



West Buckinghamshire Area Planning Committee agenda

Date: Wednesday 2 August 2023

Time: 6.30 pm

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

Membership:

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

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Agenda Item **Page No**

1 Apologies for Absence

2 Declarations of Interest

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

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

3 Minutes of the Last Meeting

To note the minutes of the meeting held on 5 July 2023.

3 - 6

Planning Applications

**4 22/07563/FUL - MacCabee Kennels, Bar Lane, Owlswick,
Buckinghamshire, HP27 9RG**

7 – 22

**5 23/05045/FUL - 27 Coates Lane, High Wycombe, Buckinghamshire,
HP13 5ET**

23 – 32

**6 23/05974/FUL - 2 Loddon Road, Bourne End, Buckinghamshire, SL8
5LT**

33 – 44

**7 23/06146/R9FUL - The Liberal Club, Queen Victoria Road, High
Wycombe, Buckinghamshire, HP11 1BG**

45 - 53

8 Date and Time of Next Meeting

Wednesday 30 August 2023 at 6.30pm at Council Offices, Queen Victoria Road, High Wycombe, HP11 1BB.

9 Availability of Members Attending Site Visits (if required)

To confirm members' availability to undertake site visits on Tuesday 29 August 2023 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.



West Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the West Buckinghamshire Area Planning Committee held on Wednesday 5 July 2023 in Amersham Council Chamber, King George V House, King George V Road, Amersham HP6 5AW, commencing at 7.00 pm and concluding at 9.20 pm.

Members present

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

Others in attendance

K Asif, L Briggs, B Dadi, A Dodd, L Hornby, J Ion, S Manek, C Steuart and I Zabala-Beck

Apologies

A Baughan, N Marshall and P Turner

Agenda Item

1 Declarations of Interest

2 Minutes of the Last Meeting

The Minutes of the meeting held on 7 June 2023 were agreed as an accurate record.

3 21/08463/FUL - 280 Main Road, Walters Ash, Buckinghamshire, HP14 4TH

Proposed demolition of existing commercial buildings on site and replacement with mixed use development consisting of Retail to ground floor and 4 x self contained flats to first floor with associated landscaping, parking, works to accesses and servicing for both uses.

This application was the subject of a site visit.

Members noted the Update.

After a very full debate, Members voted in favour of the motion to refuse the application for the following reasons:

1. The proposed development is considered to be an overdevelopment of the site due to the size of the building and the proximity of both the building and the

- parking and turning areas to the site boundaries which leave insufficient space for screening the development to soften its appearance in the surrounding area and to reduce the impact on the amenities of neighbouring residential properties. The proposal is therefore contrary to Policy DM35 (Placemaking and Design Quality) of the adopted Wycombe District Local Plan (2019) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021).
2. The proposed development would have an unacceptable impact on the residential amenities of surrounding properties by virtue of overlooking from the first-floor windows and roof terrace and general noise and disturbance arising from the activity associated with the use of the retail unit and its parking and delivery areas. The proposal is therefore contrary to Policy DM35 (Placemaking and Design Quality) of the adopted Wycombe District Local Plan (2019).
 3. The proposed design, by virtue of its design, shape, bulk, mass and materials, fails to respond to its local context within the Chilterns AONB. As such it would be out of keeping with the surrounding area, detrimental to the character and appearance of the street scene and would not respect the natural beauty and built heritage of the Chilterns or enhance the sense of place and local character. The development is therefore contrary to Policies CP9 (Sense of Place), DM30 (The Chilterns Area of Outstanding Natural Beauty) and DM35 (Placemaking and Design Quality) of the adopted Wycombe District Local Plan (2019) and Sections 12 (Achieving well-designed places) and 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2021).

Speaking as Ward Members: Councillor S Broadbent and Councillor D Carroll

Speaking in objection: Ms Z Atkins

Speaking on behalf of the Applicant: Mr W Abbot and Mr P Tann

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

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

- 4 22/07562/FUL - OS Parcel 1332 Chalkshire Road, Butlers Cross, Buckinghamshire**
Erection of six 2-bedroomed affordable dwellings and associated works including access.

This application was the subject of a site visit.

Members noted the Update.

Members voted in favour of the motion to delegate approval to the Service Director of Planning and Environment for approval subject to the satisfactory completion of a legal agreement to secure:

- Affordable housing

- A Biodiversity net gain plan

Or if the above were not achieved to refuse the application for such reasons as the Service Director of Planning and Environment considered appropriate.

Speaking as Ward Members: Councillor D Carroll and Councillor S Broadbent

Speaking on behalf of Ellesborough Parish Council: Cllr D Hares

Speaking in objection: Mr J West and Mr M Crouch

Speaking on behalf of the Applicant: Mr J Stone

It was proposed by Councillor M Turner and seconded by Councillor K Wood.

Resolved: that the application be delegated to the Service Director of Planning and Environment for approval subject to the satisfactory completion of a legal agreement as stated above.

5 22/08199/R9FUL - The Guildhall, Cornmarket, High Wycombe, Buckinghamshire, HP11 2AY

Installation of replacement lighting and ancillary works.

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

It was proposed by Councillor K Wood and seconded by Councillor I Hussain

Resolved: that the application be approved.

6 WITHDRAWN. 22/08200/LBC - The Guildhall, Cornmarket, High Wycombe, Buckinghamshire, HP11 2AY

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

7 23/06128/FUL - 48 Eastwood Road, Stokenchurch, Buckinghamshire, HP14 3SW

Householder application for construction of single storey detached outbuilding for use as home office/gym.

This application was the subject of a site visit.

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

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

Resolved: that the application be approved.

8 Date and Time of Next Meeting

Wednesday 2 August 2023 at 6.30pm at King George V House, Council Offices, Amersham, HP6 5AW

9 Availability of Members Attending Site Visits (if required)

Resolved: that in the event it was necessary to arrange site visits on Tuesday 1 August 2023 in respect of the agenda for the meeting to be held on Wednesday 2 August 2023, the following members be invited to attend:

Councillors: D Johncock, C Oliver and M Turner



Report to West Area Planning Committee

Application Number:	22/07563/FUL
Proposal:	Demolition of existing buildings and structures and erection of 5 x two-storey residential dwellings with access off Bar Lane, including parking and garaging, landscaping and all enabling and ancillary works
Site Location:	Maccabee Kennels Bar Lane Owlswick Buckinghamshire HP27 9RG
Applicant:	Mr Steve Kerry - Rectory Homes Ltd
Case Officer:	Ian Zabala-Beck
Ward(s) affected:	The Risboroughs
Parish-Town Council:	Longwick Cum Ilmer Parish Council
Date valid application received:	18 th October 2022
Statutory determination date:	13 th December 2022
Extension of Time agreed:	4 th August 2023
Recommendation	Application Refused

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Permission is sought for the demolition of existing buildings and structures and erection of 5 x two-storey residential dwellings with access off Bar Lane, including parking and garaging, landscaping and all enabling and ancillary works.
- 1.2 This application has been through several amendments and consultations, which has led to an acceptable design and layout.
- 1.3 The application retains much of the existing boundary trees and hedges and provides an area of green space to the rear of the site. Provision is made for wildlife including bats, birds and great crested newts – Licences will be required from Natural England and protection methods to be obtained.
- 1.4 The proposed dwellings will provide adequate amenity for their future occupiers. Impact upon neighbours and the surrounding area, including highways and drainage, is acceptable.

- 1.5 The proposal requires a suitable marketing strategy in line with Policy DM5 (Scattered Business Sites). A suitable market strategy has not been provided; therefore, the application is recommended for refusal on this matter only.
- 1.6 Cllrs Alan Turner, Gary Hall and Tony Green have requested that if officers are minded to refuse the application, that it be brought to Planning Committee.
- 1.7 An extension of time has been agreed to allow for the amendments and re-consults and to be heard at planning committee.
- 1.8 Recommendation – refusal.

2.0 Description of Proposed Development

- 2.1 The site currently contains a working Dog Kennels facility, together with several associated single storey outbuildings. There is also an area of hardstanding to the front that facilitates access to the business and customer parking. The rear of the site consists of several pens separated by boundary treatments associated with exercise areas for the animals.
- 2.2 Full planning permission is sought for the redevelopment of this site for residential purposes. The buildings associated with the business will be demolished and removed from the site.
- 2.3 A detached property sits towards the front of the site (blue edge), which is to be retained, this property is outside the red edge of the proposed site but will share part of the access within the red edge. This access forms the current access to the site.
- 2.4 2 detached properties will be sited along the entrance to the site sharing a detached garage along the north-eastern boundary. This leads into a courtyard development consisting of one detached property and two linked detached properties, all with parking provision. A gap between plots 3 and 4 leads to an area left for biodiversity and green infrastructure.
- 2.5 The built form lies within previously developed land, the gardens of Plots 3 and 4 and the area of green land beyond is within open countryside (not previously developed land).
- 2.6 The application is accompanied by:
 - a) Plans, elevations and sections
 - b) Planning statement
 - c) Ecological appraisal
 - d) Topography Survey
 - e) Drainage statement
 - f) Transport statement
 - g) Biodiversity metric
 - h) GCN Information
 - i) Marketing Justification report
- 2.7 The scheme has been amended several times, this includes reducing the number of dwellings, layout, design and size of properties including the reduction in the rear gardens of plots 3 and 4. Furthermore, additional information was requested following an in-application pre-application discussion.

3.0 Relevant Planning History

- 3.1 History detailed below.

