



## West Buckinghamshire Area Planning Committee agenda

Date: Wednesday 28 September 2022

Time: 6.30 pm

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

### Membership:

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

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<b>Agenda Item</b>	<b>Page No</b>
<b>1 Apologies for Absence</b>	
<b>2 Declarations of Interest</b> 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.	
<b>3 Minutes of the Last Meeting</b> To note the minutes of the meeting held on 24 August 2022.	<b>5 - 8</b>
<b>Planning Applications</b>	
<b>4 21/07347/FUL - Formoso &amp; Land Adjacent to Formoso, Kiln Lane, Bourne End, Buckinghamshire.SL8 5JE</b>	<b>9 - 36</b>
<b>5 21/08699/FUL - The Stones, Spurgrove Lane, Frieth, Buckinghamshire, RG9 6NU</b>	<b>37 - 50</b>
<b>6 22/06428/FUL - 16 Church Street, High Wycombe, Buckinghamshire, HP11 2DE</b>	<b>51 - 60</b>
<b>7 22/06756/FUL - Bridge Court, Desborough Road, High Wycombe, Buckinghamshire</b>	<b>61 - 70</b>
<b>8 Date and Time of Next Meeting</b> Wednesday 26 October 2022 at 6.30pm.	
<b>9 Availability of Members Attending Site Visits (if required)</b> To confirm members' availability to undertake site visits on Tuesday 25 October 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 24 August 2022 in High Wycombe Council Chamber, Queen Victoria Road, High Wycombe, HP11 1BB, commencing at 6.30 pm and concluding at 8.32 pm.

### Members present

A Alam, M Ayub, A Baughan, I Hussain, D Johncock, C Oliver, S Raja and M Turner

### Others in attendance

K Asif, T Coppock, L Hornby, C Power, C Steuart, D Cleary and Kwok

### Apologies

N Marshall, P Turner, S Wilson and K Wood

### Agenda Item

#### 1 Election of Chairman

Councillor D Johncock opened the meeting and explained that the Chairman and Vice-Chairman were unavailable for the meeting and therefore invited nominations for a Chairman to sit for this meeting only. Following a nomination and a seconder, Councillor S Raja was duly voted in as Chairman and he took the Chair.

**Resolved: that Councillor S Raja be Chairman for this meeting.**

#### 2 Declarations of Interest

**Councillor C Oliver:** Planning Application 21/06864/OUT – declared an interest due to being the Chairman of Hazlemere Parish Council and also a member of the Hazlemere Parish Council Planning Committee. Councillor Oliver declared that she had not been present when this application had been debated and had not made a decision and that she would listen to the officers and Members' debate before reaching a decision.

#### 3 Minutes of the Last Meeting

The Minutes of the meeting held on 27 July 2022 were agreed as an accurate record.

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

## **Buckinghamshire**

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.

Members voted in favour of the motion to delegate the application to the Director of Planning and Environment for approval subject to the conditions and other matters listed within the recommendation in the officer's report as amended by the update provided to Members by the presenting officer.

There being a tied vote of 4 in favour and 4 against, the Chairman exercised his right to a casting vote and voted in favour of the motion.

**It was proposed by Councillor S Raja and seconded by Councillor M Ayub**

**Resolved: that the application be delegated to the Director of Planning and Environment for approval subject to the conditions as listed within the recommendation within the officer's report as amended by the update provided to Members by the presenting officer.**

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

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 of Inkerman Drive and Chestnut Lane (details of landscaping reserved).

This application was the subject of a site visit.

Members noted the Update Sheet and the change to the Officer's recommendation. Following a full debate, Members voted in favour of the motion that the application be deferred and delegated to the Director of Planning and Environment for approval subject to the conditions as listed within the officer's report and in the Update.

Speaking on behalf of Hazlemere Parish Council: Mr Paul Fleming

Speaking in objection: Mr Francis Goss

Speaking on behalf of the applicant: Mr Huw Mellor

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

**Resolved: that the application be deferred and delated to the Director of Planning and Environment for approval subject to the conditions and other matters listed within the recommendation within the officer's report and in the Update.**

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

Demolition of existing garage and erection of new container two storey 3-bed

dwelling with heat source pump at rear and associated parking.

This application was withdrawn prior to the meeting.

**7 Date and Time of Next Meeting**

Wednesday 28 September 2022 at 6.30pm.

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

**Resolved:** that in the event it was necessary to arrange site visits on Tuesday 27 September 2022 in respect of the agenda for the meeting to be held on Wednesday 28 September 2022, the following Members be invited to attend:

Councillors: A Baughan, D Johncock, C Oliver and M Turner.

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## Report to West Area Planning Committee

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<b>Application Number:</b>	21/07347/FUL
<b>Proposal:</b>	Demolition of Formoso and erection of 6 dwellings with associated garages and stopping up vehicular access to Grassy Lane
<b>Site Location:</b>	Formoso & Land Adjacent To Formoso Bourne End Buckinghamshire SL8 5JE
<b>Applicant:</b>	RAK Kiln Lane Ltd
<b>Case Officer:</b>	Jenny Ion
<b>Ward(s) affected:</b>	The Wooburns, Bourne End & Hedsor
<b>Parish-Town Council:</b>	Wooburn And Bourne End Parish Council
<b>Date valid application received:</b>	8th September 2021
<b>Statutory determination date:</b>	3rd November 2021

### Recommendation

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

- 1.1 The application site comprises the plot occupied by the dwelling Formoso, together with the open land to the east. The proposed development is for six detached dwellings, taking access from Kiln Lane, using the existing access point used by Formoso. An existing access from Grassy Lane would be stopped up.
- 1.2 Permission has previously been granted for the erection of four large detached houses on the same site. The proposed scheme is for a similar layout of development to the previously approved scheme, but a reduction in the size of dwellings proposed has afforded the opportunity to increase the number of units proposed to six.
- 1.3 The development would be for six individually designed houses with associated garages set in spacious plots. The dwellings would have an acceptable relationship with their surroundings, both in terms of landscape impact and with neighbouring properties. It would create an acceptable living environment for future occupiers. The proposed access into and within the site is considered satisfactory by the Highway Authority in terms of highway safety and capacity and suitable measures would be incorporated into the development to manage surface water drainage, so that the risk of flooding from surface water would not be increased within the site or elsewhere. The applicant has indicated that they are willing to enter into a S106 agreement to

secure a contribution towards the provision of affordable housing off-site and to secure biodiversity net gain through off-setting off-site.

- 1.4 The application has been called in to the planning committee by Cllr Drayton. Cllr Drayton asked for the application to be considered by the committee due to concerns that the development is an overdevelopment of the site and will give rise to concerns over highway safety due to the nature of Kiln Lane and the increase in traffic which would result from the development. Although aware of previous permissions for development on the site (as well as refused and withdrawn schemes) Cllr Drayton is not assured that regard should be had to this in determining this application.
- 1.5 The application is recommended for approval subject to completion of a S106 agreement to secure a contributions towards the provision of off-site affordable housing and biodiversity off-setting.

## **2.0 Description of Proposed Development**

- 2.1 The application site is a large, irregularly shaped site of just under 1 hectare, set on sloping ground between Kiln Lane to the north and the bridleway Grassy Lane to the south. It includes the site of the dwelling known as Formoso and an adjacent paddock to the east which has access from Grassy Lane.
- 2.2 The application amalgamates the two sites to allow the construction of six detached houses, with a shared access from Kiln Lane. This access currently serves Formoso, Apple Tree Lodge and Aston House, the latter dwellings being to the west / south west of the application site. To the east of the site is public open space and a bridleway runs parallel to the east boundary.
- 2.3 The development would be accessed via the existing shared entrance onto Kiln Lane, from which a spur would be taken running north west – south east, roughly parallel with Kiln Lane. Plot 1 would be sited on the plot currently occupied by Formoso, with additional land to the east. Its main entrance would face the access to the west, but being a corner plot it has been designed to address the access on the south side also. The property would have five bedrooms at first floor and a detached garage with green roof on its eastern side.
- 2.4 Plot 2 would be adjacent to plot 1, backing onto Kiln Lane. It would be set at an angle to the access, with two forward projecting gables. The dwelling would have a large master suite and two further bedrooms on the first floor and would have two further bedrooms and a cinema room within the roofspace. It would also have a garage with green roof on its east side.
- 2.5 Plot 3 would sit diagonally across the north east corner of the site, with a link attached garage on its southern side. The amenity space would be between the house and Kiln Lane and between the house and the bridleway along the east boundary. It would have four bedrooms at first floor and a further two bedrooms and bonus room within the roofspace. The roofspace above the garage is shown as an annex.
- 2.6 Plot 4 would be set in the south east corner of the site, with staggered front projecting gables, set at an angle to the driveway, with Grassy Lane to the rear. A garage would be set at right angles to the house, on the northern side, backing onto the bridleway. This dwelling would have four bedrooms at first floor, a bedroom and cinema room in the roof space, and above the garage a one bedroom annexe.



- 2.7 Plot 5 would be set on the south side of the access drive, with a long rear garden extending to Grassy Lane. It would have a green roofed garage set to the front of the house. The house would have three bedrooms on the first floor and a further two bedrooms and cinema room in the roofspace.
- 2.8 Plot 6 would also be set to the south of the access, adjacent to Apple Tree Lodge. It too would have a garage with a green roof to the front. The house would have four bedrooms at first floor and a bedroom and games room within the roofspace.
- 2.9 The design and access statement gives an indication of proposed materials, which would include good quality bricks and plain clay tiles, tile hanging, and render.
- 2.10 The application is accompanied by:
- a) Design and Access Statement
  - b) Preliminary Ecological Appraisal
  - c) Ecology Report
  - d) Biodiversity calculator
  - e) Tree Report
  - f) Canopy cover calculator
  - g) Affordable housing calculator
  - h) SuDS report
  - i) Highways Statement
- 2.11 During the course of the application the plans were amended. The changes include dropping the level of the house on Plot 4 and a drop to the level of the house on plot 5. Updated ecological surveys, biodiversity accounting information, canopy cover information and affordable housing contribution calculations were also provided.

### 3.0 Relevant Planning History

- 3.1 Permission has, in the past, been granted for a single dwelling on the paddock part of the site, with access from Grassy Lane, and for four houses with access from Kiln Lane, using the existing access point for Formoso. Permission has also been refused for a single dwelling on the upper, paddock, part of the site, involving of the creation of a new access onto Kiln Lane, towards the eastern end of the site. An appeal was dismissed for that proposal due to the impact of the new access on the character and appearance of Kiln Lane.

Reference	Development	Decision	Decision Date
92/06701/FUL	PROPOSED DETACHED DWELLING AND DOUBLE GARAGE	REF	25 November 1992
05/07708/FUL	Erection of 3-bed dwelling and detached garage	WDN	27 January 2006
06/06815/FUL	Erection of 3-bed dwelling and detached garage	REF	21 June 2007

07/07555/FUL	Erection of 3-bed dwelling and detached garage with access off Kiln Lane	WDN	18 December 2007
09/05883/FUL	Erection of 1 x 3 bed dwelling and detached garage with garden room/store under with access off Kiln Lane	REF	15 July 2009
09/05885/FUL	Erection of 1 x 3 bed dwelling and detached garage with garden room/store under with access off Grassy Lane	REF	22 April 2010
12/07227/TPO	Remove lower small stems and crown lift canopies to 6 metres above access road and site entrance to two Beech trees (T11,T13) and one Ash tree (T12)	PER	27 November 2012
13/05046/FUL	Erection of 1 x 3 bed dwelling and detached garage with garden room/store under retaining the existing access from Grassy Lane	PER	13 December 2013
15/07516/TPO	Fell protected trees T1 and T2 to ground level and remove stumps	SPTPCZ	3 November 2015
PI15/02050/ADRC	Application for the approval of details subject to conditions 2 (materials) and 3 (surfacing materials) of planning approval 13/05046/FUL	PECOND	31 December 2015
PI16/00436/ADRC	Application for approval of details subject to conditions 4 (levels), 5 (landscaping), 8 (protective fencing), 9 (drainage & utilities), 14 (ecology), 15 (access) and 16 (carbon reduction and water efficiency) of planning approval ref: 13/05046/FUL	PECOND	13 May 2016
PI16/00711/ADRC	Application for approval of details subject to Condition 12 (Method Statement) of planning approval 13/05046/FUL	PECOND	10 June 2016

16/07347/FUL	Demolition of Formoso and erection of 4 x detached dwellings with associated garages (3 x 5 bed and 1 x 4 bed) and stopping up of vehicular access to Grassy Lane.	PEOBL	8 January 2019
19/07240/FUL	Demolition of Formoso and erection of 8 x dwellings with associated car ports garages (5 x 4 bed & 1 x 5 bed detached dwellings) and a pair of semi-detached dwelling (2 x 4 bed) with access to site using existing shared private driveway onto Kiln Lane and associated external alterations.	WDN	27 January 2021
21/08316/ADRC	Application for approval of details subject to Conditions 3 (Materials), 4 (Approval of Surface Materials) and 6 (Arboriculture) of planning ref: 16/07347/FUL	PECOND	5 January 2022
21/08325/ADRC	Application for approval of details subject to Condition 7 (Construction Traffic Management Plan) of planning ref: 16/07347/FUL	PECOND	5 January 2022
21/08524/ADRC	Application for approval of details subject to Conditions 17 (Ecological Mitigation) and 21 (Biodiversity) of planning ref: 16/07347/FUL	PCO	
21/08556/ADRC	Application for approval of details subject to Conditions 11 (Surface Water Development) and 19 (Foul Drainage) of planning ref: 16/07347/FUL	PECOND	24 March 2022

#### 4.0 Policy Considerations and Evaluation

##### Principle and Location of Development

List relevant policies & SPD

WDLP: CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

DSA: DM1 (Presumption in favour of sustainable development)

4.1 The site is located within the settlement boundary for Bourne End / Wooburn. Residential development is therefore acceptable in principle within this area, subject

to relevant development management policies, notably DM32, DM34 and DM35, which together combine to shape the quantum and form of development most appropriate to the locality.

