



## South Buckinghamshire Area Planning Committee agenda

Date: Tuesday 15 March 2022

Time: 2.30 pm

Venue: Amersham Council Chamber, King George V House, King George V Road,  
Amersham HP6 5AW

### Membership:

T Egleton (Chairman), D Anthony, M Bracken, T Broom, S Chhokar, P Griffin, G Hollis (Vice-Chairman), Dr W Matthews, G Sandy and A Wheelhouse

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<b>Agenda Item</b>	<b>Page No</b>
<b>1 Apologies for Absence</b>	
<b>2 Declarations of Interest</b>	
<b>3 Minutes</b> To note the minutes of the meeting held on 15 February 2022.	<b>3 - 6</b>
<b>Planning Applications</b>	
<b>4 PL/21/2556/FA - Burnham Football Club, Wymers Wood Road, Burnham, Buckinghamshire, SL1 8JG</b>	<b>7 - 30</b>
<b>5 PL/21/1238/FA - Wrango Cottage, Village Road, Denham, Buckinghamshire, UB9 5BE</b>	<b>31 - 48</b>
<b>6 PL/21/4226/FA - 10 Upper Road, Higher Denham, Denham, Buckinghamshire, UB9 5EJ</b>	<b>49 - 64</b>
<b>7 Date of Next Meeting</b> Tuesday 12 April 2022 at 2.30pm.	
<b>8 Availability of Members Attending Site Visits (if required)</b> To confirm members' availability to undertake site visits on 11 April 2022, if required	

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



## South Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the South Buckinghamshire Area Planning Committee held on Tuesday 15 February 2022 in Amersham Council Chamber, King George V House, King George V Road, Amersham HP6 5AW, commencing at 2.30 pm and concluding at 4.23 pm.

### Members present

T Egleton, D Anthony, M Bracken, T Broom, S Chhokar, P Griffin, Dr W Matthews, G Sandy and A Wheelhouse

### Others in attendance

L Hornby, M Radley, B Robinson, I Severn and K Stubbs

### Apologies

G Hollis

### Agenda Item

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

**Councillor W Matthews:** Application 21/4069/FA. Declared an interest due to being a member of Iver Parish Council. She declared that she had not been part of the discussions in relation to this application. She also declared that she had an open mind, would listen to the debate and make a decision once the debate was over.

#### 2 **Minutes**

The minutes of the meeting held on 21 December 2021 were agreed as an accurate record.

#### 3 **PL/21/3024/FA - Rear of 113 Gore Road, Burnham, Buckinghamshire, SL1 7DF**

Erection of detached dwelling and new vehicular access.

This application was the subject of a site visit.

After a full debate, Members voted in favour of the motion to approve the application subject to a new Condition which would replace Conditions 4 and 7 as follows:

No other part of the development hereby permitted shall commence until the new means of access has been sited and laid out in accordance with the approved drawing. This will be inclusive of the satisfactory relocation of the existing lighting column as first agreed in writing with the Local Planning Authority. The access will be 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

That Conditions 12 and 13 be varied to remove permitted development rights and require express planning permission for any windows or rooflights at first floor level or above.

Speaking as Ward Member: Councillor D Dhillon

Speaking in objection: Mr Randhawa

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

**It was proposed by Councillor M Bracken and seconded by Councillor W Matthews.**

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

**4 PL/21/4069/FA - St James Farm, Bangor Road South, Iver, Buckinghamshire, SLO OAL**

Retrospective change of use of agricultural building to storage and distribution (Use Class B8).

This application was the subject of a site visit.

After a full debate, Members voted in favour of the motion to defer the application for officers to investigate additional uses being made of the wider site and to seek opinion from Thames Valley Police (TVP) on road safety of this road.

Speaking as Ward Member: The Democratic Services officer read out a statement on behalf of Councillor L Sullivan.

Speaking on behalf of the Parish Council: Councillor S Bhachu.

**It was proposed by Councillor T Broom and seconded by Councillor G Sandy.**

**Resolved: that the application be deferred and brought back to Committee following receipt of further information as laid out above.**

**5 Date of Next Meeting**

Tuesday 15 March 2022 at 2.30pm.

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

**Resolved:** that in the event it was necessary to arrange site visits on Monday 14 March 2022 in respect of the agenda for the meeting on Tuesday 15 March 2022, the following Members be invited to attend. C

Councillors: T Egleton, D Anthony, M Bracken, T Broom, S Chhokar, P Griffin, G Hollis, W Matthews, G Sandy and A Wheelhouse.

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## Update Report to South Area Planning Committee

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<b>Application Number:</b>	PL/21/2556/FA
<b>Proposal:</b>	Installation of new lighting on existing columns and increased hours of usage of floodlights.
<b>Site location:</b>	Burnham Football Club Wymers Wood Road Burnham Buckinghamshire SL1 8JG
<b>Applicant:</b>	Mr Peter Coe
<b>Case Officer:</b>	Richard Regan
<b>Ward affected:</b>	Farnham Common & Burnham Beeches
<b>Parish-Town Council:</b>	Burnham Parish Council
<b>Valid date:</b>	12 July 2021
<b>Determination date:</b>	25 November 2021
<b>Recommendation:</b>	Conditional permission

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

- 1.1 The application proposes the installation of new lighting on the existing columns and an increased hours of usage of the floodlights.
- 1.2 The application has been referred for determination by the South Area Planning Committee following it being called in by Cllr Anthony and Burnham Parish Council.
- 1.3 The application was considered at the South Buckinghamshire Area Planning Committee on 21<sup>st</sup> December 2021, and the decision was deferred to enable further noise assessments to be undertaken with regard to the proposed noise impacts associated with the proposed increase in usage of the floodlights, as well as obtain clarity over the nature of the activities that would be taking place in connection with the use of the floodlights.
- 1.4 The previous Planning Committee report is attached at **Appendix B** and the recommendation for this application remains Condition Permission.

### 2.0 Update since previous Planning Committee on 21<sup>st</sup> December 2021

- 2.1 As noted above, this application was deferred to enable further information to be provided on the nature of the activities that would take place on the sports pitch, as well as a further noise impact assessment to be undertaken.

- 2.2 At the previous Committee Meeting, concerns were raised by Members that the noise impact assessment submitted as part of the application was not adequate enough as it had incorporated undertaking recordings at only 2 locations within the site. Members felt that the noise assessment should incorporate a much wider coverage of the site, as there are residential properties to three sides of the site, and that noise measurements should be taken from all sides of the site, including from behind the goals.
- 2.3 In addition to this, Members also raised concern that it was not clear who would be using the sports pitch, when they would be using them, and for what purpose.
- 2.4 Following the previous Committee Meeting, the applicant was requested to provide the relevant additional information relating to the concerns raised by Members.
- 2.5 With regard to the details relating to nature of the activities that would be taking place, the applicant has confirmed that there is only 1 pitch at the site and the following is a list of scheduled evening activities (when floodlights are required):
- Monday – junior training
  - Tuesday – junior and senior training or senior competitive football match (with spectators)
  - Wednesday – junior training
  - Thursday – junior and senior training or junior(U18) or senior competitive football match (with spectators)
  - Friday – junior training
  - Saturday – senior competitive football match (only 1 hour of lighting use)
  - Sunday – nothing requiring lights.
- 2.6 The applicant advises that competitive football matches (junior or senior) will normally have spectators. They will usually be league games, but there will be cup games as well. These matches take place in line with the existing flooding lighting restrictions. Training will not have spectators other than parents who stay to watch over their children as they exercise. It is these additional training activities that are being proposed to undertaken within the proposed additional floodlighting usage being sought.
- 2.7 With regard to the request to undertake a further noise impact assessment, the applicant advised that the undertaking of further noise measurements would not be beneficial as the original noise report was considered to be appropriate and sufficient. They advise that the original noise report was carried out in accordance with British Standards, and adopted the approach and methodology advocated within best practice guidance published by Sport England. In addition to this, the results of the noise impact assessment did not exceed the thresholds for noise levels as set out by the World Health Organisation guidance for community noise.
- 2.8 The Councils Environmental Health Officer has reviewed the additional information, including these reasons for why it is considered that a further noise impact assessment is not required, and he has advised that the reasons given are valid and good reasons, and considers that it is not necessary for a further noise impact assessment to be carried out. However, notwithstanding this, the Environmental



Health Officer did request the applicant to submit a 'noise contour', based on the data already obtained.

- 2.9 The applicant agreed to undertake this exercise and have subsequently submitted a Technical Note which produces a noise contour and tabulation of the potential noise levels which the training sessions are likely to produce, which then establishes their impact at each property. The table of results is set out in the consultation response from the Environmental Health Officer, which is attached to appendix C of this report. It should be noted that it is generally only when noise levels rise above 50dB LAeq, that they are considered to potentially adversely impact upon the amenities of external spaces.
- 2.10 It can be seen that in all cases noise levels resulting from the undertaking of the proposed additional training sessions, in external amenity areas adjacent or near to the application site, are shown to be less than the 50dB LAeq, 1 hour assessment criteria.
- 2.11 The Environmental Health Officer considers that the level and detail of the additional information that has been submitted by the applicant is appropriate and adequate to demonstrate the potential noise impacts of the proposed development.
- 2.12 Further to this, the Environmental Health Officer considers that based on the evidence submitted, and when undertaken in combination with good management and maintenance, the proposed increase in the use of the floodlights in line with what is being proposed, would not unacceptably impact upon the amenities of any neighbouring property.
- 2.13 Overall, therefore, in light of the comments of the Councils Environmental Health Officer, it is considered that the increased usage of the lighting would not unacceptably impact upon the residential amenities of the surrounding properties in terms of noise and disturbance, if allowed in accordance with the conditions set out below.
- 2.14 It is important to note that since the previous planning committee meeting, the proposed conditions have been reviewed and revised to reflect the concerns of Members that the conditions should provide sufficient control over the proposed development. Specifically, condition 2 has been altered to ensure that the floodlighting is only used in association with football matches and training. Condition 3 has been altered to make specific reference to football matches, whilst condition 6 has been altered to include wording that sets out that the new lighting system shall not result in illuminance spillage that would impact on the surrounding properties.

### **3.0 Recommendation:** Conditional Permission

Subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice. (SS01)  
Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).

2. The floodlights hereby approved shall only be used in connection with the undertaking of football training and football matches. The use of the floodlights hereby permitted shall be restricted to between 09.00 and 21:45 hours Monday to Fridays. On Saturdays the use of the floodlights shall be restricted to one hour only between 09.00 to 21:45. The floodlights shall not be used outside of these hours.  
Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
  
3. During the months of October to March (inclusive), the sports pitch shall only be used for football matches, which permits spectators, on three evenings in any week running from Monday to Saturday. And at no time, football matches, which permit spectators shall occur on Sundays evenings.  
Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
  
4. A log, to include dates and times, shall be kept of all matches at the site. This shall be made available to the LPA upon their request.  
Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
  
5. During the months of October to March (inclusive), with the exception of when a match with spectators is taking place, the noise levels from activities taking place while the approved lighting is in operation, shall not exceed 50 dB LAeq(1hour) when measured at the nearest noise sensitive locations as identified in the Noise Assessment: Burnham Football Club” J10-12899A/1/F1 dated 6th November 2021, and the Technical Note dated 12/02/2022.  
Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
  
6. The floodlights hereby approved shall be erected and maintained in accordance with the details as set out in the ‘Lighting Impact Assessment’ dated 4<sup>th</sup> November 2021. While the new lighting system is in operation there shall be no illuminance spillage to cause observable effect level at the nearest light sensitive properties. (e.g. affect gardens, close curtains in rooms, etc.)  
Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
  
7. The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings:

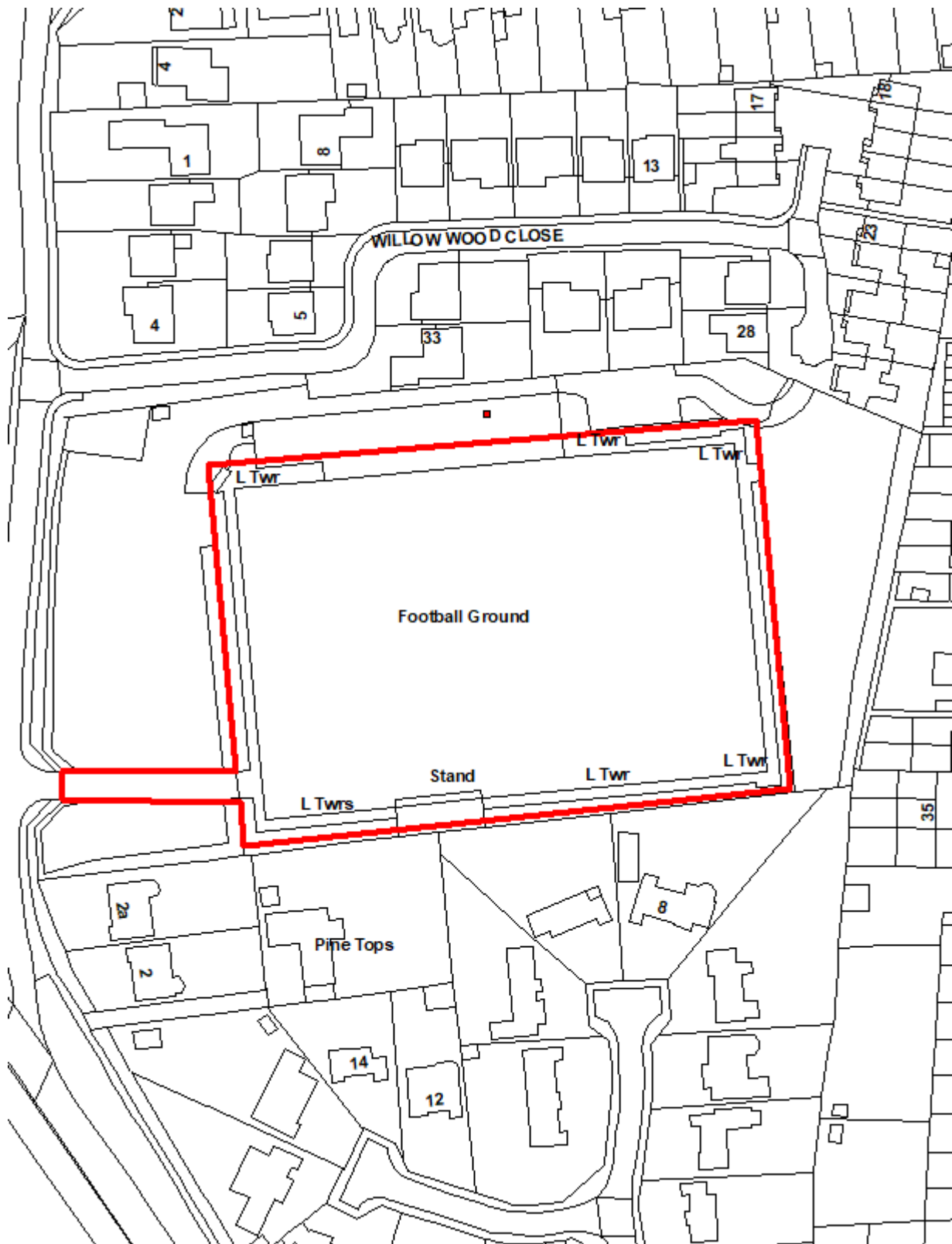
**List of approved plans:**

<u>Received</u>	<u>Plan Reference</u>
12 Jul 2021	Location Plan
25 Jun 2021	40687 Rev C