Reference	Development	Decision	Decision Date
88/08056/FUL	ALTERATIONS AND 2 STOREY SIDE EXTENSION TO FORM DOUBLE GARAGE AND KITCHEN WITH STAFF FLAT ABOVE	PLOBL	25 January 1989

4.0 Policy Considerations and Evaluation

Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions, Transport and Energy Generation); RUR5 (Longwick-cum-Ilmer Parish)

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

- 4.1 The principle of the loss of the current use, the change of use to residential has not been fully assessed due to a lack of information submitted with the application. The principle of residential use has therefore not be established.
- 4.2 The site is not in a sustainable location. It only has access from a narrow road that acts as a cut through for vehicles. The road has no public footpath. The site is approximately 150 metres from the edge of Longwick in the open countryside. The change of use to residential in such a location would be contrary to the overall spatial strategy for the area which seeks to direct new development to the higher tier residential areas.
- 4.3 The Parish of Longwick-Cum-Ilmer has a neighbourhood plan which seeks to deliver 300 dwellings within the plan period. This would be mainly through allocated sites within that plan. The largest of these sites have either been built out or are on the process of being so. This site is not designated for development as part of that plan. The area has a five year housing supply and there is no immediate need for additional residential development over and above that provided through the development plan for the area.
- 4.4 The site is partly within previously developed land, it is currently run as a commercial boarding kennels, and land in the open countryside. The re-development of previously developed land can be acceptable subject to criteria set out within the development plan. This matter is considered within the report.
- 4.5 The loss of a business use on the site which is in an unsustainable location will have to be weighed against the benefits of a residential development of 5 dwellings in the same unsustainable location.

Affordable Housing and Housing Mix

Wycombe District Local Plan (August 2019): CP4 (Delivering Homes), DM22 (Housing Mix), DM24 (Affordable Housing), DM41 (Optional Technical Standards for Building Regulations Approval)

Planning Obligations Supplementary Planning Document (POSPD)

- 4.6 The proposal is below the threshold for affordable housing.

Employment issues

Wycombe District Local Plan (August 2019): CP5 (Delivering Land for Business)DM44 (Development in the Countryside outside of the Green Belt)

DSA: DM5 (Scattered business sites)

LNP: Policy A5: Small Scale Business Space

- 4.7 The site is currently occupied and running as a business. The proposal would remove the current employment potential of the site.
- 4.8 The existing business provides employment for 4 full-time and 6 part-time employees, equating to 8 full time equivalent employees.
- 4.9 Policy DM5, Section 3 states:
- a) In order to demonstrate that a site is no longer practicable for employment generating uses by reason of a lack of potential occupiers, the site must be marketed: a) for a sufficient period of time, and
 - b) at a reasonable price for exclusively employment generating uses (stripping out any residential hope value), and
 - c) unencumbered by any sales agreement which gives priority to prospective developers or renders the site unavailable to other prospective purchasers in the market.
- 4.10 The supporting text for the policy makes it clear that 'Residential uses will only be considered where it can be clearly demonstrated that the use of a site for employment generating uses or other appropriate uses identified in this policy is no longer practicable due to, for example, inadequate access, or clear evidence of a lack of potential or existing occupiers.' Para 6.33
- 4.11 It states at paragraph 6.34 that 'In assessing a lack of potential or existing occupiers, it is important that the site is shown to be vacant and has been marketed appropriately to demonstrate that there is no likelihood of the site being re-used for employment generating uses.'
- 4.12 A Marketing Justification Report has been submitted, however there are no details contained within this report that addresses the points above. The report merely seeks to justify why the site should not be marketed.
- 4.13 The report states that the business has been in operation for over 30 years and is generally occupied, having a demand for the services beyond its capacity, and having 8 FTE employees. The report also states the business has a lot of repeat business, and often new business via word of mouth.
- 4.14 Furthermore, this report points out that, if the premises were to be marketed this would have a negative impact upon the use of the business, as customers may find alternative businesses, therefore leading to a loss of business.
- 4.15 Given that the aim of this application is to cease the use of the site for business purposes it is the clear intention of the current owner to cease trading from this location. Based on the applicant's own report there is clearly a need for the services provided and therefore a buyer for the business would be likely to come forward if the site were to be marketed as required by the policy.
- 4.16 If the argument was that the applicant wished to move to a larger site or one which had less impact upon existing residential development, then the owner could seek to relocate their business and then market this site once it was vacant. This would ensure the ongoing business and also provide a clear indication of whether there was still a business need for the site.
- 4.17 It should be noted that one of the 10 aims of the Neighbourhood Plan for the area is '**To support local businesses and employment locally**, allowing some managed mixed employment growth both within the village and, if appropriate, in the hamlets. **This will**

be in the form of appropriate facilities for use by existing and expanding businesses, and new enterprises, (emphasis added) as well as for use by community societies and home-based workers; ideally these should be located within walking distance of the main residential areas.'

- 4.18 As the application currently stands the change of use to residential and the loss of an existing business site has not been justified. The application is therefore contrary to policy DM5 of the development plan.

Transport matters and parking

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

DSA: DM2 (Transport requirements of development sites)

- 4.19 The Highway Authority have commented upon the application and the access has been altered to take those comments into consideration. Subject to conditions the access to the site is considered adequate for the development proposed.
- 4.20 The proposal has also been amended to reflect the change in the number of dwellings proposed. The number of dwellings has been reduced from 6 to 5 dwellings.
- 4.21 The Highways Authority was reconsulted to take in to account the changes to the access and reduction of dwellings. "After assessing the amended plans, the quantum of development has reduced from 6(no) dwellings to 5(no) dwellings. As confirmed in previous comments, I would expect the proposed development to result in a reduction in vehicular movements when compared with that of the historical/lawful use of the site, and this is still the case especially when considering the reduced number of dwellings proposed".
- 4.22 Highways continued to state; Having reviewed the amended plans, I am satisfied that the access road would maintain a minimum width of 4.8m for its full length. Therefore, the private access road could accommodate simultaneous two-way vehicle movements and is suitable to serve the proposed development. The access serving 8(no) dwellings should be upgraded in accordance with accordance with Buckinghamshire County Council's guide note 'Commercial Access Within Highway Limits' 2013 and this can be secured by way of condition should this application gain approval.
- 4.23 It has been demonstrated that there is sufficient turning and manoeuvring space for a refuse vehicle and there is considered to be adequate on-site parking for the residential uses.
- 4.24 Due to the rural nature of the site and it being accessible via a narrow country lane, should the scheme be otherwise acceptable, it would not be unreasonable to impose a condition relating to the submission of a Construction Traffic Management Plan.

Raising the quality of place making and design

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

DSA: DM11 (Green networks and infrastructure), DM16 (Open space in new development)

Housing intensification SPD

- 4.25 The application seeks to replace the existing use with 5 dwellings each with private amenity space and carports with parking provision. This scheme has been amended to reduce the number of dwellings from 6 to 5 with a smaller courtyard setting, reducing the rear garden areas of Plots 3 and 4 and to alter the design to provide a simpler built form.

- 4.26 The impact upon the wider landscape and views into the site is considered to be acceptable when compared with the existing use.
- 4.27 The built frontage would be extended including the retained detached dwelling plus 1 detached dwelling (plot 1) sitting side by side, with a shared access between these buildings leading to plot 2 along the north-eastern boundary. The rear of the plot leads to a farmhouse courtyard setting, having a design that is typical of a rural location, leading to plots 3, 4 and 5. Plots 4 and 5 are linked with an open carport.
- 4.28 An area of green space beyond the rear boundaries of Plots 3 and 4, within the open countryside, is to be retained and enhanced with biodiversity detail. This is accessed via its own pathway which sits between these plots.
- 4.29 The layout retains the boundary features and access arrangements while still providing drainage and open space features. Garden areas are private and there is generally a good separation between public and private areas.
- 4.30 Due to the rural setting of the site, and part of the site being within the open countryside, any additional built form, either extensions or outbuildings, would have a negative impact on upon the area and site. This could clutter the site and have in impact upon the setting. Therefore, should the scheme be approved, it would not be unreasonable to impose a removal of permitted development rights condition.

Amenity of existing and future residents

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

- 4.31 There are no immediate neighbouring properties to the site, except the retained dwelling known as The Meades. This property falls within the blue edge of the submitted site plan and is sited towards the front of the site.
- 4.32 The Meades is set back from the road with amenity space to the front and rear. The land to the south west of the dwelling being agricultural not residential. The proposal seeks to increase the garden area of The Meades and to provide a new boundary treatment in the form of a hedge to the north and eastern boundaries of the garden. The overall relationship between this dwelling and the proposed new dwellings is acceptable.
- 4.33 The site is surrounded by open countryside on all boundaries and is some distance away from the nearest neighbouring dwellings, over 100m to the north and over 150m to the south. Therefore, the distances towards these neighbouring dwellings is found to be at a level which is acceptable.
- 4.34 The proposed site layout and relationships between the proposed dwellings are spatially distanced apart where the private amenity spaces have very little overlooking towards each other, each having their own private amenity space of a proportionate size to the dwellinghouse. Due to the orientation and gaps between the properties, very little overlooking will occur. Therefore, the amenity of future residents is found to be acceptable.
- 4.35 The landscaping plan shows a pathway between plots 3 and 4 leading to a biodiversity net gain area beyond the rear gardens of these properties. A communal space is provided within a courtyard environment between plots 3, 4 and 5. This has been reduced in size and is now considered to be proportionate to the layout of the site.
- 4.36 Therefore, the amenity of current and future residents is found to be acceptable.

Environmental issues

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM20 (Matters to be determined in accordance with the NPPF) [Noise, lighting, pollution, air quality, waste collection, land contamination]

- 4.37 There is adequate on plot space for the storage of refuse bins and within the site for their collection.
- 4.38 The Council's Environmental section has no objection to the redevelopment of the site, providing that electrical charging points for vehicles is provided. This can be imposed by way of a suitably worded condition.
- 4.39 Furthermore, an informative can be added with regards to noise and demolition of the site in accordance with section 60 of the Control of Pollution Act 1974.

Flooding and drainage

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

- 4.40 The Lead Local Flood Authority is satisfied that the development can adequately deal with surface water drainage, subject to further information requested via a pre-start condition and in accordance with the submitted Flood Risk and Drainage Statement, Proposed Drainage Strategy and Impermeable Areas Assessment by Granville Consultants Ltd. The drainage, its management and maintenance would need to be controlled by condition.

