



South Buckinghamshire Area Planning Committee agenda

Date: Tuesday 12 April 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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3 Minutes To note the minutes of the meeting held on 15 March 2022.	3 - 6
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8 PL/22/0128/FA - 121 Holtspur Top Lane, Holtspur, Beaconsfield, Buckinghamshire, HP9 1BW	63 - 82
9 Date of Next Meeting Tuesday 10 May 2022 at 2.30pm.	
10 Availability of Members Attending Site Visits (if required) To confirm members' availability to undertake site visits on 9 May 2022, if required.	

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

For further information please contact: Liz Hornby on 01494 421261, email democracy@buckinghamshire.gov.uk.



South Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the South Buckinghamshire Area Planning Committee held on Tuesday 15 March 2022 in Amersham Council Chamber, King George V House, King George V Road, Amersham HP6 5AW, commencing at 2.30 pm and concluding at 5.15 pm.

Members present

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

Others in attendance

K Allnutt, L Dolan, L Hornby, M Houska, L Peplow, R Regan, P Rhymes, B Robinson and K Stubbs

Apologies

G Hollis and G Sandy

Agenda Item

1 **Declarations of Interest**

Councillor T Egleton: Application PL/21/1238/FA. Declared a personal interest due to being acquainted with the speaker who would be speaking in objection to the application. He also declared that he 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 Tuesday 15 February were agreed as an accurate record.

3 **PL/21/2556/FA - Burnham Football Club, Wymers Wood Road, Burnham, Buckinghamshire, SL1 8JG**

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

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

- 1) The intensification of the use of the site, as a result of the proposed increase in the use of the floodlights, would lead to unacceptable noise impacts to the detriment of the residential amenities of surrounding properties. As such, the proposal was contrary to policy EP3 of the South Bucks District Local Plan and Section 12 of the NPPF.

It was proposed by Councillor T Broom and seconded by Councillor S Chhokar.

Resolved: that the application be refused for the reasons stated above.

4 PL/21/1238/FA - Wrango Cottage, Village Road, Denham, Buckinghamshire, UB9 5BE

Demolition of existing bungalow and garage (unlisted building in a conservation area), erection of a new dwelling and a new drive.

This application was the subject of a site visit.

Members voted in favour of a motion to grant conditional permission subject to conditions. The vote was defeated.

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

- 1) The application site was located within the Metropolitan Green Belt as defined in the South Bucks District Local Plan (adopted March 1999) and within the Green Belt there was a presumption against development other than for a limited number of specified exceptions or in very special circumstances. The proposed replacement dwellinghouse, by virtue of the form, size and scale, including basement with sunken terrace, would be materially larger than the existing dwellinghouse on the site. The proposal therefore did not fall within any of the categories of specified exceptions for development within the Green Belt and as such the proposed development constituted inappropriate development which, by definition, was harmful to the Green Belt. No very special circumstances existed in this case sufficient to warrant an exception to Green Belt policy. As such the proposal is contrary to policies GB1 and GB11 of the South Bucks District Local Plan (adopted March 1999) and section 13 (Protecting Green Belt Land) of the NPPF (2021).
- 2) The proposed replacement dwelling, by virtue of its design and orientation would adversely impact upon the setting of the Denham Village Conservation Area and the Grade II listed dwelling 'Wrango Hall' opposite the site. The public benefits of the scheme did not outweigh the harm that would be caused to the setting of the listed building and conservation area. As such, the proposal was contrary to policy CP8 of the South Bucks Core Strategy (adopted February 2011), and the provisions of the NPPF (2021).

Speaking on behalf of Denham Parish Council: Councillor A Head

Speaking in objection: Mr N Horner
Speaking as the agent for the applicant: Mr D Parker

It was proposed by Councillor S Chhokar and seconded by Councillor T Broom

Resolved: that the application be refused for the reasons stated above.

5 PL/21/4226/FA - 10 Upper Road, Higher Denham, Denham, Buckinghamshire, UB9 5EJ

Demolition of existing bungalow and 2 outbuildings and erection of 2 dwellings, 2 cycle sheds and 2 bin stores and associated hardstanding and landscaping.

This application was the subject of a site visit.

Members voted in favour of the motion to conditional permission subject to the conditions as laid out in the officer's report.

Speaking on behalf of Denham Parish Council: Councillor A Head

Speaking in objection: Mr P Bryant

Speaking as the applicant: Mr G Malhi

It was proposed by Councillor T Egleton and seconded by M Bracken

Resolved: that the application be approved subject to conditions.

6 Date of Next Meeting

Tuesday 12 April 2022 at 2.30pm.

7 Availability of Members Attending Site Visits (if required)

Resolved: that in the event it was necessary to arrange site visits on Monday 11 April 2022 in respect of the agenda for the meeting on Tuesday 12 April 2022, the following Members be invited to attend.

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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Report to South Area Planning Committee

Application Number:	PL/21/3820/FA
Proposal:	Erection of an enclosed glazed link side extension between Granary and the workshop/garaging.
Site location:	Granary Denham Court Farm Village Road Denham Buckinghamshire UB9 5BG,
Applicant:	Radiate Global International Limited
Case Officer:	Matthew McKane
Ward affected:	Denham
Parish-Town Council:	Denham Parish Council
Valid date:	8 October 2021
Determination date:	15 April 2022
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application site relates to the Granary, Great Barn, Hayloft and Dairy, Denham Court Farm, Village Road, Denham, Buckinghamshire, UB9 5BG. The application site comprises a complex of Grade II listed barns at Denham Court Farm located on the north side of Village Road. The application is for the erection of an enclosed glazed link side extension between Granary and the workshop/garaging.
- 1.2 Recent planning application reference number PL/19/0133/FA for extensions to the building was refused planning permission and was subsequently dismissed at appeal on the grounds that its scale and form and how it interacted with the existing buildings roof form would result in harm to the listed buildings and Conservation Area.
- 1.3 The previous application included a glazed extension in the same location as the current proposal subject of this application. The current application proposes a glazed addition of substantially reduced scale such that it would appear as a discrete infill extension which would be simple in form and remain subservient to the main building. The proposal therefore considered to have overcome the concerns raised by the previous Planning Inspector.

1.4 Denham Parish Council have called-in the application to committee for the following reasons:

“The proposed “link” building is of a far more recent design style than the historic and architecturally interesting surrounding structures, with its flat roof and modern glazing details, and is thus contrary to the setting and principles of the Conservation Area.

For all the reasons set out at item 1 above, DPC is of the view that the application be refused”

Item 1:

“The proposed building would be sited in a prominent position on the site, adjoining the boundary wall and close to Village Road, where it would adversely impact on the setting within the Denham Conservation Area and Green Belt location, and have a detrimental effect on the listed buildings within the historic Denham Court Farm complex.

Additionally the building appears as an un-necessary extension that is out of scale, design context and proportion to the historically significant Granary building. It does not contribute to the context of the surrounding listed buildings and DPC considers it harmful in that sense.

The application is contrary to the emerging Denham Neighbourhood Plan, which is going forward to Referendum in December 2021”

1.5 Recommendation – Conditional Permission.

2.0 Description of Proposed Development

2.1 The application site comprises a complex of Grade II listed barns at Denham Court Farm located on the north side of Village Road. The site lies within the Metropolitan Green Belt and the Colne Valley Park and within the Denham Village Conservation Area as defined in the Local Plan.

2.2 Denham Court Farm is a historic farmstead which had once been associated to the Denham Court estate, with the main house situated to the north east of the site. It comprises of a complex of former agricultural buildings and a farmhouse dating from the 17th and 18th centuries. Over time the buildings have benefited from alterations and additions, however the agricultural buildings have been dramatically altered in use and character by their conversion to residential dwellings. The site is located towards the south-eastern end of the conservation area. It positively contributes to the historic character of this once rural village which is book-ended by the two former large Estates (Denham Court and Denham Place) at either end.

2.3 The existing garage primarily falls within the curtilage of the existing farmhouse and former outbuilding to the north however it does contribute to the setting of the site as a whole. The building itself is a modern addition (planning consent 98/00126/FUL) to the site however it does appear some timbers of age have been used in its construction.

2.4 This Listed Building Consent application is for the erection of an enclosed glazed link side extension between Granary and the workshop/garaging.

2.5 The application is accompanied by:

- a) Heritage Statement
- b) Planning Statement

3.0 Relevant Planning History

- 3.1 PL/21/3821/HB - Listed building consent for erection of an enclosed glazed link side extension between Granary and the workshop/garaging (pending consideration)
- 3.2 PL/19/0133/FA - Single storey side extensions. Refused permission. Appeal dismissed
- 3.3 No other relevant planning history

4.0 Summary of Representations

- 4.1 Heritage officers raise no objection to the proposal
- 4.2 No representations made at the time of writing this report

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), 2021.
- 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)
- Denham Conservation Area Character Appraisal (September 2008)
- 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
- Buckinghamshire Countywide Parking Guidance September 2015
- Denham Neighbourhood Plan 2020 – 2036

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)

- 5.1 The National Planning Policy Framework (NPPF) provides national policy guidance relating to appropriate development within Green Belt locations which is specifically detailed within section 13 of the NPPF under 'Protecting Green Belt land'.
- 5.2 The NPPF 2021, 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. With regard to this specific application, it is considered that all of the relevant local policies, as highlighted above, are broadly in accordance with the NPPF, and as such, it is considered that they should be afforded moderate weight and that it is considered appropriate to still assess this current application against the relevant local policies set out above. Where there is a difference or conflict in policy, then the NPPF takes precedence as it carries greater weight.

- 5.3 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.
- 5.4 Paragraph 149 of the NPPF sets out that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- Part c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- 5.5 Furthermore, 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."
- 5.6 Given the modest size of the proposed extensions in comparison to the existing built form the proposed extension would result in a floor space increase below the recommended guideline limit as set out in paragraph 3.45 of the South Bucks Local Plan (1999) which states that an increase of more than 50% increase in floorspace for extensions to dwellings situated within the Metropolitan Green Belt, would not be considered as small scale. Given the size the proposed extension in relation to the existing built form of the Great Barn the proposed extension is deemed acceptable under Green Belt policy.
- 5.7 This proposal is considered to comply with policies GB1 and GB10 of the Local Plan. The proposed extension would therefore not appear disproportionate or cause harm to the openness of the Green Belt.

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)

- 5.8 The proposal for a linked extension which would result in no loss of parking would be acceptable. As such, the proposal would have no adverse parking implications having regard to the Buckinghamshire Countywide Parking Guidance September 2015.

Raising the quality of place making and design

Core Strategy Policies:

CP8 (Built and historic environment)

Denham Neighbourhood Plan 2020 – 2036:

DEN2 (Design in Denham Village)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development)

EP4 (Landscaping)

EP6 (Designing to Reduce Crime)

H9 (Residential development and layout)

H11 (Alterations and extensions to dwellings)

- 5.9 In this instance the proposed Linked extension. The position of the modern garage structure is set back from the front build line of the listed barn, in essence creating an

internal corner between the two buildings where the link structure would be positioned. Thereby, reducing its overall visibility. The scale is modest and the design approach simple and sympathetic to its surroundings being predominantly glazed. The extension would be subordinate to the main building and would harmonise with the existing building in terms of scale, height, form, and design. The materials set out within the application form to be used in the construction of the linked extension are of high quality and would be secured by condition on any grant of approval to ensure a high quality finish.

- 5.10 The proposed development is considered to have an acceptable appearance on the character of the existing building by having minimal impact on the rural barn appearance and would not have any significant impact on the character and appearance of the surrounding area/locality.

Amenity of existing and future residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

H11 (Alterations and extensions to dwellings)

- 5.11 The site is set a significant distance away from residential properties and the distances between the proposed development and neighbouring properties would prevent any concern being raised in this regard.

Historic environment (or Conservation Area or Listed Building Issues)

Core Strategy Policies:

CP8 (Built and historic environment)

Denham Neighbourhood Plan 2020 – 2036:

DEN2 (Design in Denham Village)

Local Plan Saved Policies:

C1 (Development within a Conservation Order)

C6 (Alterations and extensions to Listed Buildings)

- 5.12 Sections 16 and 66 the Planning (Listed Buildings and Conservation Areas) Act 1990 require the LPA to have regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

- 5.13 Paragraph 197 of the National Planning Policy Framework 2021 (hereafter referred to as "the NPPF 2021" states: In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

- 5.14 Paragraph 197 of the NPPF continues: when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 5.15 Paragraph 201 of the NPPF states: 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, where appropriate, securing its optimum viable use.
- 5.16 Annex 2: Glossary, page 71-72 of the NPPF states: 'Significance derives not only from a heritage asset's physical presence, but also from its setting.' Therefore, alterations to the setting would need to be carefully considered.
- 5.17 The garage primarily falls within the curtilage of the existing farmhouse and former outbuilding to the north however it does contribute to the setting of the site as a whole. The building itself is a modern addition to the site however it does appear some timbers of age have been used in its construction. As noted above the garage building is not a building of historic interest in itself however it does form part of the curtilage and setting of designated heritage assets and within a conservation area, therefore alterations must be carefully considered.
- 5.18 The position of the modern garage structure is set back from the front build line of the listed barn, in essence creating an internal corner between the two buildings where the link structure would be positioned. Thereby, reducing its overall visibility. The scale is modest and the design approach simple and sympathetic to its surroundings being predominantly glazed.
- 5.19 The external appearance of the building would not be harmful. Subject to a condition securing the materials set out within the application form, a high quality finish would be secured.
- 5.20 It is considered that the proposed development would preserve the setting of the designated heritage asset. The proposal is therefore in accordance with the requirements of Sections 66 and 72 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990, Policy CP8 of the Local Plan and Section 16 of the NPPF.

Infrastructure and Developer Contributions Core Strategy Policies:

Core Strategy Policies:

CP6 (Local infrastructure)

- 5.21 The development is a type of development where CIL would be exempt.

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 development plan policies

- 6.3 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 (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 the application was acceptable as submitted and no further assistance was required.

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall be carried out in accordance with the details of materials provided within the application form
Reason: To safeguard the visual amenities of the area, conservation area and setting of the Listed Building. (Policies C1 and EP3 of the South Bucks District Local Plan (adopted March 1999) and Policy CP8 of the Core Strategy (adopted March 2011) refers.
3. This permission relates to the details shown on the approved plans as listed below:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
8 Oct 2021	123/A/SK201 Rev C
29 Sep 2021	123/A/SK 120 Rev C
29 Sep 2021	123/A/SK124 Rev D
29 Sep 2021	123/A/SK123 Rev C
29 Sep 2021	123/A/SK122 Rev D
29 Sep 2021	123/A/SK121 Rev C

INFORMATIVE(S)

1. 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. (SIN41)
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 475679 or planning.cil.cs@buckinghamshire.gov.uk for more information.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

There were none.

Parish/Town Council Comments

Denham Parish Council (DPC) requests that the below applications are called-in so that the proposals may be scrutinised more fully at Committee. DPC concurs with the Buckinghamshire Council officers pre-application response in that the proposals would detract from the significance of the Denham Court Farm setting and not deliver any overriding public benefit.

1. Application 21/3817: The proposed building would adversely impact on the setting within the Denham Conservation Area, its Green Belt location, and have a detrimental effect on the listed buildings within the historic Denham Court Farm complex. The application is contrary to the emerging Denham Neighbourhood Plan, which is going forward to Referendum in December 2021.
2. Application 21/3818: This is the Listed Building application related to item 1 above, which should therefore be set-aside pending the Committee's decision.
3. Application 21/3820: The proposed "link" building is of a more modern design style and is contrary to the architectural principles of the listed buildings in the Conservation Area. For all the reasons set out at item 1, DPC is of the view that this application should also be referred to Committee.
4. Application 21/3821: This is the Listed Building application related to item 3 above, which should therefore be set-aside pending the Committee's decision.
5. Application 21/3840: DPC contends that this application should be included in the requested call-in process since the significance of the Denham Court Farm complex is such that any proposed changes should be seen in the context of the entire site.

Consultation Responses

Environmental Health: I have no objection to this proposed development on Environmental Health grounds

Heritage officers:

Summary

Due to the scale, design and discrete location of the proposed link structure the application is acceptable in heritage terms.

Heritage Assets

Listed Buildings (LB), which are designated heritage assets; the application building and other buildings within the farmstead are GII Listed.

