



West Buckinghamshire Area Planning Committee agenda

Date: Thursday 16 May 2024

Time: 6.30 pm

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

Membership:

To be confirmed.

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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 3 April 2024.	3 - 4
Planning Applications	
4 22/08204/FUL - Orchard View Farm, Stockwell Lane, Little Meadle, HP17 9UG	5 - 34
5 23/07721/FUL - Penn School, Church Road, Penn, HP10 8LZ	35 - 96
6 24/05048/FUL - 111 Bridgestone Drive, Bourne End, SL8 5XQ	97 - 106
7 24/05279/FUL - 106 Roberts Ride, Hazlemere, HP15 7AN	107 - 126
8 Date and Time of Next Meeting Wednesday 5 June 2024 at 6.30pm. (To be confirmed).	
9 Availability of Members Attending Site Visits (if required) To confirm members' availability to undertake site visits on Tuesday 4 June 2024 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 3 April 2024 in High Wycombe Council Chamber, Queen Victoria Road, High Wycombe, HP11 1BB, commencing at 6.30 pm and concluding at 7.44 pm.

Members present

M Ayub, A Baughan, I Hussain, N Marshall, C Oliver, S Raja, M Turner, P Turner and K Wood

Others in attendance

K Asif, H Braine, T Coppock, L Hornby, C Lamb and R Martin

Apologies

A Alam, S Guy and D Johncock

Agenda Item

1 Declarations of Interest

2 Minutes of the Last Meeting

The Minutes of the meeting held on 7 February 2024 were agreed as an accurate record.

3 22/05430/FUL - Land at Billinghurst Stud, Harvest Hill, Hedsor, SL8 5JJ

Erection of 4 x detached dwellings with associated garages/carports, parking and landscaping and creation of new access.

This application was the subject of a site visit.

Members noted the Update.

Members voted in favour of the motion that they were Minded to Grant the application subject to the conditions and reasons as laid out in the Officer's report.

Speaking as Ward Member: Councillor P Drayton

Speaking in objection: Mr S Pickles

Speaking on behalf of the applicant: Mr J Collinge

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

Resolved: that the Members were Minded to Grant the application, subject to the conditions and reasons as laid out in the Officer's report.

4 23/07994/VCDN - 44 Shelley Road, High Wycombe, HP11 2UW

Variation of Condition 3 (plan numbers) attached to PP 20/07342/FUL (Householder application for construction of single storey front, part single, part two storey side and rear extensions and conversion of loft to habitable accommodation) to allow for façade fenestrations at ground floor level.

This application was the subject of a site visit.

Members noted the Update.

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

Speaking as Ward Member: Councillor L Clarke OBE

Speaking in objection: Mr C Beeby

Speaking on behalf of the applicant: Mr D Howells

It was proposed by Councillor S Raja and seconded by Councillor I Hussain.

Resolved: that the application be approved.

5 Date and Time of Next Meeting

Tuesday 7 May 2024 at 6.30pm

Please note change of date/day.

6 Availability of Members Attending Site Visits (if required)

Resolved: that in the event it was necessary to arrange site visits on Tuesday 7 May 2024 in respect of the agenda for the meeting to be held on Tuesday 7 May 2024, the following members be invited to attend:

Councillors: A Baughan, N Marshall and P Turner.



Report to West Area Planning Committee

Application Number:	22/08204/FUL
Proposal:	Erection of single storey linked extension to existing buildings to create a single storey detached dwelling
Site Location:	Orchard View Farm Stockwell Lane Little Meadle Buckinghamshire HP17 9UG
Applicant:	Mackellar
Case Officer:	Jenny Ion
Ward(s) affected:	The Risboroughs
Parish-Town Council:	Longwick Cum Ilmer Parish Council
Date valid application received:	1st December 2022
Statutory determination date:	26th January 2023
Recommendation	Application Refused

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The proposal seeks permission for a rural workers dwelling. Although there is not an objection in principle to the provision of a permanent dwelling on the site the proposed dwelling far exceeds the maximum size stipulated in Policy DM27 (Housing for Rural Workers) and the application is therefore recommended for refusal.
- 1.2 Cllrs Walsh, Hall and Alan Turner called in the application for consideration by the planning committee if officers were minded to refuse permission.

2.0 Description of Proposed Development

- 2.1 The proposal seeks permission for the creation of a rural workers dwelling in association with Orchard View Farm. Orchard View Farm is a rural business comprising a mix of livestock farm, café and farm shop, and camping and caravanning site. There is an existing mobile home on the site, which has temporary permission until January 2025, which currently provides residential accommodation for the enterprise.
- 2.2 The proposal would create a new dwelling by incorporating two open fronted storage buildings into the house, which would be linked by a new extension. The dwelling would have three “wings” connected by a central entrance hall. It would be single storey with mono-pitched roofs for each of the wings. The house would have a garden area to the rear and parking space at the front.

- 2.3 The application is accompanied by
- a) Ecology and Trees Checklist
 - b) Planning, Design and Access Statement
- 2.4 Following requests for further information during the course of the application further documents have been provided including:
- a) Animal stocking document
 - b) Financial and staffing information
 - c) Statement regarding dwelling size
 - d) Waste water plan
 - e) Flood Risk Assessment

3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
09/06518/FUL	Creation of new access and erection of 6 bar metal field gate & post and rail fencing	PER	30 September 2009
10/06185/FUL	Erection of two buildings to house livestock, serve as temporary workshop and store animal feed	PER	4 August 2010
10/06641/FUL	Erection of agricultural glass house	PER	7 October 2010
13/05526/AGI	Agricultural Notification for the construction of a steel framed agricultural barn with closed sides	DNSUB	2 April 2013
13/07250/FUL	Change of use of Agricultural barn to a mixed use as farm shop A1 (Retail) with associated butchery and kitchen facilities and ancillary cafe area including lean to extension to provide toilet facilities.	PER	21 November 2013
17/06743/FUL	Siting of static caravan to rear of existing farm shop to provide living accommodation and office space	WDN	8 November 2017
18/08220/FUL	Siting of a temporary mobile home for residential use and the change of use of land from a yard and over flow car park to	REF	20 May 2020

also include motor home storage area (Retrospective). Allowed on appeal for a temporary period of 3 years.

19/05840/FUL	Change of use of existing pasture land to accommodate 50 x camping and caravanning pitches including laying of hardstanding for new internal access, construction of 2 x detached buildings to provide toilets and washing facilities and associated alterations	PER	29 January 2020
20/05712/VCDN	Variation of condition 12 (Electric charging points) attached to PP 19/05840/FUL (Change of use of existing pasture land to accommodate 50 x camping and caravanning pitches including laying of hardstanding for new internal access, construction of 2 x detached buildings to provide toilets and washing facilities and associated alterations)	PER	11 May 2020
21/07983/FUL	Change of use of existing pasture land to accommodate further 8 glamping pods surrounded with stock fence and mixed native hedging, creation of access path and additional car parking area	PER	30 December 2021
22/05797/PNP6A	Prior approval application (Part 6, Class A) for construction of agricultural barn for storage of machinery, trailers and materials for the use of Orchard View Farm	DNSUB	20 April 2022
22/06167/VCDN	Variation of condition 3 (No Use November to February) attached to 21/07983/FUL (Change of use of existing pasture land to accommodate further 8 glamping pods surrounded with stock fence	PER	12 December 2022

	and mixed native hedging, creation of access path and additional car parking area)	
23/06112/FUL	Extension to the campsite and alterations to allow for an additional 48 Touring and Camping Pitches; additional car parking; relocation of glamping pods; and additional shower and WC facilities	PCO

4.0 Policy Considerations and Evaluation

Principle and Location of Development

Wycombe District Local Plan (August 2019): CP2 (Overall Spatial Strategy), CP3 (Settlement Strategy), DM27 (Housing for Rural Workers), DM44 (Development in the Countryside Outside of the Green Belt)

- 4.1 The site is located in Countryside Outside of the Green Belt and is not within an identified settlement. It is not, therefore, a location where residential development would normally be permitted except where it falls within one of the criteria set out in Policy DM44. This policy allows for housing for rural workers where this is in accordance with Policy DM27 (Housing for Rural Workers).
- 4.2 Policy DM27 sets out a number of criteria which permanent rural workers accommodation must meet. Permanent accommodation is required to be:
- a) Essential to sustain the functioning of an established agricultural, forestry or other appropriate rural enterprise;
 - b) Related to a functional need for a full-time worker or one who is primarily employed by the business to be resident at the location proposed;
 - c) Supported by evidence that demonstrates that all alternative accommodation options have been explored and no satisfactory means of providing accommodation has been identified;
 - d) Of a size and cost commensurate with the established functional requirement of the enterprise and not exceeding 120sqm in gross external floor area.
- 4.3 The policy also states that for new rural enterprises only temporary accommodation (such as a mobile home) will be permitted.
- 4.4 Orchard View Farm is a diversified business which comprises a smallholding (12 hectares in size) with a variety of livestock including deer, pigs and sheep, a farm shop and café / restaurant, and a campsite. The business has gradually evolved over time, beginning with livestock farming in 2009, with deer introduced in 2013. The shop / café / butcher was permitted in 2013. The campsite was permitted in 2020 with glamping pods permitted in 2021.
- 4.5 There is currently a mobile home on the site. This was brought onto the site in 2018 and was the subject of a retrospective application which was refused. The Council was not satisfied at that time that the level of agricultural activity on the holding was sufficient to demonstrate an essential need for a rural worker to live permanently on the site or that it had been demonstrated that the enterprise was capable of achieving

financial viability and sustainability in the long term, to meet the economic role of sustainable development. Permission was refused in May 2020. An appeal was lodged against the refusal, and this was dealt with by way of an informal hearing in June 2021, with the decision being made to allow the appeal in January 2022. The appeal decision is attached as an appendix to this report.

- 4.6 In deciding to allow that appeal the Inspector set out her findings in some detail. Attention is drawn to the following observations and statements in the Inspector's conclusions, with the most pertinent points emphasised in italics.

Paragraph 34 – although the café and butchery were established the livestock levels had reduced, although there was an intention to increase them again, and the campsite had not been operating long enough to become established.

Paragraph 39 – “In my view, *the diversified business at the holding are evolving* with the introduction of the campsite, and while various elements have been established for some time ... *the businesses in their current form are not fully established.* I therefore consider it is realistic to *consider the mobile home as a temporary residential use to enable the “bedding in” of the various businesses to establish and thrive.*”

Paragraph 40 – “... I consider that for it to thrive and the employment opportunities to be maintained at the appeal site, that an onsite presence has been essential to date, albeit *it has not been demonstrated that that need is a permanent need as the businesses are still evolving.* Whether or not it is essential has not, at the time of the Hearing, been adequately demonstrated as the campsite is in its infancy and stock levels have been run down due to illness.”