- 4.2 The previous Local Plan did include an area specific policy for the Hawks Hill / Harvest Hill area, however this was not carried through to the current adopted Local Plan.
- 4.3 It is understood that the Parish Council is progressing the preparation of a Neighbourhood Plan which would include a policy specific to this area. However in terms of the statutory processes for preparing a Neighbourhood Plan this is still at an early stage and carries little weight.
- 4.4 Taking into account both the policy context and the planning history of the site some form of residential development is acceptable in principle. The remainder of the report addresses the details of the scheme and whether they comply with all the relevant policies.

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

DM24 (Affordable Housing)

Planning Obligations SPD

- 4.5 The proposed development would exceed 1000 square metres in floor space and is over the threshold for the provision of affordable housing. Whilst affordable housing will normally be provided on site, in some circumstances off site provision or a commuted sum to provide affordable housing will be acceptable. It was agreed in relation to the four house scheme that a commuted sum, rather than on-site provision, was appropriate, and the same approach is acceptable in relation to this application. In this instance the applicant has agreed in principle to offer a commuted sum.
- 4.6 Where the Council agrees to a financial contribution in lieu of on or off site provision, this should be of broadly equivalent value to the provision that would have been provided on site. Part of the site is previously developed land (Formoso), with the majority (84%) being a greenfield. Affordable housing should be provided at a level of 35% units on previously developed land which is not employment land, and 48% on green field land.
- 4.7 On this basis the applicant has used the Council's affordable housing calculator to agree a figure for a contribution for the provision of affordable housing off-site and has confirmed that they are willing to enter into a S106 agreement to secure the contribution. As such there is no objection in principle to the application on affordable housing grounds.

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

CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

Buckinghamshire Countywide Parking Guidance (2015)

- 4.8 It is proposed to access the site using the existing shared private driveway onto Kiln Lane. A previous application for development on the site taking access from Kiln Lane was dismissed at appeal, however this involved creating an entirely new access removing a substantial section of the roadside bank, which was judged to have an adverse impact on the character of the area.
- 4.9 The Highways Officer has reviewed the submitted information and it is satisfied that the access will be of an appropriate standard to serve the development proposed without detriment to highway safety. Vision splays can be provided commensurate

with the speed of the road, the access is wide enough to allow two vehicles to pass, and turning is available within the site suitable for a refuse collection vehicle. Subject to appropriate conditions to secure the alterations the access arrangements are therefore acceptable. Conditions will also be necessary to prevent obstruction of the vision splays.

- 4.10 The scheme proposes a similar means of access to the permitted scheme for four houses, which established the principle of this form of access. It should also be noted that, although a scheme for eight dwellings on the site was withdrawn prior to determination the Highway Officer had raised no objections to that proposal in terms of trip generation and the impact on the capacity and safety of the highway network.
- 4.11 Each house would be provided with garaging and driveway parking, complying with the requirement of the Countywide Parking Guidance. Subject to a condition to secure the provision and retention of the parking spaces / garages, the application is acceptable on parking grounds.

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

WDLP: CP9 (Sense of Place), DM32 (Landscape Character and Settlement Patterns), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality)

Residential Design Guide SPD

Housing Intensification SPD

- 4.12 The site is not located in an area designated for its landscape importance. It is located between two areas of Green Space, to the east and west, and the land on the opposite side of Kiln Lane is within the Green Belt and an area of attractive landscape. The general character of the area is of detached dwellings in spacious plots, creating a semi-rural character.
- 4.13 The supporting text to Policy DM32 notes that some areas, such as the Hawks hill / harvest Hill area, display a semi-rural character , and that this should be protected from development which would introduce an urban character through its design, density of layout.
- 4.14 The overall site is just under one hectare in size. Six dwellings are proposed, resulting in a density of six dwellings per hectare, indicating a fairly spacious development which is similar to development in the surrounding area. Each plot would be of a good size, with space around each dwelling and a good degree of separation between the houses.
- 4.15 It has been suggested that the plots would be small and cramped with small gardens. Plot 2 is the smallest of the plots. Its rear garden would be 29 metres wide with an average depth of about 15 metres. The overall plot depth is over 40 metres deep and 29 metres wide, exceeding 0.11 hectares. The other five plots vary in dimensions and shape and are larger than plot 4. All are considered to be spacious and in keeping with the sizes of plots found in the surrounding area. The layout is more spacious than may appear from the layout plan as the majority of garages are cut into the slope with green roofs.
- 4.16 The design approach is similar to that in the previously approved four house scheme. Each plot is of an individual design inspired by the arts and crafts style. The dwellings have differing footprints, layouts, roof forms, rooflines and projections. The development makes use of the sloping nature of the site with garages set at different levels to their parent property. The layout remains relatively informal – plot 1 faces

west to the entrance drive as it comes into the site, plots 2, 4 and 5 are set at an angle to the main drive, with plot 3 set diagonally across the corner of the site, and plot 6 set parallel to the drive.

- 4.17 The houses will be of similar style but individual design. The choice of materials, which can be secured by condition, will add further variety in appearance. The design and access statement indicates the use of good quality bricks and tiles, including the use of tile hanging and render to different elevations.
- 4.18 The site slopes markedly and some excavation is therefore required for the development, to provide level areas for the dwellings. The development will be cut into the slope, although some ground raising will also be necessary to create a level platform for each house. Some amendments have been made to the levels across plots 4 – 6, particularly for plot 4, to better embed the development in the landscape. Each dwelling would have a level area of garden, with the remaining garden areas retaining much of the natural slope.
- 4.19 The site has mature tree screening along its eastern boundary to the bridleway, the south boundary to Grassy Lane (where some trees are protected by a TPO), and along parts of the boundary with Kiln Lane. The retention of the mature trees maintains the contribution they make to the visual amenity of the area and will provide a framework and some screening for the development, helping it to assimilate into the surrounding landscape.
- 4.20 The buildings are set well in from the public site boundaries. Plot 1 is set back by about 17metres from Kiln Lane, and Plot 2 by 15metres. Plot 3 would be approximately 13 metres from the bridleway to the east, but is cut into the slope and set at a much lower level than the bridleway, as are the dwelling and garage on plot 4. Plot 4 is set 25 metres from Grassy Lane and is at a ground level between four and five metres lower than Grassy Lane. Plots 5 and 6 are set further down the slope and at greater distance from Grassy Lane.
- 4.21 New planting would be incorporated into the development, including trees, shrubs and hedging. Appropriate conditions would secure the details and retention of the landscaping, together with protection of retained trees during construction.
- 4.22 Taking into account the design, layout, levels, retained and additional trees and hedges, which provide screening, it is concluded that the development would be in keeping with the general character of the area and would not have an adverse landscape impact on either the immediate surroundings or wider views. The development would be low density with a fairly informal layout, the large, well vegetated plots being in keeping with the character of the surrounding area. It would not, therefore harm the character of the area and is acceptable, meeting the requirements of Policies DM32 and DM35 in relation to design and landscape setting.

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

WDLP: DM35 (Placemaking and Design Quality), DM40 (Internal Space Standards), DM41 (Optional Technical Standards for Building Regulation Approval)

Residential Design Guide SPD

Housing Intensification SPD

- 4.23 The dwellings would all be spacious houses with generous living accommodation and garden areas. These exceed the internal space standards and would create an attractive living environment for future occupiers. The degree of spacing between the

houses is such that, combined with the orientation, the dwellings would not give rise to mutual overlooking or loss of privacy to the dwellings or the gardens. Some flank windows will require obscure glazing but these are generally either secondary window or light non-habitable rooms.

- 4.24 On plot 1 the east facing en-suite bathrooms would require obscure glazing to prevent overlooking to Plot 2. The south elevation faces towards Apple Tree Lodge with a separation of approximately 28 metres is at sufficient distance that it would not result in undue loss of privacy.
- 4.25 The first floor flank windows in plot 2 (serving a dressing area and en-suite) would require obscure glazing to prevent overlooking. The side facing rooflights would be high level and can be conditioned as such. The alignment of the house and position of the garage on plot 3 mean that obscure glazing of first floor flank elevation windows is not required and the rooflights would similarly not result in loss of privacy.
- 4.26 The east elevation of plot 4 faces the bridleway, however the west elevation faces plot 5 and conditions will be required to ensure the rooflights are high level. The first floor flank windows of plot 5 will need to be obscure glazed and the rooflights high level. The same applies on plot 6.
- 4.27 The only neighbouring dwellings near the development are Apple Tree Lodge and Aston House. Plot 6 would be to the south east of Apple Tree Lodge and is on higher ground. The house on plot 6 is set 5 metres from the mutual boundary which is sufficient distance such that it would not have an overbearing impact on Apple Tree Lodge. The garden of plot 6 adjoins the gardens of both Aston House and Apple Tree Lodge. The rear garden is approximately 25 metres deep. The house is situation such that it would not result in undue loss of privacy to either dwelling.
- 4.28 The house on plot 5 also shares a garden boundary with Aston House but is set at 16 metres from the boundary and would not therefore result in any adverse impact in terms of light, outlook or privacy.
- 4.29 The house on plot 1 is opposite Apple Tree Lodge, across the access drive, at a distance of 28 metres. It is therefore sufficiently separated that it would not result in undue loss of amenity in relation to privacy, light or outlook.

#### **Environmental issues**

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)

- 4.30 The site is located adjacent to a former landfill site (to the east of the site). Environmental Services has not raised any objections on this basis, however an informative drawing this to the applicant's attention is suggested.
- 4.31 It is anticipated that the development would be connected to the existing public foul drainage network since this was the detail agreed for the previous scheme. Should this not prove feasible for any reason then the option of a using a septic tank to serve the development would be acceptable.
- 4.32 There is sufficient space within the site for refuse storage and the Highway Officer is satisfied that a refuse vehicle could achieve satisfactory access. All residential development is expected to make provision for electric vehicle charging points to

reduce reliance on fossil fuels and reduce air pollution. This can be secured by condition.

### **Flooding and drainage**

DM39 (Managing Flood Risk and Sustainable Drainage Systems)

- 4.33 The site is not identified as being in a flood risk area, nor is there a risk of surface water flooding. Kiln Lane does have a low risk of surface water flooding (likely to be linked to the topography).
- 4.34 The scheme would increase the areas of hard surfacing compared to existing. Details of proposed management of surface water have been provided with the application. The plans indicate that it is proposed to use permeable surfacing for the driveways and soakaways within the site. The Lead Local Flood Authority is satisfied, from the information provided, that surface water drainage can satisfactorily managed within the site such that the risk of flooding would not be increased on the site or elsewhere. A condition will be imposed requiring approval of surface water drainage details as well as securing implementation and maintenance.

### **Green networks and infrastructure**

WDLP: 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)

- 4.35 There are public rights of way along the east and south boundaries of the site, and there are mature trees along both of these boundaries. In the case of those along Grassy Lane, to the south, a number are covered by a tree preservation order.
- 4.36 A tree report was submitted within the application and, during the course of the application a canopy calculator has been submitted to demonstrate that the development could achieved 25% canopy cover to comply with Policy DM24.
- 4.37 The proposals are to retain existing trees within the site, and to supplement these with additional tree and hedge planting. The Council's Arboricultural Officer is satisfied that the development can be achieved without detriment to the retention of the existing trees. Details of a revised Arboricultural Method Statement will need to be approved, as the document originally submitted with the application does not reflect the amended plans which alter the building levels on plot 4.
- 4.38 The Arboricultural Officer is also satisfied that the required level of canopy cover can be achieved, although a detailed planting plan will be required to be submitted. This can be secured by condition.

### **Ecology**

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

WDLP: DM34 (Delivering Green Infrastructure and Biodiversity in Development)

Biodiversity Net Gain SPD (2022)

- 4.39 With the exception of the part of the site occupied by Formoso the majority of the site is undeveloped land which is of potential ecological interest. An updated Preliminary Ecological Appraisal (PEA) was submitted with the application. The Council's Natural Environment Officer is satisfied with the level of information provided in the PEA. That further specialist surveys are not required, and that suitable mitigation and



compensation measures can be secured by way of conditions. This approach was agreed in relation to the previous four house scheme on the site.