- Denham Court Farm barn south east of farmhouse, GII (Granary)
- Within setting of, Denham Court Farm barn north east of farmhouse, GII (Great Barn, Hayloft, Dairy)
- Within the setting of, Denham Court Farmhouse, GII
- Within the setting of, Denham Court Farmhouse outbuildings to the north, GII (Stables)

Conservation Area (CA), which is a designated heritage asset; the application site is within the Denham CA

Relevant Planning History

PL/19/0133/FA - Single storey side extensions (refused/appeal dismissed)

PL/19/0134/HB - Single storey side extensions (refused/appeal dismissed)

PL/21/3754/FA – Single storey side hipped roof extension (pending consideration)

PL/21/3818/HB - Listed Building consent for single storey side hipped roof extension (pending consideration)

PL/21/3840/FA - Conversion of existing 4 garages and workshop into living space, 4 rear rooflights, 3 roof vents and extract flue, new door to front elevation and additional external car parking

Discussion

The heritage assessment is the impact on the special historic and architectural interest of the listed building, the Granary, also the setting of the other LBs listed above. Along with any impact on the character and appearance of the conservation area.

The current application has been submitted following a recent scheme which was refused (appeal dismissed) and subsequent request for pre-application advice. Therefore, comments will be reiterated where applicable.

Significance

Denham Court Farm is a historic farmstead which had once been associated to the Denham Court Estate, with the main house situated to the north east of the site. It comprises of a complex of former agricultural buildings and a farmhouse dating from the 17th and 18th centuries. Overtime the buildings have benefited from alterations and addition however the agricultural buildings have been dramatically altered in use and character by their conversion to offices and then residential dwellings.

The site is located towards the south-eastern end of the conservation area. It positively contributes to the historic character of this once rural village which is book-ended by the two former large Estates (Denham Court and Denham Place) at either end.

The Granary originally dates from the 17th century and is a 5-bay, aisled timber framed barn. The current name of the building does not represent its former use and it has been historically referred to as the smaller barn on site or single aisled barn. The barn is externally characterised by its weather-boarded external appearance and plain clay tiled roof which sits on a brick plinth. Internally the timber frame comprises of tie-beams with curved posts connecting to a purlin roof. There are substantial curved braces to the tie beams.

The cart entrance is centrally positioned along the west elevation, with a modern glazed timber frame projecting porch, considered to have replaced an earlier midstrey form. Internally the space within the building has been dramatically altered with its original open character subdivided. The scale of the building can be appreciated to some degree at first floor and its full height is identifiable within the hall.

Generally, it's built and plan form is well-intact alongside the timber frame and external appearance particularly in terms of materiality being retained. This positively contributes to the special interest of the listed buildings, history of the site and setting.

The barn is not only of significant interest in its own right as a designated heritage asset. It positively contributes to the setting of the surrounding heritage assets and defines the character and boundary of the former farm courtyard to the front. It is a very prominent building on the site and contributes to the group value of the buildings on site, the other heritage assets at Denham Court Farm

Proposal

The current proposal seeks to construct a single storey flat roof link structure connecting the north gable of the listed barn to the attached modern garage building. As proposed the structure would have a small brick dwarf wall with timber frame and glazing above.

The existing openings will be utilised in the listed barn; however, a new door will be created in the modern garage building.

Impact to the Heritage Assets

Listed Building (application)

The position of the modern garage structure is set back from the front build line of the listed barn, in essence creating an internal corner between the two buildings where the link structure would be positioned. Thereby, reducing its overall visibility.

The scale is modest and the design approach sympathetic to its surroundings.

It will also allow the modern garage building to accommodate the additional domestic requirements for the applicant without further detriment to listed barn.

As the timber cladding of the listed barn was replaced during its more recent conversion, the new structure being attached would not impact any historic fabric.

As the proposal has been deemed acceptable for the host listed building, the same is considered for the setting of the surrounding LBs and CA.

Heritage Policy Assessment

The Planning (Listed Building and Conservation Areas) Act 1990

The proposals would preserve the architectural and historic interest of the listed building and therefore complies with sections 16/66 of the Act.

The proposals would preserve the character and appearance of the conservation area and therefore complies with section 72 of the Act.

NPPF

The proposal would cause no harm to the significance of the heritage asset.

Conclusion

For the reasons given above it is felt that in heritage terms:

The application would not raise any heritage objection

Representations

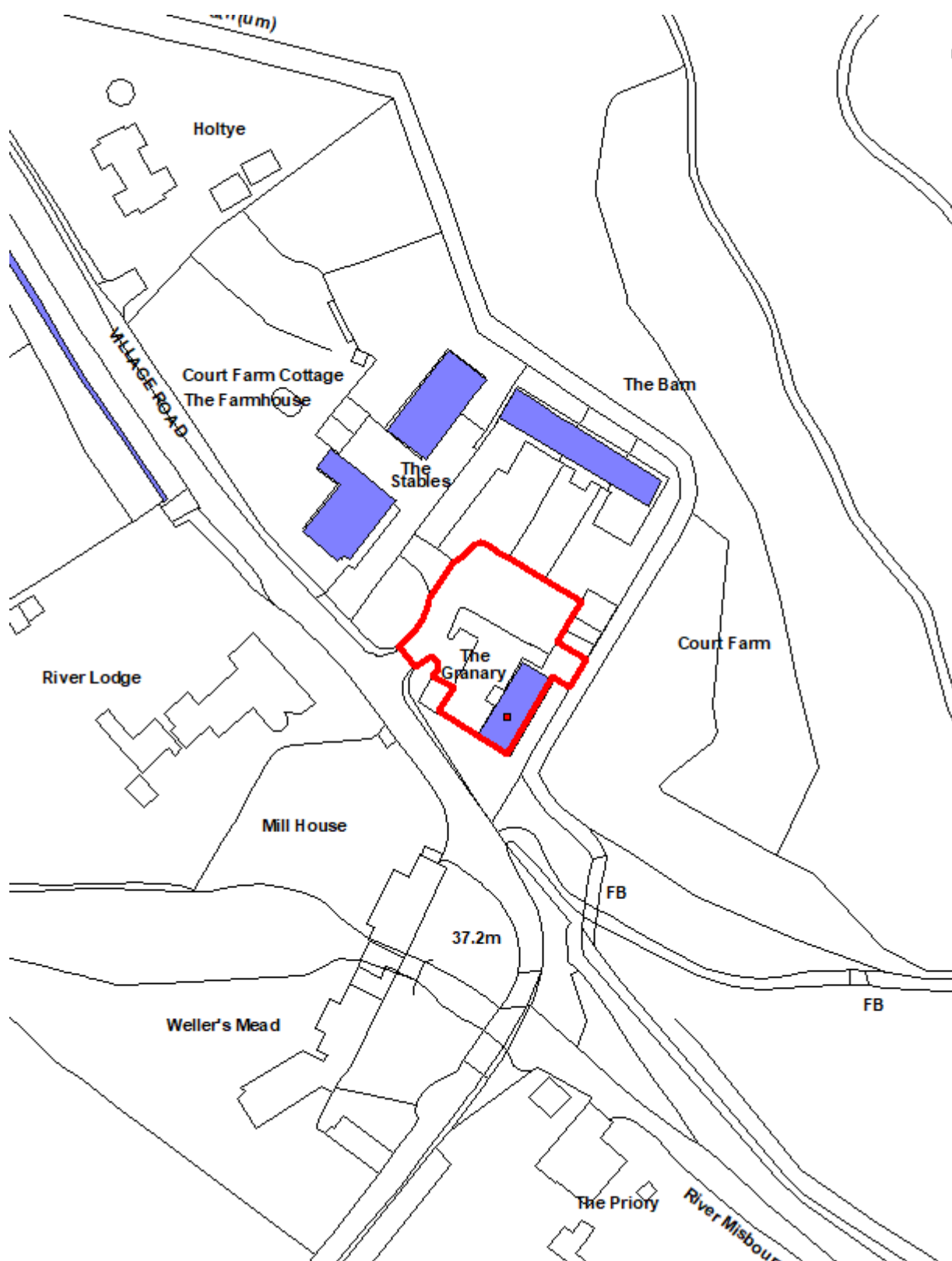
Amenity Societies/Residents Associations

No representation received

Other Representations

No other representations

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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Report to South Area Planning Committee

Application Number:	PL/21/3821/HB
Proposal:	Listed building consent for erection of an enclosed glazed link side extension between Granary and the workshop/garaging.
Site location:	Granary Denham Court Farm Village Road Denham Buckinghamshire UB9 5BG
Applicant:	Radiate Global International Limited
Case Officer:	Matthew McKane
Ward affected:	Denham
Parish-Town Council:	Denham Parish Council
Valid date:	8 October 2021
Determination date:	15 April 2022
Recommendation:	Conditional consent

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application site relates to the Granary, Great Barn, Hayloft and Dairy, Denham Court Farm, Village Road, Denham, Buckinghamshire, UB9 5BG. The application site comprises a complex of Grade II listed barns at Denham Court Farm located on the north side of Village Road. The application is for the erection of an enclosed glazed link side extension between Granary and the workshop/garaging.
- 1.2 Recent planning application reference number PL/19/0133/FA for extensions to the building was refused planning permission and was subsequently dismissed at appeal on the grounds that its scale and form and how it interacted with the existing buildings roof form would result in harm to the listed buildings and Conservation Area.
- 1.3 The previous application included a glazed extension in the same location as the current proposal subject of this application. The current application proposes a glazed addition of substantially reduced scale such that it would appear as a discrete infill extension which would be simple in form and remain subservient to the main building. The proposal therefore considered to have overcome the concerns raised by the previous Planning Inspector. Denham Parish Council have called-in the application to committee for the following reasons:

“This is the Listed Building application related to item 3 above, which should therefore be set-aside pending the Committee's decision.” Item number 3 is referring to planning application reference number Application PL/21/3820/FA

1.4 Recommendation – Conditional Consent

2.0 Description of Proposed Development

- 2.1 The application site comprises a complex of Grade II listed barns at Denham Court Farm located on the north side of Village Road. The site lies within the Metropolitan Green Belt and the Colne Valley Park and within the Denham Village Conservation Area as defined in the Local Plan.
- 2.2 Denham Court Farm is a historic farmstead which had once been associated to the Denham Court estate, with the main house situated to the north east of the site. It comprises of a complex of former agricultural buildings and a farmhouse dating from the 17th and 18th centuries. Over time the buildings have benefited from alterations and additions, however the agricultural buildings have been dramatically altered in use and character by their conversion to residential dwellings. The site is located towards the south-eastern end of the conservation area. It positively contributes to the historic character of this once rural village which is book-ended by the two former large Estates (Denham Court and Denham Place) at either end.
- 2.3 The existing garage primarily falls within the curtilage of the existing farmhouse and former outbuilding to the north however it does contribute to the setting of the site as a whole. The building itself is a modern addition (planning consent 98/00126/FUL) to the site however it does appear some timbers of age have been used in its construction.
- 2.4 This Listed Building Consent application is for the erection of an enclosed glazed link side extension between Granary and the workshop/garaging.
- 2.5 The application is accompanied by:
 - a) Heritage Statement
 - b) Planning Statement

3.0 Relevant Planning History

- 3.1 PL/19/0133/FA - Single storey side extensions. Refused permission. Appeal dismissed
- 3.2 PL/21/3820/FA - Erection of an enclosed glazed link side extension between Granary and the workshop/garaging. Pending consideration
- 3.3 No other relevant planning history

4.0 Summary of Representations

- 4.1 Heritage officers raise no objection to the proposed development
- 4.2 No representations made at the time of writing this report

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), 2021.
- 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)
- Denham Conservation Area Character Appraisal (September 2008)
- 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
- Buckinghamshire Countywide Parking Guidance September 2015
- Denham Neighbourhood Plan 2020 – 2036

Historic environment (or Conservation Area or Listed Building Issues)

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

C1 (Development within a Conservation Order)

C6 (Alterations and extensions to Listed Buildings)

- 5.1 The application site comprises a Grade II listed building. In this instance the only issue for consideration is whether the proposal would unduly affect the architectural or historic character of the listed building.
- 5.2 Sections 16 and 66 the Planning (Listed Buildings and Conservation Areas) Act 1990 require the LPA to have regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.
- 5.3 Paragraph 197 of the National Planning Policy Framework 2021 (hereafter referred to as "the NPPF 2021" states that in determining applications, local planning authorities should take account of:
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.4 Paragraph 197 of the NPPF continues: when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 5.5 Paragraph 201 of the NPPF states 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, where appropriate, securing its optimum viable use.
- 5.6 Annex 2: Glossary, page 71-72 of the NPPF states 'Significance derives not only from a heritage asset's physical presence, but also from its setting.' Therefore, alterations to the setting would need to be carefully considered.
- 5.7 The garage primarily falls within the curtilage of the existing farmhouse and former outbuilding to the north however it does contribute to the setting of the site as a whole. The building itself is a modern addition to the site however it does appear some timbers of

age have been used in its construction. As noted above the garage building is not a building of historic interest in itself however it does form part of the curtilage and setting of designated heritage assets and within a conservation area, therefore alterations must be carefully considered.

- 5.8 The position of the modern garage structure is set back from the front build line of the listed barn, in essence creating an internal corner between the two buildings where the link structure would be positioned. Thereby, reducing its overall visibility. The scale is modest and the design approach simple and sympathetic to its surroundings being predominantly glazed.
- 5.9 The external appearance of the building would not be harmful. Subject to a condition securing the materials set out within the application form, a high quality finish would be secured
- 5.10 It is considered that the proposed development would preserve the setting of the designated heritage asset. The proposal is therefore in accordance with the requirements of Sections 66 and 72 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990, Policy CP8 of the Local Plan and Section 16 of the NPPF.

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 development plan policies
- 6.3 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 (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.
 - In this instance: the application was acceptable as submitted and no further assistance was required.

8.0 Recommendation: Conditional consent

Subject to the following conditions:-

1. The development to which this consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.
Reason: To comply with the provisions of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, to prevent the accumulation of unimplemented listed building consents and to enable the Local Planning Authority to review the situation at the end of this period if the development has not begun.
2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be carried out in accordance with the details of materials provided within the application form
Reason: To safeguard the visual amenities of the area, conservation area and setting of the Listed Building. (Policies C1 and EP3 of the South Bucks District Local Plan (adopted March 1999) and Policy CP8 of the Core Strategy (adopted March 2011) refers.
3. This consent relates to the details shown on the approved plans as listed below:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
8 Oct 2022	123/A/SK201 Rev C
29 Sep 2022	123/A/SK 120 Rev C
29 Sep 2022	123/A/SK124 Rev D
29 Sep 2022	123/A/SK123 Rev C
29 Sep 2022	123/A/SK122 Rev D
29 Sep 2022	123/A/SK121 Rev C

APPENDIX A: Consultation Responses and Representations

Councillor Comments

There were none.

Parish/Town Council Comments

Denham Parish Council (DPC) requests that the below applications are called-in so that the proposals may be scrutinised more fully at Committee. DPC concurs with the Buckinghamshire Council officers pre-application response in that the proposals would detract from the significance of the Denham Court Farm setting and not deliver any overriding public benefit.

1. Application 21/3817: The proposed building would adversely impact on the setting within the Denham Conservation Area, its Green Belt location, and have a detrimental effect on the listed buildings within the historic Denham Court Farm complex. The application is contrary to the emerging Denham Neighbourhood Plan, which is going forward to Referendum in December 2021.
2. Application 21/3818: This is the Listed Building application related to item 1 above, which should therefore be set-aside pending the Committee's decision.
3. Application 21/3820: The proposed "link" building is of a more modern design style and is contrary to the architectural principles of the listed buildings in the Conservation Area. For all the reasons set out at item 1, DPC is of the view that this application should also be referred to Committee.
4. Application 21/3821: This is the Listed Building application related to item 3 above, which should therefore be set-aside pending the Committee's decision.
5. Application 21/3840: DPC contends that this application should be included in the requested call-in process since the significance of the Denham Court Farm complex is such that any proposed changes should be seen in the context of the entire site.

Consultation Responses

Heritage officers:

Summary

Due to the scale, design and discrete location of the proposed link structure the application is acceptable in heritage terms.

Heritage Assets

Listed Buildings (LB), which are designated heritage assets; the application building and other buildings within the farmstead are GII Listed.

- Denham Court Farm barn south east of farmhouse, GII (Granary)
- Within setting of, Denham Court Farm barn north east of farmhouse, GII (Great Barn, Hayloft, Dairy)
- Within the setting of, Denham Court Farmhouse, GII
- Within the setting of, Denham Court Farmhouse outbuildings to the north, GII (Stables)

Conservation Area (CA), which is a designated heritage asset; the application site is within the Denham CA

Relevant Planning History

PL/19/0133/FA - Single storey side extensions (refused/appeal dismissed)

PL/19/0134/HB - Single storey side extensions (refused/appeal dismissed)
PL/21/3754/FA – Single storey side hipped roof extension (pending consideration)
PL/21/3818/HB - Listed Building consent for single storey side hipped roof extension (pending consideration)
PL/21/3840/FA - Conversion of existing 4 garages and workshop into living space, 4 rear rooflights, 3 roof vents and extract flue, new door to front elevation and additional external car parking

Discussion

The heritage assessment is the impact on the special historic and architectural interest of the listed building, the Granary, also the setting of the other LBs listed above. Along with any impact on the character and appearance of the conservation area.