Ecology, Green networks and infrastructure

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

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

- 4.41 There is a local presence of bats, birds and Great Crested Newts, all of which are European protected species. Surveys have been undertaken and mitigation proposed for all the above. The Council's Natural Environment Officer is satisfied that information submitted is sufficient to demonstrate that the proposed development can provide both protection and mitigation for the above and subject to specifically imposed conditions.
- 4.42 The Council's Landscaping officer has been consulted and, in general finds, the scheme acceptable. The current landscaping plan gives a general idea of what could be possible but does not marry up with the latest amendments to the garden areas. Other outstanding issues relate to the planting of ornamental trees. Where possible, all planting should be native, this includes the frontage of the site, boundaries and the entrance to the BNG area beyond the plots of 3 and 4. A revised landscaping scheme could be secured by way of a condition if the application were to be found acceptable.
- 4.43 Opportunities to improve biodiversity in and around developments should be integrated as part of their design in line with recognised good practice and national policy on biodiversity and sustainability (National Planning Policy Framework 2021). Figure 4 in the submitted Environmental Appraisal (Bioscan, May 2023) -EA- outlines ecological features proposed for installation on site, including 4x bird boxes, 5x integrated bat boxes, 4x bat boxes on trees, 4x 13x13cm gaps in fences to allow movement of wildlife through the site, and 2x hibernacula in the offset site. These features are considered appropriate and could be secured via a suitable worded condition.

- 4.44 The Council's ecological officer has been consulted. They have no objection subject to conditions securing on-site ecological enhancements outlined within the EA, the Landscape and Ecological Management Plan; and Ecological Design Strategy.
- 4.45 There is an area of land beyond plots 3 and 4 for Biodiversity Net Gain: The EA concluded that the proposed development would not achieve an overall biodiversity net gain without offsite compensation. Therefore, additional offsite offsetting is proposed within land under the applicant's ownership located immediately adjacent to the application site (the blue edged area to the rear -east – of the site). The combination of onsite and offsite habitat enhancement and creation would result in a +52.71% gain in habitat units and +94.39% in hedgerow units. This combined net gain in line with national and local policy policies including 'Policy DM34 - Delivering Green Infrastructure and Biodiversity In Development' of the Wycombe District Local Plan (adopted August 2019).
- 4.46 If the development is acceptable from a policy perspective, a planning obligation will be required to ensure that the identified Biodiversity Offset Site is tied into the development and thereafter managed and maintained.
- 4.47 A condition should also be attached to any approval of this application to secure a Landscape and Ecological Management Plan (LEcMP) demonstrating long-term management of on-site habitats for biodiversity net gain.

The Council's Great Crested Newts officer has been consulted and has stated that a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NMS) would be required. Again, if the proposal is acceptable this could be secured by way of a condition.

Building sustainability

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

- 4.48 If the proposal is acceptable it would be necessary to condition water efficiency and that the dwellings are built to the M4(2) building regulations as required under policy DM41.

Public open space

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

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

- 4.49 The site is not considered to be a strategic one and therefore there is no policy requirement to provide on-site public open space to serve new residents.

Other Matters

- 4.50 There is a separate issue regarding noise and noise abatement concerns.
- 4.51 The site would appear to have operated for a number of years without any substantive noise problems. The current noise issues are a statutory nuisance and are being dealt with through a separate area of law. While it is acknowledged that a change of use of the site to residential would overcome the issues. The weight that could be given to this is limited as the matter is being dealt with through a served noise abatement order.

Infrastructure and Developer Contributions

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

DSA: DM19 (Infrastructure and delivery)

BCSNP: Policy 13 (Connecting the Parish)

- 4.52 The development is a type of development where CIL would be chargeable.
- 4.53 It is considered that there would not be other types of infrastructure, other than the provision of affordable housing, that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.
- 4.54 The Planning Obligations SPD sets out the Local planning Authority's approach to when planning obligations are to be used in new developments:
- 4.55 Having regard to the statutory tests in the Community Infrastructure Levy regulations and the National Planning Policy Framework it is considered that there may be a need to enter into a Section 106 requirement.
- 4.56 The applicant has confirmed that he is willing to enter into a legal agreement if the application were to be approved.

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 subject to further details that could be secured through conditions and ecological benefits which could be secured through a legal agreement/conditions, the proposed development would accord with most of the development plan policies. However, the site is in an unsustainable location and has an existing business operating from it. There has been no justification for the loss of the business and there is no identified need for residential use of this unsustainable site. Overall, the weight given to the benefit from new residential development is not considered to outweigh the harm due to the loss of an existing and ongoing business use.
- 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). The application provides for the erection of five houses. In this instance, it is

not considered that this proposal would disadvantage any sector of society to a harmful extent. The development has been designed to include level access and parking that would facilitate disabled access for residents with mobility issues.

- 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 applicant/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/agent was provided with an in-app pre-application advice,
 - the applicant/ agent responded by submitting amended plans, which were found to be acceptable, the amended plans were found to be acceptable, however the marketing report did not address all the outstanding issues, and permission was refused.
 - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
 - The applicant/agent was informed of the council's concerns and how they could be overcome but amendments were not received.

7.0 Recommendation

- 7.1 The application is recommended for REFUSAL for the following reason:

- 1 The proposed development would result in the loss of a scattered employment site. Scattered employment sites make an important contribution to the supply of employment land within the district, and the redevelopment for residential use will not normally be permitted unless it has been satisfactorily demonstrated that the re-use of the site for employment purposes is no longer practicable. In this case insufficient information has been provided or is apparent to justify the loss of commercial and employment generating floorspace. The proposal is therefore contrary to Policy DM5 (Scattered Business Sites) of the adopted Wycombe Local Plan (August 2019).

The above policy is considered to accord with the National Planning Policy Framework

APPENDIX A: Consultation Responses and Representations

Councillor Comments

CLlr Alan Turner – if minded to refuse, bring to Planning Committee

CLlr Gary Hall – if minded to refuse, bring to Planning Committee

CLlr Tony Green – if minded to refuse, bring to Planning Committee

Parish/Town Council Comments

Longwick Cum Ilmer Parish Council

The Parish Council have the same concerns as highlighted in our previous comment - traffic, speed limits and no pavements. The Parish Council would request that Highways are given a brief to investigate the concerns raised.

Consultation Responses

Highways

Comments: The Highway Authority has previously commented on this application proposal within a letter dated 9th November 2022. The comments ultimately raised no objections to the proposals subject to conditions. Amended plans have since been submitted so the Highway Authority will comment on this accordingly.

After assessing the amended plans, the quantum of development has reduced from 6(no) dwellings to 5(no) dwellings. As confirmed in previous comments, I would expect the proposed development to result in a reduction in vehicular movements when compared with that of the historical/lawful use of the site, and this is still the case especially when considering the reduced number of dwellings proposed. As such, despite the site's poor access to sustainable forms of transportation, the Highway Authority would have no objections to the principle of development in this location. Nonetheless, I trust that the Planning Authority will determine the suitability of the site's location for residential development in relation to sustainable transport options and local services.

Considering the reduction in movements associated with the site following the development, I also have no objections to the access arrangements. However, improvements will be made to facilitate better vehicular access and egress in to and out of the site. The width of the access road, which measures approximately 5.5m in width for the initial 40mph into the site, is sufficient to allow for safe simultaneous two-way vehicular movements. These improvements can be secured by way of condition. I also note the results of a 7-day ATC speed survey, which demonstrates vehicles travelling well under the national speed limit in this location (85%ile speeds of 37.6mph northbound and 33mph southbound).

In regard to parking, having assessed the development using the Buckinghamshire Countywide Parking Guidance (BCPG) policy document, I am satisfied that the development meets the required parking provision as set out within the BCPG document. Furthermore, the proposed parking spaces have sufficient dimensions which would allow for vehicles to park, turn and leave the site in a forward gear.

As delivery and refuse vehicles are expected to enter the site, the applicant has submitted an updated swept path analysis. Having assessed the document, I am still satisfied that refuse, emergency service and delivery vehicles would be able to complete a reversing manoeuvre within the site, ensuring the vehicles can enter, turn and exit the site in a forward gear.

Mindful of these comments, I do not have any objections to this application with regard to highway issues subject to following conditions.

LLFA (SuDs)

Comments: No objection, subject to conditions should the application be approved.

Tree Officer

Comments: The arb report recommends that an AMS & TPP be provided to safeguard the trees throughout the development. The arboricultural officer concurs, and this can be secured by condition.

The soil will be highly disturbed and proposed planting in hard landscaped areas may require underground modular systems to ensure sufficient soil volume can be achieved. If so, having the detail in advance or as a pre-commencement condition is suggested.

Landscaping Officer

Comments:

Previous issues are listed below in *italic*, with a comment as to whether they have been addressed:

- It is concerning that plots 5 and 6 have relatively small gardens, heavily overshadowed from the south by the mature boundary trees that are critical to the site's visual containment and landscape character, as well as providing green infrastructure and ecological benefits. This proposed layout would put an unacceptable amount of pressure on the Council to approve future works to reduce/remove the trees.

Number of plots have been reduced and gardens are larger. This issue has been overcome.

- The proposed development extends significantly beyond the existing developed area with plots 3, 4, 5 & 6 encroaching out into the open countryside. It would introduce permanent built form and lighting where there is currently none. It would require the division of the field into 8 different land parcels, all in different use and ownership and permanently divided by fencing and/or vegetation.

The developed area has been reduced and encroachment into Open Countryside minimised. This issue has been mostly overcome.

- The layout of the Ecological Area in the rear third of the field is contrived and unnatural and does not reflect any characteristics of the field or local landscape.

This issue remains and the uncharacteristic nature of the ecological feature has been increased by the introduction of a formal treed avenue access from the development to the eco area, along with ornamental tree planting on the boundary between the two. This is a wholly uncharacteristic landscape treatment. The south-west boundary between the development and ecological area should be planted with a mixed, native hedgerow interplanted with informally spaces native trees, to reflect other local field boundaries.

