



## West Buckinghamshire Area Planning Committee agenda

Date: Tuesday 26 April 2022

Time: 6.30 pm

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

### Membership:

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

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| <b>1 Apologies for Absence</b>   |                |
| <b>2 Declarations of Interest</b><br>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.<br><br>Members are reminded that if they are declaring an interest they should state the nature of that interest whether or not they are required to withdraw from the meeting. |                |
| <b>3 Minutes of the Last Meeting</b><br>To note the minutes of the meeting held on 30 March 2022.  | <b>5 - 8</b>   |
| <b>Planning Applications</b>   |                |
| <b>4 WITHDRAWN. 20/07802/FUL - Site of Former Park and Ride Facility, Crest Road, High Wycombe, Buckinghamshire</b>  | <b>9 - 40</b>  |
| <b>5 20/08349/FUL - 175-179 Gordon Road, High Wycombe, Buckinghamshire, HP13 6AR</b>   | <b>41 - 58</b> |
| <b>6 21/05794/FUL - 114 Totteridge Road, High Wycombe, Buckinghamshire, HP13 6EX</b>   | <b>59 - 78</b> |
| <b>7 21/08160/FUL - 310 Marlow Bottom Road, Marlow Bottom, Buckinghamshire, SL7 3QH</b>  | <b>79 - 86</b> |
| <b>8 21/08599/FUL - Stuart Lodge, Stuart Road, High Wycombe, Buckinghamshire, HP13 6AG</b>   | <b>87 - 98</b> |
| <b>9 Date and Time of Next Meeting</b><br>Wednesday 25 May 2022 at 6.30pm.   |                |
| <b>10 Availability of Members Attending Site Visits (if required)</b><br>To confirm members' availability to undertake site visits on Tuesday 24 May 2022 if required.   |                |

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## West Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the West Buckinghamshire Area Planning Committee held on Wednesday 30 March 2022 in High Wycombe Council Chamber, Queen Victoria Road, High Wycombe, HP11 1BB, commencing at 6.34 pm and concluding at 8.32 pm.

### Members present

M Ayub, I Hussain, D Johncock, N Marshall, C Oliver, S Raja, M Turner, P Turner, S Wilson and K Wood

### Others in attendance

J Adams, K Asif, M Aughterlony, V Burdett, T Coppock, L Hornby, R Martin, H Smith and C Stuart

### Apologies

A Alam and A Baughan

### Agenda Item

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

**Councillor D Johncock:** Application numbers 21/07893/FUL and 21/07917/FUL. Declared that he was reflecting the views of local opinion but that he had not ever expressed any views on the applications and that he had an open mind, would listen to the debates and would make a decision at the conclusion of the debate.

**Councillor M Turner:** Application number 21/07220/VDCN. Declared that he was reflecting the views of local opinion but that he had not expressed any views on the application and that he had an open mind, would listen to the debate and would make a decision at the conclusion of the debate.

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

The Minutes of the meeting held on 2 March 2022 were agreed as an accurate record subject to noting that Councillor P Drayton was in attendance as a substitute.

#### 3 **21/07220/VCDN - Vine Lodge, Northend Road, Northend, Buckinghamshire, RG9 6LF**

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).

The application was the subject of a site visit.

Members noted an update in relation to this application.

Members voted in favour of the motion to refuse the application for the following reason:

In the opinion of the Local Planning Authority, the proposed development, by virtue of the poor quality flint work used in its construction, would fail to preserve or enhance the character or appearance of the Northend Conservation Area. The development appeared incongruous in its setting and thus, was also visually intrusive in this part of the Chilterns Area of Outstanding Natural Beauty. As such the development conflicts with Policies CP9, CP11, DM30 and DM31 of the adopted Wycombe District Local Plan and the Householder Planning and Design Guidance SPD.

Speaking on behalf of Turville Parish Council: Cllr Alice Nuttgens.

**It was proposed by Councillor D Johncock and seconded by Councillor M Turner.**

**Resolved: that the application be refused for the reason given above.**

**4 21/07275/FUL - London House, 85 London Road, High Wycombe, Buckinghamshire, HP11 1BN**

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.

This application was the subject of a site visit.

Members noted an update in relation to this application.

Members voted unanimously in favour of the motion that they were minded to refuse the application.

Members heard a statement from Councillor A Baughan, Ward Member, which was read out by the Democratic Services Officer.

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

**Resolved: That, had the application not been the subject of an appeal, the application would have been refused for the reasons set out in the officers report.**

- 5**     **21/07893/FUL - 50 Fennels Way, Flackwell Heath, Buckinghamshire, HP10 9BY**  
Demolition of existing dwelling and construction of 1 x 5-bed replacement dwelling.

This application was the subject of a site visit.

Members voted in favour of the motion to refuse the application for the following reason:

In the opinion of the Local Planning Authority the proposed development would result in a bulky and out of scale dwelling within the street scene of Fennels Way. The proposed replacement dwelling would result in an overdevelopment of the site which due to its proposed height, bulk and mass would dominate the neighbouring bungalow at No. 52 Fennels Way. The proposed development would be detrimental to the character and appearance of the area and therefore fails to comply with Policies CP9 and DM35 of the adopted Wycombe District Local Plan (2019) and the Residential Design Guidance SPD.

Speaking on behalf of the Chepping Wycombe Parish Council: Cllr Alec Barron

**It was proposed by Councillor D Johncock and seconded by Councillor M Turner.**

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

Councillor Raja vacated the Chamber for a short time during the discussion of this item and took no part in voting on this application.

- 6**     **21/07917/FUL - 23 Chapel Road, Flackwell Heath, Buckinghamshire, HP10 9AB**  
Erection of two semi-detached dwellings with associated landscaping.

This application was the subject of a site visit.

A motion was proposed and seconded to approve the application in accordance with the officer's recommendation, which was defeated when Members voted.

Following advice from Planning Officers, the proposed and seconded motion was put again to Members to vote. Members then voted in favour of the motion to approve the application in accordance with the officer's recommendation.

Speaking on behalf of Chepping Wycombe Parish Council: Cllr Alec Barron

Speaking as the agent on behalf of the applicant: Mr Richard Clark

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

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

- 7**     **22/05197/FUL - 71 Wordsworth Road, High Wycombe, Buckinghamshire, HP11 2UR**

Householder application for construction of part single, part two storey side/rear extension and front porch extension.

This application was the subject of a site visit.

Members noted an update in relation to this application.

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

Speaking in objection: Mrs Tanzeelah Meryam

Speaking as a supporter: Mr Mohammed Ayub

Speaking as the applicant: Mr Hammad Ayub

**It was proposed by Councillor N Marshall and seconded by Councillor M Turner**

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

**8 Date and Time of Next Meeting**

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

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

**Resolved:** that in the event it was necessary to arrange site visits on Monday 25 April 2022 in respect of the agenda for the meeting on Tuesday 26 April 2022, the following Members be invited to attend:

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





## Report to West Area Planning Committee

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|   |   |
|---|---|
| <b>Application Number:</b>              | 20/07802/FUL  |
| <b>Proposal:</b>                        | Erection of a retail unit for use as supermarket (Class E), and erection of restaurant/takeaway unit with drive thru (sui generis), with associated access, car parking and hard/soft landscaping |
| <b>Site Location:</b>                   | Site Of Former Park and Ride Facility<br>Crest Road<br>High Wycombe<br>Buckinghamshire  |
| <b>Applicant:</b>                       | Aldi Stores Limited   |
| <b>Case Officer:</b>                    | Declan Cleary   |
| <b>Ward(s) affected:</b>                | Booker, Cressex & Castlefield   |
| <b>Parish-Town Council:</b>             | High Wycombe (Unparished)   |
| <b>Date valid application received:</b> | 23 <sup>rd</sup> November 2020  |
| <b>Statutory determination date:</b>    | 22 <sup>nd</sup> February 2021  |
| <b>Recommendation:</b>                  | Approve subject to conditions and completion of a memorandum of understanding   |

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

- 1.1 The application seeks the construction of 1801sqm retail unit for use as supermarket (Class E), and erection of 517sqm restaurant/takeaway unit with drive thru (sui generis), with associated access, car parking and hard/soft landscaping
- 1.2 The site is unallocated for any land use however the scheme proposes main town centre uses in an out of town location. The application has been supported by a sequential test and retail impact assessment, the scope of which are considered to be proportionate to the scale of the development proposed. Following independent critique of the submissions, the LPA is satisfied that the proposals satisfy these tests, and that the proposed uses are acceptable in this sustainable location. The proposed development is considered to be a compatible land use with surrounding developments, and would not cause harm to the character and appearance of the area, the amenity of sensitive users, or highway safety.
- 1.3 The scheme would fail to deliver a policy compliant level of canopy cover, however the under provision in this instance is not significant and is maximised, furthermore, it is considered that the under-provision is outweighed by other environmental, social and economic benefits of the development when considered as a whole. The

development would not achieve a net gain in biodiversity on site, however following the mitigation hierarchy an off-site contribution in lieu is considered to be acceptable in this instance.

- 1.4 The land is currently owned by Buckinghamshire Council. The constitution confirms that a planning application which is submitted “by the Council”, ought to be determined by the relevant committee. While the application has not been submitted “by the Council”, the Council will retain significant interest in the land and as such, for transparency, the application ought to be determined by the relevant planning committee.
- 1.5 Consequently, the application is recommended for approval subject to conditions, and the completion of a memorandum of understanding to secure a financial contribution to deliver an off-site net gain in biodiversity, monies towards Real Time Passenger Information improvements to bus stops on John Hall Way, and monies to secure Travel Plan monitoring for a period of 5 years.

## **2.0 Description of Proposed Development**

- 2.1 The application site represents a vacant parcel of land measuring approximately 1ha in area. The site lies within the settlement boundary for High Wycombe, and is unallocated in the Development Plan for any specific land use. The site is adjoined by further vacant land to the west, residential properties to the north on the opposite side of John Hall Way, the Next retail shop to the west and other commercial, community and recreational facilities to the south on the opposite side of Crest Road. The surrounding area comprises a wide mix of uses.
- 2.2 The site is in part laid to hardstanding while large areas of the site is grassland. The hardstanding which is present on the site relates to the former park and ride use of the land. There are significant land level changes on the site and in relation to the public highways to the north and development to the east. There are a number of trees and shrubs on site, particularly along the site boundaries.
- 2.3 This is a full planning application for the construction of a retail unit to be used by a discount supermarket. The retail unit would have a gross floorspace of 1801sqm. The scheme also includes the erection of a restaurant/takeaway and drive through, which would measure 517sqm in gross floor area. The scheme includes the construction of a new access from Crest Road to serve the development, along with areas of car parking, manoeuvring and servicing spaces to serve the units. Landscaping is proposed within the development and along the site boundaries and within the scheme.
- 2.4 The application is accompanied by:
  - a) Planning Statement (Including Sequential Test and Retail Assessment)
  - b) Drainage Strategy
  - c) Geological Insight Report
  - d) Store Travel Plan (McDonalds)
  - e) Arboricultural Impact Assessment
  - f) Construction Method Statement
  - g) Statement of Community Involvement
  - h) Transport Assessment
  - i) Design and Access Statement
  - j) Landscape Maintenance & Management Plan

- k) Flood Risk Assessment
- l) Ecological Assessment
- m) Addendum to Planning and Retail Statement
- n) Canopy Cover Calculator
- o) BNG Calculator

2.5 During the course of the application amendments to the scheme and supporting documentation were provided to address comments raised by the LPA and consultees.

### **3.0 Relevant Planning History**

- 3.1 21/05938/FUL - Application for commercial development for five buildings comprising 8 flexible use units for light industrial (Class E), general industrial (Class B2), and storage and distribution (Class B8) uses, with ancillary offices, associated car parking, and landscape planting together with the provision of a new vehicle access onto Crest Road - Undetermined. This application relates to the parcel of land to the west of the application site but is relevant to the determination of the application.
- 3.2 16/05216/FUL - Erection of warehouse club (Use Class Sui Generis), incorporating tyre installation, sales and associated facilities, together with associated accesses, parking and landscaping – Withdrawn – 09/01/18
- 3.3 13/07702/R9FUL - Temporary use of land as a park and ride facility, with a temporary surface providing up to 200 parking spaces and associated facilities, together with lighting and CCTV columns (regulation 3 application) – Approved – 31/01/14
- 3.4 13/06239/R9FUL - Temporary use of land as a park and ride facility, with a temporary surface providing up to 200 parking spaces and associated facilities, together with lighting and creation of pedestrian access off John Hall Way (regulation 3 application) – Withdrawn – 08/08/13
- 3.5 05/06923/R9FUL - Temporary use of land as a public car park, with a temporary surface providing 240 parking spaces, together with the erection of perimeter fencing. (the temporary parking will be adjacent to, and function as part of, the existing permanent public car park that supports the operation of the park and ride service) – Approved – 11/11/05

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

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

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development); CP2 (Overall Spatial Strategy); CP3 (Settlement Strategy); CP6 (Securing Vibrant and High Quality Town Centres); DM33 (Managing Carbon Emissions, Transport and Energy Generation)

Wycombe District Adopted Delivery and Site Allocations Plan (July 2013): DM1 (Presumption in favour of sustainable development); DM7 (Town Centre Boundaries); DM8 (The Primary Shopping Areas); DM10 (Thresholds for the Assessment of Schemes for Town Centre Impact)

- 4.1 The application site forms a vacant parcel of land which lies within the settlement boundary for High Wycombe as defined by the Local Plan Policies Map. The site was formerly used as a park and ride facility, and is considered to be previously developed land. The application proposes the construction of a retail unit (Class E) to be used as a supermarket, and a drive through restaurant (Sui-generis). The application site is

not allocated for any specific land use within the Development Plan and is surrounded by a mix of commercial and residential uses.

- 4.2 Wycombe District Local Plan (LP) Policy CP3 identifies High Wycombe as being a Tier 1 settlement and which is the prime focus for housing and new economic development within its urban area, through the redevelopment of suitable previously developed sites. LP Policy CP6 seeks to direct proposals for town centre uses to town and district centres. Policy DM7 of the Wycombe District Delivery and Site Allocations Plan (DSA) states that proposals for main town centre uses outside of the designated town centres will only be permitted where they satisfy national planning policy tests, including the sequential test. Policy DM10 of the DSA states that any retail proposals which are not in a designated centre will require an impact assessment above an identified threshold. Development proposals with a gross floorspace of more than 1000sqm will require an assessment of the impact on High Wycombe Town Centre.
- 4.3 Paragraph 87 of the NPPF (2021) states that applications for main town centre uses which are neither in an existing centre, nor in accordance with an up to date plan should be subject to a sequential test. Paragraph 88 states that when considering edge and out of centre locations preference should be given to accessible sites which are well connected to the town centre. Paragraph 90 states that local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold.
- 4.4 The application site is located outside of the designated town centre for High Wycombe, and is not located within an alternative designated centre. The retail element of the proposals is more than 1000sqm in gross retail floorspace and as such it is necessary for both a sequential test and impact assessment to be carried out in regard to this element of the scheme. The proposal also includes a drive through restaurant which is also an identified main town centre use, as confirmed by the NPPF, which would require a sequential test.
- 4.5 The application has been supported by a Planning and Retail Statement which includes a sequential assessment, and retail impact assessment. In light of the specialist nature of retail planning considerations and for impartiality, the LPA has sought an independent Retail critique of the information presented.

#### Sequential Assessment

- 4.6 Planning practice guidance states that the application of the test will need to be proportionate and appropriate for the given proposal. Paragraph 88 of the NPPF requires LPAs to demonstrate flexibility on issues such as format and scale, while the PPG confirms that it is not necessary to demonstrate that a site can accommodate precisely the scale and form of development proposed. In this instance, as advised by the independent review, it is considered that opportunities that can accommodate a discount foodstore and a drive through in general should be considered rather than specifically an Aldi or McDonalds drive through.
- 4.7 A number of High Wycombe town centre sites have been identified within the submitted sequential test, the scope of the sites selected is considered to be a proportionate and appropriate in the context of the scheme proposed. Sites within other town centres would not serve the same catchment as the application proposals. A review of the identified sites is considered below.

#### HWTC10 – Swan Frontage

- 4.8 This site appears to be large enough to accommodate the application proposals in their entirety. However, the site is currently in active use and there is an extant permission for alternative uses on part of the site. Therefore, the site does not appear to be available within a reasonable time.

#### HWTC12 – Chilterns Shopping Centre and Frogmore East

- 4.9 The available vacant units within the shopping centre are not large enough or suitable to accommodate the proposed food store and/or a drive through.

#### HWTC13 – Lilys Walk

- 4.10 This site is currently being developed for a residential led scheme and includes commercial space of 1,472sqm. The commercial element is within four separate blocks. The site is unsuitable for a discount food store of a similar size to that proposed or a drive through.

#### HWTC14 – Buckingham House and Castle House

- 4.11 This site appears to be large enough to accommodate the application proposals in their entirety. However, the site is currently in active use and there is an extant permission for alternative uses. The site does not appear to be available.

#### HWTC15 – Collins House and corner of Bridge Street/Desborough Road

- 4.12 While availability of this site is unclear, the size and configuration of this site is not suitable to accommodate the proposed development.

#### HWTC16 – Oxford Road Roundabout

- 4.13 This site appears to be large enough to accommodate the application proposals in their entirety if part of a comprehensive redevelopment. The site does not appear to be available.

#### HWTC17 – Bridge Street

- 4.14 This site appears to be large enough to accommodate the application proposals in their entirety. However, the site is currently in active use and the site does not appear to be available within a reasonable period.
- 4.15 The redevelopment of the site would require a comprehensive development to be delivered including links through the site.

#### HWTC19 – Rapid House

- 4.16 This site appears to be large enough to accommodate the application proposals in their entirety. However, the site is currently in active use and the site does not appear to be available within a reasonable period.

#### Sequential Test Conclusions

- 4.17 The LPA's independent analysis has confirmed that there are a number of sites within High Wycombe town centre that are large enough to accommodate the discount foodstore and a drive through restaurant. However, these sites are either occupied by a number of existing uses, where their availability within a reasonable period is uncertain, or the sites have development proposals for alternative uses. The independent critique confirms that the sequential test has been addressed and satisfied. The extent and scope of the sequential test has been proportionate in the

context of the scale of the scheme proposed. In the absence of information to the contrary, the LPA would therefore concur with this view.

- 4.18 The site is in a wholly accessible location which is accessible to a local community by means of foot, cycle and public transport, and has good connections to the town centre.

Disaggregation

- 4.19 Consideration has been had to disaggregation in terms of whether the town centre elements can be separated and accommodated on more than one site in a sequentially preferred location. It is noted that there is no policy requirement within local or national policy to disaggregate the uses. Furthermore, it is considered that there is sufficient synergy between the two uses for them to be considered together, particularly given the relatively small scale and complementary nature of both uses.

*Retail Impact Assessment (RIA)*

- 4.20 Following concerns raised by a competitor, an updated Town Centre Health check was carried out by the applicants in December 2021. A summary of the position is outlined below:

| Category                      | Number of Units in High Wycombe | High Wycombe (%) | UK Average (%) |
|-------------------------------|---------------------------------|------------------|----------------|
| Comparison                    | 109                             | 26.01            | 27.06          |
| Convenience                   | 25                              | 5.96             | 9.20           |
| Retail Service                | 51                              | 12.17            | 15.64          |
| Other Retail                  | 0                               | 0                | 0.07           |
| Leisure Services              | 99                              | 23.62            | 24.69          |
| Financial & Business Services | 42                              | 10.02            | 9.08           |
| Vacant                        | 93                              | 22.19            | 14.12          |

- 4.21 With regard to multiples this accounts for 45% of the units accommodated which is above the national average of 40.98%. There remains a good balance between multiple occupiers and independents.
- 4.22 December 2021 health check identifies that there are a total of 22.19% of units within the town centre are vacant which is above the national average of 14.12%. A number of these vacancies are located within the Chilterns Shopping Centre which is proposed to be regenerated as part of a comprehensive redevelopment of the site. In addition, the level of floorspace which is identified as being vacant is 15.11% which is marginally above the national average of 13.91%.
- 4.23 The implications of the Covid-19 pandemic have been considered and there would be a spike in vacancy rates within the town centre regardless of whether the application proposals were implemented or not (as identified above). Furthermore, Lichfields have advised that the evidence suggests that the convenience sector have not been significantly impacted as a result of the lockdowns.
- 4.24 It is acknowledged that there has been no updated householder survey carried out which has been raised as a concern by representations received, however, in the context of proportionality, given the scale of the scheme it is not considered that updated surveys are necessary in this instance. The LPA’s independent advisor is satisfied in this regard.
- 4.25 The LPA’s independent critique, prepared by Lichfields, of the submitted RIA identified some areas of concern with regard to the methodology carried out,

however they have reanalysed the situation with regard to price base, population and expenditure, projected actual convenience goods turnover levels, and benchmark turnover. Based on the updated analysis Lichfields projected convenience facilities are expected to be trading satisfactorily in 2024.