The current application has been submitted following a recent scheme which was refused (appeal dismissed) and subsequent request for pre-application advice. Therefore, comments will be reiterated where applicable.

Significance

Denham Court Farm is a historic farmstead which had once been associated to the Denham Court Estate, with the main house situated to the north east of the site. It comprises of a complex of former agricultural buildings and a farmhouse dating from the 17th and 18th centuries. Overtime the buildings have benefited from alterations and addition however the agricultural buildings have been dramatically altered in use and character by their conversion to offices and then residential dwellings.

The site is located towards the south-eastern end of the conservation area. It positively contributes to the historic character of this once rural village which is book-ended by the two former large Estates (Denham Court and Denham Place) at either end.

The Granary originally dates from the 17th century and is a 5-bay, aisled timber framed barn. The current name of the building does not represent its former use and it has been historically referred to as the smaller barn on site or single aisled barn. The barn is externally characterised by its weather-boarded external appearance and plain clay tiled roof which sits on a brick plinth. Internally the timber frame comprises of tie-beams with curved posts connecting to a purlin roof. There are substantial curved braces to the tie beams.

The cart entrance is centrally positioned along the west elevation, with a modern glazed timber frame projecting porch, considered to have replaced an earlier midstrey form. Internally the space within the building has been dramatically altered with its original open character subdivided. The scale of the building can be appreciated to some degree at first floor and its full height is identifiable within the hall.

Generally, it's built and plan form is well-intact alongside the timber frame and external appearance particularly in terms of materiality being retained. This positively contributes to the special interest of the listed buildings, history of the site and setting.

The barn is not only of significant interest in its own right as a designated heritage asset. It positively contributes to the setting of the surrounding heritage assets and defines the character and boundary of the former farm courtyard to the front. It is a very prominent building on the site

and contributes to the group value of the buildings on site, the other heritage assets at Denham Court Farm

Proposal

The current proposal seeks to construct a single storey flat roof link structure connecting the north gable of the listed barn to the attached modern garage building. As proposed the structure would have a small brick dwarf wall with timber frame and glazing above.

The existing openings will be utilised in the listed barn; however, a new door will be created in the modern garage building.

Impact to the Heritage Assets

Listed Building (application)

The position of the modern garage structure is set back from the front build line of the listed barn, in essence creating an internal corner between the two buildings where the link structure would be positioned. Thereby, reducing its overall visibility.

The scale is modest and the design approach sympathetic to its surroundings.

It will also allow the modern garage building to accommodate the additional domestic requirements for the applicant without further detriment to listed barn.

As the timber cladding of the listed barn was replaced during its more recent conversion, the new structure being attached would not impact any historic fabric.

As the proposal has been deemed acceptable for the host listed building, the same is considered for the setting of the surrounding LBs and CA.

Heritage Policy Assessment

The Planning (Listed Building and Conservation Areas) Act 1990

The proposals would preserve the architectural and historic interest of the listed building and therefore complies with sections 16/66 of the Act.

The proposals would preserve the character and appearance of the conservation area and therefore complies with section 72 of the Act.

NPPF

The proposal would cause no harm to the significance of the heritage asset.

Conclusion

For the reasons given above it is felt that in heritage terms:

The application would not raise any heritage objection

Representations

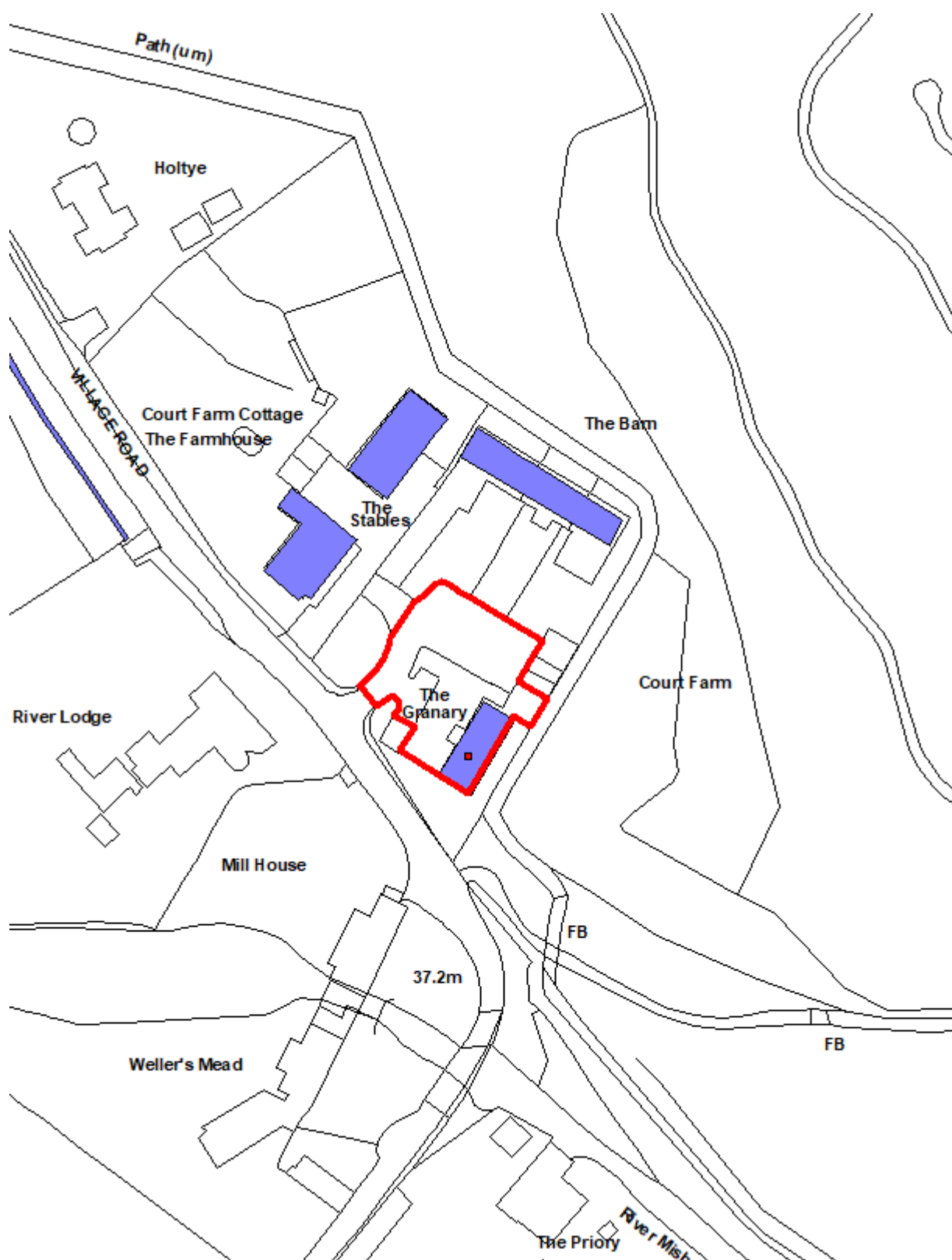
Amenity Societies/Residents Associations

No representation received

Other Representations

No other representations

APPENDIX B: Site Location Plan



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Report to South Area Planning Committee

Application Number:	PL/21/3840/FA
Proposal:	Conversion of existing 4 garages and workshop into living space, 4 rear rooflights, 3 roof vents and extract flue, new door to front elevation and additional external car parking
Site location:	Granary, Great Barn, Hayloft and Dairy Denham Court Farm Village Road Denham Buckinghamshire UB9 5BG
Applicant:	Radiate Global International Limited
Case Officer:	Matthew McKane
Ward affected:	Denham
Parish-Town Council:	Denham Parish Council
Valid date:	12 October 2021
Determination date:	15 April 2022
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application site relates to the Granary, Great Barn, Hayloft and Dairy, Denham Court Farm, Village Road, Denham, Buckinghamshire, UB9 5BG. The application site comprises a complex of Grade II listed barns at Denham Court Farm located on the north side of Village Road. The application is for the conversion of existing 4 garages and workshop into living space, 4 rear rooflights, 3 roof vents and extract flue, new door to front elevation and additional external car parking.
- 1.2 This application follows planning application reference number PL/19/0127/FA which involved the conversion of garage to habitable accommodation including internal alterations and addition of roof light to rear elevation. No objections were raised by the Council to the principle of the conversion of the buildings. However, the application was refused and subsequently dismissed at appeal on the grounds of that the alterations to the building would have a detrimental impact on the rural character of the building within the wider historic site, and residential amenity impact on the neighbouring dwelling.
- 1.3 The proposal has significantly reduced the external alterations to the building such that the general appearance of the buildings will be retained previous objections have been overcome.

1.4 Denham Parish Council have called-in the application to committee for the following reason: "Whilst the proposals in the change of use from garaging and workshop to habitable use suggest relatively minor works visible externally, DPC contends that this application should be included in the requested call-in process. The nature and significance of the Denham Court Farm complex are such that any proposed changes should be seen in the context of the entire site."

1.5 Recommendation – Conditional permission

2.0 Description of Proposed Development

2.1 The application site comprises a complex of Grade II listed barns at Denham Court Farm located on the north side of Village Road. The site lies within the Metropolitan Green Belt and the Colne Valley Park and within the Denham Village Conservation Area as defined in the Local Plan.

2.2 Denham Court Farm is a historic farmstead which had once been associated to the Denham Court estate, with the main house situated to the north east of the site. It comprises of a complex of former agricultural buildings and a farmhouse dating from the 17th and 18th centuries. Over time the buildings have benefited from alterations and additions, however the agricultural buildings have been dramatically altered in use and character by their conversion to residential dwellings. The site is located towards the south-eastern end of the conservation area. It positively contributes to the historic character of this once rural village which is book-ended by the two former large Estates (Denham Court and Denham Place) at either end.

2.3 The existing garage primarily falls within the curtilage of the existing farmhouse and former outbuilding to the north however it does contribute to the setting of the site as a whole. The building itself is a modern addition (planning consent 98/00126/FUL) to the site however it does appear some timbers of age have been used in its construction. It should be noted that previous permissions have been granted at the site to convert the garages into staff living accommodation under planning application PL/19/0126/FA

2.4 This planning application is for the conversion of existing 4 garages and workshop into living space, 4 rear rooflights, 3 roof vents and extract flue, new door to front elevation and additional external car parking

2.5 The application is accompanied by:

a) Design and Access Statement

3.0 Relevant Planning History

3.1 PL/21/3820/FA - Erection of an enclosed glazed link side extension between Granary and the workshop/garaging (pending consideration)

3.2 PL/21/3821/HB - Listed building consent for erection of an enclosed glazed link side extension between Granary and the workshop/garaging (pending consideration)

3.3 13/01473/FUL Change of use of The Great Barn and attached outbuildings to provide 3 dwellings, creating new entrance and glass enclosure to provide access corridor and change of use of The Granary to provide 1 dwelling. Erection of garages, garden store and workshop. Re-open entrance to Court Farmhouse and the Stable, Landscaping and associated parking and a proposed re-alignment of the front boundary wall and re-opening of former access. Conditional Permission

- 3.4 13/01474/LBC - Listed building application for: Extensions and alterations in connection with the Change of use of The Great Barn and attached outbuildings to provide 3 dwellings, creating new entrance and glass enclosure to provide access corridor and in connection with the change of use of The Granary to provide 1 dwelling. Erection of garages, garden store and workshop and a proposed re-alignment of the front boundary wall. Conditional Listed Building Consent.
- 3.5 14/01835/VC - Variation of Conditions 6 and 7 of Planning Permission 13/01473/FUL to permit: change of use of The Great Barn and attached outbuildings to provide 3 dwellings, creating new entrance and glass enclosure to provide access corridor and change of use of The Granary to provide 1 dwelling. Erection of garages, garden store and workshop. Re-open entrance to court Farmhouse and Stable, Landscaping and associated parking and the proposed re-alignment of the front boundary wall and re-opening of former access. Conditional Permission.
- 3.6 15/00822/COND - Application for approval of details reserved by conditions 2 & 3 on Planning Permission 14/01835/VC. Details Approved.
- 3.7 15/00823/COND - Application for approval of details reserved by condition 3 on Listed Building Consent 13/01474/LBC. Details Approved.
- 3.8 15/01332/FUL - Change of use of The Great Barn and attached outbuildings to provide 3 dwellings, creating new entrance and glass enclosure to provide access corridor and change of use of The Granary to provide 1 dwelling. Erection of garden store and workshop. Re-open entrance to Court Farmhouse and the Stables, Landscaping and associated parking (Amendment to 13/01473/FUL and 14/01835/VC). Conditional Permission
- 3.9 15/01333/LBC - Listed Building Application for: Change of use of The Great Barn and attached outbuildings to provide 3 dwellings, creating new entrance and glass enclosure to provide access corridor and change of use of The Granary to provide 1 dwelling. Erection of garages, garden store and workshop. Re-open entrance to Court Farmhouse and the Stables, Landscaping and associated parking (Amendment to 13/01473/FUL and 14/01835/VC). Conditional Permission.
- 3.10 PL/19/0128/FA Partial demolition of curtilage wall, followed by replacement of existing vehicular access gate, provision of additional vehicular access gate and two pedestrian access gates. Refused permission. Appeal allowed
- 3.11 PL/19/0129/HB Listed building application for: Partial demolition of curtilage wall, followed by replacement of existing vehicular access gate, provision of additional vehicular access gate and two pedestrian access gates. Refused consent. Appeal allowed
- 3.12 PL/19/0127/FA Conversion of garage to habitable accommodation including internal alterations and addition of roof light to rear elevation. Refused permission. Appeal dismissed

4.0 Summary of Representations

- 4.1 Heritage officers raise no objection
- 4.2 No further representations made at the time of writing this report

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), 2021.
- 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)
- Denham Conservation Area Character Appraisal (September 2008)
- 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
- Buckinghamshire Countywide Parking Guidance September 2015
- Denham Neighbourhood Plan 2020 – 2036

Principle and Location of Development

Core Strategy Policies:

CP8 (Built and Historic Environment)

Denham Neighbourhood Plan 2020 – 2036:

DEN2 (Design in Denham Village)

Local Plan Saved Policies:

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

GB2 (Re-use of buildings in the Green Belt)

H9 (Residential Layout and Design)

C1 (Development within a Conservation Area)

C6 (Alterations and Extensions to Listed Buildings)

- 5.1 The NPPF 2021, 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. With regard to this specific application, it is considered that all of the relevant local policies, as highlighted above, are broadly in accordance with the NPPF, and as such, it is considered that they should be afforded moderate weight and that it is considered appropriate to still assess this current application against the relevant local policies set out above. Where there is a difference or conflict in policy, then the NPPF takes precedence as it carries greater weight.
- 5.2 This application follows planning application reference number PL/19/0127/FA which involved the conversion of garage to habitable accommodation including internal alterations and addition of roof light to rear elevation. No objections were raised by the Council to the principle of the conversion of the buildings. However, the application was refused and dismissed at appeal. The reasons related to heritage impact as a result of the alterations to the garage having an overly domestic appearance which would not respect the rural character of the building within the wider historic site, and residential amenity impact on The Dairy located in the North Eastern Part of the site as the conversion of the 'existing laundry room' serves The Dairy and its conversion to accommodation would result loss of privacy that was deemed unacceptable.

- 5.3 Consequently, this application has sought to overcome these concerns raised by ensuring the general appearance of the garages are retained and the amenity standards of 'The Dairy' are acceptably maintained.
- 5.4 As noted, the principle of the conversion of the garage to habitable accommodation within the Green Belt was not a reason for the refusal of planning permission or an issue raised by the planning Inspector.

