

Contact: Jenny Ion DDI No. 01494 421599
App No : 18/07975/OUT App Type : OUT
Application for : Outline application (including details of access) for residential development of up to 14 x 2-storey residential units with associated access
At The Laurels, Marsh Road, Little Kimble, Buckinghamshire, HP22 5XS
Date Received : 14/11/18 Applicant : Mr & Mrs Tim Shirra
Target date for decision: 13/02/19

1. **Summary**

- 1.1. Outline permission is sought for the erection of 14 dwellings and associated access. All matters are reserved apart from access, but the submitted details include an indicative layout.
- 1.2. The application is recommended for approval subject to the completion of a S106 agreement to secure affordable housing and a contributions towards improvements of the Grove Lane junction to improve connectivity to public transport.
- 1.3. The site could accommodate 14 dwellings whilst maintaining a buffer to the railway and Marsh Lane and accommodating the required parking and landscaping. It would not have an adverse impact on the amenities of nearby dwellings, or be detrimental to highway safety. Subject to appropriate design and layout, which would be dealt with at reserved matters stage, it would not have an adverse impact on the landscape of the character of the surrounding area.
- 1.4. The application has come forward in advance of the preparation of the Neighbourhood Plan. It has therefore been assessed against the criteria of Policy RUR6 and has been found to comply with the relevant criteria in that policy.

2. **The Application**

- 2.1. Permission is sought in outline for the erection of 14 dwellings on the site. All matters have been reserved for future consideration apart from access. The plan shows an indicative layout with a proposed cul-de-sac, and a mix of 3 and 4 bedroom dwellings. The plans indicate the provision of a linking footpath on the west side of Marsh Lane.
- 2.2. As the application is in outline it is necessary to consider whether the principle of residential development is acceptable on the site and whether the number of dwellings proposed could be accommodated in a satisfactory way.
- 2.3. Access is a matter for consideration, but this relates to the means of access to the highway, rather than the detailed access layout within the site. Access considerations concern whether the proposed access could achieve the required geometry and sight lines to serve the development safely, and the impact of additional trip generation.
- 2.4. The application site comprises 0.66ha of mainly paddock land. There is an existing vehicular access serving The Laurels and its stables and the application proposes using this as the point of access for the development.
- 2.5. The plans show the existing driveway to The Laurels would be widened. A spur would come off this driveway to the left into the development site, and this would then split in two directions to serve the proposed houses. The indicative layout shows the southern corner of the site, which is adjacent to the church, free from development.
- 2.6. The site is bounded to the east by Marsh Lane, on the opposite side of which is the railway line. The south west boundary is marked by trees and hedging. There is a water

course which passes across the north-west boundary of the site. Beyond the site to the west are open fields, and to the north is the Laurels and its garage and stable block. The development would remove the existing manège.

- 2.7. The site is located in Countryside outside of the Green Belt. It is not in the AONB or Green Belt.
- 2.8. Great and Little Kimble cum Marsh Parish Council are in the process of preparing a Neighbourhood Plan. A draft plan (Regulation 14 version) has been prepared and been subject to public consultation. The next step is to submit the plan under Regulation 16. The Regulation 16 version has not yet been submitted for formal public consultation, although it is understood that this will be forthcoming in the near future when all the relevant supporting documentation has been prepared. This site has been proposed for development as part of the neighbourhood plan process.
- 2.9. The application is accompanied by:
 - a) Planning Statement
 - b) Design and Access Statement
 - c) Highways Technical Note and Traffic Count
 - d) Flood Risk Assessment and Drainage Strategy
 - e) Preliminary Ecological Assessment
 - f) Great Crested Newt Survey
 - g) Arboricultural Impact Assessment and associated documents
- 2.10. The applicant provided a further statement relating to highway / sustainability issues and surface water flooding / drainage.

3. Working with the applicant/agent

- 3.1. In accordance with paragraph 38 of the NPPF (2019) Wycombe District Council (WDC) approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. WDC work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 3.2. In this instance
 - the applicant/agent was updated of any issues after the initial site visit,
 - The applicant was provided the opportunity to address issues.

4. Relevant Planning History

- 4.1. There is no planning history of relevance relating to the site itself. There have been applications for domestic extensions and outbuildings at The Laurels but these do not have a direct bearing on the proposals.

