



West Buckinghamshire Area Planning Committee agenda

Date: Wednesday 27 September 2023

Time: 6.30 pm

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

Membership:

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

Webcasting notice

Please note: this meeting may be filmed for live or subsequent broadcast via the council's website. At the start of the meeting the chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the council is a data controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the council's published policy.

Therefore by entering the meeting room, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If members of the public do not wish to have their image captured they should ask the committee clerk, who will advise where to sit.

If you have any queries regarding this, please contact the Legal & Democratic Service Director at monitoringofficer@buckinghamshire.gov.uk.

Public Speaking

If you have any queries concerning public speaking at Planning Committee meetings, including registering your intention to speak, please speak to a member of the Planning team – planning.wyc@buckinghamshire.gov.uk 01494 421493. Please refer to the Guide to Public Speaking at Planning Committee [here](#).

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 2 August 2023.

3 - 6

Planning Applications

4 23/06492/R9FUL - 42 New Road, Bourne End, Buckinghamshire, SL8 5BN

7 - 14

5 23/06742/R9FUL - Juniper Hill School, Churchill Close, Flackwell Heath, Buckinghamshire. HP10 9LA

15 - 30

6 Date and Time of Next Meeting

Wednesday 18 October 2023 at 6.30pm.

7 Availability of Members Attending Site Visits (if required)

To confirm members' availability to undertake site visits on Tuesday 17 October 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 2 August 2023 in Amersham Council Chamber, King George V House, King George V Road, Amersham HP6 5AW, commencing at 6.33 pm and concluding at 8.30 pm.

Members present

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

Others in attendance

K Asif, V Burdett, R Ghattoura, C Gray, L Hornby, C Irvine, R Martin, C Power and H Smith

Apologies

P Turner and K Wood

Agenda Item

1 Declarations of Interest

There were none.

2 Minutes of the Last Meeting

The Minutes of the meeting held on 5 July 2023 were agreed as an accurate record.

3 22/07563/FUL - MacCabee Kennels, Bar Lane, Owlswick, Buckinghamshire, HP27 9RG

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.

This application was the subject of a site visit.

Members noted the update.

Members voted in favour of the motion to refuse the application in line with Officer recommendation.

Speaking as Ward Members: Councillor A Turner and Councillor M Walsh
Speaking in support: Ms V Eyton-Jones
Speaking on behalf of the applicant: Mr S Kerry

It was proposed by Councillor D Johncock and seconded by Councillor C Oliver.

Resolved: that the application be refused.

- 4 23/05045/FUL - 27 Coates Lane, High Wycombe, Buckinghamshire, HP13 5ET**
Householder application for construction of two storey front and side extension, single storey rear extension and internal alterations.

This application was the subject of a site visit.

Members noted the update.

Members voted in favour of the motion to refuse the application in line with Officer recommendation.

Speaking on behalf of the applicant: Mr I Akram

It was proposed by Councillor C Oliver and seconded by Councillor M Turner.

Resolved: that the application be refused.

Councillor S Raja left the Chamber at the beginning of the item and returned during the debate. He took no part in the debate or voting.

- 5 23/05974/FUL - 2 Loddon Road, Bourne End, Buckinghamshire, SL8 5LT**
Change of use of existing dwellinghouse (use Class C3) to create 2-bed children's residential care home (use Class C2).

This application was the subject of a site visit.

Members voted in favour of the motion to approve the application subject to a Condition that only children between the ages of 8 and 18 may be resident.

Speaking as Ward Members: Councillor S Wilson and Councillor P Drayton had submitted statements which were read out by the Democratic Services Officer.

Speaking in objection: Mr J Fletcher

Speaking in support: Ms H Farrell

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

Resolved: that the application be approved subject to the Condition relating to the ages of children to be cared for.

6 23/06146/R9FUL - The Liberal Club, Queen Victoria Road, High Wycombe, Buckinghamshire, HP11 1BG

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.

Members voted in favour of the motion to approve the application in line with the Officer recommendation.

It was proposed by Councillor A Alam and seconded by Councillor I Hussain.

Resolved: that the application be approved.

7 Date and Time of Next Meeting

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

8 Availability of Members Attending Site Visits (if required)

Resolved: that in the event it was necessary to arrange site visits on Tuesday 29 August 2023 in respect of the agenda for the meeting to be held on Wednesday 30 August 2023, the following members be invited to attend:

Councillors: Baughan, Johncock, Oliver and M Turner.