Paragraph 42 – “In terms of financial profitability, the evidence indicates, subject to the campsite thriving, that *it could possibly be profitable in the foreseeable future.* ... the estimated profit in 2021/2022 indicates the business increasing in profit such that *temporary accommodation is justified to establish if the mixed use will be profitable and demonstrate a sound financial footing for the foreseeable future as required by LP Policy DM27.*”

Paragraph 43 – “... it is the mix of diversified uses which cumulatively indicate that an onsite residential unit is *likely to be essential in the longer term and that temporary accommodation is justified to establish whether the business as it is evolving can demonstrate ongoing profitability and a sound financial footing for the future.*”

Paragraph 44 – “the residential use of the mobile home *for a temporary period of 3 years is justified* to support the running of the diversified businesses at the holding and *to establish whether, when stocking levels are increased and the campsite business is established that, the composite of businesses are likely to become profitable within three years.*”

- 4.7 Of particular note is paragraph 40, where the Inspector stated that it had not been established whether there was a permanent need and whether or not it was essential. The reason for the temporary permission was to allow the evolving businesses to establish and to demonstrate ongoing profitability and a sound financial footing, within the three year period.

When this application was initially submitted it was approximately one year after the temporary permission was granted and the information submitted was not sufficient to address the areas of uncertainty identified by the Inspector.

- 4.8 The applicant was therefore asked to provide additional information, including details about stocking levels, staffing numbers, the development of the camp site business, and financial information. Accounts information for the years 2020/21, 2021/22 and 2022/23 was requested along with projections for the next two years to demonstrate that, if the business had achieved profitability it is likely to remain so. The applicant was also advised that the size of dwelling being proposed exceeded the maximum size set out in Policy DM27 and that it should be reduced.
- 4.9 The applicant has responded by providing information about livestock numbers, staffing and profitability.
- 4.10 With regard to livestock, numbers had decreased due to the Covid pandemic, illness, and uncertainty about on-site accommodation. Rare breed pigs were kept at Orchard View Farm since it started in 2009 but were sold in 2020. There are currently a small number of non-breeding pigs at the farm. Due to poor economics of re-starting pig production the future of pig farming is being kept under review.
- 4.11 The flock of chickens ranges from 12 – 20 depending on the time of year. Eggs are sold in the shop but high feed prices has impacted profitability and there are no plans to expand the flock.
- 4.12 There are 3 bee hives with two in production.
- 4.13 The deer flock is said to be fairly constant. 15 deer were culled in 2021/22, 18 in 2022/23 and is projected that 22 would be culled in 2023/4.
- 4.14 The sheep flock was sold due to temporary ill health but is now being re-stocked. A foundation flock of non rare-breed sheep was purchase in 2023 comprising 18 breeding ewes and 10 lambs. Numbers are projected to increase to 26 ewes in 2024 and 32 in 2025. Some additional grazing land is let from a third party with negotiations taking place to secure the use of further land for winter grazing.
- 4.15 The camp site started operating on October 2020 with 36 tent pitches and 7 touring pitches. In the 2021 season 7 glamping pitches were added bringing the total number of pitches to 50. The campsite has now been established for three seasons. Eight glamping pods have been permitted and a current application is under consideration for additional pitches.
- 4.16 The financial information provided clarifies that Orchard View Farm transitioned to limited company status in June 2023. Profit and loss summaries have been provided for the years ending 31 March 2021 and 31 March 2022 and for the year ending 30 June 2023 for Orchard View Farm Limited.
- 4.17 The submitted information shows that the business has been profitable across this period, with profits increasing year on year. The campsite makes a significant contribution to the profitability of the business. The forecasts for the years ending 30 June 2024 and 2025 indicate that the business will remain profitable, and increasingly so.
- 4.18 With regard to staffing levels, these vary across the seasons. The farm element requires 0.5 FTE, and the campsite 1 full time worker in summer and 0.5 FTE in winter, with additional part time staff. Overall the business employs 12 full time and 25 part time staff in summer and 8 full time and 13 part time staff in winter.
- 4.19 From the information provide the applicant has now demonstrated that the various elements of the business are well established and profitable, albeit that the agricultural

side of the business has declined from the pre-2020 position. The areas of uncertainty identified by the planning inspector have now been addressed and officers are satisfied that there is an essential functional need for a full time rural worker to be present on site and that the business is financially sustainable. The provision of a permanent dwelling on the site is therefore acceptable in principle, subject to an appropriate condition restricting occupancy to a rural worker.

- 4.20 However, although the first three tests of part 1 of Policy DM27 have been met, the proposal does not comply with the fourth test, that the dwelling be of “a size and cost commensurate with the established functional requirement for the enterprise and not exceed 120 sqm in gross floor area.” The proposed dwelling has a gross external floor area of 190 square metres, which is nearly 60% greater than the maximum set out in the policy.
- 4.21 The dwelling proposed is a 4 bedroom 5 person dwelling (when assessed against the nationally described space standards) and includes a large farm office, substantial plant room and large areas of corridor and central circulation space. A supporting statement has been submitted to justify why a larger dwelling should be permitted in this instance. These include the incorporation of existing buildings into the dwelling, the requirement for a plant room to accommodate renewables / sustainability measures such as batter storage, that the office will provide not just for home working but also for the farm business office and the requirements of the family, to accommodate two school age children (a boy and a girl) and the applicant’s partner’s adult daughter. The supporting information suggests that the farm office, plant and wet room should not be included in the calculation of floorspace.
- 4.22 There is no support in the policy to exclude certain parts of the dwelling from calculation of floorspace. The floorspace figure would have been set taking into account likely requirements for inclusion of elements such as a small home office, shower room and utility area. It would also be difficult to justify a condition preventing the re-ordering of internal space within the dwelling for example.
- 4.23 Although not explicitly set out in the policy, the limit on the size of dwelling permissible under the policy is designed to ensure that a dwelling of adequate size can be provide to ensure the on-site supervision required, without it being excessively large, and to ensure long term affordability for the rural worker population.
- 4.24 The third part of policy DM27 sets out the circumstances in which the removal of agricultural occupancy conditions will be considered. These include it being surplus to the current and foreseeable future employment needs of the holding or business that the dwelling is currently associated with and that there is no foreseeable need to house persons employed or last employed in agriculture or rural enterprise in the locality. The supporting text indicates that to demonstrate the latter it would be necessary to market the dwelling appropriately to demonstrate no interest in occupation. The potential interest in such dwellings is influenced by the cost of the property in relation to affordability for a rural worker. The larger the dwelling the less likely it is to remain affordable for a rural worker.
- 4.25 Although the applicant is of the view that it would be difficult to occupy the dwelling separately from the business, the policy is designed to take a long term approach and recognises that the current business requirements may change in future, or cease to exist altogether.

4.26 It is your officer's view that a smaller dwelling with more compact layout could accommodate the majority of the elements sought by the applicant. The nationally described space standards indicate that a 5b 6p single storey dwelling should have a minimum internal floor area of 103 square metres, a 5b 7p dwelling 112 sqm and a 6b7p dwelling 116 sqm. This suggests that it should be possible to achieve the required level of accommodation within a much smaller footprint.

The proposed dwelling does not comply with the requirements of Policy DM27 in terms of size and as such the application is recommended for refusal.

Transport matters and parking

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

4.27 The application site would share the access which serves the farm, campsite and farm shop / café. The proposal would not significantly increase the number of trips generated on the site and would not have an adverse impact on the operation of the highway network. Sufficient parking space would be provided at the front of the dwelling. There is therefore no objection on highway grounds.

Raising the quality of place making and design

Wycombe District Local Plan (August 2019): CP9 (Sense of Place), DM32 (Landscape Character and Settlement Patterns), DM35 (Placemaking and Design Quality)

4.28 The proposed dwelling would comprise three rectangular wings, arranged in a T-shape, with mono-pitched roofs, connected by a central flat roofed section. Two of the wings would use the existing storage buildings which are concrete blockwork buildings with timber posts supporting the profile sheet roof.

4.29 The open fronts of the existing barns would be infilled with masonry and glazing. The window openings would for the most part be large full length windows, some of which would have external shutter style doors.

4.30 The proposed building elements reflect modern style barns and the design of the dwelling is therefore considered to reflect its rural location. There are no other dwellings immediately close by for design reference. Other nearby buildings are the farm shop building and the wash buildings for the camp site. In this context the design approach is considered to be acceptable.

4.31 The site would be accessed from the main farm access track and parking area and the frontage would address this area. The main amenity space would be to the rear, enclosed by two wings of the building. This creates a satisfactory layout in relation to the rest of the wider site.

Amenity of existing and future residents

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality), DM40 (Internal Space Standards), DM41 (Optional Technical Standards for Building Regulation Approval)

4.32 The proposal complies the nationally described internal space standards. The house would have sufficient natural light and ventilation and private amenity space and would create a satisfactory living environment for future occupiers.

4.33 The proposal is not close to any other neighbouring dwellings and would not, therefore, have any impact on the amenities of neighbouring properties.

Environmental issues

Wycombe District Local Plan (August 2019): CP12 (Climate Change), DM33 (Managing Carbon Emissions, Transport and Energy Generation), DM35 (Placemaking and Design Quality)

- 4.34 Sufficient space is available for refuse storage within the site and the access is suitable for a refuse lorry to enter the site for collection. The site is not on mains drainage and it is proposed to connect to the existing foul drainage system used by the camp site. The supporting information advises that this is a modular system which can be upgraded to increase capacity if required.
- 4.35 The adopted Air Quality SPD requires the provision of car charging points in connection with all minor developments. This is to reduce air pollution within the Council's Air Quality Management Areas. Whilst the site is not within an AQMA it is likely that traffic generated by the development would travel through the AQMA to access higher order services. A condition could be imposed to secure the provision of one charging point adjacent to the new parking spaces, or at an alternative location which is first agreed with the LPA. This also meets the objectives of Policies CP12 and DM33 to address carbon emissions and climate change.

Flooding and drainage

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

- 4.36 The site is located in Flood Zone 1 and is not therefore at risk from fluvial flooding. Part of the site is at risk from surface water flooding (notably the front corner of the eastern building) and a flood risk assessment was therefore required to be submitted with the application.
- 4.37 The majority of the building is outside the area of risk. The FRA indicates that the proposal is to incorporate flood resilience measures into the building and that surface water would be managed by implementing a rainwater harvesting system, with a tank located to the east of the dwelling. Rainwater would be used for things such as toilet flushing within the house. Any exceedance would be piped to the nearby drainage ditch.
- 4.38 The proposal would therefore not be at undue risk of flooding and would not increase the risk of flooding elsewhere, subject to details of the rainwater harvesting system and its implementation being secured by condition.