8 Nov 2021 Lighting Impact Assessment

8 Nov 2021 Noise Assessment – Burnham Football Club

## APPENDIX A: Site Location Plan



Do not scale – this map is indicative only

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## Report to South Area Planning Committee

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<b>Application Number:</b>	PL/21/2556/FA
<b>Proposal:</b>	Installation of new lighting on existing columns and increased hours of usage of floodlights.
<b>Site location:</b>	Burnham Football Club Wymers Wood Road Burnham Buckinghamshire SL1 8JG
<b>Applicant:</b>	Mr Peter Coe
<b>Case Officer:</b>	Richard Regan
<b>Ward affected:</b>	Farnham Common & Burnham Beeches
<b>Parish-Town Council:</b>	Burnham Parish Council
<b>Valid date:</b>	12 July 2021
<b>Determination date:</b>	23 December 2021
<b>Recommendation:</b>	Conditional permission

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

- 1.1 The application proposes the installation of new lighting on the existing columns and an increased hours of usage of the floodlights.
- 1.2 The proposed new lighting would consist of replacing the existing floodlights with new LED floodlights. The proposal only involves the replacing of the actual floodlight, and not the entire column structure upon which they would be attached. The new lighting would be attached to the existing columns.
- 1.3 The proposed new lighting would result in a 50% reduction in illuminance when compared to that exhibited by the existing lighting. As such, the proposed new lighting, would have less of an impact in terms of light spillage than that of the existing lighting.
- 1.4 In light of this reduction in luminance and in light of the comments of the Councils Environmental Health Officer, who raise no objections to this element of the proposal, it is considered that the proposed new lighting would not adversely impact upon the amenities of the surrounding neighbouring properties in terms of light pollution.
- 1.5 With regard to the proposed increased hours of usage of the floodlights, the Councils Environmental Health Officer considers that based in the evidence, some increase in

the usage of the floodlights would be acceptable and could be undertaken without resulting in unacceptable impacts on the amenities of neighbouring properties.

- 1.6 In light of the advice from the Councils Environmental Health Officer, it is considered that an increase in usage of the floodlights is acceptable on the basis that this increased usage is restricted to weekday evenings and to be no later than 9:45pm. There would also be a restriction that evening matches involving spectators would be restricted to a maximum of 3 in any given week.
- 1.7 The application has been referred for determination by the South Area Planning Committee following it being called in by Cllr Anthony and Burnham Parish Council.
- 1.8 Recommendation – Conditional Permission.

## **2.0 Description of Proposed Development**

- 2.1 The application proposes the installation of new floodlights on the existing columns and an increased hours of usage of the floodlights.
- 2.2 It is proposed to increase the usage of the floodlights for 3 additional weekday evenings, as well as on Sundays. The existing usage of the floodlights on the 2 other weekday evenings and on a Saturday would remain unchanged.
- 2.3 The application is accompanied by:
  - a) Lighting Impact Assessment
  - b) Noise Assessment
  - c) Supporting Statement

## **3.0 Relevant Planning History**

Relevant planning history for the site:

- 3.1 03/00934/FUL – Conditional Permission – 13 November 2003 - Demolition of existing clubhouse. Erection of new clubhouse with function room, hospitality suites, club room, changing facilities and new stand. Formation of new car park and vehicular access.
- 3.2 03/01088/FUL – Conditional Permission – 12 November 2003 - Retrospective application for the erection of eight floodlight pylons.
- 3.3 04/00313/VC – Conditional Permission – 8 December 2004 - Variation of conditions Nos. 9 and 15 of planning permission 03/00934/FUL.
- 3.4 13/01379/FUL – Conditional Permission - 14 November 2013 - All weather training pitch to replace grass training pitch including 3m high perimeter fencing. Erection of modular building for changing facilities.
- 3.5 13/01969/FUL – Conditional Permission - 15 January 2014 - Retrospective application for change of use of section of car park into hand car wash.
- 3.6 14/01840/FUL – Conditional Permission - 20 November 2014 - Conversion of grass training area to 3G synthetic turf training area together with 3m high perimeter fencing.

- 3.7 PL/19/1655/FA – Conditional Permission - 7 October 2019 - Replacement of existing grass pitch with 3G Artificial Turf Sports Pitch, and formation of 3G Multi Use Games Area with associated fencing.
- 3.8 PL/21/3844/FA – Pending Consideration - Erection of ball catch netting
- 3.9 PL/21/4470/FA – Pending Consideration - Retrospective application for change of use of section of car park into hand car wash with office/storage hut.

#### **4.0 Summary of Representations**

- 4.1 Objections have been received from 67 sources. Burnham Parish Council raised an objection on the grounds of adverse impacts on the residential amenity of the locality. 10 letters of support were received. A summary of consultation responses and representations made on the application can be viewed in Appendix A.

#### **5.0 Policy Considerations and Evaluation**

- National Planning Policy Framework (NPPF), February 2019.
- Planning Practice Guidance
- National Design Guidance, October 2019
- South Bucks Core Strategy Development Plan Document - Adopted February 2011
- South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011;
- South Bucks District Local Plan Appendix 5 (Conservation Areas)
- South Bucks District Local Plan Appendix 6 (Parking standards)
- Draft Chiltern and South Bucks Local Plan 2036.
- South Bucks District Council Residential Design Guide Supplementary Planning Document (SPD) - Adopted October 2008
- Chiltern and South Bucks Townscape Character Study 2017
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- Burnham Beeches Special Area of Conservation (SAC) Mitigation Strategy, March 2020

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

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development)

- 5.1 The site is located within the developed area of Burnham, where alterations and improvements to existing buildings and services can be acceptable provided that they do not adversely affect any interests of acknowledged importance, which include factors such as the character and appearance of the area and the amenity of neighbouring properties.
- 5.2 Planning permission was granted for the erection of floodlighting under reference 03/01088/FUL. Attached to this permission was a condition which restricted the amount of time that the floodlights could be used. The conditions read as follows:

The floodlights hereby permitted shall not be used in any one week for more than a two and a half hour period on two evenings between Monday and Friday, and for one hour on Saturday, and shall cease operation by 9.45pm.

Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

5.3 The use of the existing floodlights is therefore restricted to the above hours of use.

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

Core Strategy Policies:

CP7 (Accessibility and transport)

Local Plan Saved Policies:

TR5 (Access, highways work and traffic generation)

TR7 (Traffic generation)

5.4 It is acknowledged that concerns have been raised by local residents over the impact that the proposal will have on the existing highway network in terms of volume of vehicular movements and an increase in on-street parking.

5.5 The Councils Highway Officer has reviewed the proposals, as well as taking into account the level of activity that can currently take place at the site. Whilst the proposals would enable activities to be carried out for a longer period during the winter months, it is noted that similar levels of activity can take place on the site during the summer months due to longer periods of daylight as there are no restrictions on the site for when the pitches can be used without the use of floodlights. As such, the level of vehicular activity and parking associated with the extended usage of the floodlights would be no greater than that which could occur during the summer months of the year.

5.6 The level of parking provision required to serve the site does not increase as a result of the increased use of the floodlights, as the facility itself is not being enlarged.

5.7 In these circumstances, the Councils Highways Officer does not consider that the proposals would result in a situation that the Highway Authority could reasonably recommend for refusal. They consider that the level of vehicular traffic associated with the proposal could be adequately accommodated on the existing highway network and that the existing level of parking provision is satisfactory. As such, they do not raise any objections to the proposal and consider that it would not lead any unacceptable highway implications, including danger to users of the highway.

5.8 In light of the comments of the Councils technical expert on matters of highway safety, notwithstanding the concerns raised by local residents, it is considered that the proposal would not lead to unacceptable impacts on the highway as a result of an increase in traffic or on-street parking.

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

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development)

5.9 The only physical works involved in the proposal is the replacement of the existing floodlights with new LED floodlights. The columns on which the floodlights would be



attached remain as existing. It is considered therefore that these works would not materially alter the appearance of the floodlights, and therefore would have no material impact on the visual appearance of the site or locality in general.

- 5.10 Whilst the proposal would increase the amount of time that the floodlights could be used, it would be in association with the existing use of the site and the undertaking of sporting activities. The increase in usage would not materially alter the intensity at which the site would be used overall, and therefore it is considered that the increased usage of the lighting would not result in a change in the character or appearance of the site overall.

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

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

R8 (Floodlighting)

- 5.11 Given the nature of the proposal, it is considered that there would be two main potential impacts on the amenities of neighbouring properties, those being noise pollution and light pollution. It is acknowledged that these were two of the main concerns raised by local residents who have objected to the application.
- 5.12 With regard to the matter of light pollution, the Councils Environmental Health officer raises no objections. The application has been accompanied by technical details of the proposed new lighting and it sets out that there would be a 50% reduction in illuminance when compared to that exhibited by the existing lighting. As such, the proposed new lighting, whilst it would be on for a longer period of time, would in fact have less of an impact in terms of light spillage than that of the existing lighting.
- 5.13 In light of this reduction in luminance and in light of the comments of the Councils Environmental Health Officer, who raises no objections to this element of the proposal, it is considered that the proposed new lighting would not adversely impact upon the amenities of the surrounding neighbouring properties in terms of light pollution.
- 5.14 With regard to the matter of noise pollution, following the initial comments of the Councils Environmental Health Officer, the applicant has undertaken and submitted a noise assessment. In addition to this, the Environmental Health Officer has visited the site during normal office hours and then also during the evening when junior and children training events were in progress.
- 5.15 For clarity, at present, the existing floodlights are allowed to be used for the following periods of time:  
**Monday to Friday** – No more than a two and a half hour period on two evenings and lights to be switched off by 21:45hrs;  
**Saturday** – a total of 1 hour, and lights to be switched off by 21:45hrs.
- 5.16 Upon assessment of the submitted details, and following discussions with Officers regarding how usage and activities can be appropriately enforced, the Councils Environmental Health Officer considers that some extended use of the floodlights would be acceptable and would not lead to unacceptable noise impacts on the neighbouring properties. Taking into account the information set out in the submitted

noise report, together with the existing site circumstances, including the sites relationship and proximity with residential properties, the Environmental Health Officer considers that the extension of the usage of the floodlights during the week would not lead to unacceptable noise impacts, provided that undertaking of matches that can be attended by spectators, is restricted to the current level of taking place on only 3 evenings of the week. It is considered that this is important as it is on such occasions when the highest level of noise is created due to the presence of spectators and other noises associated with a competitive match. This would ensure that the undertaking of such matches under the floodlighting would not increase over that which can currently take place.

5.17 Whilst the Environmental Health Officer considers that the additional lighting usage during the weekday evenings to be acceptable, he does object to there being any usage of the floodlights on a Sunday, concluding that the inclusion of additional lighting on this day would push the proposal and the impacts of noise disturbance beyond that which could be reasonably expected by surrounding properties, and would be of detriment to their residential amenities.

5.18 For clarity therefore, the total permitted time for when the floodlights could be used, when taking into consideration current restrictions, would be as follows:

**Monday to Friday** – Lights to be switched off at 21:45hrs .

**Saturday** – a total of 1 hour, and lights to be switched off by 21:45hrs.

**Sunday** – No permitted use of the floodlights.

**During the months of October to March (inclusive), the sports pitch shall only be used for matches, which permits spectators, on three evenings in any week running from Monday to Saturday. And at no time matches shall occur on Sundays evenings.**

5.19 Overall, therefore, in light of the comments of the Councils Environmental Health Officer, it is considered that the increased usage of the lighting would not unacceptably impact upon the residential amenities of the surrounding properties in terms of noise and disturbance, if allowed in accordance with the above restrictions.

