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App No : 19/07233/FUL App Type : FUL

Application for : Demolition of existing detached dwellings and all associated outbuildings. Erection of one block of 12 x 1-bed and 6 x 2-bed apartments (18 in total) with parking at basement level, associated bin/cycle stores, landscaping and altered vehicular access to Kingsmead Road (amended scheme to pp 18/07114/FUL) (part retrospective).

At 144 - 146 Kingsmead Road, High Wycombe, Buckinghamshire, HP11 1JB

Date Received : 16/09/19 Applicant : Redsky Wholesalers Ltd. - Mr Sekhon

Target date for decision: 16/12/19

1. **Summary**

- 1.1. Permission is sought for the demolition of 2 detached bungalows and the erection of a block of 18 flats. The bungalows have since been demolished and some construction work has been undertaken on site (which is currently subject to enforcement action).
- 1.2. The site is located on the hillside fronting Kingsmead Road; a predominantly residential area.
- 1.3. The proposal follows on from a similar approved application for 14 residential units, but a refusal for 18 units.
- 1.4. The proposal is considered to have overcome the reasons for refusal associated with the former scheme for 18 units. Furthermore, it is considered to have an acceptable impact on the character and amenities of the surrounding area, neighbours and future residents. The proposal is therefore considered acceptable and recommended for approval.

2. **The Application**

- 2.1. Permission is sought for the erection of one block of 18 apartments. These would be made up of 12 x 1 bed units and 6 x 2 bed units.
- 2.2. The application follows on from an approval for a similar apartment block for 14 units and a refusal for an alternative scheme for 18 units.
- 2.3. The differences between the 14 unit approved scheme and this scheme are:
 - Provision of accommodation in the roofspace in the current scheme resulting in 3 x additional units. Amendment to the layout of the second floor resulting in the provision of one additional apartment, amendment to the mix of apartments proposed.
 - Increase in the size of the basement, through a projection to the rear.
 - Amendment to the front elevation consisting of the insertion of two windows in the roof level. Amendment to the rear elevation including the provision of dormer windows and balconies at roof level. Increase to the number of windows in the side elevations.
 - Amendment to the location of stairs between the basement and the ground floor.
 - Amendment to the rear amenity space/banked area, including provision of larger terraces to the ground floor units and the parking area to the top now proposed as communal amenity space.
 - Increase in height to the eaves and ridge height of the crown roof in the proposal.
- 2.4. The main differences between the refused scheme for 18 units and the current scheme are:

- Differences in the front elevation (with Juliet balconies and rooflights included in the refused scheme).
 - A level area immediately to the rear of the building, to be used as communal amenity space was provided in the refused 18 unit scheme.
 - A different mix of residential units (less two bed units proposed in this scheme).
 - Provision of additional car parking to the top of the site was proposed in the refused scheme, where level communal amenity space is now proposed.
- 2.5. This scheme would sit under a pitched crown roof with two projections to the front and rear elevations; the ridge of these are set at a higher level 'hiding' the crown roof from street scene views. The ridge of the main roof would be marginally lower than the main ridge of the adjacent block of flats to the north-west. It would however have a higher ridge than neighbouring detached properties to the south-east. The block would be around 24m wide and 16m deep. It would have a maximum height from street level of around 15m.
- 2.6. The site is rectangular in shape and slopes down significantly from the rear. The existing properties are raised above road level and this would be reflected in the proposed scheme; there would also be a basement level for parking. To the rear of the block there would be terraced amenity space/landscaping (given the rising land levels). Beyond the site to the rear is a disused railway line.
- 2.7. The scheme (at basement level) would stretch the entire width of the site. However, the accommodation levels would be set in from the south-eastern side boundary by around 7m, and from the north-western boundary by around 2.7m.
- 2.8. The site is located along Kingsmead Road, a mainly residential area on the outskirts of High Wycombe. The eastern end of this road has seen significant re-development over the years through schemes for both blocks of flats and houses.
- 2.9. The site has been assessed as being in residential parking zone A.
- 2.10. The application is accompanied by:
- a) Design and Access Statement
 - b) Viability Report
 - c) Flood Risk Assessment
 - d) Surface Water Drainage Strategy
 - e) Noise Report
 - f) Ecology Wildlife Checklist
 - g) Construction Traffic Management Plan
 - h) Bat Survey
 - i) Arboricultural Report
- 2.11. In addition, a number of documents have been updated/ amended to provide additional information, or as a result of consultee comments. Floor plans have also been amended to ensure the scheme is Building Regulations M4(2) or (3) compliant (accessible and adaptable dwellings). This has resulted in a reduction in number of parking spaces the basement can provide.