Landscape Issues / Landscape and visual Impact

Wycombe District Local Plan (August 2019): DM32 (Landscape Character and Settlement Patterns), DM44 (Development in the Countryside Outside of the Green Belt)

- 4.39 The site is in Countryside Beyond the Green Belt and is not within the AONB. The proposal would partly utilise existing buildings and would be grouped together with the farm shop / café building. It would not, therefore, appear unduly prominent in the landscape or have an adverse impact on the rural setting or the rural character of the 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)

- 4.40 The proposed site for the dwelling is partly occupied by the existing buildings and areas of hardstanding. The buildings are not suitable as habitat for protected species. The Council's ecologist has reviewed the proposals and concluded that there are therefore no objections in terms of the impact on protected species.
- 4.41 The proposal would be expected to deliver biodiversity net gain / ecological enhancements. The Council's ecologist is satisfied that in this instance this could be secured via conditions to incorporate measures such as bird and bat boxes. Habitat gains could be secured by requiring the provision of hedging to demarcate the garden boundary and this could also be secured by way of conditions.

Building sustainability

Wycombe District Local Plan (August 2019): CP12 (Climate Change), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

- 4.42 Policy CP12 promotes mitigation and adaptation to climate change and supports the integration of renewable technologies into residential and commercial developments of all sizes. Policy DM33 also requires the integration of renewable technologies into developments.
- 4.43 The applicant intends to incorporate various measures to make improve the sustainability of the building, including using a ground source heat pump and a mechanical ventilation and heat recovery system. Details of these could be secured by condition.
- 4.44 The applicant also proposes to put solar panels on the farm shop roof, however this is not part of the application (the farm shop building is not within the red edge of the application site) and an application for prior approval would be required to add solar panels to the farm shop roof.

Infrastructure and Developer Contributions

DSA: DM19 (Infrastructure and delivery)

- 4.45 The development is a type of development where CIL may be chargeable.
- 4.46 It is considered that there would not be other types of infrastructure that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.

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 most of the development plan policies, except for Policy DM27. The dwelling exceeds the maximum size of dwelling permitted by this policy and the information put forward by the applicant is not considered to justify departing from this policy, as set out in the foregoing section of this report.
- 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). In this instance, it is not considered that this proposal would disadvantage any sector or 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 refusing the application.

6.0 Working with the applicant / agent

- 6.1 Insert any relevant communication with the applicant/agent regarding the site.
- 6.2 In accordance with paragraph 38 of the NPPF (2023) 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.
- 6.3 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.
- 6.4 In this instance
- The applicant did not seek pre-application advice,
 - the applicant/agent was updated of issues and given the opportunity to submit additional information and to amend the plans to reduce the size of the building.
 - the applicant/ agent responded by submitting additional information but declined to amend the plans to reduce the dwelling, instead providing a statement to justify why a larger dwelling should be permitted
 - 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 was informed that the submitted information did not address the Council's concerns.

7.0 Recommendation

7.1 Application Refused

Subject to the following reasons:-

The proposed dwelling is considered to be of excessive size to meet the functional need for a rural worker to live on site and exceeds the maximum size of dwelling permitted by Policy DM27 (Housing for Rural Workers) of the adopted Wycombe District Local Plan (2019). As such it would be contrary to the objectives of the policy to restrict the

size of dwellings to no larger than necessary to meet the functional needs of the holdings and to ensure the long term provision and retention of dwellings to meet the needs of rural workers. The proposal is therefore contrary to Policies DM27 (Housing for Rural Workers) and DM44 (Development in the Countryside Outside of the Green Belt) of the adopted Wycombe District Local Plan (2019).

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Clr Alan Turner – I support this application and as such should officers be minded to refuse it then I request that it be called in to Planning Committee for determination.

Clr Hall – If officers are minded to refuse then please bring before the Planning Committee.

Clr Walsh – I support this application and as such should officers be minded to refuse it then I request that it be called in to planning committee for determination.

Parish/Town Council Comments

Longwick cum Ilmer Parish Council

Longwick cum Ilmer Parish Council has no comments to make on this application.

Consultation Responses

Environmental Health Officer

There are no objections to this application.

Highway Officer

I note that the Highway Authority has previously provided comments upon similar applications at the application site (Ref: 17/06743/FUL & 18/08220/FUL). No objections were raised by the Highway Authority, and no conditions were recommended, mindful of the nature of the development proposed in association with the on-site employment uses.

The current application proposes the erection of a single storey linked extension to existing buildings to create a single storey detached dwelling. Having assessed the proposed development from the remit of the Highway Authority, I consider this application to result in a like-for-like impact upon the local highway network to the two prior applications (Ref: 17/06743/FUL & 18/08220/FUL).

Mindful of the above I have no objections to, or conditions to recommend for, the proposed development.

Ecology

No Objection - Informatives for bats and nesting birds provided. Condition required to secure biodiversity enhancement.

Documents submitted to inform the application, aerial and street photography and site and species records held by the Buckinghamshire & Milton Keynes Environmental Records Centre (BMERC) have been reviewed.

The proposals involve the construction of a single storey linked extension to join to existing outbuildings to create a single dwelling. Given the openness of the two structures and the lack of foraging habitat in the vicinity, it is considered that there is not a reasonable likelihood of protected species including bats, being present and/or affected by the proposed development. Therefore, no supporting ecological information is required.

The applicant should be reminded of the legislation that protects bats and nesting birds.

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). One bird box should be integrated into

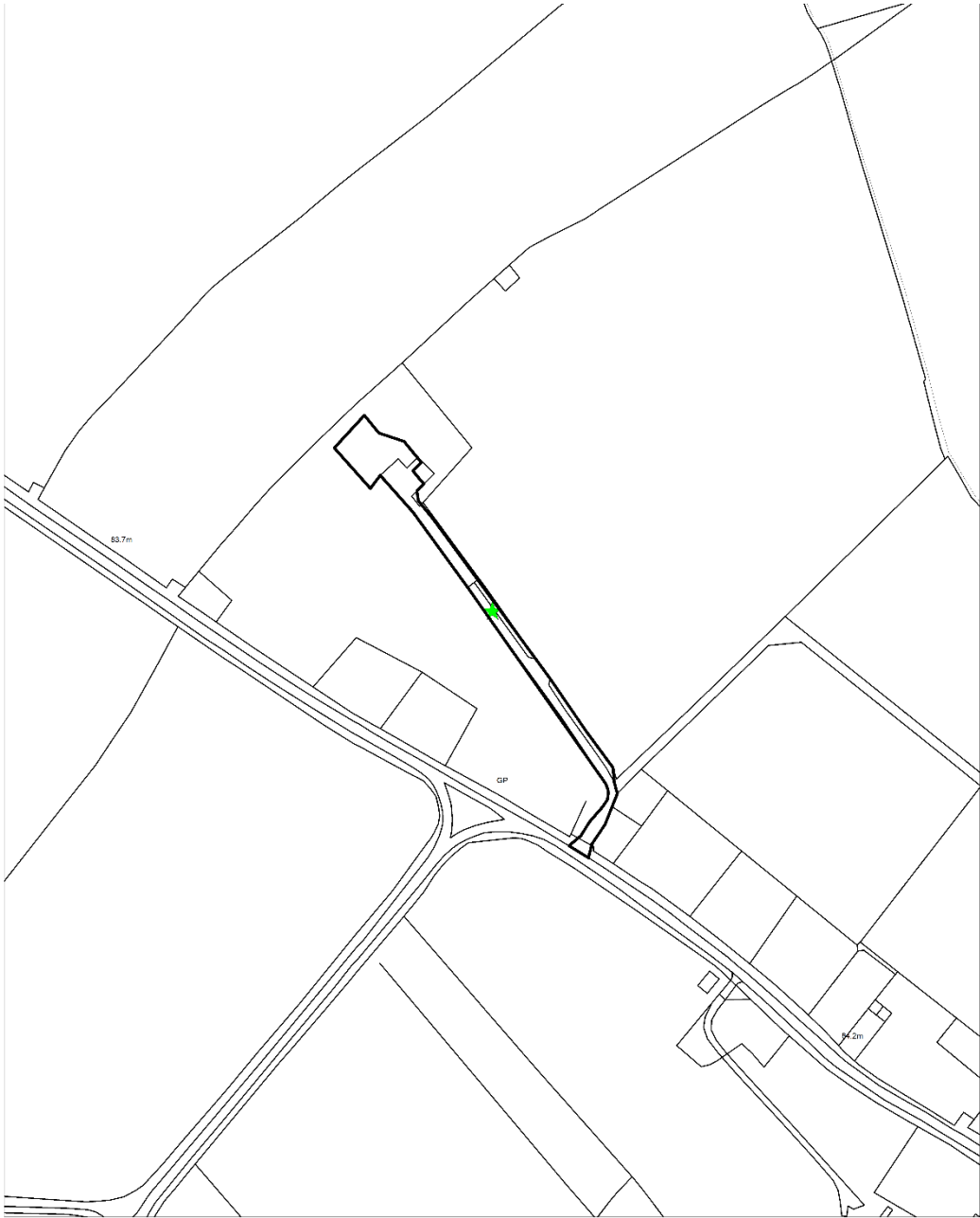
the building on a northerly aspect/orientation (north, north-east and north-west). Example specification includes the Schwegler Brick Box Type 24, Woodstone Sparrow Nest Box or an equivalent suitable for tits, sparrows or starlings. The boxes should be located between two to four metres high, ideally at the gable apex or at eaves. The box can be installed flush with the outside wall and can be rendered or covered so that only the entrance hole is visible. Should this application be granted, a planning condition should be applied to secure the provision of biodiversity enhancement within the proposed development.

Representations

None received

APPENDIX B: Site Location Plan

22/08204/FUL
Scale 1/2500



Planning Committee
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Ordnance Survey 100062456

APPENDIX C: APPEAL DECISION

See following pages.

Appeal Decisions

Hearing Held on 15 June 2021

Site visit made on 16 June 2021

by Mrs H M Higenbottam BA (Hons) MRTPI

An Inspector appointed by the Secretary of State

Decision date: 14 January 2022

Appeal A: APP/K0425/C/20/3260102

Appeal B: APP/K0425/C/20/3260103

Appeal C: APP/K0425/C/20/3260104

**Land at Orchard View Farm, Stockwell Lane, Little Meadle,
Buckinghamshire HP17 9UG**

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- Appeal A is made by Mr James Mackellar, Appeal B is made by Mr Lawson Mackellar and Appeal C is made by Mrs Sybil Anne Mackellar against an enforcement notice issued by Wycombe District Council.
- The enforcement notice was issued on 7 August 2020.
- The breach of planning control as alleged in the notice is 'Without planning permission, a material change of use of the Land to a mixed use, including motor home storage and residential, by virtue of the siting of a mobile home for residential occupation.'
- The requirements of the notice are:
 1. Cease the use of the Land for residential purposes.
 2. Remove the mobile home from the Land.
- The period for compliance with the requirements is nine months.
- Appeal A is proceeding on the grounds set out in section 174(2) (a), (c) and (g) of the Town and Country Planning Act 1990 as amended. Appeals B and C are proceeding on the grounds set out in section 174(2) (c) and (g) of the Town and Country Planning Act 1990 as amended

Appeal D: APP/K0425/W/20/3254701

**Orchard View Farm, Stockwell Lane, Little Meadle,
Buckinghamshire HP17 9UG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr J Mackellar against the decision of Wycombe District Council.
- The application Ref: 18/08220/FUL, dated 11 December 2018, was refused by notice dated 20 May 2020.
- The development proposed is temporary siting of a mobile home for residential use and the change of use of land from storage yard & overflow car park to include for storage of motor homes.