5. Issues and Policy considerations

Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), PR3 (Princes Risborough Area of Comprehensive Development including Relief Road), PR8 (Provision and Safeguarding of Transport Infrastructure), RUR6 (Great and Little Kimble-bum-Marsh Parish), DM3 (Transport improvement lines) (DM33 (Managing Carbon Emissions, Transport and Energy Generation), DM47 (Princes Risborough to Aylesbury (PRA) Safeguarded Land)
DSA: DM1 (Presumption in favour of sustainable development), DM6 (Mixed-use development)

- 5.1. Policy CP4 of the WDLP identifies a housing target for Wycombe District over the plan period of 2013-2033 of 10,925 homes. It further states how these homes will be broadly distributed across the District, and this includes for the provision of 160 homes in Great

and Little Kimble-cum-Marsh Parish. Delivery will be through existing permissions, allocations in the WDLP and DSA, allocations in neighbourhood plans and windfall development which accords with other policies in the Development Plan.

- 5.2. Policy RUR6 specifically relates to development in Great and Little Kimble-cum-Marsh Parish. It re-states the number of dwellings to be accommodated, and indicates that a Neighbourhood Plan will determine the distribution of development across the Parish, allocating specific sites for housing and other uses. It sets out the principles that the NP should have regard to, which include phasing of development, including a range of small sites within or adjacent to the existing villages of Great and Little Kimble, an allowance for windfall sites, an appraisal of sustainability issues, including landscape impact and location of development in relation to public transport services and / or their capacity to support improvements.
- 5.3. In the absence of a Neighbourhood Plan development will be required to meet these principles. Proposals or allocations will not be permitted which would prejudice the delivery of infrastructure improvements required for the infrastructure of Princes Risborough.
- 5.4. Preparation of the Neighbourhood Plan is still at a relatively early stage. The Regulation 14 version carries very limited weight (in accordance with the advice on weight in the NPPF and NPPG). Even though the Regulation 16 version is expected to be submitted for consultation imminently, the plan would still carry only limited weight.
- 5.5. Given the early stage of the NP it is therefore necessary to assess the proposal against the criteria in section 2 of Policy RUR6. This is the first site to come forward since the adoption of the Local Plan. There is at this stage therefore no conflict with the phasing requirement of the policy. The policy requires development to be on small sites within or adjacent to the existing villages of Great and Little Kimble. The supporting text indicates that whether a site is small depends on how much it expands the settlement to which they are adjacent and the extent to which they are compatible with the landscape.
- 5.6. The site is adjacent to Little Kimble, which is divided to some extent by the railway line. The majority is to the east of the railway accessed from the A4010 whereas this site relates to the area known as Clanking on the west side of the railway. The site area, of about 0.6ha, and the number of dwellings proposed would not be disproportionate to the size of Little Kimble as a whole.
- 5.7. In terms of appraising sustainability issues, the site is outside and not immediately adjacent to the AONB, with the railway line, Kimble Park and main road separating it from the AONB boundary.
- 5.8. With regard to the location in relation to public transport services and / or the capacity to support improvements, it is fair to say that any sites in Great or Little Kimble which are not on the A4010 currently have limited access to both the railway station and the main bus route as it is necessary to pass through the Grove Road junction, where there is no footway, or via Bridge Street / Church Lane, which also have stretches with no footway.
- 5.9. As set out in more detail below, the Highway Authority has considered the issue of sustainability. The plans do show the provision of a footpath along the Marsh Lane frontage, which would provide better connections towards Great Kimble where facilities such as the pub can be found. The highway authority has also identified potential to address this issue through a financial contribution towards the improvements of the junction which would include creation of a footway. As there is potential to address access to public transport by making contributions towards the necessary improvements the Highway Authority has removed its objections on sustainability grounds.
- 5.10. Therefore, assessing the site against the criteria in part 2 of Policy RUR6 the

development of this site would comply with the relevant criteria.