- The design ethos is questionable. Whilst farmsteads are a characteristic feature of Longwick Vale LCA, there is no historic evidence of this field or Maccabee house forming part of a farmstead. The layout does not reflect any key characteristics of the field and introduces a counterfeit feature into it.

Although the reduced area of courtyard has improved the layout this issue remains.

- The proposed residential development would be outside and detached from Longwick settlement. The apparent expansion of the settlement to the north-east, conflicts with the linear

character of Longwick, which has historically developed in a south-east/north-west orientation (Longwick Neighbourhood Plan, 3.2).

This issue remains.

New issues are listed below:

- Bar Lane front boundary - the recent arboricultural report shows the removal of most of the front boundary trees and hedges along Bar Lane to accommodate a vision splay. This will significantly increase views into the development and have an adverse visual and landscape effect on the rural character of Bar Lane.

This harm could be reduced in the longer term by replacement planting as is suggested in the updated Landscape Strategy. To ensure this occurs in a characteristic way, a condition is required with targeted wording relating to this important boundary. It should require mixed, native hedgerow planting interplanted with native trees, to reflect the rural character of Bar Lane.

- Garden boundaries – the Landscape Strategy shows fencing around garden plots but no detailed design is provided at this stage and it is vague on what treatment might be applied where. The design of fencing need careful consideration given the rural location.

Post and rail fencing with a robust mixed native hedgerow (and informally spaced native trees if required) would be most appropriate for the boundaries either side of the ecological area access. Post and rail fencing may be required along boundaries with the open countryside (if none exists already). Between plots, it would be understandable if more privacy was required, and close board fencing installed. These various treatments and locations should be carefully specified in the landscape condition so the approaches can be ensured by future decision makers.

Environmental Health Officer

Comment: No objection if condition attached relating to car charging point, if not – objection.

Ecological Officer

Comment: Summary

No Objection subject to conditions securing the following:

- Onsite ecological enhancements outlined within Figure 4 of the Ecological Appraisal (Bioscan, May 2023);
- Landscape and Ecological Management Plan; and
- Ecological Design Strategy.

A Planning Obligation is recommended to secure the proposed Biodiversity Offset Site.

Newts Officer

Holding Objection; Insufficient GCN Information Provided.

Further Information Required:

Provision of a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NLMS).

A Pre-start condition has been agreed.

Representations

Supporting comments

7 comments from 5 residents have been received supporting the proposal:

- Kennels are noisy and disturb study time
- There is noise, nuisance and disruption from the kennels
- Housing would address noise levels
- Development respects local character
- Development will reduce the amount of traffic
- Development would enhance the living experience

Raising concerns comments

1 comment have been received raising concerns on the proposal:

- Bar Lane not suited for increase of traffic
- No pedestrian facilities
- No buses, will need to rely on cars
- Need to preserve landscape and wildlife
- SUDs required to be addressed
- Construction times to be restricted

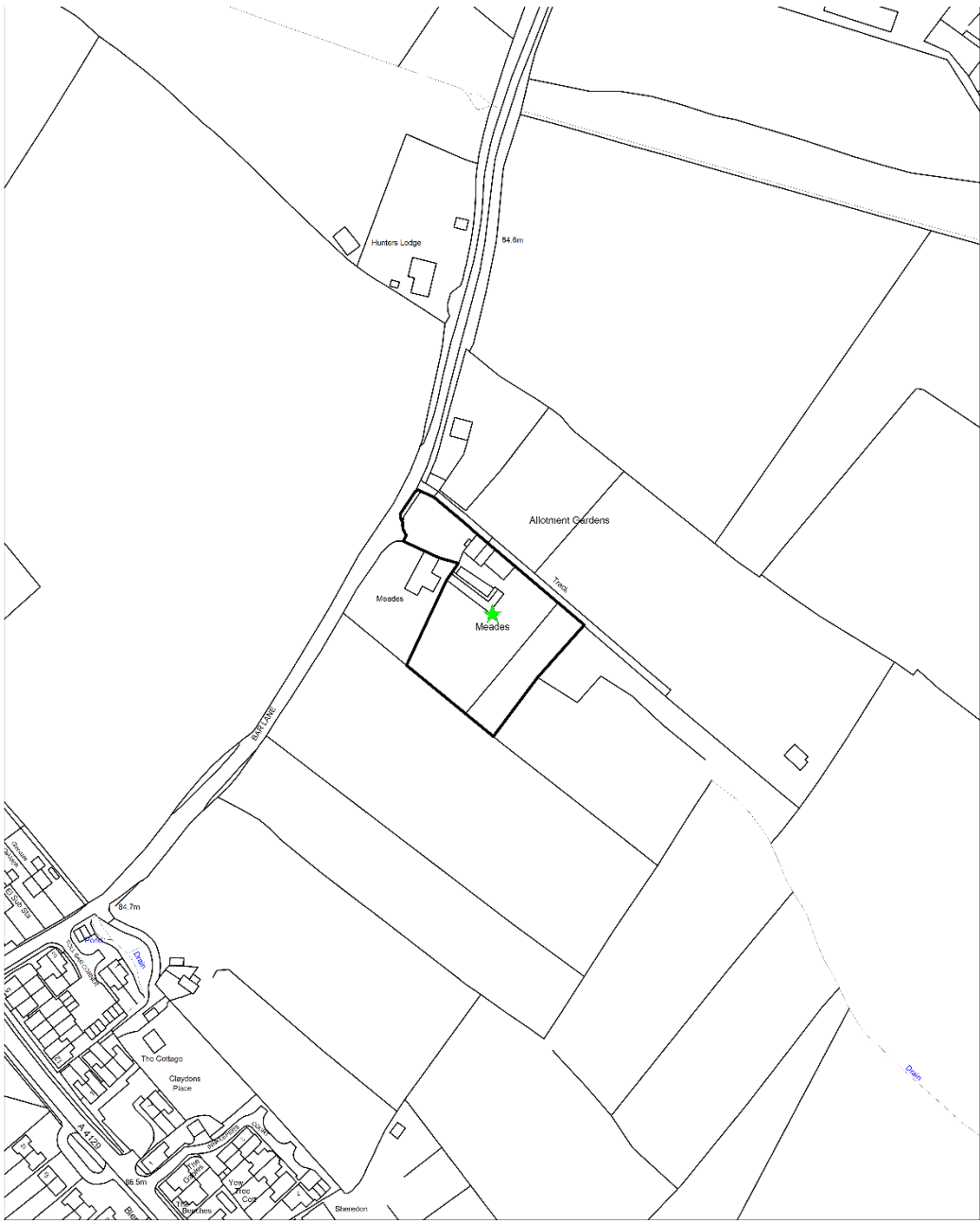
Objecting comments

2 comments have been received objecting to the proposal:

- no further development needed
- represents urbanisation
- local infrastructure won't be met
- inappropriate development
- not acceptable for a business to apply for housing
- will expand the width of the village
- Site not identified within the Neighbourhood Plan
- Precedent for other developments

APPENDIX B: Site Location Plan

22/07563/FUL
Scale 1/2500



Planning Committee
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Report to West Area Planning Committee

Application Number:	23/05045/FUL
Proposal:	Householder application for construction of two storey front and side extension, single storey rear extension and internal alterations
Site Location:	27 Coates Lane High Wycombe Buckinghamshire HP13 5ET
Applicant:	Mr Amjaid Hussain
Case Officer:	Harmeet Minhas
Ward(s) affected:	Downley
Parish-Town Council:	High Wycombe Town Unparished
Date valid application received:	9th January 2023
Statutory determination date:	6th March 2023
Recommendation	Application Refused

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application proposal seeks planning permission for the erection of a two storey front and side extension, single storey rear extension and internal alterations.
- 1.2 The application site is located within the residential area of High Wycombe. The proposed extensions are considered to be of a poor design, failing to respond to the vernacular of the existing dwelling or the wider area. The proposed extensions would appear contrived and, on balance, of a poor design that would not respond well to the prevailing pattern of development within the vicinity.
- 1.3 The proposal provides adequate parking provision for future owners/occupiers and would be unlikely to impact the amenities of the neighbouring dwelling by virtue of its design.
- 1.4 The application was the subject of a call-in request by Cllr A Hussain.
- 1.5 The application is recommended for refusal.

2.0 Description of Proposed Development

- 2.1 The application proposal seeks planning permission for a two storey front/side extension and a single storey rear extension including fenestration changes to the dwelling.

- 2.2 The front extension would introduce a two-storey gable element with a long cat-slide roof incorporating front Juliet balcony and mixed materials palate. The single storey rear extension would be located to the rear of the existing lounge area and there would be a significant amount of demolition to facilitate the proposed layout.
- 2.3 Three parking spaces are shown within the accompany plans, set forward of the principle elevation utilising the existing access.
- 2.4 The application is accompanied by:
 - a) Ecology and tree checklist
- 2.5 The planning agent submitted further amended elevations during the course of the assessment of the application. These elevations form part of the assessment of the application.

3.0 Relevant Planning History

- 3.1 The site has no recent planning history.

4.0 Policy Considerations and Evaluation

Principle of Development/Transport Matters and parking/Place Making and Design/Ecology

Principle and Location of Development

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

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

- 4.1 The application site is located within the residential and developed area of High Wycombe. There are no in-principle policies which resist the principle of residential extensions to the dwelling, subject to the consideration of other development plan policies and SPD documents which will be considered within the body of this report.

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 application site is served by an existing access located along the north-western corner of the site.
- 4.3 The proposed plans indicate off-street parking provision for at least three vehicles.
- 4.4 The layout of the resultant dwelling would result in four bedrooms at first floor level and one study/bedroom at ground floor level. In light of this 4/5 bedroom unit, it is considered that the proposed dwelling would have sufficient parking capacity within the site to accommodate a dwelling of this size.
- 4.5 Representation was received from a neighbouring resident as to the current displacement of parking from the dwelling onto the highway. There is no evidence before officers as to why this overspill may have occurred/be occurring. Based on the information before us, the three parking spaces shown would satisfy the parking strategy.