Decisions

Appeals A, B and C

1. It is directed that the enforcement notice be corrected:

- by the substitution of the plan annexed to this decision for the plan attached to the enforcement notice;
 - by the deletion of the words "including motor home storage and residential, by virtue of the siting of a mobile home for residential occupation" in paragraph 3 and the substitution of the words "for agriculture, café, butchery, farm shop, campsite, storage of motor homes and stationing of a mobile home for the purposes of residential occupation." after the words "to a mixed use" in paragraph 3.
2. Subject to these corrections Appeal A is allowed and the enforcement notice is quashed. Planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended, for the development already carried out, namely the use of the land shown known as Orchard View Farm edged blue on the plan entitled *Location Plan* attached to this decision as a mixed use for agriculture, café, butchery, farm shop, campsite, storage of motor homes and stationing of a mobile home for the purposes of residential occupation, subject to the following conditions:
1. The mobile home here by permitted shall only be sited in accordance with the plan entitled *Block Plan & Proposed Development (V2 sept2021)* attached to this decision (Plan 1).
 2. The occupation of the mobile home shall be limited to a person solely or mainly employed or last employed in the businesses occupying the holding known as Orchard View Farm, edged blue on the plan entitled *Location Plan* attached to this decision (Plan 2), or a widow or widower or surviving civil partner of such a person, and to any resident dependants.
 3. The stationing of the mobile home for residential occupation use hereby permitted shall be for a limited period being the period of three years from the date of this decision. At the end of this period the stationing of the mobile home for residential occupation use hereby permitted shall cease, the mobile home, buildings, structures, materials and equipment brought onto, or erected on the land, or works undertaken to it in connection with the use shall be removed, and the land restored to its condition before the development took place.
 4. The storage of motor homes shall only take place within the area cross hatched black on plan reference *Block Plan & Proposed Development (V2 sept2021)* attached to this decision (Plan 1).
3. Appeals B and C fail on grounds (b) and (c), however it is unnecessary for me to consider whether the appeals on ground (g) should succeed as the enforcement notice will be quashed in consequence of my decision to allow Appeal A on ground (a).

Appeal D

4. The appeal is allowed, and planning permission is granted for the temporary siting of a mobile home for residential use and the change of use of land from storage yard & overflow car park to include for storage of motor homes at Orchard View Farm, Stockwell Lane, Little Meadle, Buckinghamshire HP17 9UG

in accordance with the terms of the application, Ref: 18/08220/FUL, dated 11 December 2018 subject to the following conditions:

- 1) The mobile home here by permitted shall only be sited in accordance with the plan entitled *Block Plan & Proposed Development (V2 sept2021)* attached to this decision (Plan 1).
- 2) The occupation of the mobile home shall be limited to a person solely or mainly employed or last employed in the businesses occupying the holding known as Orchard View Farm, edged blue on the plan entitled *Location Plan* attached to this decision (Plan 2), or a widow or widower or surviving civil partner of such a person, and to any resident dependants.
- 3) The stationing of the mobile home for residential occupation use hereby permitted shall be for a limited period being the period of three years from the date of this decision. At the end of this period the stationing of the mobile home for residential occupation use hereby permitted shall cease, the mobile home, buildings, structures, materials, and equipment brought onto, or erected on the land, or works undertaken to it in connection with the use shall be removed, and the land restored to its condition before the development took place.
- 4) The storage of motor homes shall only take place within the area cross hatched black on plan reference *Block Plan & Proposed Development (V2 sept2021)* attached to this decision (Plan 1).

Preliminary Matters

5. At the site visit it was clear to me that the area identified in both the Enforcement Notice Plan and Appeal D plan for the storage of motor homes was larger than the existing area. The appellant has provided a plan identifying the area currently used, and which he wishes to be considered as a substitute plan in Appeal D. I will determine the appeal on the basis of this revised plan entitled 'Block Plan and Proposed Development (V2 sept2021)' (Plan 1).
6. A revised National Planning Policy Framework (the Framework) was published on 20 July 2021. The parties have had an opportunity to comment on this revised document. I have considered the appeal on the basis of the revised Framework.

The Notice

7. The planning unit of Orchard View Farm is a larger area than the redline identified on the plan attached to the Enforcement Notice and the substituted plan. The planning unit comprises the whole holding known as Orchard View Farm. This was accepted by both parties at the Hearing. In addition to the uses identified in the original allegation there is a café, butchery, farm shop and campsite. The blue line on the plan entitled *Location Plan* attached to this decision (Plan 2) shows the extent of the holding.
8. Planning permission was granted for the change of use of a barn to a mixed use as a farm shop A1 (retail) with associated butchery and kitchen facilities and ancillary café area including lean to extension to provide toilet facilities under reference 13/07250/FUL. Planning permission was also granted for the change of use of pastureland to accommodate 50 camping and caravanning pitches including laying of hardstanding for new internal access, construction of two detached buildings to provide toilet and washing facilities and associated under reference 19/05840/FUL. A condition on this permission restricts the

months of use with no camping/caravanning permitted in the months of November, December, January, or February. The campsite use is therefore for eight months of the year.

9. A plan for the area occupied by the motorhome use and suggested wording for a requirement related to that use were submitted on the day of the Hearing by the Council. This plan shows a larger area than that submitted following the site visit entitled Block Plan and Proposed Development (V2 sept2021).
10. A correction of the allegation, to include the composite use within the description of the planning unit was discussed and agreed at the Hearing. The corrected allegation is 'Without planning permission the material change of use of the land to a mixed use of agriculture, café, butchery, farm shop, campsite, storage of motor homes and stationing of a mobile home for the purposes of residential occupation.' In my view, this correction to the allegation would not cause injustice or prejudice to either party.

Appeals A, B and C - that the matters alleged have not occurred

11. While the appellants did not submit an appeal under ground (b) that being that the matters alleged have not occurred, the evidence submitted makes an argument that the alleged use is not taking place on all the land identified. This is an argument more appropriately made under ground (b).
12. In the light of the agreed corrected allegation, I am satisfied that the uses alleged, including the storage of motor homes, have taken place as a matter of fact. The matters alleged in the corrected allegation have therefore occurred. The appeals on ground (b) therefore fail.

Appeals A, B and C on ground (c)

13. This ground is that what is alleged does not amount to a breach of planning control. The burden of proof is on the appellant and the relevant test is the '*balance of probabilities*'.
14. The appellants consider that the motor home storage use is considered '*de minimus*' and no material change of use for the storage of motor homes has taken place.
15. The land identified in plan entitled Block Plan and Proposed Development (V2 sept2021) is utilised by a third party to store motor homes. The appellant confirmed that the motor homes are either rented or pre-sale vehicles that are stored at the site by a third party. Numbers of vehicles fluctuate and can be up to eight vehicles. In my view, the use is a distinct and separate primary use rather than ancillary to other uses within the planning unit that form part of the mixed use. On the evidence available the numbers of vehicles and frequency of use is such that it is greater than *de minimus* use. As such, I consider that a primary use for the storage of motor homes is taking place on the appeal site and that use constitutes a material change of use. As such the appeals on ground (c) fails.

Appeal A on ground (a) and Appeal D

Main issues

16. The Council raises no objection to the storage of motor homes on the appeal site and the requirements of the Enforcement Notice do not require the motor home use to cease subject to this use being restricted to the area of land in which it is currently taking place i.e. the area cross hatched black on the plan attached to this decision. In addition, the statement of common ground

confirms that there is no unacceptable impact of any of the development on the character or appearance of the area or any harm to highway safety.

17. The main issue therefore relates to whether or not there is an essential need for a temporary mobile home for residential use to accommodate a rural worker.

Reasons

18. The appeal site and the wider land known as Orchard View Farm is a small holding of about 12 ha. It is within open countryside with the nearest cluster of dwellings to the south east, known as Little Meadle. The nearest settlement is the small hamlet of Owlswick, to the west. Owlswick has a church but no other community facilities.
19. The appellant¹ explained that the land at Orchard View Farm was purchased in 2009 and that he occupied a nearby barn conversion (known as Orchard View) to live in until about 2017. The business expanded in 2013 with the farm shop. Pigs, sheep, chickens and then deer were farmed on the holding. There are beehives producing honey and turkeys have been reared on the holding. About 25 employees are on the pay role, which includes chefs and a manager. While many are part time there are 15/16 full time equivalent employees. Wycombe District Local Plan (August 2019) (LP) Policy DM44 supports rural enterprises and businesses located in the countryside and rural workers dwellings in accordance with LP Policy DM27.
20. The barn conversion Orchard View was not linked by planning condition to the holding known as Orchard View Farm. However, this residential unit did perform the function of allowing the appellant to attend the site, as he does now from the mobile home the subject of this appeal.
21. With the sale of the family dwelling at Orchard View the appellant sited the residential mobile home the subject of this appeal on the holding to allow the businesses to operate successfully. In my view, the diversified businesses would not have developed as they have, or the café and butchery been as successful if there had not been residential accommodation adjacent or on the appeal site. To my mind, it has been important to the development of the diversified businesses the appellant to reside in a residential unit adjacent to or on the appeal site.
22. The diversified businesses as part of the holding are supported by LP Policy DM4. LP Policy DM27 sets out the approach for considering accommodation in the countryside where it is for workers supporting rural enterprises and permission for accommodation would not otherwise be granted. For new rural enterprises only temporary accommodation in the form of a caravan or mobile home will be permitted. In the explanatory text it is stated the consent for temporary accommodation would be allowed for a period of three years. This period is normally sufficient to establish whether the business can demonstrate ongoing profitability and a sound financial footing for the foreseeable future.
23. For permanent dwellings LP Policy DM27 requires it to be demonstrated that it would be essential for the functioning of an established agricultural, forestry or other appropriate rural enterprise. It is related to the functional need for a full time worker, or one primarily employed by the business to be resident at the location. The policy goes on to require evidence to demonstrate alternative accommodation has been explored and the size is commensurate with the established functional requirement for the enterprise.

¹ The appellant in Appeal A ground (a) and Appeal D is Mr J Mackellar.