- 5.11. The site abuts the Princes Risborough expansion area, which includes the development of a relief road along Grove Lane, and junction improvements at the junction of Marsh Road, Grove Lane and the A4010. The Local Plan says that the junction will need to be improved to increase its capacity, and this will include providing a wider carriageway with greater headroom. The site is outside but adjacent to the junction improvement area.
- 5.12. Part of the site frontage is safeguarded land as designated by policy DM47. This is to safeguard the future twin tracking of the railway line between Princes Risborough and Aylesbury. The railway line is on the opposite side of Marsh Road and passes close by the rear of Providence Cottages. Network Rail was consulted as part of this application but has not raised a specific objection to this application. Policy PR8 also requires a buffer of 15 metres to be maintained to the railway line to allow for future twin tracking. This would infringe on the eastern boundary of the site. The need for a buffer is also picked up in the emerging Neighbourhood Plan.
- 5.13. The indicative layout does not make provision for a buffer to the railway line. The access would be to the existing highway boundary. As layout is a reserved matter it would be necessary for any reserved matters application to take into account the requirement of the buffer. From the indicative layout it is judged that the provision of the buffer would principally affect plots 12 and 13. However, adjustments to the layout could accommodate these units elsewhere on the site (for example by increasing numbers on plots 1 and 14, reducing the size of units), therefore the retention of a buffer would not preclude the possibility of accommodating 14 units on the site.
- 5.14. There is a gas pipeline within Marsh Road across the frontage of the site, however the inclusion of a buffer to the railway would take built development outside the buffer zone to the pipeline.

Affordable Housing and Housing Mix

Wycombe District Local Plan (August 2019): DM22 (Housing Mix), DM24 (Affordable Housing), DM41 (Optional Technical Standards for Building Regulations Approval)
Planning Obligations Supplementary Planning Document (POSPD)

- 5.15. Policy DM22 requires all developments of 10 dwellings or more to include a mix of dwelling size, type and tenure, to take account of current evidence in relation to priority housing need in the District and in order to support a sense of place and mixed communities.
- 5.16. The supporting text to the policy states that the HEDNA (housing and Economic Development Needs Assessment) identifies that the majority of the market housing need is for 3 or 4 bedroom houses, but for affordable housing there is an even split between the need for smaller 1 and 2 bedroom units and larger 3 or 4 bedroom accommodation.
- 5.17. The proposal is for more than 10 units and affordable housing is therefore required to be provided in accordance with policy DM24. This policy has been adopted since the submission of the application. This is a greenfield site and therefore the policy requires 48% units to be provided as affordable housing.
- 5.18. The policy states that affordable housing mix and tenure should be provided in accordance with current evidence. The supporting text to the policy sets out a mix based on recent evidence which required 80% of the affordable units to be affordable rented, with prescribed proportions of 1, 2, 3 and 4 bedroom units. For rented accommodation this requires at least 12% 1 bedroom units, at least 35% 2 bedroom units, at least 35% 3 bedroom houses and no more than 14% 4 bedroom units. For intermediate affordable housing products these figures are at least 12% 1 bedroom units, at least 45% 2 bedroom units, no more than 35% 3 bedroom houses and no more than 5% 4 bedroom houses.

- 5.19. The application is in outline, but indicative details show a mix of 3 (8no.) and 4 (6no.) bedroom houses. The Design and Access Statement gives a suggested “accommodation schedule”. This would not meet the requirement of Policy DM22 to secure a wider mix of house types, and it is of particular note that for the affordable element, which should comprise 7 units, would be expected to provide approximately half of the units as 1 or 2 bedroom flats or houses.
- 5.20. Whilst the indicative details do not meet the policy requirements for unit mix, as details of appearance, layout and scale are reserved this could be addressed at the detailed stage, with an appropriate condition to require the details to comply with the dwelling mix in Policy DM24. . Since meeting the policy requirements will require smaller units, these could be accommodated within the site area, notwithstanding the requirements to maintain a buffer to the railway.
- 5.21. When the application was submitted the applicant based their affordable housing assessment on the emerging policy which was to provide 40% gross internal area as affordable housing. This was likely to equate to 5 – 6 units and the suggestion was that when final dwelling sizes are determined this would be provided as 5 units.
- 5.22. The adopted policy requires affordable housing provision as a percentage of units, and also requires a proportion of these to be smaller units. There is no apparent reason why this could not be achieved, with the development delivering a range of unit sizes, with the majority of the smaller units as affordable housing, and the larger units as open market housing. A S106 agreement would be necessary to secure the appropriate proportion of affordable housing and the applicant is willing to enter into such an agreement.