This page is intentionally left blank



Report to West Area Planning Committee

Application Number:	23/06492/R9FUL
Proposal:	Change of use from 3-bed dwellinghouse (use class C3) to 2-bed children's home for Buckinghamshire Council Leaving Care Service (use class C2) with installation of solar panels on rear roof slope
Site Location:	42 New Road Bourne End Buckinghamshire SL8 5BN
Applicant:	Mr Andrew Bourne - Buckinghamshire Council
Case Officer:	Victoria Burdett
Ward(s) affected:	The Wooburns, Bourne End & Hedsor
Parish-Town Council:	Wooburn And Bourne End Parish Council
Date valid application received:	8th June 2023
Statutory determination date:	3rd August 2023
Recommendation	Application Permitted

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Full planning permission is sought for a change of use from 3-bed dwellinghouse (Use Class C3) to 2-bed children's home for Buckinghamshire Council Leaving Care Service (Use Class C2) with installation of solar panels on rear roof slope.
- 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 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.
- 1.5 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 property is a two-storey, detached dwellinghouse, situated on the eastern side of New Road, Bourne End.
- 2.2 The existing property is a three bedroom dwelling which is located to the immediate south of Bourne End Academy; a co-educational secondary school. To the south of the application site is No. 40 New Road; a detached, two storey dwellinghouse.
- 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 two children (aged between 13 and 18) would live in the house, with a permanent member of staff present at all times.
- 2.4 In 1994, temporary consent (REF: 94/09052/CONCC) was granted for the change of use of the property from a dwelling to teaching accommodation. This consent was renewed in 1998 under application REF: 98/06324/CONCC. The consent expired after 12 months and has not since been renewed, reverting the property back to C3 use. The property was previously occupied by a caretaker in association with the adjacent school, but has been vacant since their departure.
- 2.5 The application is accompanied by:
 - a) Cover Letter
 - b) Ecology and Trees Checklist
 - c) Plans

3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
94/09052/CONCC	CHANGE OF USE TO TEACHING ACCOMMODATION (CC/75/94)	PER	3 November 1994
98/06324/CONCC	Renewal of consent for change of use of 42 New Road to teaching accommodation	PERTP	6 July 1998

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 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 Highway Authority has been consulted on the application, and has made the following comments:
- 4.4 “In terms of trip generation, I would expect that vehicular trips to the application site following the proposed works to be comparable to the existing situation.
- 4.5 New Road is an unclassified cul-de-sac subject to a 30mph speed limit. This carriageway benefits from pedestrian walkways and street lighting.
- 4.6 Having reviewed the proposed development using the Buckinghamshire Countywide Parking Guidance 2015 (BCPG) policy document, I can confirm that the application site is located in Residential Zone B. In accordance with the BCPG policy document, a parking bay should measure 2.8m x 5.0m whereas the internal dimensions for a garage should be 3.0m x 6.0m.
- 4.7 I note that 1 space per 3 residents would be required to serve the proposed development for optimum parking provision. In addition, I note the existing internal dimension for the garage is substandard, measuring approx. 2.0m x 4.8m when compared against the BCPG policy document standard (i.e. 3.0m x 6.0m), and therefore would not be counted as contributing towards the recommended parking provision for the dwelling. As one parking bay would be less than the existing situation of 2(no) parking bays to serve the property, I am satisfied that the parking requirement following the implementation of the proposed development can be achieved in-curtilage.
- 4.8 Mindful of the above, I offer no objections to the proposals and in this instance suggest no conditions for inclusion upon any planning permission that you may choose to grant”.
- 4.9 As such, it is considered that the proposed development would not have any detrimental parking or highway 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), DM16 (Open space in new development)

Housing Intensification SPD

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

- 4.10 The application involves the change of use of the existing dwelling into a 2-bed children’s home with the installation of solar panels to the rear roof slope. No other external alterations are proposed.
- 4.11 The level of activity arising from the proposed children’s home 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.
- 4.12 The proposed solar panels would be installed on the rear roof slope, which therefore would not be visible from the street scene. A public footpath runs alongside the south

flank boundary. Whilst it is acknowledged that the solar panels would be visible from some points along the public footpath, it is not considered that they appear out of keeping with the dwelling or surrounding character of the area.

- 4.13 It is considered that this proposal would 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

- 4.14 As aforementioned above, the proposed development does not involve any external alterations apart from the proposed solar panels. As such, in terms of overlooking, loss of privacy, and overbearing issues, the proposed change of use is not considered to harm the amenities of neighbouring properties beyond the existing situation.
- 4.15 Concerns have been raised in terms of potential anti-social behaviour in the adjacent public footpath, due to nuisance in the past. 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 will be disruptive/noise/abusive to adjacent residents. To do so could be seen as discriminatory.
- 4.16 The Applicant is responsible for ensuring the site is secured enough and meets the requirements for a new care home. This is not to be assessed by the Local Planning Authority.
- 4.17 Overall, the proposed development is not considered to adversely affect the amenities of neighbouring properties or future occupiers.