- 4.40 Since the last application was approved the current Local Plan has been adopted as has the Biodiversity Net Gain SPD. The majority of the site where development would take place is grassland and scrub, with mature trees / woodland mainly around the periphery of the site where it would not be disturbed by the new buildings or access road. These woodland areas to the east and south west of the site are identified as being of ecological and nature conservation value. The scheme retains the mature trees which are of visual significance, and suitable protection measures can be put in place during construction of the development to ensure that this area and the associated habitat is not disturbed.
- 4.41 The vegetation in the central part of the site will be removed to enable the development to be built. A biodiversity accounting exercise, using the DEFRA metric, was required to be submitted with the application, prior to determination, to demonstrate whether the application would achieve a net gain in biodiversity. This too has now been carried out and the report submitted. This indicates that, although there would be net gain in hedgerow habitat there would be a net loss of modified grassland habitat and overall there would be a net loss in biodiversity on the site.
- 4.42 The applicant has indicated that to address this net loss they would be prepared to compensate for this loss off-site, using a third party provider. Although it is always preferable to secure biodiversity net gain on site there will be circumstances where this is not possible. This is recognised in the Biodiversity Net Gain SPD which does make provision for off-setting.
- 4.43 In this instance the history of the site is of some relevance. It was acknowledged, at the time that the four house scheme was permitted, that there would be some reduction in habitat of biodiversity value. That scheme incorporated measures such as provision of bird and bat boxes to provide some compensation for that loss. Although these would be of benefit to wider biodiversity they would not have provided replacement habitat of the type lost.
- 4.44 Although it is acknowledged that the policy framework has altered since that permission was granted (with the adoption of both the Local Plan and the SPD), the Local Planning Authority has previously agreed to loss of habitat on this site. Therefore in this particularly instance, the principle of biodiversity off-setting is considered acceptable, subject to this being secured through appropriate conditions / S106 provisions.
- 4.45 The trees, hedges and scrub do provide potential nesting sites for breeding birds. Site clearance works will therefore need to take place outside the bird breeding season, or immediately after an ecologist has confirmed breeding birds are absent.

#### **Building sustainability**

WDLP: CP12 (Climate Change), DM33 (Managing Carbon Emissions, Transport and Energy Generation), DM41 (Optional Technical Standards for Building Regulation Approval)

- 4.46 All residential development is expected to meet a higher standard of water efficiency to comply with Policy DM41, and this can be secured by condition. A condition will also be imposed to ensure that the development will achieve the standards in Building Regulations Approved Document M4(2) – accessible and adaptable dwellings. The DAS indicates that the dwellings have all been designed to meet this standard.

4.47 Policy CP12 promotes mitigation and adaptation to climate change and supports the integration of renewable technologies into residential and commercial developments of all sizes. Policy DM33 also requires the integration of renewable technologies into developments. In this instance the supporting statement indicates that ground or air source heat pumps will be incorporated into the development.

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

WDLP: CP7 (Delivering the infrastructure to support growth), DM19 (Infrastructure Delivery)

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

4.49 It is considered that there would not be other types of infrastructure, other than the provision of affordable housing and compensation for biodiversity, that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.

4.50 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:

- Affordable housing
- Biodiversity off-setting

4.51 The applicant has confirmed that he is willing 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 accord with the development plan policies.

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.

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

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

- 6.1 In accordance with paragraph 38 of the NPPF (2021) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 6.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 6.3 In this instance
- was provided with pre-application advice,
  - the applicant/agent was updated of any issues after the initial site visit,
  - The applicant was provided the opportunity to submit amendments to the scheme/address issues.
  - The application was determined without delay.
  - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

## **7.0 Recommendation**

### **7.1 Minded to grant permission subject to completion of a Planning Obligation or other agreement**

That the Head of Planning and Sustainability be given delegated authority to grant Conditional Permission provided that a Planning Obligation is made to secure affordable housing and biodiversity off-setting, or to refuse planning permission if an Obligation cannot be secured.

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

Subject to the following conditions and reasons:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
2. The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers 21 KLB SL2, 21 KLBR PL-01, 21 KLBR PL1-02, 21 KLBR PL2-01B, 21 KLBR PL2-02B, 21 KLBR PL3-01A, 21 KLBR PL3-02A, 21 KLBR PL4-01A, 21 KLBR PL4-02A, 21 KLBR PL5-01A, 21 KLBR PL-02A, 21 KLBR PL6-01, 21 KLBR PL6-02, 21 KLBR EX01, 21 KLBR EX02, 21 KLBR A01, 21 KLBR SE01 B, 21 KLBR SP10A, 21 KLBR SP11A, 21 KLBR SP12A, 21 KLBR SP13A amd ACE\_15050-01 unless the Local Planning Authority otherwise first agrees in writing.  
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.
3. Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of the materials and finishes for the development shall be

submitted to and approved in writing by the Local Planning Authority before any work to the external finish of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To secure a satisfactory external appearance.

4. Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of all surfacing materials shall be submitted to and approved in writing by the Local Planning Authority before any work to the finished surfaces of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To secure a satisfactory appearance.

5. The finished floor and ground levels after the completion of the development shall accord with the approved details on drawing 21 KLBR SP11A or shall accord with any alternative details that are first submitted to and approved in writing by the Local Planning Authority.

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

6. A revised Arboricultural Method Statement (AMS) including a Tree Protection Plan (TPP) in accordance with the British Standard 5837:2012 Trees in relation to demolition, design and construction - Recommendations, shall be submitted to and approved in writing by the Local Planning Authority before any development or other site clearance works take place.

The AMS shall include:

- a) Detailed plans showing location of the protective fencing including any additional ground protection whether temporary or permanent;
- b) Details as to the location of proposed and existing services and utilities including drainage, where these are close to Root Protection Areas (RPAs);
- c) Details as to the method, specification and materials to be used for any "no dig" surfacing (and the area within the development to which it applies) and;
- d) All phases and timing of the project in relation to arboricultural matters and details of supervision by a qualified arboriculturist.

Unless otherwise first agreed in writing by the Local Planning Authority, the development shall thereafter be carried out strictly in accordance with the AMS.

Reason: To ensure the satisfactory protection of retained trees in the interests of visual amenity. A pre-start condition is necessary to ensure that protection measures are in place prior to the commencement of work on site.

7. Prior to the commencement of any works on the site, a plan detailing the management of construction traffic (including vehicle type, frequency of visit, the internal loading / unloading area, routing strategy and parking of site operatives vehicles) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the 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.

8. No other part of the development shall take place until the access has been widened and the vision splays provided in accordance with the details shown on drawing no. ACE\_15050-01. The vision splays shall thereafter be retained as such.  
Reason: To ensure the provision of satisfactory access to the site in the interest of the safety and convenience of users of the highway and the access. A pre-start condition is required to ensure that adequate access is provided during construction of the development.
9. Notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning General Permitted Development Order 2015 (or any Order revoking or re-enacting that Order) no gates, fences, walls or other means of enclosure other than those shown on the approved plan shall be erected along the site frontage within 15 metres of the edge of the carriageway.  
Reason: To enable vehicles to draw off clear of the highway for the safety and convenience of the highway users.
10. No wall, fence, hedge or other means of enclosure shall be provided along the site frontage with Kiln Lane exceeding a height of 0.6 metres above the base of the graded bank to the east of the centreline of the site access for a distance of 30 metres.  
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.
11. No works (other than demolition) shall begin until a surface water drainage scheme for the site, including drainage of surface water from the access, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
- Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority should be given to above ground SuDS components
  - Drainage layout detailing the connectivity between the dwelling(s) and the drainage component(s), showing pipe numbers, gradients and sizes, complete together with storage volumes of all SuDS component(s)
  - Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
  - Construction details of all SuDS and drainage components
  - Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance
  - Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction
- Reason: The reason for this pre-start/construction condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 167 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.
12. Prior to the commencement of development, including site clearance, the existing vehicular access onto Grassy Lane shall be stopped up. Thereafter, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting that Order), no new vehicular access onto

Grassy Lane shall be created without the express planning permission of the Local Planning Authority.

Reason: To protect the character of the area and to ensure that construction traffic does not use Grassy Lane to access the site. A pre-start condition is required to ensure that construction traffic does not attempt to access the site via Grassy Lane.

13. 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, AA, B, E and F of Part 1 and Classes A and B of Part 2 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 and amenity of the locality and the ecology and biodiversity of the site.

14. Notwithstanding any other details shown on the plans hereby approved, the windows and any other glazing to be inserted in the first floor east flank elevation of plot 1, the first floor flank elevations of plot 2, the first floor flank elevations of plot 5 and the first floor east flank elevation of plot 6 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. Notwithstanding any other details shown on the plans hereby approved the rooflights in the west facing roofslope of plot 2, west elevation roofslope of plot 4, the east facing roofslope of plot 5 and east and west facing roofslopes of plot 6 shall have a minimum internal cill height of 1.7m above finished floor level. The window(s) shall thereafter be retained as such.

Reason: In the interests of the amenity of neighbouring properties.

15. No part of the development shall be occupied before a fully detailed landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include the retention of important trees and shrubs, incorporate the recommendations in the Applied Ecology Ltd Ecological Mitigation and Management Plan January 2018 and Applied Ecology Ltd Preliminary Ecological Appraisal October 2021 and the provision for:

- screen planting to protect visual amenities of neighbouring properties;
- screen planting to soften the appearance of the proposed development in public views; in particular views from Kiln Lane
- native planting to reflect the semi-rural context of the application site;
- structural planting of a scale and size relative to the development to soften the appearance of the development and to provide a high quality environment
- structural planting to help define different areas of outdoor space, in particular to differentiate between public and private space
- tree planting to achieve 25% canopy cover
- native hedge planting to secure biodiversity net gain

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

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping, canopy cover and biodiversity.

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

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

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

17. A scheme for the mitigation of the impact of the development on ecology shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development on the site. The scheme shall be based on the recommendations at paragraphs 4.14 and 4.15 on pages 17, 18 and 19 of the Applied Ecology Ltd Preliminary Ecological Appraisal dated October 2021 and include the following measures:

- Any works to vegetation that might be used by breeding birds must be carried out outside the bird breeding season, i.e. outside March - September inclusive, unless first checked by a suitably qualified ecologist who has confirmed that breeding birds are absent.
- a check by a suitably qualified ecologist for the presence of nesting Red Kites
- vegetation in areas suitable as reptile habitat to be subject to a two phase cutting regime
- the retention and protection of the outlier badger sett
- \*any temporary or permanent fencing to be installed on the site to be raised slightly off the ground (by 200mm) to allow unrestricted access for badgers through the site;
- any deep excavations that are to be left open overnight to include a means of escape for any animals that may fall in;
- where possible works to be limited to the hours from dawn to one hour before sunset;
- where possible avoid the creation of large stock piles of earth which may prove attractive to badgers to excavate new sets;
- \*no pipework should remain open with any exposed ends capped-off at the end of the working day to prevent any animals entering pipework;
- any new lighting to be designed to minimise light spillage with a preference for low bollard mounted lights and to be outside the woodland areas.
- briefing of all site operatives / construction workers.

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

Reason: To comply with the requirements of the Conservation (Natural Habitats &c) Regulations 2010, Schedules 1, 5 and 8 of the Wildlife & Countryside Act 1981 (as amended), and the Protection of Badgers Act 1992. A pre-start condition is necessary to ensure mitigation measures are in place before development begins.

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

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

19. Prior to the occupation of the dwellings hereby permitted a 1.2 metre high post and rail fence shall be erected in a position which has first been agreed in writing by the Local Planning Authority, separating the formal garden and woodland areas on plots 4 and 5. The fence shall thereafter be retained as such.

Reason: To protect existing habitat of ecological and biodiversity value.

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

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

21. Prior to the development being brought into use, one electric vehicle charging point shall be installed in the parking area or garage for each dwelling, or in another suitable alternative location which has first been agreed in writing by the Local Planning Authority. The charging points shall thereafter be retained as such, in working order.

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

22. The dwellings hereby permitted shall be designed and built to meet the standards set out in Building Regulations Approved Document M4(2), unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To meet the need for accessible, adaptable dwellings as required by Policy DM41 of the adopted Wycombe District Local Plan (2019).

23. No part of the development hereby permitted shall commence (unless otherwise approved in writing by the Local Planning Authority) until a Biodiversity Offsetting Scheme has been submitted to and approved in writing by the Council which ensures that the Development will result in a Biodiversity Net Gain in accordance with the National Planning Policy Framework, Buckinghamshire Council's Biodiversity Net Gain Supplementary Planning Document (SPD) and Policy DM34 (Delivering Green infrastructure and Biodiversity in Development) of the adopted Wycombe District Local Plan.

Reason: A pre-start condition is necessary to ensure that the developer is able to secure Biodiversity Offsetting so that the development will deliver a Biodiversity Net Gain in accordance with local and national policies.

#### INFORMATIVE(S)

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

2. In this instance the applicant was updated of issues with the application and offered the opportunity to submit additional and amended information to address these. The



application was considered by the Planning Committee and the applicant was afforded the opportunity to address the committee.

3. You are advised that the development lies within 250 metres of a known landfill site and you may wish to satisfy yourself that the details of the construction of the proposals take the necessary account of the possibility of landfill gas from that source. If your proposal requires Building Regulation Consent this issue will be dealt with by the Building Control Division when a formal submission is made. However, this may require you to engage the services of a consultant with expertise in these matters.
4. It is contrary to section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system.
5. No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.
6. It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

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

### Councillor Comments

#### **Cllr Drayton**

Comments: I am minded to call this application in.

Further comments: I would still like to request this goes forward to the Planning Committee as I believe it represents over development of the area (Hawks Hill and Harvest Hill). Historically this area had its own policy (C16) to protect against over development, although the most recent local plan replaced C16 with alternative policies, the emerging NDP which is in final stages does pick this up and so should be given consideration.

Kiln lane is a very overused country lane, single file for the main with a few passing places. It has many blind bends and traffic does tend to speed up and down there. Adding more residents turning out on this road increases risk of accidents and potential safety issues.

Whilst permission has been granted in the past for 4 houses, many other applications over the years have been refused or withdrawn (Permitted x2, refused x4, withdrawn x3), and as the last permission has now expired (I believe?) I am not sure consideration should be given to this (or any other past applications) in relation to this application.

