



## West Buckinghamshire Area Planning Committee agenda

Date: Wednesday 2 March 2022

Time: 6.30 pm

Venue: High Wycombe Council Chamber, Queen Victoria Road, High Wycombe, HP11 1BB

### Membership:

A Alam, M Ayub, A Baughan, I Hussain, D Johncock, N Marshall (Chairman), C Oliver, S Raja, M Turner, P Turner (Vice-Chairman), S Wilson and K Wood

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<b>Agenda Item</b>	<b>Page No</b>
<b>1 Apologies for Absence</b>	
<b>2 Declarations of Interest</b> To receive any disclosure of disclosable pecuniary interests by Members relating to items on the agenda. If any Member is uncertain as to whether an interest should be disclosed, he or she is asked if possible to contact the Monitoring Officer prior to the meeting.  Members are reminded that if they are declaring an interest they should state the nature of that interest whether or not they are required to withdraw from the meeting.	
<b>3 Minutes of the Last Meeting</b> To note the minutes of the meeting held on 12 January 2022.	<b>3 - 6</b>
<b>Planning Applications</b>	
<b>4 20/08349/FUL - 175-179 Gordon Road, High Wycombe, Buckinghamshire, HP13 6AR</b>	<b>7 - 24</b>
<b>5 21/07051/FUL - Site of Former Sports Centre, Marlow Hill, High Wycombe, Buckinghamshire</b>	<b>25 - 48</b>
<b>6 21/07369/FUL - 36 Shelley Road, High Wycombe, Buckinghamshire, HP11 2UW</b>	<b>49 - 56</b>
<b>7 21/07373/FUL - Lindsey House, Pheasants Hill, Hambleden, Buckinghamshire, RG9 6SN</b>	<b>57 - 64</b>
<b>8 Date and Time of Next Meeting</b> Wednesday 30 March 2022 at 6.30pm	
<b>9 Availability of Members Attending Site Visits (if required)</b> To confirm members' availability to undertake site visits on Tuesday 29 March 2022 if required.	

If you would like to attend a meeting, but need extra help to do so, for example because of a disability, please contact us as early as possible, so that we can try to put the right support in place.

For further information please contact: Liz Hornby on 01494 421261, email [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk).



## West Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the West Buckinghamshire Area Planning Committee held on Wednesday 12 January 2022 in High Wycombe Council Chamber, Queen Victoria Road, High Wycombe, HP11 1BB, commencing at 6.33 pm and concluding at 8.30 pm.

### Members present

A Alam, M Ayub, A Baughan, I Hussain, D Johncock, N Marshall, C Oliver, S Raja, M Turner and S Wilson

### Others in attendance

J Adams, K Asif, T Coppock, C Gray, M Hardy, L Hornby, R Martin and C Steuart

### Apologies

P Turner and K Wood

### Agenda Item

#### 1 Declarations of Interest

**Councillor A Baughan:** Application 21/07911/FUL. Declared an interest due to being a member of the Chilterns Conservation Board. She declared that she had an open mind, would listen to the debate and make a decision once the debate was over.

**Councillor D Johncock:** Application 21/07860/FUL. Declared an interest due to being a member of the Parish Council Planning group. He declared that he had not been part of the discussions in relation to this application. He also declared that he had an open mind, would listen to the debate and make a decision once the debate was over.

**Councillor S Raja:** Application 21/07911/FUL. Declared that the applicant and residents had contacted him in relation to this application. He declared that he had an open mind, would listen to the debate and make a decision once the debate was over. He stated that he would take part in the debate as a committee member and not as a local Ward Member.

#### 2 Minutes of the Last Meeting

The Minutes of the meeting held on 8 December 2021 were agreed as an accurate record.

- 3**     **21/07860/FUL - Rosalie, Kingsmead Road, Loudwater, Buckinghamshire, HP11 1JL**  
Householder application for erection of side/rear single storey extension, raising of roof and insertion of front and rear dormers in connection with rooms in roofspace and new front porch.

The application was the subject of a site visit. Members also noted the update.

Following a full debate, Members voted in favour of the motion to approve the application.

Speaking on behalf of Chepping Wycombe Parish Council: Cllr A Barron.

Speaking as the applicant: Mr Sheena

**It was proposed by Councillor N Marshall and seconded by Councillor S Raja.**

**Resolved: that the application be approved.**

- 4**     **21/07911/FUL - Land Rear of 33 to 45 Glynswood, High Wycombe, Buckinghamshire**

Construction of 10 x 1-bed flats, 10 x 2-bed flats, 3 x 2-bed houses, 22 x 3-bed houses and 5 x 4-bed houses (50 residential units in total), with associated landscaping, parking amenity space and infrastructure.

The application was the subject of a site visit. Members noted an update.

Following a full debate, Members voted in favour of the motion to delegate to the Director of Planning and Environment to approve the application, in accordance with the update sheet.

Speaking as Ward Members: Councillor T Green and Councillor A Hussain

Speaking as the agent for the applicant: Mr P Thomas

**It was proposed by Councillor N Marshall and seconded by Councillor D Johncock**

**Resolved: that the application be delegated to the Director of Planning and Environment for approval.**

- 5**     **Date and Time of Next Meeting**

Wednesday 2 February 2022 at 6.30pm

- 6**     **Availability of Members Attending Site Visits (if required)**

**Resolved:** that in the event it was necessary to arrange site visits on Tuesday 1 February 2022 in respect of the agenda for the meeting on Wednesday 2 February 2022, the following Members be invited to attend.

Councillors: A Baughan, D Johncock, N Marshall, C Oliver, M Turner and S Wilson.



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## Report to West Area Planning Committee

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<b>Application Number:</b>	20/08349/FUL
<b>Proposal:</b>	Demolition of existing shops and ancillary residential and erection of 3 x 2 and 4 x 1 bed flats with ground floor shop served by new access, bin store and cycle store.
<b>Site Location:</b>	175-179 Gordon Road High Wycombe Buckinghamshire HP13 6AR
<b>Applicant:</b>	Mr R Kirk
<b>Case Officer:</b>	Victoria Burdett
<b>Ward(s) affected:</b>	Totteridge And Bowerdean
<b>Parish-Town Council:</b>	High Wycombe Town Unparished
<b>Date valid application received:</b>	5th February 2021
<b>Statutory determination date:</b>	2nd April 2021
<b>Recommendation</b>	Permitted

### 1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Full planning permission is sought for the demolition of existing shops and ancillary residential and erection of 3 x 2 and 4 x 1 bed flats with ground floor shop served by new access, bin store and cycle store.
- 1.2 The proposal has been amended to address concerns raised by local Councillors and residents. As part of this, a ground floor retail unit has now been incorporated into the proposed development in addition to a reduction in residential units (from 8 to 7), an internal lift added to comply with Policy DM41, internal re-configuration in line with suggestion made by the Council's Urban Designer and car parking area altered to provide motorcycle parking and electrical charging points.
- 1.3 Following amendments made to the scheme, the proposal will have no adverse effect upon the character of the surrounding area or the amenities of adjacent residential properties. The proposal will have no adverse effect upon highway safety or the free flow of traffic in this locality.
- 1.4 The proposal will not be at risk from flooding and will not result in increased flooding elsewhere. This proposal will have no adverse effect on ecology and, subject to the submission of further details, will enhance biodiversity in the area.

- 1.5 This application has been referred to the Planning Committee at the request of Cllr Guy, Cllr Wassell, Cllr Clarke and Cllr Raja due to the loss of the current shops, insufficient parking provision and the provision of electrical charging points. Cllr Clarke had also originally called in the application, however is no longer elected. Cllr Wassell also has requested that following the submission of amended plans, Cllr Guy to address the remaining issues.
- 1.6 To conclude, following the amended plans submitted to address Officer concerns, Cllr Guy and Cllr Raja still wish for the application to be determined by the Committee.
- 1.7 As aforementioned above, the proposed development has been amended following discussions between the Council and the Agent and subsequently is considered to comply with the relevant policies of the Development Plan, and is therefore recommended for approval.

## **2.0 Description of Proposed Development**

- 2.1 Planning permission is sought for the demolition of the existing buildings at nos. 175-179 Gordon Road to provide a new flatted development, comprising of a retail unit at ground floor level and 7 residential flats spread across 3 floors.
- 2.2 The existing buildings comprise a single storey barber shop and two semis featuring shops at ground floor level (a green grocers and convenience store) with ancillary accommodation above.
- 2.3 The existing vehicular access would be utilised to serve the new development which is sited to the north of the units; leading to the rear of the development to provide parking with a cycle store and electrical charging points.
- 2.4 The proposed new building would be 3 storeys high of a flat roofed, contemporary design. The frontage would incorporate a series of balconies facing onto Gordon Road and would be constructed of a red brick with grey steel cladding features.
- 2.5 The application is accompanied by:
  - a) Cover Letter
  - b) Drainage Statement
  - c) Ecology and Tree Checklist
  - d) Tank Size Calculator
  - e) Ecology Report
  - f) Ecology Supplementary Note
  - g) Community Needs Assessment
- 2.6 As aforementioned above, amended plans have been received throughout the duration of the application in order to address Officer concerns.

## **3.0 Relevant Planning History**

<b>Reference</b>	<b>Development</b>	<b>Decision</b>	<b>Decision Date</b>
01/06251/FUL	Change of use to create one 2 bed flat at first floor 177/179 Gordon Road and the erection of an external stair.	PER	24 July 2001
94/05788/FUL	REFURBISHMENT OF FLAT &	PER	30 June 1994



	PREPARATION ROOM & GROUND FLOOR EXTENSION		
94/06788/FUL	REFURBISHMENT OF FLAT & PREPARATION ROOM & GROUND FLOOR EXTENSION	PER	7 December 1994
00/06823/ADV	Display of 1 x 6 sheet, single sided, free standing, internally illuminated hoarding unit (retrospective)	PER	9 October 2000
01/06251/FUL	Change of use to create one 2 bed flat at first floor 177/179 Gordon Road and the erection of an external stair.	PER	24 July 2001

#### 4.0 Policy Considerations and Evaluation

##### Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

DSA: DM1 (Presumption in favour of sustainable development), DM6 (Mixed-use development)

- 4.1 The application site is located within a Tier 1 Settlement (Large Urban Area) which is a settlement type where development is focussed towards across the District, including new housing and new economic development. The regeneration and change in the existing built-up area including the redevelopment of suitable previously developed sites for both housing and employment purposes are acceptable.
- 4.2 In this case, the application site constitutes previously developed land which is considered suitable for re-development.
- 4.3 Therefore, there is no objection, in principle, to the provision of additional residential development in this area, subject to compliance with all other relevant Development Plan Policies.

##### 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)

- 4.4 This application falls below the Council's threshold for affordable housing.
- 4.5 Other flatted developments have been approved and implemented within the vicinity. Given the large urban area, with regarding to housing mix it is considered that the proposed development is considered to be appropriate in this location.

## **Retail issues**

Wycombe District Local Plan (August 2019): CP6 (Securing vibrant and high quality town centres), DM29 (Community facilities), DM35 (Placemaking and design quality)

DSA: DM6 (Mixed-Use Development)

Community Facilities SPD (2011)

- 4.6 Objections have been received from nearby residents regarding the loss of the existing shops at ground floor level at no's 175-179 Gordon Road. These include a barbers shop, greengrocers and convenience store.
- 4.7 As aforementioned, a retail unit would be incorporated at ground floor level as part of the proposed development. However, given the loss of 3 shops, it is considered to assess the proposal against Policy DM29 of the Local Plan. Subsequently, a Community Needs Assessment (CNA) has been prepared.
- 4.8 The CAN evaluates whether the land and/or buildings proposed to be lost are surplus to any community needs and therefore whether their loss can be accepted.
- 4.9 Two of the units on the site are currently occupied by the Kirk Store (general store) and the Carrot & Coriander (Green Grocer). One of the units is currently vacant and was last occupied by a barber shop. It has been stated within the submitted CAN that due to the condition of the single storey building (no. 175) it is incapable of being reoccupied as a barber shop (or any other use) without significant investment and refurbishment.
- 4.10 The buildings are not listed and do not sit within a Conservation Area. The row of shops is not designated as a community centre or designated community assets.
- 4.11 The structures offer retail uses at ground floor level comprising a barber shop, a greengrocers and a convenience store. All the buildings are in a poor state of repair. The barbershop is currently vacant and incapable of being re-let in its current condition. The flat above the greengrocers is in need of complete refurbishment before it can be inhabited and it is anticipated that the convenience store (the current occupier of which is soon to retire) would be incapable of being re-let without substantial internal and external improvement. The Carrot and Coriander ceased trading for a number of years only to reopen at the start of the Covid-19 pandemic. Its future trading potential is currently unknown. It is capable of being accommodated in the proposed scheme should it wish to keep trading from the Site.
- 4.12 The current rent amounts for the Carrot and Coriander and Kirk Stores are too low to facilitate a refurbishment of the buildings. Several local shops and other community facilities are located in close proximity to the site. High Wycombe town centre is located within a 15-minute walk where there is an abundance of shopping, education, and recreational facilities.
- 4.13 It has been demonstrated within the submitted CAN that there is little demand and therefore need for the retention of these shops/retail units. The day-to-day needs of local residents can be adequately met by other nearby shop units offering the same or similar services. The proposal does however include the retention of one shop unit, which can be occupied by one of the existing units present if sought.
- 4.14 Totteridge Ward is not identified as having a community facility deficiency and therefore there would be no objection to the loss of these community facilities. The long-term demise of the current shop units on the site is evidence of the absence of

need. Notwithstanding this, a modern shop unit is proposed to be provided and marketed for use.