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 there has been ongoing communication with the agent regarding this site. Furthermore, an opportunity was provided to submit amended plans to overcome some of the concerns raised as a result of new Local Plan policies etc.

4. Relevant Planning History

- 4.1. 19/05916/FUL- Erection of one block of 10 x 1-bed and 8 x 2-bed apartments (18 in total) with parking at basement level, with associated parking, landscaping and altered vehicular access to Kingsmead Road (alterative scheme to pp 18/07114/FUL) (Part-retrospective). Refused, currently at Appeal.

Refused on the basis of:

1. The proposal represents a cramped form of development. Symptomatic of this is that:
 - i. The rooms in the roof require the introduction of balconies and rooflights within the roofspace which detracts from the simple balanced design and appearance of the front elevation to the detriment of the character of the property.
 - ii. The restricted internal floor area/height of the rooms of the proposed roofspace flats is such that they provide a poor internal living environment for the potential occupants.
 - iii. The proposed hard surfaced rear, private and communal amenity areas over the underground car park creates a poor quality amenity area; shaded by a 2.5m retaining wall with steep bank beyond, directly overlooking the proposed adjacent rear facing windows/patio doors at close proximity, and beside the vehicle exhaust ventilation stacks of the underground car park below.
 - iv. The introduction of the hard surfaced rear amenity area results in a severe levels change to the remainder of the rear grassed amenity area such that it is unusable; the more gradually banked amenity areas for the alternative scheme approved under reference 18/07114/FUL allowed use across a greater area and at a distance that avoids the overlooking identified in iii) above.
 - v. The relocation of the staircase and increase in size and number of windows in the side elevation results in potential overlooking of the adjoining rear garden and windows of 148 Kingsmead Road to the detriment of the privacy of the occupants. With the underground car park below being constructed against the boundary it is not obvious how a suitable landscaped boundary treatment could be achieved above.

As a result the proposal is considered to represent a level of intensification which that would fail to achieve a high standard of design and layout.

- 4.2. 18/07114/FUL-Demolition of existing detached dwellings and all associated outbuildings. Erection of one block of 6 x 1-bed and 8 x 2-bed apartments (14 in total) with parking at basement level, associated bin/cycle stores, landscaping, additional parking to rear & widening of existing access to 144 Kingsmead Road with access to 146 Kingsmead Road blocked off. Permitted.
- 4.3. 17/05544/FUL- Demolition of existing detached dwellings and erection of building comprising of 14 x 2 bed apartments with basement parking and repositioned access.

Refused on the basis of:

1. The proposed development fails to take into account the hillside location or the relationship between the block structures and the rhythm of the development in the local area. It is considered to be of a bulk, scale and massing that is out of character with its immediate surroundings and the area in general, it would be an over dominant and overbearing form of development.
2. The proposed development, due to:
 - the lack of access to private amenity space that provides a sufficient degree of privacy, can be accessed directly from the dwelling and is of a suitable gradient, orientation and free from excessive shade to allow enjoyment of the space.

- the proposed layout and single aspect nature of most flats with the kitchen areas set well back into most of these rooms

will result in poor living standards for future occupiers of these units, and

due to the number of south east facing windows, its bulk, scale and massing is considered to be overbearing upon the immediate neighbour at number 148.

