



# West Buckinghamshire Area Planning Committee agenda

Date: Wednesday 30 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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**1 Apologies for Absence**

**2 Declarations of Interest**

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.

**3 Minutes of the Last Meeting**

**3 - 6**

To note the minutes of the meeting held on 2 March 2022.

**Planning Applications**

**4 21/07220/VCDN - Vine Lodge, Northend Road, Northend, Buckinghamshire, RG9 6LF**

**7 - 18**

**5 21/07275/FUL - London House, 85 London Road, High Wycombe, Buckinghamshire, HP11 1BN**

**19 - 32**

**6 21/07893/FUL - 50 Fennels Way, Flackwell Heath, Buckinghamshire, HP10 9BY**

**33 - 48**

**7 21/07917/FUL - 23 Chapel Road, Flackwell Heath, Buckinghamshire, HP10 9AB**

**49 - 60**

**8 22/05197/FUL - 71 Wordsworth Road, High Wycombe, Buckinghamshire, HP11 2UR**

**61 - 70**

**9 Date and Time of Next Meeting**

**Tuesday 26 April 2022 at 6.30pm.** (Please note this meeting is on a Tuesday)

**10 Availability of Members Attending Site Visits (if required)**

To confirm members' availability to undertake site visits on Monday 25 April 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 2 March 2022 in High Wycombe Council Chamber, Queen Victoria Road, High Wycombe, HP11 1BB, commencing at 6.31 pm and concluding at 8.00 pm.

### Members present

A Alam, M Ayub, I Hussain, D Johncock, N Marshall, S Raja, M Turner, P Turner and K Wood

### Others in attendance

J Adams, K Asif, T Coppock, E Crotty, L Hornby, C Power, J Sabatini and H Smith

### Apologies

A Baughan, C Oliver and S Wilson

### Agenda Item

#### 1 **Declarations of Interest**

**Councillor M Turner:** Application 21/07373/FUL. Declared that he had been speaking to the Parish Clerk but that he had not expressed any view on the application and that he had an open mind, would listen to the debate and make a decision once the debate was over.

#### 2 **Minutes of the Last Meeting**

The Minutes of the meeting held on 12 January 2022 were agreed as an accurate record.

#### 3 **WITHDRAWN. 20/08349/FUL - 175-179 Gordon Road, High Wycombe, Buckinghamshire, HP13 6AR**

The application was withdrawn prior to the meeting pending further clarification of the site plan.

#### 4 **21/07051/FUL - Site of Former Sports Centre, Marlow Hill, High Wycombe, Buckinghamshire**

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 and display

and associated landscaping.

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

Members voted unanimously in favour of the motion to grant conditional permission subject to the completion of a S106 planning obligation and subject to amendments to Conditions 11 and 12 as follows:

Condition 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.
4. 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.
5. Details of maintenance and management (and replacement procedure if necessary) of trees and other relevant green infrastructure (including green walls and wire rope trellising) 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: This is a pre-commencement condition 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.

Condition 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. For the avoidance of doubt, this also applies to green walls and wire rope trellising. Unless further specific permission has been given in writing 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.

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

**Resolved: that the application be granted conditional permission subject to the completion of a S106 Legal agreement and subject to the amendments as laid out above.**

- 5      21/07369/FUL - 36 Shelley Road, High Wycombe, Buckinghamshire, HP11 2UW**  
 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.

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

Members voted in favour of the motion to approve the application.

Speaking on behalf of the objectors: Mrs D Spicer  
 Speaking as the applicant: Mr M Chatur

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

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

- 6      21/07373/FUL - Lindsey House, Pheasants Hill, Hambleden, Buckinghamshire, RG9 6SN**  
 Householder application for construction of two storey rear extension, garage

conversion and fenestration, roof and external material alterations.

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

Members voted in favour of the motion to approve the application.

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

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

**7 Date and Time of Next Meeting**

Wednesday 30 March 2022 at 6.30pm.

**8 Availability of Members Attending Site Visits (if required)**

**Resolved:** that in the event it was necessary to arrange site visits on Tuesday 29 March 2022 in respect of the agenda for the meeting on Wednesday 30 March 2022, the following Members be invited to attend:

Councillors, D Johncock, N Marshall, M Turner, P Turner and S Wilson.



## Report to West Area Planning Committee

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<b>Application Number:</b>	21/07220/VCDN
<b>Proposal:</b>	Variation of condition 6 (plans) attached to 19/06577/MINAMD (Proposed non-material amendment for demolition of conservatory and construction of two storey side/rear extension/annexe comprising of 2 bedrooms and living accommodation ancillary to main dwelling granted under householder planning ref: 19/05909/FUL), and to condition 4 (materials) of 19/05909/FUL to allow for the works to be carried out in accordance with drawings VLEL 03 and VLEL 04 rev.B (retrospective)
<b>Site Location:</b>	Vine Lodge Northend Road Northend Buckinghamshire RG9 6LF
<b>Applicant:</b>	Gina Brown
<b>Case Officer:</b>	Alexia Dodd
<b>Ward(s) affected:</b>	Chiltern Villages
<b>Parish-Town Council:</b>	Turville Parish Council
<b>Date valid application received:</b>	22nd July 2021
<b>Statutory determination date:</b>	16th September 2021
<b>Time extension:</b>	
<b>Recommendation</b>	Approve

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

- 1.1 This is an application to vary the approved plans and materials conditions of planning permission 19/05909/FUL, namely the use of hand finished flint blocks instead of hand-set and hand knapped flint. The Flint has been finished with lime mortar. The development also includes the raising of the ridge height over the extension.
- 1.2 The development was commenced at the time the application was submitted. The work has now been completed and the application is thus, retrospective.
- 1.3 Turville Parish Council object to the proposal.

1.4 Cllr Mark Turner has called the application in due to community and Parish concerns over the flint work.

1.5 Recommendation – approval

## 2.0 Description of Proposed Development

2.1 When application 19/05909/FUL for Householder application for demolition of conservatory and construction of two storey side/rear extension/annexe comprising of 2 bedrooms and living accommodation ancillary to main dwelling was permitted, it was subject to a number of conditions. In particular plans and flint work. The flint work condition (4) states that:

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

- a) The flint work shall be laid on site, not constructed of pre-made blocks
- b) The flints shall be laid in a lime mortar mix with slightly recessed pointing, the joints brushed, rubbed or bagged prior to hardening off to avoid a smooth finish
- c) The flints shall be random coursed and tightly packed to avoid excessive mortar proportions

Reason: In the interests of reinforcing the local character of the Area of Outstanding Natural Beauty through the use of traditional building techniques.

2.2 In addition to the above the plan condition (6) of 19/06577/MINAMD (which replaced the original plans condition when this non-material amendment was approved) stated that:

The development hereby permitted shall be built in accordance with plan numbers WDC1; 3013.PLN.101; 3013.PLN.102/A; 3013.PLN.103; 3013.PLN.104/B and 3013.PLN.105 as approved under planning permission 19/05909/FUL as amended by drawing number WDC1 approved under this application reference 19/06577/MINAMD; 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.

2.3 From when the application was submitted there have been changes to the scheme. These include

- Introduction of single window to en-suite (North Elevation & Floor Plan)
- Construction of single storey rear extension under permitted development (East Elevation)
- Correction to ridge detail of original roof. (introduction of apex roof and higher ridge to extension)
- Flint constructed by different method from that required by condition

2.4 The applicant has explained that the original details of the existing dwelling were not drawn accurately enough to order the correct size of steels. The dwelling was re-surveyed it was found that in order to build as per the footprint maintaining the general proportionality the ridge height over the extension needed to be raised. When this was discovered construction nevertheless continued.

2.5 With regards to the flint work the panels on the rear were completed first. The flint detailing on the front then followed.

2.5 The application is accompanied by photos of the finished flint work.



## 2.6 Site constraints:

- AONB
- North End Turville Conservation Area
- Open Countryside Beyond the Green Belt
- Parking Standards Zone C
- Corrected Elevation Plans were sought and received VLNE /04 rev.B

## 3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
19/05909/FUL	Householder application for demolition of conservatory and construction of two storey side/rear extension/annexe comprising of 2 bedrooms and living accommodation ancillary to main dwelling	PER	28.05.19
19/06577/MINAMD	Proposed non-material amendment to permission for application for demolition of conservatory and construction of two storey side/rear extension/annexe comprising of 2 bedrooms and living accommodation ancillary to main dwelling granted under householder planning ref: 19/05909/FUL	PER	26.07.19

## 4.0 Policy Considerations and Evaluation

### Development Plan Policies and Guidance:

#### **Wycombe District Local Plan (2019)**

CP1 (Sustainable Development)

CP10 (Green Infrastructure & the Natural Environment)

CP9 (Sense of place)

DM20 (The NPPF)

DM30 (Chilterns Area of Outstanding Natural Beauty)

DM32 (Landscape Character & Settlement Patterns)

DM33 (Managing Carbon Emissions, Transport and Energy Generation)

DM34 (Delivering Green Infrastructure and Biodiversity in Development)

DM35 (Place-making and Design Quality)

DM36 (Extensions & Alterations To Existing Dwellings)

DM44 (Development In The Countryside Outside Of The Green Belt)

#### **The Adopted Delivery & Site Allocations Plan for Town Centres and Managing Development (2013)**

DM1 (Presumption in favour of sustainable development)

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

DM14 (Biodiversity in development)

## **CSDPD**

CS17 (Environmental Assets)

### **OTHER**

Buckinghamshire County Parking Guidance

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

- 4.1 The principle of the extension was approved under application 19/05909/FUL.
- 4.2 There is no increase to the foot print of the development from that approved in 2019.
- 4.3 This application does not include the single storey rear extension that is shown on the plans. This was built under permitted development.

#### **Impact on Conservation Area**

- 4.4 Vine Lodge dates from the mid -1960's. It is located within the North End Turville Conservation Area.
- 4.5 Officers acknowledge the views and comments from the Conservation Officer and accept that flint work to the extension was not carried out in accordance with condition number 4 of planning permission 19/05909/FUL.
- 4.6 Flint set into regular pre-cast blocks has been used. This is contrary to the Chilterns Design Guide, because there is a higher ratio of mortar to flint. While the flints tend to have a regular pattern.
- 4.7 Although the existing flint work is less than ideal it is not so bad as to warrant refusing planning permission in this instance. The modern dwelling dates from the 1960's the extension and materials in this instance have added a degree of texture and interest to the property. As such officers are of the view that in this instance a refusal could not be sustained at appeal.
- 4.8 If the property had been a period dwelling with traditional hand set flint. The contrast with the work carried-out would have been noticeable and there would have been harm to the appearance of the Conservation Area.
- 4.9 It is also noted that the bricks are not an exact match. However, when viewed from the applicants drive and public realm the finish appears 'bright' within the conservation area as it is new. This will weather, blending in with the location.
- 4.10 Vine Lodge is brick built dwelling. The existing bricks have been weathered and have algae growth causing discolouration. As such in this instance it would very hard to find an identical match for a 1960s weathered brick. The applicant has explained that this was the most practical match they could find.
- 4.11 The new materials will weather and soften in appearance.
- 4.12 The approval included a half hip to the flank elevation of the side extension. The eaves of the extension continue to be set below those of the original dwelling. On the flank elevation there is a porch to the new 'back-door'.
- 4.13 The SPG guidance recommends that subservience can be achieved lowering the roof heights of extensions. However in this instance the extension remains set back from the original front elevation. There is articulation to the front elevation that retains a sense of

subservience. Although the roof of the extension is no longer set down, it is only marginally above the existing ridge.

- 4.14 Thus, it is concluded that the departure from the original plan and the subsequent retrospective application has not had a demonstrable and detrimental impact upon the 1960's dwelling.

#### **Impact on AONB**

- 4.15 The development as built does not have a detrimental impact upon the AONB and its special landscape.
- 4.16 The proposal being within the limits of an existing village would not harm the rural amenities of the open countryside.