- 4.15 Notwithstanding the above, a fall-back case has been put forward to the Council following the new Use Classes Order amendment. The existing units fall within the new Use Class E (Commercial, Business and Service) whereby under Class M or MA of Part 3 (Change of Use) of the GPDO 2015 (as amended) it is possible for the units to change use to residential (C3) subject to prior approval of matters of detailed design; without the need for a full planning application.
- 4.16 In addition, Class ZA (Demolition of buildings and construction of new dwellinghouses in their place) of Part 20 (Construction of new dwellinghouse) of the GPDO allows for the demolition of the existing buildings on the site and the redevelopment of the site for residential purposes, subject to prior approval. As such, the shops could be removed without a full planning application being submitted.
- 4.17 In both cases the permitted development entitlement grants planning permission for the principle of development. The prior approval process, relating to the exercise of the permitted development entitlement in both instances, is readily achievable on the site. This fall-back position means that the shop units on the site would be lost irrespective of the outcome of the current application, which diminishes any weight that can be attributed to their loss.
- 4.18 Moreover, the permitted development fall-back position, adds weight to the material consideration that the current application provides for the provision of a new shop unit (falling within Class E) on the site, which would not be permitted to change use under Class M, due to the time limitation.
- 4.19 Overall, given the above reasoning, the proposed development is not considered to result in the loss of any important retail units which should be preserved. Notwithstanding this, efforts have been made to incorporate a retail unit into the scheme in order to address concerns raised by neighbouring residents.
- 4.20 To this effect, it is considered necessary to remove permitted development rights for the approved retail unit to ensure that it is not converted to an alternative use in the future, without the benefit of full planning permission.

#### **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)

- 4.21 This application proposes the demolition of the existing units and the erection of a block of flats containing 7 residential units.
- 4.22 Access to the site is gained via Bowerdean Road/Gordon Road, both are unclassified, residential roads subject to a speed restriction of 30mph. Parking and waiting restrictions are in place within the vicinity of the site in the form of double yellow lines. The road benefits from pedestrian footways, as well as the street lighting.
- 4.23 The Highways Officer has confirmed that they would expect the proposals to result in a reduction in vehicle trips and parking requirements associated with the site when compared with its historical use.
- 4.24 Nonetheless, a site visit has been carried out to assess the access arrangements serving the site. Within the submitted application it has been advised that the site

does not benefit from any off-street parking provision. Following the development, the site will be able to accommodate up to 6 (no) vehicles, clear of the public highway, therefore the existing access will be subject to an intensification of use and will need to be assessed.

- 4.25 The Highways Officer originally objected to the submitted scheme as the access width was under the requirement suitable to allow for two-way simultaneous vehicular movements, clear of the highway. The development was subsequently amended to allow for the access width to be 4.1m which would be wide enough to allow for safe, simultaneous two-way movements.
- 4.26 The proposed amount of parking (6 parking spaces) with one motorcycle space and cycle storage is considered to be acceptable by the Highway Authority. The level of parking proposed would still result in a reduction in the amount of displaced parking when compared with the current use of the site, in accordance with the Buckinghamshire Countywide Parking Guidance Policy document.
- 4.27 Many residents have objected on the basis of the impact of parking for the development. As the development leads to a reduction in parking requirements, and the level of off-street parking is increased, it is not considered that the development would cause a highway safety concern nor justify this as a reason for refusal of the application.
- 4.28 As such, the Highways Officer has raised no objections subject to conditions.

#### **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)

- 4.29 As aforementioned, it is proposed to demolish the existing units 175-179 and construct a three storey block comprising 7 residential units with a shop at ground floor.
- 4.30 There is no defined building style within the immediate locality and the form consists of a mixture of two and three storey apartment/sheltered housing blocks and two storey terraced and semi-detached dwellings.
- 4.31 As a part of this application the Council's Urban Designer has been consulted. From the scheme originally submitted, the Urban Designer suggested that the number of units were reduced with an internal re-configuration. Amended plans were submitted taking into account the advice given from the Urban Designer, to which no objections were subsequently raised.
- 4.32 The building itself is of a similar design to a neighbouring development at 185-197 Gordon Road which was approved under REF: 12/07667/FUL and subsequently built.
- 4.33 The design, bulk and massing of the proposed development is considered to be acceptable. Subject to the use of suitable high quality materials, the impact of the development upon the street scene would similarly be acceptable. These will be secured via a planning condition.
- 4.34 The only opportunity for landscaping on the site would be to the front of the block, and at the rear boundary; adjacent to the parking area. The Council's Tree Officer has been consulted and considers it necessary to condition for a landscaping scheme to be submitted prior to the commencement of development.

4.35 Overall, it is considered that this proposal will have no adverse effect upon the urban character of the surrounding area or the visual amenities of the street scene.

#### **Amenity of existing and future residents**

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

Housing intensification SPD

4.36 The proposed development will provide a good standard of habitable accommodation for future occupiers. The submitted plans show that each property will benefit from an area of private amenity space, with balconies at first and second floor levels and a small front garden area for the ground floor unit. No communal amenity space is available on the site, however given the private areas available and the short distance to local amenities such as The Rye; it is considered that the proposed amenity sources are sufficient.

4.37 With regard to adjoining occupiers, the development does not breach the Council's light angle guidance. There would be a sufficient gap retained between the proposed block and the neighbouring units, which consist of retirement housing. The proposed access road and a public footpath lie in between which separate the proposed development from the neighbouring occupiers. The gap is considered to be sufficient to prevent any direct overlooking or loss of privacy. In addition, the proposed balcony screens would further protect the amenities of neighbouring properties from any overlooking. It is however necessary to condition the windows serving the en-suite bathrooms at first and second floor levels within the northern elevation to be obscurely glazed in order to protect the amenities of both neighbouring properties and future occupiers.

4.38 Given the distance in between the development and neighbouring buildings it is not considered that the proposed development would appear overbearing or obtrusive, to the detriment of the amenities of neighbouring properties.

4.39 To the rear of the site lies a commercial unit; currently occupied by 'Wycombe Engineering'. Given its commercial use, it is not considered that the proposed development would be detrimental.

4.40 To conclude, the proposed development is not considered to adversely affect the amenities of neighbouring properties.

#### **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)

4.41 The Council's Environmental Health Officer has been consulted on this application and has requested a condition to ensure that the 6 electrical car charging points illustrated on Drg No. 1676-SP1D are installed and retained for the lifetime of the development, in accordance with the council's Air Quality SPD.

4.42 Furthermore, noise readings have been taken alongside Gordon Road, and levels have shown that the site falls within an area exposed to traffic noise. The internal noise levels should adhere to the levels as stated in BS8233:2014 and all habitable rooms fronting, or that have direct exposure to Gordon Road will need to include acoustic glazing and mechanical ventilation. Details of this will be conditioned accordingly.

### **Flooding and drainage**

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

4.43 The application site is not located in Flood Zones 2 or 3.

4.44 In support of this application, the applicant has submitted a Drainage Statement. The LLFA has reviewed the amended scheme and has raised no objection, subject to the submission of a detailed surface water drainage scheme. A pre-start planning condition will be required to this effect.

### **Landscape Issues**

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

DSA: DM11 (Green networks and infrastructure), DM12 (Green space), DM13 (Conservation and enhancements of sites, habitats and species of biodiversity and geodiversity importance) [Sensitivity of landscape; landscape character; landscape and visual impact assessment; mitigation of impact]

4.45 Policy DM34 states that development is required to achieve a future canopy cover of 25% of the site area on sites outside of the town centre and 0.5ha or more. This will principally be achieved through retention and planting of trees, but where it can be demonstrated that this is impractical the use of other green infrastructure (e.g. green roofs and walls) can be used to deliver equivalent benefit.

4.46 In this instance, the existing site is largely covered by hardstanding with limited vegetation present. The area to the rear of the existing shops is occupied by buildings and hardstanding, and therefore has limited canopy cover as existing. The proposed development seeks to incorporate some level of landscaping; to the front and rear of the site.

4.47 Due to the size of the site and the parking provision required to serve the proposed flats, it is not possible in this instance to secure 25% of canopy cover. However, when compared with the current situation, further landscaping would be incorporated onto the site and this is therefore considered to be an improvement.

4.48 Details of the landscaping have not been provided, and therefore this will be required by condition.

### **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) [Presence of ecology; protected species; effect of development and mitigation]

4.49 The Council's Ecologist has been consulted on this application. The site is considered to be of low ecological value. The potential for bats being present on site is very low but there are nevertheless un-inspected parts of the buildings. Following receipt of the AAE Supplementary Note (1st March 2021) due to the structure of the un-inspected part of the building, there is a very low chance of bats being present and it is therefore necessary for a final inspection to be undertaken by condition.

4.50 In addition, Policy DM34 of the Plan requires a measurable net gain in biodiversity to be delivered, in new development. Therefore, a pre-start planning

condition should be imposed requiring a scheme for ecological enhancements be submitted and thereafter implemented.

4.51 It has been identified that Japanese knotweed is present on site, and therefore a condition will be added to ensure its safe removal is undertaken prior to the commencement of development.

#### **Building sustainability**

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

4.52 It is considered necessary to condition water efficiency in accordance with Policy DM31.

#### **Infrastructure and Developer Contributions**

4.53 The development is a type of development where CIL would be chargeable.

### **5.0 Weighing and balancing of issues / Overall Assessment**

5.1 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.

5.2 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 (such as CIL if applicable), and,
- c. Any other material considerations

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

### **6.0 Working with the applicant / agent**

6.1 In accordance with paragraph 38 of the NPPF the Council 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.

6.2 The Council 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.

6.3 In this instance:

- the applicant/agent was updated of any issues after the initial site visit,
- The applicant was provided the opportunity to submit amendments to the scheme/address issues.
- The application was determined without delay.

### **7.0 Recommendation**

#### **Application Permitted**

Subject to the following conditions and reasons:

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 1676 SK1 P02, 1676 TOPO, 1676 P1C, 1676 P2C and 1676 SP1D; 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. Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of the materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority before any work to the external finish of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: To secure a satisfactory external appearance.
4. Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of all surfacing materials shall be submitted to and approved in writing by the Local Planning Authority before any work to the finished surfaces of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: To secure a satisfactory appearance.
5. A fully detailed landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any development takes place. 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 and to provide green infrastructure in line with policy DM34.
6. 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.
7. Prior to demolition a follow-up full internal and external building check for bats must be completed. Prior to commencement of the main demolition works the removal of the tiles will be carried out under a soft strip protocol as detailed in the AAE letter



report. In the unlikely event of any bats or evidence of bats being encountered, then further measures in accordance with current guidelines should be implemented as necessary and if required a licence from Natural England will be sought. The follow up inspection and soft strip toolbox talk shall be carried out by an experienced and suitably licensed ecologist.

Reason: To ensure that bats are not negatively impacted upon by the proposals.

8. Prior to the commencement of development a strategy for the eradication of Japanese knotweed on site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall thereafter be followed.

Reason: To ensure Japanese Knotweed is dealt with in accordance with pest practice.

9. Prior to the commencement of development details of ecological enhancements through landscaping, incorporation of features of benefit to protected species, and minimising light spillage (which are in line with the AAE letter report) shall be shown on a plan and given a full specification and be submitted to and approved by the Local Planning Authority. The enhancements shall thereafter be completed prior to occupation of the development and thereafter be retained for the lifetime of the development.

Reason: To ensure a biodiversity net gain, in line with policy DM34.

10. Prior to the occupation of the development hereby permitted, six electric vehicle charging points with a minimum rating of 32amp must be installed (one per dwelling) and retained for the lifetime of the development.

Reason: To comply with the air quality SPD and, to reduce the carbon emissions and the impact on the health of Nitrogen Dioxide emissions from the development.

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

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

12. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

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

13. 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 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.

14. 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 Planning Authority in consultation with the Highway Authority. Thereafter, the development shall be carried out in accordance with such approved management plan.

Reason: This is a pre-commencement condition as development cannot be allowed to take place, which in the opinion of the Highway Authority, could cause danger, obstruction and inconvenience to users of the highway and of the development.

15. No works other than demolition shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority should be given to above ground SuDS components
- Existing and proposed discharge rates and volumes
- Ground investigations including:
- Infiltration in accordance with BRE365
- Groundwater level monitoring during the winter period (November to March)
- Subject to infiltration being inviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the drainage hierarchy as outlined in paragraph 080 of the Planning Practice Guidance.
- Drainage layout detailing the connectivity between the dwellings and the drainage components, showing pipe numbers, gradients and 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.
- Construction details of all SuDS and drainage components
- Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction.

Reason: The reason for this pre-construction condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 163 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

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 before any

development above damp proof course takes place. 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.

17. 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 Standards for Building Regulations Approval) of the Local Plan.

18. The approved bin and cycle storage facilities illustrated on drawing 1676-SP1 D, 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 waste storage and in the interests of the amenities of the occupiers and adjacent residents.

19. Notwithstanding any detail shown on the drawings hereby approved, prior to the commencement of development above damp proof course, details of privacy screens for each balcony feature shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved screens shall be installed before the first occupation of the approved development and retained for the lifetime of the development.