Transport matters and parking

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)
DSA: DM2 (Transport requirements of development sites)
Buckinghamshire Countywide Parking Guidance (2015)

- 5.23. The proposed development would be served via the existing access which would be upgraded to the required standard. Vision splays would be provided either side and a footway is indicated along Marsh Lane.
- 5.24. The Highway Authority has been consulted and has not raised any objections to the proposal in terms of the design of the access, the level of visibility achievable, or the capacity of the highway network. There are therefore no highway safety objections from the Highway Authority. They have noted that the footway would need to be widened to 2 metres, but there is sufficient land within the application site for this to be accommodated.
- 5.25. Whilst the observations of third parties are noted in that the scheme will generate additional traffic, the fact that the adopted Local Plan identifies potential for up to 160 dwellings in the Parish means that this is not a ground for objection to the application per se. There could only be an objection on highway capacity or safety grounds, which in this instance is not supported by the highway authority.
- 5.26. Comments have also been made that the footway would not benefit existing residents, only occupiers of the development as it does not go beyond the site frontage. The provision of the footway can only be justified where it is necessary to serve the development. In this instance it is required to connect the site to the south and east, to link the site to public transport routes and village facilities and extension of a footway further north could not be justified. However, the proposed section would provide some benefit to existing residents since it would provide a footway where there is currently none, for the use of all residents.
- 5.27. Parking is required to be assessed against the adopted Parking Guidance. For the balance of dwellings indicated on the layout this would amount to two spaces for each

three bedroom unit, three spaces for each four bedroom unit, four unallocated spaces, plus a further 8 unallocated visitor spaces as more than half of the parking would be allocated to individual dwellings. This gives an overall total of 34 allocated and 12 unallocated spaces. Only 29 spaces are shown on the drawing. There would be potential to resolve this at detailed stage when designing the layout. In any event, in order to meet the requirements for dwelling mix the parking requirement is also likely to change.

Raising the quality of place making and design

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality)
DSA: DM11 (Green networks and infrastructure), DM16 (Open space in new development)
Housing intensification SPD
Residential Design Guide SPD

- 5.28. As the scheme is currently in outline with all matters reserved which relate to design there is little comment that can be made on this issue at present. The emerging Neighbourhood Plan suggests that there should be development fronting onto Marsh Road. There is no reason why a layout could not meet this requirement and achieve a satisfactory built form.
- 5.29. The layout as shown on the indicative drawing would not be an acceptable layout. Issues with dwelling mix have already been outlined above, as well as deficiencies in parking provision. In addition the indicative layout has the rear of plots 10 – 13 facing Marsh Road. This would expose the back gardens to public view and is likely in the long term to result in a variety of outbuildings, domestic paraphernalia and boundary treatments being visible from the public realm.
- 5.30. Plots 1 and 14 have exposed rear garden boundaries to the access road and there is inadequate window to window separation between plots 9 and 14, with plot 9 looking into the private rear garden area of plot 14.
- 5.31. However, as this is an outline application, it is necessary to assess whether the site could accommodate 14 dwellings in an acceptable layout. An alternative could see a spur off the central access to create a row of dwellings facing towards Marsh Road. A second spur approximately where the road is in front of plots 2 and 3, passing east – west, could create a dual sided street with dwellings on the north side backing onto the stables, and those onto the southern side backing onto the houses fronting Marsh Road, thus achieving something akin to a perimeter block layout. With the dwelling mix required by Policy DM24 14 dwellings could be accommodated.

Amenity of existing and future residents

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality), DM40 (Internal space standards)
Housing intensification SPD

- 5.32. At this stage there are no details of the proposed dwellings therefore no assessment can be made about relationships between the dwellings in terms of light, privacy and outlook, however there is no reason why a suitable design and layout could not be achieved to provide a satisfactory living environment for future occupiers. All dwellings will need to meet the requirements of the internal Space Standards to comply with Policy DM40.
- 5.33. There are relatively few existing dwellings adjacent to the site which could be affected by the development. Immediately to the south is the church, and to the west are open fields. There are houses on the opposite side of the road to the east but they would not be adversely affected in terms of light, outlook or noise and disturbance, given the degree of separation.
- 5.34. The Laurels itself is shown to retain a substantial garden area and would therefore have a good degree of separation from the development so that the residential

amenities of occupiers would not be affected. The sharing of the access with the development would only have a limited impact on amenity, as it would be design to allow two vehicles to pass.