- 4.4. 16/06374/FUL- (Nos. 144-150) Demolition of four existing dwellings and erection of 4 pairs of semi-detached dwelling and two terraces of three dwellings (8 x 4 bed and 6 x 3 bed) with associated access. Withdrawn.
- 4.5. Prior to 2016, there were a number of a planning applications for the redevelopment of no. 146 only for 2 x 4 bed detached houses. The most recent permission for this scheme is set out below:
- 4.6. 15/05337/FUL- Demolition of existing dwelling and erection of 2 x 4 bed dwellings with basement parking, landscaping and creation of new access. Permitted.
- 4.7. 09/05984/FUL- Demolition of two existing bungalows and erection of 14 flats (12 x 2 bed and 2 x 1 bed) with undercroft and ancillary parking and associated facilities. Refused. Dismissed at Appeal due to:
 - This proposal sought to overcome the previous refusal by demolishing the existing properties and constructing two blocks of flats comprising a total of 14 units on 3 floors again with the upper floor flats in the roofspace. A basement parking area part open to the rear of the flats and part under the building was to be accessed off the Kingsmead Road. The amenity area would be to the rear of the site at the level of the disused railway.
 - The Inspector agreed with the previous appeal decision regarding the urban grain of the area being reflected by the adjacent apartment blocks and those to the south east and concluded that the separation of the accommodation into two apartment blocks would ensure greater conformity with this local characteristic as well as breaking up the mass of the development and that the reduction in the depth of these blocks to around 13m deep would be satisfactory and overcome the previous objection in terms of the views westward through the adjacent site at 148.
 - However the design, in order to reduce the dominance of the building in the street scene and bring the ridge height of the dwelling down below that of the neighbouring site was achieved through setting the building lower into the ground than those on either side so the height of the buildings from base to roof would be considerably greater than the adjacent apartment block. The inspector concluded that the lower overall height of the development would be off-set by the tallness of the buildings and the incongruity which would arise in the street scene would seriously harm the character and appearance of the area. He also concluded that the design of the roof was also considered to be contrived and would detract from the appearance of the building.
 - The inspector also concluded that the proposal did not sufficiently respect the sloping nature of the site, that the undercroft garage and parking below street level failed to reflect the underlying topography and banked character of this side of the street and the excavation of a substantial part of the frontage would result in further erosion of this distinctive feature that contributes significantly to the street scene. The car park entrance and other retaining structures to the front of the building would be unattractive and harmful to the more conventional residential character and appearance of the area contrary to policy CS19 and G3.
 - The flats were all proposed to be dual aspect and have some form of private amenity space; however, the 4 on the first floor would have north facing balconies. The inspector concluded that this was undesirable and harmful to the living conditions of the future occupiers. He also concluded that while the size and

aspect of the communal space to the rear of the building was acceptable the circuitous route residents would need to take to reach it involving an extensive climb up a considerable number of steps would mean it would not be easily accessible and considerably this undermined its usability. This combination of factors led the Inspector to conclude that elements of the amenity space would be lacking in both quality and usability and would conflict with policies H19 and CS19 and the advice in LP appendix 1.

- Finally the Inspector concluded that as gardens are no longer considered to be previously developed land and a considerable amount of the garden would be required to be developed as part of this proposal there was a conflict with an element of government policy that added some weight to his conclusions.
- 4.8. 08/06534/FUL- Demolition of two existing bungalows and erection of 14 flats (10 x 2 bed and 4 x 1 bed) with undercroft parking. Refused. Dismissed at Appeal due to: -
- The proposed block comprised flatted accommodation on 3 floors with the upper floor flats within the roofslope, together with basement parking for 20 vehicles and surface parking for 4 vehicles to the front of the site alongside the parking entrance. The proposed building was around 30m wide and 17m deep and approximately 3 m above the street level. The parking included 16 tandem spaces some restricted by pillars. The units were single aspect on the ground and first floors and dual aspect in the roof. The appeal was accompanied by a Unilateral Undertaking to cover the requirements for infrastructure payments (prior to CIL and the current Developer Contributions SPD).
 - The Inspector concluded that the depth of the building would be quite apparent in views looking westward along Kingsmead Road because of the gap and the single storey garage to number 148. That the building would be some 3m or more above the road level, thus emphasising its size, and that the greater bulk and mass of the proposed block would be over dominant and overbearing upon the street scene and out of character with the general area. She considered that although half the frontage would be landscaped, the wider carpark entrance, in direct view from the road, would be an unsympathetic feature. She concluded that the high retaining wall could be acceptable depending upon landscaping but overall the development would have a harmful impact on the character and appearance of the street scene.
 - The Inspector further concluded that the proposed parking layout would not provide adequate off street parking and safe and convenient access and would therefore be detrimental to highway safety.
- 4.9. There is also Enforcement Action being taken against the site. A Stop Notice and Enforcement Notice have been served in relation to engineering works. There is also an Appeal with PINS regarding the Enforcement Notice, currently undetermined.

5. Issues and Policy considerations

Principle and Location of Development

DSA: DM1 (Presumption in favour of sustainable development)

New Local Plan: CP1 (Sustainable Development), CP3 (Settlement Hierarchy), CP4 (Delivering Homes), DM32 (Accessible locations, sustainable transport and parking)

- 5.1. As per the previous approval, the site is in an existing residential area where the principle of residential development is accepted.