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)

- 4.18 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 Systems)

- 4.19 The application site is located in Flood Zone 1 and given no building works are proposed (apart from roof solar panels), there is not considered to be any flooding risk from the development.

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)

- 4.20 Policy DM34 requires all development to protect and enhance both biodiversity and green infrastructure features and networks both on and off site for the lifetime of the development.
- 4.21 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.

4.22 In this case, the proposed development 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)

4.23 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 to a residential care home for 2 children, and a permanent member of 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 on the proposed 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 It is recommended that this application be **GRANTED**, 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 4600.WV.AB.02P, 4600.WV.AB.04P and BC1 unless the Local Planning Authority otherwise first agrees in writing.

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

3. The use hereby permitted shall accommodate a maximum of two 13-18 year old children living at the property, at any one time.

Reason: In the interests of the amenity of the nearby residential properties and highway safety.

INFORMATIVE

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

In this instance:

- The application was acceptable as submitted and no further assistance was required.
- The application 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

None received.

Parish/Town Council Comments

Wooburn and Bourne End Parish Council

No objections, but we do note the neighbour's comments.

Consultation Responses

Highway Authority

No objections and no conditions recommended.

Environmental Health

No objections and no conditions recommended.

Representations

One comment has been received which is neutral to the proposal:

- The provision of more accommodation for children in care is a good thing
- The adjacent footpath is a magnet for anti-social behaviour
- Noise is also an issue on the footpath
- Please ensure the homes perimeter fence is adequately secured and that occupants are discouraged from spending time in the alley other than for access
- Parking situation in New Road is terrible
- Plenty of free parking along Fishermans Way

APPENDIX B: Site Location Plan

23/06492/R9FUL
Scale 1/1250



Planning Committee
© Crown Copyright and database rights 2020.
Ordnance Survey 100062456



Report to West Area Planning Committee

Application Number:	23/06742/R9FUL
Proposal:	Construction of new SEMH unit for 12 children with associated external works and proposed new intervention room
Site Location:	Juniper Hill School Churchill Close Flackwell Heath Buckinghamshire HP10 9LA
Applicant:	Buckinghamshire Council
Case Officer:	Heather Smith
Ward(s) affected:	Flackwell Heath, Little Marlow & SE
Parish-Town Council:	Chepping Wycombe Parish Council
Date valid application received:	26th July 2023
Statutory determination date:	20th September 2023
Recommendation	Approval

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Full planning permission is sought for the construction of new SEMH unit for 12 children with associated external works and a proposed new intervention room, at Juniper Hill School, Churchill Close, Flackwell Heath.
- 1.2 This proposal will provide much needed educational facilities at an existing primary school for a further 12 pupils.
- 1.3 This proposal will have no adverse effect upon the character of the surrounding area or the amenities of adjacent residents.
- 1.4 This proposal will have no adverse effect upon highway safety, ecology, biodiversity, the environment or flooding.
- 1.5 This application has been referred to the West Area Planning Committee for determination as it has been submitted on behalf of Buckinghamshire Council.
- 1.6 Recommendation – approval.

2.0 Description of Proposed Development

- 2.1 Juniper Hill School, is an existing primary school, situated off the northern side of Churchill Close, Flackwell Heath. At present, the school caters for 420 pupils between the age of 4 -11.
- 2.2 The application site lies within a predominantly residential area, within the wider Flackwell Heath Settlement Area. However, the northern area of the site, incorporating the school playing fields, is a designated Green Space.
- 2.3 This proposal seeks full planning permission to erect a detached, single storey unit for up to 12 children with Social, Emotional and Mental Health (SEMH) needs, at the rear of the school buildings and adjacent to the eastern boundary of the site. The submitted plans show that this structure will be primarily rectangular in shape, with a dual pitched roof. The unit will have its own independent entrance point and its own outdoor play area. However, the unit will also be sited in close proximity to the main school, to allow for interaction and access with the whole school.
- 2.4 The submitted details also state that the new SEMH unit will be erected with brickwork to match the existing school buildings and a slate resin roof. Green glazed bricks are to be used adjacent to the entrance and the proposed windows will be light green aluminium.
- 2.5 It is also proposed to erect a small intervention room, adjacent to an existing entrance to the school from the basketball court. This structure will be flat roofed and erected with brickwork to match the main school building and used by the whole school.
- 2.6 Two specialist teachers will be employed to serve the SEMH Unit, together with learning support assistants and other specialists, as required. It is anticipated that an additional five members of staff would be on site at any one time.
- 2.7 The main access to the school and its car parking area will not be altered. However, two additional car parking spaces are to be provided adjacent to the main car parking area.
- 2.8 The application is accompanied by:
 - a) Design and Access Statement
 - b) Sustainability Statement
 - c) Ecological Impact Assessment
 - d) Preliminary Arboricultural Impact Assessment
 - e) Tree Schedule
 - f) Flood Risk Assessment

