 bed & 4 x 1 bed) with associated parking and landscaping
At 15 & 17 New Road, High Wycombe, Buckinghamshire, HP12 4LH
Date Received : 23/08/17 Applicant : Mr Ravinder Sehajpal
Target date for Decision 22/11/17

1. **Summary**

- 1.1. The proposal is considered to be acceptable in principle, by design, in terms of its impact on amenity and with regard to its impact on parking and highway safety. Therefore, subject to appropriate conditions and the completion of a legal agreement, the proposal is considered to conform to Development Plan policy, which is considered to be consistent with the National Planning Policy Framework.

2. **The Application**

- 2.1. The site is located within the urban area of High Wycombe within residential parking zone 1 and CIL charging zone A. To the east of the site is an ancient woodland (Rowliff Wood) designated as Green Space, Desborough Castle Local Landscape Area, Rowliff and Castlefield Woods Local Wildlife Site and Green Infrastructure Area. There is a designated public footpath located adjacent to the rear (eastern) boundary of the site.
- 2.2. The site comprises the plot of nos. 15 and 17 New Road (No.17 has been demolished). The site comprises an area of circa 30 metres wide by some 100 metres deep. The site slopes upward from front to rear. The rear of the site is steeply sloping and heavily treed. The area has a mixed character. To the south is predominantly single family residences. To the north the character becomes more mixed with businesses, community and shop uses. Whilst purpose built blocks of flats are not a common feature in the area there are some examples. A number of houses have also been split into flats or HMOs; this is more common in the area to the north.
- 2.3. No. 15 is lawfully a residential property, but is currently being used for business purposes. Therefore, for the purposes of applying planning policy will be treated as a residential dwelling.
- 2.4. The proposal is to demolish the existing bungalow at No.15 (no. 17 has already been demolished) and construct a block of 10 flats in its place. The block would be 15.6 metres deep at its deepest point and 22.6 metres wide at its widest point. The building would be 9.4 metres high and set under a mansard roof.
- 2.5. The application was amended during the course of its determination. The amendments can be summarised as follows:
 - a) The number of flats was reduced from 12 to 10
 - b) The layout was amended.

- c) Balconies were provided.
 - d) The scale and architectural form was altered.
 - e) Windows were repositioned to mitigate overlooking.
- 2.6. Additional sustainable urban drainage information was also submitted.
- 2.7. The application is accompanied by a:
- a) Planning Statement;
 - b) Design and Access Statement;
 - c) Landscaping Appraisal;
 - d) Transport Statement;
 - e) Storm Sewer Design; and,
 - f) Ecology Wildlife Checklist

Statement of Community Involvement

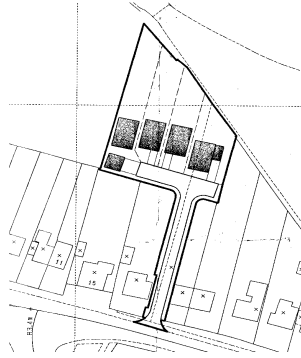
- 2.8. The applicant has not carried out a community consultation exercise. However, the Council has widely consulted on the planning application and the responses are summarised in Appendix A of this report and are available in full on the Councils web site.

3. Working with the applicant/agent

- 3.1. In accordance with paragraph 38 of the NPPF2 Wycombe District Council (WDC) approaches decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and works proactively with applicants to secure developments.
- 3.2. WDC works with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 3.3. In this instance, the Local Planning Authority has:
- Updated the applicant/agent on a number of issues that arose in the processing of the application and where possible suggested solutions; and,
 - Adhered to the requirements of the Planning & Sustainability Customer Charter.
- 3.4. Following amendments to the application it was considered by Planning Committee and determined without delay.