Raising the quality of place making and design

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

- 4.6 The host dwelling is located at the junction of Coates Lane and Tancred Road. It is characterised by its gable end profile with forward projecting gable. The proposed two storey front extension would be a part gable feature with cat slide to the front of the building. The cat slide would introduce a long, steep element along with a fenestration arrangement that includes a Juliet balcony.
- 4.7 Section 8.3 of the householder planning and design guidance SPD (2020) states that ‘front extensions will be highly visible in the street scene, so particular care should be taken to ensure that they do not detract from the appearance of the dwelling, or the general character of the street. Wherever possible, extensions should be positioned to the rear or side of houses.’ The scale and design of the extension would appear out of context with the host dwelling and would fundamentally change the appearance of the building, dominating this principle elevation. The visual clutter of the extension would be exacerbated through the proposed fenestration arrangement and introduction of glazing features such as the Juliet balcony.
- 4.8 The LPA will not seek to stifle good or innovative design, however there is no evidence that the proposed front extension responds well to the existing vernacular or is of a design that would harmonise with the street scene.
- 4.9 The harm of the extensions and their cumulative impact is heightened owing to the prominent location of the dwelling within the street scene. There is no mechanism available to the LPA to retain the landscaping features that bound the site, and officers would not seek to utilise landscaping features as a means of mitigating harm. As a result the front extension and resultant changes would appear as an incongruous addition to the host dwelling, it follows that it would result in harm to the character and appearance of the street scene.
- 4.10 On balance the proposed extensions and alterations to the dwelling would appear as an incongruous addition to the dwelling which would lead to harm to the character and appearance of the host dwelling and the street scene.

Amenity of existing and future residents

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

- 4.11 The application site is located on the junction of Coates Lane and Tancred Road. To the west and south of the site are two dwellings which would be the nearest habitable receptors to be considered.
- 4.12 The dwelling to the south located along Tancred Road would be located a reasonable distance from the proposed extensions as not to warrant any policy based concerns relating to over-looking or a loss of amenity.
- 4.13 To the west of the site sits No. 29 Coates Lane. The application dwelling sits deeper within its respective plot than No.29 owing to the presence of a single storey front/side garage addition.

4.14 The two storey elements have been sensitively designed to respect the neighbouring property, ensuring the extensions would not impact on any light angles or appear overbearing owing to their size, scale and siting.

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)

4.15 Policy DM34 requires all development to protect and enhance both biodiversity and green infrastructure features and networks both on and off the site for the lifetime of the development.

4.16 The proposal would result in the loss of garden land which could provide a degree of biodiversity opportunity. In lieu of this it would not be unreasonable of the LPA to seek biodiversity net gain measures in the form of bird and bat boxes within the site to ensure compliance with the aims of Policy DM34. In the event planning permission is forthcoming, such a condition could form part of any decision notice.

Flooding

Wycombe District Local Plan (August 2019): DM39 (Managing flood risk and sustainable drainage systems)

4.17 The application site is located within an area at risk from surface water flooding. The proposed extensions would result in the loss of permeable surface area possibly increasing the discharge of surface water within the site.

4.18 The applicant has not provided any robust evidence to demonstrate how this matter will be addressed. It is considered by officers that the proposal represents an opportunity to enhance the SUDs on site during the build work phase, through the use of appropriately worded conditions and informative. In the event planning permission is forthcoming, officers would recommend the use of a planning condition to mitigate any potential harm.

Minerals

Buckinghamshire Minerals and Waste Local Plan

4.19 The application site is located within a mineral's source protection zone. The proposal site is located within the developed area and the nature of the proposal would be unlikely to result in significant soil removal within the site to warrant any concerns in this regard.

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 fail to accord with most of the development plan policies set out within this report.
- 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.
- 5.6 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). In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent. The development has been designed to include level access and parking that would facilitate disabled access for residents with mobility issues.

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 applicant/agents of any issues that may arise in the processing of their application.
- 6.3 In this instance
- the applicant/agent was updated of any issues after the initial site visit,
 - Following the officers site visit the agent was informed of concerns over the design and appearance of the extensions. The agent provided amended plans which they considered to address officer concerns, however it was considered the amended plans did not overcome design concerns.
 - Subsequently the agent was informed that the application would not have officers support in writing.
 - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

7.0 Recommendation

The application is recommended for REFUSAL for the following reasons:

- 1 The proposed extension due to its design, size, scale and siting, would have a detrimental impact upon the host dwelling. It would fail to achieve a high quality in the detail of design, or respect the character and appearance of the existing property. It is not subservient in scale or ancillary to the existing dwelling. The extension would be visually intrusive in the public realm and within the appearance of the site, which would erode the established pattern and character of the area.

This would be contrary to policies CP9 (Sense of Place), DM35 (Placemaking and Design Quality) and DM36 (Extensions and Alterations to Existing Dwellings) of the adopted Wycombe District Local Plan (2019) and the advice in sections 10 and 11 of the adopted Householder Planning and Design Guidance SPD (2020).

Informative(s)

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

APPENDIX A: Consultation Responses and Representations

Councillor Comments

None received at the time of drafting this report.

Parish/Town Council Comments

unparished

Consultation Responses:

None received at the time of drafting this report.

Representations

Other Representations

One comment has been received objecting to the proposal:

Summarise comments:

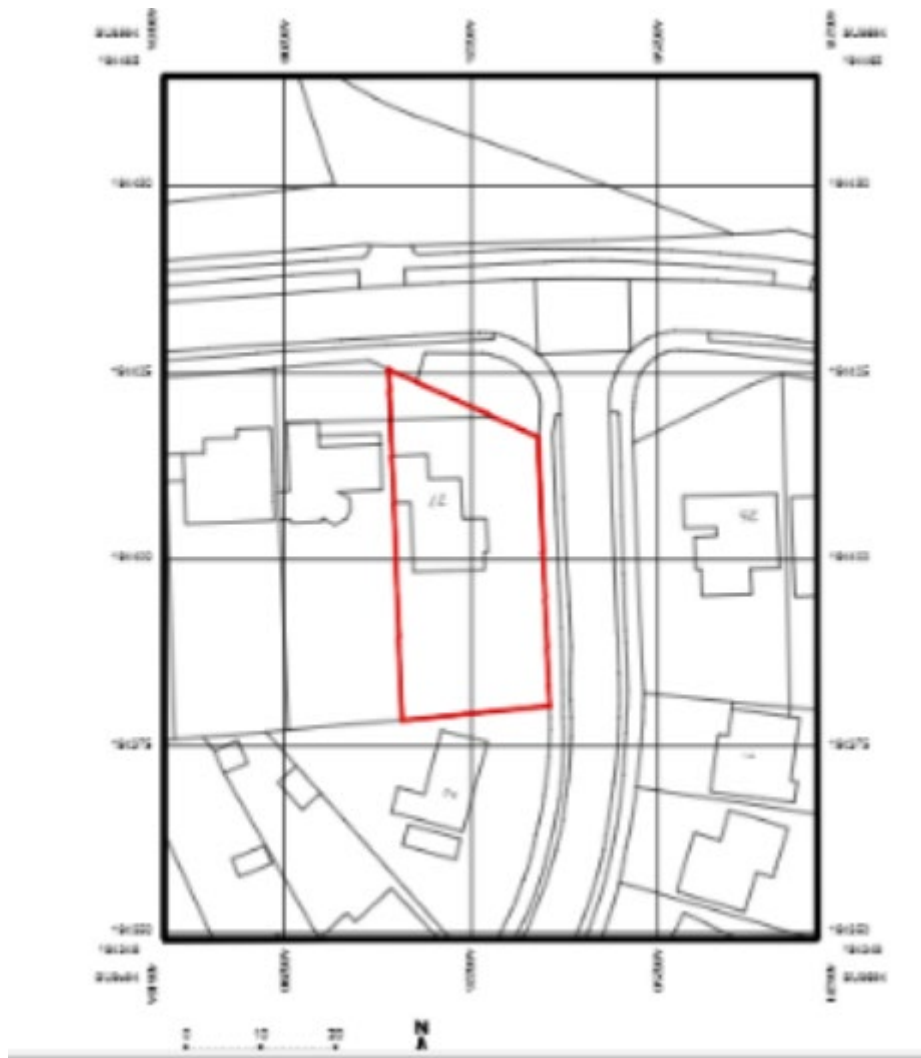
- Existing parking arrangement results in overspill onto public highway. Concerns are raised over parking provision for a larger home.

APPENDIX B: Site Location Plan

23/05045/FUL
Scale 1/1250



Planning Committee
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Report to West Area Planning Committee

Application Number:	23/05974/FUL
Proposal:	Change of use of existing dwellinghouse (use class C3) to create 2-bed children's residential care home (use class C2)
Site Location:	2 Loddon Road Bourne End Buckinghamshire SL8 5LT
Applicant:	Mr Hars Gill - Beacon Residential Homes Ltd
Case Officer:	Heather Smith
Ward(s) affected:	The Wooburns, Bourne End & Hedsor
Parish-Town Council:	Wooburn And Bourne End Parish Council
Date valid application received:	16th May 2023
Statutory determination date:	11th July 2023
Recommendation	Application Permitted

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Full planning permission is sought for the change of use of existing dwellinghouse (use class C3) to create 2-bed children's residential care home (use class C2).
- 1.2 The proposed use is appropriate within a residential area and will not give rise to a loss of amenity to adjacent residents in the locality.
- 1.3 The proposed development will not result in detriment to highway safety, the character of the area, the environment or ecology and will not increase the risk of flooding in the area.
- 1.4 This application has been referred to the Planning Committee at the request of Cllr S Wilson, Cllr P Drayton and Cllr S Kayani, in order that the issue of the restrictive covenant can be addressed
- 1.5 Recommendation – approval

2.0 Description of Proposed Development

- 2.1 The application property is a two storey, semi-detached dwellinghouse, situated on the south western side of Loddon Road, just south of the junction with Blind Lane, Bourne End.