### **Landscape/Ecology Issues**

Core Strategy Policies:

CP9 (Natural environment)

CP13 (Environmental and resource management).

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP4 (Landscaping)

5.20 The proposal does not involve an increase in built form. It does involve the replacement of the existing floodlight with new improved LED floodlights which will reduce the light spillage when compared to the existing floodlights. Therefore, whilst there would be an increase in the amount of time that the floodlights would be on, when balanced against the fact that they would have less of an interference with the surrounding environment due to the reduce light spillage, it is considered that the proposal would not adversely impact upon existing wildlife and their habitats.

5.21 Given the above, and the fact that the new floodlights would be attached to the existing columns present at the site, it is considered that the proposal would not have an impact on the landscaping of the site or that which surrounds it.

### **Infrastructure and Developer Contributions**

Core Strategy Policies:

CP6 (Local infrastructure needs)

5.22 The development is not a type of development where CIL would be chargeable.

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

6.1 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

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

6.3 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.

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

7.1 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.

7.2 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.

7.3 In this instance, further information was submitted by the applicant to address concerns relating to the potential light and noise impacts of the proposal.

### **Recommendation: Conditional Permission**

Subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice. (SS01)  
Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).

2. The use of the floodlights hereby permitted shall be restricted to between 07.00 and 21:45 hours Monday to Fridays. On Saturdays the use of the floodlights shall be restricted to one hour only between 07.00 to 21:45. The floodlights shall not be used outside of these hours. Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
3. During the months of October to March (inclusive), the sports pitch shall only be used for matches, which permits spectators, on three evenings in any week running from Monday to Saturday. And at no time matches shall occur on Sundays evenings. Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
4. A log, to include dates and times, shall be kept of all matches at the site. This shall be made available to the Local Planning Authority upon their request. Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
5. During the months of October to March (inclusive), with the exception of when a match with spectators is taking place, the noise levels from activities taking place while the approved lighting is in operation, shall not exceed 50 dB LAeq(1hour) when measured at the same locations as identified in the Noise Assessment: Burnham Football Club” J10-12899A/1/F1 dated 6th November 2021. Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
6. The floodlights hereby approved shall be erected and maintained in accordance with the details as set out in the ‘Lighting Impact Assessment’ dated 4<sup>th</sup> November 2021. Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
7. The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings:

**List of approved plans:**

<u>Received</u>	<u>Plan Reference</u>
12 Jul 2021	Location Plan
25 Jun 2021	40687 Rev C
8 Nov 2021	Lighting Impact Assessment
8 Nov 2021	Noise Assessment – Burnham Football Club

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

### **Councillor Comments**

Cllr David Anthony:

I wish to call in this application to the Planning Committee in the event that the case officer's recommendation is for approval.

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

The Committee RESOLVED to OBJECT to the application as the increased hours of usage would have an adverse impact on the residential amenity of the locality. The intensification would lead to a significant increase in noise pollution, additional traffic, and the worsening of parking spill over across the surrounding residential streets. It was noted that a comprehensive noise/light impact assessment, and parking survey was needed to properly gauge the effect the proposal would have on the area.

### **Consultation Responses**

Environmental Health Officer:

Comments received 10<sup>th</sup> December 2021:

Following my previous comments and the fact we have discussed this matter extensively amongst ourselves and other Planning Officers, and in view of the submitted information I consider that the noise and lighting issues that could negatively impact upon the amenities of local residents, would be adequately addressed by the below conditions:

1. The use of the floodlights hereby permitted shall be restricted to between 07.00 and 21:45 hours Monday to Fridays. On Saturdays the use of the floodlights shall be restricted to one hour only between 07.00 to 21:45. The floodlights shall not be used outside of these hours.  
Reason: In order to protect the amenities of occupiers of nearby properties.
2. During the months of October to March (inclusive), the sports pitch shall only be used for matches, which permits spectators, on three evenings in any week running from Monday to Saturday. And at no time matches shall occur on Sundays evenings.  
Reason: In order to protect the amenities of occupiers of nearby properties.
3. A log, to include dates and times, shall be kept of all matches at the site. This shall be made available to the LPA upon  
their request.  
Reason: In order to protect the amenities of occupiers of nearby properties.
4. During the months of October to March (inclusive), with the exception of when a match with spectators is taking place, the noise levels from activities taking place while the approved lighting is in operation, shall not exceed 50 dB LAeq(1hour) when measured at the same locations according to Noise Assessment: Burnham Football Club" J10-12899A/1/F1 dated 6th November 2021.  
Reason: In order to protect the amenities of occupiers of nearby properties"

Should you have any queries on any of these matters, please do not hesitate to contact me again

## Representations

### Other Representations

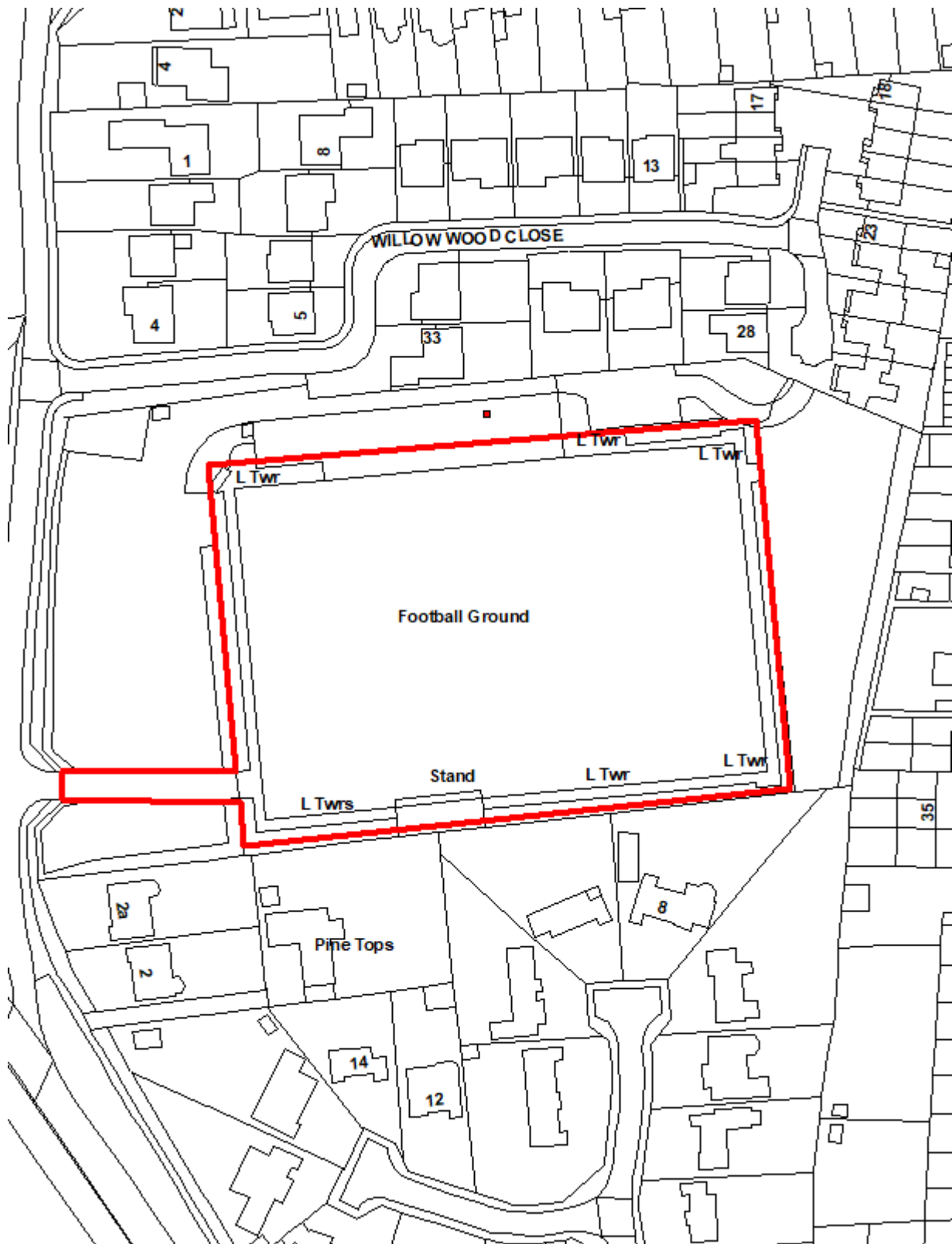
10 comments have been received supporting and simply commenting on the proposal:

- Support the clubs endeavours to make more use of the football ground;
- Reduced energy costs;
- Reduced carbon emissions;
- Increased longevity of LED lights;
- Reduced light spill;
- Community benefits;
- Supports grass roots football;
- Sport needs to be supported.

67 comments have been received objecting to the proposal:

- Adverse impact of lights shining on neighbouring properties;
- Adverse impact of increase noise disturbance due to increased use of the site;
- Adverse parking implications;
- Current restrictions are not adhered to;
- Increased litter;
- Lack of notification;
- Increase in traffic;
- Already advertising new tournaments in connect with extended light usage;
- May not adhere to any approved new restrictions;
- Impact on wildlife;
- Affect house values;
- Anti-social behaviour.

**APPENDIX B: Site Location Plan**



Do not scale – this map is indicative only

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## Appendix C: Updated Consultee Response – Environmental Health

APPLICATION REF: PL/21/2556/FA

OUR REF: 21/01976/PLAN

Re: Town and Country Planning Act 1990

Planning Application for consultation

Our ref: 21/01976/PLAN

Your ref: PL/21/2556/FA

Application type: Full Planning Permission

Proposal: Installation of new lighting on existing columns and increased hours of usage of floodlights.

Location: Burnham Football Club, Wymers Wood Road, Burnham, Buckinghamshire, SL1 8JG

I have made comments on this application on

- (i) 21st September 2021
- (ii) 25th November 2021
- (iii) 10th December 2022

On 10th December 2021 final planning conditions were suggested. Unfortunately, the lighting planning condition contained a couple of typing errors and should have read:

“The use of the floodlights hereby permitted shall be restricted to between 09.00 and 21:45 hours Monday to Fridays. On Saturdays the use of the floodlights shall be restricted to one hour only between 09.00 to 21:45. The floodlights shall not be used outside of these hours”.

The application falls within Zone E2 – Rural Areas – low district brightness and covers sparsely inhabited rural areas, village or relatively dark outer suburban locations.

Amongst other documents the applicant submitted the following documents:

- (a) Noise Assessment: “Burnham Football Club” Ref: Job Number J10-12899 November 2021.
- (b) Supporting Statement for a Planning Application from GrassRoots Power Community Interest Company, dated June 2021.
- (c) Burnham FC Proposed LED Upgrade Lighting Impact Assessment in Accordance with ILP GN01 ‘Guidance notes for the reduction of Obtrusive Light’ 2021

The planning application went to a planning hearing and Members considered to defer the planning application because:

1. The submitted Noise Report (J10-12899) was not adequate enough as it had incorporated undertaking recordings at only 2 locations within the site. Members also felt that the NR should have contained:
  - (i) A much wider coverage of the site, as there are residential properties to 3 sides of the site.

- (ii) Have incorporated noise measurements from all sides of the site, including behind the goals.

Members would like to see an updated noise impact assessment undertaken which includes a much wider coverage of the site including:

- Noise measurements from all sides of the site, including from behind the goals.
2. In addition to the above Members were not entirely clear who:
- (i) Would be using the pitches,
  - (ii) When they would be using them, and
  - (iii) For what purposes i.e. training/matches

1. **The submitted Noise Report (J10-12899) was not adequate enough as it had incorporated undertaking recordings at only 2 locations within the site.**

In response to this request, the applicant, was advised to carry further noise measurements.

The applicant in return and following consultation with his noise consultant did not consider further noise measurements would be beneficial to this case because the current one noise report (NR) (J10-12899) was felt appropriate and sufficient for the following reasons.

Reasons stated by the applicant for not submitting further noise measurements:

Because the submitted NR reference J10-12899:

- (i) Adopted the approach and the methodology advocated within best practice guidance, Sport England publication Acoustic Design Guidance Note for Artificial Grass Pitches (SE AGP, 2015) which states: 'Where site noise measurements are required, these should be undertaken at a location representative of the nearby noise sensitive residential properties and at the most sensitive time the AGP is proposed to operate'.
- (ii) The noise measurements were carried out in accordance with BS 7445-1:2003 "Description and measurement of environmental noise Guide to quantities and procedures".
- (iii) The recommended noise levels at the nearest noise receptor of 50 dB LAeq(1hour), are as set by the World Health Organization's 'Guidelines for Community Noise', published in 1999. This document states that for outdoor living areas to avoid 'moderate annoyance' during the daytime and evening the noise level should not exceed 50 dB LAeq(T).

EH comments on the reasons provided by the applicant:

The reasons provided by the applicant for not carrying out further noise measurements are valid and good reasons.

## 2. With regard to the noise sources.

The applicant verbally stated (see my comments dated 25/11/2021) “The additional extended hours would only be used for training purposes of children and juniors”). However, at the time the applicant did not confirm in writing.

Following Planning request, the applicant confirmed that there is only 1 pitch and has submitted list of scheduled evening activities (when floodlights are required) these will typically be as follows:

- Monday – junior training
- Tuesday – junior and senior training or senior competitive football match (with spectators)
- Wednesday – junior training
- Thursday – junior and senior training or junior(U18) or senior competitive football match (with spectators)
- Friday – junior training
- Saturday – senior competitive football match (only 1 hour of lighting use)
- Sunday – nothing requiring lights.