4. Relevant Planning History

- 4.1. 04/05576/FUL – planning permission was sought for 4 x 4 bedroom detached dwellings with garages at land at 15-19 New Road as indicated below:

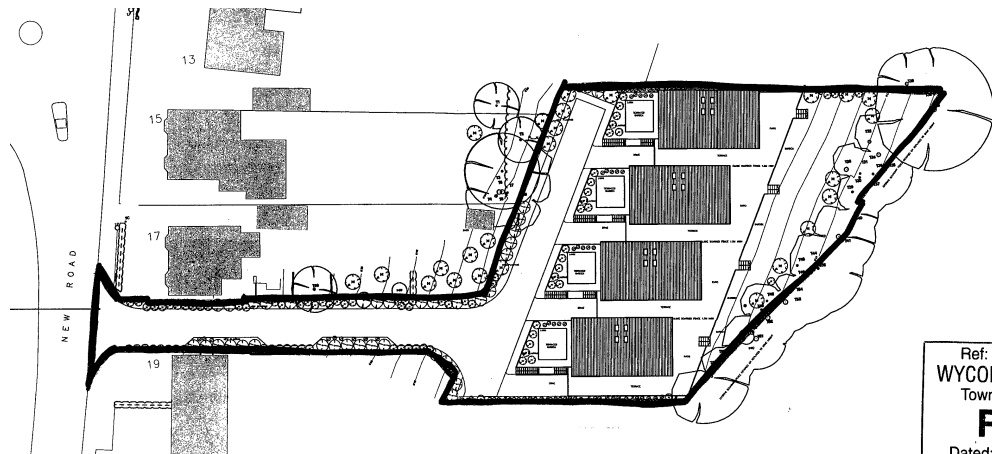


Planning permission was refused on the following grounds:

- a) Inappropriate form of backland development;
- b) Exposure of private boundaries to noise and disturbance;
- c) Impact on trees and vegetation at the rear of the site;
- d) Inadequate provision for the turning of refuse vehicles; and,
- e) Failure to make a contribution to transport infrastructure.

4.2. 04/06819/FUL – planning permission was sought for the erection of 4 x 4 bed detached dwellings with garages and alterations to provide access. The scheme was essentially the same as that refused planning permission under application ref: 04/05576/FUL save for the fact that the refuse vehicle turning issue had been resolved. Planning permission was refused. The Council’s decision was appealed. The Inspector accepted the Council’s position that the proposal represented inappropriate backland development in its hillside and landscape context, but did not consider that vehicle movements would have an unacceptable impact on the amenities of adjacent properties in terms of noise and disturbance. The transport infrastructure contribution issues was overcome at the appeal with the offer of a contribution to be secured by way of a legal agreement.

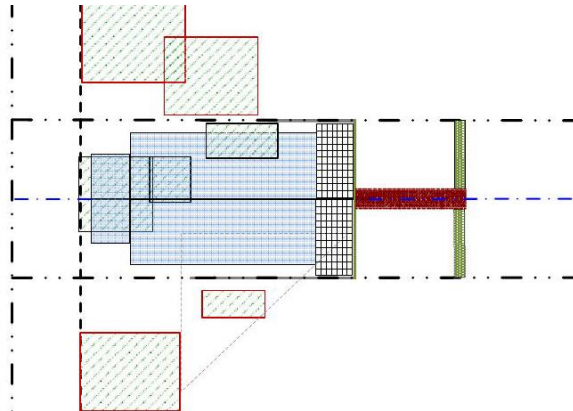
4.3. 06/05021/FUL – planning permission was sought for 4 x 4 bed detached dwellings with garages as indicated below:



4.4. Planning permission was refused on the following grounds:

- a) By reason of its design, location form and scale the proposal was considered to represent an inappropriate form of backland development; and,
- b) Failure to make a contribution to transport infrastructure.

- 4.5. The applicant appealed the Council's decision. The Inspector dismissed the appeal on design grounds given the intrusive nature of this back land site.
- 4.6. 11/06529/FUL – planning permission was sought and granted for the erection of a pair of 4 bed semi-detached houses at No.17 New Road as indicated below:



- 4.7. The planning permission was subject to 9 conditions, which included pre-start conditions in respect of materials, landscaping, levels and boundary walls/fences. Whilst the foundations for the building appear to have been laid given that the pre-start conditions have not been discharged, this would not represent a lawful implementation of the planning permission. The planning permission has subsequently expired.