Environmental issues

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM20 (Matters to be determined in accordance with the NPPF)

5.35. The site is currently a paddock therefore there are unlikely to be contamination issues on the site. Suitable provision could be made for storage of refuse on each plot. Since the development would increase trip generation from the site by cars this would contribute towards air pollution. Environmental Services has therefore suggested the imposition of a condition to require electric charging points for vehicles. This would need to be incorporated in the details of design and layout.

Flooding and drainage

Wycombe District Local Plan (August 2019): DM39 (Managing Flood Risk and Sustainable Drainage Systems)

5.36. The site is not in an area at risk of river flooding or groundwater flooding. The very northern part of the site, where the manège is currently located, is shown to be at low risk of surface water flooding. Third parties have expressed concern about the potential impact on the development on surface water flooding, particularly along Marsh Road.

5.37. The application is accompanied by a Flood Risk Assessment and details as to how surface water drainage would be dealt with. This has been reviewed by the Lead Local Flood Authority. The drainage strategy proposes a combination of using permeable paving and of draining water into the ordinary watercourse 20m north of the site boundary (on land also in the applicant's control).

5.38. The LLFA requested the provision of additional information about the proposed drainage into the ordinary watercourse, including its capacity, the correction of a discrepancy between the drainage plans and submitted layout plans, and clarification about the location of northern plots in the area where there is a risk of surface water flooding.

5.39. The applicant submitted additional information which has been reviewed by the LLFA. They are now satisfied that a suitable drainage strategy can be achieved, involving the use of permeable paving and drainage to the ordinary watercourse. Conditions have been recommended to secure a detailed strategy before any development commences.

5.40. A condition has also been suggested regarding the finished floor level of the northern plots. At this point the application is in outline and the layout is indicative only. The layout of the northern plots could therefore be adjusted so that they are moved southwards so that only the rear gardens are in the area at risk.

5.41. Subject to the imposition of appropriate conditions it is therefore concluded that the development could achieve a satisfactory scheme for disposing of surface water to that the risk of flooding is not increased elsewhere and the development itself would not be at risk from surface water flooding.

5.42. Third party representations have questioned the suitability of the existing water and foul drainage infrastructure. Thames Water was consulted and they have commented that there are no objections to the development in terms of capacity of the water supply and sewage infrastructure. They have commented on the proximity to the water main and public sewer, however the maps provided by Thames Water which are appended to the FRA show that these are along the line of Marsh Road. Sufficient separation between buildings and the Thames Water infrastructure could be maintained to address concerns raised about piling for foundations.

Landscape Issues and Landscape and visual Impact

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM32 (Landscape character and Settlement Patterns), DM34 (Delivering Green Infrastructure and Biodiversity in Development)

DSA: DM11 (Green networks and infrastructure), DM13 (Conservation and enhancements of sites, habitats and species of biodiversity and geodiversity importance), DM15 (Protection and enhancement of river and stream corridors)