Competitive football matches (junior or senior) will normally have spectators. They will usually be league games, but there will be cup games as well. These are already benefitted from planning permission. These activities are conditioned according to Planning Condition 2 Application 03/01088/FUL which states:

“The floodlights hereby permitted shall not be used in any one week for more than two and a half (2 ½) hours period on two (2) evenings between Monday and Friday, and for one (1) hour on Saturday and, shall cease operation by 09.45 pm”.

Training will not have spectators other than mums and dads who stay to watch over their children as they exercise. These activities are seeking planning permission under Planning reference: PL/21/2556/FA.

Therefore, in view of the reasons expressed by the applicant for not engaging in further noise measurements and based on the training definition (these are the noise sources) submitted by the applicant, the EH requested to the applicant to submit a noise contour base on the data obtained.

On 14/02/2022 the applicant submitted the Technical Note dated 12/02/2022 producing a noise contour and tabulating the potential noise levels which these training sessions are likely to produce thus establishing their impact at each property. See table below

Receptor (see Figure 1)	Easting	Northing	Sports Pitch Noise Level, LAeq, 1hr
-------------------------	---------	----------	-------------------------------------

R1	492579.3	183009.28	43
R2	492595.1	183011.15	44
R3	492608.9	183011.66	42
R4	492659	182987.54	40
R5	492659.2	182981.42	40
R6	492658.5	182976.16	41
R7	492657.8	182970.04	41
R8	492656.3	182965.29	42
R9	492655.4	182958.83	42
R10	492600.2	182905.67	46
R11	492573.9	182901.25	47
R12	492540.6	182895.82	43
R13	492504.8	182894.12	42

From the table submitted in the technical report, in all cases noise levels in external amenity areas resulting from the operation of the proposed development, are shown to be less than the 50 dB LAeq, 1hour assessment criterion.

I should point out that the noise and the lighting impact are highly dependent on an excellent day to day management. Noise and lighting management is an ongoing process and includes maintenance of the noise and lighting control measures as well as managing the use and operation of the pitch. Good practices should be applied to the whole operation and maintaining long-term relationships with neighbours. Reacting to problems effectively is often as important as the actual noise levels and lighting issues in play and helpful in avoiding disputes that could threaten the continued operation of the facility.

Therefore, in view of all of the above I believe the applicant has provided sufficient information concerning to this application.

However, having considered the location of the proposal and the current nearby land uses, the lighting and noise are still matters affecting the current proposal and such matters are of material planning consideration from an Environmental Health perspective. In view of this, and, in order to keep the potential detrimental noise and lighting impacts from the proposed development to a level of no observable effects upon the nearest sensitive receptors I would recommend to impose the following planning conditions.

Suggested planning conditions to the following areas:

- Lighting, its timing and reduction to a level of no lighting spillages onto lighting sensitive premises, automatic switch off at 21.45 hours.
- Training, timing, no spectators, use tannoy systems, etc.
- Noise levels during training not more than 50 dB LAeq(1hour) at the nearest noise sensitive location as per Noise Report Reference J10-12899 and Technical Note dated 12/02/2022. In case of complaints and request from the LPA to carry out noise survey and submit a report to the LPA demonstrating compliance with the noise condition.

All planning conditions to be imposed need to be in full compliance with the following planning criteria:

(a) be kept to a minimum and only imposed where they are subject to the following tests:

- (i) necessary,
- (ii) relevant to planning,
- (iii) relevant to the development to be permitted,
- (iv) enforceable,
- (v) precise and
- (vi) reasonable in all other respects.

Final note to bear in mind:

The lighting and the proposed activities by the applicant would be carried out during “winter” period when people are unlikely to be using their gardens and most of the time during this period door and windows be closed.

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## Report to South Area Planning Committee

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<b>Application Number:</b>	PL/21/1238/FA
<b>Proposal:</b>	Demolition of existing bungalow and garage (unlisted building in a conservation area), erection of a new dwelling and amended drive
<b>Site location:</b>	Wrango Cottage Village Road Denham Buckinghamshire UB9 5BE
<b>Applicant:</b>	Mr Danny & Mrs Jackie Smith
<b>Case Officer:</b>	Laura Peplow
<b>Ward affected:</b>	Denham
<b>Parish-Town Council:</b>	Denham Parish Council
<b>Valid date:</b>	13 April 2021
<b>Determination date:</b>	17 April 2022
<b>Recommendation:</b>	Conditional Permission

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

- 3.2 The application seeks planning permission for the demolition of an existing dwelling known as Wrango Cottage, and the erection of a replacement dwelling.
- 3.3 The application is required to be determined by Planning Committee due to call-ins by Cllr Hollis and Cllr Chhokar. Material planning reasons relating to the impact upon the Conservation Area.
- 3.4 The recommendation for the application is conditional permission.

### 4.0 Description of Proposed Development

- 4.2 The proposed dwelling would be single storey and of an 'arts and crafts' influenced design benefiting from hipped roof form and cat-slide elements. A basement level is also proposed. The proposed dwelling would have four bedrooms.
- 4.3 The proposed dwelling would be orientated to run parallel to Village Road, and would be set further back from the highway than the existing dwelling.
- 4.4 The proposed dwelling would be constructed of brick and render, with a plain tiled roof and timber framed openings, though it is recommended that specific details of these are secured by condition.

- 4.5 An amended plan changing the roof design was received over the course of the application and given the design changes neighbour reconsultation undertaken. Updated SuDs drainage calculations were also provided.
- 4.6 The application site is located within the Metropolitan Green Belt and within the Denham Village Conservation Area. There are a number listed buildings located within close proximity or adjacent to the site, though Wrango Cottage itself is not listed. The boundary wall to the front of Wrango Cottage is listed with changes previously consented under application references PL/20/0067/FA & PL/20/0068/HB.
- 4.7 The application is accompanied by the following supporting information:
- a) Ecological Survey,
  - b) SuDS Drainage Calculations,
  - c) Topographical Survey,
  - d) Tree Report,
  - e) Heritage Assessment
  - f) Design and Access Statement.
- 4.8 Plans:
- a) Site and Building Sections, 21 WRAN SS01 B
  - b) Proposed Plans and Elevations, 21 WRAN PE01 B
  - c) Indicative Model Views, 21 WRAN V02
  - d) Location Plan, 19 WRAN SL01 A
  - e) Proposed Site Plan, 21 WRAN SP01 B
  - f) Existing Site Plan, 19 WRAN SU02D
  - g) Existing Plans and Elevations, 19 WRAN EX01 A.

### **3.0 Relevant Planning History**

- 3.1 ER/1090/60 – Erection of a single storey gardener’s cottage and two storey dwellinghouse. – Conditional Permission.
- 3.2 06/01521/EUC - Application for a Certificate of Lawfulness for proposed: bollards in entrance drive. – Certificate Refused.
- 3.3 14/01290/FUL - Application to remove the occupational limitations imposed by a legal agreement attached to planning permission ER/1090/60 and use Wrango Cottage as a dwellinghouse without restriction. – Conditional Permission.
- 3.4 PL/20/0067/FA - Demolition of existing entrance piers, and erection of new piers, gates and walling to widen existing entrance; proposed signage, lighting, letterbox in wall, installation of mounted entry box system and repairing of entrance apron. – Conditional Permission.
- 3.5 PL/20/0068/HB - Listed building consent application for Demolition of existing entrance piers, and erection of new piers, gates and walling to widen existing entrance. – Conditional Consent.
- 3.6 PL/20/1109/FA - Erection of detached dwellinghouse, garage and ancillary building incorporating stables and staff flat following demolition of existing bungalow, garage and outbuildings. – Withdrawn.



## 4.0 Summary of Representations

13 letters of objection received (some multiple from the same objector) and summarised as follows:

- loss of privacy for neighbouring residents;
- potential for further development of the plot requests that this is restricted by covenant;
- flooding;
- incorrect details on the submitted Design & Access Statement;
- loss of light;
- noise and disturbance particularly in relation to plant room;
- incorrect details on site/location plan with reference to unidentified listed buildings;
- impact on Conservation Area and setting of adjacent listed buildings without public benefit, specific harm identified from the roof form, orientation, bulk and massing, and detailing;
- concern with construction traffic;
- impact on trees;
- impact on Green Belt, concerns specifically raised with regards to increase in floorspace;
- amended plans make minimal difference.

## 5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2019.
- Planning Practice Guidance
- National Design Guidance, October 2019
- South Bucks Core Strategy Development Plan Document - Adopted February 2011
- South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011;
- South Bucks District Local Plan Appendix 5 (Conservation Areas)
- Buckinghamshire Wide Parking Standards, September 2015
- South Bucks District Council Residential Design Guide Supplementary Planning Document (SPD) - Adopted October 2008
- Chiltern and South Bucks Townscape Character Study 2017
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- Denham Neighbourhood Plan 2021

### Principle and Location of Development

Core Strategy Policies:

CP1 (Housing provision and delivery)

Local Plan Saved Policies:

GB1 (Green Belt boundaries and the control over development in the Green Belt)

GB10 (Extensions to dwellings in the Green Belt)

GB11 (Rebuilding of dwellings within the Green Belt)

5.2 The NPPF was updated July 2021 and whilst this replaced the previous Planning Policy Statements and Guidance Notes, it does not replace existing local policies that form part of the development plan. It does state however, that the weight that should be given to these existing local policies and plans will be dependent on their degree of

consistency with the NPPF. Therefore, the closer the policies in the development plan to the policies in the Framework, the greater the weight that may be given to them.

- 5.3 It is noted that policies GB1 and GB11 are not entirely in accordance with the NPPF. Where there is a difference or conflict in policy, then the NPPF takes precedence.
- 5.4 Paragraph 137 of the National Planning Policy Framework (NPPF) states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 149 of the NPPF states local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt. However, exceptions to this include exist the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. Furthermore, guidance for Policy GB11 of the Councils Local Plan (adopted March 1999) states 'the replacement dwelling would be for a single family occupation and the size of the replacement dwelling would be no greater than that the original dwelling plus any extension which would comply with the terms of Local Plan Policy GB10. Guidance for Policy GB10 of the Council's Local Plan (adopted March 1999) states that "Extensions, which together with all previous extensions, are not of a small scale in relation to the original dwelling will be considered unacceptable in the Green Belt. In this connection, extensions or alterations which would result in the original dwelling having increased its floorspace by more than half will not be regarded as small scale".
- 5.5 The original dwelling is calculated as having a floor space of approx. 137sqm. The proposed replacement dwelling is calculated as having a total floor space of 376sqm. This would result in a total increase in floor space of approx. 174.5%.
- 5.6 Nevertheless, of this floor space 175sqm would be contained within the basement level. As shown on the proposed elevations and the submitted section drawings, the proposed basement would be almost entirely subterranean with the only externally visible indications of the presence of a basement being light-well rooflights and an external staircase. As these features would result in no increase in built form above ground floor level and would have minimal visibility, it can be reasonably concluded that the presence of a basement would have no further impact upon the openness of the Green Belt.
- 5.7 This would therefore, result in a dwelling with a floor space of 201sqm, which would represent an increase in floor space of 46.7%. Floor space is not the only determinant as to the impact upon openness. The proposed replacement dwelling would have a moderately taller ridge and eaves heights than the existing dwelling however, this would largely be offset by the presence of a less bulky hipped roof form rather than the existing gabled form. The replacement dwelling would still be perceived as a single storey bungalow in form. In addition, it would be considered reasonable to remove the dwelling's permitted dwelling rights in order to prevent the introduction of additional built form which could be harmful to the openness of the Green Belt.
- 5.8 Overall the proposal would replace an existing residential bungalow with a new residential bungalow of comparable scale, which is not considered to be materially larger and as such is considered to meet with Policy GB11 and also exception d) as set out in Paragraph 149 of the NPPF.

## **Transport matters and parking**

Core Strategy Policies:

CP7 (Accessibility and transport))

Local	Plan	Saved	Policies:
TR5 (Access, highways work and traffic generation)			
TR7 (Traffic generation)			

5.9 Highways officers responsible for parking and highways safety raise no objection to the proposed development, subject to condition for the parking to be laid out prior to initial occupation of the new dwelling. A suitable condition will be imposed on any grant of approval in this regard.

5.10 The dwelling shows a four bedroom dwelling. As parking standards are taken from the following document: Buckinghamshire Parking Guidance September 2015. Denham is within Zone B (Mid-range population) where guidance requires three parking spaces within the curtilage of the application site, which is optimal for a property with four bedrooms. The proposed plans indicate that there would be sufficient space to accommodate the required parking in this instance.

5.11 The proposal is therefore, not considered to give rise to any parking or highway safety issues that would warrant refusal of planning permission in this instance.

## **Raising the quality of place making and design/ Historic Environment (or Conservation Area or Listed Building Issues)**

Core Strategy Policies:

CP8 (Built and historic environment)

Denham Conservation Area Character Appraisal:

Denham Neighbourhood Plan:

DEN2: Design in Denham Village Road

Local Plan Saved Policies:

C1 (Development within a Conservation Area)

EP3 (The Use, Design and Layout of Development)

EP4 (Landscaping)

H9 (Residential development and layout)

5.12 The application site is located within the Denham Village Conservation Area. The application site is also located adjacent, or in close proximity, to a number of listed buildings including The Old Store to the west and Wrango Hall opposite. The listed buildings and Conservation Area constitute designated heritage assets.