24. The Longwick-cum-Ilmer-Parish Neighbourhood Plan 2017-2033 (March 2018) Policy A5 supports small scale business space that respects local character and is sensitively located and does not harm residential amenity. Proposals which provide employment opportunities to local people, provide community facilities will be welcomed. The diversified businesses that have developed on the appeal site are therefore supported by this policy. The mobile home is sought to support those diversified businesses.
25. The Framework advises that development of isolated homes in the countryside should be avoided unless it falls within a category set out. One of those categories is where there is an essential need for a rural worker to live permanently at or near their place of work in the countryside. There is no express mention in the Framework in relation to the provision of temporary rural workers' dwellings.
26. The Planning Practice Guidance sets what may be relevant to take into account when considering the need for an isolated home in the countryside for essential rural workers. It suggests this could include evidence of necessity for instance where farm animals or agricultural processes require on-site attention 24 hours a day and where otherwise there would be a risk to human or animal health or from crime or to deal quickly with emergencies that cause serious loss of crops or products.
27. The Council consider that the labour requirements of the agricultural activity on the holding is less than one full time worker. In addition, it considers that the viability of the agricultural enterprise is not capable of achieving financial viability and sustainability in the long term to meet the economic role of sustainable development.
28. While numbers of animals on the holding have fluctuated due to ill health and the Covid pandemic the intention stated by the appellant is to increase animal stocking levels. There is land beyond the holding which has been available for the appellant's animals, although I note there is no security of tenure and the arrangements for use of the land may well change.
29. The holding has diversified over time from one relating to farming of livestock into a complex group of interrelated businesses. With livestock being reared to be sold in the farm shop and the hog roast business. I am satisfied that the standard assessment of an agricultural worker needing to be on site to care for the animals is just one element in the business. I also note that due to the size of the holding and numbers of animals it does not result in the essential need for an agricultural worker to live on site permanently in relation to animal husbandry needs alone when standard assessments are utilised.
30. The diversified businesses are all suitable in their rural location and have obtained planning permission, other than the motorhome storage the subject of these appeals. They contribute to the financial viability and success of the holding. They also have their own needs to ensure they are successful.
31. Deliveries of pies, meat wholesalers, vegetable supplies etc often take place early in the morning. During the peak season of the campsite the café and shop stay open longer hours to service the needs of the campers. A presence on site is stated to be needed to support the campsite, farm shop, butchery and café business and the hog roast business. There is evidence that when the appellant lived in Haddenham, off site, deliveries of pastry had to cease, due to the early delivery slots for the appeal site, and the production of pies ceased.
32. The appellant considers that due to the appeal sites location in the countryside and multiple aspects of the diversification, with deliveries, smoking of meats, security for the campsite patrons and livestock, an onsite residential

accommodation is required and essential to the success of the diversified business. There is no standard way of assessing this complex business.

33. While I accept the Council's conclusion that the livestock and agricultural work alone using standard assessments do not justify a dwelling at the appeal site, the diversified nature of the holding and associated businesses mean it is necessary to look at the various elements of the holding in the round in to enable an assessment of whether or not there is an essential need for a worker to live at or near the appeal site. I also appreciate that the appellant considers that the use of standard assessments for agricultural workers has failed to take into account the requirements for rare breeds or deer on the holding. In the appellant's view the types of livestock on the holding require a greater level of hands on work than a standard assessment approach.
34. The café and butchery provide a significant level of employment and appear to be well established enterprises. The livestock levels have in more recent times been reduced but the intention is to build up stock levels again. The availability of other land to support livestock, in addition to the holding, is not secure or long term but is, I believe, an important element in the long term stocking levels for livestock that may take time to determine. Finally, the latest element of those businesses is the campsite and that has not been in operation long enough to have become established. There is a stated expectation by clients of the campsite, that there will be someone on site. I have noted earlier that the campsite use is only for eight months of the year.
35. The appellant gave examples of issues occurring that required immediate attention as a result of the campsite. One related to the unexpected death of a sheep near the campsite and the need to deal with this immediately to avoid campsite users seeing the animal or being upset by it. Such an event could have affected the clients experience with knock on affects to repeat bookings or reviews and thus the success of the campsite element of the business. Another issue related to loss of hot water for showers at 10.30pm which required immediate attention. A 10pm evening check is also made to the campsite to ensure noise levels are acceptable for all clients. I accept that if the campsite is to become established and be a success it may need to be managed 24 hrs per day during the season. There is also the issue of those visiting or staying at the campsite, being in close proximity to the deer and other livestock and without an onsite presence livestock husbandry issues could arise.
36. The appellant provided evidence in relation to a need for an onsite presence due to security concerns. The appeal site is in a relatively isolated location with livestock, stock in the shop and equipment which could be the target by criminals. In addition, there are security concerns in relation to animal rights activity, risk to stock being attacked, livestock being released. Issues in relation to fire and , staff safety (lone working or leaving at the end of the day in the dark) . The appellant also explained that the close proximity of livestock and the needs of those using the campsite required someone to be living on the site. The gates to the farm cannot be locked during the campsite season as campers, anticipated to be up to 150 campers in peak season, need access and should the need arise emergency services would require access. Security is therefore a significant issue as a result of the mix of businesses at the holding.
37. To my mind it is clear that security is an issue for a diversified rural business such as that operating from the appeal site. The appellant explained that there was an expectation that the site would be managed, including at night, by those using the camp site. In my view, this adds weight to a need for someone

- to live on site. Security is also recognised as something to support residential accommodation on site in the Framework and the supporting text to LP DM27.
38. The mobile home for residential use was initially sought for a period of five years by the appellant. However, at the Hearing the appellant reduced this to three years as it would reflect the advice in Policy DM27 for temporary dwellings.
39. In my view, the diversified businesses at the holding are evolving with the introduction of the campsite and while various elements have been established for some time, following the pandemic, stock reduction and a period of ill health by the appellant the businesses in their current form are not fully established. I therefore consider it is realistic to consider the mobile home as a temporary residential use to enable the 'bedding in' of the various businesses to establish and thrive.
40. The stocking levels of livestock alone also does not demonstrate a need for someone to live on site. However, taken in the round and in the light of the evolving mix of businesses on the appeal site, I consider that for it to thrive and the employment opportunities to be maintained at the appeal site, that an onsite presence has been essential to date, albeit it has not been demonstrated that that need is a permanent need as the businesses are still evolving. Whether or not it is essential has not, at the time of the Hearing, been adequately demonstrated as the campsite is in its infancy and stock levels had been run down due to illness. However, I am satisfied that due to the unique mix of the types of livestock, the need to attend to their husbandry does not follow traditional farming rules of thumb. There has to be a balance between the desire to open up the holding to visiting members of the public whether to the campsite or to the café and shop and the wellbeing of the animals.
41. The appellant has provided some limited information about offsite residential units. Within a five mile range it is stated that there were no affordable residential properties to purchase or rent. He lived for ten months in Haddenham a ten minute drive to the holding. He states livestock losses were higher and incidents occurred in relation to staff leaving the premises unlocked and he was unable to do hog roasts as he could not begin the roasting at 2 am without an onsite presence. He was also unable to produce the award winning pies for the café/shop as the delivery of pastry has to be early in the morning.
42. In terms of financial profitability, the evidence indicates, subject to the campsite thriving, that it could possibly be profitable in the foreseeable future. There is clearly an expected drop in profit in the year 2020/21 relating in part to reduction in stock and the pandemic effects. However, the estimated profit in 2021/2022 indicates the businesses increasing in profit such that temporary accommodation is justified to establish if the mixed use will be profitable and demonstrate a sound financial footing for the foreseeable future as required by LP Policy DM27.

Conclusion on the Main Issue

43. The evolution of the various activities on the holding, which creates a diversified business is specific to this appellant. To my mind, it is the mix of diversified uses which cumulatively indicate that an onsite residential unit is likely to be essential in the longer term and that temporary accommodation is justified to establish whether the business as it is evolving can demonstrate ongoing profitability and a sound financial footing for the future.
44. For the reasons given above, I conclude that the residential use of the mobile home for a temporary period of 3 years is justified to support the running of the diversified businesses at the holding and to establish whether, when

stocking levels are increased and the campsite business is established that, the composite of businesses are likely to become profitable within three years. As such, it complies with LP Policy DM27 and the development plan as a whole.

Other Matters

45. The Council has referred to appeal decisions at Mudds Bank Farm² relating to a mobile home for residential use by an agricultural worker. Both appeals were dismissed. In that case the appeal site was within the Metropolitan Green Belt (MGB) and the Inspector concluded on the specific facts that an essential need consideration carried only moderate weight. The appeals were dismissed on the basis of being inappropriate development in the MGB and that very special circumstances necessary to justify the development did not exist. The circumstances are not directly comparable to the current appeals. I have therefore determined the appeals on their own merits taking into account the specific evidence and circumstances before me.

Conditions

46. I have had regard to the conditions suggested by the Council and the discussion at the Hearing in relation to imposition of conditions.
47. For the avoidance of doubt, I will impose a condition requiring the siting of the mobile home in accordance with the plan entitled *Block Plan and Proposed Development (V2 sept2021)*. This plan replaced that which was submitted with the application the subject of Appeal D. This substituted plan shows the siting of the mobile home and the layout of the motor home area as it was at the time of my site visit.
48. I will also impose a condition restricting the occupation of the mobile home to someone employed or last employed in the diversified businesses and for a temporary period of three years. The Council sought a requirement for the mobile home to be removed if the mixed uses or elements of the mixed uses were to cease. However, as the stationing of the mobile home for residential use will be temporary for three years, I consider this is not necessary or justified.
49. The appeals in addition to the mobile home include the storage of motor home vehicles. I will therefore also impose a condition limiting the storage of motor homes to the area cross hatched black on the plan entitled *Block Plan and Proposed Development (V2 sept2021)* (Plan 1). Due to the limited size of this area of land I do not consider it is necessary to impose a condition limiting the numbers of motor home vehicles.

Conclusions

Appeals A, B and C

50. It is clear from the representations, and from my inspection of the site, that the description of the development in the enforcement notice is incorrect in that the mixed use of the planning unit has more elements than recorded in the allegation as set out above. The appellants and the local planning authority agreed at the Hearing that it was open to me to correct the allegation in the notice. In relation to the plan, it was agreed in correspondence that the area identified for the motor home storage was incorrect. I will therefore substitute the plan provided by the appellants for that originally attached to the enforcement notice. I am satisfied that no injustice will be caused by this, and I will therefore correct the enforcement notice in those two respects, in order

² References APP/K0425/C/18/3208308 & APP/K0425/W/18/3204635.

to clarify the terms of the deemed application under section 177(5) of the 1990 Act as amended.

51. For the reasons given above I conclude that Appeal A should succeed on ground (a) and I will grant planning permission in accordance with the application deemed to have been made under section 177(5) of the 1990 Act as amended, which will now relate to the corrected allegation.
52. In relation to Appeals B and C the appeals on grounds (b) and (c) fail for the reasons set out above. Furthermore, it is unnecessary for me to consider whether the appeals on ground (g) should succeed as the enforcement notice will be quashed in consequence of my decision to Allow Appeal a on ground (a). I shall therefore take no further action on this ground of appeal.