5. **Issues and Policy considerations**

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), CS12 (Housing provision).
 DSA: DM1 (Presumption in favour of sustainable development),
 Emerging New Local Plan: CP1 (Sustainable Development), CP2 (Spatial Strategy), CP3 (Settlement Hierarchy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions: Transport and Energy Generation)
 Housing Intensification Supplementary Planning Document (HISPD)

- 5.1. The proposed site is within an established residential area and therefore residential development is considered to be acceptable in principle, subject to compliance with all other relevant policies in the Local Plan, and other material considerations.
- 5.2. It is acknowledged that the delivery of housing is a planning benefit that attracts weight in the decision making process.

Flood Risk 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)

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

Fluvial Flood Risk

5.4. The site is located within fluvial flood zone 1 and therefore is not at risk of river flooding.

Surface Water Flood Risk

5.5. A low risk of surface water flooding has been identified at the front (west) of the site in front of existing No.15. A pocket of high risk of surface water flooding is also identified on the northern part of the site in the location of the existing garage at No.15. Both of these areas of surface water flooding appear to relate to existing areas of impermeable paving and artificially depressed ground levels. Therefore, it is considered that it would be inappropriate to apply the sequential test, which would have the effect of preserving an existing poor man-made situation. However, the presence of surface water flooding in the area and along the main road does indicate high ground water levels, which would need to be taken into account in any future sustainable urban drainage strategy for the site to ensure the surface water flood risk issue is minimised.

Sustainable Urban Drainage

5.6. During the course of the application there has been extensive and ongoing negotiation with the Lead Local Flood Authority (LLFA). This has resulted in the production of:

- a) A Sustainable Drainage Assessment being prepared by Weetwood (ref: 3861/SDA/Final/v1.2; dated 12 April 2019).
- b) Results of soakaway Testing and Ground water level measurements being produced by Brownfield Consultancy (ref: BC431 L.001/JT; dated 18 March 2019).

5.7. The LLFA has reviewed the above reports and accepts that the site is capable of delivering a sustainable urban drainage solution. Conditions have been requested in respect of: the provision of a detailed surface water drainage strategy; the provision of a whole life maintenance plan; and, a verification report. These conditions are considered to be reasonable and necessary. Therefore, subject to their imposition, no sustainable urban drainage objection is raised.

Affordable Housing and Housing Mix

ALP: H9 (Creating balanced communities)

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

Planning Obligations Supplementary Planning Document (POSPD)

Affordable Housing Interim Position - February 2019

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

NPPF

5.8. The site falls below the current affordable housing threshold of 15 dwellings. However, para. 64 of the NPPF states:

“Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups” (emphasis added)

5.9. Affordable home ownership includes: Starter Homes, Discounted Market Sales Housing,

shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below market value) and rent to buy.

- 5.10. The NPPF is considered to represent a weighty material consideration, which should be applied to decision making with immediate effect.
- 5.11. Prior to adoption of the Council's New Local Plan the Council has adopted an Affordable Housing Interim Position statement (Feb 2019), which sets the Council's intention to apply para. 64 of the NPPF on all major housing developments. This adds to the weight of the NPPF.
- 5.12. It is also material that the Council is currently pursuing an affordable housing policy in its New Local Plan, with a threshold of 10 units. Although it is acknowledged that this policy is not yet adopted and therefore cannot yet be afforded full weight. In the event of an appeal this matter may need to be revisited.
- 5.13. This issue is capable of being addressed if the applicant enters into a legal agreement securing 10% of the dwellings on the site (1 dwelling) for affordable home ownership.

Housing Mix

- 5.14. Policy H9 (Creating Balanced Communities) and CS13 (Affordable housing and housing mix) requires new housing developments to provide a mix of dwelling types and sizes to meet the identified housing needs of the community. The Chapel Lane (Sands) area is currently mixed in terms of dwelling types and sizes. The proposal, which is for one and two bedroom flats would contribute to that mix and therefore no objection is raised in this regard.