5.13 Paragraph 199 of the NPPF advises that great weight should be given to the conservation of a heritage asset, with the weight varying depending on the importance of the asset. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

5.14 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area. Section 66 of the Act requires that development

which affects a listed building or its setting, shall have special regard to the desirability or preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 5.15 Policy C1 of the Local Plan states that development within a Conservation Area that fails to preserve or enhance its character will not be permitted, including views into or out of the Conservation Area. Proposed development within the Conservation Area must also be of a high standard of design sympathetic to the existing building and the Conservation Area as a whole.
- 5.16 Local Plan policy EP3 states that development will only be permitted where its scale, layout, siting, height, design, external materials and uses are compatible with the character and amenities of the site itself, adjoining development and the locality in general. Poor designs which are out of scale or character with the surroundings will not be permitted.
- 5.17 Local Plan policy H9 requires that proposals for residential development are compatible with the character of the surrounding area in terms of density, layout, design, height, scale, form and materials.
- 5.18 Neighbourhood Plan policy DEN2 requires that design in Denham Village must demonstrate full regard to the principles of the Denham Conservation Area Character Appraisal, and to a number of design features within the Conservation Area. Of particular relevance to the development proposed here is reference to a dominant material palette of red brick and clay tiles, tall brick boundary treatments, regular building lines, the presence of large detached houses and glimpses between buildings leading to long rear gardens or countryside.
- 5.19 The Denham Conservation Area Character Appraisal states that rooflines are varied because of differing ridge and eaves heights, with gabled end roofs and hipped roofs also common. Buildings are noted as almost always being parallel to the road and chimney stacks are ubiquitous. The existing dwelling is noted as not being in character with the Conservation Area due to its modern bungalow design, large garage door facing onto the highway, horizontal emphasis, materials and single storey scale.
- 5.20 As referred to within the Conservation Area Appraisal, the existing dwelling poorly integrates within the Conservation Area due to its more-modern design, use of materials and orientation. As such it is considered that there is opportunity for a dwelling which better respects the character of the area.
- 5.21 The proposed dwelling would be more reflective of the overall character and appearance of the Conservation Area. This is considered as a result of its proposed orientation towards the highway which is noted as being typical within the Conservation Area Appraisal. The broken-up roof form, featuring an entirely pitched roof design with projecting half-hipped elements and larger chimney stacks. The proposed dwelling would also no longer feature a garage door facing the street scene which has also been noted as failing to respect the area's character. Similarly, the proposal would provide for the opportunity to integrate higher quality materials more suitable for the area, which are recommended to be controlled by condition.
- 5.22 The proposed dwelling would also be set further back from the highway and largely screened in views from the public realm by the retained boundary treatment, consequently it would not appear prominent within the street scene.

- 5.23 The proposed basement level would be almost entirely subterranean and would have close to no impact upon the character of the Conservation Area, or the setting of the listed buildings.
- 5.24 It is noted that the proposal has received objections due to the proposed design but as stated above is found acceptable, this approach has been confirmed by the Council's Historic Buildings Officer. It is considered that the proposed dwelling presents a number of characteristics associated with Arts and Crafts style and that the proposed dwelling is of a more interesting design and traditional appearance than the existing dwelling on site, this character would not equate to harm to the Conservation Area or the setting of the listed buildings.
- 5.25 As the proposed dwelling is considered to preserve the character of the Conservation Area and the setting of the listed buildings, no public benefits are required in support of the proposed development.
- 5.26 The proposed development would therefore, comply with Local Plan policies C1, EP3 and H9, as well as paragraph 199 of the NPPF, Neighbourhood Plan policy DEN2 and the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Amenity of existing and future residents**

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

- 5.27 Local Plan policy EP3 requires regard to the amenities of adjacent properties. Policy EP5 states that development will be permitted only if it would provide for adequate daylight, and where possible sunlight, to reach into spaces around and between buildings and other physical features and would not result in a significant loss of daylight or sunlight to adjacent buildings or land.
- 5.28 Objections have been received with regards to potential loss of light, overlooking and disturbance arising from the proposed pool room.
- 5.29 The proposed dwelling would be set approx. 15m from the nearest neighbouring dwelling, and typically 4.6m from the nearest common boundary, though 2.2m at the closest point. Taking into account these separation distances and the single storey scale of the proposed dwelling with its room form pitched away from the flank boundary it is not considered that there would be any significant loss of light for occupiers of the adjacent dwelling or their rear amenity space.
- 5.30 With regards to potential overlooking. The proposed dwelling would feature rooflights to the flank elevations. When considering the height of these rooflights and the single storey scale of the dwelling, these would enable no views which are not presently achievable from elsewhere in the site, and as such are found acceptable. Moreover, the existing flank boundary treatments would help to preserve privacy.
- 5.31 With regards to the proposed plant room. The proposed plant room would be set approx. 2.2m from the common boundary and approx. 19m from the neighbouring dwelling itself. Given the concerns raised relating to noise generation and disturbance clarification was sought from the agent relating to the equipment to be contained in the plant room. It is anticipated that this will contain: a ground source heat pump, hot and cold water storage, back up boiler, water softener and electrical

metering and distribution. The potential for rainwater harvesting/incorporation of a grey water system is also being considered. No air conditioning or external condensers are proposed. It is also noted that the plant room is located below ground and will be contained within a reinforced concrete shell with concrete floor thus reducing the likelihood of external noise.

5.32 It is considered unlikely that the proposed plant room would have a significant impact on the amenities of neighbouring properties and on this basis no objection is raised to this element of the proposed replacement dwelling. In any case, were the noise resultant from the plant room to create unneighbourly disturbance this would fall within the remit of environmental health with any nuisance considered under the relevant legislation. The installation of external equipment such as an air conditioning unit would require consideration under a separate planning application.

5.33 As such the proposed development is considered to comply with Local Plan policies EP3 and EP5, and would preserve the amenities of neighbouring dwellings.

### **Flooding and drainage**

Core Strategy Policies:

CP13 (Environmental and resource management)

5.34 The site is located within a surface water flood zone, and some concern has been raised in this regard. During the course of the application updated flood risk calculations were submitted as those originally submitted related to a previous iteration of the scheme. An appropriate condition is proposed to deal with infiltration and discharge run-off.

### **Ecology**

Core Strategy Policies:

CP9 (Natural environment)

CP13 (Environmental and resource management).

5.35 A tree report and tree protection plan has been submitted in support of the application, and has subsequently been raised by the Council's tree officer to which no objection is raised subject to condition.

5.36 An ecological assessment has been submitted, finding that the site is of limited ecological value, with no evidence of bats recorded. Subject to a condition requiring the submission of a scheme of ecological enhancements, no objection is raised.

### **Other matters**

5.37 Incorrect details within the submitted Design & Access statement are noted. Nevertheless, an assessment has been made based on the submitted plans, as set out above, and this inaccuracy in a supporting document would not constitute a reason for refusal.

5.38 The objection requesting that a covenant/condition is enforced to restrict further planning applications is noted. Any proposal for the creation of an additional dwelling would require submission of a planning application - each application is assessed on its own merits and it is not considered reasonable to impose such a restriction.

### **Infrastructure and Developer Contributions**

Core Strategy Policies:

CP6 (Local infrastructure needs)

5.39 The development would be CIL liable, however, a self-build exemption form has been submitted in support of the application. If Self- Build Exemption is approved, no liability would be charged unless a disqualifying event occurs.

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

6.2 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.

6.3 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

6.4 As set out above it is considered that, the proposed development would accord with development plan policies relating to Green Belt, historic environment, transport and parking, neighbour amenity, character and appearance of the area, ecology and flooding and drainage.

6.5 It is considered that a fair and reasonable balance would be struck between the interests of the community and the human rights of the individuals concerned in the event planning permission being granted in this instance.

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

7.2 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.

7.3 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.

7.4 In this instance an amended plan overcoming concerns raised by the Historic Buildings officer was received.

## **8.0 Recommendation: Conditional Permission, subject to the following conditions:**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice. (SS01)  
Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).
  
2. No development shall take place until a schedule of materials to be used in the elevations of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. This schedule of materials shall include details of any joinery details, rainwater goods, and eaves and detailing. Thereafter the development shall be carried out in accordance with the approved details. (SM01)  
Reason: To safeguard and enhance the visual amenities of the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
  
3. Prior to the commencement of the development hereby permitted a specification of all finishing materials to be used in any hard surfacing of the application site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed using the approved materials. (SM02)  
Reason: To ensure that such works do not detract from the development itself or from the appearance of the locality in general. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
  
4. Notwithstanding any indications illustrated on drawings already submitted, no development shall take place until a scheme of landscaping which shall include indications of all existing trees, shrubs and hedgerows on the site and details, including crown spreads, of those to be retained has been submitted to and approved in writing by the Local Planning Authority. None of the trees, shrubs or hedgerows shown for retention shall be removed or felled, lopped or topped within a period of five years from the date of this permission, without the prior written permission of the Local Planning Authority. (ST01)  
Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)
  
5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from the occupation or substantial completion of the development, whichever is the later, 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 gives written consent to any variation. (ST02)  
Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)



6. The destruction by burning, of materials within the site shall not take place within 8 metres of the furthest extent of the canopy of any tree or group tree to be retained on the site or on land adjoining as shown on the submitted plans. Similarly, no building materials, equipment, vehicles, plant, oil or other petroleum products shall be stored or allowed to stand within the branch spread of the trees to be retained on site.  
Reason: To ensure that the trees to be retained are adequately protected, in the interests of visual amenity. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)
7. The scheme for parking, garaging 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
8. Notwithstanding the provisions of Article 3 and Classes A, B, C and D of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking and re-enacting that Order with or without modification) , no enlargement, improvement or other alteration (including the erection of a garage, stable, loosebox or coach-house within the curtilage) of or to Wrango Cottage, the dwellinghouse the subject of this permission, shall be carried out nor shall any building or enclosure required for a purpose incidental to the enjoyment of any said dwellinghouse as such be constructed or placed on any part of the land covered by this permission.  
Reason: The site is located within the Metropolitan Green Belt where strict control over development is necessary in order to maintain the openness of the Green Belt. (Policy GB1 of the South Bucks District Local Plan (adopted March 1999) refers.)
9. Prior to any above ground construction works commencing on site, an ecological/biodiversity enhancement scheme shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved scheme and details.  
Reason: To protect and enhance the biodiversity and ecology of the site. (Core Policy 9 of the South Bucks Local Development Framework Core Strategy (adopted February 2011) refers.
10. 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
  - Ground investigations including:
  - Infiltration in accordance with BRE365
  - Groundwater level monitoring during the winter period (From November until 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.
- Including a discharge rate as close as reasonable practicable to greenfield runoff rate
- Flootation calculations based on groundwater levels encountered during winter monitoring (November-March) or based on the worst case scenario of groundwater at surface level
- Drainage layout detailing the connectivity between the dwelling and the drainage component(s), showing pipe numbers, gradients and sizes, complete together with storage volumes of all SuDS component(s)
- 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 167 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

11. No development shall take place until details of the method for disposal of material to be extracted to form the basement hereby approved have been submitted to and approved in writing by the District Planning Authority. Thereafter the disposal of extracted material shall take place in accordance with these approved details.

Reason: To maintain the character and amenities of the area. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers).

12. The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings:

**LIST OF APPROVED PLANS**

<b><u>Plan Reference</u></b>	<b><u>Date received by Local Planning Authority</u></b>
21 WRAN SP01 B	22.10.2021
21 WRAN PE01 B	22.10.2021
19 WRAN SL01 A	26.03.2021
21 WRAN SS01 Rev B	22.10.2021

## **INFORMATIVE(S)**

1. The Council is the Charging Authority for the Community Infrastructure Levy (CIL). CIL is a charge on development; it is tariff-based and enables local authorities to raise funds to pay for infrastructure.

If you have received a CIL Liability Notice, this Notice will set out the further requirements that need to be complied with.

If you have not received a CIL Liability Notice, the development may still be liable for CIL. Before development is commenced, for further information please refer to the following website <https://www.chiltern.gov.uk/CIL-implementation> or contact 01494 475679 or [planning.cil.csb@buckinghamshire.gov.uk](mailto:planning.cil.csb@buckinghamshire.gov.uk) for more information.

2. Due to the close proximity of the site to existing residential properties, the applicants' attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicles parking at the site or making deliveries, and general disruption caused by the works.

By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and complaints from local residents and further information on how to participate can be found at [www.ccscheme.org.uk](http://www.ccscheme.org.uk).  
(SIN35)

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

### Councillor Comments

Cllr Chhokar - Due to the issues raised by this Application I consider that the Applications would benefit from consideration at a Planning Committee Meeting.

Cllr Hollis - I believe that this application will benefit from further scrutiny at the south Bucks area planning committee.

### Parish/Town Council Comments

Application reviewed by the Parish Council and we still strongly object to this application as per our previous objection. We would like to add that we are disappointed with the comments of the Historic Buildings officer and we are disappointed that the development is considered 'tolerable'.

### Consultation Responses

#### **Archaeological**

Thank you for consulting the Buckinghamshire Council Archaeological Service on the above proposal. We maintain the local Historic Environment Record and provide expert advice on archaeology and related matters. The nature of the proposed works is such that they are not likely to significantly harm the archaeological significance of any assets. We therefore have no objection to the proposed development and do not consider it necessary to apply a condition to safeguard archaeological interest. If you have any queries regarding this advice, please do not hesitate to contact me.

#### **Heritage (25/05/21)**

This location is a sensitive one within Denham Village, being within the core of the conservation area. The site is large, and largely consists of unspoiled landscape, previously having pertained to the impressive, grade II listed Wrango Hall on the opposite side of the road. It has been retained as an undeveloped plot in order not to compromise the outlook from the Hall. The boundary wall to this property is also listed in its own right, as are the walls opposite. Wisteria Cottages and The White Cottage opposite is similarly listed, and this land also forms part of their setting.