#### **Impact on Character and Appearance of Dwelling**

- 4.17 The proposal remains subservient to the host dwelling.
- 4.18 The 2-storey side extension is set back from the front elevation of the original dwelling.
- 4.19 A new apex has been introduced to the roof to accommodate the higher ridge over the extension.
- 4.20 This remains in keeping with the property.
- 4.21 Therefore, for the above reasons the development is in accordance with policy and SPG.

#### **Impact on Street Scene**

- 4.22 Vine Lodge is set back from the public realm of the village by a private drive and a mature front boundary hedge.
- 4.23 The development as finished does not have a detrimental impact upon the public views across the village green and the public realm.

#### **Impact on Amenity**

- 4.24 The property is detached. The proposal would not have a detrimental impact upon neighbouring amenity.
- 4.25 The development has introduced two new first floor windows in both the north and south elevations. These windows serve bathrooms and have been finished with obscure glazing. It is reasonable to retain this glazing at all times. This will ensure the continued amenity of surrounding occupiers.

#### **Impact on Bio-diversity**

- 4.26 Policy DM34 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.
- 4.27 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.
- 4.28 In this case the extension would not have a negative impact upon biodiversity or green infrastructure and, given the limited scope of the proposal in comparison to that with extant permission, enhancement is not considered proportionate

#### **Impact on Transport and parking.**

- 4.29 There is ample parking on the existing front drive for the dwelling.

4.30 The proposal would not have a detrimental impact upon transport and parking.

## 5.0 Working with the applicant / agent

- 5.1 In accordance with 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.
- 5.2 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.
- 5.3 In this instance the LPA sought and received amended plans for the development as built
- 5.4 An extension of time was sought and agreed with the Applicant/ Agent.
- 5.5 The applicant was determined in accordance with LPA procedures and Members engagement.

## 6.0 Consideration of condition in respect of planning application 19/05909/FUL

1	This condition is no longer required. Application 19/05909/FUL has been implemented.
2	condition superseded by condition 6 on 19/06577/MINAMD, This condition would need to be reworded to reflect the new plans and re-imposed.
3	This condition is no longer required as the work has been completed.
4	This condition is no longer required as the work has been completed.
5	This condition is no longer required as the work has been completed.
	<b>NEW CONDITION</b> Notwithstanding any other details shown on the plans hereby approved, the window(s) and any other glazing to be inserted in the south elevation at first floor of the dwelling shall, up to a minimum height of 1.7 metres above finished floor level, be fixed shut (without any opening mechanism) and glazed in obscure glass. The window(s) shall thereafter be retained as such. Reason. In the interests of the amenity of neighbouring properties.

## 7.0 Recommendation: Approve

- 1 The development hereby permitted shall be maintained in accordance with the details contained in the planning application hereby approved and plan numbers VLEL 01 rev.A, VLEL 03 and VLNE 04 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

- 2 The bathroom window and any other glazing to be inserted in the south elevation at first floor of the dwelling shall, up to a minimum height of 1.7 metres above finished floor level, be fixed shut (without any opening mechanism) and glazed in obscure glass. The window(s) shall thereafter be retained as such.  
Reason: In the interests of the amenity of neighbouring property.

#### Informative

1. In accordance with 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 LPA sought and received amended plans for the development as built

An extension of time was sought and agreed with the Applicant/ Agent.

The applicant was determined in accordance with LPA procedures and Members engagement.

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

### Councillor Comments

#### **Cllr Mark Turner**

If planners are minded to approve, please can this be decided by planning committee. Northend is a conservation area and hand knapped flint is a condition in any building using flint. I believe this is a retrospective application for changes, already built, not to the original approved plans.

### Parish/Town Council Comments

#### **Turville Parish Council**

The parish council object to this application. The flint work that has been used are not traditional flints in-keeping with Northend Conservation Area and as recommended by the Chilterns Conservation Board Design guide, and were also not what were permitted as a condition in the original planning permission. If permitted this would set a worrying precedent that would damage the character of the AONB and Conservation Area that is so central to the Chilterns. The Ward Councillor has requested for the application be decided at Planning Committee should the Officer be minded to approve.

### Consultation Responses

#### **Conservation Officer**

The use of flint blocks is contrary to all advice we usually give for development within CAs & the AONB/Chilterns DG and directly contravenes condition 4 of the original consent. Contrary to the agents email, the flints are not knapped and the outline of the blocks are clearly visible.

The ridge of the extension is also higher than the original proposal and the bricks are not a good match.

I'm afraid I can't support this.

### Representations

#### **Chilterns Conservation Board**

It has been brought to my attention that an informal conversation I had with the applicant, Dr Gina Brown, on the above application to vary a planning condition may have been misinterpreted in support of the works that are currently under your consideration.

I am raising this because the interpretation currently presented appears to suggest a change of policy for the Chilterns Conservation Board, which is not the case. I emphasise that I do not hold any particular view on the application in question – I have not seen the details of the case and I am not familiar with the character of the Northend conservation area. As is our normal practice, CCB does not have the capacity to engage on individual householder applications and other small-scale schemes, and we rely on planning officers to make good use of our design guidance when balancing the issues in the consideration of such cases.

The statement that is of concern to me is contained in Dr Brown's supporting statement (listed on your system as "neighbour comment (support)"), as follows:

"Advice from Dr Matt Thomson of the Chilterns Conservation Board was also sought. He commended the amount of research and care that the owner was taking in terms of considering how the flint was used and also pointed out that over the ages, the nature and appearances of flint walls changed and varied tremendously - there is no set appearance that is wrong or right. It was agreed that using hand knapped flint hand laid onto backing

blocks was entirely in keeping with the aim of its use in Chilterns conservation areas. Therefore, the flint with hand pointing with lime mortar will achieve the result required.”

For complete clarity:

- I did commend the care and attention that Dr Brown was putting in to the design, and the concern she evidently had for maintaining the character of the conservation area and the Chilterns AONB.
- I did note the wide variety of different styles and forms of flint construction in the Chilterns – even within single villages – which is illustrated in CCB’s Design Guide and our technical note on the use of flint. I did not, however, state that no set appearance is wrong or right: clearly there are problematic uses of flint, and this is why so much attention is paid to its use in our guidance.
- I did emphasise the importance of using hand-knapped flint and lime mortar, but I did not state that using backing blocks would be “entirely in keeping” with the character of the Chilterns. Dr Brown’s view was that the result of using this technique would be indistinguishable from the traditional methods recommended in CCB’s guidance. I was very clear that, not being familiar with the technique being proposed, the building itself or the locality, I would not be in a position to comment as to whether it was appropriate in this case.
- I noted that, in principle, if the outcome was as authentic as was being claimed, then the specific requirement of our guidance (p.33 – “Do not use pre-cast flint blocks...”) might be interpreted flexibly, but I emphasised that this would be a matter for the relevant planning and conservation officers to consider.

It should be noted that the main purpose of the “Do not use pre-cast flint blocks” clause in our guidance is a reflection of the fact that manufactured flint panels do not tend to result in the appearance that our guidance seeks. In particular, such panels:

- often use machined flints, which have an artificially smooth surface;
- often use ordinary cement, rather than lime mortar, frequently with a greater proportion of pointing than flint;
- lay the flints in a more regular pattern than is typical of hand-laid flints (although there are some examples of very regularly laid flints in traditional walls in our guidance, so this is a matter for judgement in some locations); and
- tend to result in obviously regular blocks of panels of flint, often separated by wider bands of pointing, creating an artificial outward appearance.

A further rationale for the policy is that using pre-cast panels is not an authentic Chilterns construction method, and that by moving away from traditional construction methods, the overall character of the Chilterns, and the significance of a particular heritage asset, could be undermined.

It is clearly a matter for you, and any officers advising you on design or heritage, to come to a view on the extent to which Dr Brown’s current technique for applying flints to this particular development results in an outcome that is sufficiently consistent with CCB’s guidance and the character of the conservation area, balanced with the value of the authenticity that would be achieved by requiring traditional building methods in relation to this particular building.

The following objections to the application have been received:

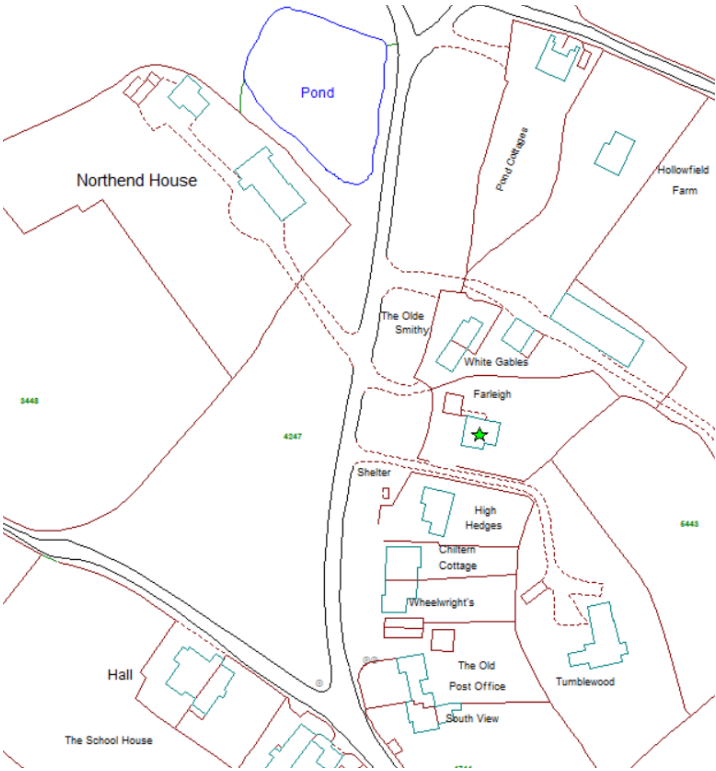
- This is out of keeping

- The development is contrary to policy
- This does not comply with the 2019 application
- The materials are not consistent with the Chilterns SPG
- Should have used traditional hand-set flints
- The extension is now dominate
- The LPA were wrong to approve the 2019 application
- Have the chimneys changed
  
- Trees could be removed (The site is within a Conservation Area, additional consent is would be required)  
 There is an extra side extension (On the west and east elevations there is a view of the porch in profile)  
 Window are UPVC and not painted wood (The windows used match the existing)  
 There is a rear extension (This was built under permitted development. It is not part of this application)

However, a number of representations have also been received raising no objections expressing the view it would cause unnecessary disruption for the work to be undone and put back to what was originally approved.



