

Contact: Sarah Nicholson DDI No. 01494 421514
App No : 19/05968/FUL App Type : FUL
Application for : Demolition of the existing dwelling and associated garage and the construction of 2 x 4 bed semi-detached dwellings with a new access onto Moyleen Rise
At 178 West Street, Marlow, Buckinghamshire, SL7 2BU
Date Received : 17/04/19 Applicant : Rosebush Developments UK Ltd
Target date for decision: 12/06/19

1. **Summary**

- 1.1. Permission is sought for the demolition of the existing dwelling and garage and the erection of a pair of semi-detached houses.
- 1.2. Replacement and additional dwellings are considered to be acceptable within an existing residential. Furthermore the proposals are considered to be acceptable in terms of details and rise no issues with regards to their impact on the character and appearance of the area, residential amenity, environmental issues and highways and parking issues.
- 1.3. The application is recommend for approval in line with adopted development plan policy.

2. **The Application**

- 2.1. Permission is sought for the demolition of the existing dwelling and associated garage and the construction of 2 x 4 bed semi-detached dwellings with a new access onto Moyleen Rise.
- 2.2. This application follows the granting of outline permission in April 2016 for the demolition of the existing dwelling and the erection of 3 and 4 bedroom semi-detached houses (ref. 15/00831/OUT). A reserved matters application (ref.16/07373/REM) was subsequently approved in November 2016. With a further application for non-material minor amendments approved in the same month (ref. 16/07779/MINAMD).
- 2.3. This latest application seeks the following main changes to the approved scheme:
 - The retention of the existing access to the South Eastern boundary and the provision of one additional parking space.
 - The addition of a bedroom and en suite in the roof space of the right hand plot.
 - The removal of the basement to the left hand side plot.
 - The addition of a single storey glazed structure providing additional ground floor accommodation for both plots.
- 2.4. As a result of the changes the previously approved 3 bedroom dwelling would become a 4 bedroom dwelling.
- 2.5. The application is accompanied by:
 - a) Design and Access Statement
 - b) Drainage Details including SuDS
 - c) Ecology Wildlife Checklist

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 application was acceptable as submitted and no further assistance was required.

4. Relevant Planning History

- 4.1. M/118/68 Outline application for erection of bungalow and garage. Approved.
- 4.2. M15/69 Detailed application for erection of bungalow
- 4.3. 15/08531/OUT - demolition of existing dwelling & associated garage and erection of 1 x 3 bedroom & 1 x 4 bedroom semi-detached dwellings. Approved
- 4.4. 16/07373/REM - Submission of details of appearance and landscaping for the demolition of existing dwelling & associated garage and erection of 1 x 3 bedroom & 1 x 4 bedroom semi-detached dwellings pursuant to outline planning permission 15/08531/OUT. Approved
- 4.5. 16/07779/MINAMD - Proposed non-material amendment to permission for outline application for demolition of the existing dwelling & associated garage and erection of 1 x3 bedroom & 1 x 4 bedroom semi-detached dwellings (with details of access, layout and scale only) granted under 15/08531/OUT. Approved

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),

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

- 5.1. The principle of the redevelopment of this site with a pair of semi-detached dwellings has already been established by the granting of the previous permission. The progression of the Council's new local plan and the introduction of the revised NPPF makes no significant difference to the policy background applicable in this case, which would justify the Council coming to a different in principle decision.
- 5.2. This report will therefore concentrate on the proposed amendments to the approved scheme.

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)

- 5.3. The main access to the new dwellings would be from Moyleen Rise as previously approved. The County Highway Authority (CHA) requirement for visibility splays of 2.4m x 25m has been met, in line with previous comments. No objection is raised to the retention of the existing access via West Street in addition to a newly proposed access via Moyleen Rise. The existing access would only serve one parking space

for an individual dwelling, which would not result in an intensification in use of this access, given the existing situation on site which sees the existing bungalow accessed from this direction.