Affordable Housing and Housing Mix

New Local Plan: DM22 (Housing Mix), DM24 (Affordable Housing),
Planning Obligations Supplementary Planning Document (POSPD)

- 5.2. A development of this size triggers adopted local planning policy thresholds for affordable housing and therefore there is a requirement to provide affordable housing.
- 5.3. However, a viability statement has been submitted by the applicant; this was also the

case for the previous two applications. The viability statement agrees that it would not be viable for any affordable housing to be provided as part of the development.

- 5.4. Significant weight can be given to the fact that the provision of affordable housing would not be viable and therefore, as per the previous two applications, it is recommended that the requirement for affordable housing provision in this scheme is not pursued.

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)

- 5.5. 19 parking spaces are identified in the basement (along with 18 x bicycle parking spaces). It is accepted that the parking layout is unconventional, in order to maximise number of spaces in the basement and number of wheelchair-user compatible spaces. However, the layout is considered to comply with car park design guidance, providing sufficient manoeuvrability space.
- 5.6. The majority of the site is in residential zone A and therefore the parking requirement has been assessed on this basis.
- 5.7. All the units have 1-3 habitable rooms and therefore one parking space per unit is required. This means that 18 parking spaces are required and an additional 4 visitor spaces if the spaces are to be allocated. 19 parking spaces are proposed to be provided in the basement which complies with the Buckinghamshire Countywide Parking Guidance (with a slight over provision). This is on the basis that the spaces are not allocated.
- 5.8. It is considered reasonable to condition that the car parking spaces, as per the drawings, are laid out prior to the occupation of the units (and maintained for the lifetime of the development).

Raising the quality of place making and design

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM35 (Placemaking and Design Quality)
Housing intensification SPD
Residential Design Guide SPD

- 5.9. The front elevation of the development differs from the approved scheme only by the addition of two small windows in the front gables; these are not considered to detract from the appearance of the scheme, street scene or surrounding area. For information, the refused scheme for 18 units contained additional windows and Juliet balconies on the front elevation, which was considered visually detrimental.
- 5.10. The rear terraced area now resembles that of the approval for 14 units. Terracing is now shown partly over the extended basement area, enabling a shallower gradient for the remaining banking. As banking should not be greater than 1:2 (for appropriate landscaping and maintenance to take place etc.), it is reasonable to condition levels details are provided.
- 5.11. The scheme also proposes a level area of communal amenity space to the rear. This is considered to be a relatively good quality space for this purpose, increasing its potential for use. Having this area as communal amenity space would also have visual benefits for the site, compared with it being used for parking, as per the current situation/ approved scheme.
- 5.12. This proposal also shows significant landscaping would be incorporated to the side of the building (over the basement), adjacent no. 148 Kingsmead Road; this is considered to soften the development in the streetscape. Whilst additional information submitted demonstrates that this is possible, it is reasonable to condition further landscaping details and the retention and maintenance of this area.
- 5.13. Additional windows are proposed in the side elevations (roof lights) and additional

balconies and windows at roof level in the rear elevation. These are considered to have a negligible impact on the character and appearance of the building and surrounding area, given that they are not fronting the street, nor easily seen in distant views.

- 5.14. In summary, the amended scheme is considered to be acceptable from a place making and design perspective (and overcomes the design concerns raised in the latest refused scheme for 18 units).

Amenity of existing and future residents

Wycombe District Local Plan (August 2019): DM35 (Place making and Design Quality),

DM40 (Internal space standards)

Housing intensification SPD

Residential Design Guide SPD

- 5.15. With regards to neighbouring residents, subject to windows on the side being obscurely glazed, the retention and maintenance of landscaping in the area adjacent to no. 148 and appropriate fencing alongside this boundary, the scheme would not lead to a detrimental level of overlooking (or perceived overlooking).
- 5.16. In terms of future residents, the units in the roof space have been amended to be 1 bed flats only and the layout has changed. Two of these units would now have windows on three sides. One of these units would be Building Regulations M4(3) compliant (the highest level of accessibility). Remaining units throughout the scheme are also of a sufficient size, with the majority being dual aspect. A further two units would also be M4(3) compliant.
- 5.17. All units are served by private amenity space; additional, level, communal amenity space is also shown towards the top of the rear terraced area. Given its size and that it is relatively level, it is considered to be of a good quality and thus increases the likelihood of being used.
- 5.18. The scheme is also considered to provide sufficient car parking and cycle parking, as per the Buckinghamshire Countywide Parking Guidance.
- 5.19. In summary, the proposal is considered to achieve a sufficient standard of residential amenity for all future residents. Units are of a sufficient size to meet planning policy. Furthermore, 4 units are shown to be Part M4(3) compliant, with the remaining M4(2) compliant, meeting the requirements of New Local Plan policy DM41. This includes the provision of 4 wheelchair accessible spaces. This proposal is considered to overcome the concerns raised in the refused scheme for 18 units.