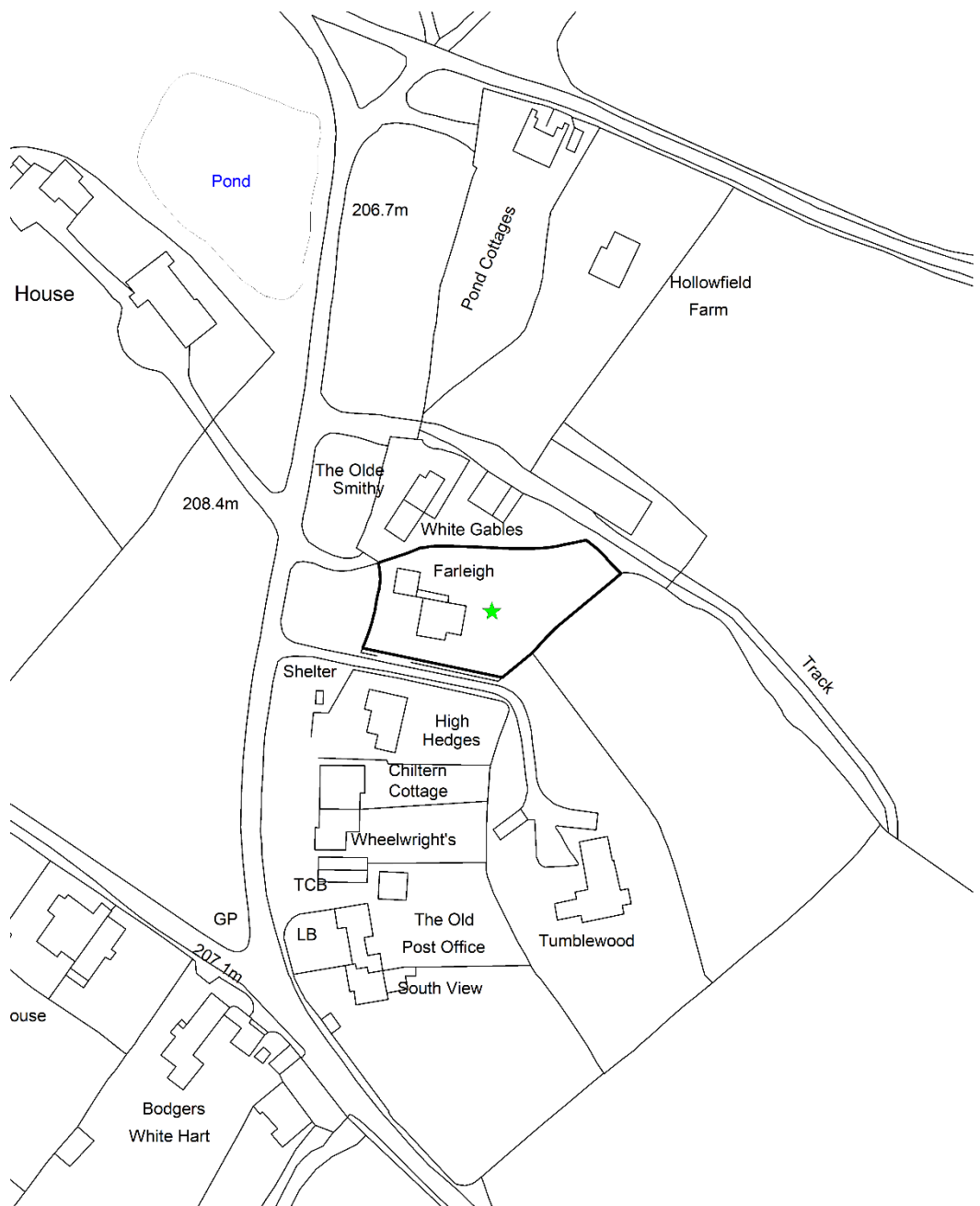
# APPENDIX B: Site Location Plan



★ Site (Vine Lodge)

# APPENDIX B: Site Location Plan

21/07220/VCDN  
Scale 1/1250



Planning Committee  
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Ordnance Survey 100062456



## Report to West Area Planning Committee

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<b>Application Number:</b>	21/07275/FUL
<b>Proposal:</b>	Erection of single storey infill extension to south, 4-storey extension to north and second floor side extension with alterations to building to provide 12 additional bedrooms, new main and level entrance, creation of rear and front garden with improvements to the external appearance of the building and associated works
<b>Site Location:</b>	London House 85 London Road High Wycombe Buckinghamshire HP11 1BN
<b>Applicant:</b>	Tenergy Developments Ltd
<b>Case Officer:</b>	Heather Smith
<b>Ward(s) affected:</b>	Ryemead & Micklefield
<b>Parish-Town Council:</b>	High Wycombe Town Unparished
<b>Date valid application received:</b>	5th August 2021
<b>Statutory determination date:</b>	30th September 2021

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

- 1.1 Full planning permission is sought for the erection of single storey single storey infill extension to south, 4-storey extension to north and second floor side extension with alterations to building to provide 12 additional bedrooms, new main and level entrance, creation of rear and front garden with improvements to the external appearance of the building and associated works.
- 1.2 The provision of additional residential accommodation is acceptable, in principle.
- 1.3 This proposal will not have an adverse effect upon the amenities of adjacent residential properties by way of loss of light, loss of privacy or increase noise and disturbance.
- 1.4 This proposal will have no adverse effect upon highway safety
- 1.5 This proposal will not be at risk from flooding and will not increase the risk of flooding elsewhere

- 1.6 However, the proposed reduction in on-site parking facilities, combined with an increased number of bedrooms, will result in pressure for existing on-street car parking spaces, to the detriment of existing residents in the locality.
- 1.7 This proposal is poorly designed and will result in detriment to future occupiers, by way of noise and disturbance, a poor outlook and a loss of privacy.
- 1.8 Cllr A Baughan has requested that this application be considered by the Planning Committee, due to the impact this proposal would have on neighbours privacy and daylight; the bulk and scale of the development and the lack of parking.
- 1.9 An appeal against the non-determination of this application has been lodged. Therefore, it is recommended that had the Local Planning Authority been in a position to determine this application, it would have been refused.

## **2.0 Description of Proposed Development**

- 2.1 London House is an existing 4 storey high, accommodation block, with 42 existing bedrooms. In accordance with information provided by the applicants, the property currently provides accommodation for students, with approximately 10% of rooms occupied by non-students.
- 2.2 This proposal seeks full planning permission to erect a four storey high side extension onto the northern elevation of the building, together with a single storey infill extension, at the lower ground floor level, to the south. The proposed extensions will facilitate an additional 12 bedrooms, internal alterations and a private amenity area to the rear. A total of 54 bedrooms will be provided.
- 2.3 The submitted plans show that 6 new bedrooms will be provided on the lower ground floor; 1 additional bedroom on the ground floor; 1 additional bedroom on the first floor and 4 new bedrooms on the second floor.
- 2.4 The submitted plans show that the proposed extensions will require the removal of all of the 8 off street car parking spaces from the property and provide only one space for a disabled driver, together with cycle storage provision.
- 2.5 A similar planning application was refused planning permission, under delegated powers, in March 2021. The grounds of refusal were as follows:

In the opinion of the Local Planning Authority, the quality of the overall layout of this proposal results in a poor form of development. This would have a detrimental impact upon the future living environment for its occupiers. It would result in a substandard living arrangement for those future occupiers due to a lack of, or poor outlook, a lack of privacy and increased noise and disturbance by other residents. As such, this proposal would be contrary to Policy DM35 (Placemaking and Design Quality) of the adopted Wycombe District Local Plan (August 2019) and the Residential Design Guidance (June 2017).

In the opinion of the Local Planning Authority, this proposal would result in the unacceptable loss of off street car parking spaces, which would lead to an increased demand for limited, unrestricted on street parking elsewhere. This increase in demand for on-street car parking would be detrimental to the existing amenities of local residents in the area, who rely on the unrestricted areas of parking. As such, this proposal is contrary to Policies DM33 (Managing Carbon Emissions: Transport and Energy Generation) and DM35 (Placemaking and Design Quality) of the adopted Wycombe District Local Plan (2019).

Insufficient information has been provided to demonstrate that this proposal will not increase the risk of flooding on site and elsewhere. As such, this proposal is contrary to Policy DM39 (Managing Flood Risk and Sustainable Drainage Systems) and to paragraph 165 of the National Planning Policy Framework.

2.6 The current application, again proposes a similar form of extension, together with the removal of all off street car parking from the site. However, this current scheme differs in that the layout of accommodation has been amended; a revised surface water drainage scheme has been prepared and the use of the development will be restricted to student accommodation only.

2.7 The application is accompanied by :

- a) Design and Access Statement
- b) Planning Statement
- c) Transport Assessment,
- d) Daylight and Sunlight Assessments
- e) Energy Report
- f) Surface Water Drainage Scheme and FRA
- g) Ecology and Trees Checklist.

2.8 Amended plans have been received to address the potential of overlooking into adjacent properties; and to overcome objections from the LLFA regarding surface water drainage.

### 3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
11/07337/FUL	Change of use from offices to house of multiple occupancy providing 42 no. en-suite bedrooms, 6 no. communal kitchens, 1 no. communal common room, laundry, cycle store, bin store, 9 no. parking spaces and associated external alterations	PEOBL	29 June 2012
13/06394/FUL	Change of use from offices to house of multiple occupancy providing 50 en-suite student bedrooms, 7 communal kitchens, 1 communal common room, laundry, cycle store, bin store, 1 Disabled Parking space and associated external alterations with provision of a new garden (alternative scheme to that permitted under 11/07337/FUL)	REF	4 October 2013
15/06275/VCDN	Variation of condition 10 attached to PP 11/07337/FUL (Change of use from offices to	PER	3 July 2015

	house of multiple occupancy providing 42 no. en-suite bedrooms, 6 no. communal kitchens, 1 no. communal common room, laundry, cycle store, bin store, 9 no. parking spaces and associated external alterations) to allow for increased 'summer lets'		
17/08151/VCDN	Application for removal of condition 10 (occupation restrictions) attached to PP 11/07337/FUL (Change of use from offices to house of multiple occupancy providing 42 no. en-suite bedrooms, 6 no. communal kitchens, 1 no. communal common room, laundry, cycle store, bin store, 9 no. parking spaces and associated external alterations)	PER	26 February 2018
20/06957/FUL	Erection of single storey infill extension to south, 4-storey extension to north with alterations to building to provide 12 additional bedrooms, new main and level entrance, creation of rear garden with improvements to the external appearance of the building and associated works	REF	9 March 2021

#### 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 WDLP Spatial Strategy directs development to sustainable locations in terms of both environmental constraints and access to employment, shops and services etc. without placing reliance on the private car.

4.2 This site is located within a higher tier sustainable settlement, where many forms of new development are acceptable in principle. The principle of development is acceptable subject to compliance with 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) relevant policies & SPD)

4.3 This proposal falls outside the Council's requirements for affordable housing as it is considered to be "other residential development".

4.4 The proposed intensification of the use is acceptable in principle given the mixed character of the area and the existing use of the building.

#### **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).

4.5 The Highway Authority commented upon a previous application at this site (20/06957/FUL) dated 28<sup>th</sup> August 2020. The application proposed extensions to provide an additional 12(no) bedrooms. The comments from the Highway Authority ultimately had no objections to the proposal.

4.6 After assessing the proposed plans for the current application, it is noted that the quantum of development is the same when compared to the previous application, as 12(no) additional bedrooms are proposed, and the parking provision of the site is reduced to 1(no) disabled bay. Mindful of this, the Highways Authority wish to re-iterate their previous comments.

4.7 It is noted that in previous responses to applications on this site, the Highway Authority considered a shortfall in parking spaces acceptable in consideration of the location of the site and the consequent access to good levels of reliable and frequently scheduled public transport options, in addition to the plethora of waiting restrictions in force on the local network.

4.8 The site is in a sustainable location from a transport perspective. High Wycombe train station is in close proximity to the site, there are multiple bus stops along London Road in the sites vicinity and there are many local amenities within suitable walking distance. A site in a sustainable location reduces the need for residents to own and subsequently park a car. Furthermore, it is recognised that car ownership amongst students is likely to be low.

4.9 Additionally, the parking restrictions and permit parking times implemented along Queen's Road are not synonymous to that of a street with dangerous parking. Double yellow lines prevent parking close to the junction with London Road as well as on the inside of the bend in the road. Similarly, the parking permit bays have restricted times of 9am - 6pm between Monday and Saturday and appear to be in place to deter commuters from parking in these bays. The on-street parking bays are also available for one hour on a pay-and-display basis. Finally, London Road (A40) has double yellow lines on both side of the carriageway, eliminating the possibility of on-street parking. Given the plethora of waiting restrictions in force on the network, there are few options for parking in a location which could be considered dangerous.

4.10 Mindful of the above, the Highway Authority raises no objections and in this instance no conditions to include on any planning consent that you may grant.

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

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality)

DSA: DM11 (Green networks and infrastructure), DM16 (Open space in new development)  
Housing intensification SPD.

- 4.11 The proposed extensions have been designed to reflect the scale and appearance of the existing 4 storey building. As such, it is considered that they will have no adverse effect upon the character of the surrounding area.
- 4.12 The proposed re-location of the main entrance onto the south eastern elevation and the fenestration alterations will create a more active frontage for this building on both the London Road and Queens Road frontages. This is a welcome improvement upon the existing frontage.
- 4.13 On balance, this proposal will have no adverse effect upon the character of the surrounding area or the visual amenity 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.

