

Contact: Stephanie Penney DDI No. 01494 421823  
App No : 19/06031/FUL App Type : FUL  
Application for : Demolition of existing dwelling & erection of 2 x 4-bed detached dwellings with associated bin stores & car parking  
At Site of 80 Daws Hill Lane, High Wycombe, Buckinghamshire  
Date Received : 02/05/19 Applicant : Mr Nazeem Raza - Premier Homes London Limited  
Target date for decision: 27/06/19

## 1. **Summary**

- 1.1. The proposal is to demolish the existing dwelling and erect 2 x 4-bed detached dwellings.
- 1.2. The application is considered to preserve the character of the area and provides sufficient private amenity space. Access and parking is considered acceptable. The application is considered acceptable.

## 2. **The Application**

- 2.1. This application follows previous applications that were approved in 2017 and 2018 for an extension and conversion of the existing dwelling to create 2 x 3-bed dwellings and an application for 2 x 4-bed semi-detached dwellings.
- 2.2. The proposal is now for the erection of two detached dwellings. The internal accommodation remains the same i.e. four bedrooms, a kitchen, dining room and lounge.
- 2.3. The dwellings as approved are 8.7m wide. The amended scheme results in a reduced width of 7.4m. The proposed dwellings achieve a 0.8 to 1m separation gap to each side boundary.
- 2.4. The scheme as submitted proposed six spaces to the front, resulting in hardstanding across of all of the site frontage. The Agent was advised that this was unacceptable given the previous appeal decision and impact on the character of the area. The scheme was amended, reverting back to the approved scheme and showing an area of soft landscaping.
- 2.5. Conditions 3 (materials) and 4 (arboricultural report) of 18/06845/FUL have been agreed. The surface water drainage condition remains outstanding.
- 2.6. The application is accompanied by:
  - a) Design and Access Statement

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

- 3.1. In accordance with paragraph 38 of the NPPF2 Wycombe District Council (WDC) approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. WDC work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application. In this instance the scheme was amended in accordance with Officer advice. The application then progressed without delay.

## 4. **Relevant Planning History**

- 4.1. 16/08267/FUL. Demolition of existing house and erection of two storey block of 5 x 2-bed and 2 x 1-bed self-contained flats with amenity areas, bin & cycle storage and associated car parking and landscaping. Application refused and dismissed on appeal.
- 4.2. 17/07902/FUL. Conversion of existing 1 x 4 bed detached dwellinghouse into 2 x 3 bed semi-detached dwellinghouses facilitated by construction of part two storey, part first floor side and rear extension, single storey front extension to create individual entrances and associated external alterations. Application permitted.
- 4.3. 18/06845/FUL. Demolition of existing house and erection of 2 x 4 bedroom houses. Application permitted

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

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

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

DSA: DM1 (Presumption in favour of sustainable development), BCSNP: Policy 1 (Spatial Plan for the Parish), Policy 2 (Development within Settlements),

New Local Plan (Submission Version): CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

Daws Hill Neighbourhood Plan, Submission Plan

- 5.1. The proposed development would increase the current amount of housing provision within the district within a sustainable location. As such the principle of residential development is acceptable. This is providing that all other planning considerations are satisfied.
- 5.2. The western side of Daws Hill Lane is dominated by single family dwellings the intensity of use is perhaps the key determining issue in assessing the impact on the character of an area. The redevelopment resulting in an additional dwelling would not unacceptably alter the character of the locality. Whilst the proposal will result in a pair of detached dwellings, the character of the area will not be significantly affected.
- 5.3. It is acknowledged that the separation distance does fall below the recommended 1m, however the existing form is characterised by similar patterns of development.
- 5.4. The site is within the Daws Hill Neighbourhood Plan, however this has not yet been adopted and holds limited weight.