Appeal D

53. For the reasons given above I conclude that the appeal should be allowed.

Hilda Higenbottam

Inspector

APPEARANCES

FOR THE APPELLANT:

Mr J MacKellar	Appellant
Mr L MacKellar EUReng FIMec E CEng CMin	Appellant
Ms A Banks BA Hons PGDip PGCM	ALB Planning, on behalf of the appellants
Mr R Young	Paladin Crisis Management, on behalf of the appellants

FOR THE LOCAL PLANNING AUTHORITY:

Mrs G Davies MSc MRTPI	Enforcement Manager, Bucks Council
Mrs J Ion BA Hons MA MRTPI	Principal Development Management Officer, Bucks Council
Mrs J Scrivener	Bourne Rural, acting on behalf of Bucks Council

DOCUMENTS SUBMITTED AT THE HEARING

- 1 Revised Enforcement Notice Plan and wording submitted by the Council
- 2 Policy CP1 submitted by the Council
- 3 Extracts from book submitted by appellant
- 4 Campsite Warden Duties at Wild Boar Wood and Beech Estate Campsites submitted by the appellant
- 5 Mobile home floor plan and elevations submitted by the appellant

DOCUMENTS SUBMITTED AFTER THE HEARING

1. Block Plan and Proposed Development (V2 sept2021) submitted by the appellants.



Plan 1

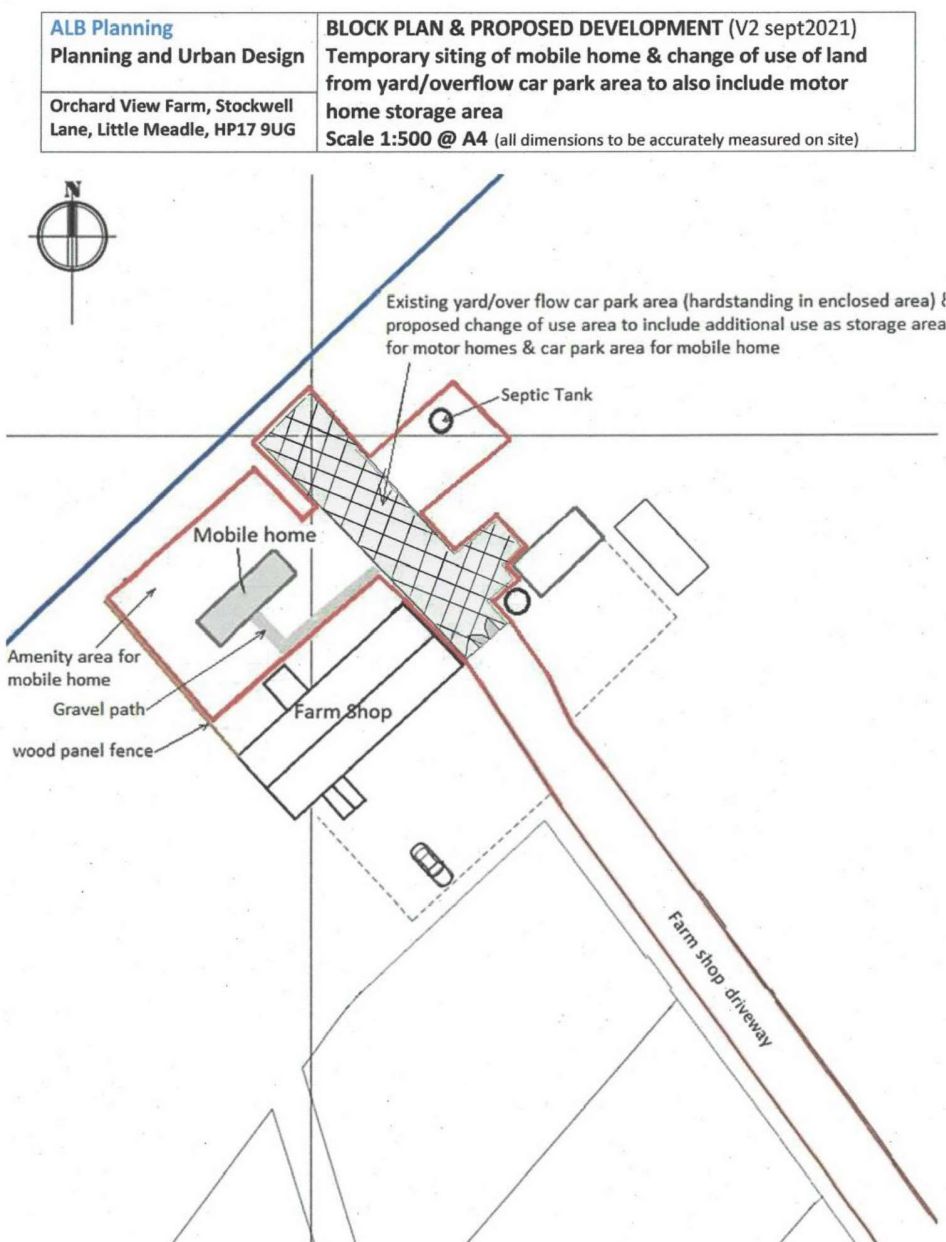
This is the plan referred to in my decisions dated: 14 January 2022

by Mrs H M Higenbottam BA (Hons) MRTPI

Land at: Orchard View Farm, Stockwell Lane, Little Meadle, Buckinghamshire
HP17 9UG

References: APP/K0425/C/20/3260102, 3260103 & 3260104 and
APP/K0425/W/20/3254701

Scale: nts





Plan 2

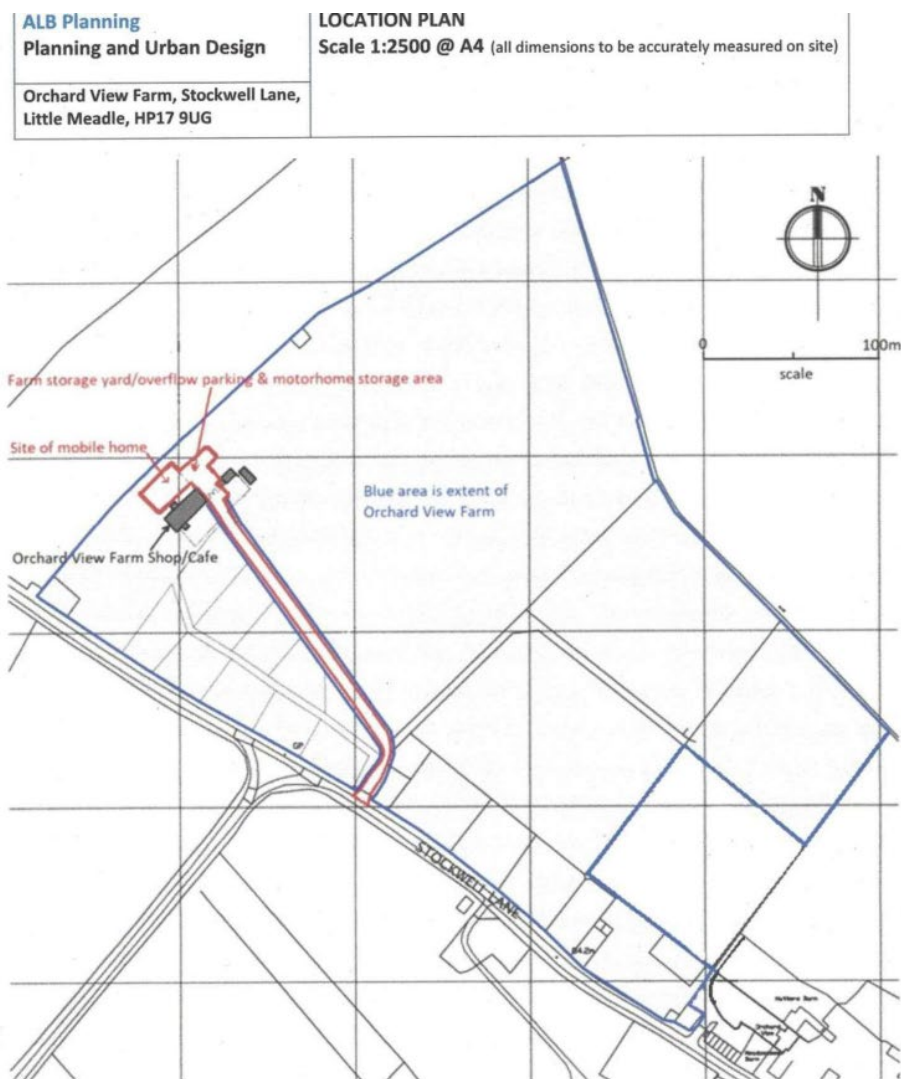
This is the plan referred to in my decision dated: 14 January 2022

By Mrs H M Higenbottam BA (Hons) MRTPI

**Land at: Orchard View Farm, Stockwell Lane, Little Meadle, Buckinghamshire
HP17 9UG**

**References: APP/K0425/C/20/3260102, 3260103 & 3260104 and
APP/K0425/W/20/3254701**

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Report to West Area Planning Committee

Application Number:	23/07721/FUL
Proposal:	Conversion of Rayners House, Rayners Lodge and The Gardener's Bothy into hotel with (Class C1), including internal and external alterations, repair and refurbishments works with associated extensions and alterations to provide a fine dining restaurant, bistro, cookery school and accommodation along with the erection of a single storey detached Wellness Spa, garden suites and villas, new highway access, internal road and car parking areas, limited demolition, excavation, engineering, landscaping and associated works
Site Location:	Penn School Church Road Penn Buckinghamshire HP10 8LZ
Applicant:	Rayners Penn Ltd
Case Officer:	Heather Smith
Ward(s) affected:	Tylers Green and Loudwater
Parish-Town Council:	Chepping Wycombe Parish Council
Date valid application received:	1st November 2023
Statutory determination date:	31st January 2024
Recommendation	

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Full planning permission is sought for the conversion of Rayners House, Rayners Lodge and The Gardener's Bothy into hotel with (Class C1), including internal and external alterations, repair and refurbishments works with associated extensions and alterations to provide a fine dining restaurant, bistro, cookery school and accommodation along with the erection of a single storey detached Wellness Spa, garden suites and villas, new highway access, internal road and car parking areas, limited demolition, excavation, engineering, landscaping and associated works.
- 1.2 A corresponding listed building application has also been submitted for this development. Reference 23/07722/LBC applies. The listed building application shall be determined under delegated powers.