2.2 The existing property is a three bedroom dwelling and is attached to its neighbouring property, No 4 Loddon Road. To the north, the application property shares a boundary with No 20 Blind Lane, and to the south west with No. 16 Blind Lane.

2.3 It is proposed to convert the existing dwelling into a 2-bed children's residential care home. Details submitted with the application show that the third bedroom in the dwelling will be used as a staff office and sleep in room. A maximum of 2 children (aged between 8 and 18) would live in the house, with 2 staff on shift at night. During the day there will be 2 staff with 2 children who will be supervised 24 hours a day. There will also be a manager on site during the day. Visitors will be allowed and will have pre booked appointments unless in an emergency.

2.4 In their Planning Statement, the applicant states:

“Children will be supervised by staff at all times. We plan to have a maximum of 2 staff on shift at any one time and children will be in bed by 10.30pm. There will always be 2 staff on shift at night time between 10.30pm and 7.30am and therefore staff will not be coming in and out of the home or the road throughout the night time. Our full-time staff will be able to use the very accessible local transport links and will therefore not add to parking needs locally. In conclusion our parking requirements can be well accommodated within the site”

2.5 Further information has been provided by the applicant, during the course of this application, regarding the need for additional visiting support to the home. The applicant has stated:

“In regards to visitors to put this into context, we would have two children living in the home. Each child would have a statutory visit approximately every 4 weeks by their social worker and would not be at the same time. If there is a meeting, these are held once every 6 months and usually a maximum of 4 professionals would attend. This would not be more visitors in comparison to a family having friends occasionally to visit for a few hours.

Therapy is usually done with the children off site, occasionally the therapist may visit the home once a fortnight. It would be the same therapist for both children. Family do not visit the home due to safety and risks unless in exceptional circumstances but this is not usual. We would keep visitors as a minimum and would schedule them in so that one visit per child is permitted at any one time.

This really is to be created as a family home for two children and their main source of care and support is the carers and manager who would be in the home 24/7.”

2.6 The application is accompanied by:

- a) Planning Statement
- b) Ecology and Trees Checklist

3.0 Relevant Planning History

3.1 None.

4.0 Policy Considerations and Evaluation

Principle and Location of Development

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

Generation)

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

4.1 The application site is situated in an established residential area within the Bourne End and Wooburn Green Settlement Boundary.

4.2 The use of the application property as a 2 bed children's home, is acceptable in principle.

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)

Wooburn and Bourne End Parish Council, Neighbourhood Plan: Policy WBE/PD4 (Parking Standards for All Planning Applications for New Developments and Existing Properties)

4.3 The Council's Highways Officer has considered the highway impacts of this development and has provided the statement below:

"Loddon Road is an unclassified residential road subject to a speed restriction of 30mph, parking and waiting restrictions are not in place within the vicinity of the application site. The road benefits from pedestrian footways and street lighting.

The application proposes the change of use of an existing dwellinghouse (Use Class C3) to create a 2-bed children's residential care home (Use Class C2). Having assessed the existing and proposed developments, I do not consider the proposals to result in a significant intensification of vehicular movements associated with the application site.

I therefore have no objections to the continued use of the existing site access.

When assessed using the Buckinghamshire Countywide Parking Guidance (BCPG) policy document, the existing development requires 2(no) parking spaces, and the proposed development requires 1(no) parking space. Both existing and proposed developments can accommodate 2(no) parking spaces within the site curtilage.

Mindful of the above, I have no objections to the proposed development, subject to the following condition." (retention of parking provision).

4.4 Concern has been expressed by local residents that this proposal will increase the demand for on street parking in the area. However, in light of the above, it is considered that this proposal will provide sufficient off street car parking and will not result in a loss of highway safety or inconvenience to other road users in the vicinity.

Raising the quality of place making and design

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

DSA: DM11 (Green networks and infrastructure), DM16 (Open space in new development)

Housing intensification SPD

W&BENP: Policy WBE/PD2 – Residential Infill and Quality Design

4.5 This application involves the change of use of the existing dwelling into a 2-bed children's home only. No alterations are proposed to the property itself.

4.6 The level of activity arising from the proposed children's room is considered to be similar to that of a standard dwelling and therefore the proposed development will be compatible with the residential character of the surrounding area.

- 4.7 It is considered that this proposal will have no adverse effect upon the character of the surrounding area or the visual amenity of the street scene.

Amenity of existing and future residents

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

(Internal space standards)

Housing intensification SPD

- 4.8 Concern has been expressed by local residents that this proposal will result in a significant loss of amenity to existing residents, by way of increased noise and disturbance; increased on street parking; loss of privacy; lack of stability and stress to existing residents and children alike, from transitory nature of the home; potentially challenging behaviour of children – in terms of aggression, personal injury and abuse; suitability of the property as a home; the need for a care home in Buckinghamshire the safeguarding of children, and the suitability of the applicant.
- 4.9 In addition, local residents have sited that a restrictive covenant exists which prevents a business from running at the property and that the application itself is invalid as the applicant does not own the property.

Noise and Disturbance:

- 4.10 The adjacent residents are concerned that the existing properties lie so close to each other that conversations within existing dwellings and their gardens can be heard from adjacent properties. Concern is raised that the children within the proposed care home will create noise and disturbance that will have an adverse effect upon neighbouring residents.
- 4.11 The concerns of the neighbours regarding the close proximity of properties in the area and noise from children within the home are noted. However, given that only two children will reside at the application property, at any one time, the level of residential activity will be akin to that of a standard residence and, in itself, will not give rise an increase in undue noise and disturbance. It is considered reasonable to impose a planning condition limiting the number of children to a maximum of two, who can reside at the property at any one time, in order to ensure that he level of use does not give rise to a loss of amenity to adjacent residents.
- 4.12 It has been suggested by a local resident that the behaviour of the children to be placed in the home is likely to be challenging. However, the Local Planning Authority cannot take into consideration the behaviour of individuals within a residence, when determining a planning application nor can it assume that the future children within the home will be noisy, disruptive and/or abusive to adjacent residents. To do so could be seen as discriminatory.

Loss of Privacy.

- 4.13 Concern has been raised that the existing layout and proximity of properties in this location affords little privacy to individuals. One adjacent resident has commented that views are available into the side windows and garden area of the application property from adjacent dwellings.
- 4.14 However, the layout and elevations of the application property are not changing as a result of the proposed development. Therefore, any issues regarding privacy, or the lack of it, will not be affected by the proposed change of use.

4.15 However, the Local Planning Authority cannot take into consideration the behaviour of individuals within a residence, when determining a planning application nor can it assume that the future children within the home will be noisy, disruptive and/or abusive to adjacent residents. To do so could be seen as discriminatory.

Increased Parking On-Street.

4.16 The concern of adjacent residents regarding the lack of on-street parking at present, is noted. However, although on-street parking does occur, space still exists, on-street within the locality.

4.17 As stated above, the application site can provide sufficient parking on-site, for the both the existing residence and the proposed development, in accordance with the Buckinghamshire Countywide Parking Standards. It is accepted that the proposed care home will attract some visitors. However, in accordance with the details submitted, these will not occur often and will not be above the level that would normally occur at a standard residential property. As such, there is no evidence that this proposal will give rise to an increase in the demand for on-street parking that would be detrimental to the amenities of neighbouring properties.

4.18 It is considered reasonable to impose a planning condition requiring the parking provision to be retained, in order to ensure that this development does not give rise to a loss of highway safety or amenity to adjacent residents.

Transitory Nature of the Home

4.19 It is accepted that the children and staff residing at the home will change overtime. However, given that the property is intended to be their main place of residence, the transitory nature of the care home is not considered to be so significant as to result in undue harm to the amenities of the neighbouring residents.

The Applicant and the Running of the Home

4.20 Concern has been raised regarding the proposed applicant; the day to day running of the home and the suitability of the size of rooms within the property for a car home. However, these are not planning matters and cannot be taken into account in the determination of this application.

4.21 The Council's Childrens Services have been contacted regarding this application and have raised no concerns regarding the suitability of the property for its intended purpose.

Restrictive Covenant

4.22 A restrictive covenant was placed on the application property by the former Wycombe District Council when it was sold the previous tenants, in February 1986. One clause of the covenant states that the property shall only be used as a single private dwelling.

4.23 Although, the restrictive covenant is held by the now Buckinghamshire Council, (and it would appear that this proposal would not be in compliance with the covenant), this is a separate legal matter and not a material consideration in the determination of this planning application. As such, the Local Planning Authority can only consider this application on planning matters alone and therefore the requirements of the restrictive covenant cannot form part of the decision-making process.

Invalid Application

4.24 Concern has been raised by a local resident that the application is not valid or lawful as the applicant does not own the application property. However, the applicant has confirmed that this accusation is not true and that they do own all the property. Therefore, the Certificate A which has been signed and submitted by the applicant, is accepted as accurate and the application itself is valid.

Need for a children's care home

4.25 One local resident has suggested that there is not a need for such care home facilities within Buckinghamshire and that the specific location of the application property has limited local amenities which would support such a use. However, the Council's Children's Services have confirmed that there is a need for such a facility in Buckinghamshire and have not raised any concerns regarding the provisions of local services. The property is in a sustainable location with good access to public transport, local shops and recreational facilities.

Other Matters Raised

4.26 It is considered that the suitability of the application property as a care home, in terms of its day to day running; the suitability of the applicant to run a care home and the day to day care of the children to be looked after are not planning matters.

Conclusion

4.27 The concerns of the local residents have been noted. However, given the scale of the care home proposed, it is not considered that this development will give rise to a loss of amenity to adjacent residents, that lies within the control of the local planning authority.