- 5.43. The application site is within the flat vale landscape and is not within an area designated for its landscape importance. The A4010 defines the boundary of the Chilterns AONB in this area, with the AONB to the east. The site is separated from this area by the railway embankment which is between the site and the main road. The development of this site will not therefore have an adverse impact on the immediate setting of the AONB, although it may be visible in more distant views from the AONB.
- 5.44. The site has a post and rail fence along the roadside boundary and is therefore open to views from the road, from where there are views across the site towards the church which is to the south of the site. The south west / western boundary is marked by a hedgerow punctuated with mature trees. The Laurels itself has a hedge boundary along the roadside boundary so views when approaching from the north are more limited.
- 5.45. The only public footpath in the vicinity is beyond the church to the south and crosses the fields in a westerly direction from the road. Given the relatively flat landscape there are potential views back to the site from the path, which would be partially filtered by the west boundary hedge and trees.
- 5.46. In terms of landscape impact there is no doubt that the development will be visible from the surrounding area. This would, to some extent, be mitigated by introducing new planting in the form of hedges and trees both on the site boundaries and within the development. Some care would need to be taken at the detailed stage to ensure that ridge heights of the dwellings were commensurate with the scale of dwellings in the immediate locality. To the north-west development includes small cottages and some larger detached houses.
- 5.47. The plans indicate the retention of the western hedge, which is understood to be a pre-enclosure boundary. The development would be contained within this field enclosure therefore the historic field pattern could still be read in the landscape.
- 5.48. At this stage landscaping is a reserved matter, although the plans indicate potential for a hedge along the Marsh Road frontage. As outlined above it is necessary to maintain a buffer on the eastern edge of the site for possible widening of the railway and to alter the dwelling mix. The layout of the development at detailed stage will therefore need to change from that shown indicatively, but there is potential to provide a strong landscaped buffer along the east boundary. Hedge boundaries are consistent with the local landscape and would also contribute to ecological enhancement as suggested by the ecological report.
- 5.49. The site is over 0.5ha in size therefore will be required to achieve future canopy cover of 25%. There are already trees along the west boundary which would be retained and there is no reason why this level of canopy cover could not be achieved by planting within garden and along the road frontage.
- 5.50. It is concluded that the site could accommodate the number of units proposed without an adverse impact on the wider landscape provided at detailed stage the scale of the buildings is sensitive to the immediately surrounding area and that a high degree of landscaping is included to help it integrate into the rural landscape.

Ecology

Wycombe District Local Plan (August 2019): DM34 (Delivering Green Infrastructure and Biodiversity in Development)

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

- 5.51. A Preliminary Ecological Appraisal was submitted with the application. This recommended further surveys of nearby (off-site) ponds for the presence of Great Crested Newts. These surveys have been carried out and the relevant report submitted with the application. This has confirmed that Great Crested Newts are not present in the ponds. The development of the site would not therefore have an adverse impact on protected species or habitats.
- 5.52. The existing hedgerow on the west boundary of the site was identified as being of importance as a habitat for wildlife. This could be retained as part of the development. The ecological reports suggest potential for ecological enhancement and this would be in line with the Council's policies which aim to secure a net gain in biodiversity.
- 5.53. The Council's Natural Environment Officer has therefore suggested that conditions should be imposed to secure an ecological mitigation strategy and approval of a scheme of ecological enhancements. These could include incorporating bat and bird boxes into buildings, and including plants species and features in the landscaping of the site which are of benefit to wildlife.

Building sustainability

Wycombe District Local Plan (August 2019): DM41 (Optional Technical Standards for Building Regulations Approval)

- 5.54. It is considered necessary to condition water efficiency in accordance with Policy DM41.

Public open space

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth)

DSA: DM16 (Open space in new development), DM19 (Infrastructure and delivery)

- 5.55. As set out in Policy DM16, the development will not be required to make provision for public open space to serve new residents as the scheme is for less than 40 dwellings. Provision is made off-site and funded through CIL.

Infrastructure and Developer Contributions

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth)

DSA: DM19 (Infrastructure and delivery)

- 5.56. The development is a type of development where CIL would be chargeable.
- 5.57. It is considered that there would not be other types of infrastructure, other than the provision of affordable housing, that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.
- 5.58. However, in order to improve connectivity between the site and public transport, as set out above, a contribution towards improvements to the junction of the A4010 and Grove Lane, to provide a footway, is considered necessary, to address issues with the sustainability of the location. The footway would provide a connection to the railway station and main bus route along the A4010.
- 5.59. The LLFA recommend that the "whole-life" maintenance and management plan for the surface water drainage system is secured by a Section 106 Planning Agreement. The use of a planning obligation (as opposed to a planning condition) would help to safeguard the maintenance and management of these features over the lifetime of the development. The BCC Strategic Flood Management team are of the opinion that this

is a reasonable approach due to the residual risk of surface water flooding to the site should the systems not be adequately maintained.