Green Belt

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)

GB2 (Re-use of buildings in the Green Belt)

H12 (Self-contained residential annexe to provide ancillary accommodation)

- 5.5 The National Planning Policy Framework (NPPF) provides national policy guidance relating to appropriate development within Green Belt locations which is specifically detailed within section 13 of the NPPF under 'Protecting Green Belt land'.
- 5.6 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.
- 5.7 Paragraph 150 of the NPPF sets out that other forms of development are not inappropriate in the Green Belt provided they preserve its openness, part d) includes 'the re-use of buildings provided that the buildings of permanent and substantial construction'.
- 5.8 This is reflected within Local Plan Policy GB2 (Re-use of Buildings in the Green Belt) which details that: buildings must be capable of conversion without major or complete construction, the form bulk and design is in keeping with the surroundings, the proposed new use (and any associated land use) does not detract from the open and undeveloped character of the Green Belt, loss of employment generating uses would not result and that the proposed use does not detract from the character or amenity of the surrounding area.
- 5.9 The proposed development would not result in additional built form on site, but instead change the use of the garage from vehicle storage to accommodation, dressing area and ancillary uses including storage, kitchen & toilet/shower rooms.
- 5.10 The appearance of the building would be altered via the introduction of 4 rear rooflights, 3 roof vents and extract flue, new door to front elevation, however no material increase in size is proposed. It is considered that the proposed alterations and use of the garage would not materially impact the Green Belt

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)

- 5.11 The dwelling benefits from areas of hardstanding within the site, therefore the loss of garage parking would be acceptable. The proposal includes the provision of 4 replacement

parking bays to replace those decanted from the garages. Drawing no. 123/A/SK 136 Rev B illustrates proposed parking arrangements. As such, the proposal would have no adverse parking implications having regard to the Buckinghamshire Countywide Parking Guidance September 2015.

Raising the quality of place making and design

Core Strategy Policies:

CP8 (Built and historic environment)

Denham Neighbourhood Plan 2020 – 2036:

DEN2 (Design in Denham Village)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development)

EP4 (Landscaping)

EP6 (Designing to Reduce Crime)

H9 (Residential development and layout)

H11 (Alterations and extensions to dwellings)

5.12 In this instance the proposal to conversion of the garage building internally would alter the principal use of the building and introduce some external changes. The insertion of 3 small, vented ridge tiles and a single entrance door at lower level, the insertion of an extract for the washroom facilities and a kitchen extract hood serving the new kitchen area. These alterations, all confined to the rear roofslope/walls of the building save for the 3 small roof-vents visible on the ridge and one new door to the new accommodation. Whilst the new wall and door set behind the retained garage doors would predominantly would minimally change the appearance of the existing building. The proposed materials would match existing (timber) and integrate well with the form of the building.

5.13 The proposed development is considered to have an acceptable appearance on the character of the existing building by retaining its rural barn appearance and would not have any significant impact on the character and appearance of the surrounding area/locality.

Amenity of existing and future residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

H11 (Alterations and extensions to dwellings)

5.14 The site is set a significant distance away from residential properties and the distances between the proposed development and neighbouring properties would prevent any concern being raised in this regard.

5.15 As shown within drawing no. 123/A/SK132 Rev B the use of the garage adjoining the existing laundry area (serving The Dairy) would be changed to a storage area and door linking these two spaces blocked up. The proposed change of use would not therefore result in any significant residential amenity impacts towards this adjoining existing neighbouring property or site. The proposal is therefore considered to have addressed the refusal of planning application PL/19/0127/FA and Planning Inspectors concern as the change of use proposed when in use is not considered to result in any significant noise when in use in comparison to garages existing use and no loss of privacy would occur.

5.16 Given that it is proposed to conversion of the existing workshop and garages, some of the space converted into habitable spaces (i.e. accommodation, dressing area, kitchen) it is

necessary to consider the amenity of future occupiers. Each of the units would benefit from a window ensuring natural light and an acceptable standard of amenity.

Historic environment (or Conservation Area or Listed Building Issues)

Core Strategy Policies:

CP8 (Built and historic environment)

Denham Neighbourhood Plan 2020 – 2036:

DEN2 (Design in Denham Village)

Local Plan Saved Policies:

C1 (Development within a Conservation Order)

C6 (Alterations and extensions to Listed Buildings)

5.17 Sections 16 and 66 the Planning (Listed Buildings and Conservation Areas) Act 1990 require the LPA to have regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

5.18 Paragraph 197 of the National Planning Policy Framework 2021 (hereafter referred to as "the NPPF 2021" states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

5.19 Paragraph 197 of the NPPF continues: when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

5.20 Paragraph 201 of the NPPF states: 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, where appropriate, securing its optimum viable use.

5.21 Annex 2: Glossary, page 71-72 of the NPPF states: 'Significance derives not only from a heritage asset's physical presence, but also from its setting.' Therefore, alterations to the setting would need to be carefully considered.

5.22 The garage primarily falls within the curtilage of the existing farmhouse and former outbuilding to the north however it does contribute to the setting of the site as a whole. The building itself is a modern addition to the site however it does appear some timbers of age have been used in its construction. As noted above the garage building is not a building of historic interest in itself however it does form part of the curtilage and setting of designated heritage assets and within a conservation area, therefore alterations must be carefully considered.

5.23 The external appearance of the building will be retained. Subject to construction of doors and windows in timber, with traditional timber or lead detailing. This will be secured by condition.

5.24 It is considered that the proposed development would preserve the setting of the designated heritage asset. The proposal is therefore in accordance with the requirements of Sections 66 and 72 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990, Policy CP8 of the Local Plan and Section 16 of the NPPF.

Infrastructure and Developer Contributions Core Strategy Policies:

Core Strategy Policies:

CP6 (Local infrastructure)

5.25 The development is a type of development where CIL would be exempt.

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 development plan policies.

6.3 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 (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 the application was acceptable as submitted and no further assistance was required.

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Reason: To safeguard the visual amenities of the area, conservation area and setting of the Listed Building. (Policies C1 and EP3 of the South Bucks District Local Plan (adopted March 1999) and Policy CP8 of the Core Strategy (adopted March 2011) refers.

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

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
8 Oct 2021	123/A/SK202 Rev B
30 Sep 2021	123/A/SK 137 Rev B
30 Sep 2021	123/A/SK 136 Rev B
30 Sep 2021	123/A/SK 130 Rev D
30 Sep 2021	123/A/SK135 Rev B
30 Sep 2021	123/A/SK134 Rev D
30 Sep 2021	123/A/SK133 Rev D
30 Sep 2021	123/A/SK132 Rev E
30 Sep 2021	123/A/SK131 Rev D

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.southbucks.gov.uk/CIL-implementation> or contact 01494 475679 or planning.cil.cs@buckinghamshire.gov.uk for more information.

2. 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. (SIN41)

APPENDIX A: Consultation Responses and Representations

Councillor Comments

There were none

Parish Council Comments

Denham Parish Council (DPC) requests that the below applications are called-in so that the proposals may be scrutinised more fully at Committee. DPC concurs with the Buckinghamshire Council officers pre-application response in that the proposals would detract from the significance of the Denham Court Farm setting and not deliver any overriding public benefit.

1. Application 21/3817: The proposed building would adversely impact on the setting within the Denham Conservation Area, its Green Belt location, and have a detrimental effect on the listed buildings within the historic Denham Court Farm complex. The application is contrary to the emerging Denham Neighbourhood Plan, which is going forward to Referendum in December 2021.
2. Application 21/3818: This is the Listed Building application related to item 1 above, which should therefore be set-aside pending the Committee's decision.
3. Application 21/3820: The proposed "link" building is of a more modern design style and is contrary to the architectural principles of the listed buildings in the Conservation Area. For all the reasons set out at item 1, DPC is of the view that this application should also be referred to Committee.
4. Application 21/3821: This is the Listed Building application related to item 3 above, which should therefore be set-aside pending the Committee's decision.
5. Application 21/3840: DPC contends that this application should be included in the requested call-in process since the significance of the Denham Court Farm complex is such that any proposed changes should be seen in the context of the entire site.

Consultation Responses

Environmental Health: I have no objection to this proposed development on Environmental Health grounds

Heritage officers:

Summary

Overall the external appearance of the modern structure will appear unaltered other than the rooflights that have prior approval and could be installed regardless of this application. Therefore, the proposal is acceptable in heritage terms.

Heritage Assets

Listed Buildings (LB), which are designated heritage assets; the application building and other buildings within the farmstead are GII Listed. - Denham Court Farm barn south east of farmhouse, GII (Granary) - Within setting of, Denham Court Farm barn north east of farmhouse, GII (Great Barn, Hayloft, Dairy) - Within the setting of, Denham Court Farmhouse, GII - Within the setting of, Denham Court Farmhouse outbuildings to the north, GII (Stables) Conservation Area (CA), which is a designated heritage asset; the application site is within the Denham CA

Relevant planning history

PL/19/0133/FA - Single storey side extensions (refused/appeal dismissed)

PL/19/0134/HB - Single storey side extensions (refused/appeal dismissed)
PL/21/3754/FA – Single storey side hipped roof extension (pending consideration)
PL/21/3818/HB - Listed Building consent for single storey side hipped roof extension (pending consideration)
PL/21/3820/FA - Erection of an enclosed glazed link side extension between Granary and the workshop/garaging (pending consideration)
PL/21/3821/HB - Listed building consent for erection of a enclosed glazed link side extension between Granary and the workshop/garaging (pending consideration)

Discussion

The heritage assessment is the impact on the special historic and architectural interest of the listed building, the Granary, also the setting of the other LBs listed above. Along with any impact on the character and appearance of the conservation area.

The current application has been submitted following a recent scheme which was refused (appeal dismissed) and subsequent request for pre-application advice. Therefore, comments will be reiterated where applicable.

Significance

Denham Court Farm is a historic farmstead which had once been associated to the Denham Court Estate, with the main house situated to the north east of the site. It comprises of a complex of former agricultural buildings and a farmhouse dating from the 17th and 18th centuries. Overtime the buildings have benefited from alterations and addition however the agricultural buildings have been dramatically altered in use and character by their conversion to offices and then residential dwellings.

The site is located towards the south-eastern end of the conservation area. It positively contributes to the historic character of this once rural village which is book-ended by the two former large Estates (Denham Court and Denham Place) at either end.

The Granary originally dates from the 17th century and is a 5-bay, aisled timber framed barn. The current name of the building does not represent its former use and it has been historically referred to as the smaller barn on site or single aisled barn. The barn is externally characterised by its weather-boarded external appearance and plain clay tiled roof which sits on a brick plinth. Internally the timber frame comprises of tie-beams with curved posts connecting to a purlin roof. There are substantial curved braces to the tie beams.

The cart entrance is centrally positioned along the west elevation, with a modern glazed timber frame projecting porch, considered to have replaced an earlier midstrey form. Internally the space within the building has been dramatically altered with its original open character subdivided. The scale of the building can be appreciated to some degree at first floor and its full height is identifiable within the hall.

Generally, it's built and plan form is well-intact alongside the timber frame and external appearance particularly in terms of materiality being retained. This positively contributes to the special interest of the listed buildings, history of the site and setting.

The barn is not only of significant interest in its own right as a designated heritage asset. It positively contributes to the setting of the surrounding heritage assets and defines the character

and boundary of the former farm courtyard to the front. It is a very prominent building on the site and contributes to the group value of the buildings on site, the other heritage assets at Denham Court Farm.

Impact to the Heritage Assets

Listed Building (application)

As a modern building the internal reconfiguration of the building is of limited concern in heritage terms. However, the rationale for the functional rooms to be separated by storage areas appears impractical. For example, the kitchen, utility and shower room are only accessible from the front of the building. The need for a second kitchen is unclear in itself, but then for it only to be accessed from the external yard area further adds to this untypical arrangement.

Whilst the design of the new door and window for the kitchen are domestic and untypical for a barn style structure the retention of the external barn style doors will limit their impact.

The current scheme also includes an additional four rooflights. Rooflights introduce a clutter and incongruous appearance to agricultural style buildings. It is acknowledged these rooflights were included in a previously approved and extent scheme and therefore could be inserted without this application. However, it is disappointing that the applicants after engaging the services of an experienced heritage consultant still wish to install so many rooflights. Particularly above the areas which don't require natural daylight.

Regardless, the external appearance of the building will be retained (other than the rooflights) and therefore the current scheme is acceptable.

Heritage Policy Assessment

The Planning (Listed Building and Conservation Areas) Act 1990

The proposals would preserve the architectural and historic interest of the listed building and therefore complies with sections 16/66 of the Act.

The proposals would preserve the character and appearance of the conservation area and therefore complies with section 72 of the Act. NPPF The proposal would cause no harm to the significance of the heritage asset.

Conclusion

For the reasons given above it is felt that in heritage terms:

The application would not raise any heritage objection subject to the following conditions;

- Notwithstanding the submitted drawings details of any new windows, doors and rooflights should be submitted for approval

Representations

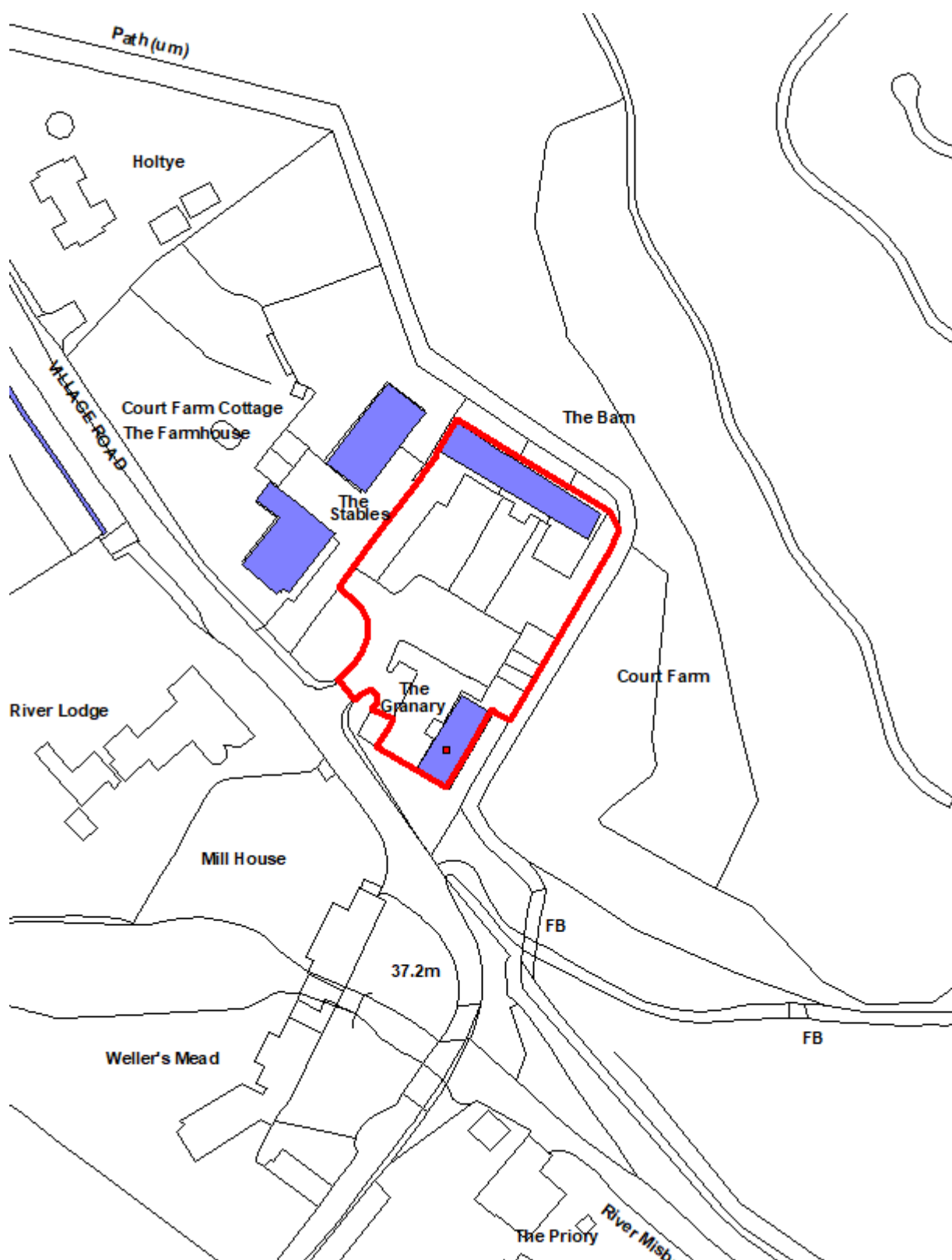
Amenity Societies/Residents Associations

No representation received

Other Representations

No other representations

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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Buckinghamshire Council

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Report to South Area Planning Committee

Application Number:	PL/21/4834/FA
Proposal:	Demolition of existing building and erection of pair of semi-detached dwellings vehicular access
Site location:	123 Holtspur Top Lane Holtspur Beaconsfield Buckinghamshire HP9 1BW
Applicant:	Mr R Patel
Case Officer:	Lucy Dolan
Ward affected:	Beaconsfield
Parish-Town Council:	Beaconsfield Town Council
Valid date:	20 December 2021
Determination date:	15 April 2022
Recommendation:	Delegate the application to the Director of Planning and Environment to GRANT planning permission subject to the conditions set out in this report and the satisfactory prior completion of a Planning Obligation relating to mitigation of Burnham Beeches SAC. If the Planning Obligation cannot be completed the application be refused for such reasons as considered appropriate.