Housing Mix

- 5.15. The existing area is characterised by a mix of dwelling sizes. The proposal would deliver ten one and two bedroom units. These flats would contribute towards the Council's need for smaller dwellings in the District. Given the size of the development and mixed character of the area the proposed mix is considered to be acceptable.

Transport matters and parking

ALP: T2 (On – site parking and servicing), T4 (Pedestrian movement and provision) and T5 and T6 (Cycling),
CSDPD: CS16 (Transport), CS21 (Contribution of development to community infrastructure)
DSA: DM2 (Transport requirements of development sites)
Emerging New Local Plan: DM33 (Managing Carbon Emissions: Transport and Energy Generation)
Buckinghamshire Countywide Parking Guidance

- 5.16. The applicant has submitted a Transport Statement prepared by Stirling Maynard in support of the application, which sets out the applicant's position with regard to accessibility, parking and highway safety considerations.

Network Capacity

- 5.17. The NPPF states that:

“improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should

only be refused on transport grounds where the residual cumulative impacts of development are **severe**.” (Emphasis added)

- 5.18. Given the scale of development (10 flats), likely traffic generation and the distance from the junction with Lane End Road, the County Highway Authority is satisfied that the development could be acceptably accommodated on the existing highway network.

Access

- 5.19. The access at its entrance splays to 4.8 metres, which is adequate to allow 2 vehicles to pass should they meet accessing and egressing the site. Subject to a condition securing the access arrangements to a commercial specification, the County Highway Authority advises that the proposed access is acceptable in highway safety/convenience terms. Therefore, no objection is raised in this regard.

Servicing

- 5.20. The site would be serviced in the same way as the existing property on the site and those in the surrounding area, namely from the kerbside. No objection is raised to this approach.

Parking Provision

- 5.21. The Council's approach to residential parking is set out in the Buckinghamshire Countywide Parking Guidance. This guidance is based on the predicted level of car ownership drawn from the 2011 census data with an additional element of visitor parking. The new Countywide standards represent 'optimum' parking standards, which aim to reflect the right amount of parking to meet demand. Optimum is defined as providing the 'best or most favourable point, degree or amount'. So the standards introduced in this guidance should be considered as the most favourable amount to create conditions for sustainable growth, without causing adverse effects through the under or over provision of parking spaces.
- 5.22. The development comprises 10 dwellings with either 2 or 3 habitable rooms. The development proposes 15 parking spaces (1 disabled). A dwelling of 4 habitable rooms or less is required to provide 1 parking space per dwelling with an additional 20% where more than half the parking is allocated. Therefore, 10 flats would require 10 parking spaces, plus 2 visitor spaces (12 spaces in total), if measured using habitable rooms. The proposal at 15 spaces exceeds the Council's requirement, which is considered to be acceptable in this area with restricted street parking. To maximise the efficient use of parking it is proposed to be unallocated.

- 5.23. The parking space sizes at 5 x 2.8 metres accords with the County Parking Guidance.

- 5.24. In view of the above the parking provision is considered to be acceptable.

Pedestrian and Cycle provision

- 5.25. The site comprises part of the urban area of High Wycombe. There are shops, places of work and a primary/middle school within a short walking distance of the site. The town centre with all of its associated amenities is also a short cycle ride away.
- 5.26. A cycle store is proposed adjacent to the northern boundary at the rear of the site. The cycle store would be well overlooked by the majority of the flats. Subject to a condition

securing the cycle store prior to first occupation it is considered to be acceptable.

Public Transport

- 5.27. Occupiers of the site would have good access to the local bus service, being located some 50 metres from the nearest bus stop (No.32 - Micklefield to Booker Service). Additional services are available on West Wycombe Road. The patronage from the site should contribute to the ongoing sustainability of the services in the area. Therefore, with regard to public transport accessibility the proposed development is considered to be acceptable.

Environmental issues

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

CSDPD: CS18 (Waste, natural resources and pollution)

- 5.28. A communal bin stores are proposed for the flats adjacent to the northern boundary. It is capable of accommodating 4 x 1100L bins. The proposed bin store is considered to be acceptable. A condition can be imposed on any planning permission granted securing delivery of the proposed bin store.