- 5.60. A request has been made by the NHS Trust for funding to bridge a funding gap during the first year of occupation of development. This is a matter which should be dealt with by an application for funding from CIL, rather than a S106 agreement.
- 5.61. The Planning Obligations SPD sets out the Local Planning Authority's approach to when planning obligations are to be used in new developments.
- 5.62. Having regard to the statutory tests in the Community Infrastructure Levy regulations and the National Planning Policy Framework it is considered that the following planning obligation(s) are required to be secured within a section 106 agreement:
- (a) Affordable housing
 - (b) Off-site highway works
 - (c) Maintenance of the Surface Water Drainage System
- 5.63. The applicant has confirmed that he is willing to enter into a legal agreement. The S106 would be to secure a contribution of £50,000 towards highway safety improvements, to improve public safety between the site and sustainable forms of transport.
- 5.64. The requirement for affordable housing would be that 48% units should be secured as affordable housing, of which 80% would be affordable rented units and the remaining 20% intermediate products (such as shared ownership).

Weighing and balancing of issues – overall assessment

- 5.65. 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.
- 5.66. 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
- 5.67. As set out above it is considered that the proposed development would accord with the development plan policies.

Recommendation: Minded to grant permission subject to completion of a Planning Obligation or other agreement

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

- a) 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

or to refuse planning permission if an Obligation cannot be secured

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

- 1 Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990.
- 2 Approval of the details of the landscaping, layout, appearance and scale hereinafter called the "reserved matters" shall be obtained from the Local Planning Authority before any development is commenced.
Reason: That your application is expressed to be an outline application only with access details submitted only.
- 3 This permission is in respect of plan nos. Shi 2995 pa 002 and Shi 2995 pa 001 g and in so far as the access onto Marsh Road is concerned; for the avoidance of doubt the pedestrian footway along Marsh Road shall have a minimum width of 2 metres from the access to the southern end of the site frontage to Marsh Road.
Reason: For the sake of clarity and to ensure a more satisfactory development of the site.
- 4 No other part of the development shall be occupied until the existing means of access has been altered 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.
- 5 The development shall be served by means of adoptable estate roads which shall be laid out in accordance with details to be first approved in writing by the Local Planning Authority in consultation with the Highway Authority, and no dwelling shall be occupied until the estate roads which provide access to it from the existing highway have been laid out in accordance with the details subsequently approved pursuant to condition 2.
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.
- 6 No other part of the development shall be occupied until the visibility splays shown on the approved drawing ref. Shi 2995 pa 001 g 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.
- 7 Prior to the commencement of any works on the site a Construction Traffic Management Plan detailing the management of construction traffic, (including vehicle types, frequency of visits, expected daily time frames, use of a banksman, on-site loading / unloading arrangements and parking of site operatives vehicles) shall be submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance the approved Management Plan.
Reason: In the interests of highway safety and prevention of congestion. A pre-commencement condition is considered necessary to ensure measures are in place from the commencement of works to manage construction traffic to avoid danger, obstruction and inconvenience to users of the highway and of the development.

8 The Reserved Matters detail of layout shall include details of a surface water drainage scheme for the site, including disposal of surface water from roads and footways, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Assessment of SuDS components as listed in the CIRIA SuDS Manual (C753) and provide justification for exclusion if necessary demonstrating that water quality, ecological and amenity benefits have been considered
- Ground investigations including:
 - Infiltration in accordance with BRE365
 - Groundwater level monitoring over the winter period
- 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 and discharge to be limited to 1.1 l/s for all events.
- The heights of the Finished Floor Levels of the properties in relation to the surrounding ground levels. Any dwellings shown to be along the northern border of the site to be set at least 300mm above surrounding ground levels (plots 2, 3 and 4 on the masterplan, drawing number: Shi-29955-pa-001-g, October 2018, Rickett).
- Full construction details of all SuDS and drainage components
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- Calculations of a submerged outfall and any necessary mitigation measures
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction.

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.

9 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.