- 1.3 This proposal represents inappropriate development in the Green Belt. However, very special circumstances exist to outweigh the moderate harm to the open character and function of the Green Belt, and any other harm.
- 1.4 This proposal is considered to be of significant benefit to the existing listed buildings their setting.
- 1.5 This proposal will have no adverse effect upon the character of the surrounding Conservation Area, the Chilterns AONB or the area in general.
- 1.6 Subject to the compliance of a satisfactory Noise Management Plan, this proposal will have no significant adverse effect upon the amenities of adjacent residents.
- 1.7 Subject to the satisfactory implementation of the submitted Travel Plan, this proposal will have no adverse effect upon highway safety or the free flow of traffic in this location.
- 1.8 This proposal will have no adverse effect upon the environment, ecology, flooding or archaeology.
- 1.9 Cllr Nathan Thomas and Cllr Katrina Wood have requested that this application be called in for consideration by committee, due to the concerns of neighbouring residents.
- 1.10 Recommendation – Approval, subject to the prior completion of a Section 106 agreement, incorporating the provision and retention of a shuttle bus service and a fee of £1,000 per year for five years to meet the costs of monitoring the Travel Plan.

2.0 Description of Proposed Development

- 2.1 Penn School is an existing Grade II listed building, situated within extensive landscaped grounds, on the eastern side of Church Road, Penn. The overall site measures approximately 7.7 hectares in size and extends between Church Road, in the east to Hammersley Lane in the west. The site is also bounded by the rear gardens of residential properties in Church Road in the north and east, Hammersley Lane, in the west and Beacon Hill in the south and south east.
- 2.2 The application site lies within the Green Belt, the Chilterns Area of Outstanding Natural Beauty, the Tylers Green Conservation Area and an Archaeological Notification Area. In addition, the site lies within a red zone for Great Crested Newts; a water buffer zone, a source protection zone 3 and is covered by a Tree Preservation Order.
- 2.3 The site contains four existing listed building structures, namely:
 - a) the main building of “Rayners House” which was built in 1847 as a country estate for a Victorian family,
 - b) the Gardeners’ Bothy and trellis arches to its east,
 - c) the Obelisk, located along the main entrance, commemorating Benjamin Disraeli” and
 - d) Rayners Lodge, adjacent to the main entrance to the site off Church Road.
- 2.4 In addition to the four listed structures, the site currently contains a relatively modern Headmasters House and various other smaller outbuildings. Beyond the existing structures, the site comprises a formal garden, an existing lake; evidence of a previous boating lake; informal grassed areas and structural planting. The garden area is a non-designated heritage asset.

- 2.5 Between the 1920's and 2015, the application site was used as a school for deaf children, many of whom would board on site. However, the school was closed in 2015 and the site and buildings have remained vacant since that date.
- 2.6 This application now seeks full planning permission to convert Rayners House, Rayners Lodge and The Gardener's Bothy into hotel, with a total of 33 bedrooms spread throughout the overall development. The proposed development incorporates internal and external alterations, including the demolition of the large 1960's extension to the main building, the existing headmasters house and various outbuildings, including former stables.
- 2.7 The proposed development can be split out into the following main areas of a) Rayners House; b) a Wellness Spa; c) Church Cottage and d) Rayners Lodge; e) Means of Access and car parking and f) other works including the restoration of existing features within the site; landscaping and fencing; car parking provision; a new vehicular access off Hammersley Lane; a new service area and landscaping.

Rayners House

- 2.8 It is proposed to restore the main house incorporating traditional materials and craftsmanship with new facilities provided in a sympathetic way.
- 2.9 The ground floor is to be restored to its former domestic use with a series of interconnecting rooms. It is proposed to demolish the 1960s school buildings, which are unsympathetic extensions to the house, and replace them with a fine dining restaurant and cookery school. The conservatory is proposed to be restored to its original plan form and can be used with the adjoining private lounge for a private function. Accessible bedrooms will also be provided on the ground floor.
- 2.10 It is proposed to excavate a lower ground floor adjacent to Rayners House to accommodate the meeting room/function room, cinema and wine room connected by the feature staircase with integral platform lift. An underground service tunnel is proposed to connect Rayners House to the new Wellness Spa and Spa Suites.
- 2.11 A private dining tower is proposed beyond the fine dining restaurant. The Arrivals Hall will lead to a pre-function hall above which opens onto a rooftop terrace with open views of the site. The second floor will open to the roof to provide a private dining room for up to 12 guests.
- 2.12 The first and second floor will be restored to provide 10 and 5 suites respectively with strategic adjustments and minor interventions to the historic fabric. A guest lift is proposed to connect to the first floor suites only and down to the basement for direct all-weather Spa access to minimise disruption and avoid major intervention to the historic fabric.
- 2.13 The former Stables, adjacent to the north-eastern corner of the house, will be repurposed into a bistro serviced from a new basement back of house facilities area to provide less formal dining experiences.

Wellness Spa

- 2.14 A new single storey Wellness Spa, together with a basement level, is proposed to be constructed to the northwest of the main Rayners House. This building will incorporate the existing structures of the Gothic Porch, Fruit Store, Forge and Chicken Shed along with the surviving Garden Walls, Gardener's Bothy, and the former Orangery.

- 2.15 The Wellness Spa will provide four spa bedroom suites, six garden bedroom suites and two orangery bedroom suites centring around the Cloister Garden. The proposed Spa will also incorporate a Mindfulness Studio, a swimming pool, co-ed thermal suite, a wet relaxation area and a Finnish Sauna.
- 2.16 In the basement of the Spa, it is proposed to accommodate nine single treatment rooms, one VIP double treatment suite, a post treatment relaxation lounge, gym facilities and plant rooms for the Spa facilities.
- 2.17 The Wellness Spa will be directly connected to and serviced from the main Service Bay to the Rayners House by tunnel link with holding area and lift to the Club Lounge Pantry Kitchen and independent laundry access.

Church Cottage

- 2.18 It is proposed to redevelop the site of the former derelict waterworks to the north of Rayners House with a single storey building, providing three suites arranged around a common lounge dining hall in a secluded setting surrounded by greenery known as Church Cottage.

Rayners Lodge

- 2.19 It is proposed to convert the existing Rayners Lodge structure to a Gatehouse housing security and administrative support. An area at the rear of the lodge will be used as an overflow for the valet car parking provision, with 9 car parking spaces. The main valet parking provision is shown to be provided to the south of the main vehicular entrance off Church Road and will incorporate 11 car parking spaces.

Means of Access and Car Parking.

- 2.20 The primary means of access for guests to the new hotel will be provided from an altered access off Church Road. A main car parking area with 95 car parking spaces is proposed to be created to the north-west of the main access point, and to the west of the rear gardens of residential properties in Church Road. The existing area of trees immediately behind the rear gardens of these residential properties will be retained.
- 2.21 A new means of access is to be created off Hammesley Lane, in the north-western corner of the site. A new access road is to be formed, into the site towards a new service area, for deliveries and staff parking. A parking area for staff, with a total of 33 spaces is proposed along the western boundary of the site, behind the rear garden at "Opus House", on Hammesley Lane. The new service area itself will incorporate an unloading and loading area, screened by new landscaping and bunding, to shield it from view and noise emissions. Once unloaded goods for the hotel and associated suites will be transported into the main area of the site by electric buggies, along a newly created pathway, which extends along the western boundary of the site, culminating in a collection area to the west of the Wellness Spa.

Other proposed work.

- 2.22 It is proposed to restore the existing screen arches, the Kitchen Garden and the Walled Garden, as well as providing a new parterre garden for Rayners House.
- 2.23 It is proposed to restore the original boating lake, in the southern section of the site, (currently filled in) together with the existing island pavilion. A new boathouse is proposed to be erected on the north-eastern side of the lake, to provide a supporting pantry kitchen and guest toilets.

2.24 The boundaries adjacent to residential properties will be screened with additional fencing and vegetation and a swathe of bunding is to be formed in the western section of the site to screen the service area from the main hotel facilities and gardens.

2.25 The application is accompanied by:

- a) Planning Statement
- b) Design and Access Statement
- c) Heritage Statement
- d) Planning Letter – Function Room
- e) Transport Assessment and a Travel Plan
- f) Construction Traffic Management Plan
- g) Preliminary Ecological Appraisal; an Ecological Impact Assessment with a BNG Assessment
- h) Ecology and Trees Checklist
- i) Biodiversity Metric with BNG Calculating tool
- j) Orchard Clarification
- k) Landscape and Visual Impact Assessment
- l) Lighting Assessment
- m) Arboricultural Report and Arboricultural Impact Assessment
- n) Tree Canopy Cover Calculator
- o) Archaeological Assessment
- p) Flood Risk Assessment and SuDs Report
- q) Noise Assessment
- r) Existing Building Condition Report
- s) Ground Condition Assessment and Ground condition Desk Top Study
- t) Waste Management Strategy
- u) Energy Statement
- v) Sustainability Statement
- w) Economics Benefit Report
- x) Utilities Statement
- y) Security Statement
- z) Statement of Community Involvement

3.0 Relevant Planning History

3.1

Reference	Development	Decision	Decision Date
00/06347/FUL	See notepad for full description; Construction of 36 unit elderly persons accommodation, doctors surgery with 16 frail elderly persons bedsits above, pharmacy/post office, demolition of existing bungalows	REF	7 February 2001
00/06348/CAC	Demolition of sheds & outbuildings	REF	7 February 2001

96/05644/FUL	Construction of disabled access improvements including a new external lift & tower & five external ramps	PER	29 May 1996
05/06583/FUL	Erection of poly tunnel in school grounds	REF	1 September 2005
07/07479/FUL	Demolition of single storey outbuildings and conversion of redundant garden outbuildings into 4 dwellings (2x2bed, 1x1bed and 1 x4bed) and formation of 2.7 metre wide access road with passing places, repositioning of existing entrance gates and external alterations	WDN	17 April 2012
23/07722/LBC	Listed building consent for conversion of Rayners House, Rayners Lodge and The Gardener's Bothy into hotel with (Class C1), including internal and external alterations, repair and refurbishments works with associated extensions and alterations to provide a fine dining restaurant, bistro, cookery school and accommodation along with the erection of a single storey detached Wellness Spa, garden suites and villas, new highway access, internal road and car parking areas, limited demolition, excavation, engineering, landscaping and associated works	PCO	
24/05183/TPO	Prune back lateral branches by 2-3m to prevent overhang and branch failure x 1 Beech (T1)	PCO	

3.2 The development has been screened under the Environmental Impact Assessment Regulations and the local planning authority has concluded that an environmental impact assessment will not be required in this case.