Reason: In the interests of the privacy of adjacent residents.

20. No further windows or openings of any kind shall be inserted in the flank elevations at first floor or above 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.

21. Before the first occupation of the development hereby permitted the first and second floor windows serving the en-suite bathrooms within the north flank elevation shall be fitted with obscured glazing and shall be fixed shut up to 1.7 meters above the finished floor level of the room it serves and only openable at the top section. The windows shall be permanently retained in that condition thereafter.

Reason: To prevent any direct overlooking or loss of privacy to the neighbouring property.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order), no development falling within Part 3 of Schedule 2 shall be carried out without the prior, express planning permission of the Local Planning Authority.

Reason: In order to retain the proposed retail unit.

## Informative(s)

1. In accordance with paragraph 38 of the NPPF the Council 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.

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

In this instance:

- the applicant/agent was updated of any issues after the initial site visit,
  - the applicant was provided the opportunity to submit amendments to the scheme/address issues.
  - the application was determined without delay.
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 Highways Development Management at the following address for information: -

Highway Development Management (Delivery)  
Buckinghamshire Council  
6th Floor, Walton Street Offices  
Walton Street,  
Aylesbury  
Buckinghamshire  
HP20 1UY

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.

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.

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.

## **APPENDIX A: Consultation Responses and Representations**

### Councillor Comments

Original Comments:

**Councillor J Wassell** – Further to email exchanges with you I would like to request that if you are mindful to agree the above application, the matter be called in to the Planning Committee. I request the right to speak at such a meeting. The grounds for my request are due to concerns from Council Officers, local residents and residents' associations and are summarised as follows:

1. Change of use from retail to residential only.
2. Loss of shops to older persons and local residents within walking distance.
3. Out of character with the area facing the green traffic island bordered by Gordon Road, Bowerdean Road and Totteridge Avenue.
4. Inadequate parking and electric car charging facility.
5. The impact on older people residing adjacent who have mobility issues.
6. The objection of the Highways Officer of Buckinghamshire Council that they access to the site is inadequate by reason of width' and 'therefore contrary to planning policy'.
7. The public footpath adjacent forms a network of pedestrian paths from the Railway Station through East Wycombe known as the East Wycombe Panoramic Walkway, for which CIL money has been earmarked for improvement following my application.
8. The impact of noise disturbance in as set out by the Buckinghamshire Council Control of Pollution Department.

**(Former) Councillor M Clarke** – Given the number of objections on the Planning Portal to this application please bring to committee if you are minded to approve.

**Councillor S Raja** – If the Officer is minded to approve this application then I would like this brought to the Planning Committee. As a number of residents have concerns regards to this development.

Following amended plans:

**Councillor S Guy** – I strongly feel that this application must be decided by the planning committee.

1. The current shops are an important community facility. There are many elderly residents nearby and many of those have no car. We need reassurance that the retail unit in the proposals will meet their needs.
2. I am concerned by the insufficient parking provision, since there are few opportunities for on street parking nearby.
3. I am concerned how the developer will meet the obligation to provide sufficient facilities for charging electrical vehicles for seven dwellings.

**Councillor S Raja** – if the Officer is minded to approve this application then I would like this brought to the Planning Committee. As a number of residents have concerns regards to this development.

**Councillor J Wassell** – My colleague Steve Guy has requested to address this. I can see many of the objections are addressed and we are delighted with the retail unit offer. I am sure he will be asking about charging points.

### Parish/Town Council Comments

**Unparished.**

### Consultation Responses

### **Highways Authority**

Comments: No objection subject to conditions regarding means of access, parking and a Construction Traffic Management Plan.

### **Arboriculture Spatial Planning**

Comments: No objection subject to a condition requiring landscape details.

### **Ecological Officer**

Comments: No objection subject to conditions for further checks to be completed for bats, the removal of Japanese Knotweed and the submission of details for ecological enhancements.

### **Urban Designer**

Comments: No objection following amendments made to the scheme, subject to a condition requiring the details of materials.

### **Flood Officer**

Comments: No objection subject to a condition requiring a Surface Water Drainage scheme.

### **Environmental Health Officer**

Comments: No objection subject to a condition requiring Electrical Charging Points to be incorporated as part of the development and for a scheme to protect residents from traffic noise to be implemented.

### Representations

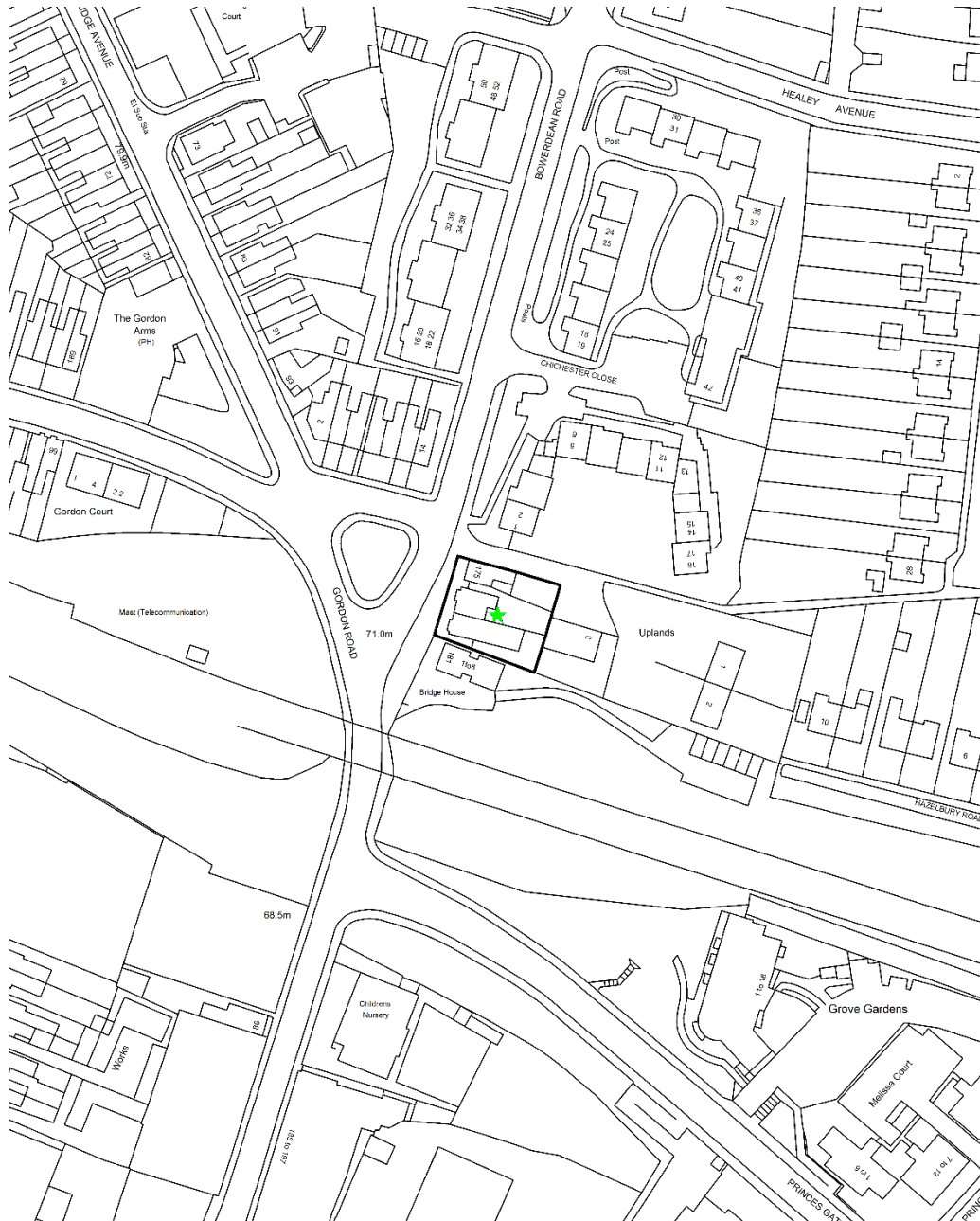
#### **Other Representations**

107 comments and a petition have been received objecting to the proposal:

- Appearance would not be out of keeping with the local construction
- Shops are an asset of community value
- Services are there for the local community
- Parking reduced
- Increased vehicle pollution and further congestion
- Area is lacking in local facilities
- No more flats are needed
- Building is out of character
- Loss of privacy and overlooking
- Loss of light
- Smell from bins

# APPENDIX B: Site Location Plan

20/08349/FUL  
Scale 1/1250



Planning Committee  
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Ordnance Survey 100062456

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## Report to West Area Planning Committee

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<b>Application Number:</b>	21/07051/FUL
<b>Proposal:</b>	Construction of two storey building for use as Porsche Centre (3935sqm), two storey building for use as Bentley dealership (1655sqm) and single storey building for use as car preparation workshop (492sqm) comprising of vehicle showrooms and sales areas, MOT testing facility, ancillary office accommodation, car parking & display and associated landscaping
<b>Site Location:</b>	Site of Former Sports Centre Marlow Hill High Wycombe Buckinghamshire
<b>Applicant:</b>	Mr Chris Page - Dealership Developments Ltd
<b>Case Officer:</b>	Emma Crotty
<b>Ward(s) affected:</b>	Abbey
<b>Parish-Town Council:</b>	High Wycombe Town Unparished
<b>Date valid application received:</b>	2nd August 2021
<b>Statutory determination date:</b>	1st November 2021
<b>Recommendation</b>	Minded to Grant, defer for Planning Obligation

### 1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Permission is sought for the construction of three buildings- a Porsche Centre (3935sqm), a Bentley dealership (1655sqm) and a car preparation workshop (492sqm). The scheme would comprise of vehicle showrooms and sales areas, MOT testing and servicing facilities, ancillary office accommodation, car parking & display and associated landscaping.
- 1.2 The site is within the ownership of the Council (although the Council is not the applicant). As a result, the scheme must be determined by Planning Committee.
- 1.3 It is considered the development would meet tree canopy coverage requirements, parking requirements, drainage requirements, demonstrates principle of good urban design and would not have a significant impact on the residential amenities of nearby residents. A legal agreement under S106 of the Town and Country Planning Act will be needed to secure monies for the review and monitoring of the required Travel Plan for a period of 5 years.

- 1.4 The development is recommended for approval, subject to an acceptable S106 legal agreement and conditions, given that the proposal would conform with development plan policy and be consistent with the National Planning Policy Framework.

## **2.0 Description of Proposed Development**

- 2.1 The application site is 1.7 hectare in size and located within the Handy Cross Hub; it is in close proximity to Junction 4 of the M40 Motorway in High Wycombe. The site is located directly to the north of the Wycombe Leisure Centre and Waitrose supermarket, with a residential estate to the east. The A404 is to the north (with a school beyond) and a coach way station/ park and ride is located directly to the west. High Wycombe town centre lies approximately 1.5 kilometres to the north-west of the site.
- 2.2 The site forms part of the wider development site of the Handy Cross Hub, which was originally given permission under 12/06261/R4OUT for a sports centre, food store, hotel, offices and parking. This site was known as Phase 4/Gateway Site.
- 2.3 The site is currently used for temporary vehicle storage. It is close to its original cleared state, with remnants of, and levels reflective of, the previous sports centre building located on the site.
- 2.4 The development proposes the erection of a pair of motor vehicle dealerships consisting of a Porsche centre and a Bentley car dealership, comprising of vehicle showrooms and sales areas, a vehicle preparation building, workshops, ancillary offices, car parking & display, and associated landscaping.
- 2.5 Both dealership buildings would occupy the 'front' of the site, adjacent the A404. The Bentley dealership will occupy the northern corner of the site. The showroom building would reflect Bentley corporate architecture design, featuring a combination of curtain wall glazing and aluminium cladding. The building would consist of showroom and associated office facilities, with an integral workshop.
- 2.6 The Porsche centre would sit to the west of the Bentley dealership. The Porsche centre would be a combination of contemporary aluminium cladding alongside curtain wall and structural glazing systems. It would consist of display and sales offices and a larger workshop to the rear.
- 2.7 A freestanding single storey vehicle preparation building is also proposed in the south-east corner of the site.
- 2.8 The remainder of the site would be used for the display of new and used cars, customer and staff parking, and landscaping.
- 2.9 The site drops approximately 5m from the front by the A404 down to the rear by the sports centre. The scheme looks to reduce this level difference, with the buildings set below the A404 road level, but with the rear of the site raised up from the highway level, supported by retaining walls.
- 2.10 A significant amount of the site would be given over to soft landscaping, mainly consisting of trees and hedgerows. There would also be some green living walls and green wire rope trellising.
- 2.11 The application is accompanied by:
  - a) Planning Support Statement
  - b) Design and Access Statement

- c) Transport Assessment
- d) Workplace Travel Plan
- e) Air Quality Assessment
- f) Ecology Appraisal
- g) Flood Risk Assessment & Drainage Strategy
- h) Ground Investigation Report
- i) Marketing Report
- j) Planning Visuals
- k) Ecology and tree checklist
- l) Noise assessment
- m) Canopy calculator

2.12 Amended/ supplementary plans and documents have been submitted during the course of the application, mainly to ensure that the scheme would provide a policy compliant level of tree canopy cover/ biodiversity enhancement and would be acceptable from a highways and drainage perspective.