- 5.4. A total of six parking spaces have been proposed to serve the site, three for each dwelling. A proposed parking area served by a new access via Moyleen Rise would accommodate five spaces, in addition to a single parking space positioned to the west of the site, would be served via the existing access.
- 5.5. This provision is in accordance with Buckinghamshire Countywide Parking Standards for this quantum of development. Whilst the dimensions of the three parking spaces positioned to the south-east of the site fall slightly short of the required standards, the CHA is satisfied that they are usable and there is adequate manoeuvring space for vehicles to turn and egress in a forward gear. Moreover, this situation has already been accepted under the previously approved scheme.

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)

Housing intensification SPD

New Local Plan (Submission Version): CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality)

- 5.6. The location of the proposed dwellings on the plot is unchanged from that already approved. Similarly the overall scale and design of the dwellings has not been changed.
- 5.7. The footprint is shown to be amended with the addition of single storey glazed elements to both dwellings. The extension for the right hand unit would be located to the rear of the property. While it and the newly proposed rear parking space would both cut into the property's external amenity area, sufficient space remains to serve the needs of the property.
- 5.8. The single storey element to the left hand unit replaces the previously proposed basement and sunken patio. While it would bring the building closer to the boundary with the properties that front on to West Street, the proposal will not look cramped within the plot or impact the retained trees to the south.
- 5.9. The proposed dwellings are shown to be level with each other set at about the natural ground level when measured at the side of the existing raised patio to the front of the existing dwelling. The level changes on the site and the relative setting of the proposed building should not raise any undue concern, but it is still considered prudent to require details to be submitted.
- 5.10. The introduction of accommodation in the roof space of the right hand unit is considered acceptable. It adds no additional height or bulk to the building and has no impact on the overall design concept which remains as previously approved. Externally, the only change would be the insertion of a small front facing window in the gable and two small roof lights in the flank roof slope.
- 5.11. In terms of scale the dwellings are commensurate with the scale of neighbouring properties which are on this side of the street and it is considered that the site can accommodate a pair of attached dwellings of this size and scale. However the building proposed is considered to be on the cusp of what is acceptable so it is considered appropriate to remove permitted development rights in respect of extensions, porches, alterations to the roof and outbuildings. It will also be necessary to condition materials to ensure quality and some reference to the wide range of existing material in the locality.

- 5.12. As previously approved the proposed layout shows the loss of a number of trees within the site. These are all smallish garden trees none of which are considered to contribute to the amenities of the wider area.
- 5.13. The landscaping details submitted include replacement tree planting and provide for a reasonable setting of the building with room for planting beds to be provided between the dwellings and the front driveway. Boundary treatments are either to remain as existing or to be 1.8m close board fencing which is similarly considered to be reflective of existing development in the area. The landscaping proposals are therefore considered to be acceptable subject to them being implemented, which can be covered by 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

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

- 5.14. The proposed dwellings will have no significant direct impact on the amenities of neighbouring properties in terms of loss of light or overbearing impact due to the distances that will remain between them, adjoining neighbours and neighbours situated on the opposite side of Moyleen Rise.
- 5.15. The new single storey element to the right hand unit will overlook the properties own rear amenity area. That to the left hand unit will face towards the properties that front onto West Street. However, given that it is single storey and the separation distance involved, even with the potential level differences no undue loss of privacy should result.
- 5.16. The newly proposed roof lights to the fourth bedroom in the right hand unit will not give rise to any overlooking as it is proposed to repeat previous conditions requiring all openings in the flank elevations at first floor or above to be obscurely glazed and fixed shut above 1.7m above internal floor level. This improves upon existing privacy levels as currently the bungalow has first floor windows which face directly towards and look out onto the rear of the properties in West Street and towards No1. Moyleen Rise.
- 5.17. The newly proposed front facing gable end window will have a similar view to other front facing windows, raising no significant additional concerns.
- 5.18. The proposal will provide a good level of accommodation and amenity for future occupiers of the development.

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)

- 5.19. The site is in Flood Zone 1. The accompanying drainage calculations indicates that surface water drainage will be to a soakaway. Foul sewage will be to the mains sewer.

Ecology

CSDPD: CS17 (Environmental assets)

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

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

Biodiversity in Development)

5.20. The proposal raises no issues with regards to ecology.

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.

5.22. The proposal has been designed to provide 15% of renewable on site in the form of solar collectors supplementing the hot water storage and heating. These would be located on the South West facing roof. This is welcomed.