The house that presently occupies the house in a modest and architecturally unremarkable bungalow in red brick. The conservation area embodies a high degree of significance as a mediaeval and later linear village, containing a high proportion of characterful historic buildings, small in scale in the centre of the village, becoming more suburban and larger towards the edges and broken up by mature landscaping within gardens.

The site embodies some significance as an undeveloped piece of garden land / paddock pertaining to Wrango Hall, and also provides an oasis of greenspace after the more densely developed and urban core of Denham village immediately to the west. Any built development on this land will affect the setting of the listed Wrango Hall opposite, and also the setting of the other adjacent listed buildings and structures. A new build property will also impact upon the character and ambience of the conservation area.

A previous application was made last year to support the redevelopment of this plot of land; this was withdrawn by the applicants. A number of constraints are active upon the site in planning and heritage terms, and discussions with the local authority were undertaken by the architects and clients in order to refine the proposals. This process took into account the need for a less prominent new residence that did not unduly impinge upon the sensitive setting of the adjacent heritage assets.

There was also a need to pick up upon the softer and more natural materials in the surrounding buildings, plus the possibility of acknowledging the Arts & Crafts legacy of the surrounding suburbs. A sunken terrace was considered as part of the composition, making use of the topography to gain additional accommodation in a basement floor.

From a heritage perspective the building successfully incorporates these design elements to produce something that is quieter and more recessive than the previous proposal. Importantly the building remains low within the site and more horizontal in aspect – engaging with the landscape of the plot more successfully. The vertical elements are largely confined to the chimneys, windows and doors. The easygoing modern feel of the building does not compete with the Georgian architecture of the adjacent properties and succeeds in producing something that is appropriately postmodern in character. The large tiled roof will help to press the building down further, with the large battered chimneys balancing this out neatly – these will help to create an appealing environment in the interior, especially if other bespoke fittings are integrated in the true Arts & Crafts tradition. A single chimney on the East side would help to balance the design as it appears a little too heavy on the West side with the larger wing and two chimneys – this would be straightforward to rectify.

Planning conditions may be attached in order to ensure that the exterior fittings and materials are controlled. Personally I feel that the use of brick externally will be too heavy and will work against the lighter and softer qualities of the design. A number of alternative materials could work for the walling that are softer and lighter – ideally a mixture of flint and lime mortar with tiled dressings and quoins in handmade brick. We will require sections for the plinth and details of the terracotta plinth bricks and specials.

Again the materials for the tiled roof – which could be either handmade clay peg tiles or handmade pantiles, or most preferable of all Westmorland / Cornish Slate, need to be controlled. The ridge tiled should be terracotta, bedded in lime mortar. The chimneys should be in lime roughcast with tiled dressings and the possibility of either terracotta cowls or clay terracotta pots – a methodology will be needed for the rendering, specifying no angle beads, with render applied up to stops. The flat crown must be in metal as this will be overlooked by other properties – copper or lead would be appropriate. A Copper flashing strip will assist in keeping the roof moss free.

Materials should also be specified for the fascias and windows and doors – all in stained or painted hardwood or Accoya. We require sections for these also – showing a minimum 90mm reveal to set the new windows in and to create shadows. All rainwater goods should be in cast metal or steel. The balustrade to the sunken patio should be Apart from that, the quality and configuration of the landscaping should be controlled, including new planting to provide some light screening. Limestone, clay pavements or sandstone for any hardstanding would be satisfactory. Any works to the entrance will require to be looked at if not previously approved, although the new works may

not affect the listed portion of the wall. I could not see any elevations detailing the changes on the file. Lighting and security are also elements to consider.

The design has the makings of something promising, and could be improved further, but is satisfactory. The only disappointment perhaps is the lack of renewables in the composition, especially given the large plot in which it sits – above the potential for using biomass in the hearths - although that is not purely a heritage consideration of course.

The Planning (Listed Building and Conservation Areas) Act 1990

The proposals are capable of preserving the architectural and/or historic interest of the listed building and its setting, and of enhancing the environment of the conservation area. Sections 16,66 & 72 of the above Act are therefore be satisfied.

NPPF

The proposal would cause less than substantial harm to the significance of the heritage assets. Paragraph 196 therefore applies; in applying this policy it is considered that any damage to the significance of the listed building and its setting could be justified by the public and economic benefits of the proposal. The proposals therefore comply with ss. 186 – 202 of the NPPF. The benefits of health of providing a new residence on this plot, properly specified, may be capable of justifying any harm caused by its construction. The new building also meets several of the tests as specified in the National Design Guide, in generating a degree of architectural interest with some historic references, and in not unduly compromising the relationship with its neighbours.

For the reasons given above it is felt that in heritage terms: The application may be sustainable in built heritage terms and could be rendered acceptable from a building conservation perspective. The impact upon the setting of nearby heritage assets, and in particular that of listed buildings, is tolerable and a recommendation for approval may be offered – provided that the above items for further control are resolved via planning conditions.

### **Heritage (03/09/21)**

I can confirm, due to the increase in scale and massing of the replacement dwelling particularly through the heavy presence of the flank elevations and ‘crown’ roof form; the development would result in harm to the designated heritage assets (the listed buildings and conservation area). The harm identified is however at the lower end of the less than substantial spectrum and likely to be outweighed by the benefits of removing the prominent modern garage if further design amendments can be secured. In light of the above, the following design amendments and proposed conditions are required before the scheme can be viewed favourably by the Heritage Team and to ensure compliance with national policy:

Amendments

- Removal of the crown roof to reduce massing and to secure more traditional proportions to the roof form and flank elevations.
- Conditions
- External finishing materials (samples to be agreed on site).
- Joinery details
- Hard and soft landscaping details
- Lighting details for any proposed external lighting
- Rainwater goods

- Eaves and detailing

As it stands, the proposals would result in low level less than substantial harm and would therefore need to be weighed against the public benefits in accordance with para 202 of the NPPF.

### **Heritage (03/03/2022)**

I refer to the above application and previous Heritage Team observations enclosed for reference.

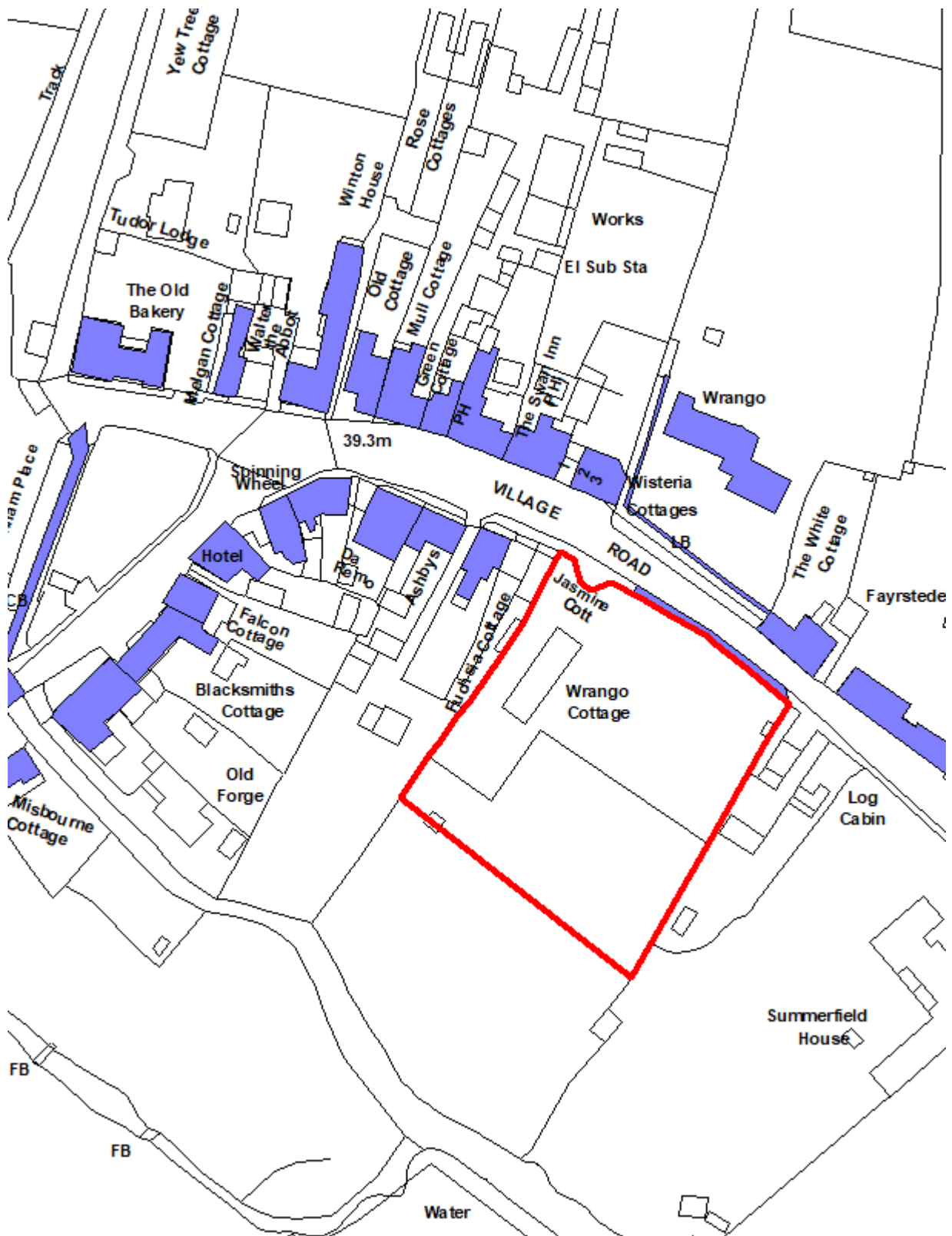
The amended plans have addressed the primary heritage concerns raised and the omission of the 'Crown roof' has reduced the massing and overall bulk of the proposed dwelling. To this end, subject to the imposition of the recommended conditions (as outlined in the attached comments); the Heritage Team raise no objection to the application.

### **Tree Officer**

Due to national travel restrictions for covid-19 by Government no site visits are taking place by planning officers at this current time. I have undertaken a desk top assessment using Google aerial photography and submitted information. Trees are legally protected as property is located within Denham Conservation Area. I have reviewed the tree report and tree protection plan by GHA Trees Arboricultural Consultancy (26 March 2020) which includes an Arboricultural Impact Assessment (AIA) and preliminary Arboricultural Method Statement (AMS). The submitted tree report appears to be a fair representation on the quality of trees on site and the AIA and AMS has considered the ground protection measures of retained trees and is in accordance with national BS 5837 guidance. I have no objection in arboricultural terms and if planning permission is permitted I recommend planning condition ST18.

**Other Representations** – Summarised within the body of the report.

## APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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## Report to South Area Planning Committee

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<b>Application Number:</b>	PL/21/4226/FA
<b>Proposal:</b>	Demolition of existing bungalow and 2 outbuildings and erection of 2 dwellings, 2 cycle sheds and 2 bin stores and associated hardstanding and landscaping
<b>Site location:</b>	10 Upper Road Higher Denham Buckinghamshire UB9 5EJ
<b>Applicant:</b>	M Square Pro2 Ltd
<b>Case Officer:</b>	Lucy Dolan
<b>Ward affected:</b>	Denham
<b>Parish-Town Council:</b>	Denham Parish Council
<b>Valid date:</b>	16 November 2021
<b>Determination date:</b>	18 March 2022
<b>Recommendation:</b>	Conditional permission

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

- 1.1 Planning permission is sought for the replacement of the existing bungalow with a pair of semi-detached chalet style bungalows. To facilitate the dwelling, it is proposed to sub-divide the existing plot to create rear gardens and front parking areas for each dwelling.
- 1.2 Higher Denham is within a Green Belt Settlement, as defined in the Local Plan, where limited infilling for residential development can be permitted and the proposed development for two dwellings is therefore considered acceptable in principle. The two dwellings proposed are also considered to harmonise with the street scene of Upper Road and have been sympathetically designed to minimise potential impacts to neighbouring dwellings. Future occupiers would also have reasonable sized rear gardens which are suitable to the scale of the dwellings proposed.
- 1.3 Two access points are already in existence serving the plot and therefore no new access points are required leading off of Upper Road. Three parking spaces are proposed to serve each plot which meets parking guidance and sufficient manoeuvrability space is provided.
- 1.4 Given the above, the recommendation is for conditional permission.

1.5 Denham Parish Council have called the application forward to Planning Committee as the issues that arise from the proposed development merit consideration by the South Bucks Area Planning Committee in the wider public interest.

## **2.0 Description of Proposed Development**

2.1 The proposed application site is located to the north of Higher Denham to the northern side of Upper Road and within a designated Green Belt Settlement. The site currently accommodates a detached bungalow set within a large plot. Parking is located to the front of the dwelling contained within the plot.

2.2 The application is accompanied by:

- a) Design and Access Statement
- b) Materials Schedule
- c) Preliminary Bat Roost Assessment

## **3.0 Relevant Planning History**

3.1 None relevant.

## **4.0 Summary of Representations (full comments are attached at Appendix A)**

4.1 Parish Council – Received on the 10<sup>th</sup> December 2021. Objection and Called into Committee.

4.2 Highways – Received on the 26<sup>th</sup> November 2021. No objection subject to condition

4.3 Tree Officer – Received on the 3<sup>rd</sup> December 2021. No objection

4.4 Ecology – Received on the 8<sup>th</sup> December 2021. No objection subject to condition

4.5 27 letters of objection have been received.