### **3.0 Relevant Planning History**

3.1 Relevant planning history for the site:

12/06261/R4OUT- Outline planning application (including details of access) for a coach way to include park and ride services with 400 parking spaces and passenger facilities; new sports and leisure centre with 323 parking spaces; up to 34,791sqm of offices (Class B1) with parking for 850 cars; a 150 bed hotel (Class C1) with 50 car parking spaces; food store (Class A1) of up to 3,600sqm gross external floorspace with 200 parking spaces; an amenities building (Class D1) of up to 420sqm with 35 parking spaces; and associated access, landscaping and open space (application under Regulation 4). Permitted.

15/06076/VCDN- Variation of condition 44 attached to outline planning permission 12/06261/R4OUT to allow for the new sports and leisure centre to be first open to the public before the first opening of the hotel or any business building. Permitted.

17/08035/MINAMD- Non material amendments to the parameters drawing approved under outline planning permission 15/060706/VCDN. Permitted. 18/05260/FUL- Temporary change of use of vacant development land to vehicle parking for commercial vehicles, erection of new security fencing and site hut. Permitted and implemented.

18/05338/R4REM- Submission of details of layout, scale, appearance and landscaping for Phases 3 (prow building and hotel) and 4 (offices) pursuant to outline planning permission 15/06076/VCDN. Permitted.

### **4.0 Policy Considerations and Evaluation**

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

Wycombe District Local Plan (August 2019):

CP1 (Sustainable Development)

CP2 (Overall Spatial Strategy)

CP5 (Delivering Land for Business)

CP4 (Securing Vibrant and High Quality Town Centres),

DSA:

DM5 (Scattered Business Sites)

DM6 (Mixed Use Development)

DM7 (Town Centre Boundaries)

- 4.1 Handy Cross Hub (of which this site is part of) is referred to in Local Plan policy CP5, but does not benefit from its own allocated policy. CP5 (Delivering Land for Business) states that:
- “the Council will address the needs of the local economy by... 3. Supporting High Wycombe as a location for high quality offices by encouraging the development of new premises in the town centre and also ensuring the delivery of existing key employment commitments, including Handy Cross Hub... to provide new B1a office accommodation.”
- 4.2 This site, within Handy Cross Hub, has planning permission for around 15000 sq. m. of office floorspace, with another 7500sqm of office floorspace permitted elsewhere within Handy Cross Hub. This scheme, subject to this application, would be a sui generis use, with very little office floorspace. This policy CP5 clearly aims to protect the delivery of this approved office floorspace. However, the policy CP5 does not stipulate the amount of office space to be delivered. In this instance, there are remaining areas of the Handy Cross Hub that could be developed for office purposes.
- 4.3 Furthermore, the applicant has submitted a marketing report, produced in January 2019. The report indicates that developers have been “highly cautious and ultimately risk averse” with regard to new office development within the wider Thames Valley area, with development values and costs within High Wycombe making it difficult to establish viable schemes. Savills however continued to actively market the Handy Cross site after production of this report. 2020 saw the start of the impact of Covid-19 on the office market and the massive shift in working practices with more home working, on a permanent basis for many businesses, reducing demand for office accommodation (including new accommodation) even further.”
- 4.4 Therefore, it is considered that the redevelopment of this land for a purpose other than offices, would not have a detrimental impact on office space in the Local Plan area, nor would it undermine the aims of Local Plan policy CP5 (namely to address the needs of the local economy) and delivery of the Handy Cross Hub, given that the proposed businesses would bring about economic benefits including further employment opportunities (88 x jobs are expected to be created, with more jobs proposed in the future). Furthermore, development tends to attract development, and therefore construction works on this site, may encourage other phases within the Handy Cross Hub to come forward.
- 4.5 Local Plan policy CP6 (securing vibrant and high quality town centres) and DSA policy DM7 (Town Centre Boundaries) aims to protect the vitality and viability of town centres. However, whilst the scheme would contain a significant proportion of retail element, a car showroom (or “the sale or display for sale of motor vehicles”) is a sui generis use as per the Town and Country Planning (Use Classes) Order. Furthermore, car showrooms are not explicitly noted in the Local Plan definition of ‘Main Town Centre Uses’ (nor the NPPF definition). On this basis, it is considered reasonable to conclude that the proposed use of the site would not be a main town centre use and therefore an assessment of the impact on High Wycombe town centre is not required. In any case, it is not considered that there is a more suitable site for the proposal, within the town centre boundary.
- 4.6 The current use of the site is for commercial vehicle parking for a temporary period. Given that this only has temporary permission the former use of the land is considered

relevant. In this instance, the land is considered “white” land, i.e. land with no formal use or land allocation. However, if the current temporary use was considered to dictate its use, then DSA policy DM5 ‘scattered business sites’ would be relevant. This states that planning permission would only be granted for B1, B2 or B8 uses (or now some E uses), or “uses that deliver economic development such as employment generating sui generis uses, community facilities or main town centre uses”. Supporting text to this policy confirms that “car dealerships” could be included in terms of these other uses “where appropriate and where they would not cause nuisance to adjacent properties”. The scheme would therefore comply with policy DM5, if this was considered to be applicable to the scheme.

- 4.7 On this basis, it is considered that the principle of developing the site for two car dealerships, supporting workshop and ancillary office accommodation and parking, is acceptable and in accordance with Local Plan policy.

### **Transport Matters and Parking**

Wycombe District Local Plan (August 2019):

CP7 (Delivering the Infrastructure to Support Growth)

CP12 (Climate change)

DM33 (Managing Carbon Emissions: Transport and Energy Generation)

DM35 (Placemaking and Design Quality)

DSA:

DM2 (Transport requirements of development sites)

Buckinghamshire Countywide Parking Guidance

- 4.8 The site will continue to utilise the fourth arm to the existing mini roundabout, within the Handy Cross Hub. The applicants swept-path analysis demonstrates that manoeuvres required for the largest car transporters anticipated to turn into and out of the site via the roundabout are possible, although some overhang over the central island would occur.
- 4.9 In terms of trip generation, the Highway Authority are satisfied that the trips associated with this development could be accommodated on the local highway network.
- 4.10 200 parking spaces would exist in the development, of which 126 are considered to be operational parking (i.e. not display or stage). This is beyond the optimum standard when taking into account the level of floorspace featured. All parking spaces are of sufficient size and appropriately arranged.
- 4.11 A travel plan accompanies the planning application. It is considered to be a well thought out travel plan with some good measures to reduce single occupancy car use. It is reasonable to condition that the travel plan is implemented, with results monitored and reviewed by the Council’s travel plan team for 5 years. This requires a fee which would need to be covered in a legal agreement under S106 of the Town and Country Planning Act. The applicant has already submitted a Unilateral Undertaking to secure this cost.
- 4.12 Therefore, the Highway Authority raises no objection to this application, subject to conditions.

### **Raising the Quality of Place Making and Design**

Wycombe District Local Plan (August 2019):

CP7 (Delivering the Infrastructure to Support Growth),

CP9 (Sense of place),

DM32 (Landscape character and Settlement Patterns),

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)

- 4.13 The scheme has been designed in accordance with the contemporary corporate images of Porsche and Bentley. The layout of the scheme is considered to reflect principles of good design whilst taking into consideration sensitive receptors and constraints of the site. The rear of the scheme would see the introduction of retaining walls, in order to reduce the levels differences from north to south across the site. To mitigate and soften the potentially harsh retaining walls and rear/side elevations of buildings, the scheme would incorporate some living walls and rope and wire green wall trellising. In addition, soft landscaping margins are proposed in front of the formal boundary lines which would incorporate hedging, trees and soft landscaping, further softening the development within the street scene. In addition, considerable soft landscaping would be incorporated into the internal layout of the scheme, providing a high quality scheme, reflective of the quality of the brands proposed.
- 4.14 It is considered reasonable to condition material details, as well as soft landscaping and boundary treatments, in order to ensure the high quality and sensitive scheme as proposed, is delivered.

#### **Amenity of Existing Residents**

Wycombe District Local Plan (August 2019):

CP7 (Delivering the Infrastructure to Support Growth),  
CP9 (Sense of place),  
DM35 (Placemaking and Design Quality)

DSA:

DM11 (Green networks and infrastructure),  
DM16 (Open space in new development)

- 4.15 Concern has been raised by a neighbour about noise and disturbance, including during the day from MOT areas. This concern has been considered by both the applicant and the Environmental Health Officer. The agent confirms that the larger workshop area to the rear of the Porsche garage would be used for MOTs - this is located at the furthest part of the site from the residential estate (approximately 100m away). Furthermore, the workshops would not operate overnight. The Environmental Health Officer is satisfied with the submitted noise assessment, but considers it reasonable to condition that the buildings are not operational overnight, in the interests of the amenities of neighbours.
- 4.16 It is also considered reasonable to condition the submission of a lighting scheme, to ensure that the development does not detrimentally affect neighbours (and ecology) through inappropriate lighting.
- 4.17 In terms of potential for traffic build up affecting the residential estate, the scheme is not considered to result in a significantly increased trip rate which could put significant pressure on the surrounding roads and junctions. Furthermore, there would be adequate on-site parking to ensure there would be no overspill onto residential roads (which have parking restrictions in any case).

## **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)

DM35 (Placemaking and Design Quality)

- 4.18 The Wycombe District Air Quality Action Plan states that at least 10% of non-residential parking spaces must be provided with an electric vehicle charging point. In total, there would be 94 spaces for non-storage parking (customer and staff parking spaces), therefore 10 parking spaces should be equipped with electric vehicle charging points; this should be secured by condition.
- 4.19 With regards to noise and lighting, as discussed above, it is considered reasonable to condition the operating hours of the building, from 7am to 7pm daily and the submission of a lighting scheme, in the interests of the amenities of neighbours.

## **Flooding and drainage**

Wycombe District Local Plan (August 2019):

CP7 (Delivering the Infrastructure to Support Growth),

CP12 (Climate Change),

DM39 (Managing Flood Risk and Sustainable Drainage Systems)

- 4.20 The scheme is located in Flood Zone 1 (low chance of flooding). Ground investigations have been undertaken in order to identify the infiltration potential of the underlying geology. The results of this testing show that infiltration as a means of surface water disposal will be feasible on site. The Lead Local Flood Authority are therefore satisfied that an acceptable SuDS scheme can be delivered and therefore raise no objection, subject to conditions. Thames Water also raise no objections.

## **Green Networks and Infrastructure**

Wycombe District Local Plan (August 2019):

CP7 (Delivering the Infrastructure to Support Growth)

CP9 (Sense of Place)

CP10 (Green infrastructure and the Natural Environment),

DM34 (Delivering Green Infrastructure and Biodiversity in Development),

DM35 (Placemaking and Design Quality)

DSA: DM11 (Green networks and infrastructure)

DM13 (Conservation and enhancements of sites, habitats and species of biodiversity and geodiversity importance)

DM14 (Biodiversity in Development)

Building sustainability

- 4.21 Green infrastructure is defined as a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.
- 4.22 Biodiversity refers to the diversity of species and habitats in the environment and biodiversity assets are those parts of the environment that contribute to biodiversity.
- 4.23 Planning policy DM34 requires all development to protect and enhance biodiversity and green infrastructure. In addition, a future tree canopy cover of at least 25% should be achieved, in the interests of biodiversity. In this instance, the current site is barren,

consisting of little/no vegetation. Plans show a significant amount of the site would contain soft landscaping, including around the boundaries of the site and within the car parking areas. The scheme would also contain wire rope and trellis green wall systems (with climbing plants growing up the system) and sections of living wall (which would have an irrigation and fertiliser dosing system). Tree canopy calculations show that a 25% future tree canopy cover would be achieved, which would be fully through new greening opportunities; this would meet planning policy requirements. There is concern that this is a potentially challenging site from a tree establishment perspective, but with great ecosystem service potential (such as improving air quality at a busy junction/opposite a school/leisure centre/nursery). Landscaping plans currently submitted, appear to be based on satisfying the quantitative requirements of policy, rather than meaningful soft landscaping. Furthermore, there is very likely going to be a need for below ground soil vaults/supporting structures to accommodate the necessary soil volume. It is therefore necessary to condition the submission of landscaping details, to ensure an appropriate and viable scheme can be incorporated into the development and satisfactorily retained and maintained.

- 4.24 Whilst it is noted that no biodiversity net gain calculation has been submitted, it is reasonable to deduce that the scheme would significantly enhance biodiversity at the site, given the existing conditions.

#### Ecology

- 4.25 An ecological appraisal has been submitted which covers aspects in relation to protected species and habitats and makes suitable recommendations about avoidance, mitigation, and enhancement measures. This includes the provision of bat tubes and bird boxes. It is considered reasonable to condition that the development is carried out in accordance with the recommendations made in the ecology appraisal.

#### **Building Sustainability and Climate Change**

Wycombe District Local Plan (August 2019):

DM33 (Managing Carbon Emissions: Transport and Energy Generation),

Air Quality SPD

- 4.26 As per the requirement of DM33, renewable technologies should be integrated into the scheme. Supporting documentation states that the scheme would utilise air source heat pumps and photovoltaic solar panels on some rooftops, which would enable the development to meet sustainability principles and policy requirements. Detailed information to demonstrate how these would be integrated into the scheme is lacking however and therefore a condition will be required to ensure details are approved to comply with these requirements.
- 4.27 In addition, electric vehicle charging points are proposed (including rapid chargers) which can be secured by condition. These electric vehicle charging points should have a minimum rating of 32 amp. Furthermore, a travel plan has been submitted with the aim of reducing the amount of single occupancy vehicles. The proposal is therefore considered to be in accordance with Council's sustainability and climate change policies.