Environmental issues

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

4.28 There are no environmental matters that would be adversely affected by this proposal.

Flooding and drainage

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

4.29 The application property is located within a Flood Risk Zone 1 and no watercourse crosses the site. The application property does lie in a water source protection zone, but there are no know surface or ground water flooding issues.

4.30 In light of the above, the proposed development is not at risk from flooding and will not increase the risk of flooding elsewhere.

4.31 Given that this proposal only involves a changes of use to a residential care home, it is considered that the proposed use will have no adverse effect upon water quality in this area.

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)

- 4.32 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.
- 4.33 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.
- 4.34 In this case the extension would not have a negative impact upon biodiversity or green infrastructure and given the limited scope of the proposal, enhancement is not considered proportionate.

Building sustainability

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

- 4.35 Given the small scale nature of the proposed use, it is not considered necessary to condition water efficiency in accordance with Policy DM41

5.0 Weighing and balancing of issues / Overall Assessment

- 5.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 5.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
 - a. Provision of the development plan insofar as they are material,
 - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
 - c. Any other material considerations
- 5.3 As set out above it is considered that the proposed development would accord with the 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). The application provides for the change of use of an existing three bedroom dwelling house to a residential care home for 2 children, and associated staff. 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 (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 applicant/agents of any issues that may arise in the processing of their application.
 - In this instance, the applicant/agent was updated of any issues after the initial site visit and was requested to provide further information regarding the use of the property. The applicant/agent complied. 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 It is recommended that this application be **GRANTED**, 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 01; 03 and 04; 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. The use hereby permitted shall accommodate a maximum of 2 children living at the property, at any one time.
Reason: In the interests of the amenity of the nearby residential properties and highway safety.
 4. 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 and park clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

Informative:

In accordance with paragraph 38 of the NPPF2 Buckinghamshire Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. Buckinghamshire Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application. In this instance, the applicant/agent was updated of any issues after the initial site visit and was requested to provide further information regarding the use of the property. The applicant/agent complied. The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Cllr P Drayton:

If the planning officer is minded to approve this application, I request a call-in to committee for a full examination of the restrictive covenant that is on this property.

Cllr S Wilson:

If the Officer is minded to approve this application, I would want to call-in the decision to planning committee. The title deed for 2 Loddon Road has a restrictive covenant from Wycombe District Council which restricts its use for use as a single private dwelling house. The application to convert to C2 use as a care home and business would appear to be contrary to this restrictive covenant.

Cllr S Kayani:

If the planning officer is minded to approve this application, I request a call-in to committee for a full examination of the restrictive covenant that is on this property.

Parish/Town Council Comments

Wooburn And Bourne End Parish Council

No Objections subject to a satisfactory response from Children's Services

Consultation Responses

Highway Authority:

No objection, subject to a condition requiring the provision/retention of off-street parking.

Environmental Health:

The application and associated documents in respect of this case have been reviewed. As a result, Environmental Health do not have any comments to make in respect of this application.

Children's Services:

We would like to request this establishment benefits Buckinghamshire's young people, as the property is located within the county. Children's Commissioning Services will view to liaise with the provider to gather more information relating to the registration they are pursuing to deliver. Following the shortages of Children's Homes, this provision could be a benefit to support Buckinghamshire's young people.

Representations

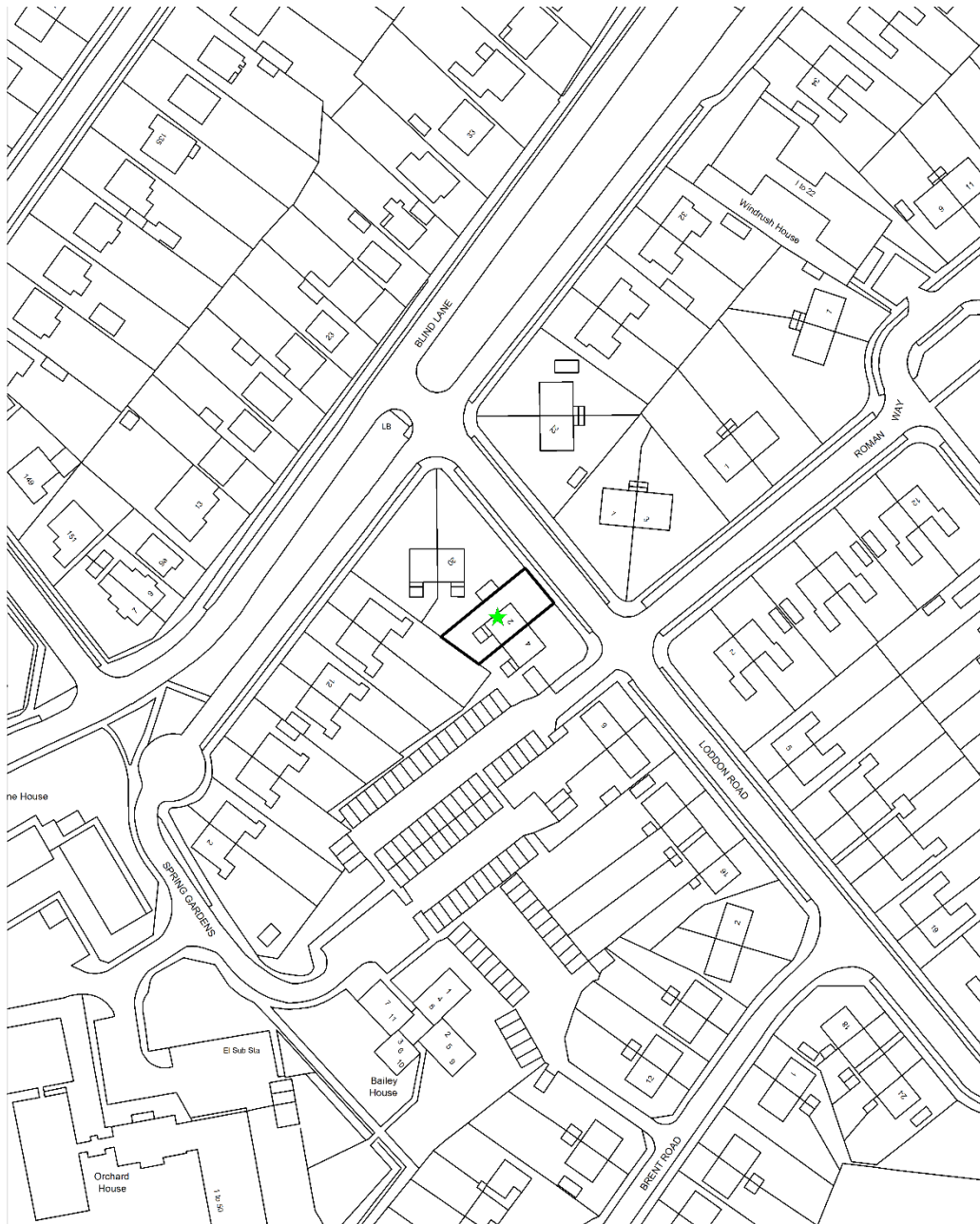
Letters of objection have been received from adjacent local residents. The grounds of objection include:

- Increased noise and disturbance
- Loss of privacy/overlooking
- increased demand for on-street parking
- Behaviour of children is likely to be challenging, including failing to comply with social norms; aggressive, verbally abusive and intimidating.
- Lack of space inside dwelling for a care home

- Lack of need for a care home in this location
- Transitory nature of the use will cause instability and stress to adjacent residents
- Safeguarding of the children is an issue as the application property is close to a road and river
- Concerns over the suitability of the providers themselves
- Restrictive covenant on the property prevents change of use.
- Location itself does not have sufficient amenities for a care home

APPENDIX B: Site Location Plan

23/05974/FUL
Scale 1/1250



Planning Committee
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Report to West Area Planning Committee

Application Number:	23/06146/R9FUL
Proposal:	Change of use of the first floor only from sui generis (social club and drinking establishment) to F1 (galleries, museums et al) in connection with the reuse of the first floor rooms in the ex-Liberal Club for the storage, display and maintenance of the chair and art collections owned by the local history museum
Site Location:	The Liberal Club Queen Victoria Road High Wycombe Buckinghamshire HP11 1BG
Applicant:	Buckinghamshire Council
Case Officer:	Victoria Burdett
Ward(s) affected:	Abbey
Parish-Town Council:	High Wycombe Town Unparished
Date valid application received:	2nd May 2023
Statutory determination date:	27th June 2023
Recommendation	Application Permitted

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Planning permission is sought for change of use of the first floor only from sui generis (social club and drinking establishment) to F1 (galleries, museums et al) in connection with the reuse of the first floor rooms in the ex-Liberal Club for the storage, display and maintenance of the chair and art collections owned by the local history museum.
- 1.2 The application has been made on behalf of Buckinghamshire Council and is therefore due to be determined by the Planning Committee, in accordance with the Council's constitution.
- 1.3 The application site comprises a 1930s building located within the Wycombe Town Centre Conservation Area. The internal change of use of the first floor will not have a material impact on the character or appearance of the Conservation Area and is acceptable in heritage terms.
- 1.4 The proposed change of use would not adversely affect the amenities of any neighbouring properties or cause any harm to the local highway network.

- 1.5 The proposed development complies with the relevant Development Plan Policies and is therefore recommended for approval.