Green Infrastructure and Ecology

CSDPD: CS17 (Environmental assets)

DSA: DM11 (Green networks and infrastructure), DM12 (Green space), DM14 (Biodiversity in Development),

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

Housing intensification SPD

- 5.29. Policy DM14 requires all development proposals to maximise opportunities for biodiversity by conserving, enhancing or extending existing opportunities. Policy DM11 requires all developments to contribute to the green infrastructure network.
- 5.30. The Natural England standing advice states (para.4.1):
- “Developers should only be required though to carry out surveys for protected species if there is a reasonable likelihood of protected species being present and affected (see paragraphs 98 and 99 of [Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System \(ODPM Circular 06/2005\)](#))” (emphasis added).
- 5.31. The applicant has not submitted an ecological survey, but has completed the Council’s Ecology Wildlife Checklist, which indicates that the developed part of the site is of limited ecological value.
- 5.32. The officers Desk top study and site visit revealed that the site is abutted by ancient woodland to the east, which is designated as a Biological Notification Site, Local Wildlife Site and Green Infrastructure Area. The eastern half of the site (which abuts the wildlife site) is covered by what appears to be self-seeded tree cover. The western half of the site (the area proposed for development) is relatively bare of vegetation and has a more sanitised domestic appearance.
- 5.33. Representations have been received, which have recorded sightings of foxes, badgers, squirrels and deer on the site. Of these species only badgers are protected and even then not as a consequence of being rare, but rather due to issues of cruelty. All of the

species identified by neighbouring dwellings as being present on the site are foraging species, which would be expected to have wide ranges and therefore frequent most back gardens adjoining the open countryside. In this instance, given that the rear half of the site is intended to be preserved in its current wild state the development would be adequately buffered from the ancient woodland. The preservation of the wooded area on the eastern half of the site is capable of being secured via a landscape condition. Therefore, in this instance, having regard to Natural England's guidance, it is not considered that there is a reasonable likelihood of protected species being materially affected by the development. As such, it is considered to be unreasonable to require an ecological survey to be undertaken. Subject to conditions securing the wooded area to the east of the site and the provision of bat and bird boxes on the site no ecological objection is raised.

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 (Residential Design Guidance)

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

DSA: DM11 (Green networks and infrastructure)

Housing intensification SPD

Residential Design Guide SPD

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

5.34. The main site design issues relevant to this proposal are whether the layout and building design result in an acceptable form of development that will complement the established character and appearance of the area. However, it is acknowledged that the higher densities required for new development may mean that intensification schemes will have some aspects that are different. Nevertheless, these should not detract from the character of the area.

Character

5.35. The area has a mixed character with housing (detached, semi-detached, bungalows and flats), retail, community and educational uses in the area. Plots vary in size. There is a focus of activity on the street. The current proposal is considered to be compatible with the established character.

Layout

5.36. Frontage intensification is proposed, which given the character of the area, prevailing topography, green infrastructure considerations, depth of the site and urban grain, is considered to be appropriate.

5.37. The layout, in general terms, is considered to be acceptable. The public/private realm is clearly defined, which will minimise noise and disturbance in private spaces and the risk/fear of crime. The parking and communal amenity spaces are well surveyed. Ground floor flats have independent front doors facing the street. Cycle and bin storage and easily accessible from the dwellings they serve.

5.38. The provision of a rear parking court, whilst not encouraged as a starting point for the provision of parking, is considered to appropriate in this instance given:

- a) the unavailability/unsuitability of New Road for on-street parking; and,

- b) the limitations of providing adequate parking to the front of the building without dominating the frontage.
- 5.39. All flats within the development are dual aspect. Those facing the street have an west/east outlook. Those principally facing the rear have an east/south or east/north outlook. All flats will have access to natural light, natural ventilation and quiet/private rear facing amenity spaces. Therefore, the internal layout of the block is, on balance, considered to be acceptable.
- 5.40. The layout, in general terms and in terms of its detail, is considered to be acceptable.