### Parish/Town Council Comments

#### **Wooburn and Bourne End Parish Council**

Strongly Object to the number and size of proposed dwellings given the location and topography of the site. If approved however, we support the conditions proposed regarding Grassy Lane being permanently closed for vehicular access and there being adequate onsite contractor parking throughout the entirety of the development as not to cause any highway obstructions

### Consultation Responses

#### **Lead Local Flood Authority**

The LLFA has no objection to the proposed development subject to the following planning condition listed below being placed on any planning approval.

#### Flood Risk

The Flood Map for Surface Water (FMfSW) provided by the Environment Agency shows that the site lies in an area of very low risk of surface water flooding meaning there is less than 0.1% likelihood of flooding occurring in a given year. An online version of this mapping data is available to view through the Environment Agency's Long term flood risk information mapping.

The Groundwater Flood Map (Jeremy Benn Associates, 2016), shows the groundwater level in the area of the proposed development to be at greater than 5m of the ground surface for a 1 in 100-year return period. This means that flooding from groundwater is not likely

#### Surface water drainage

The applicant is proposing to manage surface water generated on site via infiltration using soakaways. The applicant has previously undertaken infiltration rate testing to show the viability of infiltration on the site and derived a slowest rate of 4.2 x10<sup>-5</sup> m/s, which has been used to inform the calculations. At detailed design the applicant will be required to amend the calculations and should amend the drainage layout. Details are below.

## Calculations

The applicant has provided calculations to show that the proposed system can contain up to and including the 1 in 100-year event plus climate change. At detailed design the calculations must be amended to have a minimum safety factor of 2 attached to design of any infiltration components as per table 25.2 of the CIRIA SuDS Manual. Following any revisions to the scheme the calculations must be amended accordingly.

## Drainage Layout

The applicant is proposing to locate a soakaway in the rear garden of each plot. The applicant is also proposing to locate a garage and drive soakaway in the front garden of each plot, as well as three access road soakaways. The LLFA would encourage the applicant to consider using permeable paving for the access road. The attenuation provided in the sub-base of the permeable paving may mean that the soakaways in the front of the properties, as well as the access road soakaways are not required. The use of permeable paving will also provide water quality benefits.

The LLFA would also like to raise concerns about the current locations of the soakaways in the rear gardens of plot 2 and 5 as shown in drawing no. 211440/DS/01. For the soakaway in plot 2, the applicant must ensure that the soakaway has a 5m buffer distance from Kiln Lane, to prevent the saturation of the sub-base of the road. The soakaway in the rear garden of plot 5 must have a 5m buffer from the land of Aston House, in order to ensure that a 5m buffer is maintained between the soakaway and any future developments in the neighbouring land. Following any revisions to the scheme the drainage layout must be amended accordingly.

## Water Quality Assessment

In order to meet the Water Quality assessment criteria an applicant must demonstrate their compliance in trying to reduce the risk of pollutant run off into natural water systems. Often a combination of various controls to mitigate pollutant run off will be sufficient enough to meet the criteria. Controls or SuDS on the ground surface are preferable as they help to not exceed the pollution hazard index. These methods can consist of permeable paving, green roofs and SuDS which prevent potentially harmful pollutants in all forms from entering eco-systems or our own water ways.

I would request the following condition be placed on the approval of the application, should this be granted by the LPA:

### Condition 1

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

- Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority should be given to above ground SuDS components
- Drainage layout detailing the connectivity between the dwelling(s) and the drainage component(s), showing pipe numbers, gradients and sizes, complete together with storage volumes of all SuDS component(s)
- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- Construction details of all SuDS and drainage components

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

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

### **Highways Officer**

The Highway Authority has commented on multiple applications at this site, most recently for application reference 19/07240/FUL, dated 25<sup>th</sup> October 2020. The application proposed demolition of Formoso and erection of 8(no) dwellings. Whilst the application was ultimately withdrawn by the applicant, the Highway Authority had no objections to the proposals, subject to conditions.

The current application also proposes demolition of Formoso, however the quantum of development has been reduced compared to the previous application, as 6(no) dwellings are now proposed.

When considering trip generation, I would expect a dwelling in this location to generate approximately 6 vehicular movements (two-way) per day. Therefore in terms of trip generation from the site, the 6(no) dwellings would have the potential to generate approximately 36 daily vehicular movements (two-way). I am satisfied these movements can be accommodated on the local highway network. Nonetheless, the access arrangements will need to be assessed in order to determine its suitability to accommodate the vehicular movements anticipated.

Similarly to previous applications at the site, the development proposes to utilise the existing access onto Kiln Lane. I note as part of the Highways Statement, a speed survey from 2015 has been included which demonstrates speeds of 24.6mph in both directions. Whilst the Highway Authority regularly requests speed surveys are undertaken within a relatively close timeframe to when the application is submitted (i.e. within 3 years), I note as part of the submissions for application reference 19/07240/FUL, a speed survey was carried out in 2019 which demonstrated speeds of 28mph and 23.5mph in the westbound and eastbound directions respectively.

Therefore, similarly to previous comments, the resulting data demonstrates that, even though there are potential vertical and horizontal barriers, the available visibility splays are commensurate with recorded 85<sup>th</sup>ile speeds.

Having assessed the submitted plans, I note the site access will be enlarged to 4.8m, which will allow simultaneous two-way movement between a car and a refuse or delivery vehicle. Further into the site, the width is reduced to approximately 4.5m, which is still sufficient to safely allow to two-way simultaneous private vehicle movements.

Whilst the submitted Highways Statement and proposed plans indicate that refuse collection will take place in the form of kerbside collection, the bin store location for the development is located further than resident haul distances as recommended within Part H of the Building Regulations. That said, the development also features a Type B turning head, which would allow refuse and delivery vehicles to both access and egress the site in a forward gear.

In accordance with the *Buckinghamshire Countywide Parking Guidance* (BCPG) policy document, the proposed development is situated in Residential Zone B, therefore each of the proposed dwellings have a parking requirement of 3(no) spaces. Having assessed the plans, I am satisfied that the hardstanding and garage for each dwelling is sufficient to provide the optimum level of parking required when taking into account the level of habitable accommodation featured.

Given the single track nature of Kiln Lane between the site and the junction with Hawks Hill, that it is unlit and does not benefit from segregated footways, a significant barrier is presented to those who would seek to walk 400m to and from the bus stops on the A4094 (of which 200m could be achieved on footways to the west near the aforementioned junction).

Nonetheless, when considering previous comments made which had no objections to the sustainability of the site (which had extant permission for 4(no) dwellings that was granted under application 16/07347/FUL), as well as the achievable cycling distance to local services in Bourne End, the site's semi-rural location leads me to conclude that I would be unable to lodge or support an objection based upon sustainability.

Mindful of these comments, I have no objections to this application with regard to highway issues subject to the following conditions:

**Condition 1:** The development shall not begin until details of the disposal of surface water from the highway have been approved in writing by the Planning 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.

**Condition 2:** 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 other than those shown on the approved plan shall be erected along the site frontage within 15 metres of the edge of the carriageway.

**Reason:** To enable vehicles to draw off clear of the highway for the safety and convenience of the highway users.

**Condition 3:** No wall, fence, hedge or other means of enclosure to be provided along the site frontage with Kiln Lane shall exceed a height of 0.6 metres above the base of the graded bank to the east of the centreline of the site access for a distance of 30 metres.

**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.

**Condition 4:** 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, routeing strategy 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.

**Arboricultural Officer**

First Comments:

It should be possible to protect the retained trees following the methods proposed in the submitted TPP (subject to condition). The retained trees are generally set well back on the proposed plots (with the exception of G5 & G6).

The canopy cover calculations have not been submitted. Details should include -

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

Mitigation for lost trees/hedgerows could be addressed by condition if minded to permit.

#### Second Comments:

It appears they've used the draft/superseded calculator which we understand contained some errors. This needs to be corrected.

#### Third Comments:

The submitted calculator would suggest that they can achieve the required % in principle, albeit that they don't have all of the details at present. We've had similar on other sites and have secured the outstanding details by condition.

Suggested condition:

No development (other than demolition) shall take place until a fully detailed 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 other underground infrastructure to demonstrate that there are no clashes.
- 3- details of monitoring and supervision of the tree planting process including provision to take photographs of each tree pit/soil volume space, prior to filling with soil.
- 4- details of how the tree planting is to be phased across the development so that planting takes place in line with the occupation of the development.
- 5- details of maintenance and management (and replacement procedure if necessary) of trees 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.

Following the changes in the levels on plot 4 a revised Arboricultural Method Statement (AMS) and Tree Protection Plan will be required. This will need to be secured by way of a condition. The proposals in this area are similar to what was agreed in the previous scheme on the site and thus there are no objections to these changes.

#### **Natural Environment Officer**

First Comments:

The Ecology information submitted is now all out of date having last been updated over two years ago. Therefore to ensure appropriate consideration is given to any changes to the ecological situation on site, updated surveys are required. This is in line with CIEEM guidance and paragraph 99 of the ODPM Circular 06/2005.

The proposals for the site have changed again since the last application (19/07240/FUL). At that time there were issues still outstanding which needed to be resolved with regards to calculations for biodiversity net gain. With no new biodiversity information submitted, a change in the proposed layout and a new Defra 3.0 metric now released which will soon become mandatory, this is quite a lot of work to demonstrate a biodiversity net gain can be achieved.

Ecology surveys need updating and Biodiversity Net Gain calculations need to be redone using the updated layout and the new Defra 3.0 metric. This all needs doing prior to determination.

#### Second Comments:

##### DOCUMENT REFERENCES:

Preliminary Ecological Appraisal 10/2021 (not uploaded onto Uniform)

Biodiversity Impact Assessment letter report 28/10/2021 (not uploaded onto Uniform)

2022 Biodiversity Impacts Spreadsheet (Warwickshire Metric)

2022 Biodiversity Impacts Habitat Impact Assessment

In my previous comments I asked for surveys to be updated and for the Biodiversity Net Gain calculations to be redone using the updated layout and the new Defra 3.0 metric.

A new PEA has been produced which reconsiders the findings of previous surveys and also reports the findings of an updated walk over survey. No further phase 2 surveys have been undertaken at this stage, but given the history of surveying and the relatively minor changes to site conditions, it is considered acceptable that mitigation, compensation and enhancement measures could be dealt with by condition.

The request for Biodiversity Net Gain calculations to be done using the Defra 3.0 metric has not been complied with. The Warwickshire metric which has been submitted shows that there would be a biodiversity net loss. This would suggest that the scheme need to be redesigned to ensure a net gain, or that offsetting arrangements need to be made. These offsetting arrangements will need to be made on the basis of the latest Defra Metric.

There is still a requirement for biodiversity accounting to be submitted using the latest Defra metric, this needs to be accompanied by a report which justifies the distinctiveness and condition of the existing and proposed habitats and plans which relate to each line in the metric. This needs to be completed in conjunction with the design process of the site to ensure the mitigation hierarchy has been followed.

As policy DM34 requires a measurable biodiversity net gain, if it can be demonstrated and justified that a measurable net gain cannot be achieved on site, the applicant must put forward a proposal to achieve a measurable net gain through offsetting, either on other land within their control, or through an offset provider.

This needs to be done prior to determination.

#### Third Comments:

##### DOCUMENT REFERENCES:

Biodiversity Metric 3.1

## Biodiversity Net Gain Report

### Preliminary Ecological Appraisal (October 2021)

The biodiversity net gain assessment shows an overall net loss of -1.17 habitat units, equivalent to a net loss of -27.31%. It also shows a net gain of +0.18 hedgerow units, equivalent to a net gain of +13.33%.

The previously permitted application (16/07347/FUL) which was for four houses, also showed a net loss, but in the time before the current local plan was adopted (with policy DM34), the ecological enhancements which were proposed, were considered enough to make the scheme acceptable. Since the adoption of the local plan in August 2019, there is a requirement (DM34) to achieve a measurable net gain.

This metric shows a more substantial biodiversity net loss than the previously permitted scheme (up from 1.07) and this is not surprising given the larger area of built development being proposed. Policy DM34 makes it clear that the mitigation hierarchy is to be followed in the pursuit of biodiversity net gain. This latest application has clearly moved in the opposite direction through the desire to fit more development on site.

As there is a net loss on site the scheme should be redesigned to achieve a Biodiversity Net Gain. Even if it were considered appropriate to allow such a net loss on site no offsetting proposals have been put forward to try and compensate for the net loss and achieve a biodiversity net gain.

Looking at the species lists provided and the descriptions provided in UKHabs, it is unclear how so much of the area has been classified as Modified Grassland.

It needs to be demonstrated with supporting evidence, how the distinctiveness of the habitats meets the UKHabs habitat descriptions. The distinctiveness and condition of proposed post development habitats also needs to be justified. It seems likely that the level of net loss is in fact higher than that suggested, as the baseline and proposed habitat distinctiveness and condition are not adequately justified and it seems likely that the baseline has been undervalued and the proposals have been overvalued.

The Preliminary Ecological Appraisal contains sufficient information to enable standard mitigation compensation and enhancement measures to be detailed through the submission of details by condition.

The proposals are in conflict with DM34 with regards to the lack of a measurable net gain in biodiversity, but also in the way in which this has been achieved through failing to work towards a biodiversity net gain and therefore failing to follow the mitigation hierarchy. The level of net loss needs to be further justified to enable the extent of missing the DM34 requirement to be understood. The information which has informed the completion of the metric needs to be revisited and justification for the distinctiveness and condition categorisations needs to be given alongside UKHabs plans for baseline and post development.