2.0 Description of Proposed Development

- 2.1 The application relates to the ex-Liberal Club, now known as 'High Wycombe Social Club', located on Queen Victoria Road in High Wycombe; in between the Fire Station and Police Station. The host building has been in situ since the 1930's and lies within the Wycombe Town Centre Conservation Area. The building is not listed, or on the Council's local heritage list.
- 2.2 The application proposes a change of use of the first floor of the building from Use Class Sui Generis (social club and drinking establishments) to F1 (galleries, museums et al) in connection with the re-use of the first floor rooms for the storage, display and maintenance of the chair and art collections owned by the local history museum.
- 2.3 The first floor of the building is within a Sui Generis use, as it has previously been used as part of the social club. The first floor comprises of a dance floor and bar area, a 2-bedroom caretakers flat, female toilets and storage and ancillary rooms.
- 2.4 The use of the first floor dance floor has now been discontinued, and there is also no longer a need for a resident caretaker.
- 2.5 The proposal will self-contain the first floor from the ground floor to create separate space and use from the social club. No external changes are currently proposed as part of this application.
- 2.6 High Wycombe is a town with a long history of furniture making and is especially known for chair manufacture. The Wycombe Museum has a large and historically important collection of chairs, but due to existing space constraints, they are stored in unsatisfactory conditions and several locations locally, which are not easily available for display and there is a pressing need to release those alternative sites for other purposes.
- 2.7 It is noted that this application only concerns the first floor of the building, where the ground floor will be retained as the existing social club.
- 2.8 The application is accompanied by:
- a) Design, access and heritage statement
 - b) Plans

3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
03/05738/FUL	Conversion of roof space to relocate stewards flat with associated dormer windows & siting of tank room on roof	PER	19 May 2003
90/05100/FUL	TWO STOREY EXTENSION	REF	2 March 1990
91/06633/FUL	CONVERSION TO FORM ADDITIONAL	REF	19 December 1991

	ACCOMMODATION AND A SELF-CONTAINED STEWARDS FLAT		
92/05628/FUL	CONVERSION OF EXISTING ROOFSpace TO FORM STEWARDS FLAT AND ADDITIONAL CLUB FACILITIES TO FIRST FLOOR LEVEL	PER	20 May 1992
94/06042/FUL	SITING OF TANK ROOM ON ROOF, SINGLE STOREY LOBBY EXTENSION & PROVISION OF DORMER WINDOWS	PER	26 August 1994
98/07545/FUL	Erection of replacement front boundary wall	PER	15 January 1999
98/07546/CAC	Demolition of existing front boundary wall and erection of replacement wall	PER	15 January 1999
06/06365/FUL	Conversion of roof space to relocate stewards flat with associated rooflights in front and side elevation	PER	26 July 2006
15/05546/OUT	Outline application (including details of access, appearance, layout and scale) for change of use existing liberal club with associated extensions and alterations to form 2 x 1 bed, 5 x 2 bed and 1 x 3 bed apartments	REF	18 May 2015
17/06953/ADV	Erection of 48-sheet internally-illuminated sequential advertising digital display board	REF	19 September 2017

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)

4.1 The application site is located within the built-up area of High Wycombe whereby a proposed change of use is considered to be acceptable in principle, subject to complying with all relevant Development Plan Policies.

Employment issues

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

4.2 The social club is still in operation, but the first-floor area is no longer needed. As such, the proposed change of use would not result in any loss of employment.

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)

4.3 The Highway Authority has been consulted on the application and has made the following comments:

4.4 “Thank you for your letter dated 31st May 2023 with regard to the planning application at the above location, proposing the change of use of the first floor only from sui generis to F1 in connection with the reuse of the first-floor rooms in the ex-Liberal Club for the storage, display and maintenance of the chair and art collections owned by the local history museum.

4.5 Queen Victoria Road is classified as the A404, which is subject to a 30mph speed limit. This carriageway benefits from pedestrian walkways and street lighting. Parking and waiting restrictions are present along this street in the form of double-yellow lines in the vicinity of the application site.

4.6 In terms of trip generation, I anticipate that the vehicular trips following the implementation of the proposal would remain comparable to the existing situation.

4.7 Having assessed the proposal using the Buckinghamshire Countywide Parking Guidance 2015 (BCPG) policy document, the application site is located within Zone 1, which requires 1 space per 89sqm. I believe that 3 (no) parking bays would be required for optimum parking provision to serve the first floor. In accordance with the BCPG policy document, a parking space should measure 2.8m x 5.0m whereas the internal dimensions for a garage should be 3.0m x 6.0m.

4.8 The proposed increase of the gross floor area in question from 213m² to 273m² is effectively negligible. Whilst no details have been provided for the proposed parking arrangement to serve the application site, I believe the parking provision requirement would be unaffected as a result of the implementation of the proposals. I expect that the proposal would not result in adverse implications for the road safety of users and the convenience of the day-to-day operations of the highway network. Additionally, as the existing vehicular access would be retained, I am satisfied that acceptable visibility splays would continue for this access.

4.9 Mindful of the above, I offer no objection to the proposal and, in this instance, suggest no conditions for inclusion with any planning permission that you may choose to grant.

4.10 As such, the proposed development is not considered to have any detrimental highway or parking implications.

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)

- 4.11 The proposed development comprises of internal alterations only, whereby the external appearance of the building would remain unaltered.
- 4.12 The Conservation Officer has been consulted on the application and has confirmed that the internal change of use of the first floor will not have a material impact on the character or appearance of the Conservation Area.
- 4.13 Therefore, the proposed development would not cause any harm to the character and appearance of the existing building, or the wider locality.

Amenity of existing and future residents

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality)

- 4.14 The proposal is not considered to give rise to any negative impacts to adjoining occupiers.

Environmental issues

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

- 4.15 No objections have been received from the Council's Environmental Health Team.

Flooding and drainage

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

- 4.16 The application site is located within Flood Zone 1. Given the nature of the development, the proposed change of use and internal alterations would not pose any flood risk.

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)

- 4.17 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.
- 4.18 No assessment has been provided with this proposal. In this instance, given the nature of the proposal there would be no impact on site biodiversity, whilst enhancement is not considered proportionate.

Community facilities

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

- 4.19 The proposed change of use would not result in the loss of a community facility, as the existing social club is proposed to be retained, but at ground floor level only.

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 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 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). The application provides for the change of use of the existing first floor. It is not considered that 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 applicant/agents of any issues that may arise in the processing of their application.
- 6.3 In this instance:
 - the application was acceptable as submitted and no further assistance was required.
 - 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 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 BC1, 7395/20/02 and E0123-F 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 received.

Parish/Town Council Comments

High Wycombe Town Unparished

Consultation Responses

Conservation Officer – No objection

Environmental Health – No objection

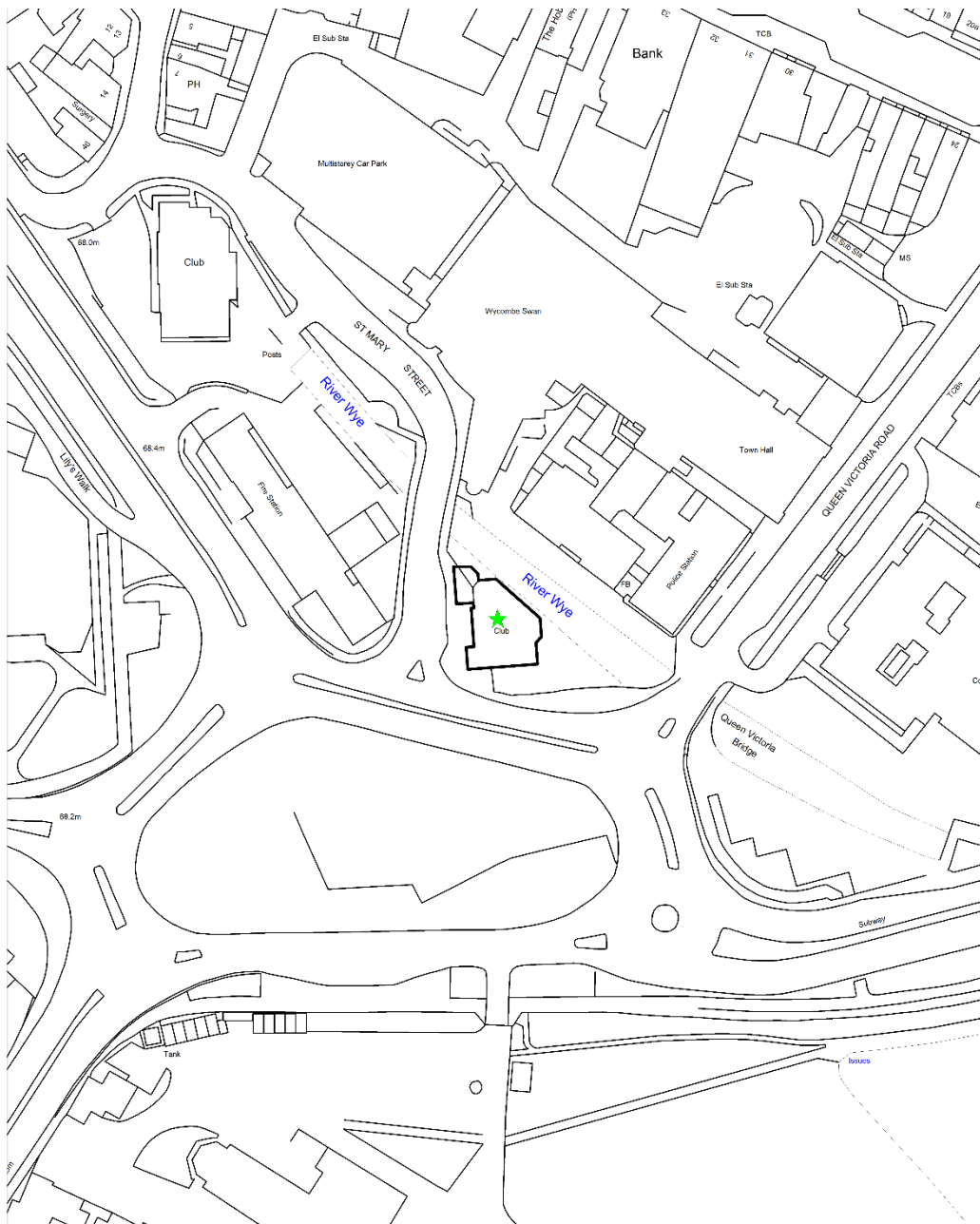
Highways – No objection

Representations

None received.

APPENDIX B: Site Location Plan

23/06146/R9FUL
Scale 1/1250



Planning Committee
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