Scale

- 5.41. When viewed from the public realm the building has been designed to appear as a pair of semi-detached dwellings with symmetrical two storey side extensions. The step in to the rear gives the appearance of a recessed rear extension.
- 5.42. The proposed building would be of a similar height to the neighbouring pair of semi-detached dwellings at 19-21 New Road and marginally higher than the pair of semis further down the hill at nos. 9 & 11. This is considered to be consistent with the prevailing roofscape in the area.
- 5.43. In terms of width the most forward projecting element of the building broadly accords with the width of other pairs of semi-detached dwellings in the street. The recessed wings broadly accord with a number of two storey side extension in the street. In the event nos. 19 and 21 had symmetrical side extensions the building would be of a broadly similar width.
- 5.44. The proposed building has a deeper rearward projection than is common in the area, but the impact of this rearward projection has been limited by stepping the building in from the boundary as it projects rearwards.
- 5.45. The building is proposed to be set beneath a mansard roof. Mansard roofs are generally discouraged as they can lead to deep floor plates and where visible can appear discordant in the town's roof-scape. In this instance, due to the specifics of the sites location and verdant back drop, the proposed mansard roof is not visible from public vantage points. In addition, the flat element of the roof has been recessed below the ridge level (a design feature endorsed by the Council's Residential Design Guide), and therefore will not be readily apparent when viewed from the street. Taken in the round the approach to roof design is considered to have captured the development potential of the site without unlocking the potentially negative design implications.
- 5.46. Taking the issue of scale as a whole it is considered that the building, whilst larger than its immediate neighbours, respects the scale of development in the area. It has taken the opportunities available to limit and architecturally break down the buildings three dimensional mass. The end result is that whilst some aspects of the development are different, it is considered to respect the established character of the area.

External Appearance

- 5.47. The building is proposed to be finished in a mixture of render and facing brick. Window cills are proposed to be finished in stone. Three course brick banding is proposed to be used to articulate the materials change between ground and first floor. The overall approach is considered to be acceptable. The final details of materials are capable of

being secured via condition.

Landscaping

- 5.48. The western part of the site, whilst overgrown with self-seeded vegetation in places, has no existing vegetation considered to be worthy of retention. The eastern part of the site would appear to have been left to grow wild and appears as emergent pioneer woodland. The wooded area in the eastern part of the site is considered to be worthy of retention as it provides a structurally landscaped backdrop and is of ecological benefit.
- 5.49. Development is principally limited to the western part of the site. The proposed landscaping comprises trees, hedging and grassed areas. In particular:
- a) The access road at the side of the building is proposed to be planted with hedging on both sides.
 - b) Four mature trees and hedging is proposed along the front boundary.
 - c) The rear patio areas are enclosed by hedging.
 - d) Six trees serve to visually break up parking court.
- 5.50. The broad approach to landscaping is considered to be acceptable. The detail is capable of being secured via condition.

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)

Residential Design Guide SPD

Future occupiers of the development

- 5.51. The proposed dwellings by virtue of their size, arrangement, light to and outlook from bedrooms, the provision of balconies and the quality of the communal amenity areas is considered to create an acceptable living environment for future occupiers.

Occupiers of No.11

- 5.52. No. 11 is a traditional semi-detached dwelling with principle habitable room windows facing to the front and rear. The proposed development would sit comfortably within the Council's daylight angle guidelines and therefore cannot be said to materially impact on light to or outlook from any habitable room windows.
- 5.53. The proposed development has a number of windows in its flank elevation. Those closest to no.11, and capable of creating an overbearing and intrusive feeling of overlooking, are proposed to be fixed shut and obscurely glazed. Privacy screens are proposed for balconies. Obscure glazing and privacy screens are capable of being secured via condition. Subject to appropriate conditions, it is considered that unacceptable levels of overlooking can be avoided, and the relationship is considered to be acceptable.