3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
3/09005/CONCC	RENEWAL OF PLANNING PERMISSION FOR CONTINUED USE OF TEMPORARY CLASSROOM ACCOMMODATION NO 248 SWIFTPLAN DOUBLE UNIT.	NOBJ	4 February 1993

96/06268/CONCC	Extension of car parking facilities & alteration of existing fire access on to highway	CMTS	29 July 1996
98/06847/FUL	Construction of classroom block to rear of school	VOID	25 August 1998
8/07318/CONCC	Erection of single-storey classroom extension	CMTS	5 November 1998

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 proposal site lies within the settlement area for Flackwell Heath – a Tier 3 settlement where further development of existing facilities is acceptable in principle. However, the northern half of the application site has been designated as a protected Green Space, by the adopted Delivery and Sites Allocation Plan (2013).
- 4.2 The submitted plans show that most of the proposed detached SEMH unit will be erected on land outside of the protected Green Space, but that this structure would marginally encroach into this area, by approximately 6m to the north and 3 metres to the west.
- 4.3 Policy DM12 of the DSA states that “development that would result in the loss, fragmentation or reduction in size of green spaces shown on the Policies Map will be refused, except in exceptional circumstance.” Policy DM12 goes onto state that “where, in exceptional circumstances, it can be demonstrated that development within a green space is necessary, a substantial element of green space must be retained, and the overall character and quality of the space.”
- 4.4 It is evident that a small area of protected Green Space would be lost as a result of the proposed development. It is therefore necessary to assess whether there are any exceptional circumstances that would justify this loss, and if so, whether a substantial element of the protected Green Space would remain.
- 4.5 In support of the application, the applicant has provided a written statement, outlining the need for the proposed facility.
- 4.6 The submitted statement confirms that over the past five years the number of special educational needs and disabled (SEND) pupils, with an Educational Health Care Plan (EHCP) has increased by 50% (1805 pupils). The current projected forecast is that a there will be a further 32% increase in the number of EHCP pupils in the next five years.
- 4.7 Children and young people with communication and interaction needs, and social, emotional and mental health needs have increased the most – by 1424 pupils or 64% in the past five years. It is predicted that this number will rise by a further 1533 pupils or 42% in the next five years.

- 4.8 The Council's SEND Education Sufficiency Strategy has identified a need for two x 12 place, primary age inclusion units for children with SEMH needs, to serve the Wycombe and Aylesbury areas. Juniper Hill School has been chosen to support the Wycombe area and this application has been submitted as a joint project between Buckinghamshire Council and the Governing Board of the school.
- 4.9 The aim of the Unit is to enable pupils with SEMH needs to access a mainstream curriculum, while receiving specific specialist support. However, it is envisaged that these pupils would spend most of their time within the Unit, which is self-contained and has its own outdoor play area.
- 4.10 It is evident that there is a clear need for the provision of additional facilities for children with SEMH needs across Buckinghamshire. It is also clear that the Juniper Hill School site has the physical space to accommodate a separate, specialist Unit to support 12 additional pupils.
- 4.11 In accordance with Article 3(1) of the UN Convention of the Rights of the Child (UNCRC): "in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration". This Article enables a local planning authority to give significant weight to the welfare of children in the determination of a planning application.
- 4.12 Given the evidence presented regarding the need for SEMH facilities within Buckinghamshire and the significant weight that should be attached to the welfare of children, it is considered that exceptional circumstances exist, in this instance, which would justify a structure (or part of) within the area of protected Green Space.
- 4.13 With regard to the impact of this proposal on the protected Green Space, the submitted plans show that only 1.72% of the total playing field area, at the school, would be lost as a result of this proposal. The proposed detached Unit would also be sited, immediately adjacent to the main school buildings, in a location where previous structures existed. As a result, the substantial part of the protected Green Space would remain intact and unfragmented.
- 4.14 In light of the above, it is considered that this proposal complies with the requirements of Policy DM12 and that the protected Green Space would not be significantly affected by the proposed development.

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).

- 4.15 Churchill Close is an unclassified residential cul-de-sac subject to a 30mph speed limit. The carriageway benefits from street lighting and pedestrian footways. Parking and waiting restrictions in the form of zig-zag-yellow lines (School Keep Clear) are present along Churchill Close in the immediate vicinity of the application site.
- 4.16 In terms of trip generation, the Highway Authority would expect that following the implementation of the proposals there would likely be an intensification of use for the application site slightly above the existing situation. However, the additional pupils would be dropped off at 08:30am and picked up at 15:15pm. These are outside of the main school peaks and would act as an extension to the existing peaks currently experienced at the school.