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Planning permission is sought for the replacement of the existing dwelling with a pair of semi-detached dwellings. To facilitate the dwellings, it is proposed to sub-divide the existing plot to create rear gardens and front parking areas for each dwelling.
- 1.2 Holtspur is within a residential built up area, where new dwellings are considered acceptable subject to other material planning considerations such as the impact on the character area and neighbouring residential amenities. The semi-detached pair of dwellings are considered to reflect the external appearance of one unit of built form and would as such not appear out of context or out of keeping with the existing pattern of development in the immediate vicinity and the dwellings would continue the provision of dwellings fronting a highway. The dwellings have been sympathetically designed to minimise potential impacts to neighbouring dwellings. Future occupiers would also have

considerably sized rear gardens. The dwellings are also similar in scale to the replacement building previously found acceptable under PL/19/3431/FA which was approved in July 2021.

- 1.3 An additional access point is proposed to serve the two dwellings and three parking spaces are proposed to serve each plot which meets parking guidance and sufficient manoeuvrability space is provided.
- 1.4 The site lies within 5.6km of the BBSAC and therefore, there is a requirement to provide a financial contribution towards the SAMMS. This has been accepted by the applicant and a planning obligation will be entered into subject to the outcome of the Planning Committee.
- 1.5 The recommendation is to delegate the application to the Director of Planning and Environment to GRANT planning permission subject to the conditions set out in this report and the satisfactory prior completion of a Planning Obligation relating to mitigation of Burnham Beeches SAC. If the Legal Agreement cannot be completed the application be refused for such reasons as considered appropriate.
- 1.6 Cllr Wheelhouse has called this application to Planning Committee stating that it merits scrutiny in the public interest due to the size, massing and impact on adjacent AONB.

2.0 Description of Proposed Development

- 2.1 The proposed application site is located to the west of Holtspur Top Lane and currently accommodates a single storey detached dwelling. The plot is large in size, and there is a difference in the ground levels throughout the site, with there being a significant downward slope in the ground levels from the front of the site to the rear. The site is located within the developed area of Holtspur as well as being designated as a 'Green Suburban Road' as set out in the Townscape Character Study.
- 2.2 The application is accompanied by
 - a) Design and Access Statement
 - b) Ecology survey
- 2.3 Amended plans were sought and received altering the external appearance and design of the dwellings.
- 2.4 An additional plan was received showing the proposed site levels.

3.0 Relevant Planning History

- 3.1 PL/18/3358/FA - Demolition of existing building and erection of detached dwelling - Withdrawn
- 3.2 PL/19/3431/FA - Demolition of existing building and erection of new dwelling - Conditional Permission

4.0 Summary of Representations

- 4.1 Town Council – Received on the 4th February 2022 – Objection
- 4.2 Highways – Received on the 18th January 2022 and on the 14th February 2022 – No objections subject to conditions
- 4.3 Tree Officer – Received on the 17th March 2022 – No objection subject to conditions

- 4.4 Ecology – Received on the 31st January 2022 and on the 18th February 2022 – Further information required. Received on the 28th March 2022 – No objection, subject to condition
- 4.5 Natural England – Received on the 14th February 2022 - Standing advice relating to BBSAC
- 4.6 Waste – Received on the 31st January 2022 – No objections
- 4.7 26 letters of objection have been received.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2021.
- 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 6 (Parking standards)
- 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 Supplementary Planning Document (SPD)

Principle and Location of Development

Core Strategy Policies:

CP1 (Housing provision and delivery)

Local Plan Saved Policies:

H9 (Residential layout and design)

- 5.1 The NPPF was revised in 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.
- 5.2 With regard to this specific application, it is considered that all of the relevant local policies, as highlighted above, are in accordance with the NPPF. As such, it is considered that this application should be assessed against the relevant local policies set out above and it is considered appropriate to afford these policies significant weight. Where there is a difference or conflict in policy, then the NPPF takes precedence.
- 5.3 Section 11 of the NPPF encourages Local Planning Authorities to make the effective use of land. Paragraph 122 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.
- 5.4 The site is located within the developed area of Holtspur where new dwellings are considered acceptable subject to other material planning considerations such as the impact on the character area and neighbouring residential amenities. Furthermore, the proposal

would align with the aims of the NPPF in providing additional homes, making effective use of land and achieving sustainable development. The site is designated as having a Green Suburban townscape for the purposes of the Chiltern and South Bucks Townscape Character Study (2017).

- 5.5 Further to the above, it is noted that planning permission has been granted; and remains extant; for the erection of a replacement dwelling (reference PL/19/3431/FA). This dwelling is two storeys in form and substantial in its scale; reflecting that which is currently proposed; and therefore, whilst this current proposal is for a semi-detached pair and as such is visually different, the principle of a replacement dwelling to a scale currently proposed is considered to have already been established and is therefore, accepted.

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)

Buckinghamshire Countywide Parking Guidance, 2015

- 5.6 The Highways authority has confirmed that in terms of trip generation, there would be an intensification of use given the additional dwelling on site. In relation to this, a new access is proposed south of the existing access point where full visibility splays can be achieved.
- 5.7 In line with Buckinghamshire Countywide Parking Guidance, three parking spaces are required per dwelling. These have been accommodated for with one internal space located in an integral garage and two external spaces. These are all of adequate dimensions and there is adequate space within the site for full manoeuvrability. It is noted that a number of neighbouring and the Town Council have raised concerns in relation to the level of parking proposed to serve the two dwellings. Whilst acknowledging these concerns, the parking serving either dwelling complies with parking guidance and the spaces proposed are adequate in their dimensions.
- 5.8 Concerns have further been raised with construction traffic related to the development itself. Highways have recommended an informative relating to the parking of vehicles associated with the building parking on the public highway so as to cause an obstruction. This is considered to be appropriate to the level and nature of development.

Raising the quality of place making and design

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)

H9 (Residential development and layout)

- 5.9 Section 12 of the NPPF relates to achieving well-designed places. Paragraph 124 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 states that developments, among other requirements, should function well and add to the overall quality of the area, should

be visually attractive as a result of good architecture, layout and landscaping, and should be sympathetic to local character and history. Paragraph 134 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans of supplementary planning documents.

- 5.10 C1 of the National Design Guide places important on local identity, stating that well designed new development should respond positively to the features of the site itself and the surrounding context beyond the site boundary. New development should integrate well with the wider surroundings including an understanding of existing built form and layout within the local area.
- 5.11 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.
- 5.12 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 guidance set out in Appendix 8.
- 5.13 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...'
- 5.14 The application site is located along Holtspur Top Lane, and currently accommodates a detached bungalow. Holtspur Top Lane is characterised by predominately detached two storey dwellings but given the lay of the land most dwellings have three storeys when viewed from the rear elevation. There is limited uniformity in appearances but there is some level of cohesion in the use of crown roofs. The existing dwelling sits to the front of the plot which is rectangular in form. Adjacent neighbours are presented as detached two storey dwellings and are likewise set in rectangular plots. It is proposed to demolish the existing dwelling on site and erect a semi-detached pair of dwellings.
- 5.15 The Townscape Character Study 2017 defines this site as Green Suburban which states that plots are typically regular in width and pattern with large predominately detached houses set in large plots. Gaps between houses are fairly consistent with simple building forms. Whilst noting that the road is predominately detached dwellings, the road is not entirely made up of detached dwellings with one such particular example being approved at No. 131 Holtspur Top Lane (reference PL/19/4396/FA) for a semi-detached pair of dwellings of similar style, scale and appearance as this current proposed application. Therefore, the introduction of a pair of semi-detached properties would not be visually alien for the road. The external appearance reflects the external appearance of one unit of built form and would as such not be markedly incongruous in the street scene. The proposed development would not appear out of context or out of keeping with the existing pattern of development in the immediate vicinity and the dwellings would

continue the provision of dwellings fronting a highway. Furthermore, an additional residential dwelling is unlikely to generate any significant additional paraphernalia that would fail to harmonise with the existing residential character of the locality.

- 5.16 The siting of the dwellings within the plots leaves sufficient and appropriate levels of spacing to boundary lines and as such the level of spaciousness retained on site is considered acceptable and would not appear out of place for the general vicinity. It is not uncommon for dwellings along Holtspur Top Lane to stretch close to the full width of their corresponding plots and therefore the proposed spacing is commensurate to the locality. Furthermore, the siting is consistent with the original dwelling and that proposed and approved under application PL/19/3431/FA and as such it is considered that the semi-detached pair would not appear inconsistent with the locality.

Amenity of existing and future residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

H11 (Alterations and extensions to dwellings)

- 5.17 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.
- 5.18 In regards to residential amenity, given that the site is located with a row of existing dwellings there are direct neighbouring dwellings sited on both elevations and therefore the replacement of the existing dwelling has the potential to impact upon amenities. Whilst acknowledging the increase in built form, spacing to both boundaries is in excess of 1 metre and correlates to existing spacing on site and that sought and approved under planning application PL/19/3431/FA. The existing northern neighbour is a substantial two storey dwelling and whilst the proposed development does extend past the depth of this adjacent dwelling this is not substantial and does not impinge upon the relevant 45-degree test to neighbouring rear windows. There is an usual relationship to the southern neighbour as it sits at an angle to the applicant dwelling. Although recognising this relationship, the proposed replacement dwellings are not considered to result in adverse impacts as the frontwards projection away from existing is not significant. Rear terraces are proposed which sit atop of the rear exposed basement but appropriate screening will be sought via condition to minimise any harm to privacy. It should further be noted that terraces were approved under the previous extant permission PL/19/3431/FA. Furthermore, the most private spaces serving either neighbouring dwelling themselves would not be overlooked.
- 5.19 When viewing the proposed semi-detached from the rear elevation, they will appear three storeys in height as a result of the exposed basement level. The overall height of the building is not visually overbearing and corresponds to the ridge and eaves height of the northern neighbour (measuring at approximately 8.4 metres and 5.1 metres) and given that sufficient spacing is maintained, the dwellings will not appear dominant or overbearing. It is deemed relevant and appropriate in this instance to remove permitted development rights for Classes A and B relating to the enlargement of a dwellinghouse and additions to the roof. This will prevent the further increase in depth without prior

assessment by the Local Planning Authority in order to maintain satisfactory residential amenities.

- 5.20 In terms of privacy, one small window is proposed at first floor level on either flank elevation and flank dormers are proposed in the side roof slopes. These windows will however 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.
- 5.21 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 26 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 and remains commensurate to neighbouring plots along Holtspur Top Lane.

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)

- 5.22 In relation to landscaping on site, the Tree Officer has confirmed that they raise no objections to the scheme subject to conditions relating to landscaping and appropriate consideration being made for retained trees on site during the demolition and construction phases on site. It is therefore, considered appropriate to condition the submission of a landscaping plan.
- 5.23 Some concern has been raised as to the potential impact upon the designated AONB land which lies to the rear. Core Strategy Policy CP9 relates to the natural environment stating that the conservation and enhancement of the AONB and its setting should be achieved. Whilst noting this, there is substantial separation distance between the dwelling and its associated plot and the designated AONB land of around 170 metres. Whilst views can be afforded into the site from the open countryside to the rear given the land levels change, this is an existing relationship and commonplace along Holtspur Top Lane. Dwellings similar to the scale and height proposed are already in existence and this coupled with the significant separation distance to the AONB, the alteration in design and scale from the existing dwelling on site is not considered to be detrimental to the preservation or landscape character of the AONB.

Ecology and Environmental Issues

Core Strategy Policies:

CP9 (Natural environment)

CP13 (Environmental and resource management).

- 5.24 An Ecological Survey was undertaken by AA Environmental Consultants on the 3rd March 2022. This confirmed that there was no evidence of bats on site and no further surveys were required. The Ecologist has recommended the submission of a Biodiversity Method Statement which will provide protection measures for protected and notable species that

may be present on site during works. This will also incorporate biodiversity enhancements and can be secured via condition.

- 5.25 Core Policy 9 of the adopted Core Strategy sets out that the highest priority will be given to the integrity of Burnham Beeches Special Area of Conservation (SAC). Paragraph 3.3.11 of the Core Strategy also states that “where a specific development could result in significant effects on the SAC, a project level (regulation 48) HRA will need to be carried out by the developer when the planning application is submitted to determine whether mitigation measures are required”. This is also consistent with Section 15 of the NPPF relating to ‘Conserving and enhancing the natural environment’. The Burnham Beeches Special Area of Conservation Strategic Access Management and Monitoring Strategy Supplementary Planning Document (SPD) has also recently been adopted and sets out the Council’s approach to new residential development within 5.6 kilometres of Burnham Beeches SAC.
- 5.26 Natural England have been consulted on this application and raise concerns regarding the impact on the Burnham Beeches SAC. Natural England state that when there is sufficient scientific uncertainty about the likely effects on the planning application under consideration, the precautionary principle is applied to fully protect the qualifying features of the European Site designated under the Habitats Directive.
- 5.27 Due to new evidence on the impacts of recreational and urban growth at Burnham Beeches SAC carried out by Footprint Ecology as part of the emerging Local Plan, Natural England recognises that new housing within 5.6km of the Burnham Beeches SAC can be expected to result in an increase in recreational pressure. The 5.6km zone presents the core area around the SAC where increases in the number of residential properties will require Habitats Regulations Assessment. Mitigation measures will be necessary to rule out adverse effects on the integrity of the SAC from the cumulative impacts on development.
- 5.28 Impacts to the SAC as a result of increasing recreational pressure are varied and have long been a concern. These impacts, which have the potential to adversely affects its interest features, including contamination, trampling/wear, harvesting, difficulties in managing the site and disturbance.
- 5.29 Natural England confirm that, in light of the new evidence relating to the recreation impact zone of influence, planning authorities must apply the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended), to housing development within 5.6km of the SAC boundary. The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SAC.
- 5.30 Given the above, the Council has carried out an appropriate assessment for the proposed development (see Appendix C). This concludes that without mitigation measures the development is likely to have a significant effect upon the integrity of the SAC and with the result that the Council would be required to refuse this planning application.
- 5.31 In order to mitigate such impact, the Council has adopted a Strategic Access Managements and Monitoring Strategy (SAMMS) and the approach is set out in The Burnham Beeches Special Area of Conservation SAMMS SPD. The Council consider that the SAMMS, which is supported by Natural England, is a robust and capable means of mitigating the likely significance effects of the proposal over 500 metres and up to 5.6km provided the proposal pays a contribution towards the SAMMS. Natural England has also

confirmed that subject to a legal agreement which secures the financial contribution they do not raise an objection on grounds relating to the impact of such development on Burnham Beeches.

- 5.32 The applicant has confirmed that they willing enter into the planning obligation to secure the contribution. A planning obligation will therefore be progressed and completed to secure the financial contribution towards the SAMMS subject to the outcome of the Planning Committee. Subject to its completion the proposal would be in accordance with Core Policy 9 of the Core Strategy, Section 15 of the NPPF and the Burnham Beeches Special Area of Conservation SAMMS SPD.

Flooding and drainage

Core Strategy Policies:

CP13 (Environmental and resource management).

- 5.33 In accordance with the NPPF Paragraph 167, it is considered that a flood risk assessment is not required as part of this application as the development is located on land less than 1ha and the site is located within flood risk zone 1, which is least likely to be at risk from flooding events.

Infrastructure and Developer Contributions

Core Strategy Policies:

CP6 (Local infrastructure needs)

- 5.34 The Council has adopted a Community Infrastructure Levy (CIL) for certain forms of development. This does not affect the assessment of the proposed development; however the applicant has been made aware the permission is subject to CIL by virtue of the nature of the development.

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 As set 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. 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.
- 6.6 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

- 7.0 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.
- 7.1 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.
- 7.2 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: Delegate the application to the Director of Planning and Environment to GRANT planning permission subject to the conditions set out in this report and the satisfactory prior completion of a Planning Obligation relating to mitigation of Burnham Beeches SAC. If the Planning Obligation cannot be completed the application be refused for such reasons as considered appropriate.

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. 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. No works or development shall take place until details of the proposed finished floor levels of the dwellings; and of finished ground levels in relation to the surrounding land; taken from a fixed datum point; have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented and retained in accordance with these approved details.