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)

- 5.20. The proposed bin storage area is considered to be of a sufficient size and in an appropriate, convenient location.
- 5.21. Ventilation is shown to serve the basement parking; no objection has been raised to this by Environmental Services. A condition is required to secure electric charging points. 13 electric vehicle charging spaces were previously secured by condition for the 14 flats.
- 5.22. There is no information as to the proposed exterior lighting for the development. This would require a formal planning application in any case.

Flooding and drainage

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

- 5.23. The applicant has submitted a Flood Risk Assessment and SuDS Strategy. The scheme will now incorporate an attenuation tank located under the banking to the front of the site, the top of which would be below the level of the highway. The Lead Local

Flood Authority are satisfied that the drainage would be appropriately managed and are not objecting to the scheme, subject to conditions.

Landscape Issues

Wycombe District Local Plan (August 2019): DM34 (Delivering Green Infrastructure and Biodiversity in Development), CP8 (Sense of place), DM44 (Landscape character outside of the Chilterns AONB)

DSA: DM11 (Green networks and infrastructure), DM13 (Conservation and enhancements of sites, habitats and species of biodiversity and geodiversity importance)

- 5.24. The site is adjacent to a local landscape area but the development is confined to the northern half of the site and is not considered to have any detrimental impact upon it.

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)

- 5.25. An Ecology Wildlife Checklist, Preliminary Ecological Appraisal and Roost Assessment and Bat Survey - Emergence and Activity Surveys have been submitted. No presence of bats or any other protected wildlife were found to be present on the site however some recommendations were made in the reports to bring about biodiversity improvements.

Building sustainability

Wycombe District Local Plan (August 2019): DM33 (Managing Carbon Emissions: Transport and Energy Generation)

- 5.26. In order to comply with Local Plan policy, it is considered reasonable to condition a reduction in the site wide regulated CO2 emissions over the Building Regulations Part L 2013 Target Emission Rate. In this instance, it is considered a 15% reduction is an appropriate figure to attain.

Infrastructure and Developer Contributions

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

DSA: DM19 (Infrastructure and delivery)

BCSNP: Policy 13 (Connecting the Parish)

- 5.27. The development is a type of development where CIL would be chargeable.
- 5.28. While this scheme should provide affordable housing, viability assessments have demonstrated that this would make the scheme unviable. Therefore having regard to the statutory tests in the Community Infrastructure Levy regulations and the National Planning Policy Framework, it is considered that no planning obligation(s) are required to be secured within a section 106 agreement for this scheme.

Weighing and balancing of issues – overall assessment

- 5.29. This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations to reach a conclusion on the application.
- 5.30. 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