- 4.17 Having assessed the proposed development using the Buckinghamshire Countywide Parking Guidance 2015 (BCPG) policy document, the Highway Authority notes that the property is located Zone 2. The BCPG policy document also recommends that there should be 1 space per full-time equivalent staff for optimum parking provision in this location. Therefore, 61 parking bays would be required to serve the site following the implementation of the proposals. The BCPG policy document further recommends that the dimensions for a parking space should measure 2.8m x 5.0m.
- 4.18 The submitted plans indicate that 28 parking bays are provided on the application site. The Highway Authority considers that while this is a shortfall of the required parking provision in accordance with the BCPG policy standards (i.e. 61 parking bays), 26 parking bays were already being used to serve the property with 58 full-time equivalent staff for the existing situation. Notwithstanding, in this instance, following the implementation of the proposed development, three additional parking bays would be required to serve the proposed development. There would be a displacement of one parking bay as only two new parking bays are being proposed for the property.
- 4.19 As originally submitted, the parallel parking bays on the site are substandard when compared to the BCPG policy document (i.e. 3.0m x 6.0m) and therefore, the Highway Authority requested amended plans that demonstrate the achievement of the recommended dimensions for the additional parking bays required to serve the proposed development. Amended plans have now been received which show that the additional spaces are of the correct dimensions.
- 4.20 In terms of access, no adverse implications are expected for the safety of road users or the convenience of the day-to-day operations of the highway network given the existing access would be retained for the application site. The Highway Authority does not consider that the additional traffic generated by an extra 12 pupils on the site would lead to an unacceptable impact on highway safety, nor would the residual cumulative impact of the development be severe, in line with the NPPF (National Planning Policy Guidance).
- 4.21 In light of the above, it is considered that this proposal will have no adverse effect upon highway safety or the convenience of 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.

- 4.22 In terms of their size, design and external appearance, it is considered that proposed detached Unit and the attached intervention room would have no adverse effect upon the visual character of the application site of the surrounding area. The new detached Unit is an attractive structure, which will enhance the existing rear area surrounding the main school buildings, while the proposed intervention room will reflect the character and appearance of the main school building.
- 4.23 In terms of the open character of the site, this proposal will have no adverse effect. However, the proposed detached Unit will be erected in close proximity to an existing English Oak Tree and to a lesser extent a Field Maple Tree. Neither of these trees are

protected by a Tree Preservation Order, but both add amenity value to the application site.

- 4.24 The submitted Preliminary Arboricultural Impact Assessment states that although the development would extend within their root protection zones, both trees can be retained. A combination of measures, including supervised excavation and above soil surfacing would be used to protect the root area of these trees. The Council's arboriculturist has reviewed the submitted Impact Assessment and is satisfied that these measures, together the submission and approval of a detailed Arboricultural Method Statement, are sufficient to ensure the retention of both trees. A pre-start planning condition should be imposed to this effect.
- 4.25 With regard to the proposed attached extension for the intervention room, given its design and position within the building envelope of the school, this structure will have no adverse effect upon the character of the surrounding area.

Amenity of existing and future residents

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

- 4.26 The application site is bounded by residential properties in Churchill Close, to the south, Highlands and Greenlands, to the west, with Norland Drive and Jennings Field to the east.
- 4.27 The proposed detached Unit is to be sited adjacent to the western boundary of the school, which borders the rear gardens of dwellings in Greenlands. However, given the depth of these gardens, at approximately 40 metres, together with the retention of the existing vegetation on this shared boundary, it is considered that the proposed outbuilding will have no adverse effect upon the amenities of the adjacent residents, particularly by way of loss of light, privacy, or outlook.
- 4.28 Concern has been raised by one adjacent resident that levels of petty crime and vandalism may increase as a result of the proposed SEMH Unit. However, there is no evidence, that this proposal would increase crime in the area.

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)

- 4.29 The Council's Environmental Health Officer has reviewed the details of this application and has raised no environmental concerns.
- 4.30 The application site is situated within a Source Protection Zone 2 and 3. However, the application details confirm that the application site is connected to the mains sewer. Furthermore, the proposed buildings are not considered to be potentially contaminating developments and as such, the surface water runoff will not have an adverse effect upon water quality nor cause a pollution of the water course.

Flooding and drainage

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

- 4.31 The application site is situated within a Flood Risk Zone 1 with no watercourse present. In addition, there are no known issues with regards to surface water or ground water flooding.