### **Transport matters and parking**

ALP: T2 (On – site parking and servicing), T4 (Pedestrian movement and provision), T5 and T6 (Cycling), T7 (Public transport), T8 (Buses), T12 (Taxis), T13 (Traffic management and calming), T15 (park and ride), T16 (Green travel)

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

DSA: DM2 (Transport requirements of development sites)

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

- 5.5. There is existing parking to the front of the site, although not formally marked out.
- 5.6. The site is within Residential Zone A. The proposal will result in a two x seven habitable room dwellings. Accordingly two spaces are required per dwelling.
- 5.7. Parking has been shown, but does not meet the required dimensions. This is however achievable and a condition is recommended ensuring they are laid out prior to occupation. Sufficient manoeuvring space has also been provided.
- 5.8. Access to the site will remain as existing, which also serves number 82 Daws Hill Lane. No objections were previously raised regarding the suitability of the access or

intensification of use given the width of the access and the existence of the highway verge on the western side of Daws Hill Lane. In addition visibility splays are commensurate with the speed limit in force and can be achieved without third party infringement. No objections have been received subject to conditions.

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

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

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

DSA: DM11 (Green networks and infrastructure),

Housing intensification SPD

New Local Plan (Submission Version): CP9 (Sense of place), DM35 (Placemaking and Design Quality)

Daws Hill Neighbourhood Plan, Submission Plan Policy 2 (Trees, Hedgerows and Woodlands), Policy 7 (Quality Design)

- 5.9 The height of the proposed dwellings is in keeping with the approved scheme and adjacent dwellings. The width of the dwellings have been reduced as the scheme us now for detached dwellings.
- 5.10 The separation distances have therefore been reduced, but the reduction of 0.2m is not considered significant given the existing pattern and form of other development in the vicinity.
- 5.11 The expanse of hardstanding does not now increase to that approved.
- 5.12 A larger area of hardstanding is not acceptable given the previous refusal and Inspector's comment. Existing trees have unfortunately been removed in the front area, however the prominent trees to the front will be retained. It however considered necessary to require an additional landscaping scheme to ensure that the front area is landscaped as the plans indicate.
- 5.13 Therefore the resultant development is considered acceptable.
- 5.14 Reference has been made to the Daws Hill Neighbourhood Plan and how the development is contrary to the policies. However, the Plan has not been adopted and holds limited weight. Notwithstanding this however, permission has already been granted for the intensification of the site to two dwellings and is thus a material consideration.

### **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

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

- 5.15 The proposed dwellings are accessed from the front. Both have dedicated private amenity space to the rear which goes beyond the minimum requirements.
- 5.16 All habitable rooms have natural light. The building has been designed to maintain separation distances and to comply with the Council's 45 degree light angle guidance. The proposal will not therefore appear dominant to neighbouring properties. No side windows are proposed. Accordingly, there would be no direct overlooking.

### **Environmental issues**

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

CSDPD: CS18 (Waste, natural resources and pollution)

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

DM20 (Matters to be determined in accordance with the NPPF)

- 5.17 The Council's Environmental Services Division have requested a condition related to mitigation of traffic noise from M40 and Daws Hill Lane. This will therefore be attached.

### **Flooding and drainage**

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

DSA: DM17 (Planning for flood risk management)

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

- 5.18 Core Strategy Policy CS18 requires that development avoid increasing (and where possible reduce) risks of or from any form of flooding.
- 5.19 The site is not within an identified area of flood risk from fluvial flooding. The area is not known as an area of risk of surface water flooding. Therefore, there is no objection to the proposal on flooding grounds.
- 5.20 A Drainage Statement was submitted with the previous application and it is proposed to use a tanked permeable paving system. The Lead Local Flood Authority (LLFA) previously raised no objection subject to conditions. This remains outstanding from the previous consent. A pre-commencement condition is recommended and has been agreed with the Agent.