If it were decided that there are reasons to permit the application prior to determination, the level of onsite net loss would first need to be further justified and then details of offsetting would need to be put forward, which would also achieve a measurable biodiversity net gain, as they would need to be secured through s106 agreement.

### Representations

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

##### Hawks Hill Widmoor Residents Group



- Additional traffic on Kiln Lane which has no footpaths
- Impact on existing utilities infrastructure
- Sink hole in Sappers Field
- Houses on the north side have small gardens contrary to the intentions of Policy DM32
- If permission is granted access from Grassy Lane should be stopped up and adequate contractor parking provided within the site, with no use of Grassy Lane.

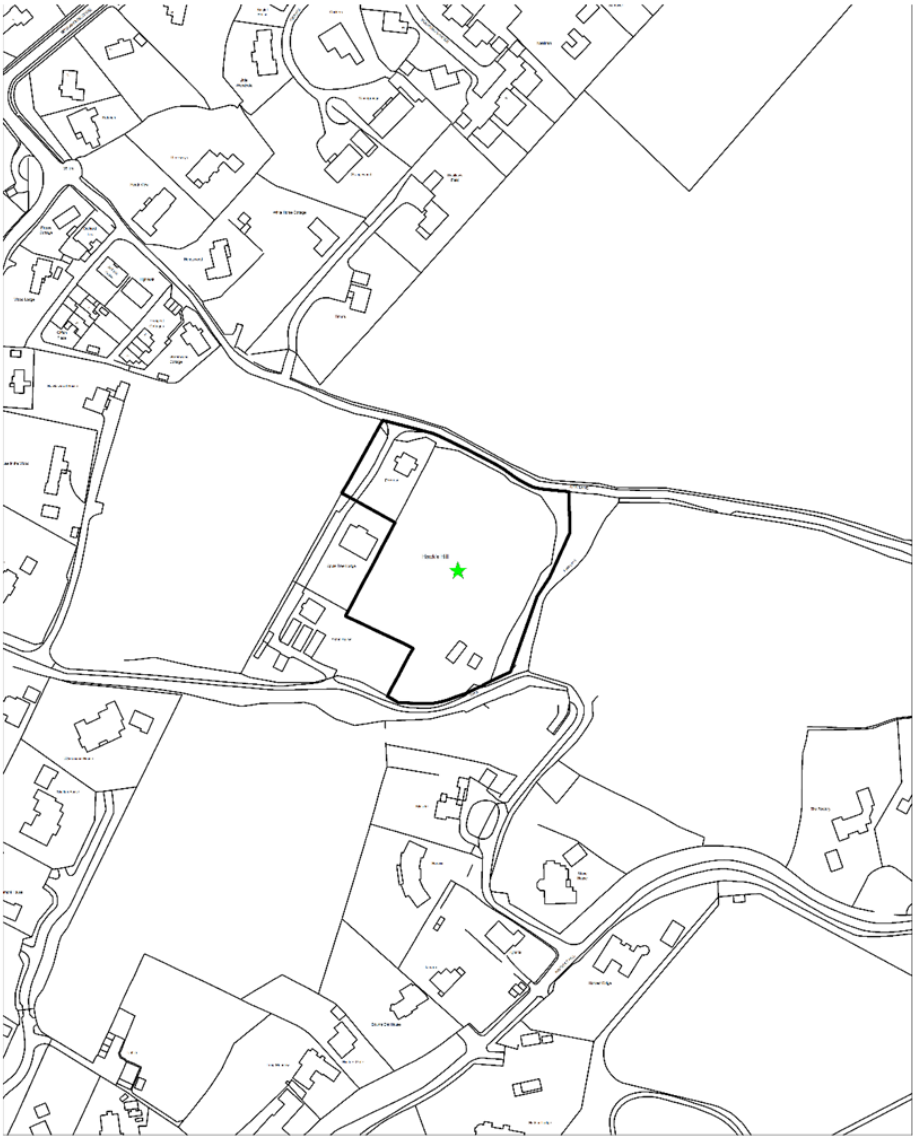
### **Other Representations**

Six comments have been received objecting to the proposal:

- Additional traffic on Kiln Lane would be dangerous
- Congestion on the local road network
- Lack of footway on Kiln Lane
- Additional loading on utilities infrastructure
- Houses would have “pocket handkerchief” sized gardens
- Houses would encroach upon and overlook each other
- Reduction in permeable area and increased run-off may have an impact on subsidence in Sappers Field
- Seasonal spring in Grassy Lane may impact on development
- Potential for increased surface water run off into Kiln Lane
- Ecology report incorrect as nesting Red Kites have successfully raised fledglings in recent years
- Design of properties not in keeping with the surrounding area, particularly height
- Proposed site plan is misleading as a hedge shown does not currently exist
- Should permission be granted the access to Grassy Lane should be stopped up, no use should be made of Grassy Lane for contractors vehicles, and all construction traffic and materials storage should be contained within the site.
- Over development
- Impact on green habitat and green corridors
- A detailed planting plan including indigenous planting to connect areas and provide biodiversity net gain is required
- Increase in noise and air pollution

**APPENDIX B: Site Location Plan**

21/07347/FUL  
Scale 1/2500



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Ordnance Survey 100062456



## Report to West Area Planning Committee

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<b>Application Number:</b>	21/08699/FUL
<b>Proposal:</b>	Demolition of existing dwelling and garage and erection of replacement dwelling, creation of swimming pool to rear and widening of the existing vehicular access with associated works
<b>Site Location:</b>	The Stones Spurgrove Lane Frieth Buckinghamshire RG9 6NU
<b>Applicant:</b>	Mr Sidney Bunt
<b>Case Officer:</b>	Shama Hafiz
<b>Ward(s) affected:</b>	Chiltern Villages
<b>Parish-Town Council:</b>	Hambleden Parish Council
<b>Date valid application received:</b>	10th January 2022
<b>Statutory determination date:</b>	7th March 2022
<b>Recommendation</b>	Application Permitted

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

- 1.1 Full planning permission is sought for the demolition of existing dwelling and garage and erection of replacement dwelling, creation of swimming pool to rear and widening of the existing vehicular access with associated access.
- 1.2 The proposed scheme would represent acceptable development in the countryside outside of the Green Belt, which would respect the character and appearance of the Chilterns Area of Outstanding Natural Beauty. Furthermore, the proposal would provide a satisfactory living environment for future occupiers without having a detrimental impact upon the residential amenities of the neighbouring dwellings, highway safety, trees or ecology.
- 1.3 This application has been referred to the Planning Committee at the request of Councillor Mark Turner as the application looks to be very contentious, overbearing in AONB, and overdevelopment of the site.
- 1.4 Amended plans have been received during the course of the application. The revised scheme includes alterations to first floor facing windows, the drawings also show ecological features and enhancements with landscaping details.

- 1.5 In light of the above, the proposed development is considered to comply with the relevant policies of the Development Plan, and is therefore recommended for approval, subject to conditions.

## 2.0 Description of Proposed Development

- 2.1 The Stones (formerly known as Oddicombe) is a detached 1950's bungalow with a garage on site. The property is located within a row of dwellings along this part of Spurgrove Lane in Frieth. The site is rectangular in shape and set out linear in layout, similar to adjoining plots. It adjoins an access track to one side (south west).
- 2.2 The site is situated in the countryside outside of the Green Belt within the Chilterns Area of Outstanding Natural Beauty. The property is surrounded by residential properties of mixed style and design.
- 2.3 The application is accompanied by:
- a) Design and Access Statement
  - b) Ecology Report
  - c) Tree Report and AIA
  - d) Ecology and Trees Checklist

## 3.0 Relevant Planning History

- 3.1 WR/3050 – Consent for a timber and brick bungalow
- 3.2 WR/181/53 – Consent for Erection of dwellinghouse
- 3.3 WR/419/53 – Consent for erection of bungalow
- 3.4 W/6719/79 – Consent for garage

## 4.0 Policy Considerations and Evaluation

### **Principle, Location of Development and Raising the quality of place making**

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), CP9 (Sense of place), DM30 (The Chilterns Area of Outstanding natural Beauty), DM33 (Managing Carbon Emissions, Transport and Energy Generation), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality), DM44 (Development outside of the Green Belt)

DSA: DM1 (Presumption in favour of sustainable development), DM11 (Green networks and infrastructure), DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance), DM14 (Biodiversity in development) and DM16 (Open space in new development)

- 4.1 The proposed development has benefitted from pre-application consultation with planning officers. The principle of development was accepted by Officers at pre-application stage. In the pre-application feedback officers advised that the redevelopment of the site with a replacement dwelling of a more contemporary character and vernacular may be considered to be deemed acceptable. In summary, Officers advised they could support the proposal, subject to the recommended amendments and other satisfactory details being received.
- 4.2 The erection of a new replacement dwelling on the application site is acceptable in principle; subject to compliance with all other relevant planning policies.

- 4.3 The application site lies within the Chilterns AONB and the countryside outside of the Green Belt. In accordance with Policy DM30 of the adopted Wycombe District Local Plan, new development is expected to **“deliver the highest quality design which respects the natural beauty and built heritage of the Chilterns and enhances the sense of place and local character”**.
- 4.4 Policy DM44 of the adopted Wycombe District Local Plan applies to new development situated within the countryside outside of the Green Belt. This policy reflects general principles of other policies such as DM30 above which ensure that new development is located where it is capable of contributing to sustainable development.
- 4.5 The design of the proposed dwelling is somewhat of a contemporary approach which seeks to incorporate the local character and vernacular combined with the style of other replacement dwellings recently approved in this part of Spurgrove Lane in Frieth. Following the demolition of the existing dwelling and garage, the new building would be erected in a similar position in terms of the frontage of the site. It would employ an L-shape design with gabled wings. It is noted that the replacement dwelling would have an overall larger footprint with an improved floor layout, in accordance with other adjoining dwellings in terms of the built frontage of established street scene.
- 4.6 The proposed building will be set under a cross gabled roof with the two distinct volumes being roofed in Zinc and are set at slightly different heights. The frontage gable has been designed to sit lower to the cross gable. The walls would consist of timber and flint clad exterior. There are other examples of these more modern or similar materials and finishes within the surrounding area and in the vicinity which are constructed with these or similar sympathetic materials.
- 4.7 The rear garden of the dwelling would propose a hardstanding patio area directly to the rear of the dwelling which would have an area of lawn in the north western corner and a linear, rectangular shaped swimming pool connected to the patio area.
- 4.8 The design of the proposed dwelling has responded positively to the Council’s pre-application response and that the revised proposals would seek to preserve the character of the surrounding rural area. This includes an appropriate scale, form and use of materials that reflects the surrounding characteristics of the site and the established character of this part of the countryside and the AONB.
- 4.9 The overall appearance of the proposed dwelling would not be harmful to the character and appearance of the AONB/countryside location and street scene. The development offers a holistic scheme that would ultimately offer benefits, ensuring that the development appears appropriate and proportionate in terms of the plot and immediate rural surroundings.

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

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

- 4.10 The proposed development falls below the threshold for an affordable housing contribution.

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

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

DSA: DM2 (Transport requirements of development sites)  
Buckinghamshire Countywide Parking Guidance (BCPG)

- 4.11 The proposed detached dwelling would utilise the retained access to the site in its current position from Spurgrove Lane. The existing access is very narrow and will be widened to ease access for vehicles and emergency services. Cars will be accommodated in a driveway at the south end of the site.
- 4.12 The Highway Authority was consulted on the application and advises after assessing the submitted plans, that the proposal is essentially a like-for-like residential development. As such, this authority would not expect a material difference in vehicle movements when the existing dwelling is compared with that which is sought.
- 4.13 In addition, the Highway Authority note that the application proposes to widen the existing access onto Spurgrove Lane, this would be to allow for safer entry and exit into the site. To conclude, the Highway Authority are satisfied that the development would offer the optimum level of parking in accordance with the Buckinghamshire Countywide Parking Guidance policy document when taking into account the level of habitable accommodation featured.
- 4.14 Mindful of the above, the Highway Authority raises no objections to the proposed application subject to specified conditions relating to alterations to the existing means of access, parking layout scheme and standard informatives.

**Amenity of existing and future residents**

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

- 4.15 The proposed dwelling provides adequate internal space and private amenity space.
- 4.16 In assessing the impact upon the residential amenities of the neighbouring properties, consideration has been given to the existing residential use of the site, the proposed site layout relative to the adjacent properties, the separation distance between the new dwelling and the side boundaries, as well as the position of any side facing windows and the spaces they serve.
- 4.17 On the basis of the above, the proposal would not be considered to adversely affect the residential amenities of the neighbouring properties. Conditions to secure obscure glazing of relevant first floor flank openings/windows is also appropriate.

**Flooding and drainage**

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

- 4.18 A proposed foul and surface water plan drawing has been submitted with the application.
- 4.19 The proposal would feature water management initially at source, with a rainwater harvesting system for non-potable water use, such as toilet flushing and garden irrigation. The green roof of the flint box would intercept and retain rainfall to reduce runoff volume and rate intercept and retain rainfall to reduce runoff volume and rate. A soak away would then provide attenuation and later dispose of water via infiltration. The front drive would be constructed of permeable loose shingle, which allows inflow of rainwater into the underlying construction/soil. The proposed replacement

dwelling's waste management strategy would make use of a septic tank, which shall be installed in line with all building regulation standards. Waste storage and collection would be provided within a bin store at the south eastern side of the site.