- 4.26 The RIA identifies that 80% of net floorspace would be food and grocery goods, while the remaining 20% would be comparison goods. These levels are realistic for the size of the store proposed and comparative with Lichfields experience of such stores. Lichfields consider that the sales density figures are also reasonable for the scale of the store proposed and comparative to other retailers who would occupy a store of this size. Asda and Waitrose are unlikely to occupy the proposed store as they have units close by, while Tesco and Morrisons due to scale and gross floorspace ratio. The turnover of the site is unlikely to significantly increase if an alternative retailer occupied the store.
- 4.27 The projected trade diversion of the proposed Aldi store is summarised below:
- Asda, Holmers Farm £3.25 million (25%)
  - Waitrose, Handy Cross £1.62 million (12.5%)
  - Morrisons, Temple End £1.30 million (10%)
  - Sainsbury's, Oxford Road £1.30 million (10%)
  - Tesco, town centre £1.30 million (10%)
  - Aldi, Baker Street £1.30 million (10%)
  - Aldi, Tannery Road £0.97 million (7.5%)
  - Lidl, Richardson Street £0.65 million (5%)
  - Marks & Spencer, Eden Centre £0.26 million (2%)
  - Marks & Spencer, Wycombe RP £0.13 million (1%)
  - Iceland town centre £0.13 million (1%)
  - Other town centre £0.26 million (2%)
  - Other High Wycombe £0.52 million (4%)

The trade diversion set out within the RIA have not been underestimated and appear to be reasonable. Those stores closest to the site would see most diversion.

- 4.28 With regard to the drive thru takeaway trade diversion is likely to be from existing sites within High Wycombe. It is unlikely that trade would be diverted from the town centre given the nature of the proposal, however even if it was then the maximum impact in diversion would be less than -5% according to Lichfields.
- 4.29 In terms of implications on the town centre, the main store impacted by the development would be the Aldi at Baker Street (-10.73%), while other town centre stores would experience impacts of between -2.09% and -4.31% of resultant turnover. These impacts are considered to be reasonable assumptions.
- 4.30 The proposed Aldi is expected to divert £4.55m from the High Wycombe Town Centre. This would represent an average impact of -3.6%. Lichfields' sensitivity figures suggest convenience goods facilities within the town centre may trade on average -11.6% below benchmark in 2024, and the Aldi proposal will increase under performance to -14.8%.
- 4.31 The 2013 Household Survey identified that convenience goods retailing within the town centre was trading at about -13% below the 2013 benchmark, with Sainsbury's

and Tesco's trading well below the benchmark. Lichfield's have advised from their experience that town centre Tesco's and Sainsbury's typically trade at 20% or more below their company average. The available evidence suggests that these store will continue to trade viably and would not experience difficulties should the application proposals be implemented.

4.32 Lichfields' have advised that the indirect trade diversion (through loss of linked trips to other town centre units) would result in a loss of £1.4m which represents a -0.3% trade diversion of comparison goods, which is considered to be insignificant.

4.33 The direct and indirect impacts on the town centre are not considered to be significant.

#### Retail Impact Conclusions

4.34 It is considered that the proposed development is unlikely to result in significant adverse impacts on High Wycombe town centre and that the retail impact assessment test has been passed.

#### Overall Conclusions

4.35 The LPA is satisfied that there are no more sequentially preferable sites to the application site, allowing for flexibility and scale. Furthermore, while it is acknowledged that there are some differences in opinion with regard to the impact that the development would have on designated centres, your officers are satisfied that the proposals would not have a significant adverse impact on the vitality and viability of centres which have been independently reviewed. The assessments which have been carried out are considered to be proportionate for the scale of the proposed development. Therefore, it is considered that the relevant tests are passed and the proposed development is acceptable in this location, subject to compliance with other policies.

#### **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)

Wycombe District Adopted Delivery and Site Allocations Plan (July 2013): DM2 (Transport requirements of development site)

#### Access and Highway Safety

4.36 Access to the site would be via an upgraded access from Crest Road. BC Highways have reviewed the proposed point of access and are satisfied, following amendments, that the access can be provided in this location which would be suitable and not give rise to highway safety issues.

4.37 The amended proposals demonstrate that all vehicles, including HGVs, can enter and exit the site in a forward gear and as such would ensure that no vehicle is required to reverse onto the public highway. Additionally, such servicing vehicles can now manoeuvre within the site without the need to pass over parking spaces. Servicing of both the retail unit and drive through restaurant will be internally within the site requiring servicing vehicles manoeuvring within publically accessible areas. Amended proposals have been provided which minimise the potential conflict between HGV's and pedestrians. It has been highlighted that one servicing vehicles will visit each day during normal operating hours, while the arrangements for the drive through



restaurant minimise movements within the site. BC Highways are satisfied that the amendments minimise the potential conflict between servicing vehicles and the public and recommend a condition be attached to any permission requiring the submission of a servicing management plan. The concerns of the Urban Design Officer with regard to internal conflict are noted, however in the absence of concern by the Highway Authority the proposals are deemed to be acceptable in this regard.

- 4.38 Consideration has been given to the impact that the development would have on the local highway network, including the cumulative impacts with the proposed adjacent retail development (which remains undetermined). BC Highways are satisfied that the proposed developments would not materially impact the signalised John Hall Way/Crest Road junction, and that the junction can accommodate the additional traffic movements.
- 4.39 Due to the proximity of the site to junction 4 of the M40, consideration has been given to the impact on the Strategic Road Network (SRN). Highways England have reviewed the submitted information and have confirmed that they are satisfied that the development is unlikely to have significant impact to the safe and efficient operation of the SRN, in this case the M40 motorway.
- 4.40 The scheme includes the creation of a new pedestrian crossing on John Hall Way to allow for better connectivity between the site and the residential area to the north of John Hall Way. The crossing will require dropped kerbs and tactile paving and its delivery can be secured by condition.
- 4.41 The application proposals will also require the continuation of a pavement on the northern side of Crest Road to ensure that the pavement connects with that to be delivered under the adjacent employment development scheme. The delivery of which can also be secured by condition.
- 4.42 The proposed development can therefore be satisfactorily provided through the provision of safe and convenient access, and the impacts of traffic movements from the development would not cause harm to the operation or effectiveness of the Local or Strategic Road Networks.

#### Proposed Parking Provision

- 4.43 The application proposes a total of 126 parking spaces to serve the development. The Highway Authority have reviewed the parking provision and are content that the level of provision to serve the development is satisfactory. It is observed that the size of the proposed parking spaces is below that of the size set out in the county wide parking standard. However the Highway Authority is content that the necessity to provide a satisfactory level of parking, on site, without the excess parking on the highway is an acceptable compromise in this instance.

#### Connectivity/Travel Plan

- 4.44 The application site is located within a mixed use area with a residential community which is within close proximity to the site. It is likely that the development would serve residents at the southern side of High Wycombe. The site is accessible by means of foot, cycle and public transport with bus stops located on John Hall Way adjacent to the site. Pedestrian connectivity is proposed from John Hall Way to provide direct access to the site.

- 4.45 The application has been supported by a Travel Plan which has been reviewed by the Highways Authority who consider that its scope ought to be widened to all persons accessing the site. An updated Travel Plan can be secured by condition while money for its monitoring by the Council can be secured via a memorandum of understanding.
- 4.46 In addition, to support the Travel Plan objectives the Highways Authority have recommended that a contribution be sought to improve the bus stop provision on John Hall Way to provide Real Time Passenger Information at the nearest bus stops. This contribution would amount to £16,000.00 which would necessitate enhanced connectivity and attractiveness of public transport as a viable alternative.

#### **Raising the quality of place making and design – including landscape considerations**

Wycombe District Local Plan (August 2019): CP9 (Sense of place); DM30 (Chilterns Area of Outstanding Natural Beauty); DM34 (Delivering Green Infrastructure and Biodiversity in Development); DM35 (Placemaking and Design Quality)

Wycombe District Adopted Delivery and Site Allocations Plan (July 2013): DM11 (Green networks and infrastructure)

- 4.47 The application proposes the construction of a detached supermarket building which would be sited towards the northern end of the site. The building would be a total of 65m in length at its widest, 35m in maximum depth and includes a lean-to roof with maximum height of 8.3m. Due to land level changes between the site and John Hall Way, the proposed retail unit would site at a lower land level than the public highway to the north.
- 4.48 The proposed McDonalds would be sited at the southern end of the site and would have a maximum length of 31m, maximum depth of 14m and maximum height of 8.1m. The building would be part two storey and part single storey with flat roofs.
- 4.49 The development proposes a mix of facing materials to the elevations, which includes a mixture of cladding materials, green wall and glazing. It is considered that a mixed palette of materials would help to break up the mass of the buildings and provide some interest, as such the materials are important to the success of the scheme from a design perspective. Material details can be secured through condition
- 4.50 The site in its entirety would be accessed from Crest Road. Internally the scheme includes an access road, and parking, manoeuvring and servicing areas to facilitate the units. Due to land level changes, the scheme includes an element of cut and fill to level parts of the site, this would require the provision of and retention of the retaining wall to the east. The Landscaping would be provided predominantly around the perimeter of the site with some landscaping provided internally to help to break up the expanse of car parking.
- 4.51 The surrounding area is characterised by buildings of various forms and scales with no prevailing uniformity which is indicative of the mixed nature of uses in the area. The Next building to the east and ASDA to southwest are large buildings and the scale of the proposed buildings would be comparable to these existing buildings. Planning permission has recently been granted for commercial development to the west of the site and the proposals would be compatible with the design of these units. Given the mixed character of the area it is not considered that the development would cause undue harm to the character and appearance of the area or adjacent building. The retail unit

- 4.52 The scheme proposes the delivery of landscaping along the northern and southern boundaries of the site which help to screen the extent of the proposals. The scheme includes appropriate levels of landscaping around the development to achieve this desired screening effect. Furthermore, John Hall Way is identified as a Corridor Opportunity Area as detailed by DM11 of the DSA. The scheme proposes landscape enhancements along this route which satisfies the requirements of this policy.
- 4.53 The application site is not located within a designated landscape area, however views of the site from the AONB would be available from the south on the opposite side of the M40. The development would be sited within an urban setting within the context of large commercial buildings within the immediate area. Furthermore, the lighting of the site would appear in the context of an urban area and is unlikely to be a prominent addition to the townscape in this respect. The proposals therefore would not have a detrimental impact on the setting of the AONB.
- 4.54 In summary, the proposed development is considered to be policy compliant in respect of design, subject to conditions.

#### **Amenity of existing and future residents, and Environmental Issues**

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality); CP7 (Delivering the infrastructure to support growth); DM20 (Matters to be determined in accordance with the NPPF)

- 4.55 The site layout, and proximity to nearby residential properties is such that the development is unlikely to result in any adverse amenity issues for nearby residential properties through loss of daylight, privacy, overshadowing or overbearing.
- 4.56 The main consideration would be the impact that the development would have on noise sensitive uses from noise and disturbance arising from the proposed development. The application has been supported by a noise report which has been reviewed by BC Housing & Regulatory Services. The proposed development would result in potential noise and disturbance considerations arising from the comings and goings associated with the proposed development. The impact on residential amenity would be acceptable subject to imposing conditions on the development to restrict the opening hours of the Aldi, and conditions restricting the timings of any servicing of the site.
- 4.57 The proposed McDonalds would be sited on the southern side of the site, further away from the residential properties on the northern side of John Hall Way. Noise and disturbance arising from the McDonalds element of the scheme is deemed to be acceptable and would not have an adverse impact on the amenity of residents.
- 4.58 It will be necessary to ensure that the light of the site would not result in any unacceptable light spillage, while also ensuring that lighting provides a safe and secure environment, particularly with regard to the pedestrian access from John Hall Way. A lighting scheme could be conditioned.
- 4.59 The submitted ground investigation reports have been reviewed by BC Housing & Regulatory Services, who have no objections subject to a further condition relating to unexpected contamination.

#### **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)

- 4.60 The site lies within Flood Zone 1, part of the site is identified as being susceptible to surface water flooding. No concerns have been raised with regard to the impact on the development from the risk of flooding.
- 4.61 The application has, been supported by a Drainage Strategy which considered the options for incorporating a Sustainable Urban Drainage System within the development. The LLFA have reviewed the submitted information and, subject to the imposition of conditions, are satisfied that the site an appropriate drainage scheme can be achieved on the site.

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

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth); CP9 (Sense of Place); CP10 (Green Infrastructure and the Natural Environment); CP12 (Climate Change); DM34 (Delivering Green Infrastructure and Biodiversity in Development); HW8 (Land off Amersham Road including Tralee Farm, Hazlemere)

Wycombe District Adopted Delivery and Site Allocations Plan (July 2013): DM11 (Green Network and Infrastructure); DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance); DM14 (Biodiversity in development)

- 4.62 Policy DM34 confirms that all development is required to protect and enhance both biodiversity and green infrastructure features and networks both on and off site. Development is required to achieve a future canopy cover of 25% on sites of the scale of the application site.
- 4.63 The application proposes a future canopy cover provision of 20% which falls below the standard set out in Policy.
- 4.64 There has been consideration of the use of green roofs but, in this instance, this has been discounted by the applicants due to the expense of the development and changes to the scheme which would be needed to facilitate such features. The scheme includes significant landscaped boundaries which are essential to help to screen the development which is a significant benefit of the scheme, while opportunities have been provided within the site to provide for some green infrastructure within the development. Furthermore, the development would deliver landscaping along the Corridor Opportunity route which in itself is a benefit. Given the nature of the use, much of the land within the development will be dedicated to manoeuvring space, parking and internal routes which limits the space available for additional planting (unlike a housing scheme which may have areas of private or communal amenity space which could provide additional cover).
- 4.65 The applicants have explored the use of other Green Infrastructure elements within the scheme and have included a green wall which would be provided on the eastern elevation. However, the extent to which this contributes towards canopy cover is limited.
- 4.66 Insisting on additional canopy cover within the development, in this instance, is likely to compromise the delivery of the scheme and resulting in other technical issues, relating to parking standards. The LPA is satisfied that canopy cover on this site has been maximised and therefore, on balance, when weighed against the economic benefits, the structural screening proposed and the contribution towards the Corridor Opportunity area it is considered that the slight under provision is acceptable in this instance.

## **Ecology**

Wycombe District Local Plan (August 2019): CP10 (Green Infrastructure and the Natural Environment); CP12 (Climate Change); DM34 (Delivering Green Infrastructure and Biodiversity in Development)

Wycombe District Adopted Delivery and Site Allocations Plan (July 2013): DM11 (Green Network and Infrastructure); DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance); DM14 (Biodiversity in development)

4.67 With regard to biodiversity implications, Policy DM34 requires that developments should deliver measurable net gains within the development. The existing site comprises areas of hardstanding, while large areas of greenspace is existing which contribute towards the existing habitat value of the site. A Biodiversity Impact Assessment has been carried out which demonstrates that the development would not deliver a net gain of biodiversity on site with the extent of biodiversity habitat loss being 0.8 units (using the Warwickshire metric). It is the applicant's intention to compensate for the loss of biodiversity value through a financial contribution to deliver net gains off site. It is regrettable that net gain cannot be delivered on site, however, given the economic, social and other environmental benefits that the development would bring, the nature of the site and its context, it is considered in this instance that a financial contribution towards off site compensation in lieu, together with a net gain, is appropriate in this instance.

4.68 The submitted PEA and species surveys do not identify that the development would have an adverse impact upon protected species or their habitats. A Construction Environment Management Plan (CEMP) and Landscape and Ecology Management Plan (LEMP) will can be secured by condition.

## **Infrastructure and Developer Contributions**

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth)

Planning Obligations SPD (POSPD)

4.69 As detailed in the above sections it will be necessary for the development to compensate for the loss of habitat on site, which can be secured through a financial contribution towards off site delivery of habitat enhancement.

4.70 With regard to transport matters, £16,000 will be necessary to upgrade nearby bus stops to deliver Real Time Passenger Information. Travel Plan monitoring, at £1000/year for five years will also need to be secured via s.106.

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

5.1 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

- 5.2 As set out above, after satisfying the sequential test and retail impact test, it is considered that the proposed development is acceptable and would represent a sustainable land use in the settlement of High Wycombe. As conditioned, it is considered that the proposed design, impact on residential amenity and impact on highway safety are all acceptable. There is concern that the development would not provide 25 % canopy cover, however this is outweighed by other factors in this instance. Furthermore, the development would fail to deliver a net gain in biodiversity on site and it is proposed to compensate for this loss through a financial contribution towards off site compensation. As above, the conflict with policy in this regard is also outweighed by the economic, social, and other environmental benefits of the development and as such the contribution proposed is acceptable.
- 5.3 The proposed development is in accordance with the Development Plan when taken as a whole, and national guidance contained within the NPPF, and represents sustainable development.
- 5.4 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

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

- 6.1 In accordance with paragraph 38 of the NPPF (2021) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 6.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications / agents of any issues that may arise in the processing of their application.
- 6.3 In this instance:
- pre-application advice has been given;
  - the applicant/agent was informed of issues arising with the development during the application process and given the opportunity to address the concerns raised;
  - Following addressing the issues, the application was determined without delay.

## **7.0 Recommendation**

- 7.1 The application is recommended for approval subject to entering into a memorandum of understanding agreement to secure:
- i. A financial contribution towards biodiversity net gain by compensating for the loss of 0.8units, as calculated by the Warwickshire metric (plus a net gain);
  - ii. A financial contribution of £16,000 towards Real Time Passenger Information upgrades to bus stops;
  - iii. Travel Plan monitoring fees for a period of 5 years.

And subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).

2. The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers:

- 180997-1100 – Rev P1 – Location Plan
- 180997-1150 – Rev P2 – Existing Site Plan
- 180997-1200 – Rev P2 – Existing Site Sections
- 180997-1400 – Rev P11 – Site Plan as Proposed
- 180997-1401 – Rev P2 – Floor Plan as Proposed Aldi
- 180997-1402 – Rev P3 – Ground/First Floor & Roof Plan McDonalds
- 180997-1403 – Rev P1 – Roof Plan as Proposed Aldi
- 180997-1500 – Rev P2 – Proposed Site Sections
- 180997-1501 – Rev P4 – Proposed Elevations Aldi
- 180997-1502 – Rev P3 – Proposed Elevations McDonalds
- 180997-1503 – Rev P1 – Proposed Streetscenes
- 1377-01 Rev K – Soft Landscape Proposals

Unless amended pursuant to the requirements of any condition attached, or otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development hereby approved shall be constructed in strict accordance with the elevation materials and specifications as detailed on the approved plans, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory appearance of the development in the interest of visual amenity.

4. All hard surfacing materials shall be carried out in strict accordance with the details hereby approved, unless otherwise first agreed in writing by the Local Planning Authority. All hardsurfacing shall be provided prior to first occupation of the development hereby approved, and shall thereafter be retained.

Reason: To ensure the satisfactory appearance of the development in the interest of visual amenity.

5. All planting, seeding or turfing comprised in the landscaping scheme, shall be provided in full accordance with the details hereby approved, and shall be implemented and maintained in accordance with the details set out in the LEMP to be approved pursuant to condition 9.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping, and to ensure that tree planting becomes established.

6. Notwithstanding the proposed site level details hereby approved, before the development is commenced (with the exception of site clearance), full details of the proposed levels, including detailed sections, shall be submitted to the Local Planning Authority for approval.

The details shall include:

- a) Existing ground levels on site (spot heights) including a datum point that is located off site.
- b) Levels should be Above Ordnance Datum (AOD).
- c) The level of the road outside the site. (AOD).
- d) The proposed levels on site following completion of the development (for each existing height a proposed height should be identified).

- e) The location and type of any retaining structures needed to support ground level changes.
- f) The Finished Floor Level of the buildings.
- g) Cross sections within the site taken up to the site boundaries. The information supplied should clearly identify if land levels are being raised or lowered.

The development shall be carried out only in accordance with the approved details.

Reason: This condition is necessary to ensure accurate information can be provided regarding the levels for the development and thereby to ensure that the work is carried out at suitable levels in relation to adjoining properties and highways, to ensure that the impact on surrounding views is as assessed and in the interests of the street scene.

7. With the exception of site clearance, before the development hereby approved is commenced, full details of all means of enclosure (including cycle shelters and sub stations), boundary fencing and retaining walls, including their heights, materials and colour finish, shall be submitted to the Local Planning Authority for approval. The development shall be carried out in strict accordance with the approved details which shall be provided prior to first occupation of the development hereby approved, and thereafter retained.

Reason: To ensure the satisfactory appearance of the development in the interest of visual amenity.

8. No development shall take place until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall be informed by the recommendations and conclusions detailed within the Ecological Assessment (dated 13<sup>th</sup> July 2021). The CEMP shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of wildlife and supporting habitat.

9. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to commencement of the development hereby approved. The content of the LEMP shall include the following.