- 5.31. The site has a long history of (mainly) refusals, especially for a large block of flats. However an acceptable scheme for 14 units was put forward and gained planning permission. A further application for 18 units was submitted and subsequently refused. This is because the scheme was considered significantly different from the 14 unit scheme, failing to demonstrate good design and representing a cramped form of development.
- 5.32. Whilst this scheme is still for 18 units (same as the refused scheme), the mix of units has changed, with more one bed units proposed and less two bed units. Whilst units are still proposed in the roof space, all these units are now proposed to be 1 bed and the layout has been amended; this means that the flats would appear more spacious and one of these units is noted to be able to achieve part M4(3) (i.e. the highest level for accessible units). It is also noted that three further units throughout the scheme are also proposed to be M4(3) compliant. Two of these units in the roofspace would also have windows on three sides (one unit would remain single aspect). Therefore these units are considered to now achieve an acceptable level of internal residential amenity for future residents.
- 5.33. Turning to the other concerns raised in the latest refused scheme, the front elevation has been amended, to now only include two additional (small) windows in the front elevation at roof level; these are not considered to detract from the front elevation. Additional windows are still shown in the sides and rear elevation, but these are considered to have a negligible impact on the character and appearance of the street scene and surrounding area.
- 5.34. This scheme also sees an improvement along the side of the building. Landscaping is shown in the area to the side of the building, with further information provided during the course of the application to confirm it is plausible. This will assist in softening the appearance of the development in the street scene, and reduce perceived overlooking towards the neighbouring property.
- 5.35. This scheme also sees an alteration to the rear amenity space. The refused scheme proposed a substantial communal area above the enlarged basement. There was concern that this would be a poor quality area, resulting in steeper banking for the remaining area of rear space (limiting maintenance opportunities and use) and would enable overlooking of the adjacent flats. This scheme removes this communal amenity area, with banking now shown over the top of the majority of it, enabling less steep terracing of the rear amenity space. Communal amenity space is shown towards the top, in an area formerly shown for parking. In the officer's opinion, this is better shown as communal amenity space as it is a large and level area (increasing the likelihood of being used). Furthermore, to access this area for parking requires a detour of around 500m from the front of the site; this means it is unlikely to be used by visitors and would probably not be a preferred location for residents to park their cars either, compared with the basement parking. The scheme complies with the Buckinghamshire Countywide Parking Guidance in any case with regards to number of parking spaces required.
- 5.36. Therefore on balance, it is considered is sufficiently different from the refused 18 unit scheme, in order to overcome the previous reasons for refusal; this scheme is therefore recommended for approval.
- 5.37. It is noted that the Ward Councillor and neighbours have suggested we await the Appeal decision before determining the application. However, it is not considered that the Appeal decision would have any impact on the recommendation made as this is an improved scheme compared with that at Appeal, which, in the Officer's opinion, overcomes the reasons for refusal.

Other matters

Equalities Act Duties

- 5.38. Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

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 17/44/50/B; 17/44/51/B; 17/44/52/B; 17/44/53/A; 17/44/54/A; 17/44/56; 17/44/25/B; 17/44/26/B; 7860/510/P1; 17/44/01/B; 17/44/02; 17/44/03; 17/44/17/C; 17/44/18/A; 17/44/19; 17/44/27/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 Drawings of the site identifying the following shall be submitted to and approved in writing by the Local Planning Authority before any further work take place;
 - a) Existing ground levels on site (spot heights) including a datum point that is located off site. Levels should be Above Ordnance Datum (AOD).
 - b) The level of the road outside the site. (AOD).
 - c) The proposed levels on site following completion of the development (for each existing height a proposed height should be identified).
 - d) The location and type of any retaining structures needed to support ground level changes.
 - e) The Finished Floor Level for every building that is proposed.
 - f) Cross sections within the site taken up to the site boundaries. The information supplied should clearly identify if land levels are being raised or lowered.
 - g) In the case of residential development, sections showing the level of the proposed garden(s) and retaining structures. The development shall be carried out only in accordance with the approved details.
Reason: This is a pre-commencement condition to ensure that the work is carried out at suitable levels in relation to adjoining properties and highways.
- 4 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:
 - Additional planting to compensate for the loss of existing trees
 - Native trees to reflect the rural context of the site
 - Details of landscaping to the side of the building (including pit details)
 - Tree pit details for landscaping proposed over the attenuation tank

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.

- 5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees, plants or areas of turfing or seeding which, within a period of 5 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.
- 6 The development shall take place in accordance with the arboricultural method statement (AMS) and tree protection plan submitted as part of the planning application. Any permitted works, Construction Exclusion Zone, and other works which are specified in the AMS will take place under the supervision of a retained arboricultural specialist. A single page report and photographic record showing the supervised works will be submitted to the Local Planning Authority within 7 days of each supervised event which will result in a certificate being issued by the planning authority upon completion.
Reason: To ensure that the retained trees, shrubs and hedgerows are not damaged during the construction process and in the long term interests of local amenity value.
- 7 Windows to be inserted into the side flanks of the building (including roof space) shall be obscurely glazed and non-opening to height of 1.7m above finished floor level. No further windows, doors or openings of any kind shall be inserted in the flank elevations of the development hereby permitted without the prior, express planning permission of the Local Planning Authority.
Reason: To safeguard the privacy of occupiers of the adjoining properties.
- 8 The development permitted by this planning permission shall be carried out in accordance with the approved Surface Water Drainage Strategy.
Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to ensure that surface water is managed in a sustainable manner, in accordance with Paragraph 163 of the National Planning Policy Framework
- 9 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.
- 10 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.
- 11 Within one month of the new access being brought into use, all other existing access points not incorporated in the development hereby permitted shall be stopped up by raising the existing dropped kerb and reinstating the footway and highway boundary to the same line, level and detail as the adjoining footway and highway boundary.
Reason: To limit the number of access points along the site boundary for the safety and convenience of the highway user.
- 12 The car parking and manoeuvring indicated on the approved drawings shall be laid out prior to the initial occupation of the development hereby permitted. No car parking space shall be specifically allocated to any dwelling. The car parking 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.