Occupiers of No.19

- 5.54. No. 19 is a traditional semi-detached dwelling with principle habitable room windows

facing to the front and rear. The proposed development would sit comfortably within the Council's daylight angle guidelines and therefore cannot be said to materially impact on light to or outlook from any habitable room windows.

- 5.55. The proposed development has a number of windows in its flank elevation. Those closest to no.19 are proposed to be fixed shut and obscurely glazed. Privacy screens are proposed for balconies. Subject to an appropriate condition, it is considered that unacceptable levels of overlooking (and feeling of overlooking) can be avoided. The relationship between no.19 and the proposed development is considered to be acceptable.

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

- 5.56. Policy CS18 requires development to minimise waste, encourage recycling, conserve natural resources and contribute towards the goal of reaching zero-carbon developments as soon as possible, by incorporating appropriate on-site renewable energy features and minimising energy consumption.
- 5.57. Policy DM18 requires that the development will be required to deliver a minimum of 15% reduction in carbon emissions on site through the use of decentralised and renewable or low carbon sources and achieve a water efficiency standard equivalent to Level 3 and 4 of the Code for Sustainable Homes. A ministerial statement made on 27th March 2015 relating to the streamlining of the planning system has withdrawn the Code for Sustainable Homes and the government have proposed that local authorities do not seek to impose Code planning conditions with immediate effect. Carbon reduction will in future be addressed through the Building Control regulations. Water efficiency standards will be secured via condition in accordance with the optional technical standards.

The Economic and Social Role

NPPF

- 5.58. It is acknowledged that there would be economic benefits associated with the development. These would include short term job creation and spending on construction, added spending power in the local area in the future from economically active residents, a transport infrastructure contribution, CIL and New Homes Bonus. These are considered to represent planning benefits that weigh in favour of the development.
- 5.59. 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
- 5.60. These economic and social benefits attract modest weight in favour of the proposed development.

Presumption in favour of Sustainable Development and weighing and balancing.

NPPF

- 5.61. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-

making. In this instance the development is considered to accord with the Development Plan and therefore has been recommended for approval without delay.

RECOMMENDATION: Minded to grant planning permission subject to conditions and completion of a Planning Obligation

That the Head of Planning and Sustainability be given delegated authority to grant Conditional Permission provided that a Planning Obligation is made to secure affordable housing. 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 that address the following matters (Detailed wording to be finalised):

Time Limit and Plans

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
2. The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers:
 - a. WDC1 (location plan)
 - b. 17/3454/10 A (dated 14/05/18) – Roof Plan
 - c. 17/3454/11 A (dated 14/05/18) – Floor Plans
 - d. 17/3454/12 A (dated 14/05/18) – Elevations
 - e. 17/3454/13 (dated 18/04/18) – Street Scene/Section
 - f. 17/3454/14 (dated 18/04/18) – Bin and Cycle StoreReason: in the interest of proper planning and to ensure a satisfactory development of the site.

Appearance

3. Notwithstanding any indication of materials which may have been given in the application, a schedule of the materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority before any development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.
Reason: to secure a satisfactory external appearance.

Landscaping

4. No development shall take place before a fully detailed landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority.
The scheme shall include:
 - Details of all fencing structures.
 - Details of all hard surface treatments.
 - A planting specification as illustrated in plan ref: 17/3453/10 A.
 - The retention of the area annotated 'Area of Woodland' on plan ref: 17/3454/10 A.
 - Tree pit details will be specified. Provision will be made for root expansion beneath hard surfaced areas, using tree root soil cells where trees root expansion areas are confined by hardstanding and/or compacted ground.
 - 5 bat and 5 bird boxes to be incorporate on the building and other structures within the site.
 - The position of underground services.

The development shall be implemented in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: in the interests of amenity and to ensure a satisfactory standard of landscaping.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees, plants or areas of turfing or seeding which, within a period of 3 years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping.