- i. Description and evaluation of features to be managed.
- ii. Ecological trends and constraints on site that might influence management.
- iii. Aims and objectives of management.
- iv. Appropriate management options for achieving aims and objectives.
- v. Prescriptions for management actions.
- vi. Preparation of a work schedule (including an annual work plan capable of being rolled forward).
- vii. Details of the body or organisation responsible for implementation of the plan.
- viii. Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The approved plan will be implemented in accordance with the approved details.

Reason: To ensure appropriate protection and enhancement of biodiversity, to make appropriate provision for natural habitat and landscaping within the approved development and to provide a reliable process for implementation and aftercare.



10. Prior to the commencement of any works, details of tree pit design shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the tree pits shall be constructed in accordance with the approved details.

Details to include:

- where/how the required soil volume will be provided, where underground infrastructure is to be located to avoid clashes,
- 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,
- 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,
- details of maintenance and management (and replacement procedure if necessary) of trees for at least 5 years after planting.

Reason: 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 and to maximise the quality and usability of open spaces within the development.

11. No other part of the development shall begin until the new means of access has been altered in accordance with the approved drawing and constructed in accordance with the Buckinghamshire Council guide note "Commercial Vehicular Access Within the Public Highway".

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

12. The scheme for parking and manoeuvring and the loading and unloading of vehicles shown 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, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

13. No part of the development shall be occupied until a full Travel Plan for the site has been submitted to and approved by the Planning Authority. The plan shall set out measures to reduce single occupancy journeys by the private car and indicate how such measures will be implemented and controlled. The Travel Plan shall include a full analysis of the modal split at existing sites and indicate targets for modal shift in the forthcoming year. The Travel Plan shall be subject to annual review thereafter. For the avoidance of doubt the Travel Plan will require the appointment of a Travel Plan Co-ordinator.

Reason: In order to influence modal choice and to reduce single occupancy private car journeys and comply with national and local transport policy.

14. Prior to the commencement of any works on the site, a Construction Traffic Management Plan detailing the management of construction traffic (including vehicle types, frequency of visits, expected daily time frames, use of a banksman, on-site loading/unloading arrangements and parking of site operatives vehicles) shall be submitted and approved in writing by the Planning Authority in consultation with the Highway Authority. Thereafter, the development shall be carried out in accordance with such approved management plan.

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

15. Prior to occupation of the site an informal crossing point shall be provided on John Hall Way.

Reason: To provide a safe and suitable crossing facility on to enable access to the site.

16. Prior to first occupation of the development, the proposed pedestrian/cycle route through the site from John Hall Way shall be provided and made available for use, and shall thereafter be retained for the lifetime of the development.

Reason: In the interest of connectivity and sustainable travel.

17. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Assessment of SuDS components as listed in the CIRIA SuDS Manual (C753) and provide justification for exclusion if necessary
- Demonstrate that water quality, ecological and amenity benefits have been considered
- Full construction details of all SuDS and drainage components
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.

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

18. Prior to the occupation of the development a whole-life maintenance plan for the site must be submitted to and approved in writing by the Local Planning Authority. The plan shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SuDS component), with details of who is to be responsible for carrying out the maintenance. The plan shall also include as-built drawings and/or photographic evidence of the drainage scheme carried out by a suitably qualified person. The plan shall subsequently be implemented in accordance with the approved details.

Reason: The reason for this prior occupation condition is to ensure that arrangements have been arranged and agreed for the long term maintenance of the drainage system as required under Paragraph 165 of the NPPF.

19. The retail unit shall not be open to the public outside the hours of 08:00 to 22:00 Monday to Saturday and 10:00 to 18:00 on Sundays and Bank Holidays.

Reason: In the interest of the amenity of nearby residential properties.

20. The rating level of noise emitted by all fixed plant on the site shall not exceed 49 dB(A) between 0700 and 2300 hours and 43 dB(A) between 2300 and 0700 hours. The noise levels shall be determined by measurement or calculation in connection with a noise sensitive premises. The measurements and assessment shall be made according to BS4142:2014+A1:2019.

Reason: To protect the occupants of nearby residential properties from noise disturbance.

21. No deliveries or the collections shall take place in connection with the supermarket between 23:00 and 07:00.

Reason: To protect the occupants of nearby residential properties from noise disturbance.

22. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

Before development recommences on the part of the site where contamination is present a scheme outlining appropriate measures to prevent the pollution of the water environment, to safeguard the health of intended site users, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation and approved conclusions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be implemented otherwise than in accordance with the approved remediation scheme.

Reason: To ensure that the potential contamination of this site is properly investigated and its implication for the development approved fully taken into account.

23. Prior to the occupation of the development hereby permitted, eleven 32amp and two rapid (43kW/50kW) electric vehicle charging points (13 in total) must be installed. The developer must ensure that the National Charge Point Registry is updated.

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.

#### INFORMATIVE(S):

1. In accordance with paragraph 38 of the NPPF (2021) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

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:

- pre-application advice has been given;
  - the applicant/agent was informed of issues arising with the development during the application process and given the opportunity to address the concerns raised;
  - Following addressing the issues, the application was determined without delay.
2. The permission is subject to a memorandum of understanding to secure the delivery of financial contributions towards achieving a net gain in biodiversity; RTP1 upgrades to bus stops; and Travel Plan monitoring.
  3. The attention of the applicant is drawn to the requirements of section 60 of the control of pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application under Section 61 of the Act, for prior consent to the works, can be made to the environmental Services Division of the Council.
  4. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land

forming part of the highway. A period of 28 days must be allowed for the issuing of the licence, please contact Transport for Buckinghamshire at the following address for information.

Transport for Buckinghamshire (Streetworks)  
10th Floor,  
Walton Street Offices  
Walton Street, Aylesbury,  
Buckinghamshire  
HP20 1UY  
01296 382416

5. The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Highways Development Management at the following address for information:-

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

6. It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

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

### Councillor Comments

None received

### Parish/Town Council Comments

N/A

### Consultation Responses

**Buckinghamshire Council Arboricultural Officer** – Further Comments: Canopy cover calculations are incomplete, but indicate that the development falls short of the requirements set out in policy DM34. Please refer to ecology comments to see how this could be addressed through green roof and/or other green infrastructure.

It will be essential to demonstrate that the tree planting is feasible and that it will be able to reach its full potential and match the aspirations of the design. Tree pit design will need to ensure sufficient good quality soil and will likely require below ground support to create soil vaults. Given the complexity coupled with the shortfall in canopy cover, it may be advisable to request these details ahead of a decision. (15/09/2021)

**Buckinghamshire Council Arboricultural Officer** – Initial Comments: It is acknowledged that removal of category C trees will be necessary in order to develop the land. The loss of trees could be mitigated through landscape proposals. However, the site is larger than 0.5 hectares, so will need to demonstrate that 25% canopy cover (and associated soil volume) can be achieved in order to satisfy policy DM34

It is recommended that canopy calculations are submitted ahead of a decision. (14/12/20)

**Buckinghamshire Council Ecology Officer** – Further Comments 2: I am satisfied with the updated surveys.

There is some confusion over the extent of biodiversity loss. The image of the Amended Biodiversity Impact Assessment and the table on p18 of the Ecological Assessment show a loss of 0.73, however the image of the Biodiversity Impact Assessment shows the loss as 0.77. A copy of the spreadsheet is needed so that the detail can be checked.

It is clear that there will be a net loss in Biodiversity, however there is lots of potential to incorporate green roofs on the buildings. Incorporating green roofs will likely make a significant difference to the biodiversity calculations and will likely result in a net gain. Incorporating Green roofs will also help meet the canopy cover requirements where there is currently a significant shortfall.

Green Roofs could also contribute towards SuDS requirements if appropriately designed.

The landscaping does not show much ecological consideration. For instance the inclusion of the non-native Photinia Red robin to the rear of the store is inappropriate and the seeding/turf claims to be species rich, but no details are given of what species will be included. It is unclear what habitats are to be created and what condition they are expected to achieve.

No obvious consideration has been given to the Green Infrastructure corridor as identified in policy DM11.

## RECOMMENDATIONS:

The proposals do not contain sufficient information about ecological proposals to make full judgements on the accuracy of biodiversity accounting claims. However, from what has been submitted it is clear that biodiversity net gain requirements will not be reached and nor will canopy cover targets. The Green Infrastructure opportunity corridor has not been given consideration and it appears that little attempt has been made to maximise the ecological value of the site. The proposed enhancements are ok but they only make a small part of the picture and do not contribute to biodiversity accounting.

Therefore, the proposals need to either be quite significantly amended, or it would be appropriate to include failure to meet requirements of DM34 and DM11 as part of reasons for refusal. (03/08/2021)

**Buckinghamshire Council Ecology Officer** – Initial Comments: The Ecological Assessment includes information from a Phase 1 Habitat survey which was undertaken about a month before the start of the survey season. Therefore, the fact that only limited species were found in the grass land does not give an accurate indication of their quality.

The report concludes that the habitat is of negligible value and does not need compensating for. However, this is clearly wrong as there is possibility that reptiles use the site, stag beetles have been found on site and there is bird nesting habitat too.

Reptile surveys need to be undertaken to understand the impact the proposals might have on this protected species.

The headline figures from the Biodiversity Impact Assessment (BIA) have shown that there would be a net loss. However, the calculator itself has not been submitted so that the detail can be checked.

The site has a Green Infrastructure Opportunity Area running across the north edge of the site (which is highlighted in policy DM11). This needs to be taken into account in the design of the proposals.

It has already been mentioned in the Tree Officer's comments that there is a requirement for 25% Canopy Cover from DM34. This should have come in at validation stage, the fact it didn't is not the end of the world but it is needed before decision as I think it's likely that a significant redesign will be needed to accommodate that and Biodiversity Net Gain.

## RECOMMENDATION(S)

The Extended Phase 1 Habitat Survey needs to be redone, in the survey season (likely starting beginning of April, but weather dependent).

We need the Spreadsheet for the Biodiversity Impact Assessment, so it can be checked (but this will need updating following the Phase 1 resurvey).

The Green Infrastructure Opportunity Area needs accommodating as per DM11.

Canopy Cover details need to be submitted as per the table on page 16 of the Canopy Cover SPD.

Once the above details have been submitted, further conversations can be had over the design and layout of the site, following the mitigation hierarchy. (14/12/20)

**Buckinghamshire Council Landscape Officer** – Further Comments: In landscape terms there is little change from the previous submission. Previously I highlighted that:

"The 2 x *Pyrus Chanticleer* and 3 x *Carpinus betulus* shown on the western boundary seem to be located in a very constricted area between the boundary and the parking. As with the 5 trees on the eastern boundary where there is currently a high retaining wall. More detail is needed to

understand what conditions these tree will be planted into. The site sections do not detail this enough to see if there is room or what the levels are. Further information and/or a layout revision may be required to ensure these trees can be planted with the necessary soil volume and space to thrive”.

The technical aspects of this would be better dealt with by our tree officer, so I defer to them as to whether these trees can be successfully accommodated. From a landscape point of view, their inclusion is preferred as they will soften the impact of the built form and provide green relief between this and neighbouring developments. I see our ecologist commented that they would prefer to see more native species included within the soft landscape proposals and I have no objection to this. (04/08/2021)

**Buckinghamshire Council Landscape Officer** - Initial Comments: The height of the development is limited enough to remove concerns about visual impact on the AONB to the south. Lighting will be designed in line with ILE guidance and a condition should be applied to any permission requiring it to take account of views from the AONB.

As the tree officer notes, existing trees of importance have been retained and protected. There are ample opportunities within the layout to provide further tree planting, as the Soft Landscape Scheme demonstrates. However, the 2 x Pyrus Chanticleer and 3 x Carpinus betulus shown on the western boundary seem to be located in a very constricted area between the boundary and the parking. As with the 5 trees on the eastern boundary where there is currently a high retaining wall. More detail is needed to understand what conditions these tree will be planted into. The site sections do not detail this enough to see if there is room or what the levels are. Further information and/or a layout revision may be required to ensure these trees can be planted with the necessary soil volume and space to thrive.

The inclusion of native tree and hedgerow species is welcomed as it will provide ecological as well as visual benefits. (27/01/21)

**Buckinghamshire Council Urban Design Officer** – Further Comments 2: Pedestrian/Cycle access - The path proposed at the western side of the site is not wide enough for safe shared access; it incorporates sharp angular turns rather than a curved layout; and it leads from John Hall Way to the centre of the car park but does connect to Crest Road.

Furthermore, pedestrian movement through the site is poorly served in general, especially to the ALDI store. There is no safe and convenient direct access to the front door of the ALDI store, instead requiring a circuitous route through the car park; pedestrians are likely to walk directly through the car park along unprotected routes. Service areas to both ALDI and McDonalds require vehicles to reverse across pedestrian crossings, where this also comes into conflict with vehicles using the McDonalds drive-thru and car park.

Resolution: provision of pedestrian and cycle routes that are simple, direct and safe, with sufficient width (minimum 3.0 metres) for shared use where required. Two potential approaches to this are indicated on the attached sketch plans: the first is broadly a modification of the current arrangement, while the second proposed an alternative footpath/cycleway route along the eastern boundary instead, which would substantially simplify matters.

Crest Road FP - None is proposed. This must be provided for continuity along Crest Road.

Pedestrian/Vehicle Conflict - Proposed arrangements are unsatisfactory. Tracking should be included on drawings to indicate how service vehicles intend to enter and leave the currently proposed service location for McDonalds.

The attached sketch plans indicate suggested alternative arrangements. A shared footpath/cycleway to the eastern boundary (rather than the west) would help remove pedestrian conflicts with all of these arrangements.

Elevation Details - There is little change since the original submission, though a green wall has been added to the east-facing façade near Joh Hall Way. Further breakdown of the long north-facing façade is needed, most probably with contrasting materials as previously suggested.

Canopy Cover - Rationalising pedestrian (and cycle) movements through the site as suggested above would free up more space for tree planting within the car park.

Soft Landscaping - Item 5 above addresses planting within the car park.

Regarding site margins, it is noted that a long narrow strip of land lies outside the proposed red line boundary at the eastern boundary, adjoining the retaining wall to the NEXT building / car park. While it is outside the red line boundary, it is proposed to reduce the levels here (as indicated on the proposed sections). However, no planting is proposed and it seems likely this area will go unmanaged. Views from the car park of the retaining wall and unmanaged landscape will have an adverse visual impact.

This area should be included within the red line boundary and proposed for planting and maintenance. This could contribute significantly to achieving the canopy cover target of 25%. It could also usefully incorporate the footpath and cycleway needed between John Hall Way and Crest Road, as discussed in Point 1 above.

Green Walls - A small green wall has been added to the eastern elevation. This is a minor addition to canopy cover calculations.

Service Diversions - The Soft Landscape Proposals drawing indicates existing services to be diverted along the site's western boundary. In the northerly part of the site, this shows what appears to be a wayleave crossing into the adjacent site to the west - this is not acceptable, as it interferes with the boundary fencing and adjacent soft landscape, and must be accommodated within the site itself.

Parking Standards - It is noted that proposed parking spaces are 5.0 x 2.5 metres, falling short of the Buckinghamshire Parking Standards that apply in this area. Unless this has already been agreed with the Case Officer, perhaps as part of pre-application discussions, the Buckinghamshire Standards should be applied.

McDonalds Fence - This is not needed, as a palid fence runs along the site boundary. If a timber finish is sought, this can be applied to the face of the palid fence as already proposed for the fence where it faces the ALDI store / car park.

Aldi Signage - This appears to conflict with retained tree T9, where the sign should be moved unless visibility to users approaching from the east is not required. The high-level signage to the north-eastern corner of the building is noted, which is likely to be visible from the east.

Substation - The masterplan drawings indicate a service vehicle parking bay on John Hall Way. This is not included within the red line boundary. Safe and convenient provision must be made for pedestrians (and cyclists if applicable) travelling along John Hall Way. (06/08/2021)



## **Buckinghamshire Council Urban Design Officer – Initial Comments:**

### **SITE LAYOUT**

Space for the required 10m landscape strip along John Hall way has been provided. An electricity sub-station has been indicated within this area, but the visual impact of this could be mitigated by landscape treatment.

Servicing has been tucked to the sides of buildings.

The layout fails to provide pedestrian or cyclist accommodation through the site to Crest Road, or through the car park to Aldi, for those traveling from the residential area or bus stops on or north of John Hall Way. The need for this was raised at the planning advice stage.

The layout fails to continue the pavements along the Crest Road frontage.

It isn't clear how deliveries to McDonald's deliveries will take place, or how they relate to the drive-through and use of McDonalds or Aldi car park. Para 4.2.2 of the Transport Assessment indicates that deliveries take place during normal operational hours, while Figure 4.2 only provides swept path for HGVs exiting the car park, not entering it, and indicates that the HGV will rely upon 8 customer parking spaces being empty and available for use by the HGV. It appears likely that deliveries will have an impact on customer access to McDonalds and Aldi. I defer to Highways DM on this point.

### **RESPONSE**

In terms of pedestrian and cyclist access, and possibly deliveries to McDonalds, the layout does not currently comply with the requirements of DM35, and there does not appear to be scope for this to be addressed by condition. If the applicant wished to amend their proposal to comply with policy, I recommend:

Safe and convenient pedestrian and cyclist provision should be made through the site from John Hall Way to Crest Road, and a pavement continued along Crest Road. Safe pedestrian provision should also be made through the car park to the main entrance of the Aldi store.

An HGV parking area for McDonalds could more conveniently be provided to the north of the drive through pick up window for the McDonalds store, within the Aldi car park (subject to Aldi parking requirements, and advice from Highways DM)

### **DESIGN**

The proposal would lack a good quality active frontage facing the car park and Crest Road; the active frontage instead faces the flank of Next, with only high level windows along the elevation facing the car park and Crest Road. This is however the standard design, as highlighted at the Planning Advice Stage, and is a design and relationship that has been accepted on other sites including at Baker Street High Wycombe.

In contrast with Next, the Aldi elevation along John Hall Way is the purely functional approach for the back of their standard design. Planning advice recommended that greater consideration be given to this prominent elevation.

Elevational drawings indicate Kingspan KS1000MR metallic silver cladding RAL 9006. This appears to be the same cladding used on the Baker Street store, and appears suitably matt in finish, minimising wider landscape impacts.

## RESPONSE

The elevation facing John Hall Way is not of sufficient quality to comply with policy DM 35 for this highly visible location. At a minimum, creation of bay rhythm and interest could be achieved by condition through materials, as per the southern elevation.

Inclusion of high level windows would further improve the elevation, but would require amendment of plans.

Finally, soft landscape planting would be beneficial to improve the appearance of the development from John Hall way, and could be secured by condition.

## LANDSCAPE

The proposal does not illustrate the level of soft landscape which is expected to deliver good quality placemaking, or required by policy DM34.

The site lies outside the town centre, and the area is 1.034 ha. Policy requirements of DM 34 therefore apply in respect to the need to provide 25% canopy cover on the site. This need has been highlighted in both Arboricultural and Ecological comments, and will also be important from a landscape impact urban design placemaking point of view.

The Canopy Cover SPD includes guidance on how canopy cover can be achieved on site, and on page 16 sets out the supporting documentation required to demonstrate that the requirements can be delivered. Although much of the required supporting documentation has not been submitted with this application, para 7.32 of the Planning and Retail Statement acknowledges that the proposal will not meet the 25% canopy cover requirement as currently designed, but that canopy cover has been maximised.

Insufficient information has been provided to support the claim that canopy cover has been maximised on this site. Furthermore, if 25% canopy cover has not been achieved on site, the policy requires the shortfall to be made up with other Green Infrastructure elements (green roofs and green walls) and the SPD sets out how this may be done. Such elements have not been provided.

Tree and soft landscape planting required by policy DM34 would also meet the requirements of the Concept Statement, and significantly improve the placemaking quality of the proposal. Green Infrastructure elements such as a green wall could be used to address concerns about the northern elevation of the Aldi store, facing John Hall Way.

## RESPONSE(S)

Tree planting will need to be demonstrably maximised, and any shortfall met through provision of other GI elements, including green walls or green roofs. The proposal may need to be redesigned to deliver these requirements, in particular any necessary GI elements. I note that green walls may also resolve concerns regarding the poor quality of the northern elevation.

The SPD sets out that a number of documents which are required to demonstrate that the policy requirements can be met. They should not be required by condition, as there may not be scope or flexibility to meet the policy requirement once the site layout and building design are approved.

## ADDITIONAL INFORMATION REQUESTED

The Canopy Cover SPD includes guidance on how canopy cover can be achieved on site, and on page 16 sets out the supporting documentation required to demonstrate that the requirements can be delivered, prior to determination. (14/01/21)

**Buckinghamshire Council Lead Local Flood Authority** – No objection subject to conditions relating to the submission of a SUD's scheme and maintenance. (11/12/2020)

**Buckinghamshire Council Highways** – Further Comments: No objection subject to conditions and legal agreement.

Parking spaces remain of a size that is below that of the county wide parking standard, however given the considerations of the compromise between the need to achieve a suitable level of parking and prevent a situation of excess parking taking place on the local highway.