- 13 The approved cycle facilities shall be provided prior to occupation and thereafter the facilities shall be permanently retained, unless otherwise first agreed in writing by the Local Planning Authority. These facilities shall thereafter be so retained.

Reason: To ensure the continued provision of cycle parking and waste storage and in the interests of the amenities of the occupiers and adjacent residents.

- 14 The development hereby permitted shall be carried out in accordance with the submitted Construction Traffic Management Plan.

Reason: To avoid danger, obstruction and inconvenience to users of the highway and of the development during the construction phase.

- 15 Prior to the occupation of the development hereby permitted, 13 electric vehicle charging points must be installed. Thereafter the electric vehicle charging points must be maintained in full working order and, as such, a long-term management and maintenance plan shall be submitted in writing and approved by the Local Planning Authority.

Reason: To reduce the negative impact on the health of residents living within the Air Quality Management Area.

- 16 Details of all screen and boundary walls, fences and any other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details and the buildings hereby approved shall not be occupied until the details have been fully implemented. The screen and boundary walls, fences and any other means of enclosure which are part of the approved scheme shall thereafter be retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not adversely affect the privacy and visual amenities at present enjoyed by the occupiers of neighbouring properties, and to ensure a satisfactory environment within the development and in the interests of crime prevention.

- 17 Notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking or re-enacting that Order) no gates, fences, walls or other means of enclosure other than those shown on the approved plan shall be erected along the site frontage within 11 metres of the edge of the carriageway.

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

- 18 The dwellings shall all achieve the higher water efficiency standard set out in the appendix to Building Regulations approved document Part G.

Reason: In order to meet the requirements of Local Plan Policies CP12 and DM41 in the interests of water efficiency.

- 19 No dwelling shall be occupied until a carbon reduction scheme containing measures for delivering an appropriate reduction in the site wide regulated CO2 emissions over the Building Regulations Part L 2013 Target Emission Rate, has been submitted to and approved in writing by the Local Planning Authority. For guidance, an appropriate reduction is likely to be at least 15%. No flat shall occupied until the measures have been implemented. The scheme shall remain operational for the lifetime of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of carbon reduction as required by Local Plan Policy CP12.

- 20 Details of facilities to be provided for the storage of refuse bins within the site shall be submitted to and approved in writing by the Local Planning Authority before any works above damp- proof course takes place. The facilities shall be provided in accordance with the approved details before the development that they relate to is first occupied and thereafter the facilities shall be permanently retained.
Reason: To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents.
- 21 The flats hereby approved shall be provided to meet the standards in Building Regulations Part M4(2). Four flats (units 5, 10, 15 and 18) shall be designed to meet the standards of Building Regulations Part M4(3).
Reason: In order to achieve accessible and adaptable dwellings in accordance with the planning policies for the area.
- 22 No flat shall be occupied until:
a) 2 invertebrate hotels/insect towers have been installed on fencing or trees facing the planting areas
b) 2 butterfly houses have been installed on fencing or trees facing the planting areas
c) 6 bird boxes have been installed on retained trees
d) 4 bat boxes or bat bricks have been installed on the building
in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Furthermore the landscaping scheme shall include details of a green wall of climbing plants at an appropriate location on site for encouraging use by wildlife.
Reason: In order to enhance biodiversity in accordance with the planning policies for the area.

INFORMATIVE(S)

- 1 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.
- 2 The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works 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 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Development Management at the following address for information:-

Development Management (Works Co-ordination & Inspection)
Buckinghamshire County Council
6th Floor, County Hall
Walton Street,
Aylesbury
Buckinghamshire
HP20 1UY
- 3 The attention of the applicant is drawn to the requirements of section 60 of the control of pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application under Section 61 of the Act, for prior consent to the works, can be made to the environmental Services Division of the Council.
- 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 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.