- 4.20 This indicates that a satisfactory solution to foul and managing surface water is possible, a condition is needed to secure the provision of the above satisfactory scheme and the details.

### **Ecology**

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

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

- 4.21 Policy DM34 requires all development to protect and enhance both biodiversity and green infrastructure features and networks both on and off site for the lifetime of the development.
- 4.22 The application is accompanied by a Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey (Arbtech, 12th October 2021).
- 4.23 The Ecology Officer was duly consulted on the application and notes that this report acts as an accurate account of the ecological features present on site at the time of the assessment. The provided ecological report identified roosting bats within the application site is negligible. It is to be noted that the site is nearby Hambleden and Wormsley Valley Biodiversity Opportunity Area and Mousells Wood Local Wildlife Site.
- 4.24 In appraising the ecological implications, the Ecology Officer has no objections and recommends that the mitigation, compensation and enhancements provided within the ecological report table 5 would need to be secured with an appropriate planning condition in any decision notice for this development.
- 4.25 In terms of trees, the application has been submitted with an Arboricultural Impact Assessment, Tree Protection Plan, Tree Constraints Plan, Tree Report and landscape proposals plans including a garden layout plan.
- 4.26 The Arboricultural Officer was consulted on the application proposals and has advised that the loss of the few category 'C' trees could be mitigated through appropriate landscaping. The loss of the Lawson's cypress along the boundary with Highclere may reduce privacy between the properties, but these trees are not subject of any current or planned tree preservation order so their retention is not guaranteed regardless of the current application. In summary, this Officer has no objections to the proposed development subject to the development being implemented and adhered to above mentioned/submitted arboricultural documents.

### **Building sustainability and Environmental Issues**

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

- 4.27 It is considered necessary to condition water efficiency in accordance with Policy DM41.
- 4.28 The adopted Air Quality SPD requires the provision of car charging points in connection with all minor developments. This is to reduce air pollution within the Council's Air Quality Management Areas. Whilst the site is not within an AQMA it is likely that traffic

generated by the development would travel through the AQMA to access higher order services. A condition will be imposed to secure the provision of one charging point adjacent to the new parking spaces. This also meets the objectives of Policies CP12 and DM33 to address carbon emissions and climate change.

- 4.29 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.
- 4.30 In this instance measures such as, high levels of insulation and airtight construction, will be incorporated within the dwelling with low running and maintenance costs. The supporting Design and Access statement states that the applicant would explore the potential for a heat pump to provide underfloor space heating and hot water. As well as a whole house mechanical ventilation system with heat recovery to provide excellent internal air quality. 15% of the energy load of the dwelling will be from renewable or low carbon sources. The new dwelling would have a water efficiency standard of 105 litres per head per day. Good levels of daylight throughout the house would minimise energy consumption from artificial lighting which will incorporate low energy fittings. Materials would also be sourced locally so far as possible to minimise transport embodied energy.

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

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

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

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

- 5.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 5.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
  - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
  - c. Any other material considerations
- 5.3 As set out above it is considered that the proposed development would accord with the relevant development plan policies.
- 5.4 In line with the Public Sector Equality Duty the LPA must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).



- 5.5 The application provides a replacement dwelling. The development is to the applicant's home and no discrimination or inequality would arise from the proposal.
- 5.6 The Human Rights Act 1998 Article 1 the protection of property and the peaceful enjoyment of possessions and Article 8 the right to respect for private and family life, have been taken into account in considering any impact of the development on residential amenity and the measures to avoid and mitigate impacts. It is not considered that the development would infringe these rights.

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

- 6.1 In accordance with paragraph 38 of the NPPF the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 6.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 6.3 In this instance, the applicant/agent was provided with pre-application advice. The applicant/agent was updated of any issues and provided with the opportunity to submit amendments to the scheme/address issues. However, the application was referred to the Planning Committee for determination at the request of the Local Ward Councillor.

#### **7.0 Recommendation**

- 7.1 The proposed development is recommended for approval.

Subject to the following conditions:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
- 2 The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers SB/002 P01; SB/002 P02/A; SB/002 P03; SB/002 P04/A; SB/002 P05; SB/002 P06/A; 21.002.P07; TPP; TCP; SB/001/B; SB/002/B; unless the Local Planning Authority otherwise first agrees in writing.  
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.
- 3 Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of the materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority before any work to the external finish of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: To secure a satisfactory external appearance.

- 4 Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of all surfacing materials shall be submitted to and approved in writing by the Local Planning Authority before any work to the finished surfaces of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: To secure a satisfactory appearance.
- 5 The landscaping scheme for the development hereby approved shall be undertaken and adhered to strictly with the details provided within the landscape proposals plan, Drawing nos: SB/001/B; SB/002/B and associated supporting documents submitted with the application. The development shall thereafter only be carried out in accordance with the approved details and the building hereby approved shall not be occupied until the details have been fully implemented. The landscaping scheme for the site shall thereafter be retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.  
Reason: To ensure that the proposed development does not adversely affect the established character of the surrounding landscape, and to ensure a satisfactory environment within the development.
- 6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees, plants or areas of turfing or seeding which, within a period of 3 years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.  
Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping.
- 7 Details of all screen and boundary walls, fences and any other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority before any development above damp proof course takes place. The development shall thereafter only be carried out in accordance with the approved details and the buildings hereby approved shall not be occupied until the details have been fully implemented. The screen and boundary walls, fences and any other means of enclosure which are part of the approved scheme shall thereafter be retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.  
Reason: To ensure that the proposed development does not adversely affect the visual amenities at present of the site and adjoining/surrounding landscape, and to ensure a satisfactory environment within the development.
- 8 The development hereby permitted shall only be undertaken and implemented in all respects in accordance with the approved scheme of ecological mitigation/ compensation/ enhancements measures and features provided within the ecological report Table 5 submitted with the planning application. The development shall proceed in accordance with the approved biodiversity features, which shall have been installed prior to the first occupation of the development and retained.  
Reason: To comply with the requirement to achieve a net gain in biodiversity through ecological enhancements in line with policy DM34 - Delivering Green Infrastructure and Biodiversity in Development of the Adopted Wycombe District Local Plan.

- 9 The development shall take place in accordance with the arboricultural impact assessment (AIA), tree constraints plan, tree protection plan, tree report and landscape drawings (garden layout plan & soft landscape details), associated drawings and details submitted as part of the planning application. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: To ensure that the retained trees, shrubs and hedgerows are not damaged during the construction process and in the long term interests of local amenity value.
- 10 No other part of the development shall be occupied until the existing means of access has been altered in accordance with the approved drawing and constructed in accordance with 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.
- 11 The scheme for parking 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 occupation of the development hereby permitted, one electric vehicle charging point with a minimum rating of 32amp must be installed.  
Reason: To comply with the air quality SPD and, to reduce the carbon emissions and the impact on the health of Nitrogen Dioxide emissions from the development.
- 13 The development, hereby permitted, shall be designed and constructed to meet a water efficiency standard of 110 litres per head per day.  
Reason: In the interests of water efficiency as required by Policy DM41 (Optional Technical Standards for Building Regulations Approval) of the Local Plan.
- 14 The development hereby approved shall store all additional runoff within the site and either reuse it or release it into the ground through infiltration. Where the additional runoff is not to be re-used or on-site infiltration methods are not proposed, details of how the risk of flooding elsewhere will not be increased shall be submitted to and approved by the local planning authority prior to any development taking place. The approved details shall thereafter be implemented prior to the development being brought into use and thereafter managed and maintained for the lifetime of the development.  
Reason: To ensure that the development does not increase the risk of flooding elsewhere.
- 15 Notwithstanding any other details shown on the plans hereby approved, the first floor en suite windows and secondary window to master bedroom to be inserted in the proposed east elevation and the first floor en suite windows to be inserted in the proposed west elevation of the dwelling shall, up to a minimum height of 1.7 metres above finished floor level, be fixed shut (without any opening mechanism) and glazed in obscure glass. The windows shall thereafter be retained as such.  
Reason: In the interests of the amenity of neighbouring properties.

- 16 Notwithstanding any indication otherwise given on the plans hereby permitted, the roof lights in the north, east and west facing roof elevations of the dwelling shall have a minimum internal cill height of 2 metres above finished floor level. The windows shall thereafter be retained as such.  
Reason: In the interests of the amenity of neighbouring properties.

#### INFORMATIVE(S)

- 1 In accordance with paragraph 38 of the NPPF the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application. In this instance, the applicant/agent was provided with pre-application advice. The applicant/agent was updated of any issues and provided with the opportunity to submit amendments to the scheme/address issues.
- 2 The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Buildings, trees and other vegetation are likely to contain nesting birds between 1st March and 31st August inclusive, therefore removal of scrub, dense bushes, ivy, trees or parts of trees (or other location where birds are likely to nest) during this period could lead to an offence under the Act. Likely nesting habitat must not be removed during the nesting period unless a survey has been undertaken by a competent ecologist, immediately prior to the works commencing and it has been established that bird nesting is not taking place.
- 3 The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A period of 28 days must be allowed for the issuing of the licence, please contact Transport for Buckinghamshire at the following address for information.  
  
Transport for Buckinghamshire (Streetworks)  
10th Floor,  
Walton Street Offices  
Walton Street, Aylesbury,  
Buckinghamshire  
HP20 1UY  
01296 382416
- 4 No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.
- 5 The attention of the applicant is drawn to the requirements of section 60 of the control of pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Services Division of the Council.

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

### Councillor Comments

**Councillor Mark Turner** – Stance: neither objecting to or supporting the Planning Application  
Comment Reasons: This application looks to be very contentious, overbearing in AONB, and overdevelopment of the site. I, and my fellow Councillors, Cllr Barnes and Cllr Mohammed would like to have this application decided at committee if minded to approve plans. I would like to have this application decided at committee if minded to approve plans.

### Parish/Town Council Comments

#### **Hambleden Parish Council**

Comments: The parish council object to this application, due to the height of the proposed building which will be higher than the neighbouring properties and it appears to be an overbuild of the site. We have concerns about increasing the footprint and size of the dwelling. Section 6.209 of the Local Plan (which in turn refers to 145a and 145b of the NPPF 2019) identifies appropriate development in the Green Belt and Rural Areas such as Frieth as the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. This proposed dwelling is substantially larger than the existing one and results in a disproportionate addition to the original building and therefore fails to meet the criteria set out in the Local Plan. A representative from the Parish Council will be prepared to speak should this application be referred to the Planning Committee.

### Consultation Responses

#### **Highways Authority**

Comments: Spurgrove Lane is an unclassified road subject to the national speed limit of 60mph, parking and waiting restrictions are not present within the vicinity of the site. Due to the rural nature of the location there is no access to pedestrian footways, and street lighting is not present.

This application proposes demolition of the existing dwelling, construction of a replacement dwelling and widening of the existing vehicular access.

After assessing the submitted plans, it is considered that the proposal is essentially a like-for-like residential development. As such, I would not expect a material difference in vehicle movements when the existing dwelling is compared with that which is sought.

I note the application proposes to widen the existing access onto Spurgrove Lane, this would be to allow for safer entry and exit into the site. Furthermore, I am satisfied that the development would offer the optimum level of parking in accordance with the Buckinghamshire Countywide Parking Guidance policy document when taking into account the level of habitable accommodation featured.

Mindful of the above, I do not have any objections to the proposed application subject to the specified conditions.

#### **Ecological Officer**

Comments: REFERENCE - Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey (Arbtech, 12th October 2021). This report acts as an accurate account of the ecological features present on site at the time of the assessment. The provided ecological report identified

roosting bats within the application site is negligible. It is to be noted that the site is nearby Hambleden and Wormsley Valley Biodiversity Opportunity Area and Mousells Wood Local Wildlife Site.

RECOMMENDATIONS: The provided mitigation, compensation and enhancements provided within the ecological report table 5 will need to be secured with an appropriate planning condition in any decision notice for this development.

### **Control of Pollution Environmental Health**

Comments: As per the air quality SPD, one electric vehicle charging point with a minimum rating of 32 amp must be provided prior to the occupation of the development. Recommendation (with conditions if appropriate): Objection, unless specified condition is imposed with an informative in terms of construction/demolition noise.

### **Arboricultural Officer**

Comments: DRAWINGS REFERENCED AIA, TPP, Tree Report, Landscape proposals COMMENTS/ISSUE. The loss of the few category 'C' trees could be mitigated through appropriate landscaping. Loss of the Lawson's cypress along the boundary with Highclere may reduce privacy between the properties, but these trees are not subject of any current or planned TPO so their retention is not guaranteed regardless of the current application. RECOMMENDATION(S) - Approval subject to adherence to submitted arb documents.