The revisions present in the parking arrangement have also overcome concerns relating to the movement of pedestrians through the car park, with particular reference to children and those with disabilities that may lead to greater hazard being present should an HGV be present within the car park. The amendments to the layout also ensure that the requirement for an HGV is minimised to a level that must be considered to be the minimum practical within the constraints of the site. HGV's are also able to circulate through the car park without needing to pass over parking spaces preventing a situation of a vehicle becoming stranded within the car park.

Servicing management are found to be acceptable for minimising the risk of interaction between the public and HGV's across the site, with a maximum of one delivery taking place during normal operating hours of the store. In addition it has been discussed that those parking spaces within the store area of the car park will be used for overnight delivery vehicles for the drive-thru restaurant element to minimise manoeuvring within the site.

With respect to the footway amendments at the access point I can confirm that the revisions at the access are acceptable and create a safe and suitable access. However I do note that these drawings do not show a continuous footway along the whole frontage of the site.

satisfied that this application does not exceed the traffic generation and impact that has previously been mitigated by the scheme to deliver traffic signals at the junction of Crest Road and John Hall Way.

It should be secured by condition that the John Hall Way crossing point is improved to present dropped kerbs and appropriate tactile paving to ensure that any persons seeking to use this facility can do so safely, as it is reasonable to expect that this will now become a desirable location to cross John Hall Way.

Recommend Travel Plan widened and its monitoring secured by s.106. To support the TP objectives it is recommended that a contribution be sought to improve the bus stop provision on John Hall Way to provide RTPI at the nearest bus stops. This contribution would amount to £16,000.00. (22/09/21)

**Buckinghamshire Council Highways** - Initial Comments: The Highway Authority requires the following information before support can be given. The principle of this access is acceptable however the Swept Path Analysis shows that HGVs are not able to negotiate this entrance without using both sides of Crest Road and the site access. This represents a highway safety concern for all users of the highway, including pedestrians on the south side of the road. Therefore it is required that the geometry of the access be reviewed to ensure that access can be achieved in a safe manner.

It appears that not all of the information has been provided within the TA for the AM peak periods. Therefore it is requested that the full data is presented for the distributions and it be confirmed that the modelling has been checked comprehensively by the applicants before the Highway Authority carries out an assessment of this aspect of the application documents.

Concerns regarding the proposal to use each of the parking elements to supplement parking for the opposing site uses given the proposed layout. This proposal has the potential to cause circling of vehicles and additional manoeuvres within the site that have the potential to cause congestion and confusion that would then lead to delays at the junction of Crest Road and the site.

That the parking spaces proposed are at a size of 2.4m X 4.8m, these spaces are of inadequate size. Swept path analysis of the internal movements of HGV's indicates that a delivery vehicle cannot complete the requirements of the delivery manoeuvres without striking parking spaces. It is also designed in such a way as to require reversing past parent and child parking spaces. Given that deliveries are proposed within operating hours of the site, this arrangement is not considered acceptable. Servicing of the drive thru deliveries present similar issues and will require the effective closure of the site to allow for HGV manoeuvres. (01/02/21)

**Buckinghamshire Council Environmental Health** – Further Comments: Environmental Noise. Noise from customer activity to supermarket is unlikely to have an impact on local amenity. The liberation from noise from plant, including substation can be adequately controlled by way of condition. A condition restricting night time deliveries is necessary. Impact from noise from McDonalds is modest and do not recommend any additional specific controls.

Contaminated Land. Support the conclusions of the Environmental Assessments subject to imposition of condition relating to unidentified contamination. (08/04/21)

**Buckinghamshire Council Environmental Health** – Initial Comments: Air Quality SPD requires 10% EV charging points to be delivered with a minimum rating of 32amp prior to occupation. As there are 126 spaces proposed 13 Ev charging points shall be installed. (25/11/20)

**Environment Agency** – No comment (03/12/20)

**Highways England** – No objection (10/12/20)

**Thames Valley Police (Crime Prevention Design)** – Footpath entering site lack suitable surveillance. Appropriate lighting should be provided. Footpath exacerbates the potential for antisocial behaviour. Landscaping should maximise surveillance and CCTV plan should cover this area (15/12/20)

**Thames Water** – No objection with regard to foul water. No objection to surface water drainage subject to following sequential approach and consultation with LLFA on use of SUD's. Public sewer close or crossing site, applicant is advised to follow guidance on diversion or works close to pipes. (10/12/20)

### Representations

41 letters received in general support on following grounds:

- Aldi needed on this side of town
- Will enhance look of area
- Will be great for area
- Turn derelict land into something useful
- Will tidy up site
- Great for community

- Handy for those who cannot travel/accessibility
- Will create jobs
- Land an eyesore
- Good place to build
- Competition will be good for retail
- Support but needs careful traffic management
- Happy for Aldi, not sure about another McDonalds

2 letters of objection received from residents on the following grounds:

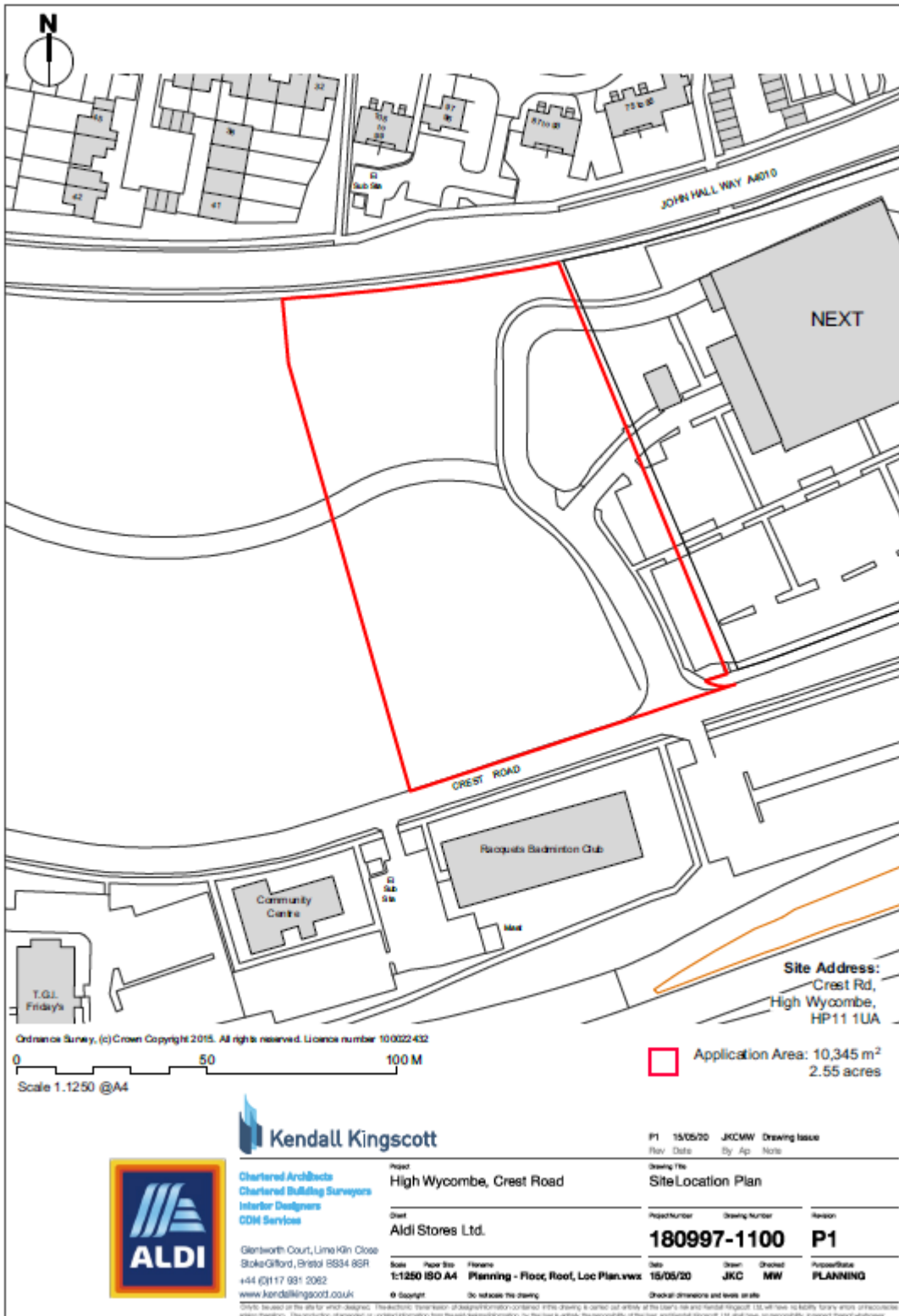
- Increased traffic throughout day
- Also occasional increase in traffic from Adams Park home games and John Lewis events
- Drive through will increase unsocial activity
- Increased litter
- Lorry traffic and noise/pollution issues
- It is a residential area
- Impact on property prices
- Too much junk food in area

3 letters of objection received from competitors:

- Based on the information provided, do not consider there is sufficient information to provide an informed assessment of the impact of the proposed development
- There has been a change in philosophy towards that of a traditional supermarket, with turnover more akin to traditional foodstore operators
- Foodstore could ultimately be occupied by any food retailer
- Need to be satisfied with the use of land as retail space, not just specific retailer
- A sensitivity test would be required to give clear impact on other centres in area
- A further scenario for a retailer with higher sales density required
- Assessments have not taken into account impact of Covid as centres may have been weakened and more vulnerable to out of centre impacts
- Difficult to predict how pandemic has affected vitality and viability of centres and that the Council can conclude the development would not have a significant adverse effect on vitality and viability of any centre
- Morrisons and wider town centre are vulnerable to trade diversion
- Could be significant adverse impacts as a result of an alternative town centre destination
- Health of Chiltern Shopping Centre has declined and has high vacancies
- Resolution to grant permission for retail warehouse club does not set a precedent for retail development on site
- Delivery of new retail floorspace under CP6 is for town centre sites, not capacity for sites elsewhere
- The 2013 household survey is old and doesn't include more recent developments, and not a robust evidence base
- Convenience split for Sainsburys and Tesco is too low – should be 65% convenience floorspace
- Trade diversions from the out of centre stores has been over estimated. 12.5% diversion from Waitrose is too high given space in market they operate. Which is reflected in 2% trade diversion from town centre M&S

- Trade diversion from Tannery Road Aldi, at 7.5%, is too high as they serve different catchments, while town centre Aldi only 2.5% diversion
- The applicant's sequential assessment is inappropriately limited in scope and only town centre opportunity sites in an ageing Local Plan document have been reviewed
- Relevant case law on the sequential approach has been misapplied and the advice issued by the Council's retail advisor lacks necessary rigour
- The uncertainties in the applicant's assessment of the impact of the proposal on the town centre: The health check of High Wycombe town centre is significantly out-of-date and a new household survey of shopping patterns should be commissioned due to the age of existing data in order to accurately capture existing shopping patterns.
- Site is not well connected, other better connected sites need to be considered
- Reliance on an ageing local plan document is not robust review of sites
- Bridge Street site solely reflects proximity to existing Aldi
- Disaggregation has not been applied
- No good reason why drive-thru cannot be sited in edge of centre or more accessible site elsewhere
- Lichfields' review is not sufficiently robust
- Health check is well out of date

# APPENDIX B: Location Plan



**Kendall Kingscott**



Chartered Architects  
Chartered Building Surveyors  
Interior Designers  
CDM Services

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Project  
High Wycombe, Crest Road

Client  
Aldi Stores Ltd.

Scale: 1:1250 ISO A4  
Phase: Planning - Floor, Roof, Loc Plan.vws

P1 15/05/20 JKC/MW Drawing Issue

Rev. Date By Ap. Note

Drawing Title  
Site Location Plan

Project Number Drawing Number Reason  
**180997-1100 P1**

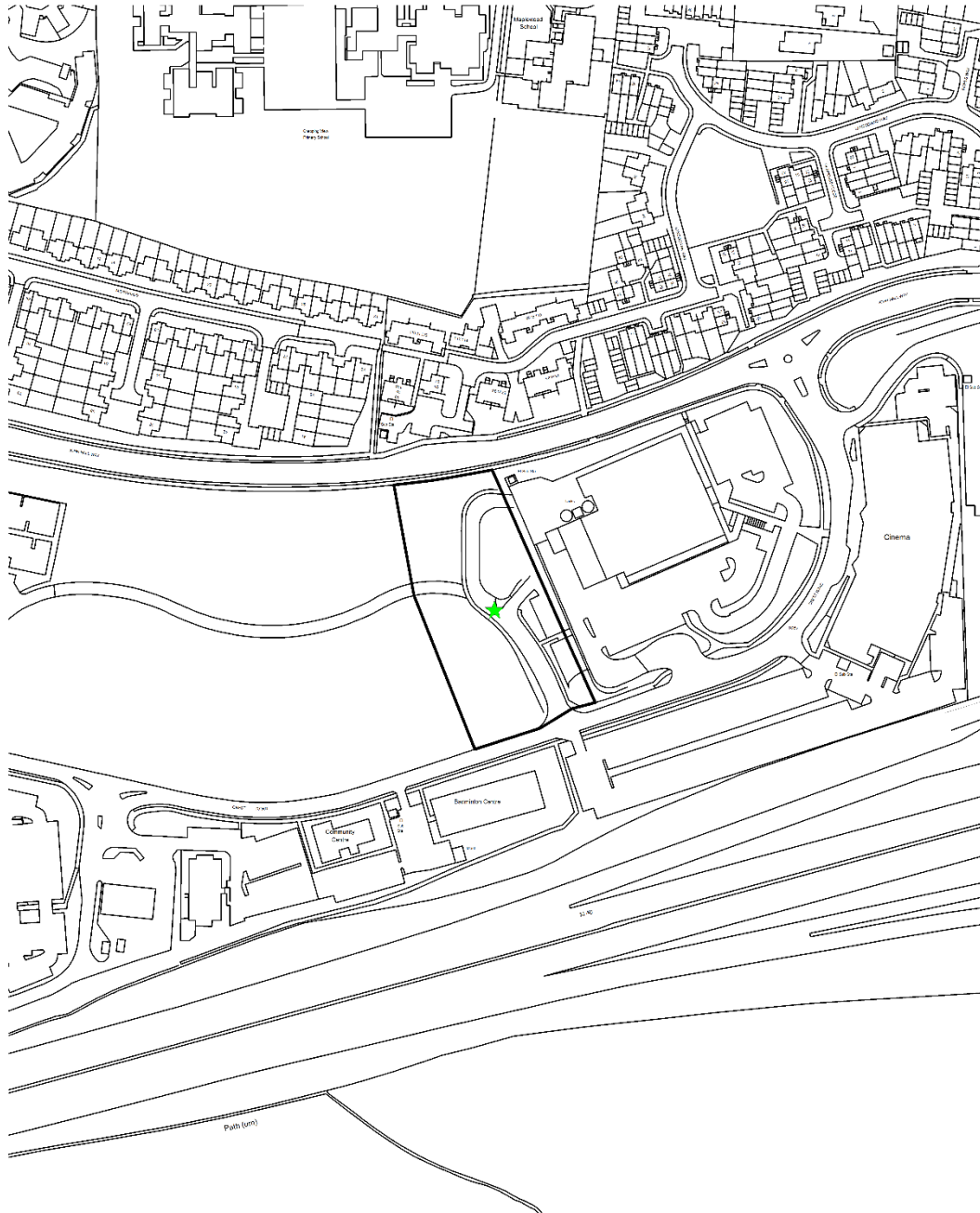
Date: 15/05/20 Drawn: JKC Checked: MW

Approval: PLANNING

Check all dimensions and levels on site

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20/07802/FUL  
Scale 1/2500



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## Report to West Area Planning Committee

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

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

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

- 1.5 This application has been referred to the Planning Committee at the request of Cllr Guy, Cllr Wassell, Cllr Clarke and Cllr Raja due to the loss of the current shops, insufficient parking provision and the provision of electrical charging points. Cllr Clarke had also originally called in the application, however is no longer elected. Cllr Wassell also has requested that following the submission of amended plans, Cllr Guy to address the remaining issues.
- 1.6 To conclude, following the amended plans submitted to address Officer concerns, Cllr Guy and Cllr Raja still wish for the application to be determined by the Committee.
- 1.7 As aforementioned above, the proposed development has been amended following discussions between the Council and the Agent and subsequently is considered to comply with the relevant policies of the Development Plan, and is therefore recommended for approval.
- 1.8 The application was previously due to be determined at a Previous Planning Committee but was removed from the Agenda following the Members site visit where a discrepancy in the red edge of the site location plan was noted. The application was removed from the Agenda and an amended plan submitted, with the relevant consultations carried out. The application is now in a position to be considered by the Planning Committee.

## **2.0 Description of Proposed Development**

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

### 3.0 Relevant Planning History

| Reference    | Development  | Decision | Decision Date   |
|--------------|--|----------|-----------------|
| 01/06251/FUL | Change of use to create one 2 bed flat at first floor 177/179 Gordon Road and the erection of an external stair. | PER      | 24 July 2001    |
| 94/05788/FUL | REFURBISHMENT OF FLAT & PREPARATION ROOM & GROUND FLOOR EXTENSION  | PER      | 30 June 1994    |
| 94/06788/FUL | REFURBISHMENT OF FLAT & PREPARATION ROOM & GROUND FLOOR EXTENSION  | PER      | 7 December 1994 |
| 00/06823/ADV | Display of 1 x 6 sheet, single sided, free standing, internally illuminated hoarding unit (retrospective)        | PER      | 9 October 2000  |
| 01/06251/FUL | Change of use to create one 2 bed flat at first floor 177/179 Gordon Road and the erection of an external stair. | PER      | 24 July 2001    |

### 4.0 Policy Considerations and Evaluation

#### Principle and Location of Development

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

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

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

### **Affordable Housing and Housing Mix**

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

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

### **Retail issues**

Wycombe District Local Plan (August 2019): CP6 (Securing vibrant and high quality town centres), DM29 (Community facilities), DM35 (Placemaking and design quality) DSA: DM6 (Mixed-Use Development) Community Facilities SPD (2011)

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

located within a 15-minute walk where there is an abundance of shopping, education, and recreational facilities.

- 4.13 It has been demonstrated within the submitted CNA that there is little demand and therefore need for the retention of these shops/retail units. The day-to-day needs of local residents can be adequately met by other nearby shop units offering the same or similar services. The proposal does however include the retention of one shop unit, which can be occupied by one of the existing units present if sought.
- 4.14 Totteridge Ward is not identified as having a community facility deficiency and therefore there would be no objection to the loss of these community facilities. The long-term demise of the current shop units on the site is evidence of the absence of need. Notwithstanding this, a modern shop unit is proposed to be provided and marketed for use.
- 4.15 Notwithstanding the above, a fall-back case has been put forward to the Council following the new Use Classes Order amendment. The existing units fall within the new Use Class E (Commercial, Business and Service) whereby under Class M or MA of Part 3 (Change of Use) of the GPDO 2015 (as amended) it is possible for the units to change use to residential (C3) subject to prior approval of matters of detailed design; without the need for a full planning application.
- 4.16 In addition, Class ZA (Demolition of buildings and construction of new dwellinghouses in their place) of Part 20 (Construction of new dwellinghouse) of the GPDO allows for the demolition of the existing buildings on the site and the redevelopment of the site for residential purposes, subject to prior approval. As such, the shops could be removed without a full planning application being submitted.
- 4.17 In both cases the permitted development entitlement grants planning permission for the principle of development. The prior approval process, relating to the exercise of the permitted development entitlement in both instances, is readily achievable on the site. This fall-back position means that the shop units on the site would be lost irrespective of the outcome of the current application, which diminishes any weight that can be attributed to their loss.
- 4.18 Moreover, the permitted development fall-back position, adds weight to the material consideration that the current application provides for the provision of a new shop unit (falling within Class E) on the site, which would not be permitted to change use under Class M, due to the time limitation.
- 4.19 Overall, given the above reasoning, the proposed development is not considered to result in the loss of any important retail units which should be preserved. Notwithstanding this, efforts have been made to incorporate a retail unit into the scheme in order to address concerns raised by neighbouring residents.
- 4.20 To this effect, it is considered necessary to remove permitted development rights for the approved retail unit to ensure that it is not converted to an alternative use in the future, without the benefit of full planning permission.