- 4.32 It is therefore considered that the site is probably not in an area at risk of flooding. As such, the runoff from additional impermeable surfaces due to the proposal can be stored within the site and either reused or released into the ground through infiltration.
- 4.33 Provided re-use, infiltration or a combination of both is used, then the development will not result in the increase in flood risk elsewhere. If re-use or on-site infiltration methods are subsequently shown not to be possible then the developer will need to demonstrate why this is not possible and how they intend to ensure that the risk of flooding elsewhere will not be increased due to the development. This can be dealt with by way of a planning condition.

Archaeology

Wycombe District Local Plan (August 2019): CP9 (Sense of place), CP11 (Historic Environment), DM31 (Development Affecting the Historic Environment)

- 4.34 The Council's Archaeologist has confirmed that this proposal is any archaeological asset.

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)

- 4.35 In accordance with Policy DM34 of the adopted Local Plan, all development is required to protect and enhance both biodiversity and green infrastructure both on and off-site for the lifetime of the development.
- 4.36 The applicant has submitted an Ecological Impact Assessment in support of this application. This assessment concludes that the habitats on the site largely comprise modified grassland with bare ground and developed land, a sealed surface which have negligible ecological value in their own right, with the remainder of the site comprising common and widespread species. The site is assessed as having suitability to support nesting birds, tree roosting bats, foraging and commuting bats.
- 4.37 Mitigation measures are also suggested in the assessment which include supervised destructive searching and enhancement measures for bats and birds through the installation of an additional bat and bird boxes. However, in order to ensure that such ecological mitigation does take place, the Council's Ecologist has advised that a Landscape and Ecology Management Plan (LEMP) be submitted and approved before any development takes place. A pre-start planning condition should be imposed to this effect.
- 4.38 The Council's Ecologist has reviewed the submitted assessment and is satisfied that this proposal would not harm a protected species.
- 4.39 With regard to biodiversity net gain, no information has yet been provided. However, given the limited size of the proposed development and the overall size of the application site, the Council's Ecologist is satisfied that a satisfactory net gain in Biodiversity can be achieved on site, in accordance with the Council's adopted Biodiversity Net Gain SPD. A pre-start planning condition, requiring that these details are submitted, approved and implemented, should be imposed to this effect.

Building sustainability

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

4.40 It is considered necessary to condition water efficiency in accordance with Policy DM41

Infrastructure and Developer Contributions

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

DSA: DM19 (Infrastructure and delivery)

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

5.0 Weighing and balancing of issues / Overall Assessment

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

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

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

5.3 It is considered that subject to further details regarding arboricultural and biodiversity net gain matters, which can be secured by planning conditions, the proposed development would accord with the development plan policies.

5.4 The proposed development would provide a much needed resource for primary school children within the Wycombe, area who have special educational needs.

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 construction of new SEMH unit for 12 children with associated external works and proposed new intervention room, at an existing primary school. 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 persons with mobility issues.

5.6 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.

5.7 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 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 was provided with pre-application advice. The applicant/agent was updated of any issues after the initial site visit, and was requested to clarify matters regarding ecology, trees and parking space sizes. The applicant/agent provided the required information. 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

Grant planning permission, 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 BC1; PL01A; PLO4A; PL05A; PL06B and 11703 TCP01; 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 materials to be used for the external surfaces, including walls, roofs, doors and windows shall be of the same colour, type and texture as those specified in the application details, unless the Local Planning Authority otherwise first agrees in writing.
Reason: To secure a satisfactory external appearance.
4. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.
Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.
5. A fully detailed landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any development, above damp proof course, takes place.
The scheme shall include provision for:

- *details of materials for hardsurfacing
- *details of any new boundary fencing
- *details of additional planting

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

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

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees, plants or areas of turfing or seeding which, within a period of 3 years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.
Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping.

7. Before any construction works hereby approved are commenced, a Biodiversity Net Gain Report and associated Biodiversity Metric demonstrating that Biodiversity Net Gain can be achieved on site, shall be submitted to, and approved in writing by the Local Planning Authority. The BNG Report should adhere to best practice and include:

- A Summary of key points;
- Introduction to the site, project, planning status, certainty of design and assumptions made, the aims and scope of the study and relevant policy and legislation;
- Methods taken at each stage; desk study, approach to BNG and evidence of technical competence;
- Baseline conditions of the site including; important ecological features and their influence on deliverability of BNG, baseline metric calculations and justifying evidence, and a baseline habitat plan that clearly shows each habitat type and the areas in hectares;
- Justification of how each of the BNG Good Practice Principles has been applied;
- Proposed Design to include a proposed habitat plan and details of what will be created. This can be taken from the site layout plan, illustrative masterplan, green infrastructure plan or landscape plans. The plan should clearly show what existing habitat is being retained and what new habitat will be created. It should be easy to identify the different habitat types and show the areas in hectares of each habitat or habitat parcel;
- Biodiversity Metric spreadsheet, submitted in excel form that can be cross referenced with the appropriate plans. A small sites metric is also available for sites less than 0.5ha or fewer than 9 dwellings and under 1ha;
- Implementation Plan including a timetable for implementation BNG Management and Monitoring Plan

Reason: This pre start condition is required to ensure that the development achieves Biodiversity Net Gain in line with Policy DM34.