#### **Infrastructure and Developer Contributions**

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

DSA: DM19 (Infrastructure and delivery)



- 4.28 The development is a type of development where CIL would be chargeable.
- 4.29 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) Monitoring fee for the workplace travel plan
- 4.30 The applicant has confirmed they are willing to enter into a legal agreement and have submitted a Unilateral Undertaking to cover the costs.

## **5.0 Weighing and balancing of issues / overall assessment**

- 5.1 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.
- 5.2 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 (such as CIL if applicable), and,
  - c. Any other material considerations
- 5.3 As set out above, it is considered that the proposed development would accord with development plan policies and should be recommended for approval, subject to conditions and a legal agreement to secure funding for travel plan review and monitoring.
- 5.4 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.

## **6.0 Working with the applicant / agent**

- 6.1 In accordance with paragraph 38 of the NPPF (2021) the Council 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.
- 6.2 The Council 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.
- 6.3 In this instance:
- The applicant was provided with pre-application advice.
  - The applicant was provided the opportunity to submit amendments to the scheme to address issues.

## 7.0 Recommendation

7.1 As the Council is landowner, the application should be determined at Planning Committee. The planning officer's recommendation is:

**Minded to grant conditional permission subject to the completion of a S106 legal agreement**

That the Service Director of Planning and Environment be given delegated authority to grant Conditional Permission provided that a S106 legal agreement is made to secure the following matters:

- £5000 for the review and monitoring of the workplace travel plan
- or to refuse planning permission if a S106 legal agreement cannot be secured.

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

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 0501-04, P280-03C, P280-04C, P280-05B, P280-08B, P280 01Z, 20-014 901A, P280-160A, 20-014 900B, 20-014 920A, P280-136, P280-137, P280-159, P280-160, P280-06A, P280-07, 1439-0501-03, 37619-T, P280, P280-02M unless the Local Planning Authority otherwise first agrees in writing.  
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.
3. The operating hours for the development shall be restricted to the hours of 0700 to 1900 on any given day.  
Reason: In the interests of the amenities of local residents.
4. Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of the materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority before any work to the external finish of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: To secure a satisfactory external appearance.
5. Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of all surfacing materials shall be submitted to and approved in writing by the Local Planning Authority before any work to the finished surfaces of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: To secure a satisfactory appearance.
6. Drawings identifying the following shall be submitted to and approved in writing by the Local Planning Authority before any development takes 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.
- e) 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. The development shall be carried out only in accordance with the approved details.

Reason: This is a pre-start condition to ensure that the work is carried out at suitable levels in relation to adjacent development and highways.

7. Prior to commencement of the development a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Soakaways to be located completely within the chalk strata at a suitable depth for infiltration
- Cross-section drawings showing the depths below ground level of the existing geology, the soakaways and the proposed ground levels, to accord with the updated ground investigations
- Ground investigations including:
  - Infiltration rate testing in accordance with BRE365
- Geotechnical investigation into the risk of solution features on site
- Subject to infiltration being inviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the drainage hierarchy as outlined in paragraph 080 of the Planning Practice Guidance.
- Assessment of SuDS components as listed in the CIRIA SuDS Manual (C753) and provide justification for exclusion if necessary
- Demonstrate that water quality, ecological and amenity benefits have been considered o Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority must be given to above ground SuDS components o 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.
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
- Details of proposed overland flood flow routes (volume, depth, direction) in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.
- Full construction drawings of all SuDS and drainage components
- Details of phasing, including where applicable a phasing plan

Reason: The reason for this pre-commencement condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 167

and 169 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

8. Prior to the occupation of the development a whole-life maintenance plan for the site must be 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), with details of who is to be responsible for carrying out the maintenance. The plan shall also include as as-built drawings and photographic evidence of the drainage scheme carried out by a suitably qualified person. The plan shall subsequently be implemented in accordance with the approved details.

Reason: The reason for this prior-occupation condition is to ensure that arrangements have been arranged and agreed for the long term maintenance of the drainage system as required under Paragraph 169 of the National Planning Policy Framework.

9. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk).

10. The scheme for parking and manoeuvring and the loading and unloading of vehicles shown on the submitted plans shall be laid out prior to first occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

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

No part of the development shall be occupied until the approved Travel Plan has been implemented and subject to annual review thereafter for a period of at least 5 years. For the avoidance of doubt the Travel Plan will require the appointment of a Travel Plan Co-ordinator. Reason: In order to influence modal choice and to reduce single occupancy private car journeys and comply with national and local transport policy.

11. Notwithstanding any indications illustrated on drawings already submitted, no development shall take place until a canopy cover implementation plan produced in line with the canopy cover SPD has been submitted to and approved in writing by the LPA. The plan will include the following:

1. tree pit design including details of the required soil volume and how the required volume will be achieved in both hard and soft landscaped areas.
2. the locations of other underground infrastructure to demonstrate that there are no clashes.
- 3 - details of monitoring and supervision of the tree planting process including provision to take photographs of each tree pit/soil volume space, prior to filling with soil.
3. details of how the tree planting is to be phased across the development so that planting takes place in line with the occupation of the development.
4. details of maintenance and management (and replacement procedure if necessary) of trees for at least 5 years after planting. Thereafter the development shall be carried out and completed in accordance with the approved scheme unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure the canopy cover requirements for the site can be met and that the development complies with the requirements of Policy DM34 and the Canopy Cover Supplementary Planning Document.

12. Notwithstanding any indications illustrated on drawings already submitted, no development shall take place until a scheme of landscaping, has been submitted to and approved in writing by the Local Planning Authority. Landscape details shall include:
  1. location, type and materials to be used for hard landscaping including specifications, where applicable for:
    - a) permeable paving
    - b) Sustainable urban drainage integration;
  2. a schedule detailing species, sizes and numbers/densities of all proposed trees/plants; including support measures, guards or other protective measures; biosecurity procedures including best working practices to reduce the spread of pests and disease.
  3. specifications for operations associated with plant establishment and maintenance that are compliant with best practice; methods to improve the rooting environment for retained and proposed trees and landscaping including watering, weed control, pruning, etc.
  4. types and dimensions of all boundary treatments
  5. For green walls and wire rope trellising it will be necessary to detail: - plans and section of the proposed green walls - the location and volume of soil to support the growth of the wall, - the size, species, location/pattern of plants to be used, - details of an irrigation system Unless required by a separate landscape management condition, all soft landscaping shall have a written five-year maintenance programme following planting. Any new or retained tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason: This is a pre-start condition to ensure satisfactory landscaping of the site in the interests of amenity, to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits.

13. The development hereby permitted shall only be implemented in all respects in accordance with the scheme of ecological mitigation/ compensation/ enhancement submitted with the planning application as detailed within the Ecological Appraisal dated June 2021. Variations

to the submitted scheme shall only be made where these have been agreed in writing by the Local Planning Authority.

Reason: To comply with the Conservation (Natural Habitats &c) Regulations 2010, Schedules 1, 5 and 8 of the Wildlife & Countryside Act 1981 (as amended), and the Protection of Badgers Act 1992.

14. Prior to occupation, a lighting design strategy (which follows the Bat Conservation Trust and Institute of Lighting Professionals Guidance Note 08/18 'Bats and artificial lighting in the UK') shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a. identify those areas/features on site that are particularly sensitive for wildlife and that are likely to cause disturbance in or around their breeding sites and resting places or along important movement corridors; and
- b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) and detail how timing of lighting will be controlled, so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.
- c. ensure that lighting shall have a colour temperature of less than 2700 Kelvin. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: Many species active at night are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established movement corridors or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation. Limiting negative impacts of light pollution is also in line with paragraph 180 of the NPPF. Furthermore, a lighting strategy is needed in the interests of the amenities of neighbours.

15. A scheme for generating at least 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources shall be submitted to and approved in writing by the Local Planning Authority before any above ground development takes place. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason: In the interests of sustainability.

16. Prior to the occupation of the development hereby permitted, 10 electric vehicle charging points with a minimum rating of 32amp must be installed.

Reason: To comply with the air quality SPD and, to reduce carbon emissions and the impact on the health of Nitrogen Dioxide emissions from the development.

#### Informatives

1. 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.

2. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
3. No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.
4. 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.
5. You are advised that Planning Obligations have been entered into in connection with this permission.
6. In accordance with paragraph 38 of the NPPF2 Buckinghamshire Council 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. Buckinghamshire Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application. In this instance, pre-application advice was given and amendments were made during the course of the application.

## **APPENDIX A: Consultation Responses and Representations**

### Councillor Comments

No formal comments received.

### Consultation Responses

#### **SuDS/ Drainage Officer:**

The LLFA has no objection to the proposed development subject to a planning condition being placed on any planning approval.

Following the LLFAs previous letter the applicant has provided cross-sections of the site, as requested. These show that the soakaways will be located in the depths of the existing chalk strata, at a suitable depth for infiltration; this is also confirmed within the email correspondence from Axis 3 Design Limited (15.12.2021). The LLFA are satisfied that the soakaways will not be located within any fill material and or unsuitable ground conditions, i.e. where infiltration has not been demonstrated to be viable.

It should be noted that at the detailed design stage, the aforementioned cross-sections will need to be updated to be representative of any amendments to the proposed site levels and the strata encountered during the additional ground investigations, discussed below. This is to allow for an understanding of the relationship between the infill material, the existing ground levels and the locations of the proposed soakaways following the detailed design of the scheme. This will allow the LLFA to verify that the soakaways are located within the appropriate geology. The LLFA would also welcome clarification of the infill material to be used during the cut and fill exercise.

#### **Ground investigations**

As noted within the LLFAs previous letter, ground investigations have been undertaken in order to identify the infiltration potential of the underlying geology. The results of this testing show that infiltration as a means of surface water disposal will be feasible on site. However, at the detailed design stage the applicant is required to undertake additional infiltration rate testing in the location, depth and head of water that replicates the design of each of the proposed soakaways. Infiltration rate testing must be undertaken in full accordance with BRE365. As noted above, the soakaways are shown to lie wholly within the chalk geology; this proposal must be maintained through the detailed design of the scheme.

The Infiltration SuDS Map, provided by the British Geological Survey (2016), shows the site to have very significant constraints to infiltration due to the risk of solution features. The initial trial pit logs (appendix D of the Flood Risk Assessment and Drainage Strategy) also show the site to be underlain by low density chalk. As such a geotechnical ground investigation must be undertaken to determine the risk of solution features on site and the buffer distances required between the soakaways and all buildings and structures. This investigation must be undertaken by a suitably qualified geotechnical engineer. The required buffer distance must comply with Section 7.10.2 of CIRIA C574 and details of the required distances must be provided to the LLFA at the detailed



design stage. The drainage layout must clearly show whether the required buffer distances are achievable.

If infiltration techniques are found to be unfeasible, then an alternative discharge receptor must be investigated. Any alternative scheme must be in accordance with Paragraph 080 of the Planning Practice Guidance.

#### Calculations

At the detailed design stage the applicant is required to provide calculations for the proposed surface water drainage scheme for the events detailed below:

- 1 in 1 year event demonstrating that there is no surcharging within the system in line with Sewers for Adoption
- 1 in 30 year event demonstrating that the system does not flood
- 1 in 100 year event plus 40% climate change demonstrating that any flooding is contained on site

These calculations must include details of critical storm durations and demonstrate how the proposed system as a whole will function during different storm events. The calculations must reflect any amendments/revisions to the proposed scheme that occur as a result of the requirements outlined within this letter. The calculations for each soakaway must be informed by the infiltration rates derived in each respective location.

#### Climate change allowances

The Environment Agency updated the climate change allowances for peak rainfall intensity in 2016. When designing a surface water drainage system, the LLFA encourage that 40% climate change allowance is used however a climate change allowance of 20% will be accepted if the system has been sensitivity checked for the 1 in 100 plus 40% climate change allowance event.

#### Exceedance

If any flooding occurs for the 1 in 100 year plus 40% climate change event, details of where this flooding will occur, along with the volume and depth of the flooding must be provided.

#### Half-drain time

From reviewing the current calculations for the 1 in 100 year +30% climate change allowance event it is noted that the system does not drain within 24 hours. While it is not a requirement for the system to have drain within 24 hours for this event, as per Section 25.7 of CIRIA C753 (2015) the applicant must demonstrate that a half drain time within 24 hours is achievable for the 1 in 30 year storm event.

#### Soakaway Base

Within the Micro Drainage calculations for the soakaways the 'Infiltration Coefficient Base' has been assigned a value of 0.036m/hr. Within the updated calculations this value must be revised to 0.00m/hr to account for the silting up of the infiltration device over time (section 25.4 CIRIA SuDS Manual, 2015).