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

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

- 4.21 This application proposes the demolition of the existing units and the erection of a block of flats containing 7 residential units.
- 4.22 Access to the site is gained via Bowerdean Road/Gordon Road, both are unclassified, residential roads subject to a speed restriction of 30mph. Parking and waiting restrictions are in place within the vicinity of the site in the form of double yellow lines. The road benefits from pedestrian footways, as well as the street lighting.
- 4.23 The Highways Officer has confirmed that they would expect the proposals to result in a reduction in vehicle trips and parking requirements associated with the site when compared with its historical use.
- 4.24 Nonetheless, a site visit has been carried out to assess the access arrangements serving the site. Within the submitted application it has been advised that the site does not benefit from any off-street parking provision. Following the development, the site will be able to accommodate up to 6 (no) vehicles, clear of the public highway, therefore the existing access will be subject to an intensification of use and will need to be assessed.
- 4.25 The Highways Officer originally objected to the submitted scheme as the access width was under the requirement suitable to allow for two-way simultaneous vehicular movements, clear of the highway. The development was subsequently amended to allow for the access width to be 4.1m which would be wide enough to allow for safe, simultaneous two-way movements.
- 4.26 The proposed amount of parking (6 parking spaces) with one motorcycle space and cycle storage is considered to be acceptable by the Highway Authority. The level of parking proposed would still result in a reduction in the amount of displaced parking when compared with the current use of the site, in accordance with the *Buckinghamshire Countywide Parking Guidance Policy* document.
- 4.27 Many residents have objected on the basis of the impact of parking for the development. As the development leads to a reduction in parking requirements, and the level of off-street parking is increased, it is not considered that the development would cause a highway safety concern nor justify this as a reason for refusal of the application.
- 4.28 The Highway Authority have been re-consulted following the submission of an amended red edge. They have reviewed and raised no objections in response to this.

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

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

- 4.29 As aforementioned, it is proposed to demolish the existing units 175-179 and construct a three storey block comprising 7 residential units with a shop at ground floor.
- 4.30 There is no defined building style within the immediate locality and the form consists of a mixture of two and three storey apartment/sheltered housing blocks and two storey terraced and semi-detached dwellings.
- 4.31 As a part of this application the Council's Urban Designer has been consulted. From the scheme originally submitted, the Urban Designer suggested that the number of units were reduced with an internal re-configuration. Amended plans were submitted

taking into account the advice given from the Urban Designer, to which no objections were subsequently raised.

- 4.32 The building itself is of a similar design to a neighbouring development at 185-197 Gordon Road which was approved under REF: 12/07667/FUL and subsequently built.
- 4.33 The design, bulk and massing of the proposed development is considered to be acceptable. Subject to the use of suitable high quality materials, the impact of the development upon the street scene would similarly be acceptable. These will be secured via a planning condition.
- 4.34 The only opportunity for landscaping on the site would be to the front of the block, and at the rear boundary; adjacent to the parking area. The Council's Tree Officer has been consulted and considers it necessary to condition for a landscaping scheme to be submitted prior to the commencement of development.
- 4.35 Overall, it is considered that this proposal will have no adverse effect upon the urban character of the surrounding area or the visual amenities of the street scene.

**Amenity of existing and future residents**

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

- 4.36 The proposed development will provide a good standard of habitable accommodation for future occupiers. The submitted plans show that each property will benefit from an area of private amenity space, with balconies at first and second floor levels and a small front garden area for the ground floor unit. No communal amenity space is available on the site, however given the private areas available and the short distance to local amenities such as The Rye; it is considered that the proposed amenity sources are sufficient.
- 4.37 With regard to adjoining occupiers, the development does not breach the Council's light angle guidance. There would be a sufficient gap retained between the proposed block and the neighbouring units, which consist of retirement housing and residential flats. The proposed access road and a public footpath lie in between which separate the proposed development from the neighbouring occupiers. The gap is considered to be sufficient to prevent any direct overlooking or loss of privacy. In addition, the proposed balcony screens would further protect the amenities of neighbouring properties from any overlooking. It is however necessary to condition the windows serving the en-suite bathrooms at first and second floor levels within the northern elevation to be obscurely glazed in order to protect the amenities of both neighbouring properties and future occupiers.
- 4.38 Given the distance in between the development and neighbouring buildings it is not considered that the proposed development would appear overbearing or obtrusive, to the detriment of the amenities of neighbouring properties.
- 4.39 The proposed development would not result in any loss of light, overlooking or overbearing impacts to the neighbouring block of flats; 'Bridge House'. No habitable windows are located on the flank elevation of the neighbouring building which would result in any loss of privacy.

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

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

#### **Environmental issues**

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

4.42 The Council's Environmental Health Officer has been consulted on this application and has requested a condition to ensure that the 6 electrical car charging points illustrated on Drg No. 1676-SP1E are installed and retained for the lifetime of the development, in accordance with the council's Air Quality SPD.

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

#### **Flooding and drainage**

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

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

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

#### **Landscape Issues**

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

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

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

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

4.48 Due to the size of the site and the parking provision required to serve the proposed flats, it is not possible in this instance to secure 25% of canopy cover. However, when



compared with the current situation, further landscaping would be incorporated onto the site and this is therefore considered to be an improvement.

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

### **Ecology**

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

DSA: DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance), DM14 (Biodiversity in development) [Presence of ecology; protected species; effect of development and mitigation]

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

4.51 In addition, Policy DM34 of the Plan requires a that measurable net gain in biodiversity to be delivered, in new development. Therefore, a pre-start planning condition should be imposed requiring a scheme for ecological enhancements be submitted and thereafter implemented.

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

### **Building sustainability**

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

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

### **Infrastructure and Developer Contributions**

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

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

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

5.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
- b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
- c. Any other material considerations

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

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

- 6.1 In accordance with paragraph 38 of the NPPF the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 6.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 6.3 In this instance:
- the applicant/agent was updated of any issues after the initial site visit,
  - The applicant was provided the opportunity to submit amendments to the scheme/address issues.
  - The application was determined without delay.

## **7.0 Recommendation**

### **Application Permitted**

Subject to the following conditions and reasons:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
2. The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers 1676 SK1 P03, 1676 TOPO, 1676 P1D, 1676 P2D and 1676 SP1E unless the Local Planning Authority otherwise first agrees in writing.  
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.
3. Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of the materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority before any work to the external finish of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: To secure a satisfactory external appearance.
4. Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of all surfacing materials shall be submitted to and approved in writing by the Local Planning Authority before any work to the finished surfaces of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: To secure a satisfactory appearance.
5. A fully detailed landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any development takes place.

The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping and to provide green infrastructure in line with policy DM34.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees, plants or areas of turfing or seeding which, within a period of 3 years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.

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

7. Prior to demolition a follow-up full internal and external building check for bats must be completed. Prior to commencement of the main demolition works the removal of the tiles will be carried out under a soft strip protocol as detailed in the AAE letter report. In the unlikely event of any bats or evidence of bats being encountered, then further measures in accordance with current guidelines should be implemented as necessary and if required a licence from Natural England will be sought. The follow up inspection and soft strip toolbox talk shall be carried out by an experienced and suitably licensed ecologist.

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

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

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

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

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

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

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

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

8 hour. The scheme shall include mechanical ventilation to meet the requirements of the Noise Insulation Regulations 1975 as amended 1988.

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

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

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

13. No other part of the development shall be occupied until the existing means of access has been altered in accordance with the approved drawing and constructed in accordance with Buckinghamshire Council's guide note "Commercial Vehicular Access Within Highway Limits" 2013.

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

14. Prior to the commencement of any works on the site, a Construction Traffic Management Plan detailing the management of construction traffic (including vehicle types, frequency of visits, expected daily time frames, use of a banksman, on-site loading/unloading arrangements and parking of site operatives vehicles) shall be submitted and approved in writing by the Planning Authority in consultation with the Highway Authority. Thereafter, the development shall be carried out in accordance with such approved management plan.

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

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

- Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority should be given to above ground SuDS components
- Existing and proposed discharge rates and volumes
- Ground investigations including:
  - Infiltration in accordance with BRE365
  - Groundwater level monitoring during the winter period (November to March)
- Subject to infiltration being inviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the drainage hierarchy as outlined in paragraph 080 of the Planning Practice Guidance.
- Drainage layout detailing the connectivity between the dwellings and the drainage components, showing pipe numbers, gradients and sizes, complete together with storage volumes of all SuDS components
- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- Construction details of all SuDS and drainage components

- Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction

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

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

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

17. The development, hereby permitted, shall be designed and constructed to meet a water efficiency standard of 110 litres per head per day.

Reason: In the interests of water efficiency as required by Policy DM41 (Optional Technical Standards for Building Regulations Approval) of the Local Plan.

18. The approved bin and cycle storage facilities illustrated on drawing 1676-SP1 E, shall be provided prior to occupation and thereafter the facilities shall be permanently retained, unless otherwise first agreed in writing by the Local Planning Authority. These facilities shall thereafter be so retained.

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

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

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

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

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

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

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

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

Reason: In order to retain the proposed retail unit.

### Informative(s)

1. In accordance with paragraph 38 of the NPPF the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

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

In this instance:

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

2. The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Highways Development Management at the following address for information: -

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

It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

It is contrary to section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system.

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

### Councillor Comments

Original Comments:

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

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

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

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

Following amended plans:

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

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

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

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

### Parish/Town Council Comments

## **Unparished.**

### Consultation Responses

#### **Highways Authority**

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

#### **Arboriculture Spatial Planning**

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

#### **Ecological Officer**

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

#### **Urban Designer**

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

#### **Flood Officer**

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

#### **Environmental Health Officer**

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

### Representations

#### **Other Representations**

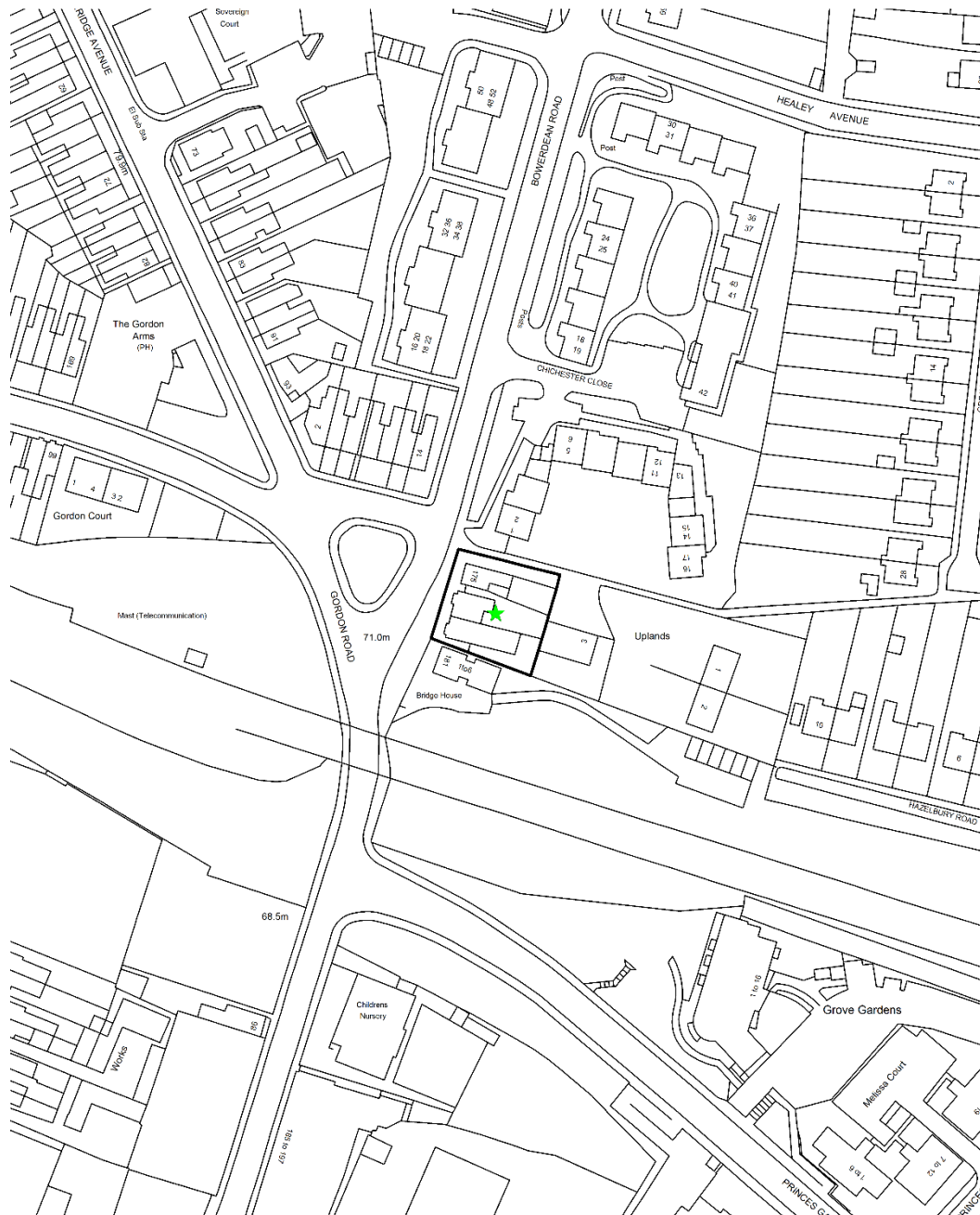
107 comments and a petition have been received objecting to the proposal:

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



# APPENDIX B: Site Location Plan

20/08349/FUL  
Scale 1/1250



Planning Committee  
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## Report to West Area Planning Committee

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| <b>Application Number:</b>              | 21/05794/FUL  |
| <b>Proposal:</b>                        | Construction of two storey rear extension to lower ground and ground floor with associated alterations and alterations to roof in connection with conversion of existing RAF Association Club to form 7 x 1-bed flats (with 4 x parking spaces, bicycle storage and refuse facilities), plus construction of detached single storey building for wider community use at rear (part retrospective) |
| <b>Site Location:</b>                   | 114 Totteridge Road<br>High Wycombe<br>Buckinghamshire<br>HP13 6EX  |
| <b>Applicant:</b>                       | Mr Amid Yussouf   |
| <b>Case Officer:</b>                    | Sarah White   |
| <b>Ward(s) affected:</b>                | Terriers & Amersham Hill  |
| <b>Parish-Town Council:</b>             | High Wycombe Town Unparished  |
| <b>Date valid application received:</b> | 24th March 2021   |
| <b>Statutory determination date:</b>    | 19th May 2021   |
| <b>Recommendation</b>                   | Approval  |

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

- 1.1 The proposed development would be considered to provide a suitable quality of living environment for the future occupiers of the site, without adversely affecting the residential amenities of the neighbouring properties of the safety and convenience of users of the adjacent highway.
- 1.2 The proposal would also be considered to provide adequate means of surface water drainage and ecological and biological mitigation measures.
- 1.3 The proposal would however result in the loss of an existing community facility, contrary to policy DM29 of the Adopted Local Plan. On balance, however, officers consider that the proposed alternative community facility, provision incorporated as part of the current proposal, would be considered acceptable.
- 1.4 Councillor Tony Green, Councillor Sarfaraz Khan Raja, and Councillor Arif Hussain called in the application for consideration by committee on the following grounds:

- loss of an existing community provision,
- overdevelopment of the site/residential development overbearing,
- overlooking of neighbouring properties,
- inadequate parking provision,
- concerns over management of proposed community facility,
- poor access to the community facility - narrow pathway between two residential buildings,
- lack of parking for the community facility.

1.5 Recommendation – the application is recommended for approval as a departure from policy DM29 of the Adopted Local Plan.

## **2.0 Description of Proposed Development**

2.1 This application relates to a two storey detached building which has undergone a number of previous rear extensions, and was last occupied by the RAF Association Club. The building is finished in brick with a painted render frontage, benefits from a spacious rear garden. Internal the building consists of an open plan layout at ground floor and a 3-bed flat at first floor.

2.2 Situated in an established residential area the site is bounded by residential properties to the east and west, and to the south by business units. The property is situated on a sloping site; to the front of the property the ground is level with the adjacent roadway, while ground levels at the rear of the site are lower, sloping away to the south.

2.3 Full planning permission is sought for the extension and conversion of the existing building to form 7 x 1-bed with associated parking, cycle and refuse storage, plus the construction of detached single storey building for wider community use at the rear of the site.

2.4 The proposed works to the main building include of the construction of a two storey rear extension. The proposed extension would be located adjacent the existing rear projection to provide 1 x 1-bed flat at lower ground and 1 x 1-bed flat at ground floor level.

2.5 The roof alterations involve the construction of a rear box dormer spanning the entire roofslope, the replacement of the existing pitched roof above the two storey rear projection with a new flat roof, and the creation of roof terraces to serve as private amenity areas for the new flats.

2.6 The application is accompanied by:

- a) Planning Statement
- b) Design and Access Statement
- c) Ecology and Trees Checklist
- d) Transport Statement
- e) SuDS Strategy

2.7 This application has been amended through the submission of drawing nos. P002 Rev A, P130 (site plan superseded), P P002 Rev A, P010 Rev D, P110, and P120. The application has also been amended through the submission of an amended SuDS strategy, drainage survey and Thames Water pre-planning response.

### 3.0 Relevant Planning History

| Reference | Development  | Decision | Decision Date |
|-----------|--|----------|---------------|
| HW/38/52  | Change of use to future non-residential club for RAF Association | Approved | 07/03/1952    |

### 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)

4.1 The site is located within the High Wycombe settlement boundary, wherein residential intensification is considered acceptable in principle, subject to compliance with the relevant development plan policies and all other material planning considerations.

#### 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)

4.2 This application falls below the threshold for an affordable housing contribution.

#### Transport matters and parking

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

DSA: DM2 (Transport requirements of development sites)

Buckinghamshire Countywide Parking Guidance (BCPG)

4.3 The site falls within Residential Zone A. Totteridge Road is an unclassified, residential road subject to a speed restriction of 30mph, with parking and waiting restrictions present within the vicinity of the site in the form of double yellow lines. The road benefits from pedestrian footways on both sides of the highway, as well as street lighting.

4.4 The property benefits from an existing dropped kerb and hard surfaced area to the front of the building, which has previously been used to provide on-site parking.

4.5 Several representations have been received raising concerns regarding the potential impact upon highway safety due to the amount of on-site parking relative to the scale of the proposed development, and the usability of those spaces.

4.6 The application has been amended to reduce the number of parking spaces to 3, with an extended dropped kerb to allow vehicles to safely access the spaces, in accordance with the Highways consultation comments. The amended parking arrangement also ensures that the pedestrian right of way with the neighbouring property is unimpeded.

4.7 On the basis of the Buckinghamshire Countywide Parking Guidance (BCPG) the existing permitted use of the site would require 13 parking spaces, resulting in a current shortfall of 12 parking spaces. The current proposal would require a total of 11 parking spaces, resulting in a shortfall of 8 parking spaces.

- 4.8 The application proposal would therefore displace fewer vehicles onto the publicly maintained highway than the permitted use of the site. As such officers have no grounds to object to the shortfall in parking provision available to serve the proposed development.
- 4.9 Secure, covered storage for 4 x bicycles would be provided to the side of the existing building to serve the occupants of the new flats. Whilst this provision falls below the standard of one cycle space per flat, it is considered that sufficient space exists within the site to allow the provision of either larger cycle store or perhaps a second cycle store. The details of the additional storage can be adequately dealt with by means of a condition.
- 4.10 In accordance with the Highway comments, it is considered appropriate to impose a condition requiring the 3 frontage parking spaces to be allocated solely for the use of the proposed residential units.
- 4.11 The amended plans indicate that pedestrian access to the new community building would incorporate a ramped access to the building, providing a more convenient way to enter the site for manual wheelchair users. In addition the pedestrian access would have a gradient no steeper than 1 in 12, which is in accordance with the DfT publication 'Inclusive Mobility'.
- 4.12 The application drawings also indicate the provision of dedicated, covered cycle storage for users of the new community building, to encourage the use sustainable methods of transport.
- 4.13 It is therefore considered that, subject to conditions, the proposal would not be considered to have a detrimental impact upon the safety and convenience of users of the adjacent highway.

#### **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)  
Adopted Residential Design Guidance

- 4.14 The application site is a former dwelling, converted to form a RAF Association club in the 1950s, which is situated in an established residential area. The proposed development would retain the existing site frontage, with the majority of the development located to the rear.

#### **Conversion and extension to form 7 x 1-bed flats**

- 4.15 The property has previously undergone a series of extensions to the rear of the building, resulting in a disjointed appearance when viewed from the side and the rear. The proposed extensions and conversion works would be considered to achieve a more cohesive form of development than the previous extensions.
- 4.16 Visually the proposed building steps down from the front to the rear, in line with the ground levels. The rear projections follow the building line of the existing flank walls, with the proposed rear extension maintaining a separation distance of between 3.6 and 4.4 metres from the side boundary with No. 112 Totteridge Road. The use of flat roofs is considered to further minimise the overall bulk of the development.
- 4.17 Whilst the proposed development would project further to the rear than the neighbouring dwellings, taking into account the location and amount of existing amount of built form on site, the proposal would not be considered to adversely affect the

character and appearance of the existing building, or the character an appearance of the area.