### **Building sustainability**

CSDPD: CS18 (Waste, natural resources and pollution)

DSA: DM18 (Carbon reduction and water efficiency)

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

- 5.21 Following the Adoption of the Delivery and Site Allocations Plan (July 2013) and in particular policy DM18 (Carbon Reduction and Water Efficiency) it would have previously been necessary to impose a condition to secure the required 15% reduction in carbon emissions as well as reducing future demand for water associated with the proposed dwelling. However, this was superseded in October 2016 by ministerial policy to transfer the issue to Building Regulations. It is only considered necessary to condition water efficiency.

### **Infrastructure and Developer Contributions**

CSDPD: CS21 (Contribution of development to community infrastructure)

DSA: DM19 (Infrastructure and delivery)

BCSNP: Policy 13 (Connecting the Parish)

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

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

### **Weighing and balancing of issues – overall assessment**

- 5.24 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.
- 5.25 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country

Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- (a) Provision of the development plan insofar as they are material
- (b) Any local finance considerations, so far as they are material to the application (in this case, CIL)
- (c) Any other material considerations

5.26 As set out above it is considered that the proposed development would accord with the development plan policies.

**Recommendation: Application Permitted**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
- 2 The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers WDC1 and 1818-pl-10 B unless the Local Planning Authority otherwise first agrees in writing.  
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.
- 3 The proposed materials shall be as per the approved drawing number 1818-cn-01 submitted with PI19/00022/ADRC unless otherwise agreed in writing with the Local Planning Authority.  
Reason: To safeguard the character of the area.
- 4 The development shall be carried out in accordance with the approved AMS submitted with PI19/00022/ADRC unless otherwise agreed in writing with the Local Planning Authority.  
Reason: To safeguard the character of the area.
- 5 The development, hereby permitted, shall be designed and constructed to meet a water efficiency standard of 110 litres per head per day.  
Reason: In the interests of water efficiency as required by Policy CS18 of the Adopted Core Strategy and Policy DM 18 of the Adopted Delivery and Site Allocations Plan (July 2013).
- 6 A scheme to protect the proposed development from noise from the M40 and Daws Hill Lane 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 standard in BS 8233:2014 of 30dB LAeq for the appropriate time period. The scheme shall include acoustic ventilation to meet the requirements of the Noise Insulation (Amended) Regulations 1988.  
Reason: To protect the occupants of the new development from noise disturbance.
- 7 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. For clarification the dimension of the parking spaces shall be 2.8m x 5m.  
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.

- 9 Notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning General Permitted Development Order 2015 (or any Order revoking or re-enacting that Order) no gates shall be erected along the site boundary with the Daws Hill Lane highway maintained at public expense carriageway.  
Reason: To enable vehicles to draw off clear of the highway for the safety and convenience of the highway users.
- 10 No other part of the development shall be occupied until visibility splays have been provided on both sides of the access and 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.
- 11 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. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
- Ground investigations including:
  - 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.
  - Full construction details of all SuDS and drainage components
  - Detailed drainage layout with demonstration of all SuDS components, pipe 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 how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance.
  - Details of the proposed resistance and resilience measures to mitigate the existing surface water flood risk.
- 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.
- 12 A fully detailed landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any development, above damp proof course, takes place.  
The scheme shall include provision for
- \* Additional planting to compensate for the loss of some of the existing trees
  - \* Details of soft landscaping for site frontage.
- The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.  
Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping.
- 13 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees, plants or areas of turfing or seeding which, within a period of 3 years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.

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

#### INFORMATIVE(S)

- 1 In accordance with paragraph 38 of the NPPF2 Wycombe District Council (WDC) approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. WDC work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application. In this instance the scheme was amended in accordance with Officer's advice. The application then progressed without delay.
- 2 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.
- 3 No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.
- 4 To comply with paragraph 080 of the Planning Practice Guidance (PPG) 'the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:
  - into the ground (infiltration);
  - to a surface water body;
  - to a surface water sewer, highway drain, or another drainage system;
  - to a combined sewer.