#### Water quality and SuDS Assessments

Priority must be given to above ground, green SuDS components which can provide water quality, water quality, amenity, and biodiversity benefits to the site. We are pleased to see the inclusion of a green wall within the building design. Due to the nature of the proposed development the LLFA

expect that priority will be given to the inclusion of the following SuDS components within the scheme at the detailed design stage:

- Permeable surfacing,
- Bio retention areas including rain gardens. For further information, please see UK Rain Garden Guide
- Tree pits
- Green roofs
- Rainwater harvesting (active)

The applicant is required to undertake a further assessment of SuDS components as listed in the CIRIA SuDS Manual C752 (2015) to determine the viability of inclusions within the scheme. As noted above, the LLFA expect priority to be given to the components listed above due to the nature of the development. Where a SuDS component is to be excluded from the scheme, justification for exclusion must be provided. It should be noted that the LLFA considers active rainwater harvesting to sit above the drainage hierarchy outlined within Paragraph 080 of the Planning Practice Guidance; these systems should also be considered as part of the SuDS assessment. Please note that, if incorporated within the wider surface water drainage scheme, the overflow from this system must demonstrate compliance with the drainage hierarchy. The applicant must also undertake a water quality assessment (Section 26, CIRIA SuDS Manual, 2015) to ensure that pollution is adequately managed. Often a combination of various SuDS components, such as those outlined above, are required to meet the criteria of this assessment.

#### Drainage layout

A detailed drainage layout is required, this must show the full connectivity of the surface water drainage scheme and be inclusive of pipe numbers, sizes and gradients, along with the storage volumes of all SuDS components. This layout must also clearly outline the required buffer distance between all buildings and structures and the proposed soakaways. As a minimum this must be 5m however it should be noted that larger buffer distances may be required following the results of the geotechnical ground investigations.

A drawing showing the proposed overland flood flow routes, in the event of system exceedance or failure must also be provided. This should be show in the form of directional flood flow arrows based upon the topographical levels of the site.

#### Construction details

At the detailed design stage, construction drawings for all surface water drainage components are required. These must be shown in the form of cross-sections and be inclusive of cover and invert levels, along with details of construction materials.

#### Maintenance

A maintenance schedule for the surface water drainage system needs to be provided. This must include the maintenance tasks which are required, the frequency by which these will be undertaken, along with details of the persons responsible for undertaking the required maintenance.

#### Phasing

At detailed design the applicant must provide details as to whether the development will be implemented in phases. Where the development parcels, and associated drainage systems, will be implemented at different phases then further details regarding this must be provided. This includes a phasing plan including details of any strategic provision for surface water drainage

required across phases and any temporary works requirement associated with the construction of the surface water drainage. This is to ensure that the proposed surface water drainage system is delivered and carried out at the appropriate stage of development.

**Tree Officer:**

25% tree canopy cover requirement shown to be met.

The concern is that it's a very prominent and potentially challenging site (from a tree establishment perspective), with great ecosystem service potential (such as air quality at a busy junction/opposite a school/leisure centre/ nursery), yet there doesn't appear to be a great deal of meaningful thought being given to the soft landscaping outside of satisfying quantitative criteria based on the policy requirements.

Tree establishment is best addressed at the design stage but the SPD allows for Tree Planting Detail, Green Infrastructure Elements Detail, Trees and GI Elements Management Plan and Supervision and Monitoring Reports by condition (pre-commencement would be appropriate to ensure the tree pit design can accommodate underground services/have suitable load-bearing capability etc.).

The agent should be aware that there is very likely going to be a need for below ground soil vaults/supporting structures to accommodate the necessary soil volume and the arboricultural officer will be recommending supervision and monitoring report in line with the manufacturers recommendations be submitted to the council.

**Environmental Health Officer:**

Wycombe District Air Quality Action Plan states that at least 10% of non-residential parking spaces must be provided with an electric vehicle charging point. Recommendation (with conditions if appropriate): No objection subject to conditions imposed requiring electric charging points.

**Thames Water Comments:**

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

The proposed development is located within 5m of a strategic water main. Thames Water do NOT permit the building over or construction within 5m, of strategic water mains. Thames Water request that a condition be added to any planning permission.

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

**Highway Authority:**

The site will gain access via a fourth arm to the existing mini roundabout. The applicants swept-path analysis demonstrates the manoeuvres required for the largest car transporters anticipated to turn into and out of the site via the roundabout. The swept-path analysis shows that large car transporters could turn out of the site on to the roundabout to exit the site onto Marlow Road although some overhang over the central island would occur.

In terms of trip generation, within the Highway Authority's comments dated 24<sup>th</sup> August 2021, it was determined that the trips associated with this development could be accommodated on the local highway network.

The site would still offer a level of parking beyond the optimum standard when taking into account the level of floorspace featured. In addition, I am satisfied that the parking spaces demarcated on the submitted plans have sufficient dimensions and that the arrangements shown could work successfully.

The swept-path analysis of the largest anticipated car-transporter demonstrates that these vehicles could enter the site, manoeuvre and exit the site in a forward gear.

Mindful of the above and in consideration of my previous comments for this application, the Highway Authority raises no objection to this application, subject to planning conditions.

**Travel Plan Team:**

This is a well thought out travel plan with some good measures to reduce single occupancy car use, there is some additional information required before we are able to approve the plan.

**Ecology Officer:**

The Ecological Appraisal covers aspects in relation to protected species and habitats and makes suitable recommendations about avoidance, mitigation, and enhancement measures.

However, the wider biodiversity value of the site has not been quantitatively assessed and there is therefore no evaluation of whether the proposals would result in a biodiversity net gain. Considering the extent of building and hard standing which is proposed, it is likely that there would be a net loss with the current proposals, however it would be relatively easy to include green roofs on the buildings which would likely mean that a biodiversity net gain would be achieved and would also help contribute to canopy cover targets. The protected species avoidance, mitigation and enhancement measures, including lighting design can be conditioned.

## **Urban Design:**

The proposed layout and building design is broadly acceptable, except for the following points:

- parking bays do not conform to the adopted Buckinghamshire Parking Standards with regards to bay sizes. In the vehicle prep/repair area, these are too small.
- there is no reason why extensive green roofs (relatively lightweight) cannot be incorporated into the proposed building designs, to achieve/exceed canopy cover requirements and contribute to a SuDS. This exemplary standard of building design would also accord with the premium branding of the retail offer.

Conditions:

- detailed landscape proposals are to be submitted for agreement including soil depths and plant species, sizes, densities and layout. Construction details should be included for green walls, green roofs and tree pits.

## Other Representations

1 x letter has been received supporting the proposal:

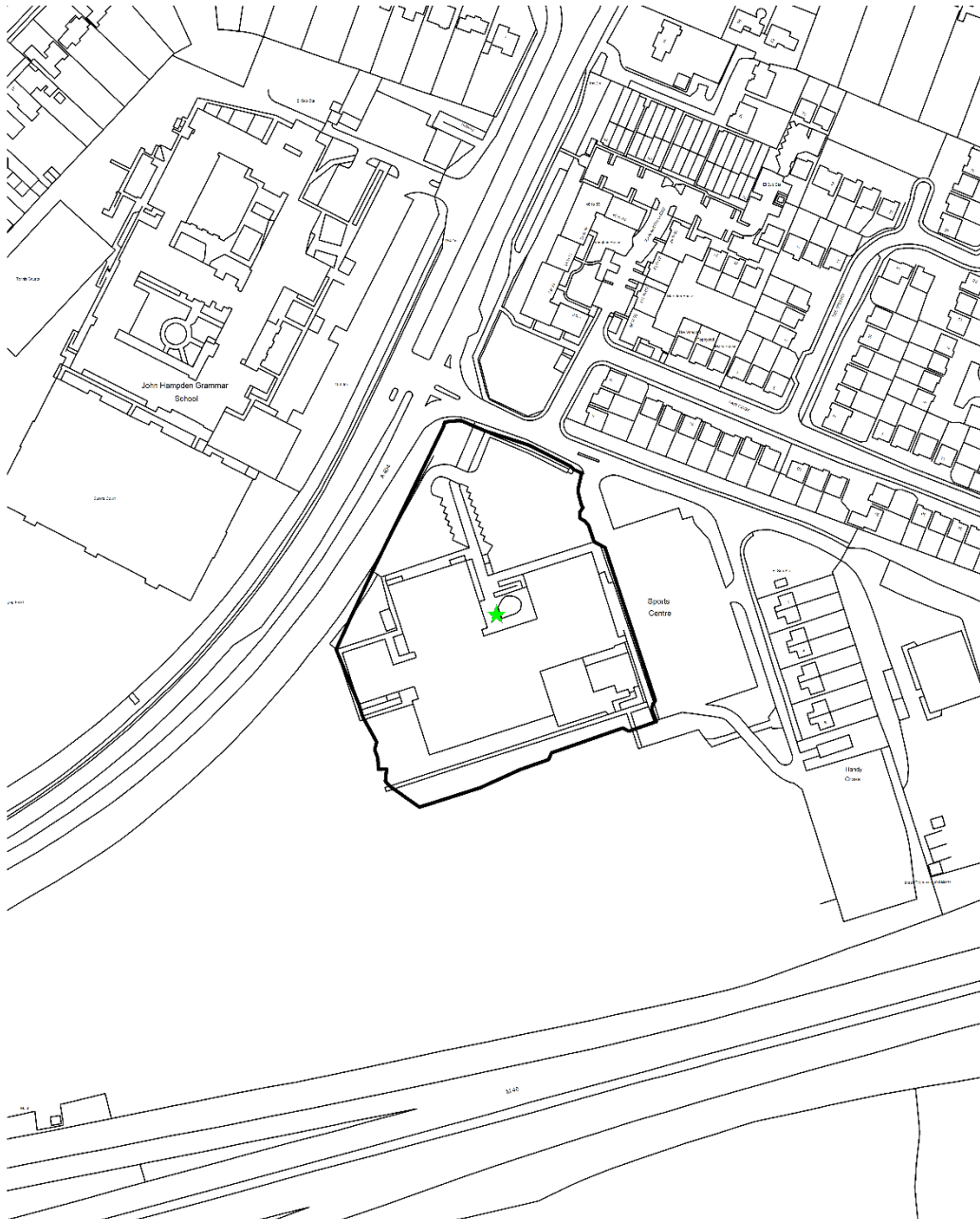
- will get rid of some useless place used just for parking
- will grow the value of the estate and area by having 2 prestige manufacturers coming in.
- Will provide lots of new jobs for the locals.
- Developers and owners likely to be considerate of the neighbours- it is a car business not a fun fair that will be built.

1 x letter has been received objecting to the proposal:

- Workshop will be directly opposite my property affecting my bedroom. Concerns about noise. Could location be reviewed?
- Increased traffic will be a disturbance and impact on residents getting into and out of estate.



21/07051/FUL  
Scale 1/2500



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## Report to West Area Planning Committee

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<b>Application Number:</b>	21/07369/FUL
<b>Proposal:</b>	Householder application for construction of single storey front, part first floor/part two storey rear, side extensions, raising and alterations of roof in connection with loft conversion, installation of roof lights and internal and external alterations
<b>Site Location:</b>	36 Shelley Road High Wycombe Buckinghamshire HP11 2UW
<b>Applicant:</b>	Mr Chatur
<b>Case Officer:</b>	Jackie Sabatini
<b>Ward(s) affected:</b>	Abbey
<b>Parish-Town Council:</b>	High Wycombe Town Unparished
<b>Date valid application received:</b>	24th August 2021
<b>Statutory determination date:</b>	19th October 2021
<b>Recommendation</b>	Application permitted

### 1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Full planning permission is sought for the construction of a single storey front extension, part first floor part two storey side /rear extension, alterations to the roof in connection with loft conversion, installation of roof lights and internal and external alterations.
- 1.2 The application site comprises, a detached two storey dwelling, with attached garage projecting from the main front elevation, but set back from the highway. The front of the site is used for parking and can accommodate 3 cars to park. The property is located on Shelley Road where the surrounding dwellings are predominately detached properties of various size and characteristics. Many of which have already had alterations and extensions comparable with this application; creating a more varied street scene.
- 1.3 It should be noted that the application has been amended to show a 300mm reduction to the ridge height of the two storey side element of the proposal; achieving a front façade that appears as an addition to the existing front façade and roof line as opposed to a continuation of the existing ridge.

- 1.4 The alterations and extensions proposed are considered acceptable as they will not significantly impact on the residential amenity of neighbouring properties, the character and appearance of the area or the safety and convenience of the adjacent highway.
- 1.5 The proposal is considered to comply with the relevant Development Plan policies and is therefore recommended for approval subject to conditions.
- 1.6 The application is before Committee because the local Member, Councillor L.M Clarke OBE has raised concerns:

Comments: If you are minded to approve, please bring to Committee for determination.

This is a very large extension of this 3 bedroomed property to a 5 bedroomed property. Its overdevelopment compared to the neighbouring properties on either sidearm also on the street and against policy CP9 – Sense of Place and DM35 – Placemaking and Design Quality in that the proposed application does cause a light issue to both neighbouring properties that light the habitable rooms

As the front of the property shows a parking layout for vehicles there appear to be no planned drainage from rainwater run-off. There is no planned bin storage and as the property is built to the boundary on both sides could this be a problem.

If site visits are in place can a site visit, please be arranged.

## **2.0 Description of Proposed Development**

- 2.1 Full planning permission is sought for the construction of a single storey front extension, two storey wrap around rear extension, alterations to roof in connection with loft conversion, installation of roof lights to roof and rear and internal alterations.
- 2.2 Alterations to the front include the construction of a small 0.5 x 0.9 area between the dwelling and existing garage to the side to follow the existing side elevation wall.  
  