- 4.18 Subject to the use of appropriate materials the conversion of the existing building to form 7 x 1-bed flat would not be considered to have a detrimental impact up the character and appearance of the area.

#### Community Building

- 4.19 The proposed community facility would be located to the rear of the site where ground levels are lower. The new community building takes the form of a single storey flat roofed building, separated from the residential development new hedge planting.
- 4.20 Taking into consideration the scale and form of the proposed community building, and the existing community use of the main building it is not considered that this aspect of the development would have a detrimental impact upon the character and appearance of the wider area.

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

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

Adopted Residential Design Guidance

#### Future Occupiers

- 4.21 The proposal would create 7 x 1-bed 2-person flats. Flats 1, 2, 5, 6 and 7 are accessed via the existing main entrance within the front elevation, whilst flats 3 and 4 would share lobby access to the side of the building.
- 4.22 The minimum internal floor area for 1-bed 2-person flat, as set out in the Government's internal space standards, is 50m<sup>2</sup>. In this instance the proposed flats would all have an internal floor area between 50m<sup>2</sup> and 55m<sup>2</sup>.
- 4.23 Taking into account the close proximity of the neighbouring dwellings, the existing building relationship, and the proposed internal layout, the level of light, outlook and privacy for each unit would be considered to be within acceptable levels.
- 4.24 All flats would have access to the a communal amenity area to the rear of the building, with flats, 1, 4, 5, 6, and 7 also having direct access to individual private amenity spaces.
- 4.25 Bin storage for the flats would be conveniently located to the side of the building, housed in modest timber storage structures.
- 4.26 On-site parking is limited, therefore occupiers of the development will largely be reliant on either on-street parking, or on more sustainable forms of transport such as cycling, walking and public transport.
- 4.27 The proposed site layout provides secure, covered cycle storage for 4 cycles. Given the shortfall in parking it is considered appropriate to impose a condition requiring installation of an addition 3 covered cycle storage spaces, to allow for 1 cycle space per flat.
- 4.28 Subject to conditions, the proposed layout would be considered to achieve a satisfactory standard of living environment for the future occupiers of the site.

## Neighbouring Properties

- 4.29 The properties most likely to be affected by the proposed development are Nos. 116 and 112 Totteridge Road, which adjoin the site to the east and west respectively.
- 4.30 The proposed development would increase the number of residents within the main building. Having regards to the former use of the building however, which was available for hire and licenced for the sale of alcohol every day of the week, the level potential level of noise disruption associated with the intensification of the residential element would not be considered particularly greater than the permitted use of the site.
- 4.31 With regards to the relationship with No. 116 Totteridge Road, the main areas for concern would be new window openings, and the potential level of overlooking arising from the new private amenity areas.
- 4.32 The proposal incorporates three openings within the flank elevation facing No. 116 Totteridge Road; an existing first floor window which would serve the kitchen of Flat 5, and a ground and lower ground floor window serving the stairwell to Flat 3. None of these openings are considered to raise any significant concerns in respect of privacy.
- 4.33 With regards to the private amenity areas, in order to minimise the level of overlooking permissible, it is considered appropriate to impose a condition requiring the erection of privacy screening along the flank elevation of the private terraces, with a minimum height of 1.7 metres.
- 4.34 No. 112 Totteridge Road is located to the west of the site adjacent the pedestrian access to the rear of the site and the location of the proposed rear extension.
- 4.35 As discussed above, the rear projections follow the building line of the existing flank walls, with the proposed rear extension maintaining a separation distance of between 3.6 am 4.4 metres from the side boundary with No. 112 Totteridge Road.
- 4.36 The alignment of the buildings is such that No. 112 Totteridge Road is angled slightly away from the application site. Alongside this, consideration has also been given to the ground levels within the site, the relationship between the neighbouring dwelling and the existing building form on site, the distance from the side boundary, and the use of a flat roof design which is considered to minimise the overall bulk of the development.
- 4.37 On the basis of the above the impact upon the light levels and outlook of No. 112 Totteridge Road would be considered to be within acceptable limits.
- 4.38 With regards to privacy, the openings within the flank elevation of the proposed development serve; the bathroom of Flat 4 at lower ground floor, the living, bathroom and bedroom of Flat 2 and the bathroom of Flat 3 at ground floor, the kitchen, bathroom and bedroom of Flat 6 at first floor, and the kitchen of Flat 7 within the roofspace.
- 4.39 With the exception of the ground floor living room, which is an existing opening, and bedroom of Flat 2, all of these openings either serve non-habitable rooms or as secondary windows and could therefore be conditioned to be fixed shut and obscurely glazed to a height of 1.7 metres above finished floor level.
- 4.40 Due to the changing ground levels, the proposed bedroom window of Flat 2, has a raised cill level in comparison with the adjacent ground levels, would face towards the rear doorway and what appears to be a non-habitable room window situated in the flank elevation of No. 112 Totteridge Road. Given the angle of this opening relative to



the nearest habitable room window with the rear elevation, any loss of privacy would be minimal.

- 4.41 Representations were received in respect of the impact of the proposed parking arrangement upon the shared access between Nos. 112 and 114 Totteridge Road. The parking arrangement has subsequently been amended to ensure that the pedestrian right of way with the neighbouring property would be unimpeded.
- 4.42 With regards to the impact of the proposed community building upon the residential amenities of the neighbouring properties, this can be broken down into two areas; impacts arising from the physical structure, and impacts arising from the use of the building.
- 4.43 Taking into account the scale, design, and location of the community building relative to the neighbouring properties, and the proposed landscaping surrounding the building, the physical structure would not be considered to raise any concerns in respect of neighbouring privacy.
- 4.44 The community building would be accessed via a pedestrian path to the side of the building, adjacent the side boundary with No. 112 Totteridge Road. It is considered that any potential overlooking could be adequately mitigated against through the construction of a new 1.8 metre high close board fence along the western boundary of the site.
- 4.45 Concerns have been raised in respect of the management of the proposed community building and the potential impact upon the amenities of the neighbouring properties.
- 4.46 Whilst officers are mindful of the permitted use of the site, which would not preclude the use of the garden area by its patrons, in order to minimise the impact upon the amenities of the neighbouring properties it would be considered appropriate to impose a condition requiring the submission of a detailed community facility management plan to set out security and management measures including; restrictions to the hours of use, the location and maintenance of CCTV cameras, etc.
- 4.47 On the basis of the above, it is considered that the impact upon the residential amenities of neighbouring dwellings could be adequately mitigated against through the use of appropriately worded conditions.

### **Flooding and drainage**

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

- 4.48 The site is located within Flood Zone 1 in an area where there is no identified risk of surface water flooding and ground water levels are at least 5 metres below ground level.
- 4.49 Objections were initially raised to the application on the basis that the applicant was unable to provide site specific infiltration rates, and an alternative surface water management scheme in the event that site specific testing showed that infiltration would not be possible.
- 4.50 Further information has subsequently been submitted and the Council's SuDS specialists have confirmed that, on the basis of the documents below, Buckinghamshire Council as the Lead Local Flood Authority has no objection to the proposed development subject to the suggested condition. Document list:
  - Thames Water Pre-Planning Enquiry (DS6093380, 18/03/2022, Thames Water)

- Email Correspondence (10/03/2022)
- Site Plan (23.12.2021, Express Solutions Group)
- CCTV Survey Report (AP11332, 23/12/2021, Express Solutions Group)

### **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)

- 4.51 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.
- 4.52 In this instance the proposal would result in the loss of an area of existing hardstanding and lawn. The application drawings indicate the provision of additional soft landscaping in the form of hedge planting to separate the residential and community uses, and the planting of 2 x new trees within the communal amenity space.
- 4.53 On balance it is considered that the proposed landscaping improvements, alongside the installation of ecological enhancements such as bird boxes and an invertebrate house, would be sufficient to offset the impact of the proposed development. Subject to a suitably worded condition the proposal would therefore be considered to protect and enhance both biodiversity and green infrastructure in accordance with the requirements of Policy DM34.

### **Community facilities**

Wycombe District Local Plan (August 2019): DM29 (Community Facilities)

Community Facilities SPD (October 2011)

Community Facilities Strategy - May 2009 (updated August 2011 and March 2014)

- 4.54 This application relates to a former RAF Association Club, which is identified within the 2014 Community Facilities Strategy update as a facility available for hire, reference CFTER017. It is understood that the whole of the ground floor area was available to hire, which equates to appropriately approximately 165sqm on floor area, inclusive of toilet facilities etc.
- 4.55 The existing facility is shown on the Terriers and Amersham Hill ward profile as being located in an area of overlapping catchment boundaries for a number of different facilities.
- 4.56 Planning permission is sought for the extension and conversion of the existing building to create 7 x 1-bed flats, which would result in the loss of the existing community facility contrary to Policy DM29.
- 4.57 Policy DM29 states that land or buildings last occupied for community use must be retained unless the applicant has clearly demonstrated through an exhaustive needs assessment that the land and/or building proposed to be lost is surplus to requirements. The focus of this policy is to protect the array of land and buildings across the district and not the current business or occupiers per se. Protecting land and buildings in this way allows for new and different community uses to replace past uses within communities.

- 4.58 Officers are mindful that the most recent update to the Community Facilities Strategy was undertaken in March 2014, therefore the strategy is overdue for review. In 2104 the Terriers and Amersham Hill Ward was identified as having only 1 dedicated facility, although geographically most of the area was within the catchment of a community facility within another ward. Overall the ward was noted as having a deficiency in community space geographically, numerically, and in terms of the size of the facilities available.
- 4.59 Section 4 sets out the action that needs to be taken on a ward by ward basis to meet the identified deficiencies. For Terriers and Amersham Hill Ward the report recommends that CIL contributions are sought from local development for a new community facility in the area.
- 4.60 In this instance the applicant proposes to provide a replacement facility to the rear of the main building, to off-set the loss of the existing community facility.
- 4.61 The proposal also involves the construction of a detached, single storey community building at the rear, with an internal floor area of approximately 70sqm. The building would benefit from level access to the main road via a pedestrian ramp, dedicated bin and cycle storage, as well as a small garden/soft landscaped area. Internally the building consists of: a lobby, separate reception room, one small meeting room, one larger meeting room, a disable toilet and 2 x able-bodied toilets.
- 4.62 Whilst the scale of the building would make it unsuitable for sporting activities or large gatherings such as wedding receptions, the internal layout and level access would make the building suitable for smaller community groups such as toddler groups, mental health support programs, disabled/elderly persons social groups, etc.
- 4.63 The community facility design statement submitted with the application suggests the following uses as examples:
- A community centre charity operating as a drop-in IT centre offering training and educational opportunities for women.
  - A charity concentrating on regeneration and unemployment issues providing such initiatives as job clubs and vocational training programmes.
  - A charity aimed at elderly people such as lunch clubs and day trips.
- 4.64 Taking into account the new community building located to the rear of the site, the current scheme would result in the partial loss of the site for community use, approximately 95sqm in floorspace.
- 4.65 Whilst the proposal would result in a loss of community floorspace, in this arrangement, the proposal would provide an alternative, dedicated, disability friendly, community facility. On balance, despite the reduction in floor area, officers consider that the alternative community provision would adequately off-set the loss of the existing facility in this case.

### **Building sustainability**

Wycombe District Local Plan (August 2019): CP12 (Climate Change), DM33 (Managing Carbon Emissions, Transport and Energy Generation), DM41 (Optional Technical Standards for Building Regulations Approval)

Air Quality SPD (March 2020)

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

- 4.67 The adopted Air Quality SPD requires the provision of car charging points in connection with all minor developments. This is to reduce air pollution within the Council's Air Quality Management Areas. Whilst the site is not within an AQMA it is likely that traffic generated by the development would travel through the AQMA to access higher order services.
- 4.68 The Air Quality SPD specifies that one electric vehicle charging point should be provided per residential dwelling. In this instance insufficient space exists to provide onsite parking for all of the flats and the proposed community building.
- 4.69 In order to comply with the Air Quality SPD it is therefore considered necessary to impose a condition requiring all of the onsite parking spaces to be served by an electric vehicle charging point with a minimum rating of 32 amp adjacent to the new parking spaces, or at an alternative location which is first agreed with the LPA, prior to the initial occupation of the development. This also meets the objectives of Policies CP12 and DM33 to address carbon emissions and climate change.
- 4.70 Policy CP12 promotes mitigation and adaptation to climate change and supports the integration of renewable technologies into residential and commercial developments of all sizes. Policy DM33 also requires the integration of renewable technologies into developments. In this instance measures such as solar panels could be provided and these can be secured by way of an appropriately worded condition.

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

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

DSA: DM19 (Infrastructure and delivery)

- 4.71 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 most of the development plan policies, except for Policy DM29, however officers consider that sufficient justification exists to recommend the approval of the application as a departure from this policy.
- 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.
- 6.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 6.3 In this instance the applicant was provided with pre-application advice. The agent was advised of any issues with the planning application as they arose and provided the opportunity to submit amendments to address those issues. The agent responded by submitting amended plans which were found to address the issues raised, albeit the amended proposal was not considered to be in complete compliance with the Council's policies. The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

## **7.0 Recommendation**

The proposal is therefore recommended for approval as a departure from policy DM29 of the Adopted Local Plan, subject to the following conditions and reasons:

1. The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers P001, P002 Rev A, P003, P004, P005, P006, P007, P008, P009, P010 Rev D, P011, P012, P110, P120, and P130 (site plan superseded), 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. No further work shall be undertaken until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the Approved details before the development is completed. The scheme shall also include:
  - Proposed discharge rate is limited to 2l/s
  - Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority should be given to above ground SuDS components
  - An assessment of SuDS components, including but not limited to permeable paving, green roofs, rain gardens/planters, active rainwater harvesting. Where necessary, justification for exclusion must be provided
  - Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
  - Drainage layout detailing the connectivity between the dwelling(s) and the drainage component(s), showing pipe numbers, gradients, and sizes, complete together with

storage volumes of all SuDS component(s). This drawing should include flow direction for exceedance routes

- Construction details of all SuDS components
- Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction

Reason: The reason for this pre- construction condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 167 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

3. The materials to be used for the external surfaces, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing building, unless specified within the application details hereby permitted or otherwise first agreed in writing by the Local Planning Authority. For the avoidance of doubt this may include the use of white painted render.

Reason: To secure a satisfactory external appearance.

4. Prior to the first occupation of the residential units hereby permitted, a detailed management plan for the community building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the community building shall only be used in accordance with the approved details, unless otherwise first agreed with the Local Planning Authority. The development shall thereafter be retained in accordance with the approved details.

The management plan shall include/make provision for;

- Specified hours of use,
- Security measures including CCTV,
- Management and maintenance responsibilities.

Reason: To ensure an appropriate form of development and to safeguard the residential amenities of the adjacent properties.

5. The residential units shall not be occupied until the works associated with the new community building have been carried out and completed in accordance with the proposals contained in the application and any plan or drawing submitted therewith.

Reason: To ensure the specified works will be carried out as approved, and to avoid any detriment to the community by reason of works remaining uncompleted.

6. The flats hereby permitted shall not be brought into use until details of the provision of renewable technologies within the development (such as photo voltaic cells) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the flats shall not be occupied until the scheme has been fully implemented in accordance with the approved details.

Reason: To ensure that measures are incorporated within the development to reduce carbon emissions in accordance with Policies CP12 and DM33 of the adopted Wycombe District Local Plan (2019).

7. No further work on the development shall recommence until details of the new vehicular access scheme have been submitted in writing to and approved by the Planning Authority. No other part of the development shall be occupied until the new means of access has been sited and laid out in accordance with the approved drawing and constructed in

accordance with the Buckinghamshire Council guide note "Private Vehicular Access Within the Public Highway".

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of 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. The scheme for parking indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and will be used solely for the purposes of the residential units of the development, and that area shall not thereafter be used for any other purpose.

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

10. Prior to the initial occupation of the development, one 32 amp electric vehicle charging point shall be installed per on-site parking space, unless otherwise first agreed in writing by the Local Planning Authority. The charging points shall thereafter be retained as such, in working order.

Reason: To assist in the reduction of air pollution from vehicular traffic by facilitating the use of electric vehicles to reduce the negative impact on the health of residents living within the Air Quality Management Area and to meet the requirements of Policies CP12 (Climate Change) and DM33 (Managing Carbon Emissions, Transport and Energy Generation) in the adopted Wycombe District Local Plan (2019).

11. Notwithstanding any other details shown on the plans hereby approved, the window(s) and any other glazing to be inserted above ground floor level in the west flank elevation of the main building facing No. 112 Totteridge Road 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 and no further windows, doors or openings of any kind shall be inserted in the flank elevations of the residential 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. Amended cycle storage facilities to increase the capacity of the cycle storage for the residential element from 4 bicycles to 7 bicycles, shall be submitted to and approved in writing by the Local Planning Authority prior to the initial occupation of the residential units. The approved cycle and bin storage facilities shall thereafter be provided prior to occupation and thereafter the facilities shall be permanently retained, unless otherwise first agreed in writing by the Local Planning Authority. These facilities shall thereafter be so retained.

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

13. In accordance with the indicative information submitted, a fully detailed landscaping and ecological enhancement scheme for the site shall be submitted to and approved in writing by the Local Planning Authority Prior to the initial occupation of the development.

The scheme shall identify and include provision for:

- Grass/lawn
- Raised planters

- Hedge planting,
- Tree planting
- Hard surfacing - identifying areas of permeable surfacing
- Sections of roofing utilising the Bauder Blue Roof System
- Bird box (type and location)
- Invertebrate house(type and location)

The development shall be implemented in accordance with the approved details, with the bird box and invertebrate house provided prior to the initial occupation of the residential units, unless otherwise agreed in writing by the Local Planning Authority and thereafter retained for the lifetime of the development.

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

14. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees, plants or areas of turfing or seeding which, within a period of 5 years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.

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

15. Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, the detached building to the rear of the site shall be used only for the purpose of providing a small scale community facility and for no other purpose including any other Sui Generis use.

Reason: To enable the Local Planning Authority to retain control over the use in the interests of the residential amenities of the neighbouring properties and the provision of community facilities within the area.

16. Privacy screening at a height of 1.7 metres above finished floor level shall be installed to the flank elevations of the private amenity/terrace areas prior to the initial occupation of the residential units they serve. The privacy screening shall thereafter be retained for the lifetime of the development.

Reason: In the interests of the residential amenities of both the future occupiers and the neighbouring properties.

17. Details of all screen and boundary walls, fences and any other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority, and subsequently fully implemented in accordance with the approved details prior to the initial occupation of the residential units. The development shall thereafter only be carried out in accordance with the approved details. The screen and boundary walls, fences and any other means of enclosure which are part of the approved scheme shall thereafter be retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

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



## INFORMATIVE(S)

1. In accordance with paragraph 38 of the NPPF2 Buckinghamshire Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. Buckinghamshire Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

In this instance the applicant was provided with pre-application advice. The agent was advised of any issues with the planning application as they arose and provided the opportunity to submit amendments to address those issues. The agent responded by submitting amended plans which were found to address the issues raised, albeit the amended proposal was not considered to be in complete compliance with the Council's policies. The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

2. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A period of 28 days must be allowed for the issuing of the licence, please contact Transport for Buckinghamshire at the following address for information:

Transport for Buckinghamshire (Streetworks)  
10th Floor,  
Walton Street Offices  
Walton Street, Aylesbury,  
Buckinghamshire  
HP20 1UY  
01296 382416

3. No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980
4. 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.

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

### Councillor Comments

#### **Councillor Tony Green**

Initial comments: I object to the proposed development because its current planning permission is as a club and community facility, which has provided much needed community facilities in an area with a severe shortage of community facilities as identified in the Wycombe District Council Community Facilities Strategy. The development is also an over-development of the site with insufficient parking provision being supplied contrary to the Council's parking standards. If the officer is minded to agree this application, I would request that it is taken to the planning committee for determination.

Amended plan comments: The amended plans reduce the parking provision for the residential part of the development to 3 spaces which is totally inadequate for a development of this size and do not meet the Council's parking standards. The community facility will have no parking provision which is unacceptable given that local on-street parking is controlled and therefore unavailable to non-residents. The nearest public parking is 1/4 mile away. Access to the community facility is via a narrow pathway between two residential buildings and is not acceptable.

The residential development is overbearing and overlooks the neighbouring properties. It is over-development of the site and should be refused. If officers are minded to agree then I request that the application is referred to committee for determination.

Amended plan comments: The amended plans do not make up for the loss of community facilities caused by the suggested development. There is no information about how the proposed community facility would be managed or owned. One disabled parking space is inadequate and would further reduce the parking provision for the proposed flats.

I object strongly to this application which has been built in advance of the application being determined and would ask that if officers are minded to approve the application, it is referred to the planning committee for decision

#### **Cllr Sarfaraz Khan Raja**

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

#### **Councillor Arif Hussain**

A number of residents have called to show their concerns:

1. overdevelopment
2. lack of parking
3. concerns over construction of detached building for wider community.