### Representations

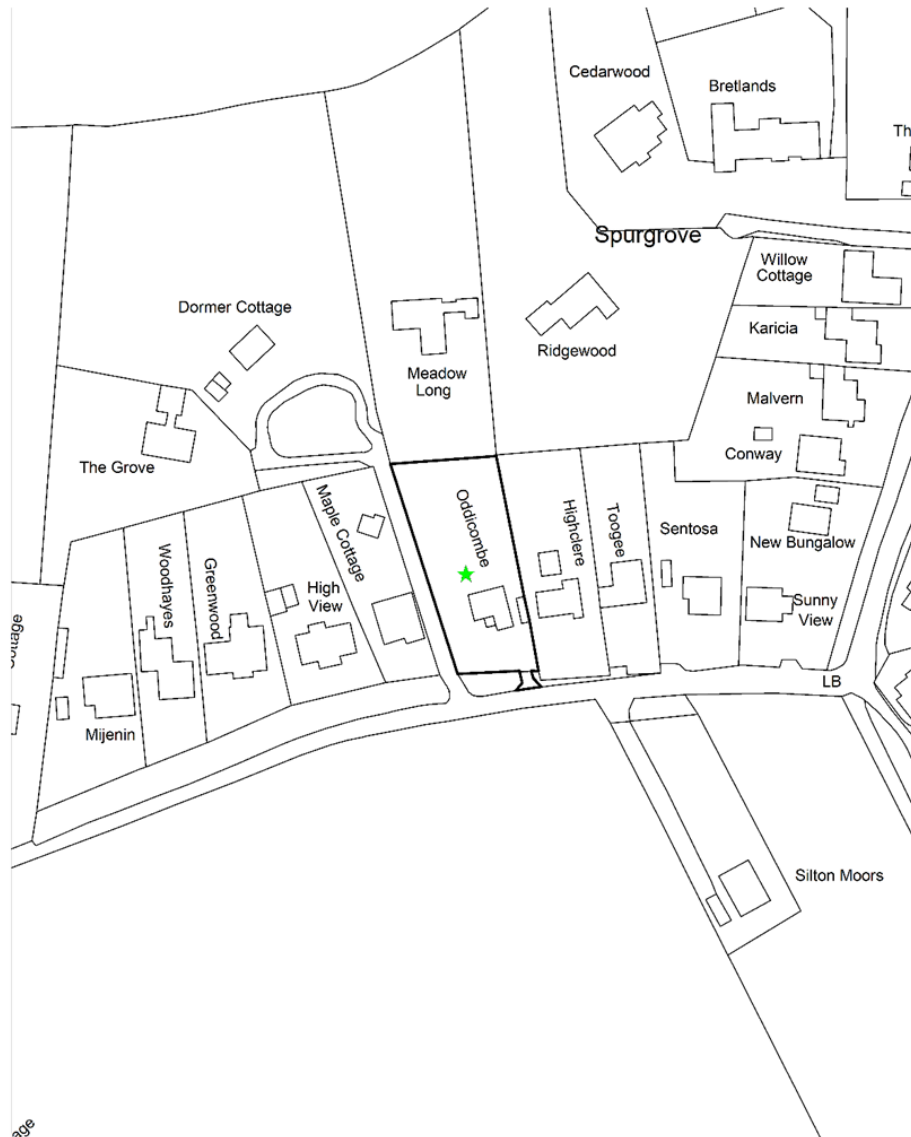
#### **Other Representations**

17 letters/comments have been received objecting to the proposal. The grounds of objection raised includes:

- Larger house, higher than neighbouring properties resulting in dominating impact
- Recent developments being squeezed into plots leading to overdevelopment
- Dangerous precedent being set by new/abstract style of buildings
- Inappropriate, not in keeping with character of area, detracts from AONB
- Impact to light levels and outlook to neighbours
- Light pollution, virtue of numerous roof lights in the countryside
- Traffic management plan to control construction vehicle sizes and restoring of verges
- Adverse impact on ecology

# APPENDIX B: Site Location Plan

21/08699/FUL  
Scale 1:1250



Planning Committee  
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Ordnance Survey 100062456

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## Report to West Area Planning Committee

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<b>Application Number:</b>	22/06428/FUL
<b>Proposal:</b>	Installation of shop front and lantern style roof light to flat rear roof with internal and external alterations including bin store
<b>Site Location:</b>	16 Church Street High Wycombe Buckinghamshire HP11 2DE
<b>Applicant:</b>	Mr Charles Brocklehurst
<b>Case Officer:</b>	Jackie Sabatini
<b>Ward(s) affected:</b>	Abbey
<b>Parish-Town Council:</b>	High Wycombe Town Unparished
<b>Date valid application received:</b>	27th June 2022
<b>Statutory determination date:</b>	22nd August 2022
<b>Recommendation:</b>	Application Permitted

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

- 1.1. This proposal seeks planning permission for the installation of a shop front and lantern style roof light to flat rear roof with internal and external alterations including bin store.
- 1.2. The proposal is considered to comply with the relevant Development Plan policies and is therefore recommended for approval subject to conditions.
- 1.3. The reason the application has been called to committee is that the applicant is a member of staff of Buckinghamshire Council.

### 2.0 Description of Proposed Development

- 1.4. This proposal seeks planning permission for the installation of a shop front and lantern style roof light to flat rear roof with internal and external alterations including bin store.
- 1.5. The property is a vacant commercial building, last used as a brokerage for money lending purposes, located within the primary shopping area in the Town Centre Boundary in the High Wycombe Town Centre Conservation Area.

- 1.6. The property is situated within a sustainable location and will have no adverse effect upon highway safety.
- 1.7. The application is accompanied by:
- a) Plans
  - b) Design and Access Statement
  - c) Ecology Wildlife Checklist

### 3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
90/06155/ADV	DISPLAY OF ILLUMINATED FASCIA AND PROJECTING SIGNS	PER	31 July 1990
90/06156/FUL	MINOR SHOPFITTING WORKS TO FORM NEW SALES AREA AND NEW SHOPFRONT	PER	31 July 1990
99/06663/ADV	Display of internally illuminated individual characters on fascia sign.	PER	21 September 1999
99/06726/FUL	Installation of new shop front and construction of fire escape	PER	29 September 1999
04/07083/ADV	Display of 1 x internally illuminated fascia sign and 1 x non - illuminated hanging sign	PER	28 September 2004
10/06669/LDO	Local Development Order as adopted on 28th July 2010 following resolution of Full Council on 5th July 2010 for extension to permitted development rights for changes of use of ground floor premises to the following uses: A1 Shops ( includes shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, dry cleaners, pet shops, sandwich bars, showrooms, domestic hire shops, funeral directors); A2 Financial and Professional services ( includes banks, building societies, estate and employment agencies, betting shops); A3 Restaurants and cafes ( includes snack bars); A4 Drinking establishments ( includes public houses, wine	EXP	29 July 2013

bars- but not night clubs) ; A5  
 Hot food takeaways; C1  
 Hotels;D1 Non- residential  
 institutions (includes art  
 galleries, museums);D2  
 Assembly and leisure ( includes  
 cinemas, bingo halls but not  
 night clubs)

PLEASE NOTE: THE LDO HAS  
 NOW EXPIRED FROM 29/07/13 -  
 ANY QUERIES DAVID DEWAR  
 01494 421570

12/07611/ADV	Display of externally illuminated fascia sign and two non-illuminated hanging signs (Retrospective)	PER	10 January 2013
22/07384/FUL	Replacement front elevation windows at first and second floor levels	REC	

#### 4.0 Policy Considerations and Evaluation

##### Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), DM33 (Managing Carbon Emissions, Transport and Energy Generation) DM34 (Delivering Green Infrastructure and Biodiversity in Development)

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

4.1 The installation of a replacement shop front and lantern style roof light to flat rear roof with internal and external alterations including bin store. is acceptable in principle, subject to compliance with the Local Plan and other material considerations being taken into account.

##### 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 proposed development would not have a material impact on the safety and operation of the adjoining public highway.

4.3 Mindful of the above, the Highway Authority have not been consulted on this application.

##### 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)

4.4 The site comprises a building/unit located within the Town Centre Boundary, in the High Wycombe Town Centre Conservation Area. The proposal will restore the façade of the building and help to maintain the vitality and viability of the surrounding area; protecting and promoting town centre vitality and viability, with active street frontages.

- 4.5 The High Street is used, predominantly, for retail purposes and has a diverse array of shop frontages to include traditional and more contemporary design. The proposed changes are not untypical to the area and would not be harmful to the overall character and appearance of the building or the surrounding area.
- 4.6 DM34 requires all development to protect and enhance both biodiversity and green infrastructure features and networks both on and off site for the lifetime of the development.
- 4.7 No assessment has been provided with this proposal so it falls to the Local Planning Authority to consider what would be proportionate for the development proposed.
- 4.8 In this case, given the location and scope of the proposal, enhancement is not considered proportionate.

**Historic environment (or Conservation Area or Listed Building Issues)**

Wycombe District Local Plan (August 2019): CP9 (Sense of place), CP11 (Historic Environment), DM20 (Matters to be determined in accordance with the NPPF), DM31 (Development Affecting the Historic Environment)

- 4.4. The application site comprises of an unlisted building located within High Wycombe Conservation Area (CA). The application building is a vacant retail unit located to the ground floor of a 3-storey building. It is understood to have been constructed in the 19th century, formed of brick which is now painted. The property was extensively altered and extended in the 1960s and much of the historic fabric was lost.
- 4.5. The proposal intends to replace a number of features to the front:
- a door on left hand side of the building which provides access to the upper floors;
  - a matching door on the right-hand side of the building, leading to a storage space for waste and recycling containers;
  - a single leaf recessed shop door centrally in the building and the display windows either side of the shop door;
  - a panelled facade above, across the full width of the building.
- 4.6. In terms of significance, the proposal enhances the original external character, particularly to the frontage of the property and its contribution to the group value along the Church Street and the wider Conservation Area.
- 4.7. The installation of the roof lantern will not be visible from the street scene and justification has been provided for its installation into the more modern extension. It is entirely appropriate in scale and detailing and positively contributes to the use of the building.
- 4.8. Any new development needs to be sympathetic and in form with the Conservation Area as a whole. In addition, in Conservation Areas higher standards of design are required and it is this function of the Local Planning Authority in considering all applications to assess whether they preserve or enhance the special character and significance of the heritage assets. On this occasion the proposal enhances the special character of the Conservation Area and the setting of the Listed Building. The application is acceptable in heritage terms.

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

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

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

- 6.1 In accordance with paragraph 38 of the NPPF (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.

In this instance the application was acceptable as submitted and no further assistance was required. The application has been called to committee as the applicant is a member of staff of Buckinghamshire Council.

## **7.0 Recommendation**

Application Permitted, subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
- 2 The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers 3874-01 C, 3874-02 C, 3874-10 D, 3874-11 C, 3874-12 B, BC1; unless the Local Planning Authority otherwise first agrees in writing.  
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.
- 3 For the avoidance of any doubt the proposed doors are to be of hardwood timber using traditional joinery techniques and painted in Patina Green. The paint type should be on a like for like basis. If the existing is lime wash, then lime wash would be required again.  
Reason: To secure a satisfactory external appearance in conservation heritage terms.

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

### Councillor Comments

No comments received

### Parish/Town Council Comments

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

### Consultation Responses

#### **Conservation and Listed Buildings Officer**

Recommendation: The application is acceptable in heritage terms.

#### Information Considered:

Existing ground and first floor plans

Existing second floor and roof plans

Proposed ground and first floor plans

Proposed second floor and roof plans

Existing and proposed elevations and block plan

Site/location plan

Design and Access Statement

Heritage Statement

Comment: The property is an unlisted building located within High Wycombe Conservation Area (CA). The heritage assessment is the impact on the character and appearance of the conservation area and on the setting of nearby listed buildings (LB).

Significance: The site is comprised of a vacant retail unit located to the ground floor of a 3-storey building. It is understood to have been constructed in the 19th century, formed of brick which is now painted. The property was extensively altered and extended in the 1960s and much of the historic fabric was lost.

The application property is located in Church Street, within the developed area of High Wycombe Conservation Area, and is close to number of Grade II listed buildings in Church Street and Queens Square. Whilst nearby is the All Saints Church which is Grade I, the church dates back to the 13th century and restored and altered in the 19th century.

Shops are an important part of the Old Town's heritage. Historically there was a wide variety providing for everyday needs of residents and visitors. The retention of a shopfront helps to retain the buildings historic character, so shopfronts form an important element in setting the special character of the conservation area.

## Proposal

### The renewal of the ground floor shop frontage.

The proposal is to replace any existing signage and redecorate the timber joinery, roller security screens and glass.

The proposal intends to replace a number of features to the front:

- a door on left hand side of the building which provides access to the upper floors;
- a matching door on the right-hand side of the building, leading to a storage space for waste and recycling containers;
- a single leaf recessed shop door centrally in the building and the display windows either side of the shop door;
- a panelled facade above, across the full width of the building.

### Installation of a lantern-style skylight

The proposal is for the installation of a 'lantern' roof lighting the flat roof rear extension. The rooflight will measure 3 x 2.5 m. and of solar reflective glass with no opening parts.

Discussion: The property is a vacant unit and has been vacant for some time. Heritage would welcome its refurbishment as the current frontage has a detrimental impact of the special character of the CA and nearby LBs.

### The renewal of the ground floor shop frontage

The proposal wishes to replace a number of doors, glazing and fascia. The current doors appear relatively modern and have no objection to be replaced with a more sympathetic material and colour. Preferences should be given to schemes that involve paint finished and handwritten signage. The design is sensitive to the character of the area, visually unobtrusive, well designed and well located. The proposed doors are to be of hardwood timber using traditional joinery techniques and painted in Patina Green and would enhance the front elevation. The paint type should be on a like for like basis. If the existing is lime wash, then lime wash would be required again.

Any new development needs to be sympathetic in form with the conservation area as a whole. In addition, in conservation areas higher standards of design are required in planning applications and it is the function of the LPA in considering all applications to assess whether they preserve or enhance the special character and significance of the heritage assets. On this occasion the proposal enhances the special character of the CA and setting of the listed buildings.