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. No works or development (including for the avoidance of doubt any works of demolition) shall take place until a tree constraints plan and method statement (in accordance with British Standard 5837:2012 'Trees in relation to design, demolition and construction' or any replacement thereof or EU equivalent)) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide, as required, details of a no dig driveway; phasing of demolition and construction operations; siting of work huts and contractor parking; areas for the storage of materials and the siting of skips and working spaces; the erection of scaffolding. Protective fencing detailed in the method statement shall consist of a vertical and horizontal scaffold framework, braced to resist impacts, with vertical tubes spaced at a maximum level of 3m. On to this, weldmesh panels shall be securely fixed with wire scaffold clamps. The fencing shall be erected to protect existing trees and other vegetation during construction and shall conform to British Standard 5837:2012 'Trees in Relation to Construction' or any replacement thereof or EU equivalent. The approved fencing shall be erected prior to the commencement of any works or development on the site including any works of demolition. The approved fencing shall be retained and maintained until all building, engineering or other operations have been completed. No work shall be carried out or materials stored within the fenced area without prior written agreement from the Local Planning Authority. (ST17A)

Reason: To ensure that the crowns, boles and root systems of the shrubs, trees and hedgerows are not damaged during the period of construction and in the long term interests of local amenities. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the 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.)

7. 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.

8. 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.

9. The first floor windows and dormer windows located in the northern and southern 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.

10. 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.

11. Prior to the occupation of the development the new access to Holtspur Top Lane shall be designed in accordance with the approved plans. The access shall be constructed in

accordance with; 'Buckinghamshire County Council's Guidance note, "Private Vehicular Access within Highway Limits" 2013.

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

12. Within one month of the new access being brought into use, all other existing access points not incorporated in the development hereby permitted shall be stopped up by raising the existing dropped kerb and reinstating the footway and highway boundary to the same line, level and detail as the adjoining footway and highway boundary.

Reason: To limit the number of access points along the site boundary for the safety and convenience of the highway user.

13. 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.

14. Prior to either terrace being used, the walled screens enclosing the proposed rear terraces shown on the plans hereby approved shall be erected and they shall remain in place at a minimum height of 1.7 metres above the floor level of the terraces thereafter.

Reason: To protect the privacy of the adjoining properties.

15. Notwithstanding the provisions of Article 3 and Classes A and B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking and/or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of or to the dwellinghouse the subject of this permission, shall be carried out.

Reason: The nature and density of the layout requires strict control over the form of any additional development which may be proposed in the interests of maintaining a satisfactory residential environment. (Policies EP3 and H9 of the South Bucks District Local Plan (adopted March 1999) refer.)

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

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
21 Mar 2022	1906-SP1B LEVELS SITE PLAN
20 Dec 2021	1906 SUR - 14.12.2021 EXISTING
7 Feb 2022	AMENDED REV A 1906 P1
7 Feb 2022	AMENDED REV A 1906 P2
7 Feb 2022	AMENDED REV A 1906 SP1
20 Dec 2021	1906 TOPO - 14.12.2021 EXISTING AND LOCATION

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. (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. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A period of 28 days must be allowed for the issuing of the licence, please contact the Area Manager at the following address for information or apply online via Buckinghamshire County Council's website at <https://www.buckscc.gov.uk/services/transport-and-roads/licencesand-permits/apply-for-a-dropped-kerb/>

Transport for Buckinghamshire (Streetworks)
10th Floor,
New County Offices Walton Street,
Aylesbury,
Buckinghamshire
HP20 1UY
Tel: 01296 382416
5. It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.
6. No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Councillor A Wheelhouse: I would like to call-in this application as it merits scrutiny in the public interest. Many thanks.

Confirming my call-in on the grounds that public scrutiny needed due to high level of local interest, size, massing and impact on adjacent AONB.

Town Council Comments

Received on the 4th February 2022

Massive structure, Dangerous road conditions as on a bend, not enough room for parking in the area proposed for cars Drainage could be a problem as the land would be over developed. Bat report is out of date.

Consultation Responses

Tree Officer

Received on the 17th March 2022

‘The submitted tree and ecology checklist outlines trees are unaffected but the Preliminary Roost Assessment (16 Aug 2021) has a useful illustration of trees in appendix 1 and outlines in the executive summary three trees to be removed. Obviously the tree and ecology checklist has been completed incorrectly and an AIA should have been submitted.

However, because of previous permitted development PL/19/3431/FA is still extant, I consider it acceptable for an AMS to be undertaken as part of planning condition to ensure retained trees are appropriately considered during the demolition and construction phases of development.

Planning conditions ST1 and ST2 may be considered appropriate by the planning case officer to ensure replacement landscaping which should bolster the frontage/street scene of the development by one or two trees within the public realm.

I have no objection in arboricultural terms and recommend planning condition ST17.’

Highways

Received on the 18th January 2022

‘I note the Highway Authority has provided previous comments for this site, most recently under application number PL/19/3431/FA (erection of a replacement dwelling), which in a response dated 24th October 2019; the Highway Authority had no objection subject to conditions.

Holtspur Top Lane is an unclassified road subject to a speed restriction of 30mph. Proposals includes the demolition of existing dwelling and the erection of a pair of semi-detached dwellings with associated vehicular access.

In terms of trip generation, I would expect a dwelling in this location to generate in the region of 4-6 vehicular movements (two-way) per day. As this is the case, I would expect the proposals to result in an intensification in use, in the region of an additional 4-6 vehicular access (two-way) per day. As this is the case, the access arrangements serving the site will need to be assessed in order to determine its suitability to accommodate the level of vehicular movements anticipated.

A new access is proposed which is just south of the existing access. The existing dropped kerb will therefore need to be amended to only serve the proposed vehicular access which I will secure by way of condition. In line with guidance contained within Manual for Streets, visibility splays of

2.4m x 43m are required, commensurate with a 30mph speed limit. Having assessed the submitted plans, I am satisfied that full visibility can be achieved.

In line with the Buckinghamshire Countywide Parking Guidance, 3 parking spaces per dwelling are required. It is noted that each dwelling benefits from an internal garage and two external parking spaces, I am satisfied that all of which are of adequate dimensions. There also appears to be adequate room within the site for the manoeuvring of vehicles clear of the highway.

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

Received on the 14th February 2022

'Having reviewed the amended plans, I am satisfied that they do not make a material difference in highway terms and the principle of the development remains the same. Therefore, I have no further comments to add to my previous response.'

Ecology

Received on the 31st January 2022

'Further Information Required. An updated bat survey is required as the last survey was carried out in June 2020 and the results of that survey are no longer considered valid. In addition, a tree survey is recommended as it appears that a number of trees are present within the site and will be impacted on by the proposed works.'

Should this application be subsequently granted approval a biodiversity method statement will be recommended detailing reasonable avoidance measures for all protected and notable species that may be present on site during works and 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.'

Received on the 18th February 2022

"Further Information Required. An updated bat survey is required as the last survey was carried out in June 2020 and the results of that survey are no longer considered valid. In addition, a tree survey is recommended as it appears that a number of trees are present within the site and will be impacted on by the proposed works."

Should this application be subsequently granted approval a biodiversity method statement will be recommended detailing reasonable avoidance measures for all protected and notable species that may be present on site during works and 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."

Received on the 28th March 2022

'No Objection, subject to Conditions. 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 specific biodiversity enhancements that will be incorporated into this development.'

Natural England

Received on the 14th February 2022

'Standing advice - no objection - subject to appropriate mitigation being secured.'

Waste

Received on the 31st January 2022

'I have looked at the plans and cannot see waste collection point provided, however, I don't envisage there being an issue as 123 Holtspur Top Lane is currently serviced by us. Therefore, Waste services have no objections towards the proposal for waste and recycling provisions at property, 123 Holtspur Top Lane Holtspur Beaconsfield Buckinghamshire HP9 1BW.'

Representations

Amenity Societies/Residents Associations

Beaconsfield Society:

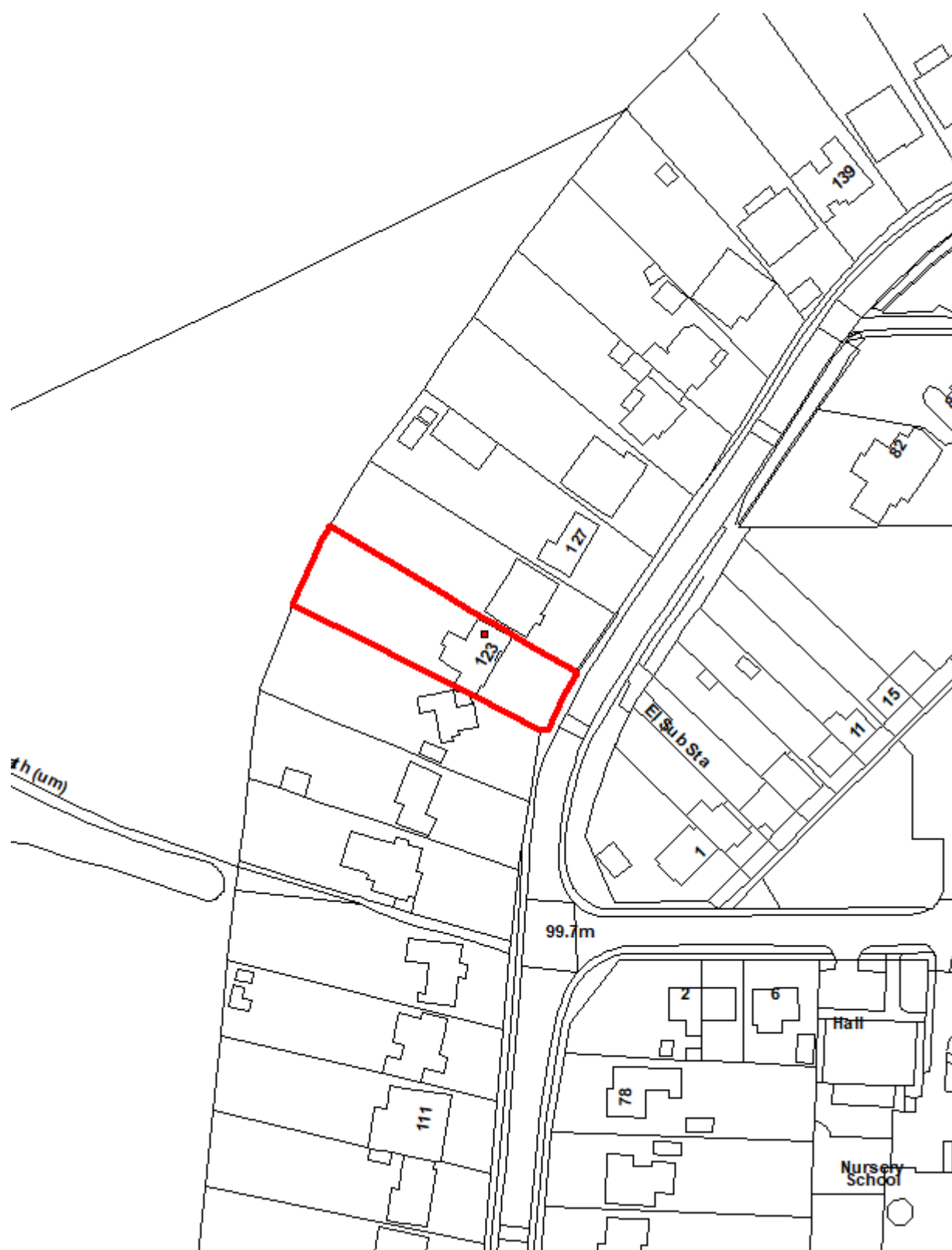
- overdevelopment of small site
- proposed design overwhelms the neighbouring properties
- loss of amenity for the neighbouring properties
- the application is not in accordance with Local Plan Policies EP3 and H9

Other Representations

25 comments have been received objecting to the proposal:

- it is within the BBSAC
- overdevelopment of the area replacing one dwelling with two
- there will be congestion and danger caused
- there is a creeping over-development in Holtspur and cannot be continued traffic will increase
- the value of wildlife will be reduced
- there is no indication on the plans as to how they will move about the site
- there is already low water pressure along the road
- the excavations relating to the basement level raises concern
- the street scene in Holtspur will be impacted
- there is an associated increase in bulk and size
- the resultant plots would be narrower than surroundings
- Holtspur is losing its 'affordable housing'
- Three storeys is not acceptable

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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Buckinghamshire Council

www.buckinghamshire.gov.uk

Report to South Area Planning Committee

Application Number:	PL/22/0128/FA
Proposal:	Demolition of existing house and garage and erection of two semi-detached dwellings with associated refuse store and parking
Site location:	121 Holtspur Top Lane Holtspur Beaconsfield Buckinghamshire HP9 1BW
Applicant:	Mr Kamyab
Case Officer:	Alex Armour
Ward affected:	Beaconsfield
Parish-Town Council:	Beaconsfield Town Council
Valid date:	24 January 2022
Determination date:	12 April 2022
Recommendation:	Delegate the application to the Director of Planning and Environment to GRANT planning permission subject to the conditions set out in this report and the satisfactory prior completion of a Planning Obligation relating to mitigation of Burnham Beeches SAC. If the Planning Obligation cannot be completed the application be refused for such reasons as considered appropriate.

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application seeks planning permission for the demolition of an existing dwelling known as 121 Holtspur Top Lane, and the erection of a pair of semi-detached dwellings with associated refuse store and new parking area.
- 1.2 The application is required to be determined by Planning Committee due to a call-in by Councillor Wheelhouse, raising materials planning reasons relating to the bulk and massing of the dwelling, and potential over-dominance when viewed from the side and rear.
- 1.3 The proposed development is located within the built up area of Beaconsfield where development is acceptable. The proposed dwellings would be of a contemporary appearance similar to that previously found acceptable under 16/01908/FUL and PL/19/2138/FA, although these would be semi-detached rather than detached.

- 1.4 The creation of an additional dwelling would align with the Government's objective of boosting the supply of homes and also complies with Paragraphs 119 and 124 of the NPPF in making efficient use of previously developed land. It is also considered that the proposal would maintain the character and appearance of the area and would not result in a detrimental impact with regard to residential amenity/waste management, parking & highway safety, trees and landscaping, ecology and flooding risk.
- 1.5 The proposal would therefore constitute sustainable development. 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 of providing an additional residential unit.
- 1.6 The recommendation is that the application is delegated to the Director of Planning and Environment to GRANT planning permission subject to the conditions set out in this report and the satisfactory prior completion of a Planning Obligation relating to mitigation of Burnham Beeches SAC. If the Planning Obligation cannot be completed the application be refused for such reasons as considered appropriate.

2.0 Description of Proposed Development

- 2.1 The application seeks the demolition of the existing dwelling, and the erection of a pair of semi-detached dwellings. The proposed dwellings would be of a more contemporary appearance, being three in storey in scale though only two storey in views from the street scene. Permission is also sought for an altered parking arrangement.
- 2.2 The application site is located within 5.6km of the Burnham Beeches SAC. The site is designated as a Green Suburban Townscape for the purposes of the Chiltern and South Bucks Townscape Character Study (2017). The Metropolitan Green Belt lies to the rear of the site
- 2.3 The application is accompanied by
 - a) Arboricultural Impact Assessment
 - b) Tree Report
 - c) Tree Constraints Plan
 - d) Preliminary Ecological Appraisal and Roost Assessment
 - e) Design and Access Statement

3.0 Relevant Planning History

- 3.1 16/01908/FUL - Replacement dwelling. – Conditional Permission.
- 3.2 PL/19/2138/FA - Demolition of existing house and the erection of new dwelling with associated hardstanding and landscaping. – Conditional Permission.
- 3.3 PL/21/2539/FA - Demolition of existing house and garage and erection of two semi-detached dwellings. – Withdrawn.
- 3.4 PL/21/3481/FA - Demolition of existing house and garage, erection of two semi-detached dwellings. – Withdrawn.

4.0 Summary of Representations

- 4.1 Town Council – Received 04/02/22 – Objection.
- 4.2 Highways – Received 02/02/22 - No objection, subject to condition.
- 4.3 Ecology – Received 25/02/22 – No objection, subject to condition.
- 4.4 Tree Officer – Received 23/02/22 – No objection, subject to condition.
- 4.5 Natural England – Received 14/02/22 – Standing advice relating to BBSAC
- 4.6 Waste – Received 17/02/22 – No objection.
- 4.7 21 letters of objection have also been received including objections from the Beaconsfield and Chiltern societies.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF) 2021.
- 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 Supplementary Planning Document (SPD)

Principle and Location of Development

Core Strategy Policies:

CP1 (Housing provision and delivery)

Local Plan Saved Policies:

H9 (Residential development and layout)

- 5.1 The NPPF was revised in 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.
- 5.2 With regard to this specific application, it is considered that all of the relevant local policies, as highlighted above, are in accordance with the NPPF. As such, it is considered that this application should be assessed against the relevant local policies set out above and it is considered appropriate to afford these policies significant weight. Where there is a difference or conflict in policy, then the NPPF takes precedence.
- 5.3 The proposed development would result in the demolition of an existing dwelling and the erection of a pair of semi-detached dwellings. Chapter 11 of the NPPF encourages local

planning authorities to make the effective use of land. Paragraph 17 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.

- 5.4 Paragraph 122 of the NPPF highlights that planning decisions should support development which makes the efficient use of land, taking into account; housing need, local market conditions, availability and capacity of infrastructure, maintaining the area's prevailing character and securing well-designed places.
- 5.5 The NPPF suggests that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area (para. 70). The Council has adopted policy H10 of the Local Plan, which resists the development of residential garden land. Notwithstanding the above, the application site does not fall within a Residential Area of Exceptional Character which policy H10 relates to.
- 5.6 The site also is designated as a Green Suburban for the purposes of the Chiltern and South Bucks Townscape Character Study (2017). This does not preclude the introduction of new dwellings, providing that they do not unduly impact the character and appearance of the site, or the locality in general.
- 5.7 It is noted that representations have been received with regard to the impact upon the Green Belt. The site itself does not lie within the Green Belt and as such those policies specific to the Green Belt are not relevant in this instance.
- 5.8 Further to the above, it is noted that permission has previously been granted for a detached dwelling of similar scale and appearance to the permission sought here under PL/19/2138/FA. This permission remains extant. It is also notable that planning permission was granted for a pair of semi-detached dwellings at No.131 under application reference PL/19/4396/FA, which is a material planning consideration.
- 5.9 In summary the site is located within a developed area of Beaconsfield where new dwellings are considered acceptable subject to other material planning considerations such as the impact on the character of the area and neighbouring residential amenities.

Transport matters and parking

Core Strategy Policies:

CP7 (Accessibility and transport)

Buckinghamshire County Wide Parking Guidance (2015)

Local Plan Saved Policies:

TR5 (Access, highways work and traffic generation)

TR7 (Traffic generation)

- 5.10 Highways officers responsible for parking and highways safety raise no objection to the proposed development, subject to conditions for the access and parking to be laid out prior to initial occupation of the new dwelling, to be retained only for parking thereafter. A suitable condition will be imposed on any grant of approval in this regard.
- 5.11 The proposed development would result in two three bedroom dwellings, which would require two parking bays as set out within the Buckinghamshire County Wide Parking Standards (2015). The proposed dwellings would each benefit from two external parking spaces, and one internal space within the garage. This would exceed the required spaces.
- 5.12 It is noted that objection has been received with regards to the impact upon the highway during the construction process. In this instance the highway's officer raised no objection

to this matter. Informatives are recommended drawing the applicant's attention to S137 of the Highways Act 1980 and to the Considerate Constructors initiative.

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)

- 5.13 Paragraph 130 of the NPPF requires that planning decisions should ensure that developments are visually attractive as a result of good architecture, and are sympathetic to local character and history while not preventing or discouraging appropriate innovation or change. Decisions should also establish or maintain a strong sense of place including through building types and materials.
- 5.14 C1 of the National Design Guide places important on local identity, stating that well designed new development should respond positively to the features of the site itself and the surrounding context beyond the site boundary. New development should integrate well with the wider surroundings including an understanding of existing built form and layout within the local area.
- 5.15 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.
- 5.16 Local Plan policy H9 requires that development for residential purposes is compatible with the character of the surrounding area in terms of density, layout, design, height, scale, form and materials.
- 5.17 The townscape character of the surrounding area is that of Green Suburban. The Townscape Character Study states that this character area is comprised of large detached houses set in large, regular plots with a slightly staggered building line and with simple building forms. Well maintained hedge rows are the dominant boundary treatment. The Planning and Design Principles state that building heights should be limited to two storeys - this includes development in the roof space. Existing building lines and set-backs should be retained, garages should be placed in line with buildings or behind properties. Buildings should not be spaced too close together. Building heights should be limited to two storeys, this includes development within the roof space. The Character Study also identifies that sensitive views of open countryside are achievable from the site, particularly towards the Area of Outstanding Natural Beauty.
- 5.18 It is acknowledged that the majority of dwellings within the immediate locality are detached though there are other examples of semi-detached dwellings within the Holtspur Top Lane. It is also notable that planning permission was granted for a similar development at No.131 under application reference PL/19/4396/FA, which is a material planning consideration. In this instance, the plot width is slightly greater at No.121 and would also feature a similar separation to the flank boundaries than permitted at No.131. As such when considering the above, it is not considered that the proposed introduction of a pair of semi-detached dwellings in this location would be unacceptable.

- 5.19 With regards to the proposed siting of the dwellings. The existing dwelling is somewhat unusual within the street scene in that it is not angled towards the highway. The proposed dwellings would be set facing the highway and set approx. 16m back from the highway, and would be consistent with the existing building line.
- 5.20 With regards to the design and scale of the proposed dwellings. The character of dwellings within the immediate locality are predominantly traditional in character. There is a mix of single storey to three storey dwellings, though due to changing ground levels many benefit from ground floor levels which are not perceptible from the highway. It is also a material planning consideration that planning permission was granted for a contemporary replacement dwelling on the site under application 16/01908/FUL and later PL/19/2138/FA. The permitted replacement dwelling would have been very similar in scale and design to the semi-detached dwellings proposed here. In this instance the proposed dwellings would have a moderately wider footprint and greater depth at second floor, though the first and ground floor depth would be reduced from the previous permissions.
- 5.21 Whilst it is recognised that the principles set out within the Townscape Character Study seek to avoid dwellings of greater scale than two storey, due to the changing land levels on site it is considered that the proposed dwellings would be seen as two storey in views from the street scene and as such this scale would not be seen incongruous. Moreover, the submitted street elevation plan indicates that the ridge height of the dwellings would be directly comparable to the neighbouring dwellings. The dwellings would also benefit from good spacing to the flank boundaries of approx. 1.2m and 1.7m. As such it is not considered that the proposal would constitute overdevelopment of the site, and would otherwise reflect the scale and spacing of the surrounding built form.
- 5.22 The dwellings would also be set at a lower ground level than the highway and set back, which would help to reduce the prominence of the proposal. When considering this as well as the planning history of the site, it is not considered that objection could reasonably be sustained on the contemporary appearance of the proposal.
- 5.23 When considering the Green Suburban Townscape characteristics of the site, it is considered reasonable to include a condition requiring the submission of a landscaping scheme. Details of external materials and hard-standing are also recommended to be secured by condition.
- 5.24 Some concern has been raised as to the potential impact upon the designated AONB land which lies to the rear. Core Strategy Policy CP9 relates to the natural environment stating that the conservation and enhancement of the AONB and its setting should be achieved. Whilst noting this, there is substantial separation distance between the dwelling and its associated plot and the designated AONB land of around 170 metres. Whilst views can be afforded into the site from the open countryside to the rear given the land levels change, this is an existing relationship and commonplace along Holtspur Top Lane. Dwellings similar to the scale and height proposed are already in existence and this coupled with the significant separation distance to the AONB, the alteration in design and scale from the existing dwelling on site is not considered to be detrimental to the preservation or landscape character of the AONB.
- 5.25 Overall, it is considered that the proposed development, would not adversely impact upon the character or appearance of the site or locality in general, nor would it prejudice the specific characteristics of the area as set out in the Townscape Character Study. As such the proposal would achieve a suitably high standard of design which accords with

policy EP3 & H9 of the Local plan and with the aims of the NPPF. This would have neutral weight in the planning balance.

Amenity of existing and future residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

- 5.26 The NPPF requires a high standard of amenity for existing and future occupiers are secured from planning proposal. Local Planning policies not adversely affect the amenities of nearby properties through over dominance, loss of privacy, loss of light.
- 5.27 It is noted that objections have been received with regards to the impact upon amenities, in particular with the proposed dwellings described as overbearing, resulting in a loss of light and giving rise to overlooking. It should also be noted that an image has been submitted within one of the objections showing the balcony screening and a higher roof form at ground than proposed, these elements formed part of withdrawn application PL/21/3481/FA.
- 5.28 With regards to overlooking, the proposed development would allow for certain oblique views of the neighbouring rear amenity spaces. The most private spaces close to the dwellings and the rear openings of the neighbouring dwellings themselves would not be overlooked. Consequently, subject to conditions restricting the use of the ground floor element from being used as a balcony, and requiring obscure glazing and non-opening windows below 1.7m to the flank elevations no objection is raised to this regard.
- 5.29 The ground level of the first floor would be comparable to the southern neighbours, No.119, ground floor level due to changing levels on site. The proposed development would comply with the 45 degree test in views from the closest opening at the southern neighbour, projecting approx. 3.5m beyond the rear elevation of the southern neighbour at first and second floor level, with the roof form of the dwellings pitched away from the flank boundaries. The ground floor level would also narrowly comply with the 60 degree test in views from No.119, and when considering that this element would mostly be set at a lower level than this neighbour and the terraced area used by No.119, it is not considered that these elements would be considered as overbearing or give rise to a significant loss of light. The northern neighbours, No.123, are orientated away from the proposed dwellings and it is not considered that the proposed development would be seen as overbearing in views from No.123.
- 5.30 The proposed dwelling would be greater in height than existing and would be visible in views from side window serving a kitchen at No.119. Nevertheless, this window is a secondary opening with an opening facing the highway and as such there would still be views from this room and light levels would not be significantly reduced.
- 5.31 It is also recognised that objections have been received with regards to increase noise and light, as a result of the intensification of the site. Whilst this may occur, this would be in association with ordinary residential use which would not have a significant impact upon amenities.
- 5.32 Overall, the proposed development is not considered to result in any significant degree of residential amenity harm towards neighbouring properties or sites that would warrant the refusal of planning permission in accordance with Policies EP3, EP5 & H9 of the Local plan & aims of the NPPF. This would have neutral weight in the planning balance.

Future Occupiers

- 5.33 It is also necessary to consider the residential amenities of future occupiers of the proposed dwellings. The proposed dwellings would be adequately spacious, with sufficient windows to provide outlook and to allow for natural light. The proposed dwellings would also benefit from their own private amenity spaces which whilst evidentially more modest than existing, would remain of a reasonable size.
- 5.34 It is recognised that concerns were raised with regard to the potential occupiers being overlooked by neighbouring dwellings. Whilst fencing is not proposed above the ground floor element, it is considered that only some very oblique views would be attainable from the neighbouring terraced area. Some views would be attainable from the rear of the neighbouring rear amenity spaces however, these would still be oblique and at a greater distance. Therefore, it is not considered that an unacceptable adverse harm to the amenities of future occupiers would result. This would have neutral weight in the planning balance.

Ecology and environmental issues

Burnham Beeches Special Area of Conservation (SAC) Mitigation Strategy, March 2020

Core Strategy Policies:

CP9 (Natural environment)

CP13 (Environmental and resource management).

- 5.35 A number of objections have been received with regards to the impact upon ecology. The application is supported by a Preliminary Ecological Assessment and a Roost Assessment Report, concluding that the main dwelling and outbuilding are well-sealed and in good condition, and as such would have negligible roosting potential. This has been reviewed by the Council's Ecologist with no objection raised, subject to a condition requiring the submission of a bio-diversity method statement.

Burnham Beeches SAC

- 5.36 Core Policy 9 of the adopted Core Strategy sets out that the highest priority will be given to the integrity of Burnham Beeches Special Area of Conservation (SAC). Paragraph 3.3.11 of the Core Strategy also states that "where a specific development could result in significant effects on the SAC, a project level (regulation 48) HRA will need to be carried out by the developer when the planning application is submitted to determine whether mitigation measures are required". This is also consistent with Section 15 of the NPPF relating to 'Conserving and enhancing the natural environment'. The Burnham Beeches Special Area of Conservation Strategic Access Management and Monitoring Strategy Supplementary Planning Document (SPD) has also recently been adopted and sets out the Council's approach to new residential development within 5.6 kilometres of Burnham Beeches SAC.
- 5.37 Natural England has been consulted on this application and raises concerns regarding the impact on the Burnham Beeches SAC. Natural England state that when there is sufficient scientific uncertainty about the likely effects of the planning application under consideration, the precautionary principle is applied to fully protect the qualifying features of the European Site designated under the Habitats Directive.
- 5.38 Due to new evidence on the impacts of recreational and urban growth at Burnham Beeches SAC carried out by Footprint Ecology, Natural England recognises that new housing within 5.6km of the Burnham Beeches SAC can be expected to result in an increase in recreation pressure. The 5.6km zone represents the core area around the SAC where increases in the number of residential properties will require Habitats Regulations

Assessment. Mitigation measures will be necessary to rule out adverse effects on the integrity of the SAC from the cumulative impacts of development.

- 5.39 Impacts to the SAC as a result of increasing recreation pressure are varied and have long been a concern. These impacts, which have the potential to adversely affect its interest features, include: Contamination (e.g. dog fouling, litter, spread of plant pathogens); Increased fire risk; Trampling/wear (e.g. loss of vegetation, soil compaction, erosion, damage to trees from climbing); Harvesting (e.g. fungi, wood); Difficulties in managing the site (e.g. maintaining the grazing regime); Disturbance (e.g. affecting the distribution of livestock and deer).
- 5.40 Natural England confirm that, in light of the new evidence relating to the recreation impact zone of influence, planning authorities must apply the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended), to housing development within 5.6km of the SAC boundary. The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SAC.
- 5.41 Given the above, the Council has carried out an Appropriate Assessment for the proposed development. This concludes that without mitigation measures the development is likely to have a significant effect upon the integrity of the SAC with the result that the Council would be required to refuse this planning application.
- 5.42 In order to mitigate such impacts, the Council has adopted a Strategic Access Management and Monitoring Strategy (SAMMS) and the Council's approach is set out in the Burnham Beeches Special Area of Conservation (SAC) Mitigation Strategy SPD (adopted March 2020). The Council consider that the SAMMS, which is supported by Natural England, is robust and capable of mitigating the likely significant effects of the proposal over 500 metres and up to 5.6 kilometres provided the proposal pays a contribution towards the SAMMS.
- 5.43 The applicant has confirmed that they willing enter into the planning obligation to secure the contribution. A planning obligation will therefore be progressed and completed to secure the financial contribution towards the SAMMS subject to the outcome of the Planning Committee. Subject to its completion the proposal would be in accordance with Core Policy 9 of the Core Strategy, Section 15 of the NPPF and the Burnham Beeches Special Area of Conservation SAMMS SPD.

Flooding and drainage

Core Strategy Policies:

CP13 (Environmental and resource management).

- 5.44 In accordance with the NPPF Paragraph 167, it is considered that a flood risk assessment is not required as part of this application as the development is located on land less than 1ha and the site is located within flood risk zone 1, which is least likely to be at risk from flooding events.

Other matters

- 5.45 Whilst the proposed development is considered acceptable, given the scale of development proposed due to its depth and roof accommodation it is considered that any additional development should be controlled. Permitted development rights relating to the erection of further extensions and roof alterations and additions will be removed

by condition in the interests of maintaining a satisfactory residential environment and preserving the amenities of the adjacent neighbours who may be severely impacted by future extensions constructed under permitted development.

- 5.46 It is recognised that a representation has been received with regards to the boundary line shown on the plans. The site plan appears consistent with the location plan, and the development appears to be contained entirely within the red edge.

Infrastructure and Developer Contributions

Core Strategy Policies:

CP6 (Local infrastructure needs)

- 5.47 The Council has adopted a Community Infrastructure Levy (CIL) for certain forms of development. This does not affect the assessment of the proposed development; however the applicant has been made aware the permission is subject to CIL by virtue of the nature of the development.

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 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. Insert any relevant equality and diversity issues.
- 6.3 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.
- 6.4 As set out above it is considered that the proposed development would accord with development plan policies, and the site's proposed development will make effective and efficient use of previously developed land.
- 6.5 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.
- 6.6 Compliance with Core Strategy and Local Plan policies have been demonstrated in terms of visual impact, preserving residential amenities, parking and access, and conserving and enhancing the natural environment, however these do not represent benefits of the

scheme but rather demonstrate an absence of harm to which weight should be attributed neutrally.

- 6.7 In terms of applying paragraph 11d 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 would significantly and demonstrably outweigh the benefits of providing one additional unit.
- 6.8 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.
- 6.9 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 the proposal was considered acceptable based on the information provided at the point of submission to the Council and no amendments to the proposal was therefore sought during the course of the application.

8.0 Recommendation: Delegate the application to the Director of Planning and Environment to GRANT planning permission subject to the conditions set out in this report and the satisfactory prior completion of a Planning Obligation relating to mitigation of Burnham Beeches SAC. If the Planning Obligation cannot be completed the application be refused for such reasons as considered appropriate.