Therefore if minded to approve, please bring it to planning committee.

### Parish/Town Council Comments

#### **High Wycombe Town – Unparished Terriers and Amersham Hill Ward**

##### Consultation Responses

##### **Leisure and Community**

Comments: None received

### **Planning Policy**

Comments: None received

### **Environmental Health**

Initial Comments: No objection subject to the condition that all four parking spaces are provided with an electric vehicle charging point with a minimum rating of 32 amp must be provided prior to the occupation of the development.

Amended Comments: It is now recognised that the amended plans suggest that only three parking spaces will be provided and that all three are intended to have electric vehicle charging points provided. The provision of these charging points should therefore be conditioned.

### **Highways**

Comments (April 21): An extension of the existing dropped kerb, or creation of a new dropped kerb, would enable a safe and legal means of access to the parking spaces numbered 2 and 3. Due to the kerb upstand required for the adjacent bus stop, it is not believed that the parking space numbered 1 could be provided with a means of access.

A suitable condition could secure the creation of a legal means of access which would result in an increase of 2(no) parking spaces within the site curtilage relative to the existing situation.

Whilst the site will continue to displace vehicles onto the public highway, when considering the proposal against the current lawful use of the site the development will lead to a reduction in parking displacement. No objection subject to the suggested conditions.

Comments (August 21): It appears that space number 4 obstructs a right of way with the neighbouring property. I request that the plans are amended with a new parking arrangement, or demonstration of the full right of way unimpeded by the parking arrangement.

The amendments that have been made to the parking layout include a new disabled space, however due to the lack of disabled parking spaces serving the existing community use on the site the Highway Authority does not consider a disabled space to be necessary for mitigation for an impact upon the safety, capacity, or congestion of the public highway in this instance. However, the Highway Authority has previously noted space 1 cannot be accessed, and should therefore be removed, which would result in sufficient space for space 2 to serve as a disabled space if required.

I request that either the 3(no) proposed parking spaces that can be achieved within the site are to be used solely for the purposes of the residential units, or are proposed solely for the use of the community use building, which can be secured by way of condition. In either instance, the amendments including a new community facility to the rear of the site will be assessed in isolation from the main building.

In consideration of the above, I am satisfied that the community facility is considered as a car-free facility, due to the TRICS information demonstrating that people travelling to these community sites use sustainable methods of transport when it is convenient and available, and the extensive parking and waiting restrictions within the vicinity of the application site.

I request amended plans demonstrating a revised parking layout, appropriate reference to the extending of the dropped kerb along the site frontage, cycle storage coverage, as well as information pertaining to the elevations and gradients of the pedestrian access.

Comments (October 21): In most recent comments, the Highway Authority requested amended plans demonstrating a revised parking layout, appropriate reference to the extending of the dropped kerb along the site frontage, cycle storage coverage, as well as information pertaining to the elevations and gradients of the pedestrian access. The applicant has subsequently provided amended plans which the Highway Authority find to be acceptable. No objection subject to the suggested planning conditions and informative points.

### **LLFA (SuDs)**

Comments (April 21): The LLFA requires further information prior to the determination of this application. The applicant has not demonstrated that there is an alternative scheme in the event that the infiltration testing shows that infiltration is not possible. As the applicant is at this stage unable to provide site specific infiltration rates, they must provide an alternative surface water management scheme in the event that site specific testing shows that infiltration is not possible.

Comments (August 21): While there is now an additional building at the rear of the site there is no new information relating to drainage, as such the previous comments from April still stand.

Comments (October 21): The LLFA objects to the proposed development due to insufficient information regarding the proposed surface water drainage scheme. There are concerns with the viability of the alternative scheme proposed; the applicant must provide information on a number of key points to demonstrate that the proposed scheme is viable.

Comments (3<sup>rd</sup> March 22): The LLFA objects to the proposed development due to insufficient information regarding the proposed surface water drainage scheme. Outstanding Information:

- Pre-planning enquiry from Thames Water to show that the sewer has sufficient capacity to take on additional flows from this development
- Clarification about how flows will be controlled into the Thames Water sewer.

Comments (29<sup>th</sup> March 22): The LLFA has no objection to the proposed development subject to the suggested planning conditions listed being placed on any planning approval.

### **Representations**

#### **Representations**

8 letters of representation were received raising the following concerns/objections:

- Insufficient parking for proposed level of occupation,
- Results of parking survey flawed,
- Impact upon highway safety,
- Need for electric vehicle charging points,
- Dropped kerb serving parking area of insufficient width,
- Overdevelopment of site,
- Scale of extensions and the location of the community building unneighbourly - impact upon neighbouring light, outlook, and privacy,
- Insufficient information regarding the future use and management of the community

building,

- Increased noise disturbance,
- Concern a shared access between Nos. 112 and 114 Totteridge Road would be blocked by the proposed parking layout.

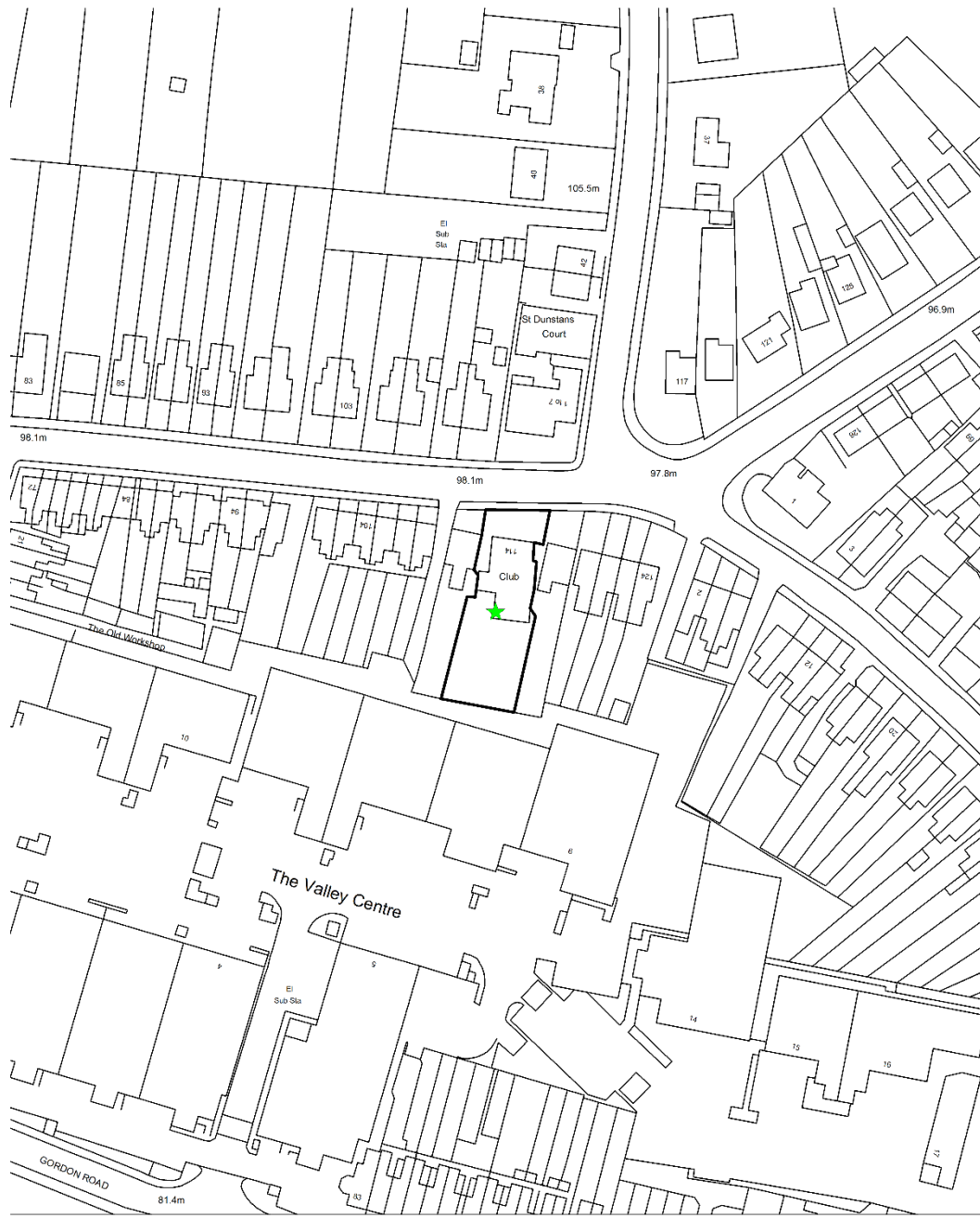
Comments have also been received in relation to the works which have been carried out on site to date:

- Whether planning permission can be refused given that the works have taken place,
- If the works undertaken meet the necessary Building regulations/Health and Safety Regulations,
- The use of the rear garden for waste material storage and disposal.

These matters are dealt with separately through the relevant Building Regulations, Health and Safety, and Environmental Health legislation.

# APPENDIX B: Site Location Plan

21/05794/FUL  
Scale 1/1250



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Ordnance Survey 100062456



## Report to West Area Planning Committee

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|   |   |
|---|---|
| <b>Application Number:</b>              | 21/08160/FUL  |
| <b>Proposal:</b>                        | Householder application for erection of detached garden room to rear with works to garden to include new retaining walls, re-landscaping and alterations to levels, new boundary treatments and planting (part retrospective) |
| <b>Site Location:</b>                   | 310 Marlow Bottom Road<br>Marlow Bottom<br>Buckinghamshire<br>SL7 3QH   |
| <b>Applicant:</b>                       | Chris Newell  |
| <b>Case Officer:</b>                    | Alexia Dodd   |
| <b>Ward(s) affected:</b>                | Chiltern Villages   |
| <b>Parish-Town Council:</b>             | Marlow Bottom Parish Council  |
| <b>Date valid application received:</b> | 28th October 2021   |
| <b>Statutory determination date:</b>    | 23rd December 2021  |
| <b>Time extension</b>                   |   |
| <b>Recommendation</b>                   | Approval  |

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

- 1.1 This a retrospective householder application for erection of detached garden room to rear with works to garden to include new retaining walls, re-landscaping and alterations to levels, new boundary treatments and planting.
- 1.2 The ground to the rear garden at No.310 Marlow Bottom Road have been altered. Garden terraces have been cut down into the valley side and are supported by retaining walls.
- 1.3 At the top end of the garden an out building has been erected together with new boundary fences.
- 1.4 The application will be determined in consultation with the Chairman and if necessary, by the West Area Planning Committee due to the impact upon the amenity on No.312 Marlow Bottom Road.
- 1.5 The application was called to committee by Councillor Dominic Barnes for consideration because of impact upon neighbouring amenity.

## 1.6 Recommendation – **Approval**

### 2.0 Description of Proposed Development

- 2.1 At No.310 there is newly built replacement dwelling. During the site surveys it was found that the original retaining walls to the garden were failing. The garden was at risk of ground slip into No.321.
- 2.2 The ground levels have been cut down into the hillside by 0.7m. There are formal planting beds and areas of levels ground that will be laid with lawn.
- 2.3 The D&S contains a planting schedule that includes native planting.
- 2.4 At the top end of the garden there is new garden roof. It is about 28m with No.312 and 34m with No.308 from the neighbouring rear elevations.
- 2.5 The application is accompanied by :
  - a) Plans (inc. levels & cross-sections)
  - b) Design & Access Statement
  - c) Ecology & Tree Checklist

### 3.0 Relevant Planning History

| Reference    | Development  | Decision | Decision Date |
|--------------|--|----------|---------------|
| 20/06801/FUL | Demolition of existing chalet bungalow and replacement construction of 1 x 4-bed chalet bungalow with hip/gable roof | PER      | 06.11.20      |

### 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)

#### **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

Householder Planning and Design Guidance Supplementary Planning Document (2020)

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

- 4.1 No.310 Marlow Bottom Road is a replacement dwelling in an existing residential settlement within a Chilterns Valley. Due the valley location the back gardens on the valley side rising uphill at the rear.
- 4.2 This is a householder planning application and therefore domestic development is acceptable so long as it complies with all policies.

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

- 4.3 The location is a settlement washed over by the Chilterns AONB. For this reason, the development would not have a detrimental impact upon the special landscape of the AONB.
- 4.4 The proposed garden room is not out of context in a domestic garden. It has been designed to be in keeping with the replacement dwelling. Garden building has a flat roof and tucked alongside the boundary with No.308.
- 4.5 Having regard to the previous garden landscaping No.310 the replacement retaining walls, lawn terraces and garden room are not out of keeping with the character and appearance of within Marlow Bottom Road.
- 4.6 Dwellings along Marlow Bottom Road and surrounding streets typically have sloping gardens. To enable these gardens to provide a practical level of amenity terraces and retaining walls have been introduced.

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

- 4.7 The newly landscaped garden would provide a good level of outdoor amenity space of the occupiers of the replacement dwelling.
- 4.8 This is domestic garden in residential area of family dwellings. Therefore children will play in the garden this is normal.
- 4.9 The new garden building is about 28m with No.312 and 34m with No.308 from the neighbouring rear elevations.
- 4.10 The 'Householder Planning and Design Guidance Supplementary Planning Document' recommends a window to window separation distance of 25m to ensure the privacy/amenity between facing windows. The application complies with the SPD. The relationship between neighbours is acceptable. It should be noted that there was an existing garden outbuilding with views across the applicants' garden.
- 4.11 With garden levels having been cut into the hill side the new building is 0.7m lower in the garden of No.310 than its predecessor.
- 4.12 Within the garden of No.308 there is a row of sheds alongside the common boundary with No.310. The development has not had detrimental impact upon the amenity of the neighbouring occupier.
- 4.13 With regards to the amenity of No.312 before the existing ground works took place there was a mature tree alongside the common boundary. This tree overshadowed the rear of No.312 and their patio. It is acknowledged that the boundary fence at this point is higher.

- 4.14 The new/existing relationship with the fence on balance is no worse than that with the tree. The fence does not unduly intrude upon neighbouring amenity (overshadowing/overbearing impact).
- 4.15 The fence as erected ensures the privacy of Nos.308 and 312. These are gardens on a hillside in a residential area of family homes. These are not secluded private garden where there is seclusion from neighbours.
- 4.16 If the boundary fence alongside No. 312 were to be reduced in height as suggested by the neighbour there would be significant overlooking despite the ground levels having cut into the hillside. The suggestion would result in significant harm to the amenity of No.312 from overlooking.
- 4.17 The fence is reasonable and therefore acceptable.

### **Ecology**

- 4.18 There is a requirement in policy to provide measurable net gains in biodiversity.
- 4.19 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
- 4.20 The Design & Access Statement contains information on planting with the aim to increase bio-diversity. In addition to this it reasonable to condition a bird-box or bug-hotel.

### **Transport matters and parking**

- 4.21 This application does not result in any habitable rooms. There are no parking implications.

### **Infrastructure and Developer Contributions**

- 4.22 This is not a development that would liable for CIL.

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

- 5.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 5.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
  - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
  - c. Any other material considerations
- 5.3 As set out above it is considered that the proposed development would accord with the development plan policies and is recommended for approval.
- 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 alterations to the applicant's home 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 This retrospective application is the result of a planning enforcement complaint.
- 6.4 In this instance applicant/agent was updated of any issues after the initial site visit, the application was considered acceptable a recommended for approval.

## **7.0 Recommendation: Approval**

Subject to the following conditions and reasons:-

- 1 The development hereby permitted shall be retained accordance with the details contained in the planning application hereby approved and plan numbers PJSA-02-01, PJSA-02-02, PJSA-03-01, PJSA-03-02, PJSA-03-03, 1179-09 at all times 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 planting hereby permitted as set out in the Design and Access Statement shall be implemented at the first planning season following completion of engineering rating operations 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 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 (bird-box / bug-hotel) shall either be incorporated development or placed within the garden. It shall thereafter be retained for the lifetime of the development.  
Reason: To comply with the requirements of policy DM34.
- 4 The finished ground levels after the completion of the development shall accord with the approved details on drawings PJSA-03-02 and PJSA-03-02.  
Reason: To ensure that the proposal is constructed at an acceptable level with regards to the surrounding area.

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.

This retrospective application is the result of a planning enforcement complaint.

In this instance applicant/agent was updated of any issues after the initial site visit, the application was considered acceptable a recommended for approval.

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

### Councillor Comments

#### **Councillor Dominic Barnes**

I've had an opportunity to visit the neighbouring resident at 312 Marlow Bottom road today to have a look at the completed fence I am deeply concerned about the height of this fence to me it looks 12 foot from the bottom.

I know they have done a major amount of excavation in the back gardens where they've lowered the first tier of the garden and then raised the third tier so the next door neighbour has lost light and indeed the fence at the bottom is taller than the garage (single storey).

My view is that the fence should be reduced to 6 foot from the original height to the Garden level and to correspond with the neighbouring house.

However, if minded to approve in its present condition my colleagues (Cllr Zahir Mohammed & Cllr Mark Turner) and I who I've copied on this email wish for this application to be taken to committee.

If you could please let me know whether you are minded to approve this part of the application as I believe that I have supplied the required three ward counsellors to trigger a call in.

### Parish/Town Council Comments

**Marlow Bottom Parish Council:** No objection

### Consultation Responses

None required

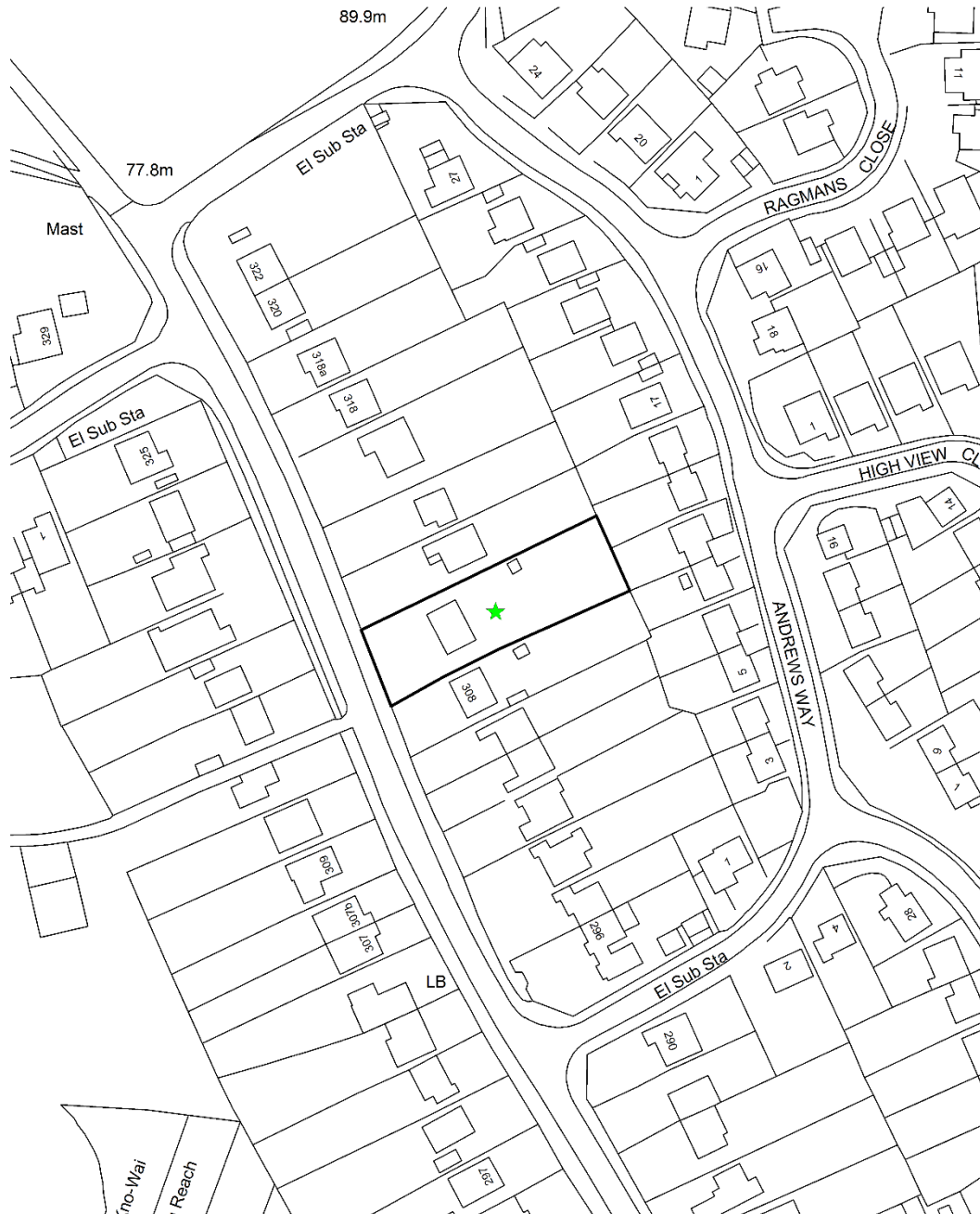
### Representations

There is one objector to the application. The objection have been summarised for this report:

- The application is retrospective
- The ground levels have been raised
- Loss of Light to garden
- Loss of light to dwelling
- Overbearing impact upon patio
- The garden could be used as a football pitch
- Loss of privacy from overlooking (garden terraces & outbuilding)
- The fence is too tall
- There is a dispute over the long term responsibility and maintenance of the fence

# APPENDIX B: Site Location Plan

21/08160/FUL  
Scale 1/1250



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Ordnance Survey 100062456



## Report to West Area Planning Committee

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|   |   |
|---|---|
| <b>Application Number:</b>              | 21/08599/FUL  |
| <b>Proposal:</b>                        | Construction of part single, part two storey side extensions to both elevations of Stuart Lodge, conversion of integral garage and other associated internal alterations in connection with change of use of existing building to from offices (use class E) to residential (use class C3) comprising 3 x 2-bed flats and 2 x studio flats (5 in total) |
| <b>Site Location:</b>                   | Stuart Lodge<br>Stuart Road<br>High Wycombe<br>Buckinghamshire<br>HP13 6AG  |
| <b>Applicant:</b>                       | Ms Manni Chopra - Chopra Property Group Limited   |
| <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> | 28th January 2022   |
| <b>Statutory determination date:</b>    | 25th March 2022   |
| <b>Recommendation</b>                   | Refusal   |

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

- 1.1 Full planning permission is sought for the construction of part single, part two storey side extensions to both elevations of Stuart Lodge, conversion of integral garage and other associated internal alterations in connection with change of use of existing building to from offices (use class E) to residential (use class C3) comprising 3 x 2-bed flats and 2 x studio flats (5 in total).
- 1.2 This proposal fails to conserve and enhance the character of the surrounding Conservation Area and would detract from the visual amenity of the street scene.
- 1.3 This proposal will have no adverse effect upon the amenities of adjacent residential properties and would provide a good standard of accommodation for future occupiers.
- 1.4 This proposal will have no adverse effect upon highway safety or the convenience of other road users in the local area
- 1.5 This proposal will have no adverse effect upon flooding, the environment or ecology.