## **5.0 Policy Considerations and Evaluation**

- National Planning Policy Framework (NPPF), February 2019.
- Planning Practice Guidance
- National Design Guidance, October 2019
- South Bucks Core Strategy Development Plan Document - Adopted February 2011
- South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011;
- South Bucks District Council Residential Design Guide Supplementary Planning Document (SPD) - Adopted October 2008
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- Buckinghamshire Countywide Parking Guidance, 2015
- Denham Neighbourhood Plan, 2020

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

Core Strategy Policies:

CP1 (Housing provision and delivery)

Local Plan Saved Policies:

GB1 (Green Belt boundaries and the control over development in the Green Belt)

GB3 (Residential infilling in Green Belt settlements)

5.1 Section 11 of the NPPF encourages Local Planning Authorities to make the effective use of land. Paragraph 119 of the NPPF states that planning policies and decisions

should promote an effective use of land in meeting needs for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

- 5.2 The site is located within the Green Belt wherein most development is inappropriate and there is a general presumption against such development. Chapter 13 of NPPF emphasises the importance of Green Belts and Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.
- 5.3 Nonetheless, Paragraph 149 lists some forms of development which are not considered to be inappropriate, including limited infilling in villages. In this regard, Local Plan Policy GB3 is of direct relevance as it relates to residential infilling in Green Belt Settlements. Higher Denham is one such village listed. The replacement of existing dwellings and limited infilling within the boundaries Green Belt Settlements will only be permitted where the proposal would not detract from the open, and undeveloped character of the Green Belt. Furthermore, the scale, height, layout, siting, form, design and material would need to be compatible with and would not adversely affect the character or amenities of nearby properties or the locality in general.

#### **Green Belt**

Local Plan Saved Policies:

GB1 (Green Belt boundaries and the control over development in the Green Belt)

GB3 (Residential infilling in Green Belt settlements)

- 5.4 In regards to Local Policy GB3, the site is located amongst houses in the Higher Denham settlement boundary and so lies within a village. The site is surrounded by existing residential development and is situated in a continuously built up frontage. Of relevance is application PL/20/2311/FA which followed on from application PL/19/1337/FA which whilst being dismissed concluded that development along Upper Road did constitute limited infilling (appeal reference APP/N0410/W/19/3238371). Therefore, the principle of development for new dwellings is acceptable subject to compliance with the Policy.
- 5.5 Whilst the main principle has been established, development is not considered acceptable unless the development is compatible to the character of nearby properties and the locality. In this regard, Upper Denham has a considerably varied street scene ranging from bungalows, chalet bungalows and two storey dwellings. The site currently accommodates a bungalow which is sprawling in its nature but low lying. To the east lies a chalet bungalow with a two storey dwelling sited to the west. To the immediate south the dwellings are detached with full ridge heights. Given that the development is fully contained by existing residential development, the replacement of one dwelling with two dwellings are not considered to detract from the Green Belt and this particular locality is not undeveloped or open.
- 5.6 As aforementioned, the street scene along Upper Road is highly variable with a range of dwelling type, appearance and materiality. The two proposed dwellings are two storeys with both featuring gabled front and rear elements. The eastern dwelling has a catslide roof sloping towards the eastern boundary and the ridge heights stagger

with the land levels. The existing dwelling is set behind either immediate neighbour and this is continued. There is no rigid or uniform building line along Upper Road and therefore the dwellings siting in the plot is considered to be compatible. As such, the development complies with the exemptions to Green Belt development inasmuch as limited infilling, in compliance with the NPPF and Local Plan.

### **Transport matters and parking**

Core Strategy Policies:

CP7 (Accessibility and transport)

Local Plan Saved Policies:

TR4 (Provision for those with special needs)

TR5 (Access, highways work and traffic generation)

TR7 (Traffic generation)

Buckinghamshire Countywide Parking Guidance, 2015

- 5.7 Highways have considered this application and in reference to trip generation, the net increase in one dwelling is expected to generate an additional 4-6 daily vehicular movements, two-way. They have stated that they are satisfied that these movements can be safely accommodated onto the local highway network.
- 5.8 In relation to access, the site already benefits from two access points which are proposed to be retained and they already comply with full visibility can be achieved in line with current guidance. Neighbours have commented that off street parking will be removed as a result of the proposal but this is not the case given that no new access points are proposed. Furthermore, 3 parking spaces are proposed to serve each dwelling which accords with the Buckinghamshire Countywide Parking Guidance and therefore provides adequate provision. Bicycle storage is also proposed within the site to serve each dwelling.
- 5.9 The front garden is to be brick paved to accommodate hardstanding for the parking of vehicles and manoeuvrability space. Highways have confirmed that there is adequate space to ensure full manoeuvrability. To minimise any potential flood risk, there will be a condition for a permeable material for the hardstanding to be used.

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

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development)

EP4 (Landscaping)

H9 (Residential development and layout)

Denham Neighbourhood Plan

DEN3 (Design in Higher Denham)

- 5.10 Local Plan Policy EP3 states that development will only be permitted where its scale, layout, siting, height, design, external materials and use are compatible with the character and amenities of the site itself, adjoining development and the locality in general. Poor designs which are out of scale or character with their surroundings will not be permitted.

- 5.11 Local Plan Policy H9 sets out criteria for assessment of residential dwellings. Among other things, it indicates that the new dwelling should be integral to the site context, and in addition, the new dwellings should not have an adverse impact on the character or amenities of the locality in general, and should conform to the guidelines set out in Appendix 8. Paragraph 8.40 of Local Plan Policy H9 requires that 'proposals for new residential development, whether in the form of a single dwelling or a larger development, should safeguard and where possible enhance the character of the surrounding area. New development should respect the general density of development in the locality of the application site, as well as being appropriate in terms of layout, siting, design, height, building form and scale. The policy does not seek to prevent development at higher densities where this would not be out of character with the locality...'
- 5.12 Denham Neighbourhood Plan Policy, DEN3 relates specifically design in Higher Denham. The Policy sets out the key objectives for managing development in the village and that development proposals must demonstrate that they have had full regard to design features that are considered essential to preserving the rural village character.
- 5.13 The site subject of this application is in a residential area with a variety of housing styles. The proposal involves replacing the existing dwelling with a pair of semi-detached houses. The existing plot associated with the bungalow is wider than those along Upper Road and is at odds with the character. The proposed subdivision creates two plots which are more in alignment with the widths associated with those existing dwellings along Upper Road and as such the replacement of one dwelling with two does not result in adverse impacts to the character of the locality. Further to this, the nature of the dwellings being two storey detached remains in character to the locality and there is a highly variable street scene with a lack of uniformity such that the appearance of the two new dwelling would not be markedly incongruous. An additional residential dwelling within the plot is unlikely to generate any significant additional paraphernalia that would fail to harmonise with the existing residential character of the locality.
- 5.14 In regards to the overall design of the proposed dwellings, they are similar in their appearances but there remain visual differences to ensure that they are not identical and contribute positively to enhance the richness of the street scene. The western dwelling has a front and rear gable with the eastern dwelling reflecting this design but with the addition of a catslide roof sloping to the eastern boundary and front and rear small dormer windows. When comparing the proposed dwellings to those in the locality, as it has already been noted, there is considerable variation in dwelling design with limited uniformity along Upper Road. Gable features, catslide roofs and front dormer windows are not uncommon along Upper Road and the scale of the proposed dwellings are considered to respect those surrounding.
- 5.15 The siting of the dwellings within the plots leave sufficient and appropriate levels of spacing to boundary lines and also between the two dwellings. It is not uncommon for dwellings along Upper Road to stretch to the full width of plots and therefore the proposed spacing is commensurate to the locality. The position of the dwellings within the plot is set to the rear of both neighbouring dwellings but is close to the alignment to the western neighbour. The existing dwelling is set considerably back in the plot and the realignment moves the principal building line forwards and enables the dwellings to follow the vague principal line. The building line to the north of

Upper Road is not rigid and it is therefore, considered that the siting of the two dwellings is appropriate.

- 5.16 A private bin store is proposed to serve each individual dwelling which is to be located close to the front boundary abutting Upper Road. This ensures that appropriate storage facilities are present on site that are suitable to contain the bins and minimise walking distance when presenting bins on bin day.
- 5.17 The Parish Council have raised concerns with the proposed scheme in reference to the Denham Neighbourhood Plan; in particular Policy DEN3. In the supporting information relating to Higher Denham contained within the Local Plan, it states that the key objectives for managing development is to prevent further inappropriate over development and plot intensification schemes which will markedly change the rural character of the settlement. In regards to this Policy, the introduction of a further dwelling within the plot is not considered to markedly change the rural character of the settlement as Upper Road itself is considerably built up with a high level of residential dwellings sited in close proximity to one another. The Policy itself states that 2 storey dwellings, in regularly shaped and orientated plots are the design features to be considered which this proposed scheme does. Furthermore, the Policy goes on to state that there should be a variety of house styles with brick and render. The two dwellings have a style which reflects surrounding dwellings and the materials proposed are of brick at ground floor changing into render at first. In this regard, the proposed dwellings are not considered to go against the main aims and key objections of Policy DEN3 and is not considered to result in over development or plot intensification which markedly changes the rural character of the settlement.

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

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

H9 (Residential development and layout)

- 5.18 Local Plan policy EP3 requires regard to the amenities of adjacent properties. Policy EP5 states that development will be permitted only if it would provide for adequate daylight, and where possible sunlight, to reach into spaces around and between buildings and other physical features and would not result in a significant loss of daylight or sunlight to adjacent buildings or land.
- 5.19 Local Plan policy H9 requires that development for residential purposes is compatible with the character of the surrounding area, and should not adversely affect the character or amenities of nearby properties or the locality in general, for example through over dominance, obtrusiveness, loss of important trees or important groups of trees, loss of privacy or loss of daylight.
- 5.20 In regards to residential amenities, consideration needs to be given to the change from the existing bungalow to two detached dwellings. Spacing to both the west and east boundaries are set at 1.2 metres with spacing between the two proposed new dwellings being at 2 metres. Dwellings along Upper Road extend close to the full widths of their respective plots and therefore spacing is not considerable. As such, it is deemed that the level of spacing proposed is commensurate reducing the potential for overbearingness. There is a gentle slope to Upper Road which gives a staggered

nature to ridge heights and the proposed ridge heights of either dwelling are considered to reflect this gentle slope and respect neighbouring ridge heights.

- 5.21 The western neighbour is a two storey detached dwelling with the eastern neighbour being a chalet bungalow. To respect the eastern neighbour, the eastern dwelling is proposed to have a catslide roof which reduces the eaves height and creates a more sensitive relationship. The rear elevation is staggered to reduce the extent of the flank elevations along boundary lines and to prevent a loss of light. Furthermore, this reduces the visual presence of either dwelling to neighbouring dwellings. The eaves of the existing dwelling measure at 2.4 metres with those proposed on the eastern dwelling measuring at 3.5 metres. The eastern neighbour has a lower land level than the host plot and from the sunken patio presence on the eastern neighbour's side the eaves are viewed at approximately 3.9 metres and 5 metres retrospectively. Whilst the overall ridge of the dwelling is set above the existing ridge, the visual prominence of a dwelling is visualised by the eaves and given that this increase is only around a metre, it is not considered that the dwelling abutting the eastern boundary will appear prominent when viewed from neighbouring land. Further to this, the existing dwelling extends past the rear of the western dwelling by approximately 8.5 metres when compared with the proposed eastern dwelling extending by 4.4 metres. This greatly reduces the presence of built form along the shared boundary and it is therefore considered that the resultant relationship is not unduly prominent or obtrusive when compared with the existing relationship. Furthermore, permitted development rights relating to Class A, Part 1 have been removed to prevent the erection of rear extensions without first seeking full planning permission from the Council to prevent an extension of built form along shared boundaries.
- 5.22 In terms of privacy, flank windows are proposed at first floor level but these will be conditioned to be obscurely glazed to prevent undue overlooking. Furthermore, an additional condition will be secured to prevent the insertion of any additional windows without the approval of the Local Planning Authority.
- 5.23 In regards to the amenities of future occupiers, Local Plan Policy H9 states that residential developments should include amenity space for residents that is attractive, usable, conveniently located in relation to the dwelling itself and of an appropriate size. Each dwelling proposed has its own private garden which are in excess of 13 metres at their greatest depth. This provision is considered to result in an appropriate and usable level of private amenity space for the scale of dwellings proposed. The existing garden wall which separates the existing plot from either neighbour is to be retained and a new garden wall at 1.8 metres high is to be erected to demarcate the two new proposed plots.

#### **Landscape and visual Impact**

Core Strategy Policies:

CP8 (Built and historic environment)

CP9 (Natural environment)

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP4 (Landscaping)

- 5.24 In relation to landscaping on site, the Tree Officer has confirmed that they raise no objections to the scheme. However, given the landscaping is being removed on site

and new planting proposed to the front it is considered appropriate to condition the submission of a landscaping plan to ensure that all proposed landscaping is carried out.

### **Ecology**

Core Strategy Policies:

CP9 (Natural environment)

CP13 (Environmental and resource management).

5.25 The Ecological Officer has reviewed the proposal in terms of its impact upon protected species and biodiversity enhancements. They have confirmed that no evidence of bats was found in the main dwelling and therefore, the building has been found to have a negligible potential to support roosting bats. Furthermore, whilst acknowledging that a level of front boundary shrubs is to be removed, there is planting proposed to the rear which is considered to offset this loss and also new planting is proposed to the front. Whilst this is noted, a condition has been recommended to seek a biodiversity method statement to ensure the safeguarding of all protected and notable species and to also ensure the achievement of biodiversity enhancements.