- 4.14 The applicant has provided details which demonstrate that the proposed additional bedrooms and facilities will comply with the minimum size standards, as set out in the Council's adopted standards for Housing in Multiple Occupation. Furthermore, the applicant has also provided details which demonstrates that the additional habitable accommodation now proposed will receive the minimum levels of daylight and sunlight considered to be acceptable.
- 4.15 However, as with the previous proposal, the proposed additional 6 bedrooms on the lower ground floor level will be sited approximately 3 metres from the existing boundary fencing, which rises to between 2 and 3 metres above the ground level of the application site. Although the submitted plans show that the proposed bedrooms will look out onto a communal amenity area, the proximity of a 3 metre high boundary fence, to the north east of the accommodation, together with the 4 storey side extensions will severely restrict the outlook to the habitable rooms.
- 4.16 The applicant has provided evidence that the minimal level of daylight/sunlight can enter each new bedroom proposed. However, again, the outlook from each bedroom remains limited.
- 4.17 The submitted plans show that the proposed lower ground floor amenity space will be a communal area. Therefore, the occupants of the proposed rooms on this level will be overlooked and potentially disturbed by anyone using the amenity space. The applicant has previously argued that this is a common relationship often found in student accommodation and that the Council has granted planning permission for similar scheme elsewhere in its area, in 2013 and 2014. The applicant has also confirmed that the proposed lower ground floor will only be used for student accommodation.
- 4.18 However, even if the proposed lower ground floor was only to be used as student accommodation, these new bedrooms would still be overlooked by the communal open space, resulting in a lack of privacy and noise and disturbance to the occupants. This, coupled with the poor quality of the proposed outlook would render the new bedrooms as unattractive spaces in which to live and work. The fact that the occupants may be students does not justify a poor standard of accommodation.



- 4.19 With regard to the amenities of the existing adjacent residents, concern has been raised by an adjacent resident that the proposed development will result in an unacceptable loss of light and privacy to the neighbouring property, together with an increase in noise and disturbance from students.
- 4.20 With regard to an increase in noise and disturbance, it is not considered that the addition of a further 12 bedrooms would generate any significant rise in the levels of noise and disturbance, than the existing facility. In the event that anti-social noise does arise, this matter would be controlled by the Council's Environmental Services.
- 4.21 In terms of light, the proposed extensions comply with the Council's light angle guidance and therefore will not result in any significant loss of light to adjacent residents at No 83 London Road.
- 4.22 The submitted plans do show that habitable room windows are to be installed in the return elevations of the proposed side extensions. However, these windows will be installed at an angle to as to minimise any direct overlooking into the rear of the adjacent property.
- 4.23 However, it is considered that the removal of all car parking provision from the application site (except for 1 disabled space) will result in the increased demand for on-street car parking in the locality.
- 4.24 At present, there are 8 off street car parking spaces and 1 disabled space within the application site. The applicant has identified the provision of bus routes in close proximity to the application site and their links to Wycombe BR train station and surrounding towns. The applicant states that the level of displaced parking would be very low in this instance. The applicant has also stated that the whole building as enlarged would be restricted to student accommodation only. The applicant has suggested that a condition could be imposed preventing student occupants from having a car or the applicant would be willing to enter into a legal agreement, if required.
- 4.25 Despite the applicants willingness to prevent future occupants from owning a car and restricting the use to student accommodation only, concern remains regarding the removal of all of the parking provision (except 1 disabled space) from the site. The recent planning history of the application site reveals the struggles that Buckinghamshire University have experienced in letting out the majority of the current rooms available.
- 4.26 In less than two years following the original planning permission to allow the change of use of the property to student accommodation, the applicant was seeking a relaxation to the planning condition which restricted the occupation of the building to students only. Later in 2017, the applicant successfully sought permission to remove the restrictive occupancy condition completely (Ref 17/08151/VCDN). In their justification for such a request the applicant stated:
- "The current student enrolments at Bucks University, which is much lower than previous years has a massive impact to the student occupancy rates at London House. This year's occupancy rate is at 65%, way below the 90%+ rate we have over the past few years. The large number of empty rooms is an inefficient use of the building and is also impacting the financial viability of our business. We wish to also be able to let to non-students."
- 4.27 This current application provides no evidence that the numbers of students has dramatically risen, since 2017, and that there is now insufficient accommodation

available for enrolled students. Neither is there any evidence that either the existing or enlarged accommodation block will be occupied with students at a rate of 90%+. Furthermore, the proposal to use the whole of the enlarged building has only come about during this current application. No such mention was of the premises being solely occupied by students made in the previous application, for a similar development Ref 20/06957/FUL).

- 4.28 It is therefore reasonable to assume that the existing accommodation block is unlikely to be fully occupied by students. If such a scenario were to be permitted, it is also likely that the Local Planning Authority would be under pressure to allow non-students to reside at the property, or leave a large building unused. As seen above, this argument has been used successfully in the recent past.
- 4.29 Although it would be possible to restrict the occupation of the whole premises to students use, it would be difficult to ensure that none of them owned a car. – either by way of a condition or a legal agreement. Neither the University nor the Local Planning authority could effectively prevent a future student from owning a car and parking it on a public highway close by. Given the lack of unrestricted parking nearby, either the next available on street spaces or the on-site disabled space would be used for parking purposes. This would result in detriment to local residents who rely on the unrestricted spaces in the locality to park their existing vehicles.
- 4.30 On balance, it is considered that the total removal of all parking from such a large building remains unacceptable. It would render the building being incapable of being occupied by anything other than students, and recent history shows how unlikely such a scenario is. Any alternative use would require a degree of off street car parking, or users of the building would find space nearby, in unrestricted streets. Similarly there is now way either the applicant or the Local planning authority could effectively ban all students from owning a car.

### **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) List relevant policies & SPD

- 4.31 Noise readings have been taken alongside the London Road, and levels have shown that the site falls within an area exposed to traffic noise.
- 4.32 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 the London Road will need to include acoustic glazing and mechanical ventilation. A planning condition should be imposed that that effect.
- 4.33 The application site lies within an identified Air Quality Management Area. In accordance with the Council's adopted SPD on Air Quality mitigation measures should be provided to reduce air pollution, together with an Air Quality Report for major applications.
- 4.34 In this instance, no air quality report has been provided. However, the provision of Additional cycle facilities and the removal of parking provision from the site could help to mitigate air pollution in the area.

- 4.35 Policy DM33 of the adopted Local Plan requires that new development incorporates renewable technologies within a proposed scheme. The applicant has submitted an energy report in support of this application
- 4.36 The submitted energy report states that the proposed extensions will provide a 2.2% reduction in emission rate over the calculated Target Emissions Rate (building Regulation L2A). This reduction is met by a combination of a thermal envelope and servicing strategy and the use of a community heating system. Given this reduction, no new renewable technologies are to be provided.
- 4.37 Although, this proposal does not provide renewable technologies, in line with Policy DM33, it will result in an overall 2.2% reduction in emissions.

### **Flooding and drainage**

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

- 4.38 The application site is not situated within a flood risk area 2 or 3.
- 4.39 The applicant has provided a surface water drainage scheme in support of this application. Following amendments to the submitted scheme, the Local Lead Flood Authority is now satisfied that the proposed scheme is acceptable, in principle. A further detailed SuDS would need to be submitted and approved, in the event that planning permission is granted for this development. A pre-commencement planning condition would be required to this effect.

### **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).

- 4.40 The building, as converted, is less than 10 years old and it is unlikely to have features suitable to bats.
- 4.41 There is a requirement under policy DM34 to achieve a net gain in biodiversity. It is proposed that this will be achieved through the creation of a lower ground floor garden. As there is very little of ecological value on site at the moment, it is likely that the inclusion of a garden can achieve a biodiversity net gain. A planning condition should be imposed on any subsequent permission to ensure that the landscape/ecological enhancement measures are provided and retained. It would also be possible to provide nesting facilities for birds within the site.

### **Building sustainability**

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

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

## **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 fail to accord with development plan policies.
- 5.4 In line with the Public Sector Equality Duty the LPA must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation)
- 5.5 The application provides for a development comprising of the Erection of single storey infill extension to south, 4-storey extension to north and second floor side extension with alterations to building to provide 12 additional bedrooms, new main and level entrance, creation of rear and front garden with improvements to the external appearance of the building and associated works. The development would occur at an existing student/residential accommodation block and no discrimination or inequality would arise from the proposal.
- 5.6 The Human Rights Act 1998 Article 1 the protection of property and the peaceful enjoyment of possessions and Article 8 the right to respect for private and family life, have been taken into account in considering any impact of the development on residential amenity and the measures to avoid and mitigate impacts. It is not considered that the development would infringe these rights.

## **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.
  - In this instance, the applicant/agent was provided with pre-application advice. The applicant/agent was updated of any issues after the initial site visit and was informed of the Council's continuing objection to the loss of parking on the application site.

However, the applicant/agent was invited to submit amendments to the development proposal with regard to the amenities of adjacent residents and flooding. The applicant/agent complied and these elements of the development proposal were resolved.

The applicant was informed/ advised how the proposal did not accord with the development plan, that no material considerations are apparent to outweigh these matters.

## **7.0 Recommendation: Minded to Refuse**

7.1 Had the Local Planning Authority been in a position to determine this application, it would have **refused planning permission**, for the following reasons:

1. In the opinion of the Local Planning Authority, the quality of the overall layout of this proposal results in a poor form of development. This would have a detrimental impact upon the future living environment for its occupiers. It would result in a substandard living arrangement for those future occupiers due to a lack of, or poor outlook, a lack of privacy and increased noise and disturbance by other residents. As such, this proposal would be contrary to Policy DM35 (Placemaking and Design Quality) of the adopted Wycombe District Local Plan (August 2019) and the Residential Design Guidance (June 2017).
2. In the opinion of the Local Planning Authority, this proposal would result in the unacceptable loss of off street car parking spaces, which would lead to an increased demand for limited, unrestricted on street parking elsewhere. This increase in demand for on-street car parking would be detrimental to the existing amenities of local residents in the area, who rely on the unrestricted areas of parking. As such, this proposal is contrary to Policies DM33 (Managing Carbon Emissions: Transport and Energy Generation) and DM35 (Placemaking and Design Quality) of the adopted Wycombe District Local Plan (2019).

Informative.

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 provided with pre-application advice. The applicant/agent was updated of any issues after the initial site visit and was informed of the Council's continuing objection to the loss of parking on the application site. However, the applicant/agent was invited to submit amendments to the development proposal with regard to the amenities of adjacent residents and flooding. The applicant/agent complied and these elements of the development proposal were resolved.

The applicant was informed/ advised how the proposal did not accord with the development plan, that no material considerations are apparent to outweigh these matters

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

### Councillor Comments

#### **Cllr Baughan:**

I have been contacted by a local resident who is concerned about this application. While I note the Applicant is aiming to improve the external appearance of the property, I am also concerned about the effect on neighbours' privacy and daylight, the bulk and scale of the property as proposed and the lack of parking. The London Road A40 is the main route in and out of Wycombe and although the property is on a bus route or an easy walk into town, students in the proposed extended facilities would be having visitors, deliveries, and obviously may well want to have their own car with them. Parking and air quality are issues that are of concern to local residents. I do feel this application would benefit from being discussed by the Planning Committee.

### Consultation Responses

Highway Authority: No objections

Environmental Services: No Objections, subject to conditions regarding noise attenuation.

Environment Agency: None received

Local Lead Flood Authority: No objection subject to conditions

### Representations

Objections have been received from local residents on the following grounds:

- Overdevelopment
- Loss of light
- Loss of privacy
- Loss of parking
- Inadequate off street car parking in locality

# APPENDIX B: Site Location Plan

21/07275/FUL  
Scale 1/1250



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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>	21/07893/FUL
<b>Proposal:</b>	Demolition of existing dwelling and construction of 1 x 5-bed replacement dwelling
<b>Site Location:</b>	50 Fennels Way Flackwell Heath Buckinghamshire HP10 9BY
<b>Applicant:</b>	Mr and Mrs Raj Sharma
<b>Case Officer:</b>	Victoria Burdett
<b>Ward(s) affected:</b>	Flackwell Heath, Little Marlow & SE
<b>Parish-Town Council:</b>	Chepping Wycombe Parish Council
<b>Date valid application received:</b>	29th September 2021
<b>Statutory determination date:</b>	24th November 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 the existing dwelling and construction of 1 x 5 bed replacement dwelling.
- 1.2 The proposed development is not considered to have an 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 be at risk from flooding, or increase 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.
- 1.3 This application has been referred to the Planning Committee at the request of Cllr Johncock due to the proposed design of the development and its impact on the street scene and on the amenities of neighbouring properties and highway impacts.
- 1.4 Amended plans were received during the course of the application, which provided clarity to the proposed floor plan layout of the second floor. No other parts of the scheme were amended.
- 1.5 In light of the above, the proposed development 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 dwelling at No. 50 Fennels Way, and for the construction of a new two storey dwelling with accommodation incorporated into the roof space. The roof space accommodation would be served by dormers and roof lights.
- 2.2 The existing dwelling consists of a large, detached building finished in white render with a gabled roof. The dwelling incorporates a full two storey side gable with the rest of the dwelling comprising of a chalet-style, with accommodation incorporated into the roof space.
- 2.3 The dwelling sits in between a detached chalet-style bungalow and a detached two storey dwelling. The site benefits from a large rear garden which occupies a detached summer house, and a large front driveway.
- 2.4 The application is accompanied by:
  - a) Design and Access Statement
  - b) Ecology and Tree Checklist
  - c) Ecology Report
  - d) Ecology Survey
  - e) SuDs and Waste Statement
- 2.5 Amended plans have been received to correct a mislabelling of a second floor habitable room. No other changes were made.

## 3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
1/05530/RCDN	Conversion of garage to habitable room (removal of Condition No3 from Permission W/87/5490)	PER	17 May 1991

## 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 the settlement boundary of Flackwell Heath, whereby replacement dwellings are acceptable in principle, subject to complying 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)

4.2 This application falls below the Council's threshold for affordable housing.

4.3 A replacement dwelling in this location would be consistent with the housing mix within the area.

**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)

4.4 The Highway Authority has been consulted as part of this application and has made the following comments:

4.5 "Fennels Way is a privately maintained highway that gains access onto the public highway at the junction between Fennels Way and Swains Lane. The road does not benefit from pedestrian footways or street lighting.

4.6 The application proposes the demolition of the existing dwelling and construction of replacement 5(no) bed replacement dwelling. Having assessed the proposals, I do not consider the application to result in a significant increase in trip movements associated with the site. I therefore have no objections to the continued use of the access point onto the publicly maintained highway at Swains Lane.

4.7 When assessed using the Buckinghamshire Countywide Parking Guidance policy document, the proposed development will require 3(no) parking spaces within the curtilage. Mindful of the space demonstrated within the application site, and the location of the application site remote from the publicly maintained highway, I have no objections to the proposed parking provision of the site.

4.8 Mindful of the above, I have no objections to the proposed development subject to the following condition".

4.9 As such, the Highways Officer has raised no objections subject to a condition to secure the parking layout prior to the initial occupation of the replacement dwelling.

**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)

4.10 The proposed development would be located on the north-eastern side of Fennels Way. The proposed development would be constructed in a similar position to the existing, which retains a significant distance to the front boundary of the site whilst still benefitting from a large application plot.

4.11 The proposed replacement dwelling would comprise of a two storey detached building with accommodation incorporated in the roof space. The proposed dwelling would have a ridge height of approx. 8.8m incorporating a crown roof with front gable projections.

4.12 The street scene of Fennels Way is made up of a mixture of bungalows, chalet-style bungalows, two storey dwellings and two storey dwellings with accommodation in the roof space. Properties are inconsistent and of mixed designs. The demolition of the existing dwelling and the construction of a replacement two storey building with accommodation in the roof space is therefore considered to be acceptable in this location.

- 4.13 Whilst it is accepted that the overall scale of the dwelling would be bigger, it would still incorporate traditional architectural features which are recognised within the locality. The dwelling would continue to retain appropriate distances to the sites respective boundaries; retaining a large garden area and front driveway and therefore is not considered to result in a cramped form of development. The proposed dwelling is therefore not considered to appear at odds with the character and appearance of the area.
- 4.14 No details of materials have been submitted with the application and it will therefore be necessary to secure these via a planning condition.

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

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

- 4.15 The proposed development is considered to achieve more than adequate internal accommodation and external amenity space.
- 4.16 The proposed replacement dwelling would sit within a large plot, located in between Nos. 48 and 52 Fennels Way. The two storey element of the proposed dwelling would not extend beyond the front or rear elevations of either neighbouring property. A single storey rear element is proposed as part of the replacement dwelling, which would extend past the rear elevation of No. 52 by approx. 1.6m. Given the positioning of the dwelling, the development would not conflict with any right for light angles and therefore would not result in any significant loss of light for neighbouring properties.
- 4.17 Two first-floor windows are proposed within the flank elevations of the replacement dwelling, which would serve en suite bathrooms. Given the nature of these rooms, it is considered appropriate to condition them to be obscurely glazed.
- 4.18 A total of four roof lights are also proposed (two in each roof slope) which would serve bedroom 5, a walk-in wardrobe, a bathroom and the media room. Given the positioning of the dwelling, the proposed roof lights would not look out onto any private amenity areas of neighbouring properties. However, the height and positioning of the roof lights would allow for a direct view of neighbouring properties. The roof lights would comprise of secondary windows to the aforementioned rooms, and therefore it is considered necessary and appropriate to condition them to be obscurely glazed and fixed shut to prevent any direct overlooking or loss of privacy to neighbouring properties. Future occupiers of the development would benefit from ventilation, light and natural air flow from the proposed front and rear facing dormer windows.
- 4.19 The proposed dwelling would be constructed in a similar position to the existing and would be of a size and scale which is similar to No. 48. The dwelling would be higher than the existing; by approx. 2.4m, however the height would not be at odds with others in the vicinity and overall not considered to result in any overbearing impacts for neighbouring properties.
- 4.20 As such, 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)

- 4.21 The proposed development will require the installation of one electrical charging point which will be conditioned accordingly.

### **Flooding and drainage**

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

- 4.22 The application site is located within Flood Zone 1, but within a high surface water area. This is due to the absence of permeable materials used within hard surfacing, poor infiltration levels and the absence of water harvesting opportunities within the site.
- 4.23 It is proposed as part of the development to introduce appropriate materials as part of the wider landscaping of the site, which includes permeable materials within the driveway and patio area. A landscaping scheme has not been submitted with the application, and therefore this will be sought by condition whereby the proposed materials will need to be permeable.
- 4.24 In addition, any rainwater collected from the roof area of the dwelling would be collected into drainpipes and re-directed into a soakaway and a 280 litre harvesting tank located within the rear garden.
- 4.25 The proposed development therefore is not considered to be at risk of flooding, or increase flooding elsewhere.

### **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 enhancement of sites, habitats and species of biodiversity and geodiversity importance) [Sensitivity of landscape; landscape character; landscape and visual impact assessment; mitigation of impact]

- 4.26 As aforementioned above, a landscaping scheme will be sought by condition. In addition, the Council's Tree Officer has been consulted who has raised no objections subject to a condition for the protection of TPO'd woodland abutting the site to the rear.

### **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]

- 4.27 An Ecological Appraisal has been carried out and submitted with the application. The host dwelling provides moderate potential for roosting bats due to the clay hung tile on the front and rear dormer windows. Presence/likely absence surveys were therefore required.
- 4.28 These surveys were carried out on 17/08/2021 and 31/08/2021. The surveys have shown a likely absence of bats using the building and general activity was recorded in the surrounds. It has therefore been recommended that no further surveys are required, subject to the works being carried out in the next 12 months. Thereafter a material change check will be required, which will include a dusk or dawn survey. However, the information submitted is based upon an up-to-date ecology report which concludes that no harm would arise from the proposed development. As such, a

condition in this instance would not be expedient. An informative will be added to advise the Applicant of their statutory obligations concerning protect species.

4.29 Table 7 of the submitted Ecology Report makes suggestions for biodiversity enhancements including bat boxes and mitigation of lighting. These requirements will be conditioned accordingly.

#### **Building sustainability**

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

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

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

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

DSA: DM19 (Infrastructure and delivery)

4.31 The development is a type of development where CIL would not 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 relevant development plan policies.

5.4 In line with the Public Sector Equality Duty the LPA must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

5.5 The application provides for a development comprising the demolition of the existing dwelling and construction of a replacement dwelling. The dwelling would be accessible to those with and without the relevant protected characteristics stated above and no discrimination or inequality would arise from the proposal.

5.6 The Human Rights Act 1998 Article 1 the protection of property and the peaceful enjoyment of possessions and Article 8 the right to respect for private and family life, have been taken into account in considering any impact of the development on

residential amenity and the measures to avoid and mitigate impacts. It is not considered that the development would infringe these rights.

## **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 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 A101 + A102 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. No development shall take place before a fully detailed landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

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

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 the occupation of the development hereby permitted, one electric vehicle charging point with a minimum rating of 32amp must be installed in a location suitable to its use.

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.

8. 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.

9. Before the first occupation of the dwelling hereby permitted the first-floor windows within the flank elevations 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.

10. Before the first occupation of the dwelling hereby permitted the roof lights within the flank roof slopes shall be fitted with obscured glazing and shall be fixed shut. The roof lights shall be permanently retained in that condition thereafter.

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

11. No further windows, doors or openings of any kind shall be inserted in the flank elevations of the development hereby permitted without the prior, express planning permission of the Local Planning Authority.

Reason: To safeguard the privacy of occupiers of the adjoining properties.

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

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

14. Details of cycle and bin storage facilities shall be provided prior to the commencement of development and thereafter the facilities shall be permanently retained, unless otherwise first agreed in writing by the Local Planning Authority.



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

15. The single storey flat roof area of the development hereby approved shall not be used as a balcony, sitting-out or amenity area.

Reason: To preserve the privacy and amenities of adjoining properties.

16. Protective measures shall be implemented in accordance with British Standard 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) before any site clearance works or development commence, and before any machinery or equipment has been allowed on site.

The root protection area of off-site, protected trees shall remain undisturbed during the course of the works, and in these areas:

- a) there shall be no changes in ground levels,
- b) no materials or plant shall be stored,
- c) no buildings or temporary buildings shall be erected or stationed,
- d) no materials or waste shall be burnt; and,
- e) no drain runs, trenches or other excavation shall be dug or otherwise created, without the prior written approval of the Local Planning Authority.

Reason: To ensure trees and hedges to be retained are adequately protected from damage during the execution of the works hereby permitted, in the interests of visual amenity.

17. The recommendations set out in the submitted Emergency and Activity Bat Survey (Section 4.3) shall be implemented prior to the dwelling being brought into use, in accordance with the details submitted in that document and retained thereafter for the lifetime of the development, unless the local planning authority first agrees in writing.

Reason: In order to ensure a biodiversity net gain is achieved from the development.

18. The dwelling hereby permitted shall not be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the development does not increase the risk of flooding elsewhere.

#### 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 address issues.
  - The application was determined without delay.
2. 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.

3. 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.

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

### Councillor Comments

#### **Councillor Johncock:**

“As you will be aware, there is a lot of concern about this proposal. In an attempt to summarise the main concerns; the general view is that the physical size, bulk and massing are excessive for a property in this particular location, and it would dominate the bungalow next door. Consequently, it would result in an overdevelopment of the site and would be out of character in the street scene. There are a total of seven bedrooms on the plans thereby potentially adding significantly to the traffic and thereby having a further negative impact on the dangerous junction of Fennels way and Swains Lane. There are also concerns about overlooking especially given that this property would be 3 storeys. Clearly, I would wish to raise these points at the committee meeting should the Chairman allow the call-in”.

### Parish/Town Council Comments

#### **Chepping Wycombe Parish Council:**

“CWPC strongly objects to this planning application. Its physical size, bulk and massing are excessive for a property in this particular location, and it would dominate the bungalow next door. Consequently, it would result in an overdevelopment of the site which would look out of character in the street scene. There are a total of seven bedrooms on the plans (not the 5 stated in the title), thereby adding significantly to the traffic and thereby having a further negative impact on the dangerous junction of Fennels Way and Swains Lane”.

### Consultation Responses

#### Environmental Health

“As per the air quality SPD, one electric vehicle charging point with a minimum rating of 32 amp must be provided prior to the occupation of the development.

Recommendation (with conditions if appropriate):

Objection, unless following conditions imposed;

Condition - Electric Vehicle Charging Points

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

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.

Construction/Demolition Noise

#### INFORMATIVE

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”.

### Tree Officer

“Checklist and aerial photographs appear to indicate that the proposal is away from retained/off-site trees. Subject to the case officers site visit, the following condition may be useful to ensure that there are no construction-related activities within the RPA of the TPO'd woodland abutting the site.

Protective measures shall be implemented in accordance with British Standard 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) before any site clearance works or development commence, and before any machinery or equipment has been allowed on site.

The root protection area of off-site, protected trees shall remain undisturbed during the course of the works, and in these areas:

1. there shall be no changes in ground levels,
2. no materials or plant shall be stored,
3. no buildings or temporary buildings shall be erected or stationed,
4. no materials or waste shall be burnt; and,
5. no drain runs, trenches or other excavation shall be dug or otherwise created, without the prior written approval of the Local Planning Authority.

Reason: To ensure trees and hedges to be retained are adequately protected from damage during the execution of the works hereby permitted, in the interests of visual amenity”.

### Ecology Officer

“DOCUMENT REFERENCES:

Emergence and Activity Bat Survey (CherryField Ecology, 1st October 2021)

COMMENTS:

A preliminary roost assessment report has not been provided.

The Emergence and Activity Bat Survey report states that there was no evidence of bats present during the two surveys in August.

A minimum of one bat box biodiversity enhancement have been provided within the recommendations section table 7 of the report.

RECOMMENDATIONS:

As a preliminary roost assessment report has not been provided, the existing building roosting suitability cannot be concluded and in accordance with Bat Surveys for Professional Ecologists: Good Practice Guidelines (Bat Conservation Trust, 3rd Edition), it is unsure that two surveys are appropriate for these proposals to identify the potential for roosting bats. Therefore this report is required under Article 4 of the Town and Country (Planning Applications) Regulations 1988 (SI1988.1812) (S3) and to meet to requirements of the National Planning Policy Framework (2019), ODPM Circular 06/2005 or the Conservation of Habitats and Species Regulations 2017, to fully assess any potential impacts to protected species.

Alongside the integrated bat box described within the report further biodiversity enhancement features are also required. In line with recognised good practice and government policy on biodiversity and sustainability, all practical opportunities should be taken to harmonise the built development with the needs of wildlife. In this instance it is appropriate for the following provisions for wildlife to be built into the development:

- Birds – 1 bird box integrated into the building on a northerly aspect/orientation (north, north-east and north-west). Example specification includes the Schwegler Brick Box Type 24, Woodstone Sparrow Nest Box or an equivalent suitable for tits, sparrows or starlings. The boxes should be located between two to four metres high, ideally at the gable apex or at eaves. The box can be installed flush with the outside wall and can be rendered or covered so that only the entrance hole is visible.
- Bees - 1 bee brick integrated into the development, either built into a wall or building (as shown below sourced by Green&Blue). Bricks should be positioned at a minimum height of 1m, with no vegetation obstructing the holes, on a southerly aspect/orientation (south, south-east and south-west).
- Hedgehog- Boundaries and barriers within and surrounding the development, including fencing, railing and gates need to be made permeable to hedgehogs through the provision of 'Hedgehog Highways'. Hedgehog holes can be created by 13x13cm holes at ground level within fences, or by leaving a sufficient gap beneath gates and/or leaving brick spaces at the base of brick walls. Alternatively, hedgehog friendly gravel boards are suitable (as shown below sourced by Kebur Garden Materials and Jacksons Fencing). To ensure holes are kept open 'Hedgehog Highway' signage should be provided (as shown below sourced by Peoples Trust for Endangered Species and/or the British Hedgehog Preservation Society) and secured above the holes.

Other product specifications are available and may be appropriate, however it is imperative that the biodiversity features are integrated into suitable structures, rather than vulnerable, isolated and temporary boxes for example, in order to help ensure the success of such features. The location and specifications of the mentioned biodiversity features need to be clearly marked on the approved plans and drawings. The biodiversity enhancements can be secured with a planning permission.

To be in accordance with Policy DM34 from the Wycombe District Local Plan (2019) and policy DM14 from the Delivery and Site Allocations Document (2013) in order to enhance biodiversity and provided measurable net gains.

#### FURTHER INFORMATION REQUIRED:

Preliminary Roost Assessment Report is required to be submitted to understand the potential roost suitability within the existing building. The Preliminary Roost Assessment is usually provided before the Emergency and Activity Bat Survey”.

#### CONDITIONS/INFORMATIVES:

Once the preliminary roost assessment report has been provided and approved by LPA the biodiversity enhancements can be conditioned”.

[OFFICER NOTE: This was subsequently submitted].

#### Highways Authority

“Thank you for your letter dated 4th October 2021 with regards to the above planning application.

Fennels Way is a privately maintained highway that gains access onto the public highway at the junction between Fennels Way and Swains Lane. The road does not benefit from pedestrian footways or street lighting.

The application proposes the demolition of the existing dwelling and construction of replacement 5(no) bed replacement dwelling. Having assessed the proposals, I do not consider the application to result in a significant increase in trip movements associated with the site. I therefore have no

objections to the continued use of the access point onto the publicly maintained highway at Swains Lane.

When assessed using the Buckinghamshire Countywide Parking Guidance policy document, the proposed development will require 3(no) parking spaces within the site curtilage. Mindful of the space demonstrated within the application site, and the location of the application site remote from the publicly maintained highway, I have no objections to the proposed parking provision of the site.

Mindful of the above, I have no objections to the proposed development subject to the following condition”.

#### Representations

Two comments have been received which are neutral to the proposal:

- No objections but would like to be ensured that the windows on the proposed east elevation do not overlook the roof light on our west facing roof
- No objections provided the front boundary of the new dwelling is built no further forward than the current property
- Note the new dwelling will have three storeys so the Council should ensure that the new dwelling blends in with neighbouring properties and is not taller than the existing property
- The Council should ensure that no neighbouring properties are overlooked by the new dwelling
- No other dormers in the street scene
- Should be enough parking

One comment has been received objecting to the proposed development:

- Overdevelopment
- Loss of privacy
- Loss of light
- 7 bedrooms not 5

# APPENDIX B: Site Location Plan

21/07893/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>	21/07917/FUL
<b>Proposal:</b>	Erection of two semi-detached dwellings with associated landscaping.
<b>Site Location:</b>	23 Chapel Road Flackwell Heath Buckinghamshire HP10 9AB
<b>Applicant:</b>	Mr R Edwards
<b>Case Officer:</b>	Victoria Burdett
<b>Ward(s) affected:</b>	Flackwell Heath, Little Marlow & SE
<b>Parish-Town Council:</b>	Chepping Wycombe Parish Council
<b>Date valid application received:</b>	5th October 2021
<b>Statutory determination date:</b>	30th November 2021
<b>Recommendation</b>	Permitted

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

- 1.1 Full planning permission is sought for the erection of two semi-detached dwellings with associated landscaping.
- 1.2 The proposed development is not considered to have an adverse effect upon the character of the surrounding area or the amenities of adjacent residential properties. The proposal will also have no adverse effect upon highway safety, be at risk from flooding, or increase flooding elsewhere and subject to the submission of further details, will enhance biodiversity in the area.
- 1.3 This application has been referred to the Planning Committee at the request of Cllr Johncock due to the proposal being a gross overdevelopment of the site and out of character with the surrounding area. In addition, Cllr Johncock has raised concerns relating to the capacity of off-street parking.
- 1.4 Amended plans have been received during the course of the application. The original application as submitted related to the erection of two detached dwellings. The scheme was amended to propose a set of semi-detached dwellings with parking and landscaping.
- 1.5 In light of the above, the proposed development 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 erection of two semi-detached dwellings with associated landscaping.
- 2.2 The existing site previously contained a two storey detached dwelling; which was subsequently demolished. The demolition did not require planning permission. The site is currently empty and sits in between a chalet-style dwelling and a two storey detached dwelling.
- 2.3 The proposed semi-detached dwellings would be of two storey structures with hipped roofs and a central gable feature. Both dwellings would benefit from a single storey rear element; incorporating flat roofs with roof lanterns.
- 2.4 The proposed dwellings would be constructed of brick/render. However, no specific details have been submitted and therefore will be required by a planning condition.
- 2.5 The application is accompanied by:
  - a) Covering Letter
  - b) Ecology and Tree Checklist
  - c) Thames Water Confirmation of Capacity
- 2.6 As aforementioned above, amended plans have been received in order to address Officer concerns. The amendments submitted are considered to overcome these concerns.

## **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)

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

- 4.1 The application site is located with the settlement boundary of Flackwell Heath. The site is located within a Tier 3 Settlement, whereby in accordance with Policy CP3 of the Wycombe District Local Plan (2019) new residential development is considered to be acceptable, provided it is within a settlement boundary.
- 4.2 The application site falls within the Flackwell Heath settlement boundary.
- 4.3 As such, the proposed development is considered to be acceptable in principle, subject to complying with all 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 A pair of semi-detached dwellings in an existing residential area would be consistent with the housing mix within the locality.

### **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)

- 4.6 The Highway Authority has been consulted as part of this application, and has made the following comments based on the amended scheme submitted:
- 4.7 “The Highway Authority has previously commented on this application dated 15<sup>th</sup> October 2021. These comments requested amended plans to address the matters of insufficient parking provision and lack of pedestrian access. Amended plans have since been submitted; therefore, the Highway Authority will assess this and provide comments below.
- 4.8 Whilst the proposed development required 3(no) parking spaces per dwelling during the Highway Authority’s initial comments, having assessed the amendments, each dwelling will now require 2(no) parking spaces in accordance with the Buckinghamshire Countywide Parking Guidance (BCPG) policy document. This is due to the reduced level of habitable accommodation featured for each dwelling.
- 4.9 In accordance with the BCPG policy document, parking space dimensions should measure 2.8m x 5m. Whilst the spaces have not been demarcated on the submitted plans, I am satisfied that 2(no) parking spaces can be safely accommodated within each parking area.
- 4.10 Mindful of the above, the Highway Authority raises no objections, subject to the following condition”.
- 4.11 As such, the Highways Officer has raised no objections subject to a condition to secure the parking layout prior to the initial occupation of the replacement dwelling.

### **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)

- 4.12 The proposed development would be located on the south-eastern side of Chapel Road. The proposed development would be constructed in line with the established building line in the street scene and would retain appropriate distances to the sites respective boundaries.
- 4.13 The proposed dwellings would be of a similar height to neighbouring property; No. 25 and would be slightly higher than No. 21 which comprises of a chalet-style bungalow. However, an appropriate gap would be retained in between the buildings; continuing a key characteristic which is evident in the area. As such, the proposed dwellings would not appear uncharacteristic or at odds with the character of the street scene.
- 4.14 Concerns have been raised from residents regarding the construction of semi-detached dwellings in a location which is largely dominated by detached buildings. As part of this application, the Council’s Urban Designer has been consulted. The Urban Designer raised objections to the originally submitted application which comprised of the construction of two detached dwellings in this location, but advised that a set of semis would be acceptable provided that adequate parking is incorporated. Amended plans were subsequently submitted following this advice.

- 4.15 The application site is located within an area whereby dwellings are of different sizes and architectural styles with each street being mixed in character. Whilst Chapel Road itself does not contain any semi-detached dwellings, given the site is located within a built-up residential area where a mixture of dwelling styles and type are evident, it is not considered that the proposed development would be detrimental to the character and appearance of the area.
- 4.16 No details of materials have been submitted with the application and it will therefore be necessary to secure these via a planning condition.