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)

5.23. The development is a type of development where CIL would be chargeable. This will be calculated separately.

5.24. It is considered that there would not be other types of infrastructure that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.

Weighing and balancing of issues – overall assessment

5.25. 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.

5.26. 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

5.27. As set out above it is considered that the proposed development would accord with 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 15-040-30; 15-040-31; 1346/1; RL19253-DR-01 A; RL19253-DR-02 A; and RL19253-DR-03 A; 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 No other part of the development shall be occupied 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 "Private Vehicular Access Within Highway Limits" 2013.

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

- 4 Notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking or re-enacting that Order) no gates shall be erected along the site frontage.

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

- 5 No other part of the development shall be occupied until the visibility splays shown on the approved drawings 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.

- 6 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.

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.

- 7 Unless otherwise first agreed in writing by the Local Planning Authority there shall be no building-up or increase of the existing ground levels on the site.

Reason: To ensure that the proposal is constructed at an acceptable level with regards to the surrounding area.

- 8 The finished floor level of the development shall accord with the approved details on drawing 15-040-30 or shall accord with any alternative details that are submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposal is constructed at an acceptable level with regards to the surrounding area.

- 9 Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of the materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority before any work to the external finish of the 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.

- 10 Unless otherwise agreed in writing by the Local Planning Authority, the flint work shall be constructed in the following manner:

a) The flint work shall be laid on site, not constructed of pre-made blocks

- b) The flints shall be laid in a lime mortar mix with slightly recessed pointing, the joints brushed, rubbed or bagged prior to hardening off to avoid a smooth finish
- c) The flints shall be random coursed and tightly packed to avoid excessive mortar proportions

Reason: In the interests of reinforcing the local character of the Area of Outstanding Natural

Beauty through the use of traditional building techniques.

- 11 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.
- 12 With the exception of any pruning, tree surgery or felling specifically shown in an approved tree report or landscaping scheme, no trees, shrub or hedge shall be pruned, felled or removed without the prior approval of the Local Planning Authority. If during construction of the development, or within a period of three years of its completion, any such tree, shrub, hedge dies or becomes damaged, destroyed, diseased or dangerous, it shall be replaced during the following planting season by another healthy, tree, shrub or hedge as the case may be of a similar size and species, unless otherwise approved in writing by the Local Planning Authority. Thereafter any such replacement planting shall be maintained or further replaced as necessary for three years after replacement.
Reason: To ensure the satisfactory retention of existing trees, shrubs and hedges and in the interests of visual amenity.
- 13 Notwithstanding any other details shown on the plans hereby approved, the window(s) and any other glazing to be inserted in the flank elevations at first floor level or above of the dwelling adjacent to 1 Moyleen Rise shall, up to a minimum height of 1.7 metres above finished floor level, be fixed shut (without any opening mechanism) and glazed in obscure glass. The window(s) shall thereafter be retained as such.
Reason: In the interests of the amenity of neighbouring properties.
- 14 Notwithstanding any indication otherwise given on the plans hereby permitted, any roof lights inserted in the dwellings hereby approved shall have a minimum internal cill height of 1.7 metres above finished floor level. The window(s) shall thereafter be retained as such.
Reason: In the interests of the amenity of neighbouring properties.
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no development falling within Classes A, B C D and E of Part 1 of Schedule 2 shall be carried out without the prior, express planning permission of the Local Planning Authority.
Reason: In order that the Local Planning Authority can properly consider the effect of any future proposals on the character and amenity of the locality.
- 16 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 DM18 of the Adopted Delivery and Site Allocations Plan (July 2013).

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 application was acceptable as submitted and no further assistance was required.
- 2 It is contrary to section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system.
- 3 The applicant is advised that a licence 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 period of 28 days must be allowed for the issuing of the licence, please contact the Area Manager at the following address for information or apply online via Buckinghamshire County Council's website at <https://www.buckscc.gov.uk/services/transport-and-roads/licences-and-permits/apply-for-a-dropped-kerb/>

Transport for Buckinghamshire (Streetworks)
10th Floor, New County Offices
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
01296 382416
- 4 It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.
- 5 No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction