



## West Buckinghamshire Area Planning Committee agenda

Date: Wednesday 24 August 2022

Time: 6.30 pm

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

### Membership:

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

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**1 Apologies for Absence**

**2 Declarations of Interest**

To receive any disclosure of disclosable pecuniary interests by Members relating to items on the agenda. If any Member is uncertain as to whether an interest should be disclosed, he or she is asked if possible to contact the Monitoring Officer prior to the meeting.

Members are reminded that if they are declaring an interest they should state the nature of that interest whether or not they are required to withdraw from the meeting.

**3 Minutes of the Last Meeting**

**3 - 4**

To note the minutes of the meeting held on 27 July 2022.

**Planning Applications**

**4 21/07006/REM - Slate Meadow, Stratford Drive, Wooburn Green, Buckinghamshire**

**5 - 70**

**5 21/06864/OUT - Highbury Works and 12 & 13 Inkerman Drive, Inkerman Drive, Hazlemere, Buckinghamshire**

**71 - 102**

**6 22/05429/FUL - 106 Roberts Ride, Hazlemere, Buckinghamshire, HP15 7AN**

**103 - 114**

**7 Date and Time of Next Meeting**

Wednesday 28 September at 6.30pm.

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

To confirm members' availability to undertake site visits on Tuesday 27 September 2022 if required.

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

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



## West Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the West Buckinghamshire Area Planning Committee held on Wednesday 27 July 2022 in High Wycombe Council Chamber, Queen Victoria Road, High Wycombe, HP11 1BB, commencing at 6.30 pm and concluding at 7.18 pm.

### Members present

A Alam, M Ayub, D Johncock, N Marshall, C Oliver, S Raja, M Turner and K Wood

### Others in attendance

K Asif, T Coppock, L Hornby, P Nixon, C Power and J Sabatini

### Apologies

A Baughan, P Turner and S Wilson

### Agenda Item

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

There were none.

#### **2 Minutes of the Last Meetings**

The Minutes of the meetings held on 18 May 2022 and 8 June 2022 were agreed as an accurate record.

#### **3 22/05481/FUL - Hedgerows, Studridge Lane, Speen, Buckinghamshire, HP27 0SA**

Householder application for construction of two storey rear extension, first floor front extension, roof extension and replacement and raising of the eaves to create first floor living accommodation incorporating 5 dormer windows, fenestration changes and rendering of dwelling.

Members voted in favour of the motion to approve the application subject to amending the Conditions so that all materials to be used be submitted to the Authority for approval.

Speaking on behalf of the PC: Cllr Roger Craft on behalf of Lacey Green Parish Council

Speaking in objection: Mr David Vale

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

**Resolved: that the application be approved subject to the amendment of Conditions so that all materials to be used be submitted to the Authority for approval.**

- 4      22/05761/FUL - 37-38 High Street, High Wycombe, Buckinghamshire, HP11 2AG**  
Installation of replacement door at rear and replacement windows to first floor front elevation and associated access changes.

Members voted in favour of the motion to approve the application. However, the committee expressed disappointment that works had commenced on site prior to it being determined considering the application was a Buckinghamshire Council application.

**It was proposed by Councillor N Marshall and seconded by Councillor C Oliver**

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

- 5      DEFERRED PRIOR TO THE MEETING. 22/06088/FUL - Garage Site, Deanfield Close, Marlow, Buckinghamshire**

This application was deferred from the agenda prior to the meeting.

- 6      Date and Time of Next Meeting**

Wednesday 24 August 2022 at 6.30pm.

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

**Resolved:** that in the event it was necessary to arrange site visits on Tuesday 23 August 2022 in respect of the agenda for the meeting to be held on Wednesday 24 August 2022, the following Members be invited to attend:

Councillors: D Johncock, C Oliver, M Turner and K Wood



## Report to West Area Planning Committee

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<b>Application Number:</b>	21/07006/REM
<b>Proposal:</b>	Reserved matters application for approval of access, appearance, landscaping, layout, scale and associated works including proposed Village Green scheme pursuant to outline planning permission 18/05597/OUT
<b>Site Location:</b>	Slate Meadow Stratford Drive Wooburn Green Buckinghamshire
<b>Applicant:</b>	Croudace Homes
<b>Case Officer:</b>	Declan Cleary
<b>Ward(s) affected:</b>	The Wooburns, Bourne End, and Hedsor
<b>Parish-Town Council:</b>	Wooburn and Bourne End
<b>Date valid application received:</b>	08/07/2021
<b>Statutory determination date:</b>	07/10/2021
<b>Recommendation</b>	<p>That the application is delegated to the Director of Planning and Environment for Approval subject to:</p> <ol style="list-style-type: none"><li>1) The completion of a signed Unilateral Undertaking or Deed of Variation to original Legal Agreement to secure:  Burnham Beeches Special Area of Conservation mitigation comprising financial contributions towards either:<ol style="list-style-type: none"><li>i) Recreational and/or accessibility improvements at Little Marlow Lakes Country Park, in accordance with measures set out in any future scheme for LMLCP that would provide equivalent mitigation to the SAMMS for the same contribution; or,</li><li>ii) the Burnham Beeches SAMMS, should other options not be forthcoming and/or feasible by the time the site is ready for residential occupation;</li></ol></li><li>2) The removal of the objection from the Environment Agency on flood risk grounds, or if significant changes to the layout are necessary, then the application will be returned to Committee for further consideration;</li></ol>

- 3) Any further conditions/measures necessary arising from the EA; and,
- 4) The referral to the Secretary of State
  - a. if an objection on flooding grounds is maintained by the EA
  - b. for their determination as to whether the application should be called in (in accordance with the third party call-in request received),

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

- 1.1 This application was heard at West Area Planning Committee on 8<sup>th</sup> June 2022, where members of the Committee decided to defer the application to consider further details regard the Burnham Beeches SAC, design, scale and layout, flooding and drainage, ecology matters, and highways and parking considerations.
- 1.2 The application is being reported to Planning Committee as the application has been called in by Cllr Wilson for the reasons set out in the original committee report.
- 1.3 The original Committee Report from 8<sup>th</sup> June 2022 is contained in Appendix C, and update report at Appendix D, and this report is an addendum to these original documents. This report comments on the matters for which the application was deferred, as set out in paragraph 1.1 above, and covers any further developments since last considered at Committee. It is not considered necessary to repeat the description of development, planning history, or areas of consideration which were not disputed or queried at Committee.
- 1.4 Matters of first principle have been established under the outline consent, which has been supported by a Legal Agreement to deliver the necessary obligations required to make the development acceptable. The principle of an access off Stratford Drive has been established as has the impact on the highway network associated with the quantum of development.
- 1.5 It is considered that the proposed development is acceptable in terms of the layout, scale, appearance, access and landscaping, and that the proposals would not give rise to material harm to warrant a refusal of the reserved matters.
- 1.6 With regard to mitigation towards the Burnham Beeches SAC, the applicants have confirmed that they would SAMMS which can be secured by Legal Agreement. Furthermore, the outstanding information required from the EA with regard to post development modelling for flood plain compensation has been submitted, and confirmation from the Environment Agency is awaited.
- 1.7 It should also be noted that the Secretary of State has received a request to consider whether to call the application in for determination. Therefore, in the event of a resolution to approve as recommended the application will need to be referred to the Department for Levelling Up, Housing and Communities.
- 1.8 Officers remain of the opinion that the applications are wholly acceptable and in accordance with the Development Plan when considered as a whole, and that the recommendation remains one of an approval subject to conditions and entering into a legal agreement to secure Burnham Beeches SAC mitigation.

## **2.0 Policy Considerations and Evaluation**

### **Transport matters and parking**

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth); CP12 (Climate change); DM33 (Managing Carbon Emissions: Transport and Energy Generation); BE.1 (Slate Meadow, Bourne End and Wooburn); DM35 (Placemaking and Design Quality)

DSA: DM2 (Transport requirements of development sites)

Interim Guidance on the Application of Parking Standards

Buckinghamshire Countywide Parking Guidance

Slate Meadow Development Brief (March 2018)

### **Access/Highway Safety**

- 2.1 The principle of residential development on this site, for up to 150 dwellings, with access from Stratford Drive is established through the outline consent and Development Plan policy. It is not possible to revisit points of first principle in this regard. Policy BE.1 is clear that the main vehicular access shall be from Stratford Drive, and to limit vehicle access from Eastern Drive and Frank Lunnon Close, while no direct vehicular access shall be from the A4094.
- 2.2 Policy BE.1 of the WDLP, at criteria e) i, states that contributions should be sought towards measures along the A4094 to ensure the routes resilience, and at e) iii, to upgrade the pedestrian crossing east of Stratford Drive to a signal controlled crossing, if appropriate. The outline application was supported by a robust Transport Assessment, as appropriate, which confirmed that there would be no technical justification for off-site Highways improvements along the A4094. These conclusions were agreed and accepted by the Local Highway Authority and who have reaffirmed that it is not possible or necessary to revisit this matter.
- 2.3 It is acknowledged that the Wycombe District Local Plan was adopted on 19<sup>th</sup> August 2019, which is after the outline consent was granted. Following initial consideration of the outline application on 22<sup>nd</sup> August 2018 where a resolution to approve was made, the outline planning application was reported back to Committee on 26<sup>th</sup> June 2019, just 2 months prior to the adoption of the WDLP. The Committee report confirms that given the advanced stage of the Plan its policies can be afforded greater weight in determining the application. There were no proposed modifications to the Policy at that time, with it being confirmed that considerable weight can be afforded to Policy BE.1 at that time. The outline consent was therefore considered in the context of this Policy, and the other policies of the WDLP.

### **Internal Layout Matters and Parking**

- 2.4 Policy BE.1 at criterion 2f) states that development of the site will be required to “provide for school travel improvements through the provision of additional, unallocated, on-street parking on site”. This is reflected in condition 19 of the outline consent which requires the delivery of “on street parking facilities within the site and in close proximity to St Paul’s C of E Combined School”. Neither the policy nor the condition require a dedicated off street parking area for the school, nor do they specify that spaces should be for the sole use of the school. The requirements set out are to deliver unallocated parking facilities within the development, on street.

- 2.5 Buckinghamshire Countywide Parking Guidance identifies the site as being located within Zone B. Based on the scheme proposed the optimum parking for the development would be to deliver a total of 280 allocated parking spaces plus an additional 20% visitor parking spaces (56 spaces), and therefore an overall provision of 336 spaces. The scheme proposes a total of 365 parking spaces to serve the development, of which 57 would be unallocated visitor parking spaces.
- 2.6 Of the on street parking spaces, there would be a total of 33 on street spaces which would be within 200m of the school. 200m is considered to be an acceptable walking distance and which equates to a walk time of approximately 2minutes. The spaces and their proximity to the school is demonstrated within the image below (green spaces with yellow dot).



- 2.7 The Highways Authority have reviewed the developments parking provision and consider that the over provision of allocated parking spaces will reduce the demand for the proposed existing parking spaces, and as such more of the unallocated spaces should be available for use for visitors of the school during drop off and pick up. To ensure that there is no additional pressure for on street parking from the development itself, it is considered that it would be reasonable to attach a condition to ensure that the proposed garages should remain for parking use and remove any permitted development rights for their conversion.
- 2.8 Concern has been raised with regard to the roads remaining private and therefore the availability of the spaces could not be retained, and remaining available for school drop off/pick up use, in perpetuity should the residents decide to gate their estate. The applicants have explored options to address this concern.
- 2.9 The applicants have liaised with the Highways Authority to discuss what changes to the scheme would be required for the Highways Authority to adopt the main estate roads. The necessary required alterations would have knock on implications, most critically



any changes would result in a reduction in on street parking spaces and also result in the loss of on street planting. The impact of which would result in a scheme which would not provide the necessary additional on street parking provision which would be available for school use. Additionally, the amendments would also reduce the overall design quality of the development through the provision of a more engineered street design and the loss of on street trees. There could be further impact on delivery of canopy cover through the site. It has therefore been concluded, and agreed with the Local Planning Authority and Highways Authority, that the scheme should remain unadopted for these reasons set out.

- 2.10 While the risks of the access from Stratford Drive being gated off is extremely unlikely, an appropriate solution to address the concern would be to attach a condition to any Reserved Matters requiring that vehicular/pedestrian access from Stratford Drive remain open and that no barriers or means of enclosure be erected. Such a condition is considered to satisfy the required tests and would ensure that unallocated on street parking remains available. Furthermore, the condition will ensure that the Council retain control over the development in this regard.
- 2.11 The applicants have also confirmed that they would provide a sustainable travel brochure for all future occupants of the development which would detail matters with regard to links and connections (to the wider PROW network) and they intend to detail matters relating to parking in this document.
- 2.12 It is considered that the matters relating to highways and parking have been adequately addressed and, as conditioned, the development would comply with Development Plan.

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

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth); CP9 (Sense of place); BE1 (Slate Meadow, Bourne End); DM32 (Landscape character and Settlement Patterns); DM34 (Delivering Green Infrastructure and Biodiversity in Development); DM35 (Placemaking and Design Quality)

DSA: DM11 (Green networks and infrastructure),

DM16 (Open space in new development)

Residential Design Guide

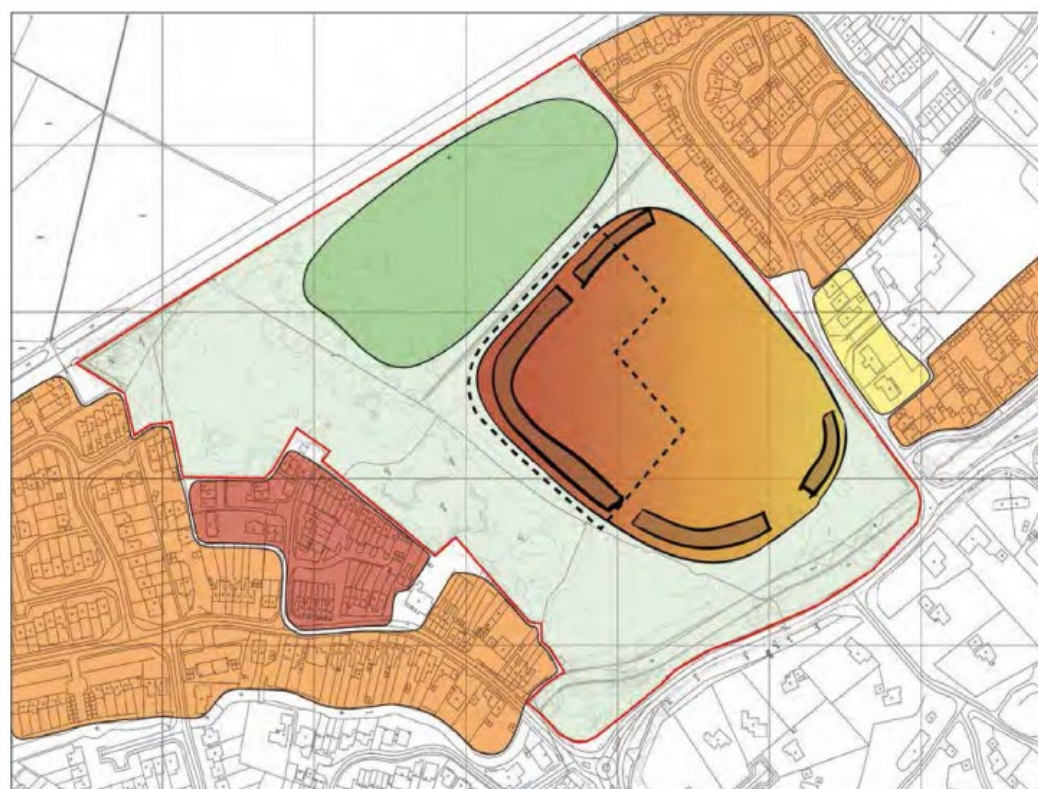
Slate Meadow Development Brief

- 2.13 This is a reserved matters application which considers matters of detail, the key considerations with regard to place making and design are the matters relating to layout, appearance and scale. Concerns were raised with regard to the scale/heights and layout of the proposed development particularly with regard to the location of apartment blocks, and also concerns relating to views through the proposals.
- 2.14 The application proposals have not been amended following committee, however this report provides further clarification on the points raised.

### **Scale, density and heights**

- 2.15 The Development Brief confirms that the development has the potential to provide for 2.5 and 3 storey developments. Development Brief Figure 4.5, below, shows the indicative areas where higher density development and heights may be appropriate confirming these as being within the centre and northern third. Also, below is a plan detailing the scale of the buildings within the proposed development. The plan demonstrates that the scale of the development would be predominantly 2 storey with

elements of 2.5 storey which would be provided to the centre and northern parts of the development platform and this is wholly consistent with the aspirations of the Development Brief.



KEY

Figure 4.5 Density and Heights framework plan



Figure 4.5 Extract from Development Brief



*Indication of heights within the proposed development.*

- 2.16 Concern was raised with regard to the location of the proposed apartment block where they front the village green and within the centre of the development. As set out above the location of the 2.5storey units is consistent with the requirements of the brief, while Objective 11 confirms that the scale of buildings shall be predominantly 2 storey and “rising up to 3 storeys to the north overlooking the village green. Elsewhere taller buildings may be acceptable in key locations to emphasise important spaces or features”. The apartment blocks in this instance overlook the village green to the north and also the central area of open space within the site.
- 2.17 The proposed retained open space to the north and west of the development is significant and as such it is important that this area is fronted by buildings of appropriate scale to ensure the spaces are framed and that the development relates satisfactorily with these areas, hence the commentary within the Development Brief. This is an established principle of good place making, and consistent with other development approved in the Wycombe District including Abbey Barn South which has a large open space framed by the taller apartment blocks of the development. Again, the central area of open space is a design feature of the development and it is appropriate to ensure that this space is framed and overlooked by buildings of an appropriate scale and design.
- 2.18 Development Brief Figure 4.5 also demonstrates that there are a mix of densities within the surrounding area which includes elements of 60dph to the west and a small area of lower density (up to 20dph) to the east of the site on the eastern side of Stratford Drive. The development proposals as submitted include lower density development fronting Stratford Drive and the River Wye, and higher density development in the centre and northern parts of the development platform which, as set out above, respond to areas of open space.
- 2.19 Further concern was raised with regard to the heights of the development in the context of adjacent properties. As set out above the development is predominantly 2 storey in scale which is reflective of the scale of properties within the surrounding area, including those on Stratford Drive which would back on to the development. The dwellings which are within the immediate context of these units would be 2 storey in height.
- 2.20 Additional sectional details have been provided which show properties on Stratford Drive in the context of the proposed development (see below). This information demonstrates that the heights of the proposed development would not be out of context with their immediate surroundings.



- 2.21 No.21 Stratford Drive has a ridge height of 40.82AOD, while the nearest property would have a ridge height of 41.046AOD, this is inclusive of any required changes in land levels. The ridge height difference between these properties would be 22.6cm which would be imperceptible. Other two storey properties within this section would have ridge heights of between 41.117 and 41.338AOD which is considered to be appropriate. Furthermore, these represent the maximum height of the dwellings and



many of these properties have lower elements which breaks up the mass and provide interest within the streetscene.

- 2.22 The 2.5 storey apartment blocks are sited some distance away from the existing dwellings with 2 storey properties in between. While their heights would be greater, due to their proximity and siting, these would not result in any over dominance of existing properties. The provision of such development, in the locations proposed, is identified as being acceptable within the adopted Development Brief.

#### Layout

- 2.23 Concern was raised with regard to views through the site of the hills beyond. This is in the context of Policy BE.1 4 a) which states that development should retain views up to the valley sides to the north and south, both from within the site and from outside the site across/through the developed areas within it. Objective 11 of the Development Brief expands on this further and states that modelling work should demonstrate from external view-points the “retention of views from the river bank over roofs to the hills beyond” (emphasis added) and internally that “as much as possible streets should be aligned to allow views along them” to the village green and hills.
- 2.24 The modelling work carried out demonstrates that views can be retained through the development from the River Wye, over the roof tops of the development as suggested by the Development Brief.



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Slate Meadow, Bourne End

Landscape Views

- 2.25 Furthermore, principal streets within the development are aligned so that they allow for the retention of views towards the hills to the north and south. It is considered that the development is compliant with Policy BE.1 and the Development Brief in this regard.
- 2.26 Comment was made that the indicative layout considered at the outline application showed a greater degree of views through the development than that proposed at Reserved Matters stage. It is important to note that the indicative layout only showed

the block form of the development and did not go into detail to factor in important matters such as appropriate parking, spacing distances and amenity spaces for the dwellings which would clearly affect the overall layout.

- 2.27 If an unbroken view through the development, which is not specifically cited as required, is provided then this would have further consequences on the overall design quality of the development. Consent has been granted for up to 150 dwellings, to provide an unbroken view without any intervening development would be at the expense of the overall design quality of the development. It would result a requirement for more space to be dedicated to achieve the view, and therefore a more intensive development including more apartment blocks to deliver the consented quantum of development. An appropriate balance needs to be struck between all competing elements. Your officers are of the opinion that the development achieves this and delivers a high quality design which is compliant with the Policies of the Development Plan, the Development Brief and advice advocated by the NPPF.

### **Flooding and drainage**

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth); CP12 (Climate Change); DM39 (Managing Flood Risk and Sustainable Drainage Systems); BE1 (Slate Meadow, Bourne End and Wooburn)

#### **Flood Risk**

- 2.28 At the deferred committee it was reported that comments from the EA were awaited and, unfortunately, the further comments from the EA still remain outstanding. Since the June committee the LPA have reaffirmed to the EA that their outstanding concern with regard to Flood Risk can be dealt with by way of existing conditions on the outline consent which require the submission of a flood compensation scheme as a pre-commencement necessity.
- 2.29 Nonetheless, the recommendation remains one which is conditional on the EA confirming removal of their objection on flooding grounds and for the application being referred back to committee should they maintain their objection and/or the development requiring significant amendment to address their concerns.

#### *Drainage Scheme*

- 2.30 Concern had been raised by the Parish Council with regard to the adequacy of the drainage solution of the development. As confirmed previously, there are conditions attached to the outline consent (namely 10 and 11) which requires the submission of a surface water drainage scheme as a pre-commencement condition. Condition 10 specifically requires, inter alia, information with regard to water quality, ground investigations, ground water level monitoring, construction details and layouts, calculations to demonstrate the drainage can be contained on site, and proposed overland flow routes, some of which are directly related to the substance of the concerns raised. The detail therefore ought not be considered under this Reserved Matters application and are to be dealt with under the approval of detail reserved by condition application, which is reflected in the LLFA comments.

- 2.31 Notwithstanding the above, it has since been confirmed by the applicants that the use of private roads, rather than an adoptable highway, within the development means that further improvements to the drainage strategy could be incorporated, including, the use of infiltration; the use of porous sub-bases; the removal of the attenuation basin; and, the removal of piping, manholes and storage tank; and the removal of the head wall to the River Wye.

### **Green networks and infrastructure, biodiversity and ecology**

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth); CP9 (Sense of Place); CP10 (Green infrastructure and the Natural Environment); DM34 (Delivering Green Infrastructure and Biodiversity in Development); BE1 (Slate Meadow)

DSA: DM11 (Green networks and infrastructure); DM13 (Conservation and enhancements of sites, habitats and species of biodiversity and geodiversity importance); DM14 (Biodiversity in Development)

Slate Meadow Development Brief

Impact on Burnham Beeches Special Area of Conservation (SAC)

- 2.32 Strong concerns were raised by local Members with regard to the proposed SAC mitigation being directed towards the Burnham Beeches SAMMS project, and that any mitigation ought to be directed more locally with specific reference made to provide contributions towards improvements at the Little Marlow Lakes County Park (LMLCP).
- 2.33 To direct any financial contributions towards LMLCP there needs to be a scheme in place to which the development could contribute and demonstrate appropriate mitigation. At this time there remains no scheme of improvements, with the exception of the suite of improvements set out in the Hollands Farm (BE.2) Development Brief. It is a policy requirement that the Hollands Farm development contributes towards that scheme and delivers the majority of the enhancements set out, including all of the high priority measures.
- 2.34 Policy RUR.4 relates specifically to Little Marlow Lakes Country Park and allocates the land for outdoor recreation. The justification to that policy acknowledges that improvements to the park could offset the impacts of proposed housing growth at Bourne End on the Burnham Beeches SAC and s.106 contributions will be sought from BE1 to invest in the park.
- 2.35 Policy RUR4 also requires development to provide safe, convenient and direct access to Bourne End for pedestrians, cyclists and disabled users. This is supplemented by paragraph 5.5.30 which cites providing the opportunity to create new access for walkers, cyclists and disabled users, and links to the wider highway network, and to secure easy access to residents of Bourne End.
- 2.36 It remains the position that the impact on the SAC could be satisfactorily dealt with by way of contributions towards the SAMMS project, and therefore the adverse impacts on the SAC would be mitigated. However, the applicants have confirmed that they are open to the requisite financial contributions being directed towards improvements to enhance the Little Marlow Lakes as a destination and/or improvements to the network from Bourne End to increase its accessibility and attractiveness for residents of the development and Bourne End.

- 2.37 As set out above there remains no ratified scheme or specific projects to which financial contributions can be directed at this time. However, there is some flexibility in as much as the contribution need not be allocated to a project until the site is ready for occupation so a lead time can be written into a legal agreement to allow such a scheme to be developed. Should the projects not progress in that time then any legal agreement would require the monies to be directed towards the SAMMS project. Ensuring that the impacts on the SAC are appropriately mitigated.
- 2.38 It remains that the development provides a significant over provision of public open space, while financial contributions towards improvements of the public right of way network are already secured through the outline legal agreement. Both of these elements contribute towards mitigation.
- 2.39 A financial contribution towards the Little Marlow Lakes project and/or further access improvements, in line with the SAMMS amount, would need to be equivalent in terms of the impact the project had upon the Burnham Beeches SAC for it to be acceptable mitigation. Provided the mitigation was equivalent for the same contribution then there would be no detriment to the SAC or the developer irrespective of which project the contribution was put towards. Your officers are of the opinion that an additional contribution as a package of mitigation would be CIL compliant. The conclusion is that the impacts on the SAC would be mitigated for and no adverse impacts would arise.

#### Biodiversity proposals

- 2.40 As confirmed in the update Committee Report in Appendix C, the application proposals were reassessed by the Councils Ecology Officer following comments made by the Environment Agency with regard to the impact on the River Wye habitat and protected species. A robust suite of conditions have been suggested to address the comments. With regard to protected species and habitats, the conditions would require updated water vole surveys to be carried out, a further assessment of the river bank habitat, along with any necessary mitigation measures, and also an updated scheme of river enhancements. It should also be noted that a surface water drainage scheme which did not propose an outlet into the River Wye would also reduce the perceived impact on the River Wye. Furthermore, conditions relating to the details of an Ecological Clerk of Works have also been suggested. The ECoW would supervise and monitor any works carried out within the River Wye buffer zone to ensure that the development is being appropriately carried out in the interest of its habitat value.
- 2.41 It is also noted that there were also concerns raised with regard to effectiveness of the seasonal wetlands, and whether they would be sufficient to act as an ecological asset. It must be noted firstly that the requirement for these basins are to ensure appropriate flood plain compensation first and foremost, and as such they would be multi-functional features of the development. Notwithstanding this, the additional conditions require full details of these features to be provided to ensure that they would be effective for all purposes, this would be a belt and braces approach to the matter.

#### Net Gain

- 2.42 Concern was raised that the proposed biodiversity metric used to calculate biodiversity net gain is outdated. Best practice guidance confirms that if a project is done with a previous metric then it is not recommended that this is changed mid project due to the potential for discrepancies. The Development Plan does not set a target for how much

net gain should be delivered. The Environment Act, which is not yet in force, indicates that a 10% net gain ought to be delivered. In this instance, the Biodiversity Metric shows a habitat net gain of 20.25%, and hedgerow net gain of 677.83%.

- 2.43 As set out above, the application proposals demonstrate a significant level of biodiversity net gain enhancement on-site which is above and beyond the requirements of current Development Plan policies and emerging Central Government targets.

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

- 2.44 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.

- 2.45 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

- 2.46 As set out above, and within the earlier reports, it is considered that the proposed development would accord with the development plan policies and would bring with it the benefits established through the outline consent.

- 2.47 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.

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

- 3.1 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

- 3.2 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.

- 3.3 In this instance:

- The applicant was provided with pre-application advice.
- The applicant was provided the opportunity to submit amendments to the scheme/address issues and the LPA has worked collaboratively with the applicant to find solutions
- The case was considered by the planning committee where the applicant had the opportunity to answer representations.



**Recommendation: That the application is delegated to the Director of Planning and Environment for Approval subject to:**

- 1) The completion of a signed Unilateral Undertaking or Deed of Variation to original Legal Agreement to secure:
  - b) Burnham Beeches Special Area of Conservation mitigation comprising financial contributions towards either:
    - i) Recreational and/or accessibility improvements at Little Marlow Lakes Country Park, in accordance with measures set out in any future scheme for LMLCP that would provide equivalent mitigation to the SAMMS for the same contribution; or,
    - ii) the Burnham Beeches SAMMS, should other options not be forthcoming and/or feasible by the time the site is ready for residential occupation;
- 5) The removal of the objection from the Environment Agency on flood risk grounds, or if significant changes to the layout are necessary, then the application will be returned to Committee for further consideration;
- 6) Any further conditions/measures necessary arising from the EA; and,
- 7) The referral to the Secretary of State
  - a. if an objection on flooding grounds is maintained by the EA
  - b. for their determination as to whether the application should be called in (in accordance with the third party call-in request received), and,

Subject to the following condition(s):

1. The development hereby approved shall be carried out in strict accordance with the plans detailed within the document titled Planning Application Register (prepared by Croudace Homes - dated 5<sup>th</sup> August 2022), received on 5<sup>th</sup> August 2022.  
Reason: In the interests of clarity and to secure the satisfactory layout, scale, appearance, access and landscaping of the development.
2. Notwithstanding the details submitted with the application, prior to any works commencing within the 10m river buffer area, the following shall occur, in sequential order, details of which shall be submitted for the approval, in writing, by the LPA:
  - Updated water vole surveys will be undertaken of both banks of the river through the site, and an assessment of the suitability of habitat within 100m of the site up and down stream;
  - Updated proposals and designs for river enhancements shall be developed to include at least a 50% increase in river enhancement (this can include both river bank enhancement and in river enhancements). The proposals shall be led by ecologists, landscape architects and coordinated with engineers, to the approval of the Local Planning Authority;
  - Where any element cannot be achieved for technical reasons, then full detailed justification shall be provided by the engineers for submission to the Local Planning Authority;
  - Updated water vole mitigation (including the timing and phasing or works) and enhancement details;
  - Details of the timing and delivery of all measures; and,
  - If necessary, a licence shall be sought and received from Natural England, prior to commencement.

Works shall then proceed in strict accordance with approved details, unless otherwise agreed by the Local Planning Authority.

Reason: To ensure that impacts upon water vole are mitigated against and enhancements are delivered.

3. Notwithstanding the details contained within the application, prior to any works within the strategic open space corridor, updated details (including plans and sections) of the seasonal wetland areas shall be submitted to and approved in writing by the Local Planning Authority.

The submitted details shall:

- Be led by ecologists, landscape architects and coordinated with engineers, to ensure that proposals are multi-functional, aesthetically pleasing, provide good habitat value and meet drainage/flooding requirements;
- Include natural undulations and not have uniform slopes;
- Be presented using contoured plans and sections; and
- Include details of the timing and delivery of such works.

Where any element cannot be achieved for technical reasons, then full detailed justification shall be provided by the engineers for submission to the Local Planning Authority.

The development shall be carried out in strict accordance with the approved details unless otherwise agreed by the Local Planning Authority.

Reason: To ensure that seasonal wetland areas are fully multifunctional.

4. Notwithstanding the details submitted with the application, prior to the commencement of any works within the red zones, as identified by the Biodiversity Protection Zones Plan (Contained within Appendix 4 of the Construction Environmental Management Plan: Biodiversity, prepared by SES, dated 20<sup>th</sup> December 2021), the following shall be submitted to, and approved in writing by, the LPA:

- Details of the appointed Ecological Clerk of Works (ECoW).
- Details of the power of the ECoW to control the works.
- A schedule when supervisory works will occur,
- Agreed number and approximate frequency of monitoring visits, and
- A commitment to submit produce and submit short reports to the council after each visit.

Reason: To ensure the works on site relating to ecology are appropriately supervised, monitored and subsequently reported back to the LPA.

5. Notwithstanding the details contained within the application, prior to first occupation, the ECoW shall sequentially:

- Undertake an audit of ecological mitigation compensation and enhancement measures.
- produce a snag list of any outstanding issues
- Re-inspect any items on the snag list once they have been resolved and certify that they have been addressed.

Full details of all monitoring and supervisory reports, the aforementioned audit report, snag list and certification, shall be submitted to the LPA prior to first occupation. The reports shall be held on public record.

Reason: To ensure the works on site relating to ecology are appropriately supervised, monitored and recorded by the LPA.

6. Prior to their construction, details of the construction of the estate roads and footways shall be submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and no dwelling shall be occupied until the estate roads which provide access to it from the existing highway have been laid out and constructed in accordance with the approved details.  
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.
7. Prior to the construction of the new means of access, details of the disposal of surface water from the highway shall be approved in writing by the Planning Authority in consultation with the Highway Authority and no dwelling shall be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details.  
Reason: To minimise danger and inconvenience to highway users.
8. Prior to first occupation, the new means of access serving the site's estate roads shall be sited and laid out in accordance with the approved drawing and constructed in accordance with the Buckinghamshire Council guide note "Commercial Vehicular Access within the Public Highway".  
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.
9. Plots 1 – 2 & 138 – 140 shall not be occupied until the new means of access serving these plots have been sited and laid out in accordance with the approved drawing and constructed in accordance with the Buckinghamshire Council guide note "Private Vehicular Access within the Public Highway".  
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.
10. Plots 141 to 143 shall not be occupied until such a time as the area for refuse vehicles to turn, in accordance with the approved plans, has been laid out and that area shall not thereafter be used for any other purpose.  
Reason: To enable vehicles to draw off and turn clear of the highway thereby avoiding the need to reverse excessive distances.
11. 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, unless otherwise agreed in writing, 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.
12. Prior to the commencement of any works on the site, a Construction Traffic Management Plan detailing the management of construction traffic (including vehicle types, frequency of visits, expected daily time frames, use of a banksman, on-site loading/unloading arrangements and parking of site operatives vehicles) shall be submitted and approved in writing by the Planning Authority in consultation with the Highway Authority. Thereafter, the development shall be carried out in accordance with such approved management plan.

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

13. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 2015, as amended, the garages hereby approved shall be retained for the purpose of the storage of a private motor vehicle and at no time shall be converted to habitable accommodation.

Reason: To ensure that the development is served by an appropriate level of parking including unallocated on street parking which is required to be available for use by the nearby school for drop off and pick up.

14. The vehicular and pedestrian access from Stratford Drive to the development hereby approved shall be kept open and free for passage at all times and no form of barrier or means of enclosure shall be erected across the site access, without the prior written approval of the Local Planning Authority.

Reason: To maintain access and to comply with the terms of provisions of Policy BE1 (Slate Meadow) of the adopted Local Plan with regard to the provision and access of on street parking for the purposes of use by the nearby school for drop off and pick up.

## APPENDIX A: 20/07006/REM

### Additional Consultation Responses and Representations

**Buckinghamshire Council – Local Highways Authority** - I have the following comments to make regarding the school parking as well as a better breakdown of how the site's parking requirement was assessed to try and address any Councillor concerns.

Policy BE1 of the Wycombe Local Plan states:

Development of the site will be required to:

Provide for school travel improvements through the provision of additional, unallocated, on-street parking on site, including any necessary alterations to Stratford Drive to facilitate pedestrians crossing from the development to the school and back.

The most recent plans demonstrate that the site would provide 57(no) visitor parking bays of which 51(no) are 'on-street'. Having scaled from the plans, 33(no) of the on-street visitor bays would be located within a 200m walking distance of the schools gates or a 2 minute walk.

The site resides within Residential Zone B (as identified by the Buckinghamshire Countywide Parking Guidance policy document), with the text highlighted for the standards for that particular zone:

**Table 5. Residential car parking standards (above 10 dwellings)**

Zone	1-4 habitable rooms <sup>1</sup> / 1 bedroom	5 habitable rooms <sup>1</sup> / 2 bedrooms	6 habitable rooms <sup>1</sup> / 3 bedrooms	7 habitable rooms <sup>1</sup> / 4 bedrooms	8+ habitable rooms <sup>1</sup> / 5 bedrooms
A	1	1.5	2	2	2.5
B	1.5	2	2	2.5	3
C	1.5	2	2.5	3	3.5

When assessing the level of habitable rooms featured within each plot, the site has a total parking requirement of 280 plus an additional 20% for unallocated visitor parking which in this case would be 56(no) spaces. The site is providing a total of 313 allocated parking bays although when assessing the application, the garage spaces for plots 20 – 21, 110 – 115, 121 – 122, 125 – 126 and 136 – 137 (total of 15(no) plots) were not considered as parking spaces because the parking arrangement demonstrated a tandem of 3(no) spaces in a row. The Highway Authority do not generally consider parking 3(no) or more vehicles in a tandem arrangement to be practical and therefore tandem arrangements are only considered suitable to park two vehicles. Tandem parking spaces are often under-utilised by households with two or more cars in regular use. The space located furthest from the estate's carriageway would require two vehicles to move to allow for access/egress. The space located furthest from the carriageway is not considered functional and is likely to result in vehicles parking on the public highway.

This has not been raised as a concern previously because all the dwellings with tandem parking for three vehicles feature 6(no) habitable rooms and therefore only require 2(no) spaces. Rather than requesting that the third space was removed, it was considered beneficial for the garages to remain for storage purposes including for the storage of bicycles.

A total of 298(no) of the allocated parking spaces were considered practical and counted towards the sites allocated parking requirement. This is 18(no) spaces above the sites actual requirement when assessed using the BCPG. The over provision is as a result of a significant number of the plots which require half spaces having their respective provision rounded up.

In consideration that the site is providing an over provision of allocated parking spaces, future residents would be less reliant on on-street visitor parking bays. Therefore, more bays should be available for during school pick-up and drop-off periods.

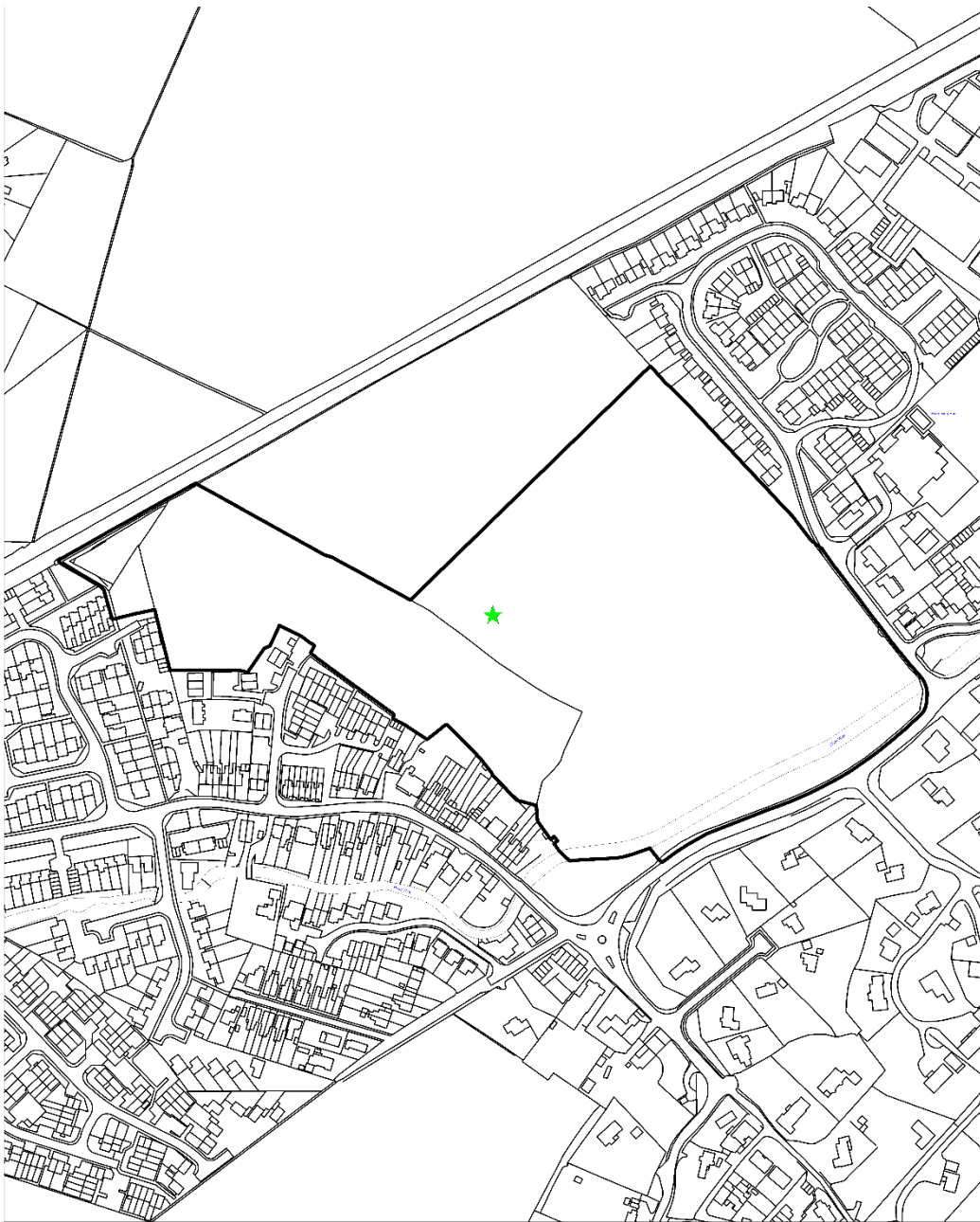
### Representations

One further letter of representation objecting to the development on the following grounds:

- Volume of traffic too much for local highway network
- Pedestrian safety issues
- River Wye is a rare chalk based river and should not be interfered with
- Houses too high will result in overlooking, overshadowing and loss of privacy

**APPENDIX B: Site Location Plan**

21/07006/REM  
Scale 1/3500



Planning Committee  
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Ordnance Survey 100062456

**APPENDIX C: Original Committee Report (08<sup>th</sup> June 2022)**

**APPENDIX D: Update Report to Committee (08<sup>th</sup> June 2022)**





## **APPENDIX C - Report to West Area Planning Committee 08/06/22**

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<b>Application Number:</b>	21/07006/REM
<b>Proposal:</b>	Reserved matters application for approval of access, appearance, landscaping, layout, scale and associated works including proposed Village Green scheme pursuant to outline planning permission 18/05597/OUT
<b>Site Location:</b>	Slate Meadow, Stratford Drive, Wooburn Green, Buckinghamshire
<b>Applicant:</b>	Croudace Homes
<b>Case Officer:</b>	Declan Cleary
<b>Ward(s) affected:</b>	The Wooburns, Bourne End, and Hedsor
<b>Parish-Town Council:</b>	Wooburn and Bourne End
<b>Date valid application received:</b>	08/07/2021
<b>Statutory determination date:</b>	07/10/2021
<b>Recommendation</b>	<p>That the application is delegated to the Director of Planning and Environment for APPROVAL subject to:</p> <ul style="list-style-type: none"><li>• confirmation that matters relating to the recreational pressures on Burnham Beeches SAC have been addressed, in agreement with Natural England, and the subsequent completion of a signed Unilateral Undertaking and/or Deed of Variation to secure payments towards the Burnham Beeches SAMMS;</li><li>• that the submitted flood plain modelling is satisfactory, in agreement with the Environment Agency;</li><li>• any conditions/measures necessary; and,</li><li>• the subsequent deferral to the Secretary of State for their determination as to whether the application should be called in</li></ul>

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

- 1.1 Land at Slate Meadow is identified for development within the adopted Local Plan under WDLP Policy BE1. Outline consent has been granted for up to 150 dwellings under planning permission 18/05597/OUT. The principle of residential development on this site has been established and the reserved matters application is in accordance with the parameters set out through the outline consent.
- 1.2 This application is being reported to Planning Committee as the application has been called in by Cllr Wilson stating *“As a Ward Councillor, I want to call in this Reserved Matters Planning Application given the material significance of this site to the communities of Wooburn and Bourne End. There is significant interest in the Reserved Matters from Buckinghamshire Councillors, the Parish Council, community groups and residents. Matters of access (with a primary school in close proximity) and a busy road junction at peak times, appearance, landscaping, layout and the Village Green have been held back from the original outline planning application and merit discussion at planning committee rather than a delegated decision”*, and also by Cllr Drayton, stating *“As a County Councillor for the ward of The Wooburns, Bourne End and Hedsor, I would like to call this application in”*.
- 1.3 Matters of first principle have been established under the outline consent, which has been supported by a Legal Agreement to deliver the necessary obligations required to make the development acceptable. The principle of an access off Stratford Drive has been established as has the impact on the highway network associated with the quantum of development.
- 1.4 It is considered that the proposed development is acceptable in terms of the layout, scale, appearance, access and landscaping, and that the proposals would not give rise to material harm to warrant a refusal of the reserved matters.
- 1.5 There remain outstanding considerations with regard to the impact on the Burnham Beeches SAC, however an approach has been agreed with Natural England for money to contribute towards the Burnham Beeches SAMMS which can be secured by Legal Agreement. Furthermore, the outstanding information required from the EA with regard to post development modelling for flood plain compensation has been submitted, and confirmation from the Environment Agency is awaited.
- 1.6 It should also be noted that the Secretary of State has received a request to consider whether to call the application in for determination. Therefore, in the event of a resolution to approve as recommended the application will need to be referred to the Department for Levelling Up, Housing and Communities.

## **2.0 Description of Proposed Development**

- 2.1 The application site comprises a greenfield site which is located within the settlement boundary for Bourne End and Wooburn. The site is allocated within the Wycombe District Local Plan for housing development, under Policy BE.1.
- 2.2 The site represents an undeveloped parcel of land between the two settlements with residential development to the east and west. The River Wye runs through the site to the south, beyond which is the A4094. To the north is the open countryside, which is designated as Green Belt. The site is located within a valley with hills to the north and south. There are no significant land level differences within the site itself which is generally flat.

- 2.3 Due to its proximity to the River Wye, part of the site is located within Flood Zones 2 and 3, although the majority of the site (where development is proposed) is located within Flood Zone 1. The site has close connections to the public right of way network located to the north within the countryside. Land identified as a village green is located at the north eastern part of the site, falling outside of the application boundary.
- 2.4 Outline consent was granted for the construction of up to 150 dwellings, under planning permission 18/05597/OUT which was considered to be acceptable under the Development Plan framework at that time, subject to conditions and a legal agreement.
- 2.5 This application relates to the reserved matters pursuant to that outline consent and considers solely the design details of the proposal, seeking approval for the layout, scale, appearance, access and landscape of the development. The outline consent sets the parameters and principles for development and establishes where development can be located and the extent of open space to be provided.
- 2.6 This proposal is for the construction of 146 dwellings, comprising a mix of 1 bed, 2 bed, 3 bed and 4 bed properties which would be provided through a mix of apartments, terraced, semi-detached and detached dwellings. The dwellings are laid out in a perimeter block form with properties fronting onto the areas of open space and river Wye corridor. The development would be a mix of 2 storey and 2 ½ storey development.
- 2.7 The site would be accessed from Stratford Drive, as established through the outline consent, and includes a primary route through the site, with secondary roads branching from the principal corridor. Parking would be provided through a mix of allocated on site parking for individual properties and parking courtyards to serve the apartments. The scheme also includes unallocated parking within the streets which would serve a dual purpose with parking for the adjacent school.
- 2.8 A significant area of public open space will be provided to the west of the site maintaining a separation between the two settlements. This open space would provide SuD's and flood plain compensation elements, and also includes significant landscaping, recreational and biodiversity enhancements, along with pedestrian/cycle routes connecting to the adjacent communities and wider Public Rights of Way (PROW) network. Open space is provided within the development, including a central area and view corridor from the south which would incorporate an element of SUDs.
- 2.9 The site would be accessed from Stratford Drive to the east, which is the indicative means of access which was considered to be acceptable under the outline consent and in accordance with the Development Plan and Development Brief.
- 2.10 The application is accompanied by:
- a) Planning Application Forms (including ownership certificates);
  - b) CIL Forms;
  - c) Site Location Plan (ref: 18086 – S101);
  - d) Full set of architectural drawings
  - e) Planning Statement
  - f) Design and Access Statement
  - g) Supporting Statements (including Affordable Housing Statement, Sustainability Statement and Transport Statement)

- h) Ecological Appraisal (including BIA)
- i) Ecology – wildlife checklist
- j) Addendum Flood Risk Assessment
- k) Landscape Masterplan
- l) Sustainable Urban Drainage System Strategy
- m) Canopy Calculator
- n) Arboricultural Method Statement
- o) Construction Environmental Management Plan
- p) Landscape and Ecological Management Plan
- q) Shadow Habitats Regulations Assessment

### **3.0 Relevant Planning History**

- 3.1 18/05597/OUT - Outline application (all matters reserved) for the development of up to 150 dwellings (including affordable homes), accessed off Stratford Drive, together with ancillary infrastructure including the provision of public open space, parking and circulation facilities and the management and protection of the water and ecological environments – Approved – 27/06/19
- 3.2 90/05423/OUT - Residential development with new vehicular access – Refused – 09/05/90

### **4.0 Summary of Representations section ahead of the considerations**

- 4.1 The application was subject to the relevant consultation, notification and publicity. An initial round of consultation was undertaken in July/August 2021.
- 4.2 In response to the consultation 17 representations of objection from the local community were received, in addition to 2 letters from residents groups.
- 4.3 The most frequently mentioned concerns/benefits are summarised at Appendix A of the Committee Report.
- 4.4 All representations received from statutory consultees, non-statutory consultees and other interested individuals, groups and organisations are also set out in Appendix A of the Committee Report

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

#### **Planning policy framework**

- 5.1 In considering the application, regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 In this case the site is allocated for development by Policy BE1 of the adopted Wycombe District Local Plan. There are other development plan policies that are also relevant. The policy framework will be set out below.

## **Principle (Housing)**

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development); CP2 (Overall Spatial Strategy); CP3 (Settlement Strategy); CP4 (Delivering Homes); DM21 (The location of new housing); DM33 (Managing Carbon Emissions, Transport and Energy Generation); BE.1 (Slate Meadow, Bourne End and Wooburn)

Wycombe District Adopted Delivery and Site Allocations Plan (July 2013): DM1 (Presumption in favour of sustainable development)

Supplementary Planning Documents – Slate Meadow Development Brief (March 2018)

- 5.3 The site is allocated for housing under Policy BE.1 of the Wycombe District Local Plan (WDLP). Outline planning permission was granted for the construction of up to 150 dwellings under planning permission 18/05597/OUT. This is a reserved matters application submitted pursuant to the grant of that outline planning permission.
- 5.4 The reserved matters application proposes a total of 146 dwellings which is compliant with the outline consent in terms of quantum of development proposed. It is not necessary therefore to revisit whether the principle of residential development on this site is acceptable. Additionally, it is pertinent to note here that the principle of an access off Stratford Drive has been established under the outline consent as this is embedded within the description of development.
- 5.5 This application therefore seeks to determine whether the matters of detail of the proposals, insofar as they relate to scale, appearance, layout, access and landscaping are acceptable. It is also necessary to consider whether the proposals comply with any relevant conditions attached to the outline consent.

## **Affordable Housing and Housing Mix**

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

- 5.6 The delivery of affordable housing has been secured under the outline consent through its accompanying s.106 legal agreement. The permission ensures that no less than 40% of the bedspaces to be provided within the development shall be affordable housing.
- 5.7 There has been a change in policy since the outline consent was granted. Policy DM24 requires that developments should deliver 48% of its total units as affordable housing. However, the legal agreement confirms that affordable housing ought to be determined in accordance with the policies and standards which were in effect at the time the legal agreement was dated. Therefore it is necessary to consider the total bedspaces proposed rather than total units.
- 5.8 The number of bedspaces proposed within the scheme would comply with the terms of the outline consent.
- 5.9 With regard to tenure of affordable housing, the Legal Agreement requires that no less than 70% of the affordable housing shall be Affordable Rented, while the remainder (no more than 30%) shall be shared ownership. The proposed scheme includes a total of 68

affordable units, of which 48 (70.6%) would be rented, and 20 (29.4%) shared ownership. The proposals therefore comply with the legal agreement.

- 5.10 The mix of affordable units would comprise 15 x no. 1-bed Apartments (12 rented) 28 x no. 2-bed Apartments (19 rented) 4 x no. 2-bed Houses (2 rented) 17 x no. 3-bed Houses (11 rented), and 4 x no. 4-bed Houses (4 rented), which proposes a good mix of affordable units within the scheme.
- 5.11 With regard to housing mix generally, the scheme proposes a good mix of 1, 2, 3 and 4 bedroom units which is compliant with the aspirations of Policy DM22.
- 5.12 The proposed scheme in terms of affordable housing delivery and housing mix is considered to be acceptable and in accordance with the outline consent and accompanying legal agreement.

### **Transport matters and parking**

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth); CP12 (Climate change); DM33 (Managing Carbon Emissions: Transport and Energy Generation); BE.1 (Slate Meadow, Bourne End and Wooburn); DM35 (Placemaking and Design Quality)

DSA: DM2 (Transport requirements of development sites)

Interim Guidance on the Application of Parking Standards

Buckinghamshire Countywide Parking Guidance

Slate Meadow Development Brief (March 2018)

#### *Access*

- 5.13 The principle of residential development on this site, for up to 150 dwellings, with access from Stratford Drive is established through the outline consent and Development Plan policy. It is not possible to revisit points of first principle in this regard. Policy BE.1 is clear that main vehicular access shall be from Stratford Drive, and to limit vehicle access from Eastern Drive and Frank Lunnon Close, while no direct vehicular access shall be from the A4094.
- 5.14 The proposed access point from Stratford Drive is similar to that indicatively indicated in the outline consent while additional accesses for 5 properties would be provided from Stratford Drive. All points of access can achieve the requisite visibility splays of 2.4m x 43m onto the public highway. The Highways Authority are therefore satisfied that safe access to the site can be achieved.
- 5.15 The scheme includes details of a raised table which would be provided on Stratford Road at the site entrance, this would extend to the entrance to St Pauls C of E Combined School. The details include a pedestrian crossing through the use of tactile paving on the pavements. The Highways Authority are satisfied that these details are acceptable.
- 5.16 Concerns have been raised locally with regard to the capacity of the road network to accommodate the development, and the cumulative impacts from Hollands Farm. While the concerns are noted as stated above it is not possible to revisit points of first principle under a reserved matters application. In considering the outline consent the Highways Authority were satisfied that quantum of development could be accommodated satisfactorily into the highway network.

### *Internal Layout*

- 5.17 The main spine road through the site has been designed to be of appropriate width and include pavements on either side. The wider scheme includes a mix of shared surfaces. BC Highways had raised some concern with regard to the absence of footways in certain locations across the development and also concerns regarding accessibility for refuse vehicles. However, following discussions and relevant amendments to the scheme, these concerns have been satisfactorily addressed.
- 5.18 Highways have raised one outstanding matter with regard to the manoeuvrability of larger vehicles within the cul-de-sac serving Plots 141-145. Amended details have been received, which demonstrate turning provision to serve these units and comments from the Highways Authority are awaited. Elsewhere, the application has been accompanied by refuse tracking details and the Highway Authority are satisfied that such vehicles can manoeuvre safely through the development as designed.
- 5.19 The LPA is satisfied that parking spaces can be accessed and egressed safely without causing harm to highway safety or conflict with other road uses.

### *Parking*

- 5.20 Buckinghamshire Countywide Parking Guidance identifies the site as being located within Zone B. The scheme proposes a total of 365 parking spaces to serve the development, of which 57 would be unallocated visitor parking spaces.
- 5.21 BC Highways have reviewed the overall parking provision and are satisfied that the development would deliver an appropriate level of parking to serve each dwelling. Further, the Highways Authority are satisfied that the size of both off street allocated parking, and on-street allocated parking is in accordance with the required dimensions.
- 5.22 Policy BE1 requires the provision of school travel improvements through additional, unallocated, on-street parking on the site. This requirement is also a condition on the outline consent. The scheme proposes numerous on street parking spaces which are to be unallocated, which would serve as a function to assist with school travel. The on street parking proposed are all within acceptable walking distance from the school and would meet the necessary requirements of the policy and walking distances. It should be noted, that it would not be possible to provide further spaces closer to the junction with Stratford Drive due to vehicular/pedestrian safety.

### *Sustainable travel*

- 5.23 The legal agreement to the outline consent includes obligations for the development to deliver cycleway and PROW improvement contributions towards localised improvements to the existing network, including footpaths WOO/17/1 and WOO/20/2. Further the scheme proposes the necessary connections, through the site, which connect to the wider PROW network and adjoining communities which complies with the requirements of Policy BE1. Furthermore, the scheme will deliver cycle storage facilities for occupants of the development, the delivery of these are secured by the outline consent. The proposals therefore deliver the necessary and appropriate connections and facilities to encourage walking and cycling as a viable alternative to the use of the private motor car.
- 5.24 With regard to bus travel there is a planning obligation for the outline consent to provide financial contributions towards Real Time Passenger Information at bus stops in the area.

- 5.25 Finally, there remains a requirement under condition of the outline consent for the development to deliver electric vehicle charging points in all dedicated parking on the site.
- 5.26 The scheme therefore encourages sustainable travel and meets the objectives of reducing emissions from travel.
- 5.27 The layout and access of the proposals are therefore considered to be acceptable in respect of highways matters.

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

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth); CP9 (Sense of place); BE1 (Slate Meadow, Bourne End); DM32 (Landscape character and Settlement Patterns); DM34 (Delivering Green Infrastructure and Biodiversity in Development); DM35 (Placemaking and Design Quality)  
 DSA: DM11 (Green networks and infrastructure),  
 DM16 (Open space in new development)  
 Residential Design Guide  
 Slate Meadow Development Brief

- 5.28 This is a reserved matters application which considers matters of detail, the key considerations with regard to place making and design are the matters relating to layout, appearance and scale. Considerations relating to landscaping are considered in more detail later in this report.
- 5.29 Policy BE1, with regards to place making sets out two requirements, to retain an undeveloped area between Bourne End and Wooburn; and to retain the village green. Further requirements, under landscape, require the retention of views up the valley sides to the north and south, and to provide a layout, scale and appearance of the development that minimises the impact on views down from the valley sides. A Development Brief has also been produced to inform development on this site.

#### *Layout*

- 5.30 The proposed layout, in terms of developable area has been dictated by the outline consent and the requirement to achieve adequate open space on the site. A significant corridor is retained to the west of the site which maintains the separation between Bourne End and Wooburn. Furthermore, the village green is retained as required. Both these elements are secured through the legal agreement attached to the outline consent.
- 5.31 The development makes effective use of perimeter blocks which results in developments which satisfactorily addresses the river Wye corridor, open space and existing development along Stratford Drive. The pattern and mix of development, and the use of apartment buildings at focal points is considered to be acceptable.
- 5.32 A key consideration in the evolution of the site layout has been requirement to achieve potential views through the site to the hillsides beyond. There are vistas from within the development which allow for views of the hills beyond, along the proposed road networks. While views from the north towards the southern hills can also be achieved along the corridors created by the roads and over the rooftops. The creation of a view from beyond the site to the south had been more problematic to achieve, given the



quantum of development proposed. However, discussions between the applicant and LPA have sought to secure a wider corridor from the south which would penetrate through to the central area of open space. This would open up a corridor within the development platform and allow for vistas through the site and to the landscape beyond. It is considered that the proposals are acceptable in this regard.

- 5.33 Initial plans showed the central area to be dominated by a SUD's feature, this would have lessened the effectiveness of this area as a focal point within the development. This has subsequently been removed and relocated to within the southern view corridor. A more meaningful area of open space has now been provided within the development.
- 5.34 The proposals have been assessed in terms of the impact upon heritage assets and their setting, and it is not considered that the development would unduly impact any heritage asset as a result of the detail submitted in this application, as confirmed by the Heritage Officer. Matters relating to archaeology are reserved by conditions on the outline consent.

#### *Scale*

- 5.35 The proposed development is predominantly two storey with some elements of 2 ½ storey. Representations have been received which state that these are 3 storey developments and that they are out of character with the surrounding development (being predominantly 2 storey).
- 5.36 There is no condition attached to the outline consent which restricts the scale of the development, and the inclusion of 2.5 or 3 storey developments is not considered unacceptable as a matter of principle. Indeed the Development Brief states that the proposals should be predominantly 2 storey with the potential for occasional 2.5 and 3 storey elements. The proposed development is predominantly 2 storey in scale, while 2.5/3 storey elements are provided within the development. These are predominantly concentrated in key locations such as adjacent to the central open space, or fronting onto the wider open space. These therefore provide focal points within the development and are considered to be acceptable.

#### *Appearance*

- 5.37 The development proposes a variety of building designs, types and forms. The scheme includes different character areas within the development, such as the main spine road, the open space and river frontages, and mews areas. Additionally, the scheme includes a mixed palette of materials. The appearance of the development helps to add interest within the scheme and is considered to be of acceptable.

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

Wycombe District Local Plan (August 2019): CP9 (Sense of Place); DM35 (Placemaking and Design Quality); DM40 (Internal space standards)  
Residential Design Guide  
Slate Meadow Development Brief

- 5.38 The development will safeguard the amenity of neighbouring properties and provide an appropriate living environment for new occupiers in accordance with development plan policy and guidance.

- 5.39 The development will provide private, attractive, usable and conveniently located private amenity space of an appropriate size for each new home. Houses will be provided with private garden space, while apartments will be provided with either a ground level patio garden area or balcony.
- 5.40 The scheme will not result in adverse impacts on the amenities of neighbouring properties because:-
- A 25m back to back distance is achievable with existing homes on Stratford Drive.
  - Boundary screening will be achieved by the retention and enhancement of existing boundary landscaping.
  - The perimeter block layout will ensure that existing gardens back onto new gardens thereby making it difficult for outside intruders to access back gardens.
  - The scale of the properties is appropriate to ensure that there would be no adverse overbearing or overlooking issues.
- 5.41 The layout of the new development has been designed to broadly comply with the Council's normal development standards in order to provide an adequate degree of amenity for the future residents of the proposal. There are a small number of internal back to back relationships which are marginally below the spacing standard, however in the context of the scale of scheme, and for the purposes of achieving good design, the spacing between the dwellings is considered to be acceptable.

#### **Environmental issues**

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

- 5.42 Matters relating to air quality, contamination, servicing, and noise disturbance, were considered at outline stage and the proposals were deemed to be acceptable on these points, subject to conditions attached to the outline consent where appropriate.

#### **Flooding and drainage**

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth); CP12 (Climate Change); DM39 (Managing Flood Risk and Sustainable Drainage Systems); BE1 (Slate Meadow, Bourne End and Wooburn)

##### *Flood Risk*

- 5.43 The application site includes land which is located within Flood Zones 2 and 3, which is acknowledged within Policy BE1 and considered through the outline consent. The requirement to ensure that the development is safe from flooding has dictated the development platform secured through the outline consent.
- 5.44 The outline consent includes a condition which dictates the finished floor level of any perceived vulnerable properties within the development, and limits the extent of built development. These are mandatory requirements that any development has to satisfy and the submitted detail shows adherence to this.

- 5.45 The outline consent also requires the submission of flood plain modelling to be submitted with the Reserved Matters for layout, which should include an addendum to the overarching FRA.
- 5.46 The initial Environment Agency comments raised concern with regard to the submitted documentation and the level of detail provided in terms of flood plain modelling, the effectiveness of the floodplain compensation scheme, and levels within the development. As such, the EA requested the submission of a revised FRA which had not been submitted to support the application.
- 5.47 An addendum FRA has since been provided and the EA were reconsulted. The submitted information included outstanding information required by the EA and suggests that the development can be carried out without causing risk to future occupants, or contribute towards additional risk elsewhere. However, a further significantly delayed response from the EA identified that there remained some outstanding information relating to flood plain modelling. This detail has been produced and has subsequently been referred to the EA again for their urgent consideration.
- 5.48 It should be noted that a further condition requires the submission of a floodplain compensation scheme prior to the commencement of development. Therefore, it is not necessary for this element of the proposal to be considered or agreed at this time. Notwithstanding this, the scheme submitted includes two areas of floodplain compensation, which would alleviate the loss of floodplain arising from any raising of land levels.

#### *Drainage Scheme*

- 5.49 The application has been supported by a drainage strategy which broadly reflects the layout submitted. The LLFA have considered the submitted information and observed that some detail is outstanding. Notwithstanding this, they have confirmed that the matters can be dealt with by way of the submission of details pursuant to conditions 10 and 11 attached to the outline consent.
- 5.50 A legal agreement relating to sustainable drainage systems (SuDs) management and maintenance has been secured at Outline stage.

#### **Green networks and infrastructure, biodiversity and ecology**

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth); CP9 (Sense of Place); CP10 (Green infrastructure and the Natural Environment); DM34 (Delivering Green Infrastructure and Biodiversity in Development); BE1 (Slate Meadow) DSA: DM11 (Green networks and infrastructure); DM13 (Conservation and enhancements of sites, habitats and species of biodiversity and geodiversity importance); DM14 (Biodiversity in Development)

Slate Meadow Development Brief

#### *Impact on Burnham Beeches Special Area of Conservation (SAC)*

- 5.51 Natural England have raised objection to the Reserved Matters application on the basis that the development proposals do not satisfactorily mitigate the additional recreational pressures which would arise on the Burnham Beeches SAC.
- 5.52 By way of background, both the WDLP and the Slate Meadow Development Brief acknowledge that residential development at the application site would, sans mitigation, result in an adverse impact on Burnham Beeches SAC. Both acknowledge

that the provision of open space at the application, above and beyond the policy requirements set out in Policy DM16 would be necessary to provide an alternative to the SAC and therefore reduce any recreational pressures.

- 5.53 The evidence base to the preparation of the Development Plan included a Habitats Regulations Assessment Report (dated January 2019) was carried out prior to the granting of outline planning permission. This considered the impacts that Local Plan would have on sites of international importance, including the Burnham Beeches SAC. Again, this identified that Slate Meadow would have an impact on the SAC through recreational pressures which ought to be mitigated as the site fell within 5km of the SAC (based on Visitor Survey evidence from 2014). That Heritage Regulations Assessment (HRA) considered that the provision of on site open space would be sufficient to mitigate the pressures on the SAC. It was observed that the site is surrounded by a good network of rural Public Rights Of Way (PROW) which the proposals should connect to. Under the preparation of that HRA, Natural England (NE) were consulted based on the strategy outlined within the Local Plan HRA. Based on the mitigation agreed NE confirmed that they were satisfied that the Local Plan will not have significant impacts to any European protected sites. The mitigation strategy within the HRA therefore informed the Local Plan Policy.
- 5.54 The Outline consent was granted after NE acknowledged the strategy towards the SAC within the HRA and (at that time) emerging Local Plan. In considering that application it was acknowledged that the development would impact upon the SAC and that the overprovision of open space, as proposed, would mitigate the recreational pressures. This assessment was in line with the HRA to the Local Plan. Consequently, the open space provision has been secured and fixed through Legal Agreement.
- 5.55 As set out above, in considering this Reserved Matters application, NE have maintained an objection to the proposals on the basis of the impact on the SAC.
- 5.56 Following discussions between the applicant, Council and Natural England it has been agreed in principle that a contribution towards the Burnham Beeches SAMMS as detailed by the Buckinghamshire Council Burnham Beeches SAC SAMMS SPD (which forms part of the Development Plan for Chiltern and South Bucks) could be secured and this would mitigate the potential recreational pressures arising from the development. This would amount to a payment of £295,485.02 arising from the scheme of 146 dwellings. The applicant has confirmed that they will make payments towards the mitigation strategy, to be secured through legal agreement, and the LPA are awaiting formal confirmation from Natural England of removing their objection.
- 5.57 In addition, with regard to the proposals submitted with this reserved matters application, the scheme includes the quantum of open space which is consistent with that which has been secured under the Legal Agreement for the outline planning permission. The scheme includes a network of routes through the open space which will connect to the wider PROW and as such providing an appropriate alternative green space, and access to the countryside, which clearly act as a recreational facility which would serve the occupants of the development and also the wider community.

#### *Biodiversity proposals*

- 5.58 The application has been supported by the necessary surveys and reports which consider the impacts upon protected species and/or their habitats. The updated information indicates that there are some protected species on the site including water

vole, reptiles, badgers and bats. The proposals include mitigation measures which the Ecology Officer consider to be acceptable. The amended Construction Environmental Management Plan sets out clearly how species and habitats will be protected through the construction process. The zoning of the site enhances the interpretation of how different areas of the site will be dealt with and should help ensure harm does not occur. Consequently, the Ecology Officer has raised no objection to the development in this regard which satisfies the requirements of ecological conditions attached to the outline consent.

- 5.59 The submitted plans and documents demonstrate a 10m buffer from the River Wye, as required by condition. The detail includes the necessary landscaping and ecological enhancements within the buffer zone. The zone is largely clear from built form. It is noted that there is some minor incursion of footpaths into this zone, however revised plans have been submitted which remove the footpath from the buffer which would address the EA concerns in this respect.
- 5.60 While concerns raised by the Environment Agency with regard to the impact upon protected species, particularly Water Voles, no concerns have been raised by the LPA's Ecology Officer. The re-profiling of the river banks is required in order to provide enhancements to the River Corridor. One water vole burrow has been identified within the bank which is to be re-profiled. The submitted CEMP confirms that before any works are carried out further water vole surveys will be undertaken to ensure that all burrows have been identified and mapped. If required a Natural England licence will be obtained in order to conduct water vole displacement works and such works, if necessary, would be in accordance with Natural England licensing requirements. There remains other habitat within the site which would be suitable for water vole which the species could disperse to. Through displacement, it is considered that the works would not have a detrimental impact upon the species or its population.
- 5.61 Details of the lighting layout have been provided and further details of these have been provided within the CEMP and Mitigation and Enhancement Strategy. The Ecology Officer is satisfied that these details are well designed from a biodiversity perspective, while a condition remains on the outline consent which controls the installation of further lighting.
- 5.62 The Environment Agency (EA) have also raised concern with regard to the design of the seasonal wetlands and that these should be designed to have multiple benefits and variety in profiling. These engineering works are required initially due to floodplain compensation requirements and their design ultimately needs to strike an appropriate balance between ensuring they are fit for purpose from a flooding perspective and any biodiversity or recreational function. It is considered that the proposals provide for an appropriate balance between these factors.
- 5.63 The EA acknowledge the river enhancements which have been presented to date. However, they have suggested that a more comprehensive scheme for in channel enhancements is required to introduce variations in flow. While these comments are noted, again, a balance ought to be struck between ensuring that matters of flood risk are not compromised as a result of works to the river itself. The applicant's specialists have identified that such works may have implications on channel capacity which is why such measures have not been incorporated and this approach appears to be reasonable to the LPA. In addition the proposed depth of the marginal shelf, at 150mm to 200mm, is considered to be acceptable.

### *Net Gain*

- 5.64 With regard to net gain the submitted Biodiversity Metric shows a habitat net gain of 20.25%, and hedgerow net gain of 677.83%. The scheme shows a good mix of habitats to be provided which would integrate well into the site. The Ecology Officer is satisfied that the calculations seem reasonable and that the development proposals would deliver a measurable net gain in biodiversity, on site. Furthermore, the submitted LEMP sets out how the onsite habitats will be managed to ensure that the predicted values will be achieved.
- 5.65 The EA have suggested that a River Condition Assessment ought to be carried out to inform biodiversity net gain. While this comment is noted, condition 9 attached to the outline consent, states that the reserved matters application (for landscaping) should include a biodiversity impact assessment and enhancement statement in line with the Warwickshire Metric (or Buckinghamshire if available). The condition and the Warwickshire Metric does not require such an assessment and such requirements is above and beyond the outline consent.
- 5.66 As set out above, the application proposals demonstrate a significant level of biodiversity net gain enhancement on-site which is above and beyond the requirements of current Development Plan policies.

### *Trees and canopy cover*

- 5.67 The development would accord with policy DM34 in that it would achieve a future canopy cover of at least 25% across the site area. The submitted documentation demonstrates that 28% future canopy cover could be achieved. This has been reviewed by the LPA's Tree Officer who has confirmed that the proposed tree provision across the site is acceptable. Additionally noting that the tree cover within the development itself would present a sylvan character for the development.
- 5.68 The submitted arboricultural method statement is also deemed to be acceptable in terms of the protection of retained trees.
- 5.69 The proposed layout and landscaping of the site is deemed to be acceptable in terms of biodiversity and green infrastructure.

### **Building sustainability and climate change**

Wycombe District Local Plan (August 2019):  
DM33 (Managing Carbon Emissions: Transport and Energy Generation),  
Air Quality SPD

- 5.70 These matters have been considered at outline stage under the policy context at that time. It is not possible to revisit points of principle in this regard. However, the applicants have acknowledged that should the development not satisfy Building Regulations through fabric efficiency alone then they would look to incorporate PV panels into the development.

## **Public open space**

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth); DSA: DM16 (Open space in new development); DM19 (Infrastructure and delivery); BE1 (Slate Meadow, Bourne End and Wooburn)

- 5.71 The quantum of open space which would be delivered has been established through the outline consent. This includes a significant over provision of local and strategic open space to provide separation between the settlements, a green corridor, and in part to mitigate the impacts on the Burnham Beeches SAC as outlined above. The parameters of the open space is secured through legal agreement and includes a significant undeveloped corridor to the west of the site as required by policy and the Development Brief.
- 5.72 Within the site allocation, but outside of the application boundary, is an area of land identified as village green. Policy BE1 requires the retention of this land, and this is retained under this proposal. The outline consent, under the legal agreement, requires the submission of a village green scheme, subject to a licence. The proposals detailed through the amended plans show limited alterations to the village green itself, with the exception of enhancing connectivity through the area to the wider PROW network which are considered to be reasonable. Notwithstanding this, any scheme requires consent outside the remit of this application, pursuant to the Legal Agreement.
- 5.73 The scheme includes a corridor of open space within the development area which would include some SUD's elements, which would lead towards a central undeveloped open space area. The scheme also details an area of play space which would be provided within the strategic corridor. The provision and extent of which is considered to be acceptable.

## **Infrastructure and Developer Contributions**

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

DSA: DM19 (Infrastructure and delivery)

- 5.74 These are matters which have been secured by the Outline Consent. It is not possible to revisit or reassess what has been secured by the planning permission.

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

- 5.75 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 5.76 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
  - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,

c. Any other material considerations

5.77 As set out above it is considered that the proposed development would accord with the development plan policies and would bring with it the benefits established through the outline consent.

5.78 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

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

6.1 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

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

6.3 In this instance:

- The applicant was provided with pre-application advice.
- The applicant was provided the opportunity to submit amendments to the scheme/address issues and the LPA has worked collaboratively with the applicant to find solutions
- The case was considered by the planning committee where the applicant had the opportunity to answer representations.

### **Recommendation: That the application is delegated to the Director of Planning and Environment for Approval subject to:**

- (a) Confirmation that matters relating to the recreational pressures on the Burnham Beeches SAC have been addressed, in agreement with Natural England, and the subsequent completion of a signed Unilateral Undertaking and/or Deed of Variation to secure payments towards the Burnham Beeches SAMMS;
- (b) That the submitted flood plain modelling is satisfactory, in discussion with the Environment Agency;
- (c) Any conditions/measures necessary; and,
- (d) The subsequent deferral to the Secretary of State for their determination as to whether the application should be called in; and,



Subject to the following condition(s):

1. The development hereby approved shall be carried out in strict accordance with the plans detailed within the Planning Application Register, dated 11<sup>th</sup> May 2022.

Reason:

In the interests of clarity and to secure the satisfactory layout, scale, appearance, access and landscaping of the development.

## APPENDIX A: 20/07006/REM

### Consultation Responses and Representations

#### Councillor Comments

**CLlr Wilson** - As a Ward Councillor, I want to call in this Reserved Matters Planning Application given the material significance of this site to the communities of Wooburn and Bourne End. There is significant interest in the Reserved Matters from Buckinghamshire Councillors, the Parish Council, community groups and residents. Matters of access (with a primary school in close proximity) and a busy road junction at peak times, appearance, landscaping, layout and the Village Green have been held back from the original outline planning application and merit discussion at planning committee rather than a delegated decision. (23/07/21)

**CLlr Drayton** - As a County Councillor for the ward of The Wooburns, Bourne End and Hedsor, I would like to call this application in. (26/07/21)

#### Parish/Town Council Comments

**Wooburn & Bourne End Parish Council – Further Comments** – Further to our letter dated 24th January 2022, we welcome the recent Environment Agency (EA) response dated 14th April 2022. In their response, the EA maintain their objection for a number of reasons which echo our earlier response in terms of flood risk, drainage and biodiversity issues which we both feel have not been adequately dealt with by the proposed development. We note that the EA are also concerned about where additional swales have been placed which are not evident on the landscape masterplan nor that there is consideration for the seasonal wetlands to have been included. We agree with both of these points as reflected in our letter. We would be keen to understand the LLFA drainage officers current standpoint on the above but are yet to see a response from themselves.

**Wooburn & Bourne End Parish Council – Further Comments** – Wooburn and Bourne End Parish Council's planning committee is fortunate that one of its members is a geotechnical engineer and he has reviewed the amended drainage strategy in document FWM8960-RT001 R01-00

We wish to alert you to our concerns that the amended drainage strategy does not provide enough treatment or benefit to the Site or it's ecological receptors and that the biodiversity net gain assessment uses a now withdrawn standard.

In response to amended documents uploaded recently to the Buckinghamshire Councils Planning Portal in relation to the outline planning permission 18/05597/OUT and 21/07006/REM Slate Meadow Stratford Drive Wooburn Green Buckinghamshire.

Wooburn and Bourne End Parish Council would like to make the following observations and comments.

- For Flood storage compensation we would expect volume calculations, comparing available flood storage volumes for the current site against the proposed site. These calculations are generally undertaken on a level for level basis at increments of c. 0.1 m. This has not been undertaken in this instance. However, the results of the modelling would suggest that the features would result in a slight decrease in downstream flood risk (as inferred from the reduction in modelled flow volume passing through the site) under the 1 in 100 years + climate change event. It is unclear whether the volumes provided by these features would be utilised under lesser storm event conditions. It is

assumed that they would not be although there is not much information included on the connectivity between the watercourse and the basins.

- Ideally the drainage strategy should be updated as the FRA has been. At present there are quite a few contradictions between the two.
- The Site is in Zone 3 and close to Zones 1 and 2 of a drinking water source protection zone. However, the drainage strategy does not appear to consider this in terms of pollution incidents given the primary mechanism of surface water disposal is infiltration. This needs further thought and consultation with Thames Water.
- A blanket minimum invert level for infiltration features seems inappropriate for a site of this size. A more refined approach could be employed such as that used to set finished floor levels in the FRA addendum.

- Confirmation should be sought that none of the permeable paving is within the 1 in 100 yr. + climate change flood envelope.
- It is good that the previous attenuation crates have been replaced with an above ground 'green' basin. However, there appears to be no treatment to surface water run-off from adoptable roads prior to discharge into the River Wye. The invert level of the surface water sewer network appears to be consistently lower than the invert level of the basins suggesting that the only way they will fill is by the hydro brake 'backing up' the entire system. So under low flow conditions any pollutants would seemingly discharge directly to the river. IWe cannot see any other form of treatment to remove pollutants including contamination (e.g. fuel/ oil spills) and suspended solids.
- The FFLs of the plots have been raised but the discharge of surface water from each is to the sub-base of surrounding permeable paving. Whilst quite extensive, we are concerned that it is still a concentrated discharge which has not been tested under 'flood' conditions and could lead to localised or extensive groundwater flooding i.e. they effectively work in reverse.
- The flood plain compensation basins are noted as 'seasonal wetlands' but the base/ invert of them is higher than the 'worst case' groundwater elevation. Assuming they are unlined we would think it commendable that for better biodiversity benefit, these should be lowered such that the basins are indeed 'seasonally' wet whilst providing adequate storage above during times of flood.
- The new proposal includes river bank enhancements. Again, for biodiversity reasons, a fish 'refuge' pond should be considered in this area.
- The River Wye ecological buffer intersects with footpaths/ cycleways and abuts the one of the roads. Ideally there should be a degree of separation from human activity.
- The ecological report notes: "The SuDS feature in the central area will provide a permanently wet wildlife pond with a shallow gradient and marginal zones for aquatic, emergent and marginal vegetation." However, we are unsure how this will be achieved if it only gets wet when the system 'backs up' - see above.
- The ecological report uses DEFRA biodiversity metric 2.0 but this has been withdrawn and replaced with 3.0 which should be used.

Please take these points into consideration in any discussions of conditions with the Developer and into your determination of the planning application.

**Wooburn & Bourne End Parish Council – Initial Comments** - Members of the PH&L Committee of Wooburn & Bourne End Parish Council wish to make the following comments with regard to the above application 21/07006/REM. In reading and comparing the 21\_07006\_REM-PLANNING\_STATEMENT-3970841.pdf and the Development Brief for Slate Meadow which was adopted in 2018, and Wycombe District Local Plan adopted in 2019, we note the following that are not in accordance with the agreed development brief.

Development Brief 1.3 Vision para 10 says: Deliver off site infrastructure directly related to the needs of the development. The planning application addresses its access to Stratford Drive but not beyond, yet 2.5.1 calls for "improvement for right turning onto A4094 and potential revision to Stratford Drive junction including the pedestrian crossing"

- the road improvements and infrastructure around the site must be completed before any development starts. This planning application does not include a transport assessment, but this is stated as being required within the Development Brief at 4.7. The Transport assessment will consider the number of vehicle movements, the proposed single entrance and exit to the site, where that entrance is relative to Stratford Drive entrance from Brookbank; the entrance to Orchard Drive and the entrance to the school. All of these are in close proximity to each other and could potentially cause a bottle neck at any one time.

The assessment also needs to take into account that some students will attend St Paul's who are not living at Slate Meadow and will be walking along Cores End Road, Brookbank and from the outer edges of the catchment area at Wooburn Manor Park. Therefore, there needs to be additional safe crossing areas. (Local Plan Policy BE1 2e)

The Local Plan states that Bourne End is a transport hub, so we recommend that the Old Railway Line is looked at again as a bridle/cycle path to reduce short term vehicle journeys. (WDC Local plan BE1 2d)

Development Brief 2.5.4 "....additional visitor parking provision in the new development in close proximity to the school, capable of providing addition school drop off parking"

- The plan does show layby style parking within the site but as the site roads loop in and out of the development from the single entrance/exit and many are dead ends, we would envisage many vehicles trying to turn around within the development on junctions and even in driveways. The Liaison Committee had recommended that there was a single parking plot for school drop offs, with a permeable base, and the PH&L committee agree that this would be a safer and more desirable solution.

#### Development Brief 2.9. Utilities & Services

"Foul Water: The sewerage undertaker for Slate Meadow is Thames Water Utilities Ltd. Thames Water has stated that the planned upgrade for the Little Marlow Sewage Works will be incorporated into the Company's 2020 programme. Thames Water has stated that existing infrastructure can cope with developments that come forward before 2020: and has confirmed that its existing capacity and infrastructure is capable of accommodating Slate Meadow and the other reserve sites."

- Section 4.8 of the Development Brief states: A baseline infrastructure assessment of existing utility and drainage services within Slate Meadow and the areas immediately surrounding the site was undertaken in March 2007 and updated in 2016. Detailed in Section 2.9, it confirms that there is capacity in the water and foul water infrastructure to accommodate additional development on the site.

- We note the stand-alone pumping station in the plan for the site

- However, Thames Water have been discharging raw sewage at Little Marlow after heavy

rain so they clearly cannot cope. This should therefore be re-verified with Thames Water to identify when their planned upgrades will be completed so that the Development can be phased accordingly, with the upgrades completed prior to the start of the phases.

“Surface Water: The surface water strategy is subject to detailed geotechnical survey/assessment of ground conditions. The preference is for an integrated SuDS system that incorporates surface water attenuation in the form of swales and ponds. Otherwise storm water will be discharged to suitable watercourses in a manner that is carefully managed in accordance with EA requirements.”

- It is our observation that the surface water drainage has got worse in the last few years and areas that are particularly affected are Cores End Road, Brookbank around the perimeter of Slate Meadow, Stratford and Orchard Drives and from Kiln Lane and Hawks Hill as runoff accrues at the Cores End Roundabout. It has been acknowledged by HR Wallingford that most of the surface water flooding is due to blocked drains and pipes.
- We are also concerned that a large area of the SuDS system is close to the badger setts and request that the placing of SuDS be monitored and their placement changed if necessary.

With reference to the housing styles and types, we consider that there is a missed opportunity to incorporate solar panels, ground source heat pumps as alternatives to gas boilers, (which will no longer be allowed in new builds from 2025), EVC points, clean and grey water separation and recycling and other greener alternatives and that Slate Meadow has great potential to be an example of a green housing development.

### Village Green

Whilst the developers have acknowledged that the Village Green (**Village Green 112 Slate Meadow**) is owned by Buckinghamshire Council and is not part of this application, the plans show suggested changes, with direct connections to the development area. We would like it noted that we strongly object to any changes made to the Village Green as it is a protected open space, with its current and historically used access points at Frank Lunnon Close and off the railway line link paths remaining unchanged. We seek written reassurance that the Green will be left as it currently is – an organically maintained space with natural grass paths, shrubs, trees and hedgerows that are kept naturally tamed by deer, badgers and other wildlife. Your thorough ecology assessment identifies the Village Green as being the most diverse in terms of species and any development or additions in terms of tarmac or laid paths and “manicured” areas would destroy that. Any management issues which encroach the development must be discussed and agreed with the Parish Council.

We also request written confirmation that no waste or soil from the SUDS holes or land excavation are put on or near the Village Green.

In conclusion, the PH&L committee, on behalf of the Parish Council, are therefore making an application to Buckinghamshire Council, that this application is called into the Full Planning Committee for the above matters to be taken fully into consideration.

## **Consultation Responses**

**Buckinghamshire Council Arboricultural Officer – *Further Response*** - Canopy Calculator submitted, now showing 28% canopy cover.

Questionable use of exclusions and yet use of trees within them.

Removals and retention in AMS do not match Canopy Calculator, this seems to be because of the exclusions in the calculator.

The Amended Arboricultural Method Statement (AMS) covers all the important aspects I would expect and the Recommendations are statements of what will be done. The document is clear and I am happy with its content.

Amended Detailed Landscape Scheme and the Amended Landscape Masterplan show more trees will be included in the urban areas as requested. Although details of how the soil volumes of each individual tree have not been submitted as per the Canopy Cover SPD. It appears that the majority of trees will be planted in locations with an open soil volume and so they should have the opportunity to grow.

### **RECOMMENDATIONS:**

With an overall anticipated canopy cover of 28% I am confident that even though the correct figure might be a little lower, I am satisfied that a good level of canopy cover will be reached and with much of this being associated with the built area, the development will have a good sylvan character.

The AMS details are clear and should be sufficient to ensure that retained trees are correctly protected.

I am therefore happy with the details submitted.

**Buckinghamshire Council Arboricultural Officer – *Initial Response*** - The Arboricultural Method Statement covers all the important aspects I would expect.

The Landscape Masterplan and the Detailed Landscape Detail plans show a good level of tree planting however there are improvements which need to be made.

Previously in pre application discussions I asked for more planting on streets, in parking areas, in back gardens and on the boundary between the village green and the development. I am pleased to say that there is now a good level of planting in the streets but there are still relatively few in parking areas, none in back gardens and only a limited number on the boundary with the village green.

The species which have been chosen for the more urban areas are in the most part small species. Larger species could easily be accommodated in many locations.

Details have not been submitted to show how trees will be planted and how much soil will be provided. This is particularly important in the more urban locations where compaction to support hard surfaces can limit soil volumes and this ultimately limits the size a tree can grow to.

More trees could be included in the green space around the developed area. Black poplar has been shown on the plans, this is suitable for parts of the site but it must be native black poplar which is planted.

The pre application comments asked for canopy cover details to be submitted, this needs to be done in line with the canopy cover SPD however this has not been submitted. I believe that the development could achieve the 25% requirement of policy DM34, but this needs to be demonstrated

through an understanding of the potential of the species planted and the soil volume which will need to be provided.

**Buckinghamshire Council Ecology Officer – Further Response** - The Amended Lighting Strategy does not contain the information I had asked for in the way in which I had asked, however the specifications of the lights are listed and that allows the identification of the Lux levels and kelvin temperature. Lighting details are also included in the Amended Construction Environmental Management Plan and the Amended Ecology Surveys and Ecological Mitigation and Enhancement Strategy. The lighting details now appear to be well designed from a biodiversity perspective.

Biodiversity Metric results in a habitat net gain of 20.25% and hedgerow net gain of 677.83%. The assessments seem to be reasonable and the assessor comments have been completed and enable a good level of understanding of how decisions have been made.

It is unclear what the justification is for the categorisation of some habitats as strategically significant, but it has been applied for both baseline and created/enhanced habitats and so should not make a significant difference to the calculations.

The metric appears to accord with the plans and the plans show a good mix of habitats which integrate well with the amenity use the site will receive.

The Amended Construction Environmental Management Plan 5/1/2022 sets out clearly how species and habitats will be protected through the construction process. The zoning of the site enhances the interpretation of how different areas of the site will be dealt with and should help ensure harm does not occur.

#### RECOMMENDATIONS:

The amended ecological information shows that there should be a good level of biodiversity net gain and despite some unavoidable temporary disruption to some protected species, the protective measures in the CEMP should minimise impacts and there will be useful enhancements as a result of the Amended Ecology Surveys and Ecological Mitigation and Enhancement Strategy.

Therefore, I am happy with the documents submitted.

**Buckinghamshire Council Ecology Officer – Initial Response** - There are several shortcomings in the information which has been submitted which have been identified by the Environment Agency (EA), I agree with the comments that the EA have made and so I will not repeat them here but instead expect them to be addressed by the applicant.

The Metric shows a biodiversity net gain of +14.95%, this is inline with the requirement of the development brief objective 4 which requires a significant net gain. It also meets the requirements of policy DM34 and the forthcoming Environment Act. When designs and details have been revised to meet the requirements of these comments it will be necessary to redo the biodiversity metric.

The LEMP sets out how the onsite habitats will be managed to ensure that the predicted values will be achieved, this is a detailed document and it covers many of the aspects which should be included. The EA comments need to be referred to in making amendments to it.

The Updated Ecology Surveys and Mitigation & Enhancement Strategy show that there are some important protected species on the site including water vole, high numbers of reptiles, badgers and also bats. The mitigation and enhancement measures are appropriate in most cases, but the comments made by the EA need to be addressed. The production of a Construction Environmental Management Plan (CEMP) is repeatedly mentioned but it has not been included in the submitted documentation.

The inclusion of the seasonally wet SuDS basins has great potential to be very beneficial from both an ecological and landscape perspective as well as serving a SuDS function, however the design indicated on plans which has a uniform slope around to the perimeter down to a flat bottom is unnecessarily geometric and regular, these features need to have varied edge gradients and varied depths to ensure that they give the impression of being semi natural features contain greater variation (which will be of benefit to wildlife) and are not jarring to the eye.

The Lighting Strategy plan does not stand out as being problematic but as it contains no information about the Lux levels the Kelvin temperature or the lighting gradients and as there is no narrative of how lighting has been designed to minimise ecological impact. It is not possible to know whether the proposed lighting will have a negative impact upon wildlife.

Buckinghamshire Council Landscape Officer – Initial Comments - The proposed site layout differs little from that presented at the outline application stage and has not demonstrated a satisfactory response to / resolution of some key issues raised in the landscape and urban design comments made upon the outline application indicative site layout (a reserved matter).

**Buckinghamshire Council Landscape Officer** - The proposals are deficient in landscape terms, as follows.

1. The submitted documents do not demonstrate satisfactory street layouts and building heights to allow clear views from the river/road to high ground to the north/northwest through/across the development area; also views to high ground to the east/southeast from the Village Green (especially) and the central square. The illustrative 3D views in the Design and Access Statement suggest a substantial impact of development on the northern skyline of hills from Brookbank and the riverside in particular. Verifiable photomontages are required to demonstrate the relationship of the proposed development to the surrounding landscape
2. The proposed landscape layout shows works to the Village Green, which lies outside the red line boundary; also, such works are contrary to the wishes of the local community / parish council. Landscape works in this area should be reduced, to comprise mainly the western-most cycle path link
3. Buildings along the 'Mews' abut the pavement, excluding any soft landscape space. Soft landscape is entirely reliant on street trees. Examples given in the DAS include more planting than this. More green space is needed to the streetscape and front of houses for shrub planting. Similarly, 'green space' to the front of houses along the central 'Avenue' needs to be more generous in order to realistically accommodate plants and have a positive impact upon the streetscape. These spaces could/should double as rain gardens as part of a SuDS strategy, as suggested by the LLFA.
4. A rich and high quality landscape space must be delivered at the central green, not just a simple SuDS basin with a few trees planted nearby. This is a key focal space for the scheme, framed by some of the taller buildings in the scheme, and merits a more formal and civic quality. SuDS was not envisaged as part of this open space and should be omitted, replaced by SuDS features at source / distributed throughout the site e.g. rain gardens, swales, etc., as suggested by the LLFA.
5. The applicant must ensure that future detailed design provides sufficient space and soil volumes for the trees to thrive and grow, and must ensure there are no conflicts with services or lighting. The lighting strategy shows conflicts between lighting columns and trees, notably in apartment courtyards and the Mews. The lighting strategy should be revised to ensure such conflicts are avoided. A coordinated services and landscape masterplan should be submitted for all underground and over-ground services.
6. Parking courts for apartments must include significant tree and shrub planting to provide positive visual amenity for residents. Very little is shown.



**Buckinghamshire Council Urban Design Officer – Initial Comments** - The proposed site layout differs little from that presented at the outline application stage and has not demonstrated a response to / resolution of some key issues raised in the landscape and urban design comments made upon the outline application indicative site layout (a reserved matter).

Refer to the Landscape Officer's comments in addition to the following points.

#### LAYOUT & PLACEMAKING

The broad approach to layout is acceptable, providing secure perimeter blocks, subject to comments made above and below.

1. There is a lack of physical and visual permeability along the southern / south-eastern built edge to the proposed development. Wide streets breaking up the block and controlled building heights are needed to aid visual permeability and views to high ground beyond the site.
2. Avoid paring large double garages - this creates extensive hard standing between them and the road, making it a car-dominated hard space.

#### BUILDING DESIGN AND APPEARANCE

The broad approach to building design and appearance is acceptable, subject to point (8) above and the following comments.

3. Proposed buildings and individual dwellings should be reviewed and updated to ensure that they comply with Local Plan policy DM41. Amongst other things, it is noted that the proposed apartments do not meet the requirements of DM41 part 2, where in order to satisfy Building Regulation Part M4(2), lift access is required to each floor. Buildings intended to meet Policy DM41 part 3 should be identified as such and these floor plans annotated to demonstrate circulation within the dwelling satisfies the requirements of Building Regulations Part M4(3). The applicant also needs to review and amend the site layout to ensure that on-site parking, including garages and driveways, meet the same policy requirements.

#### ACCESS & MOVEMENT

The broad approach to access, circulation and parking is acceptable, being based around perimeter blocks, subject to the following comments.

4. Visitor parking is reasonably well distributed; informal parking on some streets e.g. adjoining the Village Green should also be accommodated within the road width. Visitor parking in private courtyards should be relocated to the public street. Amended plans should include plots and parking spaces.
5. Cycle storage should be located to the rear of each house where it is directly overlooked, and in secure locations for apartments. Cycle storage shown for mid-terraced houses is not acceptable (remote, behind parking spaces).
6. The cycle path should follow the shared street fronting the river / open space and link northwards entirely within the western green open space and avoiding the Village Green. The northern link through the village green to the railway line should be self-binding gravel rather than tarmac, if provided at all.

**Buckinghamshire Council Heritage Officer** - The proposal is a reserved matters application for 150 houses for an allocated site with outline planning permission.

Slate Meadow lies between Bourne End and Wooburn. The site is surrounded by residential on three sides. The south-western boundary of the site adjoins properties that front onto Cores End Road.

Here the character is varied with some medium to high density housing from the 19C interspersed with more recent high density housing.

The former Heart in Hand PH on Cores End Road is Grade II listed building the grounds of which form a small part of the site boundary.

It is considered that the proposed development would have a neutral impact on the significance of the setting of this building. The proposal is therefore acceptable in heritage terms.

**Buckinghamshire Council Lead Local Flood Authority** – The reserved matters application does not seek to discharge condition 10 or 11 which relate to drainage matters. After reviewing the Drainage Strategy, there are opportunities to incorporate further sustainable drainage measures which should be fully considered under the discharge of conditions submission. Full ground investigations should be included in DoC application. Further site specific detail will also be necessary.

**Buckinghamshire Council Highways** – *Further Comments* – Amended plans have been submitted demonstrating the provision of a pedestrian footway fronting plots 40-42 and 80-82 which would provide a pedestrian route through the site and connect with the pedestrian footway in the northern corner of the development which connects to the dismantled railway public footpaths. The shared surface serving Plots 43 – 47 & 83 – 87 would only serve 10(no) dwelling and it is unlikely that a significant number of vehicles or pedestrian would use this section of the estate's roads. I am satisfied that this development would now provide safe and suitable pedestrian access to all dwellings.

However, I do now have concerns regarding the cul-de-sac serving Plots 141 – 145. The cul-de-sac is shown to measure approximately 90m in length and does not feature a suitable turning facility. As a result, Plots 141 - 145 would be beyond the maximum reversing distances for refuse vehicles (i.e., 12m as recommended by BS 5906: 2005). *Manual for Streets* guidance states:

*Reversing causes a disproportionately large number of moving vehicle accidents in the waste/recycling industry. Injuries to collection workers or members of the public by moving collection vehicles are invariably severe or fatal.*

Furthermore, residents should not be required to carry waste more than 30m to the storage point, and waste collection vehicles should be able to get to within 25m of the storage point. The Refuse Strategy Plan shows that bins for Plots 144 & 145 would be left at the end of drive ways on bin collection days whilst Plots 141-143 would carry waste to a collection point. However, the collection point is located approximately 55m along the cul-de-sac. Therefore, waste collection vehicles would not be able to get within 25m of the collection point for Plots 141-143 without reversing in excess of the recommended maximum distance of 12m.

The proposed site plan does not accord with waste collection requirements and the residents of the dwellings located on this cul-de-sac would be required to carry waste more than the recommended distances or refuse vehicle would be required to turn into the cul-de-sac and reverse an inordinate distance.

In addition, the dwellings on this cul-de-sac are beyond the maximum reversing distances for fire tenders (i.e., 20m as recommended by Section 13 of The Building Regulation requirement B5 (2010)).

In accordance with guidance contained within *Manual for Streets*, cul-de-sacs longer than 20m should be provided with a turning area to cater for vehicles which will need to regularly enter the street. With the increased use and popularity of home shopping and delivery, it is currently more important than

ever for residential developments to have safe and compliant turning facilities. In addition to fire, waste/recycling and removal vehicle access and turning requirements, it is prudent to ensure that larger wheelbase transit vans and 7.5 tonne delivery vehicles can also reach the most remote dwellings on a development without having to reverse over excessive distances and consequently compromise the safety of motorists and pedestrians.

By not placing turning facilities at the extent of the estate road spur terminating at Plot 141, the applicant has not demonstrated safe and satisfactory turning provision at this location. The resultant inordinate reversing distances generated by vehicles traversing between the extent of the cul-de-sac and the junction adjacent to Plot 146 would lead to conditions of danger and inconvenience for motorists and pedestrians.

To conclude, the applicant must amend the scheme to provide a larger (possible non-conventionally defined) area to allow for refuse vehicles, fire tenders and larger wheelbase transit vans to manoeuvre within the cul-de-sac serving Plots 141-145 to prevent excessive reversing distances. Tracking information for a refuse vehicle with dimensions of 10.25m x 2.53m must also be provided to demonstrate the manoeuvres required for these vehicles to turn within the area provided.

Once in receipt of the information mentioned above, I will be in a position to provide further comments.

**Buckinghamshire Council Highways – Further Comments** - You will recall my previous comments for this application whereby in a response dated 6<sup>th</sup> August 2021, amended plans were requested to demonstrate the provision of a designated footway fronting plots 40-47 & 80-87 and the provision of flared on-street parallel parking bays should the applicant intend to offer the estate roads up for adoption under a Section 38 agreement with the Highway Authority.

Having reviewed the amended plans, it does not appear that the previously requested amendments have been made.

The Highway Authority's current policy on shared surfaces was formulated as a result of the temporary halt announced by the Department for Transport (DfT) in July 2018 and limits the use of shared surfaces serving larger developments of more than 25(no) units. The temporary guidance formulated by DfT was a result of concerns raised by some members of society, specifically those with visual impairments who rely on features such as the kerblines to navigate streets. Vulnerable pedestrians including many blind, partially sighted and disabled people may be adversely affected by the lack of features such as kerbs, road surface marking and designated crossing places.

As stated within previous comments, the streets serving Plots 24-31, 40-47 & 80-87 raise the greatest concern as these form Primary and Secondary Streets as defined on the Movements Plan contained within the Design and Access Statement. Until such a time that further guidance is published on the use of shared surfaces, the Highway Authority maintains that shared surface roads should not feature as part of the main estate roads on larger developments to ensure safe road environments for all users.

Flexibility of the policy was applied for the section of shared surface serving Plots 102-104, 118-125, 133-138 & 145-146 as this section of the estate does not form part of the Primary or Secondary Streets and would serve 20(no) dwellings and is below the 25(no) unit limit. Furthermore,

there would be the provision of a pedestrian connection on the south side of the carriageway running parallel to the shared surface street.

Finally, there are some features within the estates carriageways that would result in the Highway Authority rejecting an offer to adopt the estates roads as public highway under a Section 38 agreement including the shared surface serving plots 102-104, 118-125, 133-138 & 145-146 which would measure 4.8m in width in oppose to the requisite 5.5m for an adoptable shared surface carriageways and the bay parking spaces which are shown not to feature flares to facilitate adequate access and egress. Given that these points were raised within the Highway Authority's previous comments, it is assumed that the applicant does not attend to offer the estate roads for adoption, and they will remain privately maintained.

To conclude, the section of the estates carriageway serving Plots 24-31, 40-47 & 80-87 must feature a defined 2m wide pedestrian footway which should not be level with the carriageway to ensure this section of the carriageway is safe for all members of the community when walking. I have included the insert below to demonstrate that section of footway required.

Once in receipt of the requisite amendments I will be able to supply my final comments on this application. However, failure to do so will likely result in a highway objection to these proposals.

#### **Buckinghamshire Council Highways – Initial Comments**

##### Access

The site access is located in a similar location to that shown on the Concept Masterplan 01 plan (drawing no: CARE170529 CMP-01 Rev H) submitted as part of the Outline application (i.e. on the western side of Stratford Drive approximately 90m from Stratford Drive's junction with Town Lane (A4094)). Plots 1 & 2 and 142-144 would also gain access directly from Stratford Drive.

Having reviewed the submissions in support of the application, all accesses onto Stratford Drive can achieve the requisite splays for an access located upon a road subject to a 30mph speed limit (i.e. 2.4m x 43m in both directions).

Pedestrian access would be taken via three locations on Stratford Drive as well as from Frank Lunnon Close and via the PROW to the north of the site. I note that the pedestrian access on Stratford Drive located closest to the junction with Town Lane would measure 3m in width and could be designed to act as an Emergency Vehicle Access (EVR) in the event that the main junction is impassable.

##### Layout

Within the site, the main spine road would measure 5.5m which is sufficient in accommodating a car and a larger vehicle to pass simultaneously. The main spine road would be flanked by footways on both sides of the carriageway until it bends 90° in a north easterly direction. From this point, the carriageway narrows to 4.8m in width and is flanked by a footway on the south eastern side of the carriageway.

Whilst the main spine road is flanked by footways, I am concerned that a number of the proposed dwellings located on Primary and Secondary Streets as defined on the Movement Plan contained within the Design and Access Statement are devoid of footways. Plots 24-31, 40-47 & 80-87 raise the greatest concern.

The absence of footways in these locations would lead to conditions of danger to pedestrians and is in contravention of the Council's policy (formulated as a result of the temporary halt announced by the Department for Transport in July 2018) on developments no larger than 25(no) units being served by a shared surface. A 2m wide pedestrian footway must flank the all the Primary and Secondary Streets to better provide pedestrian accessibility for all dwellings. This is likely to require the re-location of 6(no) visitor parking bays. I have attached an insert demonstrating the areas which are devoid of footways.

In addition, twenty plots (102-104, 118-125, 133-138 & 145-146) would also be served by a shared surface loop along the southern boundary of the site. In consideration that this section of the estate road does not form part of the Primary or Secondary Streets, the provision of a pedestrian connection on the south side of the carriageway running parallel to the shared surface street and that it is unlikely that drivers of vehicles who are not residents or visitors of the 20(no) units located on the shared surface would use this section of the estate, I am satisfied that these plots could be safely served by shared surface. The surface would measure 4.8m in width which is acceptable if it is to remain privately maintained. This section of the estate roads would not be adopted as highway maintained at public expense.

Trees are shown in potentially adoptable areas. If the estate roads are offered for adoption, the trees will be subject to a commuted sum of £500 each and meet minimal standards (e.g. planted in approved tree pits).

#### Refuse Collection

With regards to refuse collection, a vehicle tracking plan has been provided which sufficiently demonstrates that a refuse vehicle could turn into and out of the site via the junction with Stratford Drive and manoeuvre within the site.

Manual for Streets guidance states that residents should not be required to carry waste more than 30m to the storage point, and waste collection vehicles should be able to get to within 25m of the storage point. Having reviewed the Refuse Strategy Plan, I am satisfied that bin collection points are generally, suitably located.

#### Parking

The site is located within Zone B, as defined by the County Council's *Buckinghamshire Countywide Parking Guidance* (BCPG) policy document. A total of 376(no) parking spaces would feature within the development site of which 59 would be unallocated visitor spaces.

Having reviewed the habitable accommodation for each proposed housing type, it appears that dwellings requiring half-spaces have generally rounded-up the respective provision, so that dwellings requiring 1.5(no) spaces have 2(no) and those requiring 2.5(no) spaces feature 3(no). For the flats, it appears that 1(no) bedroom flats feature 1(no) parking spaces and 2(no) bedroom flats feature 2(no) spaces. The provision of allocated and unallocated parking spaces is in accordance with the BCPG.

The off-street allocated and unallocated bay spaces have the requisite dimensions of 2.8m x 5m whilst the garage dimensions appear to adhere to BCPG guidance, thus permitting a practical space to store a vehicle and allow adequate driver/passenger access/exit.

Finally, with regard to parking, it is noted that the majority of the sites un-allocated parking provision is provided through on-street parallel spaces which have dimension of 2.5m x 6m and have been designed in accordance with the *Residential Design Guidance*. These spaces do not feature flares to demonstrate how vehicles pass between the parking bays from the adjacent carriageway.

Whilst this would not necessarily draw an objection from the Highway Authority, the Highway Authority do not accept the offer to adopt estate roads that contain designated on-carriageway unallocated parking which are not flared to assist manoeuvring. Therefore, as it stands, I presume that the development's roads and footways will remain private. Should the applicant intend on applying for a Section 38 agreement to make the estate roads adopted at public expense, all parallel spaces would need to be within flared bays.

To conclude, whilst the proposals are largely acceptable from a highway perspective, the following issue must be addressed:

- The provision of a designated footway fronting plots 40-47 & 80-87 as shown on the insert below.
- The parallel spaces should be within flared bays to allow adequate access and egress to these spaces **OR** confirmation from the applicant that the estate will remain private and not offered for adoption as highway maintained at public expense.

Once in receipt of satisfactory information and submissions I will be in a position to supply the Highway Authority's final consultation response on these proposals.

**Buckinghamshire Council Housing** – I note the Design and Access Statement included with the application states the affordable housing to be in accordance with the S106 Agreement. I understand you have assessed the number of bedspaces and consider that the application proposal meets the 40% requirement.

I wish to draw your attention to the issues outlined below: -

\* I have not been able to identify the floor areas of the proposed 1 and 2 bedroom flats; I trust you will check these to ensure compliance with the nationally described space standards (NDSS).

\* The floor areas of the proposed 4 bedroom houses are indicated to be 107.6 sq. m. The minimum NDSS requirement for a two-storey 4 bedroom 7-person house is 115 sq. m. I shall be grateful if you will please look into this issue.

\* The mix of dwellings for rent shown in the application includes 11 x 3 bedroom houses. This is below the Council's policy mix and the housing service would like to see more 3 bedroom affordable houses for rent.

There is a need for affordable housing in the area and if the application proposal meets all of the planning requirements, the proposed affordable homes will help to meet the need.

**Buckinghamshire Council Archaeology** - We are not aware that the archaeological evaluation we recommended in our letter dated the 3<sup>rd</sup> July 2018 have been undertaken. The results of this work could inform the masterplan.

**Thames Valley Police – Further Comments** – Blocks A and B should be provided with vehicle gate. No trades buttons should be present. Unable to find details of amendments to cycle storage. Other points raised not addressed.

**Thames Valley Police – Initial Comments** - Do not object but some concerns:

- Large courtyards can attract crime and anti-social behaviour – surveillance of these areas needs to be maximised. Insufficient lighting to courtyards. Lighting bollards can be easily damaged.
- No visibility over parking for plot 89
- Bin stores should have fob access
- No provision for postal service in communal blocks
- Visitor parking should be located within the public realm rather than parking courtyard

**Natural England – Further Response** – Objection – Further information required to determine impacts on designated sites – development within 5.6km of Burnham Beeches SAC. Broadly supportive of the direction of HRA, however further detail required with regard to SANG and development requires contributions towards Little Marlow Lakes.

**Natural England – Initial Response** – Objection – Further information required to determine impacts on designated sites – development within 5.6km of Burnham Beeches SAC. Reference made to South Bucks SPD which is considered to be a material change in circumstances since the outline consent was granted.

**Environment Agency – Further Response** – Maintain objection – We appreciate that a FRA and baseline modelling has been submitted by the applicant which has been reviewed. However, we also need to review the post scheme modelling, to be able to determine any impacts the built development may have on flood risk, and whether the proposed development would result in a reduction in floodplain storage.

Biodiversity - It is not clear where it is proposed to displace any water voles that may be found here to as the river is quite urban both upstream and downstream of the site

The Water Vole is listed under section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. The proposed bank reprofiling work will have a detrimental effect on the species/population and its habitat along the River Wye. The application does not include adequate information about the measures proposed to protect the Water Vole in this location.

There is still a gravel path which extends well into the 10m buffer zone; this should be moved to the rear of the buffer zone adjacent to the road as per the 4th bullet point in the wording of Condition 30.

The seasonal wetlands should be designed to have multi benefits, with more variety in terms of planform, bank slope and levels through the base, including the creation of some areas within them that would hold water all year round.

Enhancements are now being proposed along the river channel itself, however, a more comprehensive scheme is required. Enhancements should be carried out along parts of both banks and rather than just cutting back into the bank to create marginal areas and regrade the bank, some works within the channel itself should be included to improve variation in flow types.

“Margin adjacent to river bank (minimum of 2m from top of bank) to be left uncut to provide cover throughout the year”. This should perhaps be subject to some occasional maintenance on a long rotation to ensure that this area does not succeed to scrub.

The proposed marginal shelf appears to be quite deep at 150 -200mm below water level; some variety in levels along and across any proposed shelf would provide greater biodiversity.

Currently there are open views across the river, through the site and across to the higher ground beyond; the proposals show trees and areas of native shrubs being planted along the northern river bank which may impact on these views as these mature.

Species should be 'locally native species of UK genetic provenance' as this wording is more specific and useful to implementers.

No River Condition Assessment appears to have been carried out as part of the BNG calculations. The Local Planning Authority should satisfy themselves as to whether this is required.

**Environment Agency – Initial Response – Objection** – compensation flood storage has not been justified or hydraulically modelled. Fetcher ponds as detailed will be ineffective. Justification for compensation required to show no net loss of floodplain storage and demonstrate connectivity to existing floodplain levels. Hydraulic flood modelling can be used. FFL's are satisfactory, however there is an error on the plans. Changes within 10m buffer zone noted but no assurance levels will be not be raised, need details to confirm effect on floodplain storage and conveyance.

Biodiversity – the reserved matters application as submitted fails to meet several of the requirements of the outline permission with regard to protection and enhancement of the River Wye and its associated buffer zone.

## **Representations**

### ***Residents Groups***

Hawks Hill Widmoor Residents Group CIC - There is no dedicated school drop off area as specified in the Development Brief para 2.5.4

- The 2.5 storey flats - 3 storey in reality, are unacceptable as they are out of keeping with the immediate surrounding area and as placed will obscure the views of the hillsides.

- There is no organised traffic scheme. With around 400 houses planned for the Hollands

Farm/Jackson's Field site it is essential that there be an agreed plan to minimise the impact of traffic generated by both this development and Slate Meadow. As it stands, the current proposal for Slate Meadow is a recipe for chaos, particularly at peak periods and school drop off and collection times.

- This development was intended to be a "green model for future developments" yet there is no insistence on solar PV installations or rainwater catchment

- Though there are green spaces around the periphery of the development there are minimal such spaces within it, the houses are all crammed in back to back.

- It was the policy of Wycombe District Council, the forerunner of Bucks Council that all matters of infrastructure should be in place before any development takes place. These include Thames Water's ability to provide an adequate supply of water or to cope with the extra foul water/sewage disposal, the provision of sufficient school and medical facilities, and mitigation of traffic congestion in and around Bourne End. None of this has been achieved.

- It has not been demonstrated fully that a sustainable drainage system will be in place.

Because of the sensitive nature of this site and the inadequacies of the developer's proposals this application must be called in for the consideration of the full Planning Committee and rejected in its entirety.



## Keep Bourne End Green – Objection

- Outline application was submitted and approved before the Wycombe District Local Plan was adopted which is a material change in circumstances.
- The TA carried out at outline only considered the effect of 150 residential units. The RM is unsupported by an up-to-date appraisal which consider the cumulative effects for growth of 800 additional dwellings in the locality. Forecast modelling is based on out of date data.
- Needs to be an holistic transport improvement plan to ensure the cumulative effects of the new development will not result in adverse effects upon junctions
- Distance to Bourne End will result in increased car journeys
- No mitigation at Stratford Drive/Brookbank junction
- Proposals fail to address vehicle parking arrangements for school drop off/pick up. This will fail to provide the solution required by the IDP and Development Brief and Policy BE.1
- Needs to be collaborative improvements to village green
- Bulk, scale and mass of flats do not respect character and appearance of the area. Overbearing urban design in greenfield setting.
- Design lacks meaningful green credentials or commitment to sustainable technology.
- Every parking space should have EV
- Inability of existing infrastructure to cope as confirmed by Thames Water comments to Hollands Farm
- Scheme omits detailed improvement measures to disused railway line, revised TA should consider an alternative scenario that disused railway is unavailable as a local footpath and cycleway
- Scheme does not provide on site strategic open space, including MUGA and LEAP. Contrary to DM16.
- Removal of trees under condition 18 does not place the environment before economic considerations.

## ***Individual Representations***

17 representations have been received from local residents objecting to the application, relating to the following:

### Design

- storey properties out of keeping
- Too many buildings will change character of semi-rural area
- Doesn't meet requirements of the development brief
- Insufficient areas of green within housing
- Who decides whether the village green enhancements are acceptable
- Open space should be provided sooner
- Not a green development
- Size and density out of keeping

- Loss of greenspace
- Requires more street planting and landscape mitigation to screen 3 storey buildings
- Must be indigenous planting to help development settle into landscape

#### Amenity

- Raised table will be noise hazard
- Loss of amenity
- Impact during construction

#### Highways

- Access onto Stratford Road will cause congestion
- Inadequate access
- Infrastructure will not support increase in traffic
- Increase in vehicle related incidents arising from traffic
- Risk of harm to children due to proximity to school
- Insufficient improvements to road layout to ensure safety of all users
- Improvements to highways must be made before development is approved
- Will cause traffic chaos
- Access to site needs to be rethought
- Junction too close to school
- Dangerous location of pedestrian crossing
- Existing problems at school drop off
- Impact from construction traffic
- Area is unsuitable to accommodate the cumulative impact of developments in the area

#### Flooding

- Increase in flooding at site and elsewhere
- Infrastructure to improve flooding must be done before the development is approved
- Hardlandscaping in flood risk areas is undesirable

#### Biodiversity

- Village green should remain untouched and made a nature reserve
- Destruction of habitats
- Badgers use the village green
- Manmade wetlands should not replace existing
- 10m buffer needs to be fenced off
- A 20m buffer should be provided
- Will ruin green habitat

- Inadequate green infrastructure/wildlife corridors
- No uninterrupted link between village green and river
- Existing habitats/species need protection
- Conflict between recreation and ecological requirements
- Impact upon Burnham Beeches
- No surveys of effected area
- A corridor free of humans and dogs is required

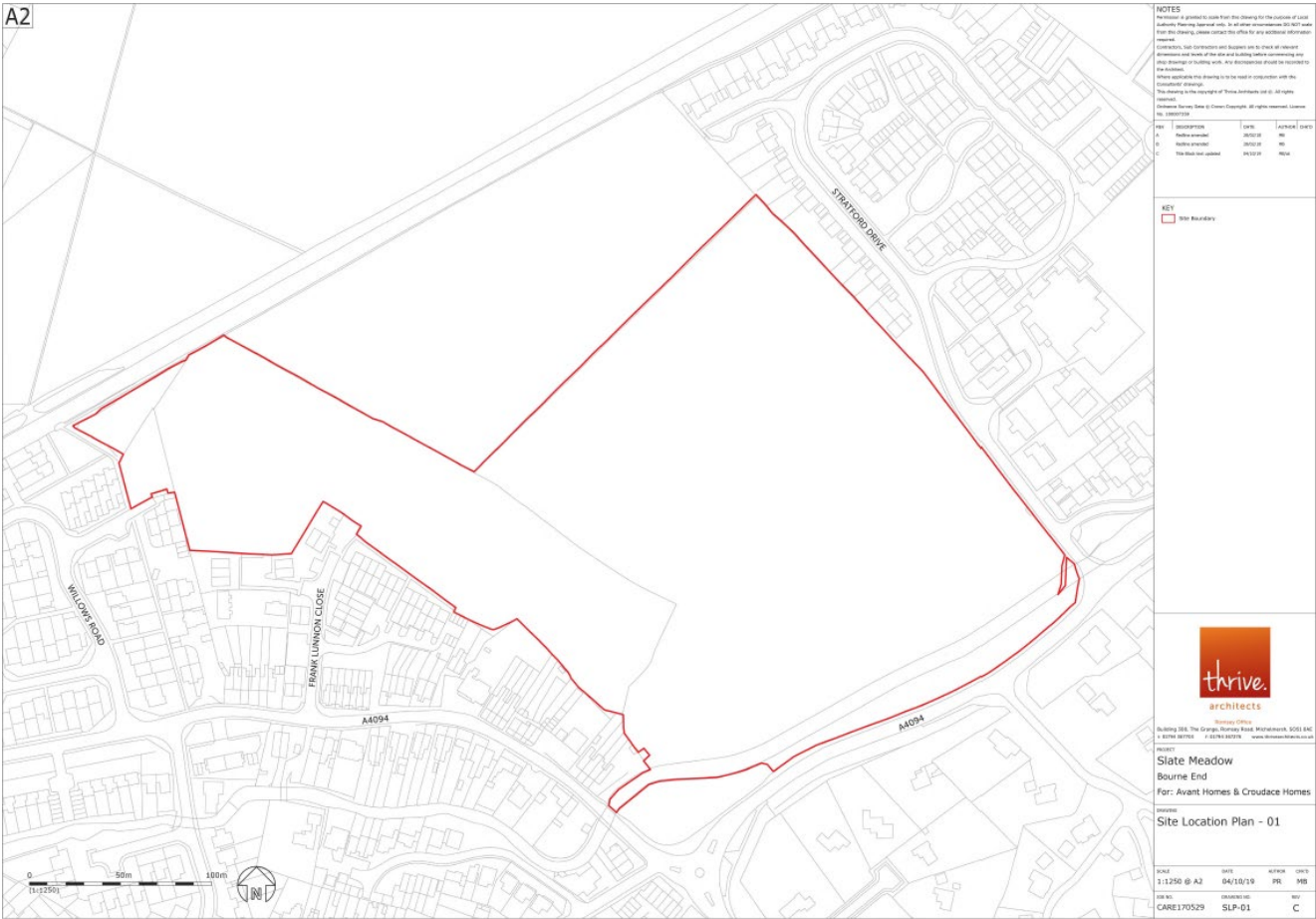
#### Other

- Scheme does not deliver necessary infrastructure
- Inability of existing foul/water network to accommodate development
- Impact on quality of life, mental health and general wellbeing
- Increase in pollutants
- Application in 90's refused due to flooding and infrastructure
- Cumulative impact with Hollands Farm
- Application premature in advance of infrastructure
- Air quality in area fails to meet safety standards
- Housing targets taking precedence over public health and safety

#### 1 neutral letter of representation:

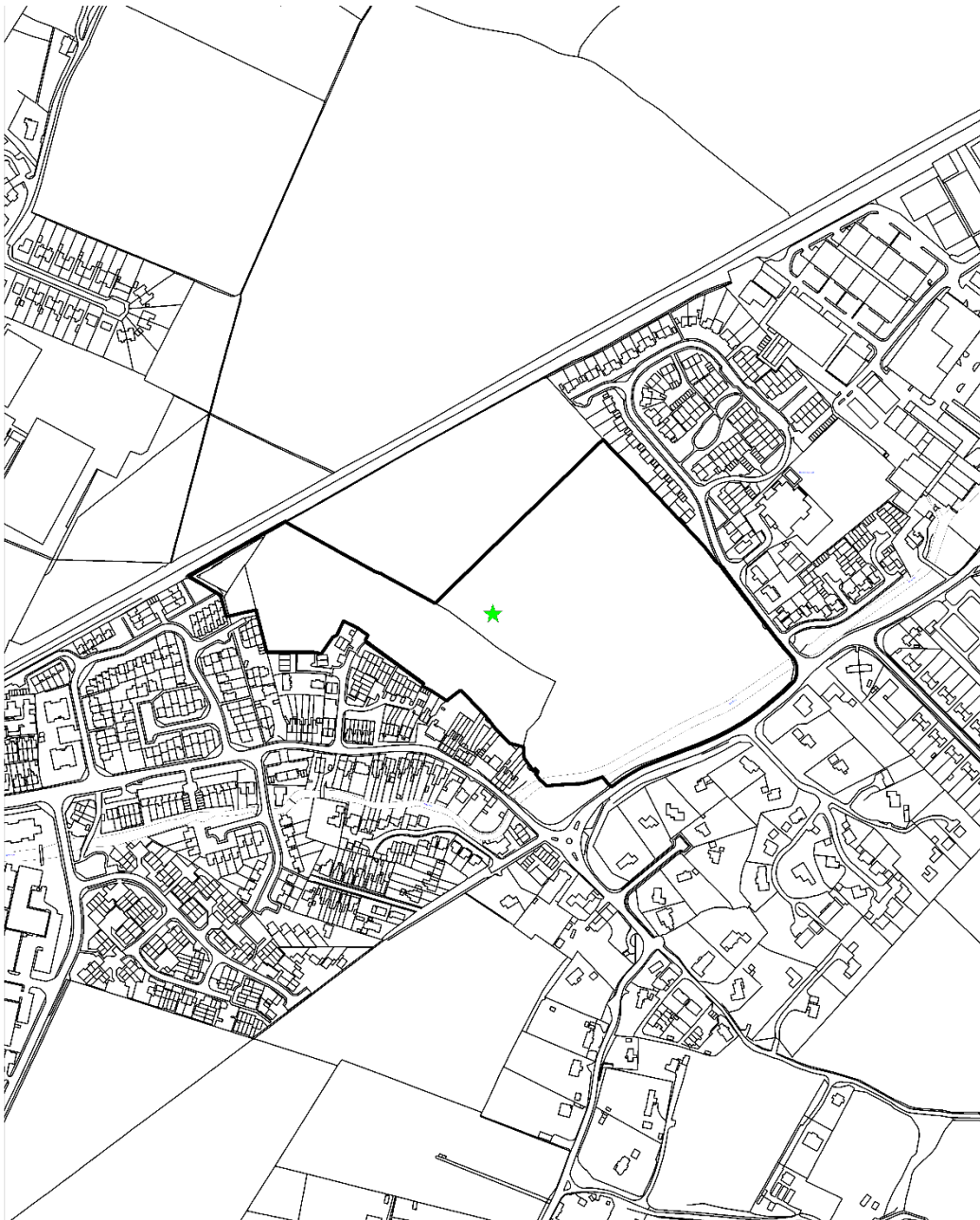
- River Wye catchment continually surfaced over increasing run-off into the river
- Increase in frequency of deluges due to climate change
- How will blockages no longer occur
- Access path to Frank Lunnon Close needs to be provided.
- Solar panels required for all properties
- Permanent surface on old railway line required
- Village Green must be protected as a wildspace
- Affordable housing should not fall below 40%

APPENDIX B: Site Location Plan



**APPENDIX B: Site Location Plan**

21/07006/REM  
Scale 1/5000



Planning Committee  
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Ordnance Survey 100062456

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## **APPENDIX D – 21/07006/REM**

### **SCHEDULE OF UPDATES TO THE REPORT OF THE HEAD OF PLANNING GROWTH AND**

### **SUSTAINABILITY - TO THE BUCKINGHAMSHIRE COUNCIL (WEST AREA)**

### **PLANNING COMMITTEE 25/05/22 (postponed to 08/06/22)**

<b>Application No:</b>	<b>21/07006/REM</b>	<b>Item</b>	<b>5</b>	<b>Page:</b>	<b>11</b>
<b>Site Address:</b> Slate Meadow Stratford Drive Wooburn Green Buckinghamshire					

#### **Information Added:**

This application has been the subject of a Member Site Visit.

#### **Consultations Reported:**

**Natural England** - I am happy with the outcome of that Appropriate Assessment. Please feel free to continue without an objection from Natural England.

**Ecology Officer** – In response to Environment Agency comments relating to biodiversity. Key issue is to ensuring we:

1. Meet the need to get some meaningful enhancements – without having a negative impact upon water voles.
2. Deliver seasonal wetland areas which have multiple benefits and which have a natural (not over engineered appearance).
3. Ensure everything is appropriately carried out and monitored, supervised and recorded.

To meet issues we need conditions relating to:

1. Water voles, river improvements and water vole mitigation
2. Updated details relating to seasonal wetlands
3. Details of an Ecological Clerk of Works and supervision measures
4. Auditing of ecological compensation, mitigation and enhancement measures.

**Buckinghamshire Council Highways** - Having reviewed the amended plans, a turning area would be provided between Plots 142 and 143. Whilst it does not appear that tracking information has been provided to demonstrate that larger vehicles could turn within the area provided, given the size of the area, I am satisfied that larger vehicles including refuse vehicles and fire tenders could manoeuvre within the area negating the potential for these vehicles being required to reverse excessive distances.

In consideration that the applicant has confirmed that the estates roads would remain private and not offered for adoption at public expense, it would be the responsibility of the developer/management company to ensure that the turning area is kept free of parked vehicles.

The Highway Authority raises no objections to this application, subject to conditions.

### **Representations Reported:**

Two further representation received from a resident objecting to the development on the following grounds:

- No mention of problems of access to the site which do not address traffic issues on Stratford Drive or junction with Brookbank
- There will be chaos on Stratford Drive leading to back up. Danger at point of access where school is located;
- Safety issues and congestion now;
- Raised table would be noisy
- Should be a better place for crossing between two close junctions
- Contrary to WDLP objective of ensuring the site access is designed to protect the safe and effective operation of the existing Stratford Drive/St Paul's School access and the Stratford Drive/Orchard Drive junction". This has not been achieved or minimise impact on existing residents;
- Access plans need to be changed before an accident happens. Could there not be a separate entrance and exit to the field, or similar to the elongated roundabout at Daws Hill Lane in HW
- Aspects of proposals are still being queried and criticised by statutory bodies.
- Premature to grant permission with unresolved issues.
- Cycle track in buffer zone
- Western part of the site is a success story for wildlife due to isolation from humans
- Nature homes and habitats lost for pedicured wetland no one needs or wants

A further representation has been received from the Buckinghamshire Badger Group

- The buffer should be increased to 30m
- The sett is large and could extend into construction zone. GPR equipment could be used to avoid harm
- Is it possible to make a 30m zone around the main sett
- A great deal of thought has gone into how to look after badgers and mitigate disturbance and distress

### **Conditions/Informatives:**

In response to the removal of the objection from Natural England and the Ecology Officer comments, the Recommendation on Page 25 of the Agenda pack should be amended to read:

**Recommendation: That the application is delegated to the Director of Planning and Environment for Approval subject to:**

- (a) The completion of a signed Unilateral Undertaking or Deed of Variation to secure payments towards the Burnham Beeches SAMMS;
- (b) The submitted post scheme flood modelling is satisfactory, in discussion with the Environment Agency, and should no agreement with the EA be reached and an objection on flooding grounds is maintained, or significant changes to the layout are necessary, then the application will be returned to Committee for further consideration;



- (c) Any further conditions/measures necessary; and,
- (d) The referral to the Secretary of State for their determination as to whether the application should be called in (in accordance with the third party call-in request received); and,

Subject to the following condition(s):

1. The development hereby approved shall be carried out in strict accordance with the plans detailed within the document titled Planning Application Register (prepared by Croudace Homes - dated May 2022), received on 24<sup>th</sup> May 2022.

Reason:

In the interests of clarity and to secure the satisfactory layout, scale, appearance, access and landscaping of the development.

2. Notwithstanding the details submitted with the application, prior to any works commencing within the 10m river buffer area, the following shall occur, in sequential order, details of which shall be submitted for the approval, in writing, by the LPA:

- Updated water vole surveys will be undertaken of both banks of the river through the site, and an assessment of the suitability of habitat within 100m of the site up and down stream;
- Updated proposals and designs for river enhancements shall be developed to include at least a 50% increase in river enhancement (this can include both river bank enhancement and in river enhancements). The proposals shall be led by ecologists, landscape architects and coordinated with engineers, to the approval of the Local Planning Authority;
- Where any element cannot be achieved for technical reasons, then full detailed justification shall be provided by the engineers for submission to the Local Planning Authority;
- Updated water vole mitigation (including the timing and phasing or works) and enhancement details;
- Details of the timing and delivery of all measures; and,
- If necessary, a licence shall be sought and received from Natural England, prior to commencement.

Works shall then proceed in strict accordance with approved details, unless otherwise agreed by the Local Planning Authority.

Reason: to ensure that impacts upon water vole are mitigated against and enhancements are delivered.

3. Notwithstanding the details contained within the application, prior to any works within the strategic open space corridor, updated details (including plans and sections) of the seasonal wetland areas shall be submitted to and approved in writing by the Local Planning Authority.

The submitted details shall:

- Be led by ecologists, landscape architects and coordinated with engineers, to ensure that proposals are multi-functional, aesthetically pleasing, provide good habitat value and meet drainage/flooding requirements;
- Include natural undulations and not have uniform slopes;
- Be presented using contoured plans and sections; and
- Include details of the timing and delivery of such works.

Where any element cannot be achieved for technical reasons, then full detailed justification shall be provided by the engineers for submission to the Local Planning Authority.

The development shall be carried out in strict accordance with the approved details unless otherwise agreed by the Local Planning Authority.

Reason: to ensure that seasonal wetland areas are fully multifunctional.

4. Notwithstanding the details submitted with the application, prior to the commencement of any works within the red zones, as identified by the Biodiversity Protection Zones Plan (Contained within Appendix 4 of the Construction Environmental Management Plan: Biodiversity, prepared by SES, dated 20<sup>th</sup> December 2021), the following shall be submitted to, and approved in writing by, the LPA:

- details of the appointed Ecological Clerk of Works (ECoW).
- Details of the power of the ECoW to control the works.
- A schedule when supervisory works will occur,
- Agreed number and approximate frequency of monitoring visits, and
- A commitment to submit produce and submit short reports to the council after each visit.

Reason: to ensure the works on site relating to ecology are appropriately supervised, monitored and subsequently reported back to the LPA.

5. Notwithstanding the details contained within the application, prior to first occupation, the ECoW shall sequentially:

- undertake an audit of ecological mitigation compensation and enhancement measures.
- produce a snag list of any outstanding issues
- re-inspect any items on the snag list once they have been resolved and certify that they have been addressed.

Full details of all monitoring and supervisory reports, the aforementioned audit report, snag list and certification, shall be submitted to the LPA prior to first occupation. The reports shall be held on public record.

Reason: to ensure the works on site relating to ecology are appropriately supervised, monitored and recorded by the LPA.

6. Prior to their construction, details of the construction of the estate roads and footways shall be submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and no dwelling shall be occupied until the estate roads which provide

access to it from the existing highway have been laid out and constructed in accordance with the approved details.

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

7. Prior to the construction of the new means of access, details of the disposal of surface water from the highway shall be approved in writing by the Planning Authority in consultation with the Highway Authority and no dwelling shall be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details.

Reason: To minimise danger and inconvenience to highway users.

8. Prior to first occupation, the new means of access serving the site's estate roads shall be sited and laid out in accordance with the approved drawing and constructed in accordance with the Buckinghamshire Council guide note "Commercial Vehicular Access within the Public Highway".

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

9. Plots 1 – 2 & 138 – 140 shall not be occupied until the new means of access serving these plots have been sited and laid out in accordance with the approved drawing and constructed in accordance with the Buckinghamshire Council guide note "Private Vehicular Access within the Public Highway".

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

10. Plots 141 to 143 shall not be occupied until such a time as the area for refuse vehicles to turn, in accordance with the approved plans, has been laid out and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off and turn clear of the highway thereby avoiding the need to reverse excessive distances.

11. 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.

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

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

**Informative(s):**

1. The strategic open space corridor, as cited in condition 3 above, relates to the area designated for strategic open space, as defined by the signed Legal Agreement, dated 26<sup>th</sup> June 2018, entered into pursuant to outline planning permission 18/05597/OUT.
- 

<b>Application No:</b>	<b>20/07802/FUL</b>	<b>Item</b>	<b>6</b>	<b>Page:</b>	<b>45</b>
<b>Site Address:</b> Site Of Former Park And Ride Facility Crest Road High Wycombe Buckinghamshire					

**Information Added:**

This application was the subject of a Member Site Visit on 25<sup>th</sup> April 2022.

Error in paragraph 2.8 which should be amended to read:

- 2.8 Following receipt of the application, the LPA undertook to carry out a screening opinion pursuant to the EIA Regulations ~~for a development of up to 47 dwellings.~~

**Consultations Reported:**

**Representations Reported:**

One further representation received from ASDA Stores reiterating previous comments that the proposals are contrary to Policy DM34 with regard to protect and enhance biodiversity and green infrastructures both on and off the site, and that the CIL Regulations do not allow for obligations to be secured through a memorandum of understanding.

These matters have been considered in the Committee report

**Conditions/Informatives:**

An error has been noted in the reason for condition 6 (site levels).

The condition should be amended to read:

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

Reason:

To ensure that any changes in land levels are acceptable in the interest of the character and appearance of the area.

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<b>Application No:</b>	<b>21/06803/FUL</b>	<b>Item</b>	<b>7</b>	<b>Page:</b>	<b>79</b>
<b>Site Address:</b> Griffin House Preparatory School Station Road Little Kimble Buckinghamshire HP17 0XP					

**Information Added:**

This application has been the subject of a Member Site Visit.

**Consultations Reported:**

**Representations Reported:**

**Conditions/Informatives:**

Amendment to condition 5 to secure the pedestrian path link to the main road – add the words “and the new pedestrian path” after “disembarkment of vehicles”

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<b>Application No:</b>	<b>21/08547/VCDN</b>	<b>Item</b>	<b>8</b>	<b>Page:</b>	<b>101</b>
<b>Site Address:</b> Silver Birches Hawks Hill Bourne End Buckinghamshire SL8 5JQ					

**Information Added:**

This application has not been the subject of a Member Site Visit as Members have visited the site recently.

**Consultations Reported:**

**Representations Reported:**

**Conditions/Informatives:**

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<b>Application No:</b>	<b>22/05527/FUL</b>	<b>Item</b>	<b>9</b>	<b>Page:</b>	<b>111</b>
<b>Site Address:</b> Car Park Old Kiln Road Flackwell Heath Buckinghamshire					

**Information Added:**

This application has been the subject of a Member Site Visit.

**Consultations Reported:**

**Representations Reported:**

Additional representation from Mr Simon Carter has been received. This representation has been sent to members of the West Area Planning Committee individually.

Additional comments include:

- Officers report omits to address parking needs for all of Aries House or parking harm caused by loss of car park
- Both Planning inspector and Officers report ignores parking needs for all of Aries House
- Planning Inspector has overlooked existing/original parking requirement
- The company which gained recent planning approval has been sold off and employees relocated
- A new boxing gym has opened in former Bugden's store which represents a material change of use. Officer's reports omits to mention this change of use. The new occupancy sustains the need for the car park to remain.
- Inspector's view that car park was not intended to serve general needs of drivers in Flackwell Heath s contrary to long-standing view of Council.
- Original permission records contain documents which support the view that the car park was intended for wider use and development contains a footpath link between car park and Chapel Road
- Original architect has commented on use of car park for wider use
- Car Park survey undertaken on behalf of Council. At appeal, was insufficient
- The Planning Inspector's report is open to challenge
- Condition 7 of original permission remains valid and enforceable
- The Planning Inspector didn't consider appeal from an enforcement point of view.
- Highway Authority comments were provided without the knowledge that a new use has occupied the building

**Conditions/Informatives:**

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## Report to West Area Planning Committee

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<b>Application Number:</b>	21/06864/OUT
<b>Proposal:</b>	Outline application (including details of layout / scale / access / appearance) for demolition of existing buildings and erection of 6 x detached and 10 x semi-detached two storey dwellings (16 in total). Use of vehicular access off Inkerman Drive and Chestnut Lane (details of landscaping reserved)
<b>Site Location:</b>	Highbury Works & 12 & 13 Inkerman Drive Inkerman Drive Hazlemere Buckinghamshire
<b>Applicant:</b>	Shanly Homes
<b>Case Officer:</b>	Adam Smith
<b>Ward(s) affected:</b>	Hazlemere
<b>Parish-Town Council:</b>	Hazlemere Parish Council
<b>Date valid application received:</b>	28th June 2021
<b>Statutory determination date:</b>	27th September 2021
<b>Recommendation</b>	Permission with Planning Obligation

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

- 1.1 Outline planning permission is sought for 16 new dwellings incorporation the demolition of the existing employment units and the retention of the existing childcare nursery. All matters are included except landscaping.
- 1.2 The application site is allocated for mixed use development under Policy HW14 and the proposal would broadly accord with the allocation and the relevant requirements of the development plan including:
  - The provision of a mixed use development incorporating dwellings and the retention of the childcare nursery as required by the policy allocation; the employment floor space also sought in the allocation together with affordable housing has been found to be unviable by the Council's independent viability consultant and thus cannot reasonably be required.
  - Provision of a pedestrian and cycle access between Chestnut Lane and Pheasants Lane.

- Improvements to the accesses to the site and a reduction in vehicle movements to Inkerman Lane, with no adverse impact on highway safety or the highway network.
  - Sufficient car parking would be provided to serve the needs of the development.
  - The design and layout secure an optimal delivery of houses that would improve the character and appearance of the area.
  - It would not have an unacceptable impact on the amenity of neighbours and a good standard of amenity would be afforded for future occupiers.
  - Biodiversity and green infrastructure would be enhanced and the scheme would deliver a net gain in biodiversity.
  - The development would not increase the risk of flooding and would incorporate sustainable drainage.
  - It would mitigate for climate change and manage carbon emissions.
  - It would provide public open space.
- 1.3 The application has been subject to several amendments, including a reduction in the number of dwellings and improvements to the layout and design of the development.
- 1.4 No statutory consultees have objected to the latest scheme.
- 1.5 The latest amendments received five representations from local residents raising objections / concerns regarding the development focusing on residential amenity and highway safety matters.
- 1.6 Hazlemere Parish Council have objected to the application on the basis that they consider that it does not comply with Policy HW14 of the Wycombe Local Plan, Buckinghamshire Parking Standards and the emerging Hazlemere Local Plan.
- 1.7 The application was called-in to the Planning Committee by Cllrs Catherine Oliver, Ed Gemmell and Ron Gaffney on the basis that they consider that it does not conform with Policy HW14 of the Wycombe Local Plan and that the proposal is of concern to local residents.
- 1.8 The application is recommended for approval subject to the completion of a S106 Legal Agreement. A number of planning conditions are recommended which are necessary to ensure the scheme accords with development plan policy.

## **2.0 Description of Proposed Development**

- 2.1 The application seeks outline permission for 16 houses and includes details of all matters except landscaping.
- 2.2 The proposal includes the demolition of the existing employment units on the site and the two existing bungalows at Nos 12 and 13 Inkerman Drive, with the existing childcare nursery retained.
- 2.3 The proposed mix of dwellings comprises 3 x 2 beds (GIA 90m<sup>2</sup>), 11 x 3 beds (GIA 108m<sup>2</sup>) and 2 x 4 beds (GIA 146m<sup>2</sup>). All of the new dwellings would be two storey houses with hipped roof forms varying in height between 8.7 – 9.3m.
- 2.4 Plots 1-9 together with the retained childcare nursery would be accessed off Chestnut Lane, with a new pedestrian and cycle link provided between Chestnut Drive and Pheasant Drive.
- 2.5 Plots 10 -16 would be accessed off Inkerman Drive.
- 2.6 All of the dwellings would be served by at least 2 on plot parking spaces, with 5 visitor bays also incorporated into the layout.



- 2.7 The site is located to the south west of Inkerman Drive and Pheasants Drive and to the north east of Chestnut Lane. It is in a primarily residential area, although the site is occupied by the Class B2/B8 Highbury Works (which was designated under the previous local plan as a badly sited user) as well as a childcare nursery. Dwellings in the locality of the site vary in type, size and design including bungalows and houses with a mixture of hipped and gabled roof forms. The topography in the locality falls in land levels to the southeast along Inkerman Drive and to the southwest along Chestnut Lane, with the site notably falling in land levels to the south west.
- 2.8 The application is accompanied by:
- a) Planning Statement
  - b) Design and Access Statement
  - c) Transport Statement and subsequent Addendum response to LHA comments
  - d) Arboricultural Report and Pre-Development Tree Condition Survey
  - e) Tree Canopy Assessment
  - f) Ecology and Trees Checklist
  - g) Preliminary Ecological Appraisal and subsequent Ecological Impact Assessments including Biodiversity Net Gain Metrics
  - h) Phase I Geo-Environmental Risk Assessment
  - i) Flood risk and Drainage Statement and Subsequent Addendum response to LLFA comments
  - j) Sustainability & Energy Statement
  - k) Viability Appraisal/Report
- 2.9 Amended plans have been submitted during the course of the application to reduce the number of dwellings from 17 to 16 units and to address layout, design, amenity and highway issues.

### 3.0 Relevant Planning History

- 3.1 The site has a long and complex planning history, however the following application is the most relevant to the current proposal:

Reference	Development	Decision	Decision Date
20/05269/OUT	Outline application for demolition of existing buildings and erection of 8 x detached, 10 x semi-detached & 1 x terrace of three two storey dwellings (21 in total), 3 x detached & 2 attached single garages, use of existing vehicular accesses off Inkerman Drive and Chestnut Lane (including details of layout/ scale/ access/appearance) with details of landscaping reserved	Pending consideration	

3.2 The current application for 16 dwellings was submitted following adverse officer feedback on the above 2020 application for 21 dwellings.

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

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

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), Policy HW14 (Highbury Works etc.) DM33 (Managing Carbon Emissions, Transport and Energy Generation)

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

4.1 The site is allocated for mixed use development under Wycombe District Local Plan Policy HW14. Policy HW14 states that development of the site is required to:

1. Provide layouts and building heights that reflect the existing topography;
2. Improve access to the site by creating new accesses at Chestnut Lane and/or Pheasants Drive, and closing or minimising additional traffic using the existing access to Inkerman Drive;
3. Provide a permeable site layout allowing for pedestrian and cyclist access between Chestnut Lane and Pheasants Drive, without creating a “rat run” for larger vehicles;
4. Provide approximately 640 square metres of B1 office space;
5. Retain or provide on-site relocation of the existing nursery at a comparable scale to the existing use.

4.2 The supporting text to the policy set out an indicative capacity for the site as 14 dwellings. This number is not a target or a ceiling to the amount of development that can be accommodated on the site – it is simply a monitoring number.

4.3 The principle of a mixed use development of the site is acceptable under Policy HW14. In addition, the retention of the nursery use accords with the allocation and the layout and design of the 16 dwellings together with the highway impacts broadly accord with the policy requirements as set out in more detail below.

4.4 It is acknowledged that the proposal does not incorporate any office space as sought under Policy HW14, however the application has been accompanied by a viability assessment which has been tested by an Independent Viability Consultant on behalf of the Council. The Independent Viability Consultant advises that the incorporation of an office use within the scheme would render the redevelopment of this site unviable.

4.5 In addition, the applicant has submitted a statement from a commercial property consultant based in High Wycombe which details that the office market is currently very poor, with an “over-supply of office accommodation and woeful demand”, highlighting that the Covid pandemic has hastened the switch to homeworking affecting office demand and that this trend looks set to continue. Furthermore, the commercial property consultant advises that businesses seeking offices want to be next to or within town centres with good transport links, not in a residential location, and advises that he is presently struggling to let offices in High Wycombe.

4.6 Overall, and in particular given the findings of the Independent Viability Consultant, it is considered that objections cannot reasonably be sustained to the omission of office floor space as part of the proposal.

4.7 It is also acknowledged that representations have been received from Hazlemere Parish Council questioning the conformity of the proposal with the policies in the

emerging Hazlemere Neighbourhood Plan. However, the draft Neighbourhood Plan has only recently been subject to pre-submission consultation and it can only be attributed limited weight as the extent of any unresolved objections and whether it conforms to the WDLP and national policy is unknown at this stage.

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

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

- 4.8 Policy DM24 requires 48% on site affordable housing for all proposals of 10 or more units on land used for employment generating uses. However, the viability of the scheme has been reviewed by an Independent Viability Consultant on behalf of the Council and the Consultant advises that the provision of affordable housing for a 16 unit scheme on this site would not be viable. As such, it is considered that it would not be reasonable to require the scheme to incorporate any affordable housing as this would render the scheme undeliverable.
- 4.9 There is also a requirement under Policy DM22 for residential developments to provide a mix of houses in terms of type, size and tenure taking into account current evidence of need and to support mixed communities. In this instance, the greatest housing need in the area is for three bed units and the proposal is tailored to meet this demand but also includes 2 x 4 beds and 3 x 2 beds to create a mixed community. As such, and mindful of the viability challenges of this site, it is considerable that the proposal would broadly meet the requirements of Policy DM22 to provide a mix of housing.
- 4.10 Policy DM41 requires that all the dwellings are built to achieve the standards in Building Regulations Approved Document M4(2) regarding accessible dwellings and the scheme has been amended to seek address this. In addition, Policy DM41 requires 20% of dwellings to achieve category M4(3) regarding wheelchair user dwellings. The applicant has identified which these units are and that they have been designed to achieve this standard. Therefore a planning condition is necessary to ensure that the development is built to these standards in order to accord with Policy DM41.

#### **Employment issues**

Wycombe District Local Plan (August 2019): CP5 (Delivering Land for Business), DM28 (Employment Areas)  
DSA: DM5 (Scattered business sites)

- 4.11 Policy DM5 seeks to generally protect against the unjustified loss of employment generating uses on scattered employment sites. However, the requirements of this policy are overridden for the application site by its subsequent allocation for mixed use development under Policy HW14. Thus, and given the findings of the Council's Independent Viability Consultant, objections cannot be sustained to the proposal with regards to Policy DM5.

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

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

- 4.12 The site occupies a sustainable location in Hazlemere village within 500m of bus stops with regular services to nearby towns and is allocated for redevelopment under Policy HW14. The allocation of the site includes highway requirements to ensure satisfactory

highway impacts and improve pedestrian permeability, as set out in more detail in the Principle of Development section above.

- 4.13 The proposal would result in a reduction in vehicle movements from the Inkerman Drive access as required under Policy HW14. There would be an increase in vehicle movements onto Chestnut Lane and concerns regarding this have been raised in several of the third party representations. However the Highway Authority has advised that the access to the site from Chestnut Lane is acceptable subject to conditions and is satisfied that all vehicle movements can be safely accommodated in the local highway network.
- 4.14 In addition, the Highway Authority advises that the carriageway widths for the new internal roads are acceptable and that the turning heads are sufficient for refuse and emergency vehicles to manoeuvre within the site.
- 4.15 The amended proposal also incorporates a continuous footway from Chestnut Lane to Pheasants Drive creating a permeable pedestrian layout and the proposal would also allow for cyclist access which accords with the requirements of Policy HW12. The provision and maintenances thereafter of this new connection can be secured by a Section 106 Legal Agreement.
- 4.16 Third party comments regarding the potential for parking on Pheasants Drive associated with visitors to the nursery utilising the new footway are noted. However, the Highway Authority have raised no objections in this respect and there is a policy requirement to provide the pedestrian connection between Pheasants Drive and Chestnut Lane. Furthermore, and in any event, there are controls under the Highway legislation to address matters of obstruction of the highway.
- 4.17 Turning to car parking, the site falls within Residential Parking Zone B and therefore the guidance in the Parking Standards seeks to secure 32 allocated parking spaces and 7 unallocated parking. The proposal provides 33 allocated spaces and 5 unallocated spaces. The optimum on plot parking provision is therefore slightly exceeded and the Highway Authority advises that a shortfall of two unallocated spaces would not in this instance have an unacceptable impact on safety or the convenience of the adjoining public highway.
- 4.18 The submitted plans omit details of cycle parking, however all properties benefit from rear gardens of sufficient size to accommodate cycle parking facilities in accordance with the Parking Standard and this matter can be addressed by condition.
- 4.19 To accord with Policies CP12 and DM33 and the Air Quality SPD, the development is required to provide one electric charging point per house and this can be secured by condition.
- 4.20 The Highway Authority recommends a conditions to secure a Construction Traffic Management Plan and, given the location of the site within an urban area and the scale of the development, this is considered reasonable and necessary to mitigate the transport impacts during the demolition and construction phases of the development.
- 4.21 It is noted that emerging Hazlemere Neighbourhood Plan includes policy requirements relating to sustainable transport. The proposal would meet some of the draft policy requirements, such as improving pedestrian connectivity, providing accessing dwellings and the provision of electric vehicle charging points. However, these policy requirements only carry limited weight at this stage of the Neighbourhood Plan, as detailed above, and as such objections cannot be sustained to the elements of this

emerging policy document which extend beyond the requirements of the adopted development plan, such as funding car clubs.

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

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

DSA: DM11 (Green networks and infrastructure), DM16 (Open space in new development)  
Residential Design Guide SPD.

Housing intensification SPD

- 4.22 The main building on the application site represents an unusual feature in the area, comprising a sprawling industrial style building with a single storey scale. It is gated to Inkerman Drive and presents an inactive elevation to Pheasants Drive flanked by an overgrown area of open space. The site includes two bungalow style buildings to the Chestnut Drive part of the site with a concrete frontage and gated access.
- 4.23 The site is surrounded by residential properties of varied type and design as a result of incremental development in the area over time, including bungalows and houses with varied roof forms, pitches and heights.
- 4.24 The applicant has explored several different layout options as part of application 20/05269/OUT and the current application, working with officers to seek to optimise the development of this brownfield site.
- 4.25 The latest scheme proposes to create a development served off two separate accesses, with the retained nursey and Plots 1 – 9 accessed from the turning head at the end of Chestnut Lane and Plots 10 – 16 accessed off Inkerman Drive. This results in the formation of two short culs-de sac with a central perimeter block structure providing good surveillance of the public realm. Perimeter blocks are generally advocated in the Council's design guidance as the most robust and successful way to arrange residential layouts.
- 4.26 In addition, the layout facilities pedestrian permeability which is subject to high levels of surveillance between Chestnut Lane and Pheasants Drive via the inclusion of continuous footway between the two roads without creating a vehicular cut through.
- 4.27 The proposal includes a triangle of open space onto Pheasants Drive to the benefit of the character of the area and the scheme has also been amended to ensure the neighbouring new dwellings overlook this area, with the design of Plot 3 in particular altered to be double fronted. This open space would be landscaped and together with the proposed tree lined streets would introduce a green corridor running through the site to Chestnut Lane. The access road off Inkerman Drive would also be tree lined and the proposed retention of the hedge along Inkerman would ensure an important green feature of the area is not lost due to the proposed development. The open space can be secured by a S106 Legal Agreement with the detail of the landscaping provided at the reserved matters stage.
- 4.28 The scheme would result in an internal access road running along the side boundary of 11 Inkerman Drive terminating at the rear boundary of 5 Hazlemere View. Whilst this is not ideal from an urban design perspective, the boundary would be subject to good surveillance with Plots 10 – 16 all fronting onto the access road. Furthermore, developments are required to make the best use of land, and it is considered that the proposed layout would make the best use of this constrained site to optimise its allocation for a mixed use development.

- 4.29 The proposed design of the dwellings has also been amended during the course of the application to introduce additional windows for surveillance and to simplify the scheme, with all of the proposed houses having hipped roofs to create a coherent form of development. The design of the dwellings does not replicate the appearance of surrounding properties, however there is considerable variety in the area, and subject to appropriate materials secured by condition, and a condition withdrawing householder permitted development rights for roof extensions and extensions, it is considered that the scale and design of the proposed properties are acceptable.
- 4.30 The site falls in land levels to the south west from Pheasants Drive and Inkerman Drive to Chestnut Lane and the use of detached and semi-detached dwellings would allow buildings to step down in levels to follow the underlying topography, however it is important than details of the finished floor levels are secured by condition.
- 4.31 Overall, it is considered that the proposal would comprise an efficient use of the site which would secure an optimal delivery of houses that would improve the character and appearance of the area.

**Amenity of existing and future residents**

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

Residential Design Guide.

Housing intensification SPD.

- 4.32 All habitable rooms in the proposed dwellings would be served by windows offering good levels and outlook and daylight, with the internal floor space of all the units exceeding the nationally described (internal) space standard such that the proposal would comply with Policy DM40.
- 4.33 In addition, the new dwellings would all be served by gardens with a depth in excess of 10m and the central perimeter block (containing 13 dwellings) would predominantly have two storey separation distances in excess of 25m to accord with the Council's design guidance. The separation distance between Plots 14 - 15 and 5 would fall slightly under 25m, but it would be less than a one metre shortfall with the properties benefiting from relatively generous rear gardens and would allow for some frontage landscaping for these plots to the benefit of the character of the area such that the separation distance is not objectionable in this instance. However, it is recommended that permitted development rights are removed for roof enlargements, extensions and outbuildings in the interests of the amenity of future occupiers of the site and neighbouring residents.
- 4.34 Turning to the amenities of occupiers of neighbouring properties in more detail, the scheme has been amended to improve the separation from the new dwellings on Plots 1-2 to the side boundary of 3 Swallow Drive. It is considered that the amended scheme, subject to a finished floor level condition, would not give rise to unacceptable overlooking to this neighbouring property.
- 4.35 In addition, the altered scheme also improves the separation from the new dwelling on Plot 10 to the rear boundaries of 3 – 5 Hazlemere View. The amended plans also indicate that the hedge to the rear of 3 – 5 Hazlemere View would be retained to soften the initial impact of the development and seek to address third party representations. Plot 10 would be set on a higher land level than properties on Hazlemere View due to the underlying topography of the area, but it is considered that the amendments

together with its proposed hipped form would ensure that it would not appear unduly prominent or overbearing when viewed from these neighbouring properties. However, it is recommended that the first floor flank windows in Plot 10, and also Plots 9, and 16, are conditioned to be obscure glazed, with a condition also imposed to prevent the insertion of additional first floor side windows, to protect the privacy of neighbouring properties on Hazlemere View, Chestnut Lane and Inkerman Drive and future occupiers of the new development.

- 4.36 The proposed houses would be set to the side of 14 Chestnut Lane and 14 Inkerman Drive, such that there would only be angled views between the fronts and rears of these properties maintaining acceptable levels of privacy and outlook. In addition, the hipped roof forms and insets from the boundary would ensure that the development would not appear unduly prominent or overbearing when viewed from these neighbouring properties nor result in an unacceptable loss of sunlight or daylight to 14 Inkerman Drive which is set to the north eastern side of the site
- 4.37 Plots 10 – 15 would face towards the side boundary of 11 Inkerman Drive, but with a separation distance in excess of 18m and intervening access road such that there would not be any unacceptable overlooking or detrimental visual impact on this neighbouring property. Furthermore, the new access road would only serve a limited number of properties such that it would not give rise to unacceptable impact in terms of disturbance and activity associated with vehicle movements.
- 4.38 Overall, it is considered that the proposal would afford a good level of amenity for future occupiers of the proposed development and would not have an unacceptable impact on the residential amenities of neighbouring properties.

#### **Environmental issues**

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

- 4.39 The proposal would remove an employment use, identified under the previous local plan as a badly sited user, and thus would represent a benefit to neighbouring residential properties in terms of a reduction in noise, activity and disturbance.
- 4.40 In addition, the Council's Environmental Health Officer has reviewed the application and raises no objections to the proposal subject to conditions to address contamination from the employment use of the site and electric vehicle charging points to address air quality matters.
- 4.41 A planning condition is recommended to control any lighting associated with the development to ensure the provision is made for street lighting to create a secure development, whilst safeguarding neighbours and ecological considerations.

#### **Flooding and drainage**

Wycombe District Local Plan (August 2019): CP12 (Climate Change), DM39 (Managing Flood Risk and Sustainable Drainage Systems)

- 4.42 The application site is in Flood Zone 1 and is therefore at low risk of river flooding. In addition, the Environment Agency's Flood Map for Surface Water shows that the site is at low risk of surface water flooding and flooding from groundwater is also unlikely.
- 4.43 However, the proposal comprises a major development and therefore there is a policy requirement for the application to be accompanied by a Flood Risk Assessment together with details of Sustainable Drainage. The LLFA has assessed the submitted

details, raising no objections to the flood risks proposed by the development and advising that details of sustainable drainage can be secured by conditions.

### **Green networks, infrastructure and ecology**

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development)

DSA: DM11 (Green networks and infrastructure), DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance), DM14 (Biodiversity in development), DM15 (Protection and enhancement of river and stream corridors)

- 4.44 The application was accompanied by a Preliminary Ecological Appraisal, with a subsequent Ecological Impact Assessment submitted including bat emergence surveys, habitat plan and Defra metric. The Ecology Officer has assessed the submitted details and advises that the proposal would result in a net gain in biodiversity and would not be likely to have an adverse impact on protected species, subject to conditions to secure an Ecological Design Strategy and a Landscape and Ecological management plan (LEMP).
- 4.45 Turning to green infrastructure, the Council's Arboricultural Officer recommends the imposition of a tree protection condition to secure the retention of the trees and hedgerows shown to be retained in the submitted Arboricultural Method Statement.
- 4.46 It is noted that third parties are seeking a Tree Preservation Order (TPOs) or covenant to protect the hedge to the rear of properties on Hazlemere View, however hedges cannot be protected by TPOs and covenants are civil matters outside the scope of planning. Although, controls can be imposed through planning conditions to seek to protect the hedge during the construction process and to secure its retention for at least 5 years to soften the initial impact of the development and encourage its long term retention and management.
- 4.47 In addition, the Arboricultural Officer advises that the submitted details indicate that the 25% canopy cover requirement set out in Policy DM34 can be met for the development proposal, which would include tree lined streets, the retention of trees and hedgerows and some trees to the rear garden of properties. However, given the constrained nature of the development and to secure the long term retention of trees in rear gardens, the Arboricultural Officer recommends that a condition is imposed to secure the provision of detailed information regarding canopy cover and tree planting.
- 4.48 Also, it must be recognised that the layout would allow for the provision of street trees and other vegetation to provide green infrastructure connections running from north to south across the site and also to the boundaries of the site. Therefore, the proposal would offer benefits to local green infrastructure networks.

### **Community facilities**

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

Community facilities SPD

- 4.49 The existing childcare nursery would fall within the definition of a community facility within the development plan and its retention as part of the proposal would accord with Policy DM29, as well as the requirements to retain this facility as set out for this allocated site in Policy HW14.



### **Building sustainability**

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

- 4.50 The application has been supported by a Sustainability and Energy Statement which details that water efficiency measures would be incorporated within the new homes to ensure the water use is less than 110 litres per person per day and achieves the enhanced standard required by the Building Regulations. This matter can be secured by a compliance condition to comply with Policy CP12.
- 4.51 In addition, Policies CP9 and DM33 seek to secure the integration of renewable technologies into development to address carbon emissions. The submitted Sustainability and Energy Statement assesses a number of options for reducing carbon emissions including incorporating renewable energy technology but sought to focus on the fabric first approach. However, this statement was submitted last year and the applicant has subsequently agreed to a condition to secure a scheme to ensure at least 15% of the energy supply of the development comes from decentralised and renewable or low carbon energy sources to address the policy requirements.
- 4.52 It is noted that the draft Hazlemere Neighbourhood Plan includes policy requirements relating to zero carbon homes which the proposal would not comply with. However, these emerging policies only carry limited weight at this stage of the Neighbourhood Plan, as detailed above, such that objections cannot be sustained to the proposal in these respects.

### **Public open space**

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

DSA: DM16 (Open space in new development), DM19 (Infrastructure and delivery)

- 4.53 Policy DM16 details that the provision of strategic and local open space for schemes of less than 10 dwellings will generally be provided off site and funded through CIL. Although there is also a requirement to provide communal open space as part of providing sustainable communities and high quality environments.
- 4.54 In this instance, the proposal includes a triangular shaped area of public open space adjacent to Pheasants Drive and the retention of a hedgerow along Inkerman Drive to benefit the character and appearance of the area. The implementation and maintenance of this open space needs to be secured within a legal agreement.

### **Infrastructure and Developer Contributions**

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

DSA: DM19 (Infrastructure and delivery)

Planning Obligations SPD

- 4.55 The development is a type of development where CIL would be chargeable.
- 4.56 The Planning Obligations SPD sets out the Local planning Authority's approach to when planning obligations are to be used in new developments.
- 4.57 It is considered that there would not be other types of infrastructure, other than those previously highlighted that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.

4.58 Having regard to the statutory tests in the Community Infrastructure Levy regulations and the National Planning Policy Framework it is considered that the following planning obligation(s) are required to be secured within a section 106 agreement:

- Open space provision and maintenance/management in perpetuity
- Provision and maintenance of pedestrian and cyclist access between Chestnut Lane and Pheasants Drive
- SUDS maintenance/management
- Monitoring Fee

4.59 The applicant has confirmed a willingness to enter into a legal agreement.

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

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

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

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

5.3 As set out above it is considered that the proposed development would broadly accord with the development plan policies. The lack of affordable housing would weigh against the grant of planning permission but this has been justified by the viability assessment which has been checked and agreed by the Council's consultant. As the site is an allocated site and its delivery is part of the housing strategy for the west area, the lack of affordable housing is not considered to warrant refusal of the application. The development would regenerate a site and create a new development more in keeping with the character and quality of the area than the buildings it replaces.

5.4 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

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

6.1 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

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

6.3 In this instance, the applicant was provided the opportunity to submit amendments to the scheme and additional information to address issues.

## 7.0 Recommendation

7.1 That the application be delegated to the Director of Planning and Environment for APPROVAL subject to the satisfactory completion of a legal agreement to secure the following:

- Open space provision and maintenance/management in perpetuity
- Provision and maintenance of pedestrian and cyclist access between Chestnut Lane and Pheasants Drive
- SUDS maintenance/management
- Monitoring Fee

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

### Reserved matters and time limits

- 1 Details of landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.  
Reason: That the application is expressed to be an outline application only.
- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).
- 3 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the reserved matters, whichever is the later.  
Reason: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

### Approved Plans

4. The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and the following schedule of plans:

Drawing Numbers	Drawing Title
HWIDH/PLN/200	Location Plan
HWIDH/PLN/214	Site Survey
HWIDH/PLN/101	Existing Site Buildings
HWIDH/PLN/303 Rev E	Proposed Block Plan
HWIDH/PLN/304 Rev A	Plots 1 and 2
HWIDH/PLN/305 Rev B	Plot 3
HWIDH/PLN/306 Rev B	Plot 4
HWIDH/PLN/307 Rev B	Plots 5 and 9
HWIDH/PLN/308 Rev B	Plot 6
HWIDH/PLN/309 Rev A	Plots 7 - 8 and 14 - 15
HWIDH/PLN/310 Rev A	Plot 16
HWIDH/PLN/311 Rev A	Plots 10 and 11

Reason: In the interest of proper planning and to ensure a satisfactory development of the site.

### Landscaping and Trees

5. The reserved matters of landscape shall comply with the canopy cover requirements of Policy DM34 and the Canopy Cover Supplementary Planning Document. At the reserved matters stage the following shall be submitted:
- An assessment of the existing and retained canopy of the site which relates to details produced in line with BS5837:2012 (electronic copy as per SPD)
  - An assessment of the canopy cover value to be provided by new trees (electronic copy as per SPD) demonstrating how a future canopy cover of 25% of the site area will be achieved.
  - An assessment of the canopy cover value to be provided by new green infrastructure elements (electronic copy as per SPD)
  - A canopy cover plan showing existing, retained trees and new canopy cover provided by trees (with canopy at size of planting and in the future), green walls and green roofs.
  - The plan will be annotated with a reference for each tree/element and their canopy cover area value.

Reason: To ensure the canopy cover requirements for the site can be met in accordance with the Canopy Cover Supplementary Planning Document.

6. No development (other than demolition) shall take place until a tree planting and canopy cover implementation and management scheme produced in line with the Canopy Cover Supplementary Planning Document has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:
1. Details of the required soil volume,
  2. The locations of underground infrastructure to demonstrate that there are no clashes.
  3. Details of monitoring and supervision of the tree planting process including provision to take photographs of each tree pit/soil volume space, prior to filling with soil.
  4. Details of how the tree planting is to be phased across the development so that planting takes place in line with the occupation of the development.
  5. Details of maintenance and management (and replacement procedure if necessary) of trees for at least 5 years after planting

Thereafter the development shall be carried out and completed in accordance with the approved scheme unless otherwise first agreed in writing by the Local Planning Authority. An annual monitoring and supervision report from a qualified arboriculturalist, shall be submitted to and approved in writing by the Local Planning Authority in line with the phased planting scheme and management and maintenance scheme approved under 4 and 5 above.

Reason: To ensure the canopy cover requirements for the site can be met in accordance with the Canopy Cover Supplementary Planning Document

7. With the exception of any pruning, tree surgery or felling specifically shown in the Arboricultural Report (reference 1219-8092 Rev2) submitted as part of the application or landscaping scheme to be submitted as part of the reserved matters application, no trees or hedge shown to be retained shall be pruned, felled or removed without the prior approval of the Local Planning Authority. If during construction of the development, or within a period of five years of its completion, any such tree or hedge shown to be retained dies or becomes damaged, destroyed, diseased or dangerous, it shall be replaced during the following planting season by another healthy tree, or hedge as the case may be of a similar size and species, unless otherwise approved in writing by the Local Planning Authority. Thereafter any such replacement planting shall be maintained or further replaced as necessary for five years after replacement.  
Reason: To ensure the satisfactory retention of existing trees, and hedges in the interests of amenity, green infrastructure and biodiversity.
8. The development shall take place in accordance with the Arboricultural Report (reference 1219-8092 Rev2) and accompanying Tree Protection Plan submitted as part of the application, and any permitted works within the Construction Exclusion Zone and other works which are specified in the submitted Arboricultural Report shall take place under the supervision of a retained arboricultural specialist.  
No site clearance works or development shall commence, and no machinery or equipment shall be allowed on site until protective fencing and/or other protective measures have been erected around each tree and hedge to be retained in accordance with the recommendations in the submitted Arboricultural Report. The area surrounding each tree and hedge to be retained within the approved protective fencing shall remain undisturbed during the course of the works.  
Reason: To ensure that the retained trees and hedgerows are not damaged during the construction process in the long term interests of amenity, green infrastructure and biodiversity.
9. The development hereby permitted shall be landscaped and planted in accordance with a fully detailed scheme which shall be submitted as part of the reserved matters detail of landscaping for the development. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees, plants or areas of turfing or seeding which, within a period of 5 years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.  
Reason: In the interests of amenity, green infrastructure and biodiversity, and to ensure a satisfactory standard of landscaping

#### Contamination

10. No development shall take place until the following has been submitted to and approved in writing by the Local Planning Authority before any development takes place:
- a) A detailed site investigation has been carried out to establish:-
    - i. If the site is contaminated;
    - ii. To assess the degree and nature of the contamination present;

- iii. To determine the potential risks to human health, the water environment, the natural and historical environment, and buildings and other property by contaminants.

Such detailed site investigation to accord with a statement of method and extent which shall previously have been agreed in writing by the Local Planning Authority and

- b) The results and conclusions of the detailed site investigations referred to in (a) above have been submitted to and the conclusions approved in writing by the Local Planning Authority and
- c) A scheme showing appropriate measures to prevent the pollution of the water environment, to safeguard the health of intended site users, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation and approved conclusions has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in (c) above.

Reason: This is a pre-commencement condition to ensure that the potential contamination of this site is properly investigated and its implication for the development approved fully taken into account.

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

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

Thereafter the development shall not be implemented otherwise than in accordance with the approved remediation scheme.

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

#### Construction Traffic Management Plan

- 12. No development shall take place until a Construction Traffic Management Plan (CTMP) detailing the management of construction traffic (including vehicle types, frequency of visits, expected daily time frames, use of a banksman, on-site loading/unloading arrangements and parking of site operatives vehicles) shall be submitted and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with such approved CTMP.

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

#### Vision splays – Inkerman Drive

13. No other part of the development shall begin until visibility splays have been provided on both sides of the Inkerman Drive access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.  
Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

#### Chestnut Lane – Access alterations

14. The development shall not be occupied until the existing means of access onto Chestnut Lane has been altered in accordance with the approved drawing and constructed in accordance with the Buckinghamshire Council guide note “Commercial Vehicular Access Within the Public Highway”.  
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

#### Car Parking

15. The car parking spaces, garaging and manoeuvring areas indicated on the plans hereby approved shall be laid out prior to the initial occupation of the development hereby permitted. Thereafter the car parking spaces shall only be used for the parking of vehicles and shall not 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.

#### Refuse and cycle storage

16. Prior to first occupation of the development hereby permitted, details of facilities for the storage of refuse bins and cycles shall be submitted to and approved in writing by the local planning authority for approval. The approved details shall be provided before the dwelling(s) that they relate to is first occupied and shall thereafter the facilities shall be permanently retained for their purpose.  
Reason: To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents.

#### Surface materials

17. Notwithstanding the submitted details, no development (other than demolition) shall take place until a schedule and/or samples of all surfacing materials has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: To secure a satisfactory appearance.

## Surface water drainage

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

- Discharge rate limited to 2l/s
- Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index
- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- Active rainwater harvesting calculations in accordance with British Standard EN 16941-1:2018
- Demonstration that the viability of locating all outlet pipes from the attenuation tanks within shared public spaces has been explored
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
- SuDS components agreed in the outline application
- Full construction details of all SuDS and drainage components
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.

Reason: The reason for this pre-construction condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 167 and 169 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

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

Reason: To ensure that arrangements have been arranged and agreed for the long term maintenance of the drainage system as required under Paragraph 169 of the National Planning Policy Framework.

## Levels

20. Notwithstanding the submitted details, no development (other than demolition) shall take place until drawings of the site identifying the following have been submitted to and approved in writing by the Local Planning Authority:
- a. Existing ground levels on site (spot heights) including a datum point that is located off site. Levels should be Above Ordnance Datum (AOD).
  - b. The level of the roads outside the site. (AOD).



- c. The proposed levels on site following completion of the development (for each existing height a proposed height should be identified).
- d. The location and type of any retaining structures needed to support ground level changes.
- e. The Finished Floor Level for every building that is proposed.
- f. Cross sections within the site taken up to the site boundaries. The information supplied should clearly identify if land levels are being raised or lowered.
- g. In the case of residential development, sections showing the level of the proposed garden(s) and retaining structures.

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

Reason: To ensure that the work is carried out at suitable levels in relation to adjoining properties and highways

### Ecological design strategy

21. No development shall take place until an ecological design strategy (EDS) addressing mitigation, compensation and enhancement has been submitted to and approved in writing by the local planning authority. The EDS shall include the following.
- a) Purpose and conservation objectives for the proposed works.
  - b) Review of site potential and constraints.
  - c) Detailed design(s) and/or working method(s) to achieve stated objectives.
  - d) Extent and location/area of proposed works on appropriate scale maps and plans.
  - e) Specification and source of materials (plants and otherwise) to be used where appropriate, e.g. native species of local provenance.
  - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
  - g) Persons responsible for implementing the works.
  - h) Details of initial aftercare before hand over to the long-term maintenance contained within the LEMP.
  - i) Details for monitoring and remedial measures.
  - j) Details for disposal of any wastes arising from works.
  - k) Details including the location and specification for the creation of new wildlife features, including the inclusion of bat roosts, bird nesting features within buildings (at least 6), and hedgehog holes in fences.
  - l) Details including the location and specification for compensatory hedge planting.
  - m) An updated version of the biodiversity metric which reflects the detailed proposals and includes recognition of the hedgerow to be compensated for.

The EDS shall where appropriate be cross reference in other relevant details (e.g. landscape plans, detailed building design), and it shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: This is a pre-commencement condition to comply with the requirements of the Conservation of Habitats and Species Regulations 2010, Schedules 1, 5 and 8 of the Wildlife & Countryside Act 1981 (as amended), and the Protection of Badgers Act 1992. And to

ensure that there is a net gain in biodiversity in line with the requirements of the National Planning Policy Framework (NPPF) and policy DM34.

#### Landscape and Ecological Management Plan

22. Prior to the occupation of the development hereby permitted, a landscape and ecological management plan (LEMP) shall be submitted to and be approved in writing by the local planning authority. The content of the LEMP shall include the following.
- i. Description and evaluation of features to be managed.
  - ii. Ecological trends and constraints on site that might influence management.
  - iii. Aims and objectives of management.
  - iv. Appropriate management options for achieving aims and objectives.
  - v. Prescriptions for management actions.
  - vi. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - vii. Details of the body or organisation responsible for implementation of the plan.
  - viii. Ongoing monitoring and remedial measures.

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

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

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

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

#### Materials – Elevation treatments

23. Prior to the construction of any dwelling hereby permitted above ground floor slab level, and notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of the materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To secure a satisfactory external appearance.

#### Boundary treatments

24. Prior to the construction of any dwelling hereby permitted above ground floor slab level, details of all boundary walls, fences and any other means of enclosure within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details and the dwellings hereby approved shall not be occupied until the details have been fully implemented.

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

### Renewable Technologies

25. Prior to the construction of any dwellings hereby permitted above ground floor slab level, a scheme to demonstrate how renewable technologies will be integrated into the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure at least 15% of the energy supply of the development comes from decentralised and renewable or low carbon energy sources. The development shall be implemented in accordance with the approved scheme and no unit shall be occupied until the measures within the scheme relating to that house have been provided. The scheme shall remain operational for the lifetime of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of managing carbon emissions and mitigating climate change as required by Local Plan policy CP12 and DM33.

### Water Efficiency Standard

26. The development hereby permitted shall be designed and constructed to meet a water efficiency standard of no more than 110 litres per head per day.

Reason: In order to meet the requirements of Local Plan policy CP12 and DM41 in the interests of water efficiency.

### Access to and use of buildings

27. Plots 1 to 3 hereby permitted shall be designed and built to achieve the standards in Building Regulations Approved Document M4(3) and the remaining dwellings hereby permitted shall all be designed to achieve the standards in Building Regulations Approved Document M4(2).

Reason: To meet the need for accessible, adaptable and wheelchair user dwellings as required by policy DM41.

### Electric Vehicle Charging Points

28. Prior to occupation of each respective unit hereby permitted, one electric vehicle charging point shall be installed for each house with allocated parking. Thereafter the electric vehicle charging points shall be retained as such and maintained in full working order for the lifetime of the development unless otherwise first agreed in writing by the local planning authority.

Reason: To manage carbon emission generation and mitigate for climate change and the impact on the health of Nitrogen Dioxide emissions in accordance with local plan policy CP12 and DM33 and the Air Quality SPD

### Street Lighting

29. Prior to the occupation of the development hereby permitted, full details of all external lighting within the application site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and be fully implemented prior to the occupation of the dwellings and retained and maintained thereafter.

Reason: In the interests of amenity, crime prevention and biodiversity

### Removal of permitted development rights

30. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order), no development falling within Classes A to E of Part 1 of Schedule 2 shall be carried out without the prior, express planning permission of the Local Planning Authority.  
Reason: In order that the Local Planning Authority can properly consider the effect of any future proposals on the character of the locality, the amenity of neighbouring properties and surface water drainage.
31. No further windows, doors or openings of any kind shall be inserted in the flank elevations of the development hereby permitted without the prior, express planning permission of the Local Planning Authority.  
Reason: To safeguard the privacy of occupiers of the adjoining properties.
32. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a highway.  
Reason: In order to safeguard the visual amenities of the area.
33. Notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no gates shall be erected upon the development's estate road.  
Reason: To prevent vehicles reversing out onto Wycombe Road and enable vehicles to draw off clear of the highway, turn within the site and re-enter Wycombe Road for the safety and convenience of all highway users.
34. Notwithstanding any other details shown on the plans hereby approved, the first floor window(s) in the flank elevations of the dwellings on Plots 9, 10 and 16 shall, up to a minimum height of 1.7 metres above finished floor level, be fixed shut (without any opening mechanism) and glazed in obscure glass. The window(s) shall thereafter be retained as such.  
Reason: In the interests of the amenity of neighbouring properties.

### INFORMATIVE(S):

1. The applicant is advised that Planning Obligations have been entered into in connection with this permission.
2. The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Health Section of the Environment Service on 01494 421737 at the Council Offices.
3. It is drawn to the applicant's attention that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a

written request. Please contact Highways Development Management at the following address for information:

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

4. The applicant is advised that no vehicles associated with the building operations on the development site should 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.
5. It is drawn to the applicant's attention that it is contrary to section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development should therefore be so designed and constructed that surface water from the development should not be permitted to drain onto the highway or into the highway drainage system.
6. The applicant is advised that it is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

## APPENDIX A: Consultation Responses and Representations

### Councillor Comments

Cllrs Catherine Oliver, Ed Gemmell and Ron Gaffney called this application as “it does not conform to Policy HW14 within the Wycombe Local Plan 2019 and despite several applications is still of concern to local residents”.

### Hazlemere Parish Council Comments

#### **June 2022 – Comments on latest amended scheme:**

The Parish Council wishes to draw the Case Officer's attention to Policy HW14 of HWLP 2019 which states:

4. Provide approximately 640 square metres of B1 office space. The Parish Council would like it noted the developer has yet again not proposed any office space

5.1.109 The indicative capacity of the site is 14 dwellings; the developer has proposed 16.

5.1.110 Development proposals should deliver a mixed use site which integrates with the local character of the area, as well as delivering B1 office space in line with the policy requirement above. There is no office space proposed.

Buckinghamshire Countywide Parking Guidance September 2015 defines number of parking and cycle spaces for a development. This proposal has 32 spaces and 2 garages and only five visitor parking spaces. There is no provision for cycle storage in this proposal although it could be argued that numbers 4 and 6 can use their garages. The Parish Council therefore require a minimum of 28 cycle parking spaces for the remaining plots.

According to Table 5. Residential car parking standards (above 10 dwellings), there should be a minimum of 32 residential parking spaces. This has been achieved however where more than half of parking is allocated, an additional 20% of the total number of spaces are required for unallocated/visitor parking. Therefore, this development requires a minimum of 6 additional unallocated visitor parking spaces.

Hazlemere Neighbourhood Plan (at regulation 14 consultation stage and therefore a material consideration)

POLICY HAZNP2: Protecting and Improving Green Infrastructure D. 'In addition, on sites of 0.5 ha or more, future canopy cover of at least 30% of the site area within ten years should be achieved. As this site is 0.62Ha, this level of canopy cover is a requirement.

POLICY HAZNP3: Delivering Zero Carbon Buildings

- A. All development must be 'zero carbon ready by design'
- B. All new development must be certified to a Passivhaus or an equivalent standard
- C. All planning applications for development (except householder applications) are also required to be accompanied by a Whole Life-Cycle Carbon Emission Assessment
- D. An Energy Statement will be submitted to demonstrate compliance with the policy

All of Policy HAZNP3 is a requirement of this application

POLICY HAZNP4: Promoting Sustainable Transport

- A. All development proposals should sustain, enhance the functionality of local footpaths and cycleways and public transport infrastructure by way of their layout and means of access, and by linking up existing routes.
- B. All development schemes will be required to make a financial contribution to a package of local measures to reduce the reliance on car ownership and to achieve the aim of enabling someone to walk/cycle from one end of the parish to the other without going on a road.
- C. All development schemes will be required to provide car club spaces and to establish/fund appropriate car clubs. Requirements for provision of private car parking will be adjusted to reflect the provision of car club spaces.
- D. All development schemes will be required to provide access to EV charging for all parking spaces.
- E. Not applicable
- F. All developments must ensure that transport routes and public spaces within the development meet best standards of accessibility, so that the whole development meets the needs of people with a wide range of disabilities, including age-related impacts and hidden disabilities.

The above clauses of Policy HAZNP4 are a requirement of this application

#### **March 2022 – Comments on second set of amendments:**

The Parish Council would like to draw the Case Officer's attention to the discrepancy that the site plan has been amended but not the block plan.

The Parish Council wishes to thank the developers for hearing the previous highways objections and making sufficient amendment.

The Parish Council continues to object that there is no office space and that the allocated site policy HW14 shows an indicative number of dwellings of 14; this application shows 16 dwellings. This application should therefore be refused as it is contrary to the WDLP 2019.

#### **July 2021 – Comments on scheme as originally submitted:**

Hazlemere Parish Council recognise the number of changes made in response to this comment, but we note that this proposal still delivers 3 more houses than indicative capacity in the local plan (and lack of office space). Given the increasing demand for roof extensions locally, the Councillors think that this is likely to put increasing pressure on parking space in future.

There remains concern that access from the narrow Chestnut Drive and would like to see vehicular access from Pheasants Drive for some of the properties without creating a rat run. We are concerned about the blind exit from the Inkerman Drive end, so some form of mitigation (eg signage) would be desirable.

We would like to see EVC points for all dwellings.

We would like to see a construction management plan submitted to reduce impact on neighbours, and particularly the working of the nursery. No construction traffic should be permitted down Chestnut Drive or Pheasants Drive.

#### **Consultation Responses (Summarised)**

#### **Highways**

June 2022 – Comments on latest amendments

- Having assessed the amendments, satisfied that the proposed parking is in line with the requirements of the Buckinghamshire Countywide Parking Guidance policy document
- Whilst the Chestnut Lane access have been slightly altered, the carriageway widths are acceptable and the turning heads are sufficient for refuse and emergency vehicles to manoeuvre within the site.
- No objections subject to the conditions and informatives set out within previous response.

#### February 2022 – Comments on second set of amendments

- Shortening of spur ensures the reversing manoeuvres of refuse and fire service vehicles would not have a detrimental impact upon road safety users
- Development will offer a level of allocated parking which is the optimum standards when taking into account the level of habitable accommodation for each dwelling
- No objection subject to conditions relating to secure a Construction Traffic Management Plan and the provision of the altered vehicular access to Chestnut Lane, vision splays to Inkerman Drive access, and car parking as per the plans.
- In addition, informatives should be included to highlight the need for a highway licence and that it is an offence for vehicles to obstruct or carry mud onto a highway or for water to runoff onto a highway.

#### October 2021 –Comments on first set of amendments:

- Objection on the basis of inadequate provision of satisfactory turning space within the site resulting in danger and inconvenience to highway users.

#### July 2021 – Comments on scheme as originally submitted:

- The site would utilise two accesses, with the proposal generating fewer vehicle movements from the Inkerman Drive access compared to the existing situation but resulting in a slight intensification of the Chestnut Lane access. However, satisfactory visibility can be secured from the access and improvements to the access can be secured by condition to ensure the intensification will not have a detrimental impact on highway safety and convenience. Therefore, satisfied that all vehicle movements can be accommodated in the local highway network.
- The proposal is for carriageway widths of 4.8m mostly flanked by 1.2m footways and the tracking data for refuse vehicles is acceptable. However the siting of the spur is objectionable as it would result in fire and service vehicles having to reverse more than 20m which would be detrimental to pedestrian safety.
- The development would offer a level of allocated parking which is the optimum standard and thus a shortfall of two unallocated spaces (i.e. 5 spaces rather than 7 spaces) would not have a severe impact upon the safety and convenience of the adjoining public highway, nor justify this as a reason for refusal of the application.
- The development is located within 500m of bus stops providing regular services to High Wycombe and Chesham.

#### **Urban Design**

#### May 2022 – Comments on latest amendments:

- No further comments, proposals acceptable.



March 2022 – Comments on second set of amendments:

- It would be preferable to explore re-orientating plots to front onto Pheasants Drive to make a better streetscape or, alternatively, the triangle of open space adjoining Pheasant's Drive should be configured as a public open space, incorporating ornamental planting and seating.
- Some plots do not include at least one parking space capable of enlargement to 3.3 metres wide to allow M4(2) properties to be adapted to a higher standard
- A continuous public pavement between Pheasants Drive and Chestnut Lane should be provided
- The mature hedgerow along Inkerman Drive should be retained as a permanent feature.
- Areas for new planting must be substantial and not at risk of loss, such as for enlarging parking spaces (see above); the planting areas alongside Plots 1 and 7/8/9 and to the rear of the visitor parking spaces are too small.
- A substantial portion of the hedge and tree planting is proposed in private gardens, but more needs to be done within the streetscape.
- All tree planting locations must make provision for suitable soil volumes in accordance with the Council's Tree Canopy Calculator, including using reinforced soils beneath paved areas where necessary.

August 2021 – Comments on scheme as originally submitted:

- The principal concern would be the access to the northern half of the site from Chestnut Lane. This road is already a long and narrow cul-de-sac, to which the proposed development will add more traffic, and the proposed access arrangement is awkward.
- Unless advised otherwise in pre-application advice (e.g. by the Council's Highway Department), a new access from Pheasants Drive should be provided, with a pedestrian connection to Chestnut Lane provided but with no road connection.

#### **Environmental Health Officer**

March 2021 – Comments on latest amendment:

- Previous comments still stand.

July 2021 (amended by email of September 2021) – Comments on scheme as originally submitted:

- A report submitted alongside the application suggest that further investigation of potential contaminants on the land is required. A detailed site investigation must therefore take place prior to the commencement of development; a condition to address this is recommended.
- As per the air quality SPD, electric vehicle charging points with a minimum rating of 32 amp (one per dwelling) must be provided prior to the occupation of the development.
- An informative is recommended relating to construction noise.

#### **Ecological Officer**

May 2022 – Comments on second set of amendments:

- The issues raised in the previous ecological comments have been addressed.
- The bat emergence surveys have now been submitted and so have the habitats plans and the defra metric. The Biodiversity Metric 3.0 shows that there will be a Biodiversity Net Gain of habitats of approximately 80.13%, however the metric fails to account for the lost hedgerow which is mentioned in the Amended Ecological Impact Assessment as being 40m in length. It seems likely that there will be opportunities for the hedgerow to be compensated for through the new scheme.
- The Amended Ecological Impact Assessment includes recommendations in section 6 which need to be incorporated into the proposals to make it acceptable and this can be secured by conditions

to require an Ecological Design Strategy and a Landscape and ecological management plan (LEMP).

December 2021 – Comments on scheme as originally submitted:

- The Preliminary Ecological Appraisal (PEA) omits details of on the bats surveys undertaken and no habitat map/plan is included.
- No metric or assessment of the biodiversity value to be gained or lost has been included.

### **Arboriculture Spatial Planning**

July 2022 - Comments on latest scheme:

The submitted documents are acceptable in principle, subject to submission of detailed canopy cover/landscaping details showing tree species and tree pit details. This should be submitted in accordance with the SPD.

As a managed hedgerow, H14 cannot be made subject of a TPO, but can be safeguarded by condition for a limited period. This will help the applicant meet the biodiversity/canopy requirements of DM34 and add maturity to the scheme.

March 2022 – Comments on second set of amendments:

Please see previous comments. Information required by the SPD still appears to be outstanding. Happy to discuss. Please refer applicant to the guidance for canopy cover.

November 2021 – Comments on first set of amendments:

- There are concerns that the proposal may not meet the canopy cover requirements of policy DM34; not all documents required by the Canopy Cover SPD guidance have been provided.
- Regarding retained trees, it is likely that a detailed AMS and TPP can be submitted by condition reflecting any changes in layout.
- Details regarding new planting can likely be conditioned also, subject to the council being satisfied that 25% canopy cover is achievable.

### **Community Housing**

No comments received.

### **Legal - Rights Of Way**

No comments received.

### **Lead Local Flood Authority (Major SuDS)**

October 2021 – Comments on second set of amendments:

- Information has been provided regarding maintenance responsibilities and the drainage layout has been revised.
- No objections subject to planning conditions to secure full details of a surface water drainage scheme for the site and a whole life management plan.

July 2021 – Comments on scheme as originally submitted:

- The Flood Map for Surface Water provided by the Environment Agency shows that areas of the site are at low risk of surface water flooding and flooding from groundwater is also unlikely.
- The surface water drainage can be addressed by way of planning condition.
- Further information is required regarding maintenance responsibility and the location of SuDS components prior to the determination of this application.

## Crime Prevention Design Advisor

No comments received.

### Representations

Five comments have been received objecting to the latest amendment to the proposal:

- Changes are positive in relation to the impact on Hazlemere View, but the hedge needs to be safeguarded by condition/legal covenant on amenity and wildlife grounds
- Hedge / trees to the rear of Hazlemere View should be the subject of a Tree Preservation Order
- Concerned houses will be elevated in relation to bungalows on Hazlemere View and overlook bedrooms
- Concerned that the footway from Pheasants Drive may encourage cars to park on Pheasants Drive and walk down the footway, causing parking issues and damaging the new open space - suggest parking restrictions imposed on Pheasants Drive.
- Vehicles accessing along Chestnut Lane will generate noise
- Visitors to the development will park on Chestnut Lane

Four comments were received objecting to the second set of amendments (February 2021):

- Development should be bungalows to blend in with area
- Plots 10 and 11 would be imposing on properties on Hazlemere View, they are huge in comparison to the bungalows they would replace and they would be more imposing due to the lay of the land
- Proposal would overlook bedrooms on Hazlemere View
- Hedges on boundary with Hazlemere View are paramount for screening; concerned hedge would be destroyed in construction process, exacerbating issues with scheme
- Proposal should provide public pedestrian footway to Pheasants Drive from Chestnut Lane
- Transport Statement does not adequately assess impacts on Chestnut Lane
- Adverse impact of traffic on Chestnut Lane and surrounding roads
- The increased traffic flow on Chestnut Lane will change the dynamic of Chestnut lane, making it more dangerous and detrimentally impacting upon its character
- Chestnut Lane is a narrow road and large vehicles have to mount the footpath, causing damage to footway
- The visibility on the exit of Chestnut lane onto Eastern Dene is poor and the proposal will there increase the risk of accidents
- Chestnut Lane is not suitable for construction traffic

Four comments were received objecting to the proposal as original submitted:

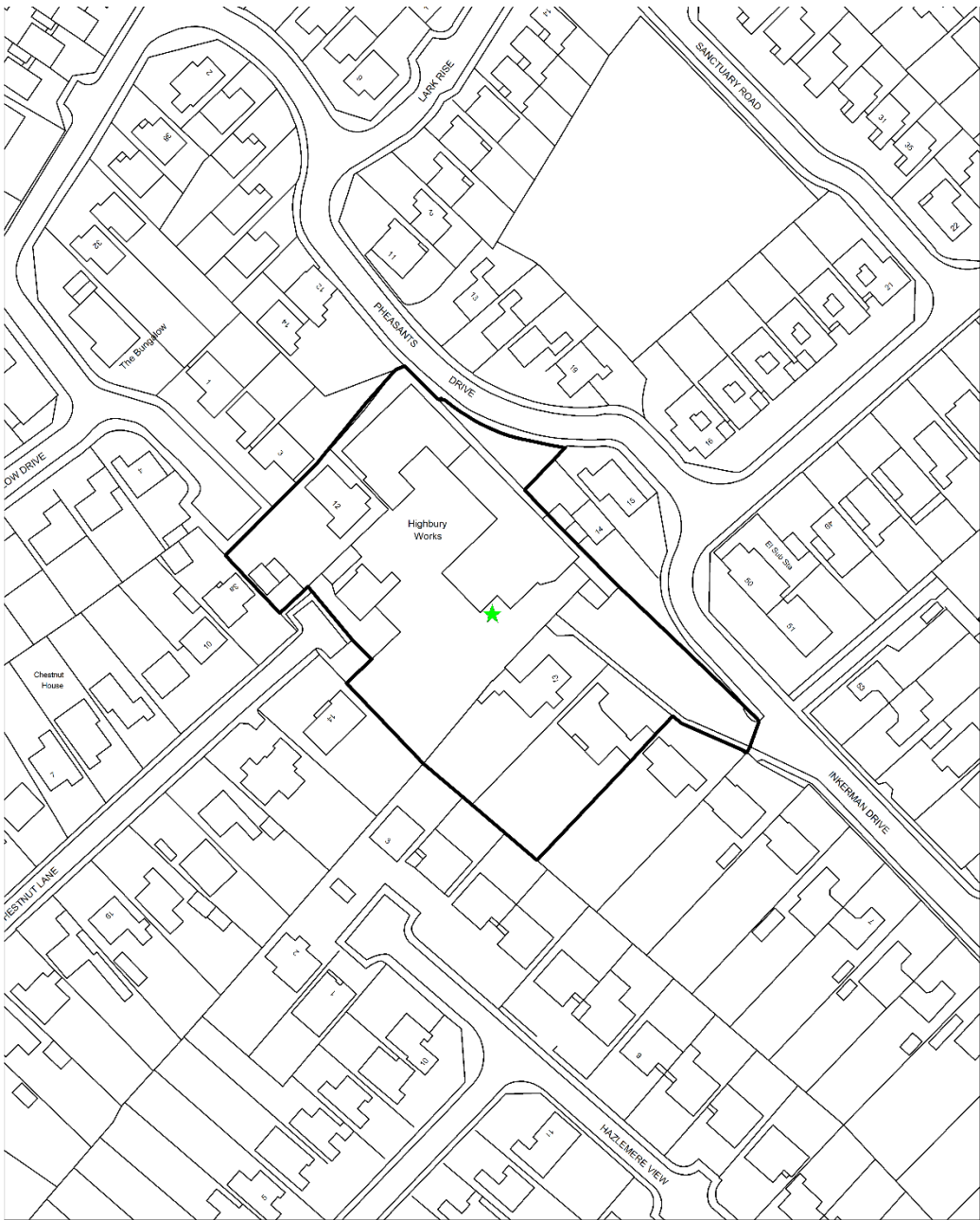
- Preferable to invest in office and factory jobs to create jobs
- Semi-detached houses are not in keeping with Chestnut Lane
- The rotation of the new house perpendicular to the properties on Hazlemere View is welcomed
- Properties neighbouring Hazlemere View should be single storey in keeping with the surrounding properties
- First floor windows would overlook neighbouring properties on Hazlemere View
- Loss of hedgerow to boundary with properties on Hazlemere View will affect the privacy of these neighbours; concerned whether development would impact on roots of this hedge. Also suggest that retention of hedge should be secure by a covenant
- Chestnut Lane cannot accommodate the additional traffic from the development; it is only

limited in width and existing access/obstruction/passing issues for residents would be exacerbated with for example emergency service vehicles not able to access properties.

- Junction of Chestnut lane is a natural bottleneck onto a very busy road
- Concerned regarding potential contamination impacts from removal of buildings, including asbestos impacts

APPENDIX B: Site Location Plan

21/06864/OUT  
Scale 1/1250



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Ordnance Survey 100062456

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## Report to West Area Planning Committee

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<b>Application Number:</b>	22/05429/FUL
<b>Proposal:</b>	Demolition of existing garage and erection of new container two storey 3-bed dwelling with heat source pump at rear and associated parking
<b>Site Location:</b>	106 Roberts Ride Hazlemere Buckinghamshire HP15 7AN
<b>Applicant:</b>	Mr Edmund Gemmell
<b>Case Officer:</b>	Josh Kwok
<b>Ward(s) affected:</b>	Hazlemere
<b>Parish-Town Council:</b>	Hazlemere Parish Council
<b>Date valid application received:</b>	30th March 2022
<b>Statutory determination date:</b>	25th May 2022
<b>Recommendation</b>	Application Refused

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

- 1.1 Planning permission is sought for demolition of existing garage and erection of new container two storey three bed dwelling with heat source pump at rear and associated parking.
- 1.2 This application is brought to the West Area Planning Committee because the applicant Mr Gemmell is an Elected Member, representing Hazlemere Ward of Buckinghamshire Council.
- 1.3 The proposal by reason of its form, scale, layout and design would fail to respect the existing grain of development and architectural vernacular of this neighbourhood, resulting in an incongruous built form prominently visible in the street scene.
- 1.4 The dwelling would fail to provide the minimum internal floor areas required by the Nationally Described Space Standards. There would be no private amenity space available to the residents of the new dwelling. These would be unduly harmful to the living environment of the future occupiers.

- 1.5 Furthermore, given its proximity to the road junction adjacent, the proposal, which fails to provide the required level of car parking spaces, has the potential of displacing vehicles onto Roberts Ride, causing disruption to the flow of traffic and dangers to other road users.
- 1.6 The proposal would be in conflict with multiple policies contained in the Development Plan and the National Planning Policy Framework. The harm resulting from its failure to comply with these policies would not be outweighed by other material planning considerations. As such, it is recommended for refusal.

## **2.0 Description of Proposed Development**

- 2.1 The proposal is for demolition of existing garage and erection of new container two storey three bed dwelling with heat source pump at rear and associated parking.
- 2.2 The dwelling would be 2.7m wide, 12.3m deep and 5.9m high. It would consist of a kitchen / living area and a bedroom on ground floor and two bedrooms and a bathroom on first floor. Above the green roof of this dwelling would be six solar panels. In addition there would be an air source heat pump installed at the rear of the dwelling.
- 2.3 The application is accompanied by :
  - a) Application Form
  - b) Plans
  - c) Ecology and Trees Checklist
  - d) Ecology Report
  - e) Planning Statement
  - f) Parking Survey

## **3.0 Relevant Planning History**

<b>Reference</b>	<b>Development</b>	<b>Decision</b>	<b>Decision Date</b>
01/07206/TPO	5.5 metre clearance above the road and footpath plus 4 metre clearance at the branch tips on the house side to 1 Beech tree and 4 metre clearance from the front dormer and house to 1 Beech tree, plus 20% thinning to both Beech trees	PER	6 November 2001
03/06802/FUL	Demolition of existing conservatory and erection of single storey rear extension	PER	3 September 2003
93/00092/TPO	FELLING 1 BEECH & CROWN REDUCTION, RE-SHAPING & THINNING OF 1 BEECH	SPLIT	12 October 1993
15/05475/TPO	Reduce crowns of two trees by 33% / 6 metres of both height and spread back to the growth	SPTPCZ	21 April 2015



points and remove any dead branches.

## **4.0 Policy Considerations and Evaluation**

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

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

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

- 4.1 The application site is within a residential area and the settlement boundary of High Wycombe. A residential scheme in this location could be considered positively in respect of the settlement and housing strategies set out in Policies CP3 and CP4 of the Wycombe District Local Plan.

### **Transport matters and parking**

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

DSA: DM2 (Transport requirements of development sites)

- 4.2 The proposal, if permitted, would significantly intensify the residential use of the site by creating a new three bed dwelling within the curtilage of an existing semi-detached house. The increase in number of vehicular movements and car parking required would have the potential to affect highway safety. The Highway Authority has thus been consulted on this proposal and has subsequently raised an objection for the following reasons.
- 4.3 Referring to the proposed site plan, there would be a total of three car parking spaces available at the front of the existing and new dwellings. However, these spaces would fail to meet the residential parking standards set out in the Buckinghamshire Countywide Parking Guidance (i.e. 2.8m wide x 5.0m deep). Their position relative to the TPO trees adjacent would make them unsuitable for car parking.
- 4.4 Furthermore, the existing dropped kerb shared between nos. 104 and 106 does not appear to be wide enough to serve all three parking spaces indicated on the site plan. If the width of the dropped kerb is to remain the same as it is, then the residents of the existing and new dwellings are unlikely to be able to achieve the required manoeuvres to access and egress the area of hardstanding without detriment to pedestrian safety. For these reasons, the proposed parking arrangement would be unsatisfactory.
- 4.5 Due to its failure to provide the required level of car parking spaces in a location that can be accessed safely and conveniently, the development proposal is likely to increase the number of parked vehicles in the vicinity of the Roberts Ride/Maurice Mount junction. Whilst the information provided in the Parking Survey is noted, the Highway Authority is of the opinion that the displacement resulting from this proposal would detrimental to highway safety and convenience.
- 4.6 In summary, the development proposal would not to provide the existing and future residents safe vehicular access to and from the site, nor would it deliver the required level of car parking spaces in a safe accessible location. The proposed access

arrangement together with the potential displacement of parked vehicles onto the public highway in this location would unduly prejudice highway safety and pose danger to pedestrian and other road users. To permit the development in its current form would thus be contrary to Policy DM33 of the adopted Wycombe District Local Plan and Section 9 of the National Planning Policy Framework.

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

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

- 4.7 The proposal to replace the existing flat roof garage with a two story detached house would fail to respect the grain and density of development in this locale. The site and its surroundings are purely residential characterised by two storey semi-detached houses with various extensions. The erection of a detached dwelling with a considerably narrower frontage between two existing semi-detached houses in a neighbourhood with a uniformed house type would unduly prejudice the sense of place and the street scene of Roberts Ride.
- 4.8 To infill the gap between these houses would erode the character of the site surroundings. Furthermore, the new dwelling would be sited in a small plot of land and in a tight relationship with the buildings adjacent. These factors would give rise to an undesirable sense of enclosure, a cramped and overcrowded environment. Consequently, the scale and layout of development would be inappropriate from a visual amenity perspective.
- 4.9 The elongated form of this development together with its uncharacteristic fenestration detail and flat roof design would result in an incongruous building that would be out of keeping with all other houses on Roberts Ride. It would thus represent an unsympathetic form of development, which would fail to preserve or enhance the quality of place.
- 4.10 To conclude, the development proposal by reason of its scale, layout, form and design would result in an incongruous built form that would fail to respect the grain and density of development and preserve the character of its immediate surroundings. To infill the gap between two existing semi-detached houses with a new house of a considerably different design would create a cramped and overcrowded environment that would be unduly detrimental to the street scene of Roberts Ride. To permit the development in its current form would be contrary to Policy DM35 of the adopted Wycombe District Local Plan (2019), Section 1 of adopted Residential Design Guide (2017) and Section 12 of the National Planning Policy Framework.

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

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

- 4.11 The gross internal floor areas of the new dwelling would be approximately 56.6sqm. For a two storey dwelling with three bedrooms, its gross internal floor areas must be no less than 84sqm. The development proposal would fail to provide the minimum gross internal floor areas required by the Nationally Described Space Standards. The width and size of the master bedroom would also be substandard. As such, the

proposal would not provide the future residents a good standard of amenity nor would it meet the relevant criteria set out in Policy DM40.

- 4.12 There would be a garden at the rear of the new dwelling but it would appear to be shared with the house adjacent at no.106. The size of this garden would not be sufficient to meet the need of the future occupiers and that of the neighbours. It would fail to provide these residents a reasonable level of privacy because their habitable room windows would likely be directly overlooked from the shared garden. Under those circumstances, the Local Planning Authority is not content that development concerned could provide its occupants a good standard of amenity in accordance with the relevant policies.
- 4.13 The depth of the new house would be similar to that of the buildings adjacent. There would be appropriate spacing between the proposed and existing development. Mindful of these factors, it is considered that the development is unlikely to cause significant overshadowing and overbearing impacts upon its immediate neighbours. They would continue to enjoy a relatively open outlook and adequate natural light from the northern aspect. However, the issue with privacy highlighted earlier remains a cause of serious concern.
- 4.14 In conclusion, the development proposal by reason of its scale and layout would fail to achieve the minimum gross internal floor areas required by the Nationally Described Space Standards and to provide its occupiers and the residents of no.106 Roberts Ride a reasonable level of privacy and outdoor amenity space. It would be unduly detrimental to the living environment of the future residents and the neighbouring occupants. To permit the development in its current form would be contrary to Policies DM35 and DM40 of the adopted Wycombe District Local Plan, Section 5 of the adopted Residential Design Guide (2017) and Section 12 of the National Planning Policy Framework.

#### **Environmental issues**

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), CP12 (Climate Change), DM20 (Matters to be determined in accordance with the NPPF), DM33 (Managing Carbon Emissions: Transport and Energy Generation)

- 4.15 Policy CP12 promotes mitigation and adaptation to climate change and supports the integration of renewable technologies into residential and commercial developments of all sizes. Policy DM33 also requires the integration of renewable technologies into developments. The development proposal appears to incorporate a number of renewable technologies including air source heat pump and solar panel. To ensure compliance with the aforementioned policies, it is not unreasonable to impose a condition requiring the renewable technologies as shown on the submitted plans be fully implemented before the new dwelling is first occupied.
- 4.16 The recently adopted Air Quality SPD requires the provision of electric vehicle charging points in connection with all minor developments. This is to reduce air pollution within the Council's Air Quality Management Areas. The site is within the AQMA. A condition could be imposed to secure the provision of one charging point adjacent to the car parking space, or at an alternative location that is first agreed with the Local Planning Authority in writing. This also meets the objectives of Policies CP12 and DM33 to address carbon emissions and climate change.

- 4.17 It is noted from the documents provides within the application that the noise from the air source heat pump is significantly above ambient background levels. This could adversely affect the living environment of the neighbours by reason of noise and disturbance. To address this issue, it is not considered unreasonable to impose a condition requiring the submission of a noise mitigation scheme to the Local Planning Authority for approval prior to the installation of the air source heat pump. With this condition imposed, the proposal could be made acceptable.

#### **Flooding and drainage**

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

- 4.18 The site is not within Flood Zone 2 or 3 nor is it in an area with critical drainage issues or vulnerable to surface water and ground water flooding. The new dwelling would sit on land already with an impermeable surface. It is not therefore considered to increase the level of surface water runoff and the risk of pluvial flooding within and beyond the site. The proposal would conform to Policy DM39 of the adopted Wycombe District Local Plan (2019) and Section 14 of the National Planning Policy Framework.

#### **Ecology, green network and infrastructure**

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

DSA: DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance), DM14 (Biodiversity in development)

- 4.19 The proposed development would replace the flat roof garage at the side of the existing dwelling. Given the site is not in or near an ecologically sensitive area nor is it of significant biodiversity value, the impact resulting from this development considered to be low and negligible.
- 4.20 Policy DM34 requires all development to protect and enhance both biodiversity and green infrastructure features and networks both on and off site for the lifetime of the development. A development proposal is also required to maximise the opportunities available for canopy cover.
- 4.21 The current proposal seeks to achieve a net gain in biodiversity through the creation of a green roof. It would deliver a measurable and enduring net gain and increase the canopy cover in accordance with Policy DM34 of the adopted Wycombe District Local Plan and Section 15 of the National Planning Policy Framework.
- 4.22 Referring to the site plan, a new car parking space would be created at the front of the existing semi-detached house, near two TPO trees. This parking space would likely be within the root protection area of these trees. Without an Arboricultural Impact Assessment and Method Statement, the Local Planning Authority is unable to establish whether the development could be carried out in a manner that does not prejudice the long term viability of these trees.
- 4.23 In summary, although the proposal might be acceptable from an ecology perspective, there is a concern about the impact this development might have on the trees nearby, which are of moderate to high amenity value and contribute positively to both the local ecology and the character of this neighbourhood.

#### **Building sustainability**

Wycombe District Local Plan (August 2019): CP12 (Climate Change), DM41 (Optional Technical Standards for Building Regulations Approval)

- 4.24 It is considered necessary to condition water efficiency in accordance with Policy DM41 of the adopted Local plan.

#### **Emerging Hazlemere Neighbourhood Plan**

HAZNP1 (Delivering Homes for First Time Buyers & Downsizers), HAZNP2 (Protecting and Improving Green Infrastructure), HAZNP3 (Delivering Zero Carbon Buildings), HAZNP4 (Promoting Sustainable Transport), HAZNP5 (Planning for Sustainable Development at Amersham Road/Tralee Farm)

- 4.25 The application site falls within the Neighbourhood Area of the emerging Hazlemere Neighbourhood Plan. The consultation period of this Plan came to an end on 11.07.2022. An emerging neighbourhood plan is likely to be a material consideration in many cases. Paragraph 48 of the revised National Planning Policy Framework sets out that weight may be given to relevant policies in emerging plans in decision taking.
- 4.26 In this case, as the plan is still at a relatively early stage of the plan-making process and the policies within which may be subject to further changes following the public consultation, it has only been afforded very limited weight in decision making.
- 4.27 The potential loss of trees due to the development would weigh against the aims of the emerging neighbourhood plan.

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

- 5.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 5.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
  - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
  - c. Any other material considerations
- 5.3 As set out above it is considered that the proposed development would accord fail to accord with the multiple policies contained in the Development Plan. The harm resulting from its failure to comply with these policies would not be outweighed by other material planning considerations.
- 5.4 The proposal does not represent a form of sustainable development as defined in the National Planning Policy Framework and is therefore recommended for refusal.

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

- 6.1 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

- 6.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications / agents of any issues that may arise in the processing of their application.
- 6.3 In this case, the applicant has been informed both verbally and in writing about the issues identified in this report.

## 7.0 Recommendation

- 7.1 It is recommended that planning permission be **REFUSED** for the following reasons:-
1. The development proposal by reason of its scale, layout, form and design would result in an incongruous built form that would fail to respect the grain and density of development and preserve the character of its immediate surroundings. To infill the gap between two existing semi-detached houses with a new house of a considerably different design would create a cramped and overcrowded environment that would be unduly detrimental to the street scene of Roberts Ride. To permit the development in its current form would be contrary to Policy DM35 of the adopted Wycombe District Local Plan (2019), Section 1 of adopted Residential Design Guide (2017) and Section 12 of the National Planning Policy Framework.
  2. The development proposal by reason of its scale and layout would fail to achieve the minimum gross internal floor areas required by the Nationally Described Space Standards and to provide its occupiers and the residents of no.106 Roberts Ride a reasonable level of privacy and outdoor amenity space. It would be unduly detrimental to the living environment of the future residents and the neighbouring occupants. To permit the development in its current form would be contrary to Policies DM35 and DM40 of the adopted Wycombe District Local Plan (2019), Section 5 of the adopted Residential Design Guide (2017) and Section 12 of the National Planning Policy Framework.
  3. The development proposal would not provide the existing and future residents safe vehicular access to and from the site, nor would it deliver the required level of car parking spaces in a safe accessible location. The proposed access arrangement together with the potential displacement of parked vehicles onto the public highway in this location would unduly prejudice highway safety and pose danger to pedestrian and other road users. To permit the development in its current form would thus be contrary to Policy DM33 of the adopted Wycombe District Local Plan (2019) and Section 9 of the National Planning Policy Framework.
  4. The development proposal would be within the Root Protection Area of two mature trees protected by a Tree Preservation Order. In absence of an Arboricultural Impact Assessment and Method Statement, the Local Planning Authority is not persuaded that the development could be carried out without causing an adverse impact on the long term viability of these trees. To permit the development in its current form would therefore give rise to a material conflict with Policy DM14 of the adopted Delivery and Site Allocation Plan (2013), Policy DM34 of the adopted Wycombe District Local Plan (2019) and Section 15 of the National Planning Policy Framework.

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

### Councillor Comments

No comments received from the relevant ward councillors.

### Parish/Town Council Comments

Hazelmere Parish Council understand and welcome the principle of this proposal however we question whether this is the appropriate solution for this site.

The Parish Council are particularly concerned about the impact of the street scene and the precedent on this estate (and elsewhere) that could be set if this structure is allowed. It is likely there will be an overpowering effect on the neighbouring property which we wish to draw the Case Officer's attention to.

Furthermore, as per The Parish Council's understanding of car parking allowance we believe there will not be enough spaces for the current property and the proposed structure. The large tree in the front garden prevents access to the left-hand parking space as per the drawing.

The Parish Council agree with the neighbour's objection about the possible impact on light and privacy on their property.

The Parish Council were unable to see any front or side elevation plans to accompany the submission and thought these could have helped further with the visualisation of the proposal.

The Parish Council would encourage the applicant to seek legal advice regarding Party Wall Agreement with neighbouring property.

Finally, The Parish Council, in line with their declaration of Climate Emergency wish to express their regret of the loss of garden/green space to concrete and seek request that the applicant mitigates for any loss of biodiversity and natural drainage.

### Consultation Responses

#### **Highway Authority**

Initial response

I have concerns with the parking arrangements proposed.

The site will generate a total parking requirement of 3(no) spaces following the development (2(no) spaces for the existing dwelling, 1(no) space for the proposed dwelling). I note a tree is located in front of the middle parking space, subsequently preventing a vehicle from accessing it, which would ultimately lead to the displacement of a parking space onto the public highway. Considering the site's location, it is likely that this displaced vehicle will park in close proximity to the Roberts Ride/Maurice Mount junction. This would have a detrimental impact on highway safety and would lead to an objection from the Highway Authority.

I would therefore request an amended site layout demonstrating 3(no) parking spaces on the site which can all be safely accessed. However, this will likely involve removal of the tree.

Further response

I have assessed the additional comments from the applicant, and I would like to make the following points.

Regarding the access arrangements, I note the site currently benefits from a shared access with No. 104 Roberts Ride. After reading the applicant's comments dated 9th May 2022, it appears as though the dropped kerb is not proposed to be extended as part of the development (this is also confirmed in the application form). However, the existing dropped kerb would not be sufficient to serve all 3(no) proposed parking spaces. This is due to the location of the tree which would prevent safe access, and if this tree is removed, vehicles accessing the hardstanding (particularly the most western space) would have to either mount the raised kerb to access the space or require multiple vehicular manoeuvres upon and along the pedestrian footway.

Whilst a private vehicular access allows vehicles to "cross-over" the pedestrian footway, driving and manoeuvring upon, or obstruction of, the pedestrian footway is prohibited. Therefore, if the existing access width is retained, a vehicle would not be able to achieve the required manoeuvres to access and egress the internal hardstanding without detriment to pedestrian safety. No tracking information has been provided which would suggest otherwise.

Mindful of this, the application would have to propose the access to be widened across the full site frontage to allow safe and legal access to the parking area.

However, as mentioned, I am not satisfied the middle space can be safely accessed without removal of the tree. The subsequent displacement will likely occur near the Roberts Ride/Maurice Mount junction. Whilst the applicant has stated that parking within 10m of the junction is not legally possible and as such fines may occur, Rule 243 of the Highway Code states: 'DO NOT stop or park... opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space'. It must be noted that violating a part of the code which use the words 'do not' in them is not an automatic criminal offense. Therefore, parking within proximity of a junction would not necessarily lead to enforcement action, and as previously mentioned, these parking instances would be considered being detrimental to highway safety and convenience.

### **Environmental Health Service**

A scheme of works shall be required to ensure that the noise from the Air Source Heat Pump does not negatively impact upon the amenity of the neighbouring properties. This does include outdoor living areas.

It is noted from the documents provides within the application that the noise from the unit is significantly above ambient background levels. Therefore the applicant shall have to ensure that the mitigation methods are approved prior to installation.

Noise levels of air source heat pump at the Nearest Residential Properties

No development shall take place before a scheme has been submitted to and approved in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the any plant to be installed.

Thereafter, the use shall not commence until the approved scheme has been fully implemented.

### **Arboricultural Service**

No arb information has been submitted despite the presence of protected trees on site.

The applicant notes that 'no detrimental effect on biodiversity and wildlife as the complete installation will be onto land already concreted or tarmacked, no trees will be harmed or cut down.' However, there are concerns regarding construction-related activities within the RPA of retained, protected trees. Specifically, the proposed layout appears to show a change to the front of the property in increase parking. Levelling, compaction, leaching of materials (depending on method), all have potential to harm the existing trees and negatively impact their long-term retention. In



these cases it may be possible to use an engineered approach and this should be assessed by a suitably competent arboricultural specialist. Loss or irreparable harm to trees of high value will be not be supported.

It is strongly recommended that an AIA be submitted prior to re-consult so that the council can be reassured that the trees will not be harmed. An AMS and TPP are likely to be recommended by condition if the plans appear to be feasible in principle.

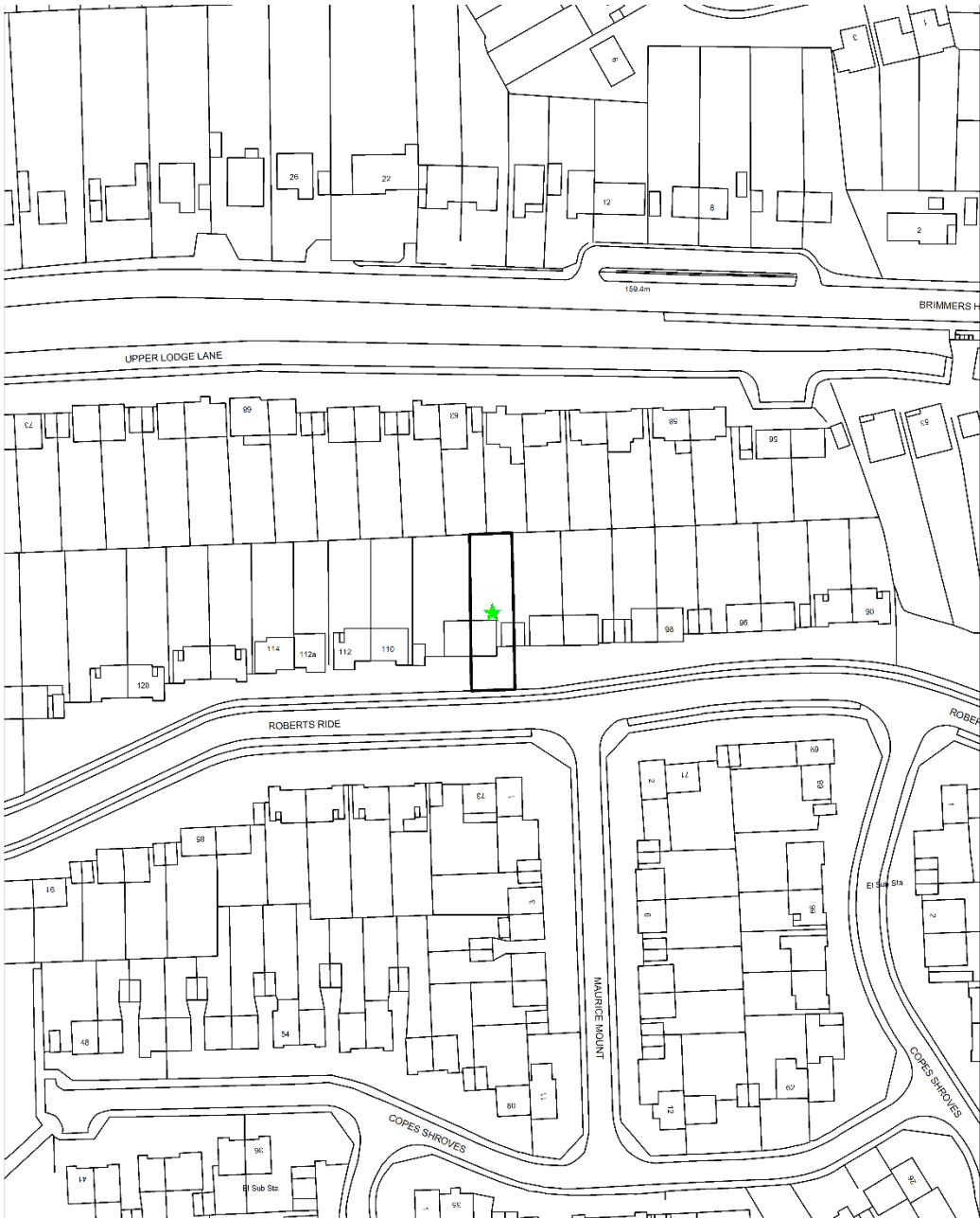
#### Representations

One written representation was received from the occupier of a neighbouring property, who raised the following issues:-

- Inadequate off street car parking
- Loss of light by reason of the siting of the new house
- Issue with overlooking due to changing land levels
- Impact resulting from the air source heat pump

APPENDIX B: Site Location Plan

22/05429/FUL  
Scale 1/1250



Planning Committee  
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