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

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

- 4.17 The proposed development is considered to achieve more than adequate internal accommodation and external amenity space.
- 4.18 The proposed dwellings would sit within their own respective plot, located in between Nos. 21 and 25 Chapel Road. The two storey element of the proposed dwellings would be roughly in line with the two storey element of No. 25, and would extend slightly past the rear elevation of No. 21 by approx. 2.6m at first-floor level. Given the gap retained between the proposed semis and No. 21, it is not considered that any significant loss of light would occur.
- 4.19 No windows are proposed at first-floor level within the flank elevations of the dwellings and therefore no overlooking or loss of privacy would occur. It is however considered necessary to impose a condition to prevent the installation of any windows at first-floor levels within the flank elevations of the dwellings.
- 4.20 The proposed dwelling would be constructed in between the two neighbouring properties and would not extend significantly past the rear elevations of the neighbours, whilst retaining appropriate distances in between the buildings. It is therefore not considered that the development would result in any overbearing impacts for neighbouring properties.
- 4.21 As such, the proposed development is not considered to adversely affect the amenities of neighbouring properties or future occupiers.

#### **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)

- 4.22 The proposed development will require the installation of two electrical charging points which will be conditioned accordingly.

#### **Flooding and drainage**

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

- 4.23 The application site is located within Flood Zone 1.
- 4.24 A Drainage Statement has been submitted with the application which outlines that Active Rainwater Harvesting Tanks are to be incorporated into the scheme to ensure that water can be recycled within the new residential units. The system will have a secondary supply from the mains water supply to cover any shortfall of surface water to

cover this eventuality. In the unlikely event the systems are overburdened, a 1l/sec overflow will also be provided to the foul drainage system.

4.25 The proposed driveways will also be constructed from gravel which will be permeable, and therefore will prevent flooding.

4.26 The proposed development therefore is not considered to be at risk of flooding, or increase flooding elsewhere.

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

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 enhancement of sites, habitats and species of biodiversity and geodiversity importance) [Sensitivity of landscape; landscape character; landscape and visual impact assessment; mitigation of impact]

4.27 The Council's Tree Officer has raised no objections to the proposed development subject to enhancing the green infrastructure and tree planting on the site, which will be secured by condition as part of a landscaping scheme.

#### **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]

4.28 The Council's Ecology Officer has raised no objections to the proposed development. The previous dwelling has been demolished and therefore the site currently has limited ecological value. In accordance with Policy DM34, a biodiversity net gain must be secured on the site. This will be conditioned accordingly.

#### **Building sustainability**

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

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

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

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

DSA: DM19 (Infrastructure and delivery)

4.30 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 relevant Development Plan Policies.
- 5.4 In line with the Public Sector Equality Duty the LPA must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in Section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).
- 5.5 The application provides for a development comprising the erection of a pair of semi-detached dwellings. The development would be accessible to those with and without the relevant protected characteristics stated above and no discrimination or inequality would arise from the proposal.
- 5.6 The Human Rights Act 1998 Article 1 the protection of property and the peaceful enjoyment of possessions and Article 8 the right to respect for private and family life, have been taken into account in considering any impact of the development on residential amenity and the measures to avoid and mitigate impacts. It is not considered that the development would infringe these rights.

## **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 1849-P2 and 1849-SP3 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. No development shall take place before a fully detailed landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.  
Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping.
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 the occupation of the development hereby permitted, two electric vehicle charging points with a minimum rating of 32amp must be installed in a location suitable to its use.  
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.
8. 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.

9. No further windows, doors or openings of any kind shall be inserted in the flank elevations of the development hereby permitted without the prior, express planning permission of the Local Planning Authority.  
Reason: To safeguard the privacy of occupiers of the adjoining properties.
10. 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.
11. Unless otherwise first agreed in writing by the Local Planning Authority there shall be no building up or increase of the existing ground levels on the site.  
Reason: To ensure that the proposal is constructed at an acceptable level with regards to the surrounding area.
12. Details of cycle and bin storage facilities shall be provided prior to the commencement of development and thereafter the facilities shall be permanently retained, unless otherwise first agreed in writing by the Local Planning Authority.  
Reason: To ensure the continued provision of cycle parking and waste storage and in the interests of the amenities of the occupiers and adjacent residents.
13. The single storey flat roof areas of the development hereby approved shall not be used as a balcony, sitting-out or amenity area.  
Reason: To preserve the privacy and amenities of adjoining properties.
14. The dwelling hereby permitted shall not be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.  
Reason: To ensure that the development does not increase the risk of flooding elsewhere.
15. A scheme for the enhancing the quality of the development for ecology including a timetable for implementing the measures contained in the scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development on the site. The approved measures shall be implemented in accordance with the approved timetable and shall thereafter be retained.  
Reason: In the interests of the future ecological potential of the site.

Informatives:

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 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.
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.

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

### **Councillor Comments**

#### **Councillor David Johncock:**

“There remains local concern about this application in that it is still seen as a gross overdevelopment of the site and out of character with the surrounding area. There also remain serious concerns about the off-street parking capacity.

Consequently, if officers are minded to recommend approval of this revised application, it is requested that it be referred to the planning committee for determination”.

### **Parish/Town Council Comments**

#### **Chepping Wycombe Parish Council:**

“CWPC strongly objects to this planning application. It is an overdevelopment of the site that is out of character in the street scene. It will result in two very cramped houses with a lack of sufficient parking. We are disappointed the application was not for a single house”.

### **Consultation Responses**

#### **Highway Authority:**

“The Highway Authority has previously commented on this application dated 15<sup>th</sup> October 2021. These comments requested amended plans to address the matters of insufficient parking provision and lack of a pedestrian access. Amended plans have since been submitted; therefore, the Highway Authority will assess this and provide comments below.

Whilst the proposed development required 3(no) parking spaces per dwelling during the Highway Authority’s initial comments, having assessed the amendments, each dwelling will now require 2(no) parking spaces in accordance with the Buckinghamshire Countywide Parking Guidance (BCPG) policy document. This is due to the reduced level of habitable accommodation feature for each dwelling.

In accordance with the BCPG policy document, parking space dimensions should measure 2.8m x 5m. Whilst the spaces have not been demarcated on the submitted plans, I am satisfied that 2 (no) parking spaces can be safely accommodated within each parking area.

Mindful of the above, the Highway Authority raises no objections, subject to the following condition”.

#### **Environmental Health:**

“As per the air quality SPD, two electric vehicle charging points with a minimum rating of 32 amp (one per dwelling) must be provided prior to the occupation of the development.

Recommendation (with conditions if appropriate):

Objection, unless following conditions imposed;

Condition - Electric Vehicle Charging Points

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

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.

#### Construction/Demolition Noise

#### INFORMATIVE

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”.

#### Ecology

“The previous dwelling has been demolished and the site currently has no ecological value.

A biodiversity net gain (in line with policy DM34) can be secured through ensuring that landscaping details which are submitted by condition include the use of native species and species which have an identified value for wildlife. Bird boxes could also be attached to new fencing”.

#### Urban Designer

“Two separate dwellings considered to be unacceptable as not in character with surrounding existing development.

Semis might be acceptable if parking can be accommodated without dominating the frontage.

If not, 1 new dwelling would be acceptable subject to size, scale and design”.

#### Tree Officer

“Officer photographs indicate no trees on site.

Enhancing the green infrastructure and tree planting would be welcome and could be secured by condition”.

#### Representations

#### **Other Representations**

Seven comments have been received objecting to the proposal:

- Impact on character of the area
- Overdevelopment
- Lack of parking provision
- Loss of light
- Overlooking and loss of privacy
- Highway implications

**APPENDIX B: Site Location Plan**

21/07917/FUL  
Scale 1/1250



Planning Committee  
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Ordnance Survey 100062456



## Report to West Area Planning Committee

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<b>Application Number:</b>	22/05197/FUL
<b>Proposal:</b>	Householder application for construction of part single, part two storey side/rear extension and front porch extension
<b>Site Location:</b>	71 Wordsworth Road High Wycombe Buckinghamshire HP11 2UR
<b>Applicant:</b>	Mr Hammad Ayub
<b>Case Officer:</b>	Yee Chung Hui
<b>Ward(s) affected:</b>	Abbey
<b>Parish-Town Council:</b>	High Wycombe Town Unparished
<b>Date valid application received:</b>	26th January 2022
<b>Statutory determination date:</b>	23rd March 2022
<b>Recommendation</b>	Approval

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

- 1.1 Planning permission is sought for the construction of a part single, part two storey side/rear extension and front porch extension.
- 1.2 Cllr Lesley Clarke has called application to be considered by the Planning Committee on the grounds of the mass and bulk of the proposed extension being out of keeping with the application dwelling with adverse harm to the light, privacy and amenity levels to the adjacent dwelling.
- 1.3 Recommendation – approval.

### 2.0 Description of Proposed Development

- 2.1 The application site is situated to the south of the High Wycombe town centre and it is outside of any Green Belt, Chilterns AONB, designated Conservation Area and curtilages of Listed Buildings.
- 2.2 The existing detached dwelling is located within an established residential street. It is adjacent to no.7 Shelley Road and no.69 Wordsworth Road. Wordsworth Road has a change in gradient sloping upwards from the north-east to the south-west.
- 2.3 The application submitted is an alternative application to previously withdrawn application following recommended alterations by the case officer.

- 2.4 The proposed development, is similar to previously withdrawn application but has been reduced in size and bulk, would replace the existing garage with a two storey side extension, rear extension and extension to front porch.
- 2.5 The dwelling is brick built, with a two storey bay window feature to the front with a hipped roof over. An attached single garage is situated to the side of the dwelling. The overall appearance and design of the dwelling is of a similar form and bulk as the neighbouring dwellings along the residential street.
- 2.6 The proposed part single, part two storey rear extension is reduced in width and length with a centrally-located hipped roof finish instead. It no longer has a double hipped end roof to the rear as per the withdrawn application.
- 2.7 The proposed part ground floor rear extension is approx. 8.1m wide x 6m deep and the first floor rear extension is approx. 5.5m wide x 4.7m deep. It is approx. 2.2m from shared boundary to 7 Shelley Road at ground floor and approx. 3.6m separation at first floor level.
- 2.8 The proposed two storey side extension is approx. 3.8m wide and up to the full length of the existing dwelling, approx. 8.1m additional depth and approx. 1.2m from the shared boundary to no.7.
- 2.9 The previous application was approx. 1.2m from the shared boundary to no.7 Shelley Road across both levels.
- 2.10 The maximum height for the part single, part two storey side and rear extension is approx. 8.3m from the natural ground floor level to the front and approx. 7.4m from the natural ground floor level at the rear garden, due to the difference in ground levels.
- 2.11 The existing pitched roof canopy over the main entrance would be replaced with an enclosed, pitched roof front extension approx. 1.7m deep. The proposal also includes the installation of five sun pipes to the roof over the main dwelling.
- 2.12 The application is accompanied by :
  - a) Application form
  - b) Location and block plan
  - c) Existing floor plans and elevations
  - d) Proposed floor plans and elevations
  - e) Ecology and Tree Checklist
- 2.13 No amended plans received or requested

### 3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
21/08447/FUL	Householder application for construction of two storey side/rear extension and front porch extension	WDN	24 January 2022

No.69:

03/05548/FUL - Construction of first floor side extension 16 May 2003 Application Permitted

Note: 10.3m length at first floor

05/07569/FUL - Erection of single storey rear extension 9 January 2006 Application Permitted

Note: dressing room window to the side at first floor.

7 Shelley Road:

17/05905/FUL - Householder application for construction of part two storey, part single storey front, side and rear extensions (alternative scheme to pp 16/05316/FUL) 22 May 2017 Application Permitted

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

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

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy)

DM1 (Presumption in favour of sustainable development), DM14 (Biodiversity in development), DM33 (Managing Carbon Emissions, Transport and Energy Generation), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality), DM39 (Managing flood risk and sustainable drainage systems)

4.1 The proposed extensions to a dwelling within a residential area are acceptable in principle, subject to the compliance of other material planning considerations and Adopted Local Plan Policies.

##### **Transport matters and parking**

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

DM2 (Transport requirements of development sites), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

Adopted Parking Guidance SPD

4.2 The proposed development would form a 10 habitable room/4 bedroom dwelling within Residential Zone A of Abbey. The proposed development in accordance with the recommendations in the Adopted Parking Guidance would require three parking spaces to be provided on-site.