Environmental

6. A scheme to protect the proposed development from traffic noise shall be implemented before any part of the accommodation hereby approved is occupied, unless the Local Planning Authority otherwise agrees in writing. The scheme shall ensure the indoor ambient noise levels in living rooms and bedrooms meet the standards in BS 8233:2014 for the appropriate time period. Unless otherwise agreed in writing with the Local Planning Authority it shall be assumed that the existing noise level at the façade of the proposed development is 72dB LAeq16 hour and 66dB LAeq, 8 hour. The scheme shall include mechanical ventilation to meet the requirements of the Noise Insulation Regulations 1975 as amended 1988.

Reason: To protect the occupants of the new development from noise disturbance.

7. Flats 5 and 8 hereby permitted shall not be occupied until the obscure glass privacy screens to the sides of the balconies, indicated on plan ref: 17/3454/12 A (last updated 14/05/18), have been implemented.

Reason: in the interests of the amenities of the neighbouring dwellings.

8. Before the first occupation of the building hereby permitted the following windows:
 - a. first floor window in the northern flank elevation of flat 5 (providing a secondary source of light to the kitchen diner);
 - b. first floor window in the southern flank elevation of flat 4 (providing a secondary source of light to the kitchen diner);
 - c. first floor window in the northern elevation of flat 6 (providing a secondary source of light to the living room);

shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the finished floor level of the room shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.

Reason: in the interests of the amenities of the neighbouring dwellings.

Flooding/SUDs

9. No works other than demolition shall 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. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Demonstrate that water quality, ecological and amenity benefits have been considered.
- Infiltration in accordance with BRE365.

- Subject to infiltration being inviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the hierarchy listed in the informative below with the relevant permissions.
- 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 on-site 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.
 - Flow depth
 - Flow volume
 - Flow velocity
 - Flow direction

Reason: The reason for this pre-construction 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.

10. Development shall not begin until a “whole-life” maintenance plan for the site has been submitted to and approved in writing by the Local Planning Authority. The plan shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SuDS component) during and following construction, with details of who is to be responsible for carrying out the maintenance. The plan shall subsequently be implemented in accordance with the approved details.

Reason: The reason for this being a pre-start condition is to ensure that maintenance arrangements have been arranged and agreed before any works commence on site that might otherwise be left unaccounted for.

11. 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: to ensure the Sustainable Drainage System has been constructed as per the approved is designed to the technical standards.

Highways/parking

12. No other part of the development shall begin until the new means of access has been sited and laid out in accordance with the approved drawing and constructed in accordance with Buckinghamshire County Council's guide note "Commercial Vehicular Access Within Highway Limits" 2013.

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

13. Within one month of the new access being brought into use all other existing access points not incorporated in the development hereby permitted shall be stopped up by raising the existing dropped kerb or removing the existing bell mouth and reinstating the footway and highway boundary to the same line, level and detail as the adjoining footway and highway boundary.

Reason: To limit the number of access points along the site boundary for the safety and convenience of the highway user.

14. No other part of the development shall begin until visibility splays have been provided on both sides of the 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 intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

15. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose or have over half of the spaces allocated to specific dwelling flats.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

16. The development hereby permitted shall not be occupied until the facilities for the storage of refuse bins and cycles have been provided in accordance with plan ref: 17/3454/14 (dated 18/04/18) unless otherwise agreed in writing.

Reason: To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents.

Energy

17. Prior to occupation of the development hereby permitted 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. The charging units shall be maintained in full working order for a minimum period of 5 years.

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.

18. 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.

19. 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.

INFORMATIVE(S)

1. In accordance with paragraph 38 of the NPPF2 Wycombe District Council (WDC) approaches decision-taking in a positive and creative way by taking a proactive approach to development proposals, which are focused on solutions.

WDC works with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

In this instance, the Local Planning Authority has:

- Updated the applicant/agent on a number of issues that arose in the processing of the application and where possible suggested solutions; and,
- Adhered to the requirements of the Planning & Sustainability Customer Charter.

Following amendments to the application it was considered by Planning Committee and determined without delay.

S106

2. The following matters are dealt with by way of a S106 agreement:
 - a. Provision of 1 Discount Market Value dwelling.

Ecology

3. 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,
 - 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.