It is recommended that future signage should be kept to a minimum, is located and positioned appropriately to the shopfront and the surrounding area. The signage should not detract from the local street scene. The lettering should be sized appropriately and centrally placed. The panel should be formed of high-quality materials and should be well-maintained.

In terms of significance, the proposal enhances the original external character, particularly to the frontage of the property and its contribution to the group value along the Church Street and the wider Conservation Area.

### Installation of a lantern-style skylight.

The roof lantern will not be visible from the street scene and justification has been provided for its installation, which is into the more modern extension. It is entirely appropriate in scale and detailing and positively contributes to the use of the building.

### Heritage Policy Assessment

The Planning (Listed Building and Conservation Areas) Act 1990

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

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

NPPF

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

### Conclusion

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

The application would not raise any heritage objection.

### Representations

None received



# APPENDIX B: Site Location Plan

22/06428/FUL  
Scale 1:1250



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## Report to West Area Planning Committee

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<b>Application Number:</b>	22/06756/FUL
<b>Proposal:</b>	Installation of permanent safety netting to exposed walkways for safety purposes
<b>Site Location:</b>	Bridge Court Desborough Road High Wycombe Buckinghamshire
<b>Applicant:</b>	Mr Anwar Zaman - Buckinghamshire Council
<b>Case Officer:</b>	Jackie Sabatini
<b>Ward(s) affected:</b>	Abbey
<b>Parish-Town Council:</b>	High Wycombe Town Unparished
<b>Date valid application received:</b>	28th June 2022
<b>Statutory determination date:</b>	23rd August 2022
<b>Recommendation</b>	Application Permitted

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

- 1.1. This proposal seeks planning permission for the installation of permanent safety netting to the exposed walkways of the building (Bridge Court) for safety purposes.
- 1.2. The application site is located within High Wycombe town centre, situated towards the west of the designated centre and within walking distance of local amenities. The site comprises land enclosed by West End Road, Desborough Road and Kings Church. The site has recently been developed to deliver 58 temporary housing units for person who find themselves temporarily homeless. The scheme was approved on 30 April 2019 under reference 18/08306/FUL. In view of the wide mix of household types who will be occupying the scheme (including vulnerable people and families with small children), it was felt that further measures should be considered to improve the safety of the constructed open walkways above ground floor level.
- 1.3. Following practical completion, further discussions with Building Control and the Council's Housing Team, who will be taking on management responsibility of the facility, were held. In view of the wide mix of household types who will be occupying the scheme it was felt that further measures should be considered to improve the safety of the constructed open walkways above ground floor level.
- 1.4. The development is considered to be in accordance with the relevant Development Plan policies for the area and is therefore recommended for approval.

1.5. The reason the application has been called to committee is that Buckinghamshire Council is the Applicant.

## 2. Description of Proposed Development

- 2.1. This proposal seeks planning permission for the installation of permanent safety netting for safety purposes to the exposed walkways of Bridge Court; a multi storey building accommodating 58 temporary housing units for person who find themselves temporarily homeless.
- 2.2. It is proposed that a stainless steel framing cable of 6-8mm in diameter is attached the existing building to frame the exposed walkways. Fixed to the framing cable would be 2mm (in diameter) stainless steel netting.
- 2.3. The application is accompanied by:
- a) Plans
  - b) Cover Letter
  - c) Supporting documents
    - Example Plan
    - Netting Detail
    - Walkway Safety Document

## 3. Relevant Planning History

Reference	Development	Decision	Decision Date
18/08309/FUL	Demolition of existing buildings and construction of an up to five storey building containing 58 x 1 bed flats to be provided as temporary housing accommodation, re-provision of the British Red Cross Office in dual (B1 and A1) use, together with alterations to access, landscaping and associated works	PER	30 April 2019
20/05878/ADRC	Application for part approval of details subject to condition 4 (materials for building) of planning approval ref: 18/08309/FUL	PECOND	26 May 2020
20/06284/ADRC	Application for approval of details subject to conditions 6 (SuDs Strategy), 7 (SuDs Maintenance), 9 (Ecological Impact and Management Plan) and 20 (Construction Traffic	PECOND	22 December 2020

	Management Plan) of planning approval ref: 18/08309/FUL		
20/06361/ADRC	Application for approval of details subject to condition 4 (Materials for building) of planning approval ref: 18/08309/FUL	PECOND	13 October 2020
20/06806/ADRC	Application for approval of details subject to conditions 4 (Materials for building), 5(Surface Materials) and 11 (Hard and soft Landscape scheme) of planning ref: 18/08309/FUL	SPCOND	18 December 2020
21/06007/VCDN	Variation of condition 2 (plan) attached to 18/08309/FUL (Demolition of existing buildings and construction of an up to five storey building containing 58 x 1 bed flats to be provided as temporary housing accommodation, re-provision of the British Red Cross Office in dual (B1 and A1) use, together with alterations to access, landscaping and associated works) to allow for substitution of amended plans	PER	18 August 2021
21/06431/ADRC	Application for approval of details subject to Conditions 4 (Approval of Building Materials), 5 (Approval of Surfacing Materials), 11 (Hard & Soft Landscaping Scheme) and 13 (Secure by Design - Silver Award) of planning ref: 18/08309/FUL	PECOND	30 July 2021
21/07938/ADRC	Application for approval of details subject to Condition 7 (SUDS Verification) of planning ref: 21/06007/VCDN	RECOND	22 December 2021
21/07939/ADRC	Application for approval of details subject to Condition 11 (Security Strategy) of planning ref: 21/06007/VCDN	PECOND	4 November 2021

21/07940/ADRC	Application for approval of details subject to Condition 13 (Lighting Scheme) of planning ref: 21/06007/VCDN	PECOND	11 March 2022
21/07941/ADRC	Application for approval of details subject to Condition 20 (Substation Landscaping) and 21 (Siting of the Cycle Parking) of planning ref: 21/06007/VCDN	PECOND	21 October 2021
21/08067/ADRC	Application for approval of details subject to Condition 9 (PV Panels) of planning ref: 21/06007/VCDN	PECOND	21 October 2021
22/05204/MINA MD	Proposed non-material amendment to permission variation of condition 2 (plan) attached to 18/08309/FUL (Demolition of existing buildings and construction of an up to five storey building containing 58 x 1 bed flats to be provided as temporary housing accommodation, re-provision of the British Red Cross Office in dual (B1 and A1) use, together with alterations to access, landscaping and associated works) to allow for substitution of amended plans granted under planning ref: 21/06007/VCDN	PER	11 March 2022
22/05937/ADRC	Application for approval of details subject to Condition 7 (SUDS Maintenance) of planning ref: 21/06007/VCDN	PECOND	5 May 2022
22/06267/MINA MD	Proposed non-material amendment to permission for Variation of condition 2 (plan) attached to 18/08309/FUL (Demolition of existing buildings and construction of an up to five storey building containing 58 x 1 bed flats to be provided as temporary housing accommodation, re-provision of the British Red Cross Office in	PER	22 July 2022

dual (B1 and A1) use, together with alterations to access, landscaping and associated works) to allow for substitution of amended plans granted under planning ref: 21/06007/VCDN

#### **4. Policy Considerations and Evaluation**

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

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), DM33 (Managing Carbon Emissions, Transport and Energy Generation) DM34 (Delivering Green Infrastructure and Biodiversity in Development)  
DSA: DM1 (Presumption in favour of sustainable development), DM6 (Mixed-use development)

- 4.1 The installation of permanent safety netting to exposed walkways for safety purposes is acceptable in principle, subject to compliance with the Local Plan and other material considerations being taken into account.

##### **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 proposed development would not have a material impact on the safety and operation of the adjoining public highway.
- 4.3 Mindful of the above, the Highway Authority have not been consulted on this application.

##### **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)

- 4.4 As previously mentioned the application site comprises a building within the Town Centre Boundary, situated towards the west of the designated centre and within walking distance of local amenities. The site comprises land enclosed by West End Road, Desborough Road and Kings Church. The site has recently been developed to deliver 58 temporary housing units for person who find themselves temporarily homeless. The scheme was approved on 30 April 2019 under reference 18/08306/FUL.
- 4.5. This proposal will provide safety netting to the open walkways that provide access to each residential unit within the larger building. The application building is surrounded by both residential and non-residential development. The area is characterised by a diverse array of frontages to include traditional and more contemporary design of various sizes and scale.
- 4.6. While there would undoubtedly be some impact on the façade of the building the proposed netting has been designed to reduce the visual impact of the safety feature, and will only be visible when viewed in close proximity. It will be fixed to existing steelwork to avoid further bulk being added to the existing structure.

- 4.7. On balance, the proposal would not be harmful to the overall character and appearance of the building or the surrounding area.
- 4.8 DM34 requires all development to protect and enhance both biodiversity and green infrastructure features and networks both on and off site for the lifetime of the development.
- 4.9 No assessment has been provided with this proposal so it falls to the Local Planning Authority to consider what would be proportionate for the development proposed.
- 4.10 In this case, given the location and scope of the proposal, enhancement is not considered proportionate.

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

List relevant policies & SPD

- 4.11 In view of the wide mix of household types who will be occupying the scheme (including vulnerable tenants and families with small children), the proposed changes are considered beneficial ensuring a safe environment for existing and future residents accommodating the upper floors of the building without compromising existing residential amenity to adjacent neighbours.

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

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

### **6. Working with the applicant / agent**

- 6.1. In accordance with paragraph 38 of the NPPF the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. In this instance the application was acceptable as submitted. However, the application has been called to committee as Buckinghamshire Council is the Applicant.

### **7. Recommendation**

**Application Permitted** Subject to the following conditions and reasons: -



- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
  
- 2 The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers 001, DSB-AST-XX-ZZ-DR-A-010810, DSB-AST-XX-ZZ-DR-A-010811, DSB-AST-XX-ZZ-DR-A-010812, DSB-AST-XX-ZZ-DR-A-010813, DSB-AST-XX-XX-DR-A-010615; unless the Local Planning Authority otherwise first agrees in writing.  
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.

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

### Councillor Comments

None sought/received

### Parish/Town Council Comments

Unparished

### Consultation Responses

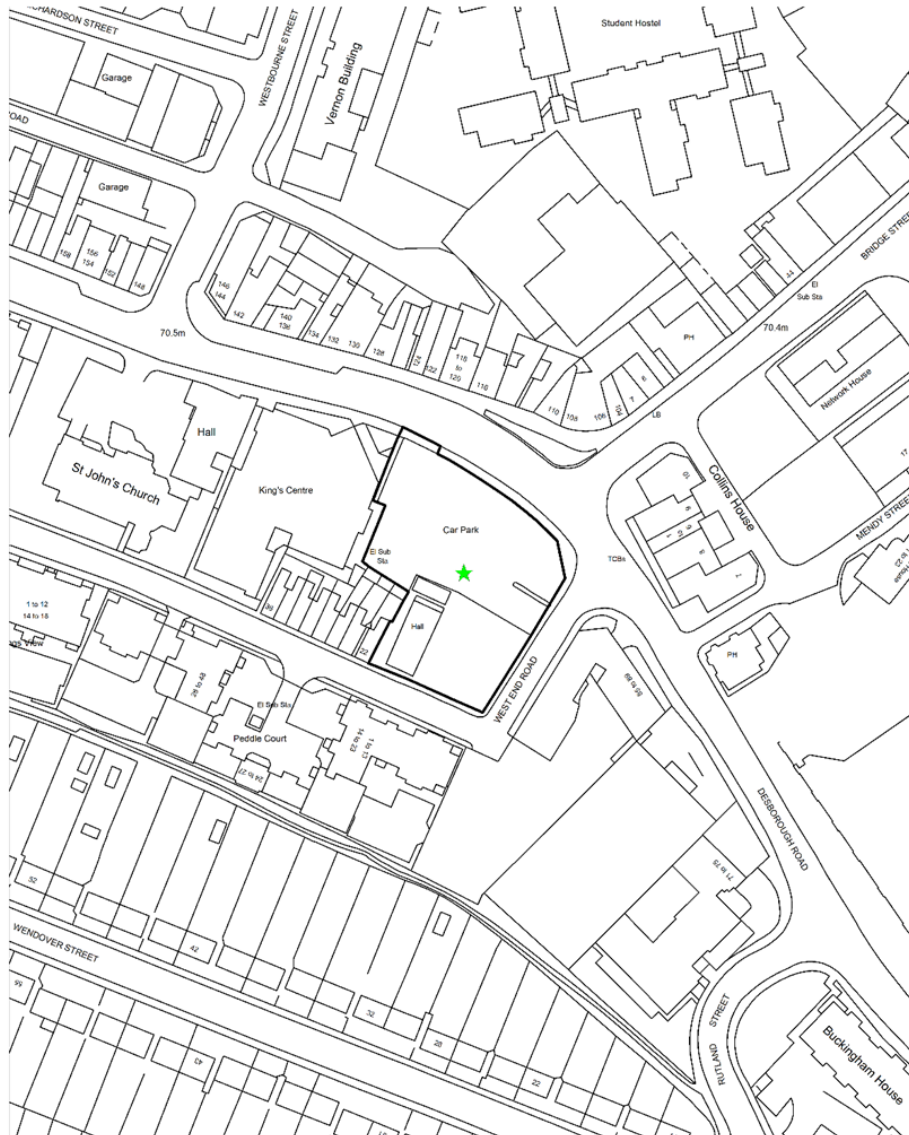
None received

### Representations

None received

# APPENDIX B: Site Location Plan

22/06756/FUL  
Scale 1:1250



Planning Committee  
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Ordnance Survey 100062456

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