A single storey front extension that would pull an existing incline between the garage and existing front porch forward approximately 2.3m with a canopy above, set back significantly from the front elevation of the garage.
- 2.3 The side element of the two storey wrap around the rear extension would, in most part, be set over the existing garage. It would sit back significantly from the front elevation of the garage in-line with the existing first floor, measuring approximately 3.2m in width, 9.5m in depth with a ridge that would sit 300mm lower than the main roof. The roof would accommodate two roof lights to the front and a gable end with Juliet balcony to the rear.
- 2.4 The two storey element of the proposal would measure approximately 3m in depth and 10.7m in width. The roof would have the same eaves and ridge height as the existing main roof and accommodate a gable end to the rear with a roof light in each side elevation

Internal alterations do not require planning permission.

## **3.0 Relevant Planning History**

- 3.1 None relevant

## **4.0 Policy Considerations and Evaluation**

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

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions, Transport and Energy Generation), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality).

DSA: DM1 (Presumption in favour of sustainable development)

Residential Design Guide SPD List relevant policies & SPD

- 4.1 The construction of a single storey front, two storey rear/side extension, alterations to roof in connection with loft conversion, installation of roof lights and internal and external alterations are considered acceptable in principle, subject to other material considerations, detailed below

### **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) List relevant policies & SPD

- 4.2 The site could still accommodate 3 cars to park as the Buckinghamshire County Parking Guidance requires.

### **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), Housing intensification SPD List relevant policies & SPD

- 4.3 It is acknowledged that objection has been raised by two neighbouring properties with regard to the development being out of character to the area due to front elevation roof lights. However, it should be noted that the property has permitted development rights intact and, as such, front elevation roof lights could be inserted without the need for planning permission.
- 4.4 Although the proposed development would be visible from the street scene it would, in most part, be confined to the side and rear of the host dwelling with a slightly lower ridge height and this would help minimise any impact of the proposed development on the street scene.
- 4.5 As previously mentioned the two storey side element of the two storey wrap around the rear extension would be sited over the existing garage and continue the line of the existing side elevation wall to maintaining the existing 0.6 gap from the side boundary shared with neighbouring property No 38 Shelley Road.
- 4.6 No 38 already has a two storey side elevation built up to this shared boundary and there are no primary windows to habitable rooms located in this side elevation of No 38.
- 4.7 Although this proposal would include a first floor that would fall short by 0.4m from the advised 1m step in from the side boundary, due to the staggered front elevation and 0.6m gap the proposal would not result in a terraced façade when viewed from the street scene.
- 4.8 In any case, it is important to note that the area is already characterised by detached properties of various size, design and characteristics, many of which have had extensive

alterations and extensions that are highly visible from the highway; creating a more varied street scene. An example of which, but not exclusive to is No 25 Shelley Road (21/07488/FUL - two storey side/rear extension, single storey front extension, extension to existing dropped kerb and materials and fenestration alterations.

- 4.9 When taking account of the above, the proposed scale and form of development proposed is considered acceptable in terms of impact and design for its location and it would be difficult to argue that any significant impact to the host dwelling or the character and appearance of the surrounding area would occur as a result of this application that would justify refusing planning permission.

#### **Amenity of existing and future residents**

- 4.10 It is acknowledged that objection has been raised by two neighbouring properties with regard to overlooking loss of light and overbearing issues.
- 4.11 Additional fenestration at first floor level and above would include a window and roof lights to the front elevation, a window with Juliet balcony, small gable end window and roof lights to the rear. No fenestration is proposed in either flank elevation other than a roof light in either side of the proposed two storey rear extension and front porch area.
- 4.12 However, the windows to the front would look out over Shelley Road, the windows to the rear would look onto the host dwelling rear amenity space providing oblique viewing and the proposed roof lights in either side of the proposed two storey rear extension would be obscurely glazed, fixed shut and non-opening upto 1.7m above finished floor level to avoid any overlooking issues into neighbouring amenity space. The roof lights in the front porch area would cause no more overlooking than would be reasonable considering the distance between the porch and any neighbouring property.
- 4.13 From the plan submitted (Dgr SR1 Rev B) and a visit to the application site it is noted that the proposal development would not impinge on the Council's light angle guidelines when being measured from the mid-point of the nearest habitable room window of any neighbouring property.
- 4.14 No significant impact to the residential amenities of any neighbouring property is considered to occur as a result of this application with regard to overlooking loss of light or overbearing issues and a refusal on this basis would be difficult to justify.

#### **Green networks and infrastructure**

- 4.15 Policy DM34 requires all development to protect and enhance both the biodiversity and green infrastructure features and networks both on and off site for the lifetime of the development.
- 4.16 No assessment has been provided with this proposal so it falls to the local planning authority to consider what would be proportionate for the development proposed.
- 4.17 In order to compensate for the loss of any green space and associated biodiversity a condition would need to be imposed on any planning permission granted requiring a bat/bird box to be included in the proposed development.

### **5.0 Weighing and balancing of issues / Overall Assessment**

- 5.1 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.

- 5.2 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 (such as CIL if applicable), and,
  - c. Any other material considerations
- 5.3 As set out above it is considered that the proposed development would accord with development plan policies.

## **6.0 Working with the applicant / agent**

- 6.1 In accordance with paragraph 38 of the NPPF (2019) the Council 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.
- 6.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- In this instance the applicant/agent was updated of any issues after the initial site visit. The applicant was provided the opportunity to submit amendments to reduce the ridge height of the proposed side extension. Acceptable amendments were received.

## **7.0 Recommendation: Approval**

Subject to the following conditions and reasons: -

- 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 01 REV B, 02 REV A, 03 REV C, 04 REV A, 05 REV D, 06 REV B; unless the Local Planning Authority otherwise first agrees in writing.  
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.
- 3 The materials to be used for the external surfaces, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing building, unless the Local Planning Authority otherwise first agrees in writing.  
Reason: To secure a satisfactory external appearance.

4 Notwithstanding any other details shown on the plans hereby approved, the rooflights to be inserted in both side elevation roof slopes of the two storey rear extension shall, up to a minimum height of 1.7 metres above finished floor level, be fixed shut (without any opening mechanism) and glazed in obscure glass. The roof-lights shall thereafter be retained as such.

Reason: In the interests of the amenity of neighbouring properties.

5 All development is expected to result in a net increase in biodiversity and ecological features proportionate to the development proposed. In order to compensate for any loss of green space and increase biodiversity opportunities a bird/bat box shall be attached to the house, in a position suitable for their intended purpose, and thereafter retained for the lifetime of the development.

Reason: To comply with the requirements of Policy DM34.

## **APPENDIX A: Consultation Responses and Representations**

### Councillor Comments

#### **Cllr Mrs L Clarke**

Comments: If you are minded to approve, please bring to Committee for determination.

This is a very large extension of this 3 bedroomed property to a 5 bedroomed property. Its overdevelopment compared to the neighbouring properties on either sidearm also on the street and against policy CP9 – Sense of Place and DM35 – Placemaking and Design Quality in that the proposed application does cause a light issue to both neighbouring properties that light the habitable rooms

As the front of the property shows a parking layout for vehicles there appear to be no planned drainage from rainwater run-off. There is no planned bin storage and as the property is built to the boundary on both sides could this be a problem.

If site visits are in place can a site visit, please be arranged.

### Parish/Town Council Comments

#### **High Wycombe Town Unparished – Abbey Ward**

### Consultation Responses

None

### Representations

3 x objections (duplications):

- Overlooking
- Loss of light
- Overbearing
- Skylight to front id out of character to the area
- Loss of view
- Boundary issues
- Noise & dust during construction

The Council will only consider planning matters that relate to the application in hand during the determination of any planning application. Non-planning matters cannot be considered. Each planning application is considered on its own merits.

### Planning matters

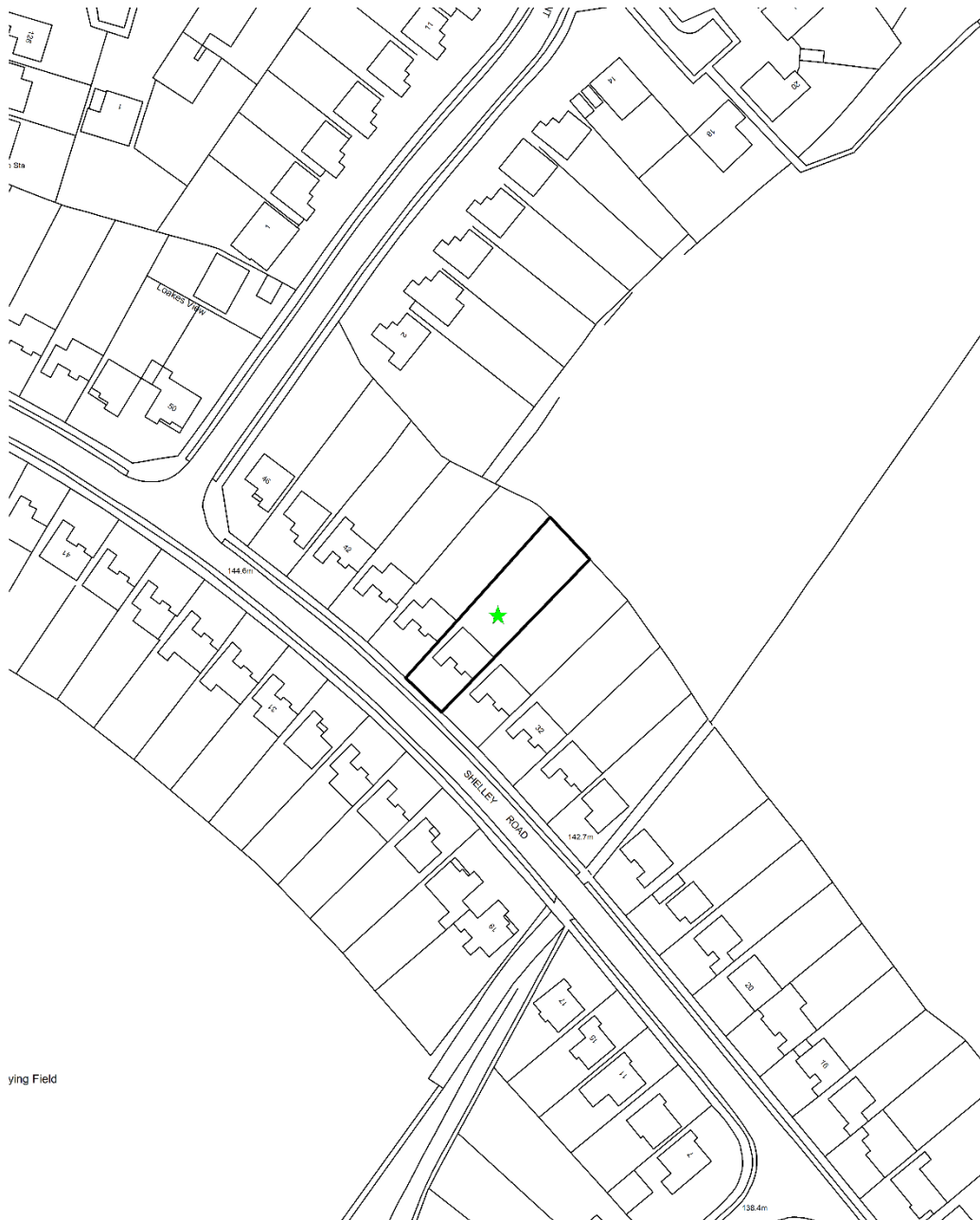
- Overlooking
- Loss of light
- Overbearing
- Out of character

### Non- planning matters

- Loss of view
- Boundary Issues
- Insignificant noise & dust during construction

# APPENDIX B: Site Location Plan

21/07369/FUL  
Scale 1/1250



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## Report to West Area Planning Committee

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<b>Application Number:</b>	21/07373/FUL
<b>Proposal:</b>	Householder application for construction of two storey rear extension, garage conversion and fenestration, roof and external material alterations
<b>Site Location:</b>	Lindsey House Pheasants Hill Hambleden Buckinghamshire RG9 6SN
<b>Applicant:</b>	Mr & Mrs J Jamison
<b>Case Officer:</b>	Shama Hafiz
<b>Ward(s) affected:</b>	Chiltern Villages
<b>Parish-Town Council:</b>	Hambleden Parish Council
<b>Date valid application received:</b>	11th August 2021
<b>Statutory determination date:</b>	6th October 2021
<b>Recommendation</b>	Application Permitted

### 1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 This householder application seeks planning permission for the construction of a two storey rear extension, garage conversion and fenestration, roof and external material alterations at Lindsey House, Pheasants Hill.
- 1.2 This proposal will have no adverse effect upon the character of the host property or to the scenic beauty and character of the surrounding Chilterns AONB.
- 1.3 This proposal will have no adverse effect upon the amenities of adjacent residents.
- 1.4 This proposal will have no adverse effect upon highway safety and the convenience of other road users.
- 1.5 This proposal will have no adverse effect upon biodiversity or ecology.
- 1.6 This application has been called to the Planning Committee by Hambleden Parish Council. The Parish Council consider that this proposal will result in excessive light pollution if permitted.
- 1.7 This proposal accords with the policies of the Development Plan and is recommended for approval.