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

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

11 The Reserved Matters detail of layout shall include the following:

- a) Details of existing and proposed ground levels and proposed threshold levels shown relative to a fixed and know datum outside the site at the junction with Marsh Road. These details are to include cross sections through the new street(s).
- b) Details of bin storage and cycle storage within the scheme

- c) Details of proposed street lighting, note that the surrounding area does not have high level street lighting so where necessary lighting should be low level.
- d) Details of any other external lighting to be installed more than 2 metres above ground level
- e) A scheme for parking, garaging and manoeuvring in accordance with the County Council's "Buckinghamshire Countywide Parking Guidance" policy document including the provision of unallocated parking provided.
- f) Provision of on-plot electric charging points for vehicles
- g) A 15 metre buffer to the railway line

The approved scheme shall be implemented and made available for use before the dwelling or dwellings to which it relates are occupied and that area shall not be used for any other purpose, all unallocated parking shall be laid out and made available prior to the occupation of the first dwelling or in accordance with a timetable first agreed by the local planning authority.

The development shall be implemented in accordance with the approved details.

Reason: To ensure that the development is constructed at appropriate levels relative to the surrounding area and that appropriate provision is made for bin and cycle storage, lighting and parking provision, and does not prejudice the future twin tracking of the railway line.

12 The Reserved Matters detail of landscape shall include the following:-

- a) Details of a landscape buffer on the Marsh Road frontage.
- b) Retention of the trees and hedge along the west boundary
- c) Details of all fences, walls and railings including any to be retained on the boundary of the site
- d) A method statement for the protection of retained trees and hedges, both within and adjacent to the site
- e) The type/species, size, number and location of all new planting proposed, and all existing planting proposed to be retained, which should achieve 25% canopy cover in accordance with Policy DM34 of the adopted Wycombe District Local Plan 2019
- f) A method statement for all new tree planting, including details of existing and proposed below ground services, tree pit details for all trees located within hard surfaced areas and details of how the trees within tree pits will be linked into the sustainable drainage system for the site.
- g) Inclusion of plant species to provide ecological enhancements
- h) Details of underground service routes

The development shall be implemented in accordance with the approved details.

Reason: In order to ensure that the development retains a strong edge to the boundary of the development with the open countryside and provides acceptable 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.

14 The Reserved Matters detail of appearance shall include the following:

- a) Full elevations of all buildings
- b) Full floorplans of all buildings, which demonstrate compliance with the internal space standards required by Policy DM40 (Internal Space Standards) of the adopted Wycombe District Local Plan 2019
- c) A schedule of external materials and finishes for each building
- d) A schedule of materials and finishes for all hard surfacing areas
- e) Street scene drawings for the streets within the site and the Mrsh Road

The development shall be implemented in accordance with the approved details.

Reason: To clarify the details that need to be considered as part of the appearance of the development.

- 15 No development shall take place until a strategy for ecological mitigation and enhancement within the site, which includes a timetable for implementation, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not take place other than in accordance with the approved details.
Reason: To secure appropriate ecological and enhancement measures which contribute to improved biodiversity. A pre-start condition is necessary to ensure that any existing features which contribute to ecology are retained as part of the development.
- 16 The development hereby approved shall be limited to 14 dwellings.
Reason: In order to limit the development to that applied for in the interests of the character and amenity of the area.
- 17 The housing mix for the site shall include 1,2 and 3 bedroom units and shall comply with the dwelling mix required in Policy DM24 (Affordable Housing) of the adopted Wycombe District Local Plan 2019 and its supporting text in respect of the affordable housing units.
Reason: To ensure the provision of a range of size of dwellings which meets the identified need for affordable housing and which will assist in improving the socio-economic mix of the community through delivering a wide choice of high quality homes, that widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 18 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 DM41 (Optional Technical Standard for Building Regulation Approval).

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.
- 2 The applicant is advised that the off-site works will need to be constructed under a section 278 of the Highways Act legal agreement. This agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 8 weeks is required to draw up the agreement following the receipt by the Highway Authority of a completed Section 278 application form. Please contact the Transport Development Control Section at the following address for information:-

Development Management
Buckinghamshire County Council
9th Floor
County Hall
Walton Street
Aylesbury
Buckinghamshire
HP20 1UY
Tel: 01296 395000

- 3 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.
- 4 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.
- 5 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.'
- 6 Under the terms of the Land Drainage Act 1991 and the Floods and Water Management Act 2010, the prior consent of the Lead Local Flood Authority is required for any proposed works or structures in the watercourse. After planning permission has been granted by the LPA, the applicant must apply for Land Drainage Consent from the LLFA. Information and the application form can be found on the LLFA website. Please be aware that this process can take up to two months.