8. An Arboricultural Method Statement (AMS) including a Tree Protection Plan (TPP) in accordance with the British Standard 5837:2005 Trees in relation to construction - Recommendations shall be submitted to and approved in writing by the Local Planning Authority before any development or other site clearance works take place.

The AMS/TPP shall include:

- a. A full Tree Protection Plan showing how the trees and the root protection area will be protected before and during the build such as detailed plans showing location of the protective fencing including any additional ground protection whether temporary or permanent;
- b. Details as to the location of proposed and existing services and utilities including drainage, where these are close to Root Protection Areas (RPAs);
- c. Details as to the method, specification and materials to be used for any "no dig" surfacing, and; (and the area within the development to which it applies).
- d. All phases and timing of the project in relation to arboricultural matters and details of supervision by a qualified arboriculturist.
- e. A clear specification for excavating in the RPA of T14 showing how any possible root damage can be avoided/minimised.

Reason: This pre-start condition is required to ensure the protection of the health and well-being of existing trees on site, in the interests of visual amenity and biodiversity opportunities.

9. No development shall take place (including demolition, ground works, vegetation clearance) unless and until the Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The content of the LEMP shall include the following:

- a. Description and evaluation of features to be managed.
- b. Ecological trends and constraints on site that might influence management.
- c. Aims and objectives of management which will (without limitation) include the provision of biodiversity net gain within the Site which will be shown within the Biodiversity Net Gain Report conditioned.
- d. Appropriate management options for achieving aims and objectives.
- e. Prescriptions for management actions.
- f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a thirty-year period).
- g. Details of the body or organization responsible for implementation of the plan.
- h. Ongoing monitoring and remedial measures.

The LEMP should include details of ecological enhancements to be incorporated within the development, including one integrated bird box and one integrated bat box. The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall be for no less than 30 years. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: This pre start condition is required to ensure appropriate protection and enhancement of biodiversity, to make appropriate provision for natural habitat within the approved development and to provide a reliable process for implementation and aftercare.

10. The development hereby approved shall store all additional runoff within the site and either reuse it or release it into the ground through infiltration. Where the additional runoff is not to be re-used or on-site infiltration methods are not proposed, details of how the risk of flooding elsewhere will not be increased shall be submitted to and approved by the local planning authority prior to any development taking place. The approved details shall thereafter be implemented prior to the development being brought into use and thereafter managed and maintained for the lifetime of the development.

Reason: To ensure that the development does not increase the risk of flooding elsewhere.

11. The development, hereby permitted, shall be designed and constructed to meet a water efficiency standard equivalent to 'excellent' under the BREEAM rating with a maximum number of water credits.

Reason: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised; to mitigate the impacts of climate change; in the interests of sustainability; and to use natural resources prudently, and in accordance with Policy DM41 of the Wycombe District Local Plan (adopted August 2019) and guidance contained in the NPPF (2021).

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.

In this instance was provided with pre-application advice. The applicant/agent was updated of any issues after the initial site visit, and was requested to clarify matters regarding ecology, trees and parking space sizes. The applicant/agent provided the required information. The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application

- 2 The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Buildings, trees and other vegetation are likely to contain nesting birds between 1st March and 31st August inclusive.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

No comments received

Parish/Town Council Comments

Chepping Wycombe Parish Council

CWPC support this planning application. However, two trees with TPOs are very close to the proposed buildings and we would like assurance that their roots will not be damaged.

Consultation Responses

Highway Authority:

no objections raised subject to amendments to parking space dimensions.

Environmental Health Officer:

No objections

Archaeology Officer:

No objections

Buckinghamshire Education:

No response

Arboricultural Officer:

Acceptable with conditions.

We would like to see the following.

An Arboricultural Method Statement (AMS) including a Tree Protection Plan (TPP) in accordance with the British Standard 5837:2005 Trees in relation to construction – Recommendations shall be submitted to and approved in writing by the Local Planning Authority before any development or other site clearance works take place.

The AMS/TPP shall include:

- a) To provide a full Tree Protection Plan showing how the trees and the root protection area will be protected before and during the build such as detailed plans showing location of the protective fencing including any additional ground protection whether temporary or permanent;
- b) Details as to the location of proposed and existing services and utilities including drainage, where these are close to Root Protection Areas (RPAs);
- c) Details as to the method, specification and materials to be used for any "no dig" surfacing, and; (and the area within the development to which it applies).
- d) All phases and timing of the project in relation to arboricultural matters and details of supervision by a qualified arboriculturist.
- e) A clear specification for excavating in the RPA of T14 showing how any possible root damage can be avoided/minimised.