## 2.0 Description of Proposed Development

- 2.1 Lindsey House is a two storey, detached dwelling house, with a detached single garage and is situated on the western end of the small hamlet of Pheasants Hill, Hambleden. The existing property lies adjacent to the public footpath which extends westwards, across an area of open land.
- 2.2 The application site is situated within the Chilterns Area of Outstanding Natural Beauty, but is situated just outside of the Pheasants Hill Conservation Area. The application site is also situated adjacent to land within the control of The National Trust.
- 2.3 This application seeks full planning permission for the construction of a two storey rear extension, a garage conversion, fenestration and roof alterations, together with external material alterations.
- 2.4 Amended plans have been received during the course of this application which now show that a first floor rear window to the proposed rear extension will now be of a similar size and design as those existing. Furthermore, the proposed fenestration at the front entrance of the property has been reduced so that the high level window – extending to the first floor level, has now been removed.
- 2.5 The submitted plans show that the first floor of the whole dwelling will now be re-clad in natural pre-treated weather boarding, painted black and the ground floor level will be covered with render. The existing concrete roof tiles will be replaced with red/brown plain tiles.
- 2.6 It is also proposed to convert the existing garage into an ancillary amenity room for the dwelling. Minor changes to the elevations are required to support the proposed use.
- 2.7 The application is accompanied by:
  - a) Design and Access Statement
  - b) Ecology and tree Checklist
  - c) Amended Cover letter

## 3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
89/06395/FUL	ERECTION OF BARN FOR VEHICLE STORAGE	REF	12 September 1989

## 4.0 Policy Considerations and Evaluation

### Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

DSA: DM1 (Presumption in favour of sustainable development), DM6 (Mixed-use development.

- 4.1 The application property is an existing, unlisted, dwelling house, outside of an area of Green Belt. The erection of extensions to the property is therefore acceptable in principle.

## **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)

- 4.2 The application property is a large dwelling with 7+ habitable rooms and is situated within Residential Parking Zone C. In accordance with the Buckinghamshire Countywide Parking Guidance an optimum number of off street car parking spaces required to serve the enlarged property is 4. The submitted plans show that at least 4 cars can park on the frontage of the application site.

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

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM30 (The Chilterns Area of Outstanding Natural Beauty), 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

- 4.3 The application site is situated in a prominent position, within the Chilterns Area of Outstanding Natural Beauty. A public footpath extends westwards from the site area, out into the open countryside of the Chilterns. An area of National Trust land lies adjacent, to the west and north.
- 4.4 Given its sensitive position within the AONB, any new extension onto the property will be expected to achieve a high standard of design and appearance.
- 4.5 It is considered that the proposed rear extension and elevation alterations have been sensitively designed to reflect and improve the appearance of the existing dwelling. The proposed use of red/brown plain tiles, black painted timber weather boarding and render are all common features in the Chilterns and are considered appropriate for this rural location. However, in order to ensure that the proposed materials are of sufficient quality, a planning condition should be imposed requiring that the details be submitted and approved before their use.
- 4.6 However, concern has been expressed, by local residents, the Parish Council and the National Trust that the introduction of additional and larger windows in both the rear and front elevations of the property will result in increased light spill out into the wider AONB. The concern is that the increase in light spill and reflection will be detrimental to the existing character of the surrounding rural location, which is predominately dark at night.
- 4.7 However, in order to overcome these objections, the applicant has reduced the size of the proposed first floor rear windows. Furthermore, the proposed floor to ceiling window on the front elevation has also been reduced in size so that it now only incorporates the ground floor level of the property.
- 4.8 Although, this proposal will increase the number of windows in the property, the existing rear elevation has two habitable room windows on the first floor. The introduction of a third window will only marginally increase the level of light spill, on this elevation.
- 4.9 With regard to the proposed entrance, the amended plans now show that the high level glazing has been reduced. It is now considered that any light spill from this elevation would also be marginal.

- 4.10 Concern has also been raised by The National Trust that the design of the proposed extension with its rear balcony area and balustrading is unattractive and out of keeping with the character of the area. However, the balcony feature already exists at the property and therefore an objection to its presence cannot be sustained.
- 4.11 The submitted plans do show that the application site area extends to the south of the residential property and is not considered to form part of the residential curtilage. An informative should be added to any planning permission, to this effect.
- 4.12 Overall, it is considered that this proposal will improve the appearance of the host dwelling and will not result in harm to the scenic beauty and character of the surrounding AONB.

### **Amenity of existing and future residents**

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

- 4.13 It is considered that the proposed extension and alterations to the property will have no adverse effect to the amenities of neighbouring properties by way of loss of light or privacy. The amended plans clearly show that the proposed glazed entrance porch does not contain a mezzanine or first floor level, which could overlook the adjacent properties.
- 4.14 However, concern has been expressed by an adjacent neighbour that the proposed glazed entrance will result in excessive light spill into their property and reduce their existing amenity. The residents state that at present only a small porch light exists on the entrance to Lindsey House and that the increase in glazing will result in an unacceptable level of light spill.
- 4.15 The introduction of a glazed window in the application property will inevitable enable light to be seen from within. However, the application property is not situated within an isolated position in the countryside. It is situated amongst a group of other dwellings, in close proximity to each other. These dwelling all have a varied amount of windows and emit a level of light spill themselves. The proposed windows in the application property would be viewed against the backdrop of existing fenestration in the immediate area.
- 4.16 In light of the above, it is considered that this proposal would not be sufficiently detrimental to the amenities of adjacent residents to warrant the refusal of planning permission.

### **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).

- 4.17 Policy DM34 of the Wycombe District Local Plan requires all development to protect and enhance both biodiversity and green infrastructure features and networks both on and off site for the lifetime of the development. No assessment has been provided with this proposal so it falls to the Local Planning Authority to consider what would be proportionate for the development proposed.
- 4.18 In this instance, the proposed rear extension would be erected in an area of garden which is predominantly laid to grass. In order to compensate for the loss of this green

infrastructure and associated biodiversity, a planning condition would need to be imposed on any permission requiring a bat and a bird box should be included in the proposed development.

- 4.19 Given the rural location of the application site, there is a likelihood that bats are present in the area. Therefore, the applicant should be made aware of their statutory obligations if any bats are found within the property. An informative should be added to any planning permission to this effect.

## **5.0 Weighing and balancing of issues / Overall Assessment**

- 5.1 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.
- 5.2 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 (such as CIL if applicable), and,
  - c. Any other material considerations
- 5.3 As set out above it is considered that the proposed development would accord with the development plan policies.

## **6.0 Working with the applicant / agent**

- 6.1 In accordance with paragraph 38 of the NPPF (2019) the Council 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.
- 6.2 The Council 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.
- 6.3 In this instance the applicant/agent was updated of any issues after the initial site visit and was invited to submit amended plans regarding the level of fenestration, the and the proposed materials. The applicant complied and the application was subsequently recommended for approval.

## **7.0 Recommendation**

Grant Planning Permission, subject to the following conditions and reasons:

- 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 03B and 04B; 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 Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of the materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority before any work to the external finish of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To secure a satisfactory external appearance.

- 4 Prior to the first occupation of the development, hereby permitted, a bat and a bird box shall be installed at the property and thereafter retained, permanently, for the lifetime of the development.

Reason: In order to ensure a net gain in biodiversity opportunities at the site, in compliance with Policy DM34 of the Wycombe District Local Plan (2019)

#### INFORMATIVE(S)

- 1 In accordance with paragraph 38 of the NPPF2 Buckinghamshire Council 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. Buckinghamshire Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

In this instance the applicant/agent was updated of any issues after the initial site visit and was invited to submit amended plans regarding the level of fenestration, the and the proposed materials. The applicant complied and the application was subsequently recommended for approval.

- 2 The applicant is advised that protected species (including all bats) use buildings. The Conservation of Habitats and Species Regulations 2010 provides very strong protection for these species and so you must be certain that they are not present before works begin. If the presence of bats or other protected species is suspected, a licence may be required from Natural England before works can commence. If protected species are found whilst carrying out work, all work must stop and Natural England must be informed.

Buildings should be inspected prior to works commencing and if the presence of bats is suspected advice will need to be sought from Natural England via the Bat Line on 0845 1300228. Further advice on bats is available from The Bat Conservation Trust <https://www.bats.org.uk>. The consent given by this notice does not override the protection afforded to these species and their habitat.

- 3 The submitted plans, hereby approved shown that the application site extends beyond the area of the residential curtilage. Therefore, the applicant should not consider that the whole of the site lies within a residential use.

## **APPENDIX A: Consultation Responses and Representations**

### Councillor Comments

None received.

### Parish/Town Council Comments

**Hambleden Parish Council:** Should the Planning Officer be minded to approve this application, Hambleden Parish Council would like it to be “called in” to the West Buckinghamshire Area Planning Committee, on the grounds that it will cause excessive light pollution if permitted. I confirm that a member will attend the committee to speak if the request for call in is agreed.

### Consultation Responses

None

### Representations

#### **Amenity Societies/Residents Associations**

The National Trust: object to the amended plans on the following grounds:

- Approximately 3,900 acres of land in and around Hambleden is the subject of a restrictive covenant - “The Greenlands Covenant”
- The application site lies just beyond the covenanted area but adjoins it on its western and northern boundary. Although restrictive covenants are not a planning matter, the Council should be mindful of the great contribution it makes by preserving the architectural history and the rural character of the Hambleden Valley.
- The revised proposals show a substantial reduction on glazing on the rear elevation, but retains the addition of an inappropriate balcony feature. No reduction has been made to glazing the front elevation.
- This proposal will result in light emittance and reflection across the valley and surrounding area, to the detriment of the character of the area, particularly at night.
- The design of this proposed glazing is out of keeping with other properties in the area.

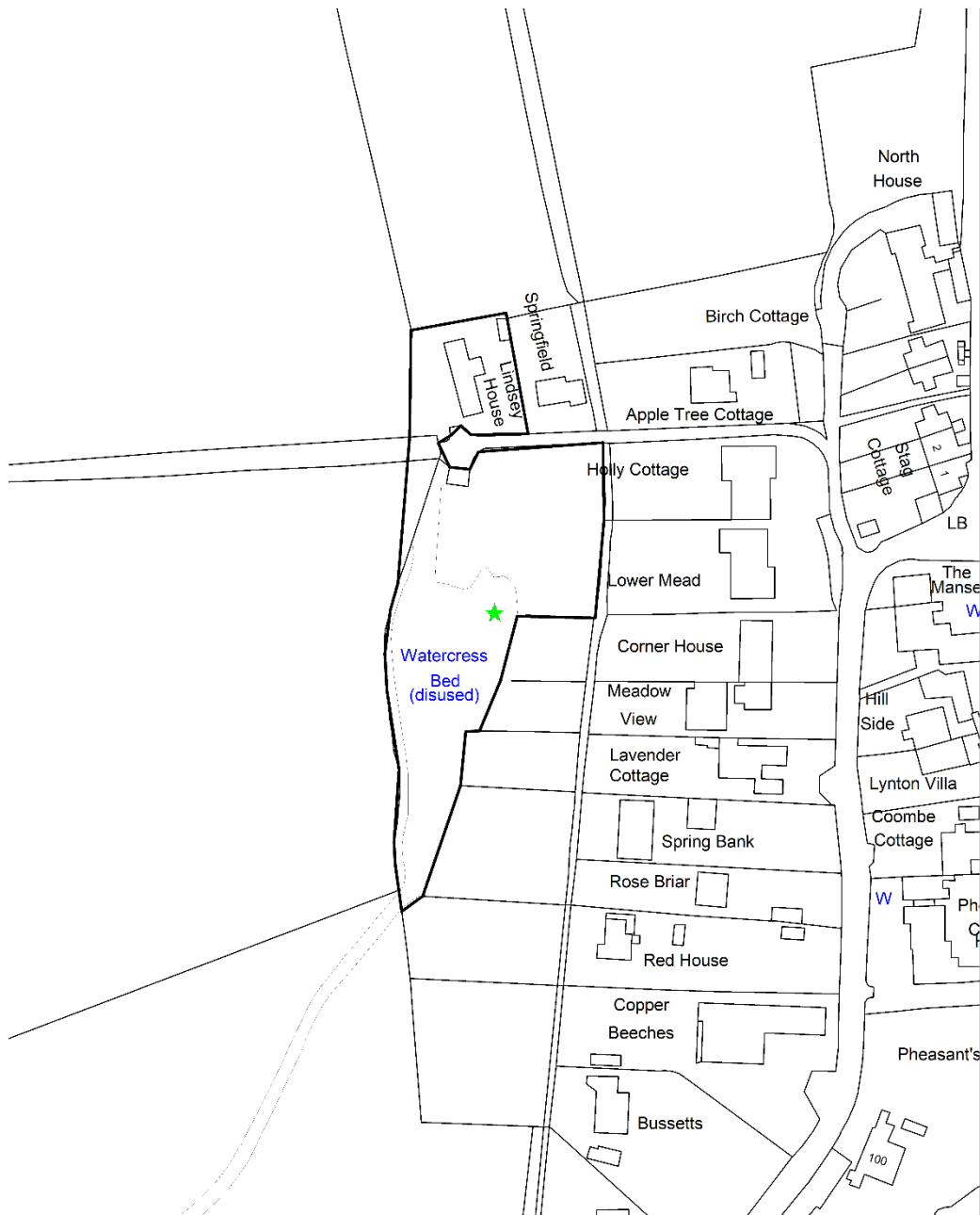
#### **Other Representations**

Objections have been received from an adjacent resident. The grounds of objection include:

- excessive light spill from proposed front entrance resulting in a loss of amenity
- loss of privacy

# APPENDIX B: Site Location Plan

21/07373/FUL  
Scale 1/1250



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