1.6 Cllr Baughan, Cllr Knight and Cllr Rana have called this application in for consideration by committee on the grounds that the proposed development is within the conservation area and does not demonstrate any sensitivity to this and neighbouring listed building. Furthermore, it also seems that the plans around parking are inadequate and unrealistic.

1.7 Recommendation – refusal.

## 2.0 Description of Proposed Development

2.1 Stuart Lodge is an existing, unlisted three storey building, situated on the western side of Stuart Road. The application site is situated within the High Wycombe (Town Centre Conservation Area

2.2 At present, the application premises is in use as offices and as a Quaker Meeting House.

2.3 The application is accompanied by :

- a) Design, Access and Heritage Statement
- b) Parking Statement
- c) Ecology and Trees Checklist.

## 3.0 Relevant Planning History

| Reference      | Development  | Decision | Decision Date     |
|----------------|--|----------|-------------------|
| HW/442/66      | Change of use to offices   | PER      | 24 June 1966      |
| HW/6161/69     | Erection of extension  |          | 7 August 1969     |
| 91/05847/FUL   | ERECTION OF NEW GARAGE,<br>RETAINING EXISTING EXTERNAL<br>WALL AND REAR PARTY WALL   | PER      | 11 June 1991      |
| 21/07300/PNP30 | Change of use of existing<br>building from offices (use class<br>B1(a)) to create 4 x studio<br>apartments (use class C3<br>(dwellinghouses) | DAPP     | 21 September 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 application site lies within the High Wycombe Settlement Area. As such the extension of properties and the provision of additional residential accommodation is acceptable, in principle.



### **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).

- 4.2 This proposal falls below the Council's requirements for affordable housing.
- 4.3 With regard to the provision of flats, the application property benefits from the approval of a Prior Notification application for the conversion of the existing offices to 4 x residential studio apartments.

### **Employment issues**

Wycombe District Local Plan (August 2019): CP5 (Delivering Land for Business), DM28 (Employment Areas)

DSA: DM5 (Scattered business sites)

- 4.4 Although this proposal will result in the loss of an existing employment facility (offices) the change of use to residential has been established under the approval of Prior Notification application 21/07300/PNP30.

### **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 Stuart Road is an unclassified road subject to a 30mph speed restriction. There are waiting restrictions in force on Stuart Road. In the vicinity of the site, these take the form of double yellow lines, single yellow lines ('No Parking from Monday to Saturday between the hours of 8am and 6pm') and residents and pay-and-display parking bays (designated for that purpose between the hours of 9am and 5pm, from Monday to Saturday).
- 4.6 In terms of trip generation, in order for Highways Development Management to meet legislative requirements when assessing this site, it is necessary to consider and to take into account the maximum levels of movement and occupation associated with the sites existing lawful use. The Highway Authority has assessed this against the proposals as presented by the applicant. Current and/or historic levels of use and movement are not necessarily reflective of the lawful potential of the site should a different occupier be present.
- 4.7 Having interrogated the Trip Rate Information Computer System (TRICS®) database, the historical/lawful use of the site as an office has the potential to generate approximately 76(no) two-way vehicle movements per day. Each residential unit in this location would be expected to generate approximately 2 – 4 two-way vehicle movements per day. The proposed residential units sought would generate fewer vehicle movements when compared to the sites existing lawful use.
- 4.8 In terms of parking, the site is located in Non-residential Zone 1 as set out in the Buckinghamshire Countywide Parking Guidance (BCPG). In accordance with the BCPG, an office in this location should be provided with 1(no) parking space per 25sqm of floorspace. Therefore, the existing 226sqm of floorspace has a parking requirement of 10(no) parking spaces. The site is located in Residential Zone A. Each of the proposed residential units features 1-4 habitable rooms and therefore require 1(no) parking space each.

- 4.9 The submitted plans demarcate 4(no) parking spaces, although additional parking could be accommodated in a tandem arrangement. Whilst the proposed development would result in a loss of a parking space in the garage, the site would retain a similar level of hardstanding parking area. Given that the proposal to provide 5 residential units would reduce the sites parking requirement, the development would not displace additional parking onto the public highway. Furthermore, the site is located within a reasonable walking distance of public transport options and daily amenities reducing future residents' reliance on private motor vehicles.
- 4.10 Finally, in consideration that the garage is being converted to habitable accommodation and that the area is no longer being used for parking, the access serving the garage must be stopped up as part of the application. This is of benefit to highway safety given the accesses location in proximity to the 90<sup>o</sup> bend in the road. This can be secured by way of condition.
- 4.11 In light of the above, the Highway Authority raises no objections to this application, subject to a condition requiring the closure of the existing access.

**Raising the quality of place making and design and the impact of the proposal on the High Wycombe (Town) Conservation Area.**

Wycombe District Local Plan (August 2019): CP9 (Sense of place); CP11 (Historic Environment); DM31 (Development Affecting the Historic Environment); 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

- 4.12 The application property is a non-designated heritage asset, within the High Wycombe Conservation Area. The property is also identified in the High Wycombe Conservation Area as a "Building of Interest."
- 4.13 The existing building has a single storey attached garage to the right hand side, with a single storey extension, to the left hand side. The southern part of the site is currently open space which is used for parking. The building itself benefits from feature detailing, including a brick on edge banding detail, details around the window openings and brick head detailing.
- 4.14 The submitted plans show that the existing single storey elevation on the southern side will be demolished and a new two storey side extension erected in its place. On the northern elevation, a new 1<sup>st</sup> floor side extension is to be erected above the existing single garage structure, together with roof alterations.
- 4.15 The Council's Conservation Officer has reviewed these proposals and has raised a number of objections to the form, massing and design of the extensions.
- 4.16 In particular, the form and massing of the proposed roof and the proposed bulk of the side elevation facing the parking area will appear incongruous on the existing building and within the street scene. Crown roofs are not a traditional feature of Victorian villa buildings and demonstrates that the bulk of this extension is excessive and represents an overdevelopment of the site.
- 4.17 Furthermore, the proposed pair of dormer windows on the side elevation facing the parking area would create a cluttered roof scape and there is a lack of symmetry in the

window openings. The opposite gable elevation also has a mismatch of window designs.

- 4.18 On balance, the proposed extensions to the existing traditional building are considered to be unsympathetic and harmful to the appearance and character of the host structure. Furthermore, the proposed extensions would be prominent within the street scene and as such would detract from the character and appearance of the High Wycombe Conservation Area.
- 4.19 Policy DM31 states that “where a development would lead to less than substantial to the significance of a designated heritage asset, consent will be refused unless this harm is outweighed by public benefits of the proposal, including securing optimum viable use.” This stance follows the advice contained in Paragraph 202 of the NPPF.
- 4.20 In this instance, no public benefit is apparent from this development, and the premises already benefits from a viable change of use to residential purposes.
- 4.21 It is therefore considered that this proposal fails to accord with Policies CP11 (Historic Environment) DM31 (Development Affecting the Historic Environment) and DM35 (Placemaking and Design Quality of the adopted Wycombe District Local Plan."
- 4.22 The Conservation Officer has also raised concerns regarding how this proposal could execute the quality of the brickwork detailing. However, such details could be controlled by strict planning conditions.
- 4.23 With regard to boundary treatments, enclosure to the street scene should be provided. Such enclosure should involve a traditional boundary treatment, such as railings and brick piers. Again, a planning condition requiring boundary treatments to be approved prior to installation should be imposed on any subsequent planning application.
- 4.24 With regard to the adjacent listed properties at No 25 and 27 London Road, although this proposal will have an adverse effect upon the character of the surrounding Conservation Area, the Conservation Officer has not supported an objection in relation to the setting of these listed structures.

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

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

Housing intensification SPD

- 4.25 This proposal would result in an acceptable standard of accommodation for future residents. It is unfortunate that the proposed units will not provide any outdoor private amenity space. However, the change of use of this property to residential purposes has been established under a Prior Notification application, where the provision of private amenity space is not required. This current proposal will only add 1 additional unit to the scheme already approved.
- 4.26 The submitted plans do show that a habitable room window will be installed in the 1<sup>st</sup> floor of the southern elevation, overlooking the parking area. Concern has been raised by the resident warden (Cllr Julia Wassell) of the adjacent Quaker Meeting House, at 25 London Road, that the proposed extensions will overlook the private rear rooms and private rear garden at this facility. The facility is a well-used community facility and is used for counselling, mental health, the NHS and Local Authority. The Warden states

that the facility is a calm and tranquil environment which will be impacted by this development.

- 4.27 Other residents in London Road have expressed concern that the distance between the proposed extension and adjacent properties in London Road is less than 25m. Therefore overlooking and a loss of privacy will occur.
- 4.28 The submitted plans do show that a distance of 10m will be retained between the proposed southern extension and its shared boundary with 25 London Road. The main property at No 25 is set more than 15m from the shared boundary. However, a single storey outbuilding and a private rear garden area are situated immediately adjacent to the boundary. The proposed single 1<sup>st</sup> floor window will result in a degree of overlooking to No. 25, however, a first floor window already exists in the southern elevation of Stuart Lodge. Although the proposed 1<sup>st</sup> floor window will be closer to the boundary, it is considered that the level of overlooking and any loss of privacy will not be significantly greater than what may occur at present.
- 4.29 With regard to other adjacent properties, it is considered that this proposal will not result in any significant loss of light, privacy or outlook.
- 4.30 Concerns have been raised by adjacent residents, that the proposed development does not provide sufficient parking for 5 units, in accordance with the current parking standards and that the displacement parking will occupy spaces current used by existing residents.
- 4.31 The submitted plans do show that only 4 spaces will be provided for 5 units. However, when considering parking displacement, the Highway Authority have taken into account the current authorised use of the property as offices. The office use itself has a greater displacement of parking than the proposed 5 residential units. As such, an objection on the grounds of a loss of on street parking for existing residents could not be sustained.

#### **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)

- 4.32 In accordance with the Council's Air Quality SPD, a total of four electric car charging points should be installed at the extended property, prior to occupation. A planning condition should be imposed to this effect.

#### **Flooding and drainage**

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

- 4.33 The application site is not situated within Flood Risk Zone 2 or 3 and there is no water course on the site. Furthermore, there are no known surface or ground water issues in this locality.
- 4.34 As such, this proposal is not a risk from flooding and will not increase the risk of flooding elsewhere.

#### **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)

- 4.35 Concern has been expressed by local residents that this proposal will have an adverse effect upon protected species such as birds, bats, hedgehogs, and other wildlife.
- 4.36 However, the application property is situated on a developed site within the urban area. As such, the likelihood of protected species being adversely affected is lessened and as a result a Preliminary Ecological Assessment has not been requested. However, in the event that development is undertaken at the property, the applicant and builder have a statutory obligation to ensure that no protected species is harmed as a result of development. In the event that species such as bats are found, any work must cease and a licence obtained from Natural England. The Applicant should be advised of the statutory obligations.
- 4.37 However, Policy DM34 of the Wycombe District Local Plan does require that all development provide a net gain in biodiversity. At present, no such information has been provided. Therefore a planning condition should be imposed on any subsequent planning condition to ensure that ecological mitigation and enhancement measures are undertaken.

#### **Building sustainability**

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

- 4.38 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 not accord with 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 (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 6.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 6.3 In this instance the applicant/agent was updated of any issues after the initial site visit. 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 and provided the opportunity to amend the application or provide further justification in support of it. The applicant/agent was given the opportunity to withdraw the application and seek further advice from the Council as to what may be achievable at the property. The applicant/agent declined this offer and requested that the application be determined.

## **7.0 Recommendation**

7.1 Refusal, for the following reason:

1. In the opinion of the Local Planning Authority, by virtue of its form, mass, siting and design, this proposal represents an overdevelopment of the application site which will detract from the character and appearance of the host property, and the character and visual amenity of the surrounding High Wycombe Town Centre Conservation Area. As such, this proposal is contrary to the guidance contained in the National Planning Policy Framework and Policies CP11 (Historic Environment), DM31 (Development Affecting the Historic Environment) and DM35 (Placemaking and Design) of the adopted Wycombe District Local Plan (August 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 updated of any issues after the initial site visit. 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 and provided the opportunity to amend the application or provide further justification in support of it. The applicant/agent was given the opportunity to withdraw the application and seek further advice from the Council as to what may be achievable at the property. The applicant/agent declined this offer and requested that the application be determined.

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

### Councillor Comments

Cllr Knight: I am concerned that the proposed development will have a significant impact on this small street which has already seen another large development take place in recent years. The proposed development is within the conservation area and does not demonstrate any sensitivity to this and neighbouring listed building and it also seems that the plans around parking are inadequate and unrealistic. Along with my fellow councillors, Cllr Andrea Baughan and Cllr Nabeela Rana I would like to call this application into the Planning Committee for determination.

Cllr Baughan: Should Officers be minded to approve this Application, I would request it is heard by the Planning Committee. My reasons for objecting are as follows: Inadequate amount of parking spaces, not only for the proposed number of dwellings - the five residences proposed could lead to at least 8 additional cars belonging to residents on Stuart Road. We already have issues with displaced parking in Wycombe. This would lead to additional movement at this busy junction, delivery vehicles, refuse collections, visitors etc. The proposed extension, in terms of bulk and scale is unneighbourly - and in this Conservation area the mass will overwhelm the brick and flint building adjacent (No 25) as well as being overbearing and overlooking the private walled garden areas. Birds and bats have been sited in the eaves of Stuart Lodge. Moreover the adjacent Friends' Meeting House based at No 25 is a well-established Place of Worship also used as a community meeting space for Wycombe residents which has been able to have a co-operative relationship with the Women's Institute Members. In its current usage, Stuart Lodge's car park can allow for 10 cars parked off road.

Cllr Rana: I would like the application called into Committee as I am also concerned about the proposed Development.

As my colleagues Cllr Baughan & Cllr Knight have already stated The Building is in the conservation area and forms a group of Historic Houses which are linked to Furniture and Milling trade.

The proposal will spoil the conservation area and the no of Cars in a tiny road would cause overload to the neighbourhood and possibly causing safety issues for Pedestrians young and old alike.

Disruption to Highway feeding off the main road London Road would also cause delays exhaust the Travel system.

To expect Tenants /House holders to not have cars is a cause for concern.

No's 25 & 27 are Grade 2 Listed buildings as I'm sure you are aware

### Parish/Town Council Comments

#### **High Wycombe Town Unparished**

#### Consultation Responses:

##### Highway Authority:

No objection, subject to condition regarding closure of existing access.

Conservation Officer:

Objects to form, mass and design of proposal. Such proposals will detract from character and appearance of High Wycombe (Town) Conservation Area.

### Representations

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

High Wycombe Society: Objects to this proposal on the following grounds:

- Loss of privacy and overlooking
- Lack of off street car parking
- Lack of private amenity space for new residents.

#### **Other Representations**

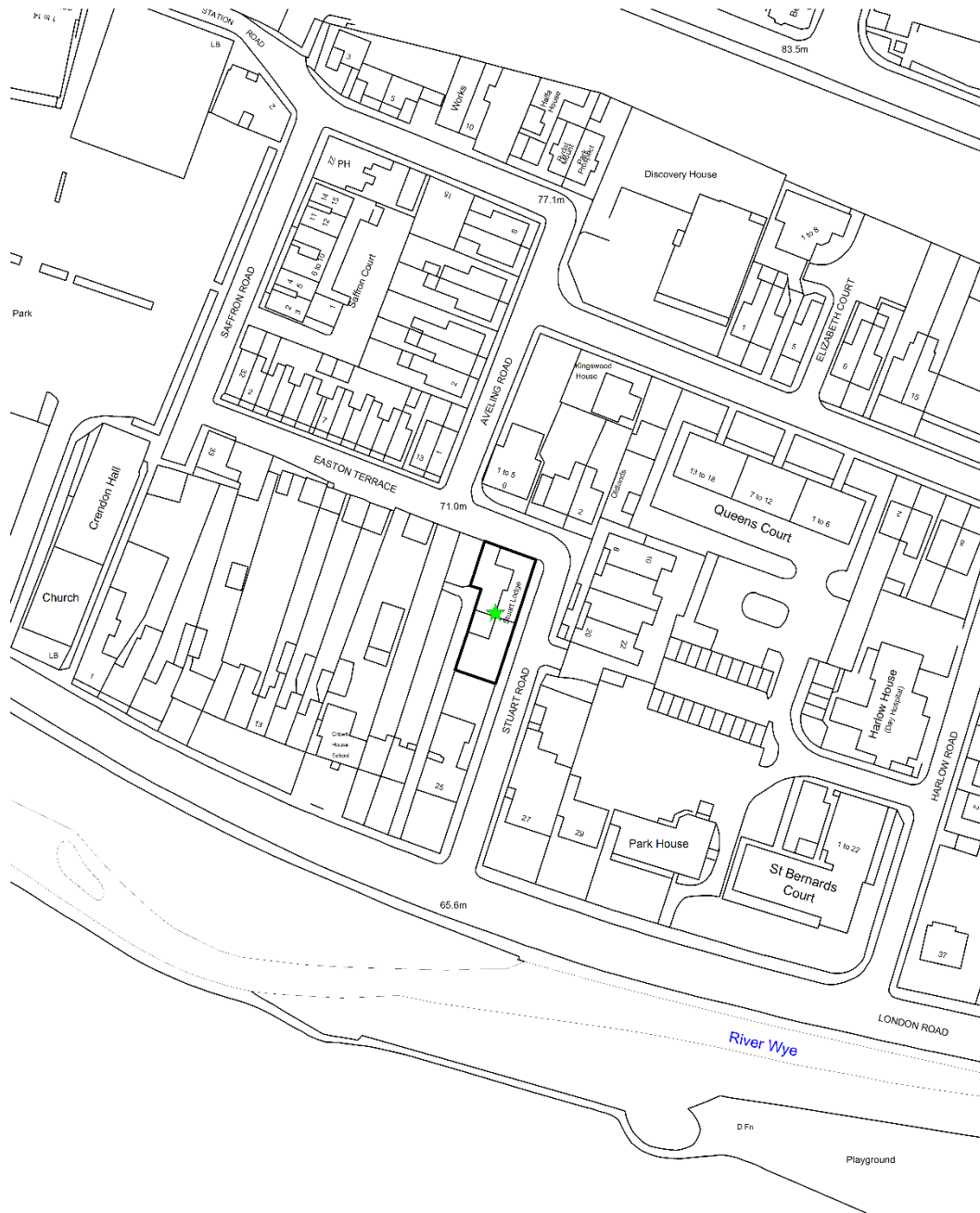
Objections have been received from adjacent residents. The grounds of objection include:

- Lack of off street car parking will exacerbate difficulties residents have in parking in this location
- Loss of highway safety
- Harm to character of area
- Harm to wildlife



# APPENDIX B: Site Location Plan

21/08599/FUL  
Scale 1/1250



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