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 above ground floor level 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. 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. No development shall take place above ground floor level until a specification of all finishing materials to be used in any hard surfacing of the application site has been 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. The windows shown above ground floor level in the flank elevations of the proposed dwellings hereby approved, shall not be glazed or reglazed other than with obscure glass and shall be non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window or roof light is installed.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of residents of the adjacent properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers)

5. No further windows shall be inserted at or above first floor level in the flank elevation(s) of the dwellings hereby permitted. (SD17)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

6. The roof area of the single storey rear element of the dwellings hereby permitted shall not be used as a balcony, roof garden, sitting out area or similar amenity area without the grant of further specific permission from the Local Planning Authority. (SD11)

Reason: To preserve the privacy and amenities of the adjacent property occupiers. (Policies EP3 and H11 of the South Bucks District Local Plan (adopted March 1999) refer.)

7. Notwithstanding any indications illustrated on drawings already submitted, no development shall take place above ground level 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.)

8. 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.)

9. 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.

10. Notwithstanding the provisions of Article 3 and Classes A and B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking and/or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of or to the dwellinghouse the subject of this permission, shall be carried out.

Reason: The nature and density of the layout requires strict control over the form of any additional development which may be proposed in the interests of maintaining a satisfactory residential environment. (Policies EP3 and H9 of the South Bucks District Local Plan (adopted March 1999) refer.)

11. The development shall be implemented in accordance with the arboricultural method statement submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the method statement and that the correct materials and techniques are employed. (ST18)

Reason: To maintain the visual amenity of the area. (Policies EP4 and L10 of the South Bucks District Local Plan (adopted March 1999) refer.)

12. 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 for trees and adjacent Priority Habitat, 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.

13. 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>
13 Jan 2022	Location Plan
13 Jan 2022	05
13 Jan 2022	06
13 Jan 2022	20B
13 Jan 2022	21B
13 Jan 2022	22A
13 Jan 2022	23C

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. (SIN35).

2. 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. (SIN41)

3. 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 475679 or planning.cil.csb@buckinghamshire.gov.uk for more information.

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

APPENDIX A: Consultation Responses and Representations

Parish/Town Council Comments

04/02/22 - Strongly Object Massive structure, Dangerous road conditions as on a bend, not enough room for parking in the area proposed for cars Drainage could be a problem as the land would be over developed.

Consultation Responses

Ecology

The application is supported by a Preliminary Ecological Appraisal and Roost Assessment report (Arbtech, 11/11/2021). The site is adjacent to Priority Habitat - Deciduous Woodland and within 142m of Local Wildlife Site (LWS) 'Cut-throat Wood and Scrub'. It also lies within 5.6km of Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR) 'Burnham Beeches'. Please refer to Natural England's comments. The survey was carried out on 21st October 2021. Both the main dwelling and outbuilding were found to be well-sealed and in good condition and assessed to have negligible potential to support roosting bats owing to the lack of potential bat access features. A further activity survey is not required in this instance and bats are not a constraint to the development. However, given the mobile nature of bats that can take up residence in any building as soon as opportunities arise I would recommend that measures relating to bats are addressed in a biodiversity method statement. Biodiversity Method Statement Owing to the adjacent suitable habitat for a range of species I would recommend that a biodiversity method statement is submitted and secured via a condition to any approval granted. The statement should detail measures to take prior and during works to safeguard protected and notable species (bats, nesting birds, amphibians, reptiles, badger and hedgehog) and the adjacent Priority Habitat Deciduous Woodland and biodiversity enhancements so the development results in a biodiversity gain in line with NPPF. Biodiversity enhancements should include native planting, one integrated bat box in each dwelling (e.g. Habibat Bat Box or Schwegler 1FR/2FR Bat Tube), bird boxes, creation of log piles at the boundary of Priority Habitat and hedgehog pathways (gaps in garden fences to allow dispersal of hedgehogs). Artificial Lighting Bats may be impacted by artificial lighting as a result of the proposed development. Artificial lighting design needs to be designed in accordance with the 'Guidance Note 08/18: Bats and artificial lighting in the UK' (Institute of Lighting Professionals, 2018). Sources of lighting which can disturb bats are not limited to roadside or external security lighting, but can also include light spill via windows, permanent but sporadically operated lighting such as sports floodlighting, and in some cases car headlights. Where bat features or habitats are particularly important or sensitive it may be appropriate to avoid, redesign or limit lighting accordingly. Examples of mitigation measures include dark buffers, illuminance limits and zonation, appropriate luminaire specifications, sensitive site configuration, screening, glazing treatments, creation of alternative valuable bat habitat on site, dimming and partnight lighting. Refer to Guidance Note 08/18 by the Institute of Lighting Professionals for more details. Timing of Lighting Use Bats emerge from their roosts and start foraging at dusk (approximately 30 minutes after sunset). Impacts on bats can therefore be reduced by restricting the times at which lights can be switched on. During winter (November to March) bats are usually hibernating, so there is no restriction on lighting times. During the summer months, bats emerge later and it is likely that floodlighting, sports lighting etc will not be needed anyway. Impacts on bats are higher in the April/May and September/October time periods, when bats emerge earlier when most lighting will be on. The impact on bats is increased after mid-October when we change from British Summer Time by subtracting an hour. The table below shows recommended 'switch-off' times for lights during the active bat season:

Month	Switch-off
March	GMT 18.30; BST 19.30
April	20:30
May	21:15
June	21:45
July	21:30
August	20:45
September	19:45
October	BST 18:45; GMT 17:15

Note: the above times have been

derived by taking the average of the sunset times on the first and last days of the month, adding 30 minutes, and rounding up to the nearest 15 minutes. If any external lighting is proposed, please consult us further on the details, as external lighting should be designed appropriately to avoid having an adverse impact on bat flight lines and roosts. Legislation, Policy and Guidance Biodiversity Net Gain Paragraph 118a of the National Planning Policy Framework (NPPF) states: "Planning policies and decisions should: a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside" Paragraph 170d of the requires that: "Planning policies and decisions should contribute to and enhance the natural and local environment by ... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressure". Paragraph 175d of the NPPF states that: "When determining planning applications, local planning authorities should apply the following principles...development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity."

Highways

Thank you for your letter dated 27th January 2022 with regard to the above planning application. I note the Highway Authority has provided previous comments for this site under application number PL/21/3481/FA (erection of two semi-detached dwellings), which in a response dated 26th November 2021; the Highway Authority had no objection subject to condition. The application has since been withdrawn. Due to the similarity with the previous application, I consider that the application does not propose a material difference in highway terms and the principle of development remains the same. As such, I would like to reiterate comments made in that application which I have repeated below for clarity: "Holtspur Top Lane is an unclassified road which in this location is subject to a speed restriction of 30mph. Proposals include the demolition of the existing house and the erection of two semi-detached dwellings. In terms of trip generation, I would expect a dwelling in this location to generate in the region of 4-6 vehicular movements (two-way) per day. As this is the case, I would expect the proposals to result in an intensification in use, in the region of an additional 4-6 vehicular access (two-way) per day. As this is the case, the access arrangements serving the site will need to be assessed in order to determine its suitability to accommodate the level of vehicular movements anticipated. As Holtspur Top Lane is subject to a speed restriction of 30mph, visibility splays of 2.4m x 43m are applicable, commensurate with current Manual for Streets guidance. I can confirm that adequate visibility splays are achievable from the proposed access point. In accordance with Buckinghamshire Countywide Parking Guidance, I find that 3 parking spaces are required to serve the site. For each dwelling, I note that one garage space is included alongside two vehicle spaces on the hardstanding area. I can confirm that there is adequate room on the site for these parking spaces to be provided." Mindful of the above, I have no objection to the proposed development, subject to condition.

Natural England

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 5.6 KILOMETRES OF BURNHAM BEECHES SPECIAL AREA OF CONSERVATION (SAC) WITHIN 5.6 KILOMETRES Between 500 metres to 5.6km from Burnham Beeches SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity. This should be in line with Adopted Burnham Beeches Avoidance and Mitigation Strategy Supplementary Planning Document (SPD), which

requires proposals to; 1. Make financial contributions towards the Burnham Beeches Access Management Scheme, or any subsequent scheme which replaces this; and 2. Demonstrate that no adverse impacts on the SAC will arise as a result of additional visitors to the SAC from the development. South Bucks adopted Core Strategy's Core policy 9 Natural Environment states "where a specific development could result in significant effects on the SAC, a Project level (regulation 48) HRA will need to be carried out by the developer when the planning application is submitted to determine whether mitigation measures are required." When there is sufficient scientific uncertainty about the likely effects of the planning application under consideration, the precautionary principle is applied to fully protect the qualifying features of the European Site designated under the Habitats Directive. Due to new evidence on the impacts of recreational and urban growth at Burnham Beeches SAC carried out by Footprint Ecology in 2019, Natural England recognises that new housing within 5.6km of the internationally designated Burnham Beeches Special Area of Conservation (SAC) can be expected to result in an increase in recreation pressure. The 5.6km zone proposed within the Adopted Avoidance and Mitigation strategy SPD and evidence base carried out by Footprint Ecology represents the core area around the SAC where increases in the number of residential properties will require Habitats Regulations Assessment. Mitigation measures will be necessary to rule out adverse effects on the integrity of the SAC from the cumulative impacts of development. Impacts to the SAC as a result of increasing recreation pressure are varied and have long been a concern. These impacts, which have the potential to adversely affect its interest features, include: • Contamination (e.g. dog fouling, litter, spread of plant pathogens); • Increased fire risk; • Trampling/wear (e.g. loss of vegetation, soil compaction, erosion, damage to trees from climbing); • Harvesting (e.g. fungi, wood); • Difficulties in managing the site (e.g. maintaining the grazing regime); • Disturbance (e.g. affecting the distribution of livestock and deer). In light of the new evidence relating to the recreation impact zone of influence, planning authorities must apply the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, to housing development within 5.6km of the SAC boundary. The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SAC. Development in accordance with the adopted South Bucks Core Strategy's Core policy 9 and Adopted Avoidance and Mitigation Strategy SPD would not be likely to have a significant effect on the SAC because they will provide, or make an appropriate contribution to, acceptable avoidance and mitigation measures. The planning authority can grant planning permission to such developments in accordance with the Regulations. However, development proposals which are not in accordance with the above would be likely to have a significant effect on the SAC, either alone or in combination with other plans and projects. In accordance with Regulation 61, before granting planning permission for such a proposal, the planning authority must undertake an appropriate assessment of the implications of the development on the SAC, in light of the site's conservation objectives. The conservation objectives are to maintain and, where not in favourable condition, to restore, the Atlantic acidophilous beech forest habitat. Consequently, it is Natural England's view that the planning authority will not be able to ascertain that this proposed development as it is currently submitted would not adversely affect the integrity of the SAC. In combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat by reason of increased access to the site including access for general recreation and dog-walking. There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the tests of Regulation 62. Priority habitats and species The site is adjacent to deciduous woodland priority habitat. Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website

or as Local Wildlife Sites. List of priority habitats and species can be found here. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here.

Tree Officer

For application 16/01908/FUL I commented " There are no current tree constraints at the above property. A number of trees have been removed situated to the front of the property. To the rear there is a line of cypress trees along the boundary fence and a group of fruit trees on the lawn area. I have no objection in arboricultural terms and if permission is granted I recommend the following planning conditions ST04, ST12". The submitted tree report is helpful as well as street view imagery, May 2021. I have no objection in arboricultural terms and if planning permission is permitted I suggest planning condition ST18.

Waste

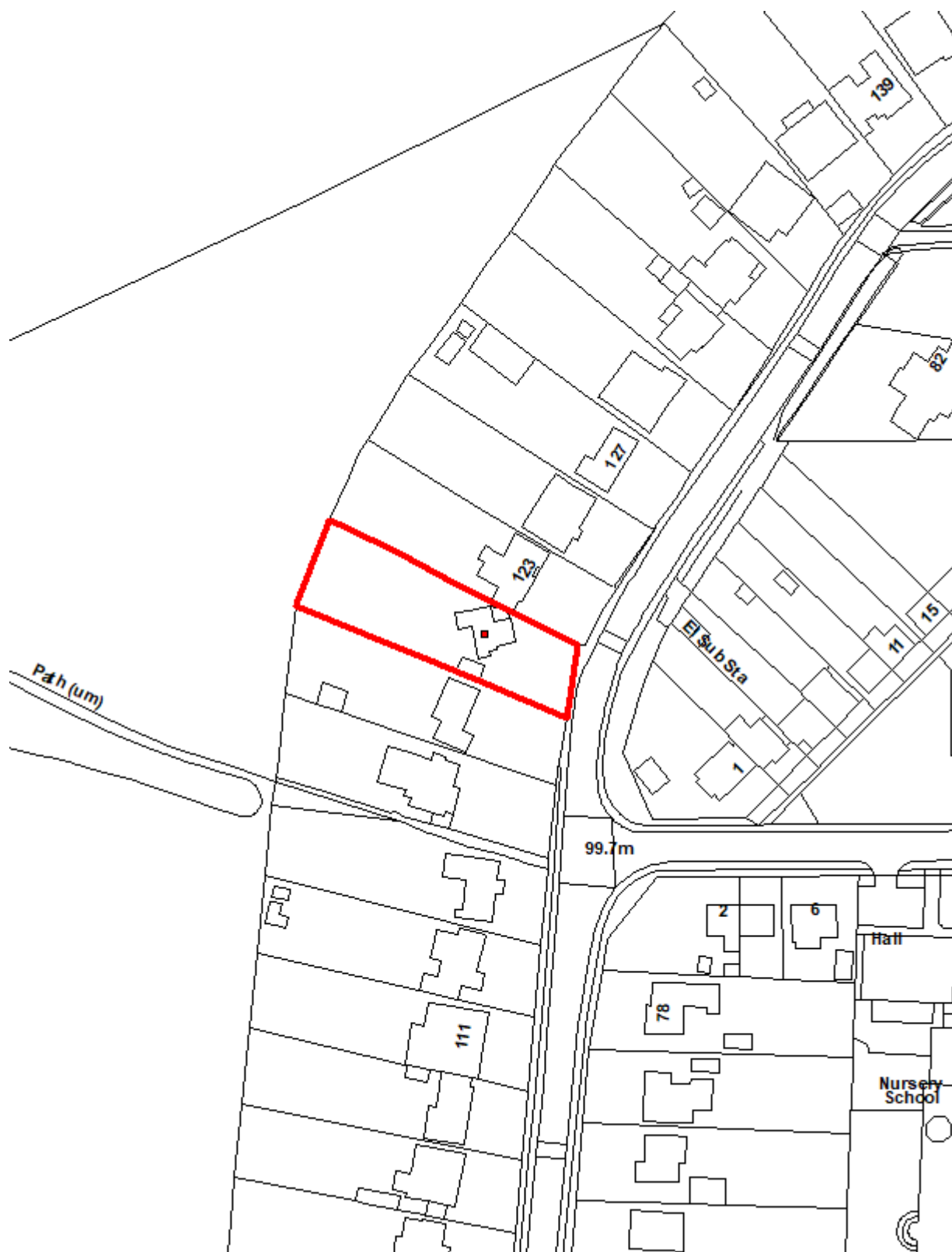
I have looked at the plans and due consideration has been given to waste management/bin provision aspects of the proposal for 2 properties. A dedicated bin store is included to provision for standard suite of containers with keypad access, this will need to be provided to us in order to pass onto Veolia. Therefore, Waste services have no objections towards the proposal for waste and recycling provisions at property. The property developer is required to complete a 'Request Waste Assessment for New Development'. This form should be completed at least 6 weeks prior to the first date of occupation. This allows time for invoice to be raised and containers for recycling to be ordered and delivered ready in time for the new occupants. Residents to present their waste and recycling at the property boundary. All collections to take place in accordance with Council policies.

Representations

21 letters of objection were received including objections from the Beaconsfield and Chiltern Societies, summarised as follows:

- Overdevelopment due to the proposed scale and increase in density
- Impact upon the street scene and design considered out of keeping with surrounding character
- Lack of parking provision during the building phase which could lead to danger to users of the highway
- Increase in traffic generation
- Proposed access would be impractical due to steep slope and lack of manoeuvrability
- Impact upon wildlife
- Site is designated as a 'sensitive settlement edge' within the Beaconsfield Character Analysis,
- Noise and light would impact neighbouring amenities
- Overlooking, overbearing and loss of light for occupiers of neighbouring dwellings
- Lack of privacy for occupants of the proposed dwelling
- Impact upon Burnham Beeches SAC
- Impact upon Green Belt
- Reference also made to impact of the proposed development at No.123
- Incorrect boundary line
- Flooding
- Due to changes in land levels fencing would not be sufficient

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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