Ecology Officer:

No objections, subject to the submission and approval of Biodiversity Net Gain details and a Landscape and ecology management Plan (LEMP) before development commences.

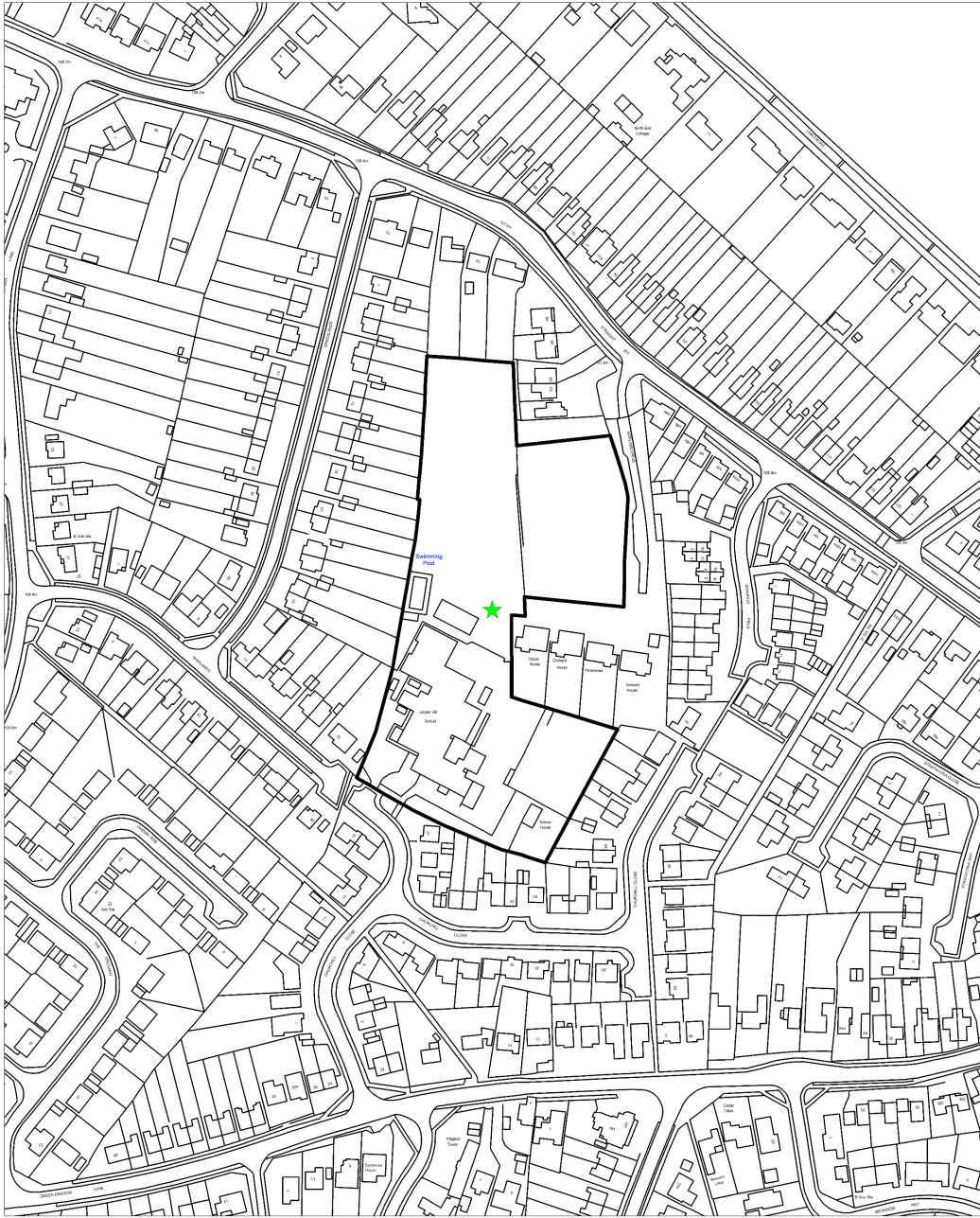
Representations

One letter of objection has been received from an adjacent neighbour. The grounds of objection include:

- Increased traffic
- Potential drop off point is not in use
- Possible increase in petty crime and vandalism
- Lack of access for fire brigade

APPENDIX B: Site Location Plan

23/06742/R9FUL
Scale 1/2500



Planning Committee
© Crown Copyright and database rights 2020.
Ordnance Survey 100062456

This page is intentionally left blank