### **Infrastructure and Developer Contributions**

Core Strategy Policies:

CP6 (Local infrastructure needs)

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

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

6.1 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.

6.2 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

6.3 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.



- 6.4 It is acknowledged that the council cannot demonstrate a 5 year supply in the South Bucks Area and paragraph 11(d) of the NPPF is engaged. As set out above it is considered that the proposed development would accord with development plan policies, and the site's proposed redevelopment will make effective and efficient use of land. Housing delivery is a strategic aim of the Core Strategy. The proposed development would make a positive contribution to the Council's housing needs and supply. This housing provision represents a benefit that weighs in favour of the proposal.
- 6.5 In terms of applying Paragraph 11(d) of the NPPF it is concluded that, there are no policies that protect areas or assets of particular importance, that provide a clear reason for refusing the development proposed and there are no adverse effects of the proposal that would significantly and demonstrably outweigh the benefits.
- 6.6 Taking all of the above into account it is considered that the proposal would provide for a sustainable form of development that meets the requirements of the NPPF and relevant Development Plan policies
- 6.7 It is considered that a fair and reasonable balance would be struck between the interests of the community and the human rights of the individuals concerned in the event planning permission being granted in this instance.

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

- 7.1 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.
- 7.2 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.
- 7.3 In this instance the application is to be considered by the Planning Committee where the applicant/agent has the opportunity to speak to the committee and promote the application.

## **8.0 Recommendation: Conditional Permission**

Subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice. (SS01).  
Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).
2. The proposed development shall be built in accordance with the submitted materials as set out in the approved Materials Schedule.  
Reason: To safeguard and enhance the visual amenities of the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers).
3. The dwelling shall be erected as per the shown levels on approved plan MUR 111\_PL102\_A- PROPOSED SITE PLAN.  
Reason: To ensure that construction is carried out at suitable levels having regard to the amenities of neighbouring properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers).

4. Notwithstanding any indications illustrated on drawings already submitted, the development hereby permitted shall not be occupied until a scheme of landscaping which shall include indications of all existing trees, shrubs and hedgerows on the site and details, including crown spreads, of those to be retained has been submitted to and approved in writing by the Local Planning Authority. None of the trees, shrubs or hedgerows shown for retention shall be removed or felled, lopped or topped within a period of five years from the date of this permission, without the prior written permission of the Local Planning Authority.

Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer).

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from the occupation or substantial completion of the development, whichever is the later, 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 gives written consent to any variation.

Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer).

6. No development shall take place (including any demolition, ground works, site clearance) until a method statement for the safeguarding of protected and notable species (bats, nesting birds, amphibians, reptiles, badger and hedgehog) and of trees, and securing specific biodiversity measures during construction has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a. purpose and objectives for the proposed works;
- b. detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c. extent and location of proposed works shown on appropriate scale maps and plans;
- d. timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e. persons responsible for implementing the works;
- f. initial aftercare and long-term maintenance (where relevant);
- g. disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: In the interests of improving biodiversity in accordance with NPPF and Core Policy 9: Natural Environment of the South Buckinghamshire Core Strategy and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

7. No external lighting shall be placed or installed within the site without the prior approval of details by the Local Planning Authority. Details of such lighting shall

include full elevational drawings and details of the luminance and light spillage. Any such lighting shall then only be installed in accordance with the approved details and no alterations shall take place thereafter.

Reason: To protect the amenities of the neighbouring properties and the character of the area.

8. Prior to occupation of the development space shall be laid out within the site for parking for cars, loading and manoeuvring, in accordance with the approved plans. This area shall be permanently maintained for this 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.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order, with or without modification), no windows, rooflights, dormer windows or openings other than those expressly authorised by this permission shall be inserted or constructed at any time at first floor level or above in the dwellings hereby permitted.

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

10. The first floor windows located in the western and eastern flank elevations of the dwellings hereby permitted, shall only be glazed with obscured glass and shall be non opening up to a height of 1.7 metres above the floor of the room in which the windows are installed. No alterations to the size or glazing of these windows shall take place unless otherwise agreed in writing by the Local Planning Authority.

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

11. The hardstanding hereby permitted shall be constructed in a permeable material.

Reason: To ensure that surface water run-off does not create flood issues in the locality.

12. Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Class A of Part 1 of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site unless planning permission is first granted by the Local Planning Authority.

Reason: To protect the amenities of neighbouring dwellings.

13. This permission relates to the details shown on the approved plans as listed below:

**List of approved plans:**

<b>Received</b>	<b>Plan Reference</b>
16.11.2021	MUR 111_PL102_A- PROPOSED SITE PLAN
16.11.2021	MUR 111_PL200_A- PROPOSED ELEVATIONS
16.11.2021	MUR 111_PL201_A- PROPOSED ELEVATIONS
16.11.2021	MUR 111_PL 100 EXISTING PLANS
01.11.2021	MUR 111_PL 101 EXISTING STREET SCENE
16.11.2021	MUR 111_PL110_A- PROPOSED PLANS

**INFORMATIVE(S)**

1. Due to the close proximity of the site to existing residential properties, the applicants' attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful

approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicles parking at the site or making deliveries, and general disruption caused by the works. By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and complaints from local residents and further information on how to participate can be found at [www.ccscheme.org.uk](http://www.ccscheme.org.uk). (SIN35)

2. The Council is the Charging Authority for the Community Infrastructure Levy (CIL). CIL is a charge on development; it is tariff-based and enables local authorities to raise funds to pay for infrastructure. If you have received a CIL Liability Notice, this Notice will set out the further requirements that need to be complied with. If you have not received a CIL Liability Notice, the development may still be liable for CIL. Before development is commenced, for further information please refer to the following website <https://www.southbucks.gov.uk/CIL-implementation> or contact 01494 732792 for more information
3. You are advised that consent under the Building Regulations may be required for the proposed development and the Building Control Unit at the Council should be contacted in this regard.
4. 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**

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

General Comments received on the 10<sup>th</sup> December 2021

'Higher Denham has "washed over" status within the Green belt. We feel that full regard to the planning & design principles have not been carried out We believe that this application is in breach of the NPPF policy GB3 which states the one for one replacement of existing buildings etc. which has been disregarded Similarly policy GB11, rebuilding of dwellings in the Green belt. The replacement dwelling would be for single family occupation etc. We also believe that there is a contravention of the Denham Neighbourhood Plan point 5.31, to prevent further inappropriate overdevelopment and plot intensification schemes DEN3 Policy of Neighbourhood Plan Design in Higher Denham has not been followed and the pre -application advice does not take full account of these policies.'

Call in Comments received on the 21<sup>st</sup> December 2021

'Denham Parish Council (DPC) wishes to call-in the above application as the issues that arise from the proposed development merit consideration by the South Bucks Area Planning Committee in the wider public interest.

DPC contend that there are material planning matters of consequence that require informed debate and this Council believes the application contravenes the "made" Denham Neighbourhood Plan. In particular:

- The proposals constitute inappropriate over development and plot intensification which significantly changes the semi-rural character of the settlement
- The locality was designed to offer a preponderance of single story dwellings and the street scene will be damaged visually by the development proposals
- Consent to the application would set a dangerous precedent to allow further and uncontrolled development elsewhere in the settlement with little planning merit.
- In addition, we believe that both policy GB3 and GB11 of the South Bucks Local Plan, consolidated in February 2011 are relevant.'

### **Consultation Responses**

#### **Highways**

Received on the 26<sup>th</sup> November 2021

'Upper Road is an unclassified residential road which is subject to a 30mph speed limit. This application seeks permission for the demolition of the existing bungalow and erection of 2 dwellings.

In terms of trip generation, the net increase in one dwelling is expected to generate an additional 4-6 daily vehicular movements, two-way. I am satisfied that these movements can be safely accommodated onto the local highway network.

The existing dwelling currently benefits from two accesses which are proposed to be retained, one to serve each dwelling. Having assessed these accesses, I am satisfied that full visibility can be achieved in line with current guidance contained within Manual for Streets.

3 parking spaces have been proposed per dwelling which I am satisfied is in accordance with the Buckinghamshire Countywide Parking Guidance. In addition, sufficient hardstanding appears present to allow vehicles to manoeuvre within the site and egress in a forward gear.

Mindful of the above, I have no objection to the proposed development, subject to a condition being included on any planning consent you may grant.'

### **Tree Officer**

Received on the 3<sup>rd</sup> December 2021

'The submitted DAS in section 9 outlines existing trees are to be retained but I did not see any in the front garden as mainly shrub and herbaceous planting. There are a number of trees situated along the rear boundary but fall within the adjacent railway line so help with screening and privacy. No objection in arboricultural terms.'

### **Ecology**

Received on the 8<sup>th</sup> December 2021

'No Objection, subject to Conditions.

No evidence of bats was found in the main dwelling and the building was found to have negligible potential to support roosting bats, lacking suitable access points for bats. No further survey is required.

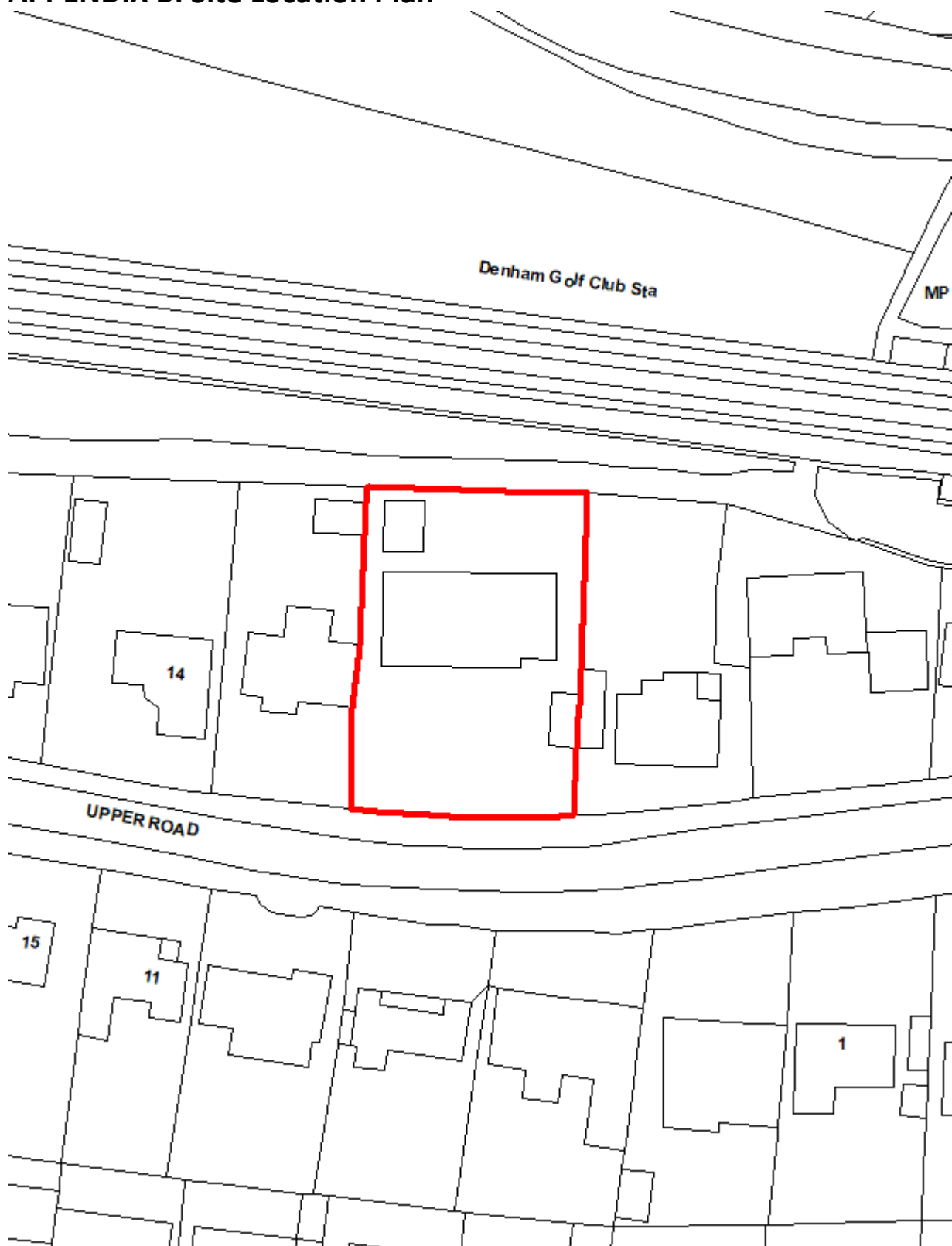
A biodiversity method statement is recommended detailing reasonable avoidance measures for all protected and notable species that may be present on site during works and outlining specific biodiversity enhancements that will be incorporated into this development in order for the development to result in a biodiversity gain in line with NPPF.'

### **Representations**

27 letters of objection have been received which have been summarised below:

- There is no need for the existing dwelling to be demolished.
- The cramming of two houses amongst larger spaced housing doesn't respect surrounding dwellings.
- This development is not infilling as it does not infill a small gap.
- The proposal would be overdevelopment.
- The works associated with the development will result in massive disruption.
- The proposal would result in the loss of local wildlife and trees.
- The road is already over congested with traffic and cars.
- The spacing between the dwellings is not consistent with the area.
- The development will result in an increase in traffic.
- There will be a removal of on street parking.
- There will be a removal of front garden to accommodate hardstanding which will increase flooding.

## APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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