4.3 The re-surfacing of the frontage to driveway would provide this recommended level of parking provision on-site. The development is therefore acceptable.

##### **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), DM36 (Extensions and Alterations to Existing Dwellings)

DSA: DM11 (Green networks and infrastructure)

Householder Planning and Design Guidance SPD

4.4 In terms of the appearance and design, the proposed two storey side extension would occupy the gap between its neighbour, which is not dissimilar to the other neighbouring residential properties where the local street scene has a prevalence of first floor and two storey side extensions. The reduction of first floor gap between the

neighbours is not visually detrimental and no terracing effect would occur. There are no objections to the appearance and design of the proposed front extension.

- 4.5 To further improve its appearance and relationship with the dwelling, the proposed side extension has been set back from the front wall and is not disproportionately wide so as to result in an unbalanced and out of keeping appearance with the main dwelling. The proposed openings, external materials and roof form are matching to the original dwelling which is acceptable.
- 4.6 Given the relationship to neighbouring buildings, the proposed depth of the application dwelling would not appear over-bulky and dominant and would not be out of keeping with the main dwelling. The proposal is considered to be in compliance with the recommendations in Section 9 of the Adopted Householder Planning and Design Guidance.

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

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality), DM36 (Extensions and Alterations to Existing Dwellings)  
Householder Planning and Design Guidance SPD

- 4.7 Representation has been received from the neighbouring dwelling with an objection that the development would have detrimental and overbearing impact to the amenity levels of the neighbouring properties.
- 4.8 The proposed side and rear extensions, closest to the shared boundary of no.7 would have implications to the amenity levels of the neighbour, no.7. Despite of this, the proposed two storey side extension remains 1.2m separated from the shared boundary and set back from the front.
- 4.9 No.7 have undergone extensive extensions and alterations previously. In the latest 2017 application, the ground floor rear extension consists of a layout of bedroom, kitchen and family area. It is noted its ground floor rear openings would already be overshadowed by the garage of no.7, its boundary wall any parked vehicles within its driveway. A garage's width and the width of a parking space remain available from the rear of no.7 to the shared boundary.
- 4.10 As such, it is not considered the proposed development would appear overbearing and over-dominant to the outlook of the rear of no.7.
- 4.11 No.69 consists of a first floor side window for dressing room and a rear bedroom window at the first floor.
- 4.12 Similar to the justification above, the reduction of the size, width and length of the part single, part two storey rear extension would mean that the amenity levels and outlook to the side and rear of no.69 is adequately safeguarded.
- 4.13 The proposed development, in terms of its size, scale, layout and positioning of windows is in compliance with the Council's light angle guidance and causes no further loss of privacy to the detriment of the neighbours' amenities.

#### **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)



4.14 The application site is mainly free from any surface water flooding areas and known Flood Zones. A small part of the site to the northern boundary and areas between the dwellings no.7 and no.9 Shelley Road are within low risks of surface water flooding areas.

4.15 The proposal has no detrimental harm to the on-site and nearby site flood levels.

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

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth), CP10 (Green infrastructure and the Natural environment), DM11 (Green Networks and Infrastructure), DM15 (Protection and enhancement of river and stream corridors), DM34 (Delivering Green Infrastructure and Biodiversity in Development)

4.16 Policy DM34 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.

4.17 The proposed extensions would result in a partial loss of the rear grassed garden areas. The shrubs and hedgerows along the shared boundary could be lost. As such, loss to the on-site green infrastructure and biodiversity is required to be compensated. It is noted any loss of small trees to the side of the dwelling would be required to be replanted and replaced.

4.18 In order to compensate for the loss of this green infrastructure and associated biodiversity a condition would need to be imposed on any loss of hedges and trees to be replanted and any permission requiring either a bird box, bat box or a bug hotel to be included in the proposed development.

#### **Ecology**

Wycombe District Local Plan (August 2019): CP10 (Green infrastructure and the Natural environment, DM13 (Conservation and Enhancement of Sites, Habitats and Species of Biodiversity and Geodiversity Importance), DM14 (Biodiversity in Development), DM34 (Delivering Green Infrastructure and Biodiversity in Development)

4.19 There are no protected species identified within the site curtilage.

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

Wycombe District Local Plan (August 2019), CP7 (Delivering the Infrastructure to Support Growth) DM19 (Infrastructure and delivery)

4.20 The development is a type of development where CIL would not 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 most of the development plan policies.
- 5.4 The Human Rights Act 1998 Article 1 the protection of property and the peaceful enjoyment of possessions and Article 8 the right to respect for private and family life, have been taken into account in considering any impact of the development on residential amenity and the measures to avoid and mitigate impacts. It is not considered that the development would infringe these rights.

## **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. 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.
- 6.2 In this instance, the application submitted is an alternative application to a previously withdrawn application following recommendations for amendments by the case officer. A local Member has called the application to committee for consideration on the grounds of the proposal being out of keeping, having an overbearing impact, causing a loss of light and loss of privacy and being un-neighbourly. The agent has been notified of this and the fact that the officer recommendation is for approval.

## **7.0 Recommendation: Application Permitted**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
2. The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan O1A; O3A; 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 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. No further windows or openings of any kind shall be inserted in the first floor flank elevations of the development hereby permitted.  
Reason: To safeguard the privacy of occupiers of the adjoining properties.

5. Before the first occupation of the extension hereby permitted the windows(s) at first floor side elevation serving for bathrooms/toilet shall be fitted with obscured glazing and any part of the window(s) that is less than 1.7 metres above the floor of any room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.

Reason: To protect the privacy levels of the occupiers of the adjacent dwellings.

6. The development will result in the partial loss of grassed garden area, shrubs, hedgerows and potentially small trees along the shared boundary of the application site.

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 the loss and increase biodiversity opportunities, any loss of hedges and trees shall be replaced and replanted with similar species and size within the site curtilage. In addition, either a bird box, bat box or a bug hotel shall be attached to the structure or installation within the site curtilage prior to the initial occupation of the development hereby permitted.

Reason: To comply with the requirements of policy DM34

Informative:

Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, care should be taken upon the commencement and during the course of building operations to ensure that no part of the development, including the foundations and roof overhang will encroach on, under or over adjoining property.

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

### Councillor Comments

**ClIr Lesley Clarke** has called application to committee for consideration with comments:

“Despite the changes to the original planning application 21/08447/FUL this is still a huge extension that not only doubles the size of the present property but it will have a massive impact on the neighbouring corner property on Shelley Road and as already stated the light issues and building heights and close proximity are still a major concern, with the loss of privacy to the Shelley Road property in particular.

It is out of keeping with the neighbouring property in its mass and complex roof structures and goes against the Householder Planning and Design Guidance: Item 9 Side Extensions. Also contravenes para 10 Rear Extensions in that the rear extension should be no deeper than half the depth of the original dwelling notwithstanding the para 10.2 acceptable size of the rear extension will depend on proximity to the boundary wall and change of levels will also effect a potential impact. This is on a hillside.

Also contravenes Para 10.3 and 10.5, 10.6. Likewise Para 14 Loss of Light: 14.1. Para 15 Unneighbourly Form. Para 19 Boundary Treatments.

There appears to be little if any change to the mass and overlooking.

If you are minded to approve, please bring to Committee for determination”

Summary of the points made:

- Out of keeping
- Loss of privacy, overlooking and light
- Overbearing mass and bulk
- Unneighbourly forms of development

### Parish/Town Council Comments

High Wycombe Town Unparished

### Consultation Responses

None received

### Representations

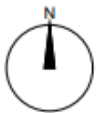
A letter of representation has been received from the adjacent neighbour with objections made on:

- Limited improvement to the previous application in terms of impact to neighbours
- Loss of light
- Overbearing harm and close proximity of the proposed extension
- Amenity impact and living conditions

# APPENDIX B: Site Location Plan



LOCATION PLAN SCALE 1:1250



**GENERAL NOTES:**

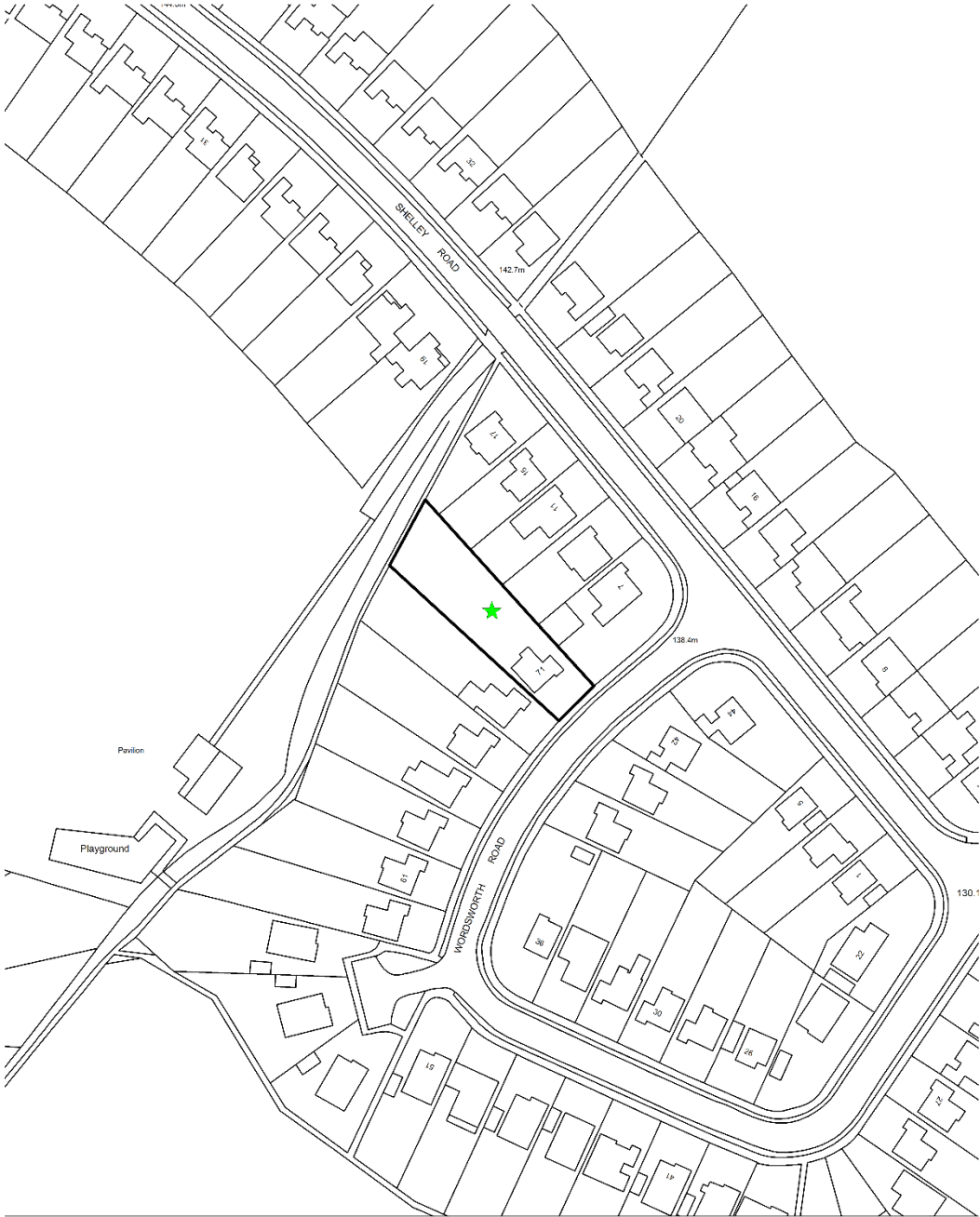
1- THIS DRAWING IS FOR STATUTORY PLANNING PURPOSES ONLY. DO NOT SCALE

2- PARTY WALL ACT

The owner should take note to do so under the requirements of the Party Wall

**APPENDIX B: Site Location Plan**

22/05197/FUL  
Scale 1/1250



Planning Committee  
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