4.0 Policy Considerations and Evaluation

Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development); CP2 (Overall Spatial Strategy); CP3 (Settlement Strategy); CP4 (Delivering Homes); CP8 (Protecting the Green Belt); CP12 (Climate Change); DM21 (The location of new housing); DM29 (Community Facilities); DM33 (Managing Carbon Emissions, Transport and Energy Generation); DM42 (Managing Development in the Green Belt); and, DM45 (Conversion of existing buildings in the Green Belt and other rural areas)

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

Green Belt

- 4.1 This application seeks full planning permission to convert the former school buildings into a hotel with 33 bedrooms, a wellness spa, fine dining, a cookery school and other associated facilities.
- 4.2 The application site is located within in the Green Belt, Policy CP8 states that the Council will protect the Green Belt from inappropriate development, while Policy DM42 confirms that development in the Green Belt is inappropriate, unless it is classified as not being inappropriate in the NPPF or in accordance with a Neighbourhood Plan.
- 4.3 In this instance, the application site does not lie within a Neighbourhood Plan Area and Paragraph 154 of the NPPF confirms that the construction of new buildings in the Green Belt should be regarded as inappropriate development. However, Paragraph 154g) advises that the partial or complete redevelopment of previously developed land may be appropriate, provided that the development would not have a greater impact on the Green Belt than the existing development.
- 4.4 It is considered that the application site does comprise pre-developed land and as such, this proposal may be considered to be appropriate development, providing that it can be demonstrated that it will not result in any greater impact upon the openness of the Green Belt than the existing development. In the event that such a scenario cannot be demonstrated, the proposal would be considered to be inappropriate development. Inappropriate development is by definition harmful to the Green Belt and should be refused unless there are very special circumstances which indicate otherwise.

Impact on openness

- 4.5 There is no national or local definition of “openness”, however it is generally accepted that openness has both a visual and spatial context. The existing development on the site, includes an existing two storey building, incorporating the main house with a large two storey modern extension; a separate two storey dwelling; a two storey lodge; existing stable buildings and various outbuildings scattered across the site.
- 4.6 It is proposed to demolish the existing two storey 1960’s extension to the main house, together with the existing separate two storey dwelling and various outbuildings. In their place, it is proposed to erect a smaller extension to the main house, a new single storey Wellness Spa; Church Cottage and other smaller structures associated with the proposed hotel and spa use across the site.
- 4.7 The applicant has provided floor space figures which indicates that the proposed development will have a larger footprint than the existing development on the

application site. This increase is not considered to be extensive, but it will have slight impact upon the openness of the Green Belt. However, it is evident from the submitted plans that the majority of the new structures will be located around the existing building envelope on site.

- 4.8 The figures below show the extent of development above ground and do not include the existing 666sq m floorspace and the proposed 4,543sq m floorspace at basement level.

	Existing	Demolished	Retained	Proposed	TOTAL
Gross External Area (m ²) excl. basements	5,551	3,010	2,841	3,583	6,424

- 4.9 It is accepted that the proposed Wellness Spa would increase the amount of built form to the north west of the main house. However, a number of existing small outbuildings exist in this location and therefore, the proposed new single storey structure would not, in itself, have a significant impact on the openness of the Green Belt. However, it could be argued that the additional small structures, including the erection of canopies within the car parking areas; the new Church Cottage and the formation of the new service area would spread the built form further across the site. This, in turn, would have an impact upon the openness of the Green Belt, albeit, a relatively minor one.

Very Special Circumstances

- 4.10 Given the slight decrease in the openness of the Green Belt, it is necessary to assess whether there are any very special circumstances which would justify the erection of inappropriate development.
- 4.11 The applicants have provided a “very special circumstance” statement in support of their application. This statement acknowledges that the approach to Very Special Circumstance (VSC) is well established and has been applied to the determination of many planning applications. The approach focuses on the following three aspects:
- The Need for the development;
 - A Lack of Alternative Sites; and
 - Other ‘Special’ Reasons also exist (including the benefits that would result from the proposed redevelopment)
- 4.12 The assessment of a very special circumstance needs to consider whether the weight of such circumstance is sufficient to outweigh the harm to the Green Belt and any other harm.

Need for development

- 4.13 In arguing the need for development, the applicant has identified that this site has lain vacant since 2015. A number of the structures are now in a relatively poor or historically depleted state. Securing a viable new use that can enhance their condition and secure their long-term conservation is a key objective.
- 4.14 In this instance, the application site comprises a large Grade II listed building with three further Grade II listed structures within its curtilage. In addition, the gardens are considered to be a non-designated heritage asset.

4.15 The current application would secure a significant restoration programme for each listed structure and their setting. The proposed development would enable the whole site to remain as a single use, which is maintained by a single occupier. Such a feature is considered to be a significant benefit in heritage terms. Conversion to an alternative use, such as flats or separate dwellings would be damaging to the significance of the heritage asset as this form of development could result in the division of the building and the fragmentation of the remaining landholding.

Lack of Alternative Sites

4.16 The applicant has considered alternative sites in nearby settlements. However, none were found that were both suitable and available to accommodate the proposed development.

Other Special Reasons

Economic Benefits

4.17 In terms of economic benefit, the applicant has submitted an Economic Benefits Report in support of this application. The submitted report concludes that future benefits will occur from to the surrounding community, as follows:

- a) Total capital investment of around £90.3 million;
- b) Supporting 390 direct FTE construction jobs and a further 433 indirect/induced jobs in the supply chain and related services per annum during the anticipated build period;
- c) Delivering a total £70.1 million in construction employment GVA per annum throughout the build period;
- d) Supporting an additional 149 direct operational FTE jobs with the potential to support a further 45 FTE 'spin off' jobs within the local and regional economy;
- e) Delivering operational employment GVA of £6.8 million per annum;
- f) An annual wage bill of £4.1 million to support the employees working at the Proposed Development and support the services and facilities of the hotel;
- g) Supporting local businesses and supply chain firms through an expenditure of £2.4 million each year;
- h) Delivering approximately £540,000 of additional Business Rates revenue each year for the local council in perpetuity;
- i) Attracting 13,280 additional overnight visitors to the local area; and
- j) Supporting £1.3 million off-site visitor expenditure per annum within the region

4.18 Although, the above figures may be subjective, it is evident that the wider community could benefit in terms of jobs, within the hotel and spa, local business could benefit from the provision of supplies and additional spending from visitors.

Sustainability measures

4.19 The applicant has stated that the proposed development has been designed to embrace deep green credentials in order to future proof against climate change, minimising energy and water requirements, whilst also increasing the biodiversity of the site.

4.20 The applicant is seeking to provide genuinely sustainable solutions to the provision of energy and water consumption across the site and intends to incorporate renewables within the scheme. Such measures could include: carbon-negative hemp construction, solar power, ground source and air source heat pumps supplemented with exceptional

thermal insulation and solar thermal glazing, with passive solar shading. Traditional materials of clay brick, lime mortar, knapped flintwork, clay tile, natural slate and stone can be responsibly sourced to be contrasted with structural timber and recycled materials wherever possible.

- 4.21 In addition, demolition materials from existing structures could be recycled within the new build base construction and some of the excavated material, including the Boating Lake, will be redistributed within the landscape to screen the service access in a natural and landscaped form.
- 4.22 Water conservation across the site will embrace living and blue roofs with increased biodiversity and rainwater attenuation, rainwater harvesting, vortex showers, spray taps and one litre cisterns as well as ultra-violet pool treatment that can eliminate the use of chemicals and reduce backwash.
- 4.23 Off-site prefabrication reduces on site operatives, build programme and environmental impact and the proposed use of on site electric carts and deliveries to the site only being accepted by electric vehicles, further demonstrate the breadth and depth of our overall design approach in embracing this necessary constructional and operational requirement.
- 4.24 The applicant states that the proposed development is targeting the highest sustainability standards, BREEAM Outstanding for New Build and BREEAM Excellent for the proposed refurbishment of Rayners House. Full details of the measures proposed are in the accompanying Energy and Sustainability Reports.

Community Impacts

- 4.25 With regard to the wider community, the applicant states that Rayners Penn Ltd has contributed financially or otherwise to a range of local charitable causes. Since 2022, it has:
- Donated £10,000 to local youth facilities
 - Contributed £3,000 to Penn & Tylers Green for Queen Elizabeth II's Platinum Jubilee in 2022;
 - Contributed £2,500 to Penn & Tylers Green Community Fun Run in 2023;
 - Contributed to Penn & Tylers Green events including the Village Show;
 - Contributed to local Coronation events 2023; and
 - Contributed to local sporting and fundraising events

Very Special Circumstance Conclusion

- 4.26 In light of the above, it is considered that very special circumstances do exist in the form of heritage, economic and other benefits, which outweigh the relatively small reduction in the openness in the Green Belt. As such, this proposal complies with the requirements of Policy DM42 of the adopted Local Plan and Paragraph 152 of the NPPF.

Town Centre Use

- 4.27 The proposed use of the application site as a hotel and associated facilities would constitute a Main Town Centre use, in accordance with Appendix 2 of the NPPF. In accordance with Paragraph 91 of the NPPF, local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Paragraph 91 states that *"main town centre uses should be located in town centres, then in edge of centre*

locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered”.

- 4.28 Policy DM7 of the adopted Local Plan states that *“within the town centre boundaries as defined on the Policies Map, main town centre uses are acceptable in principle. Retail proposals will also need to comply with the sequential and impact tests where they fall outside the primary shopping area.”* Policy DM7 goes on to state: “proposals for main town centre uses outside of the designated town centres will only be permitted where they satisfy national planning policy tests for such development, including the sequential test and, subject to Policy DM10, the impact test”. However, in this instance, although the proposed development is a main town centre use, by its nature, it is more akin to a “country retreat” and as such could not be situated within a town centre. For this reason, it is considered that impact testing is not required.
- 4.29 The application site is not situated within a town centre and has not been identified in the adopted Local Plan or a Neighbourhood Plan for an out of town centres use. As such, the NPPF requires that a sequential approach to decision making is required.
- 4.30 The applicants have submitted details regarding the required sequential approach and identify that the NPPF states that applicants should demonstrate flexibility on issues such as format and scale (paragraph 88) and the Planning Policy Guidance (PPG) states that that local planning authorities need to be realistic and flexible in applying the test. In addition, the applicant points that the PPG further advises:
- “Use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Robust justification will need to be provided where this is the case, and land ownership does not provide such a justification.”*
- 4.31 In considering site location and site selection, the application site has a site area of 7.7 Ha and as such, it is considered that the proposed development could be accommodated on a somewhat smaller site (circa 3 HA). Therefore, in undertaking the sequential test assessment, the applicant has considered alternative sites of 3 hectares (ha) or above, in, and on the edge of High Wycombe Town Centre and Hazlemere District Centre as the closest centres to the application site. Potential development sites identified were assessed to establish their suitability, viability, availability and potential to accommodate the proposed hotel scheme, performing a similar function as that proposed.
- 4.32 The criteria adopted for the site assessments included an assessment of location: policy constraints: servicing/accessibility considerations: planning consents and other proposals, site ownership/land assembly, existing uses, commercial viability: and other constraints.
- 4.33 In the High Wycombe Town Centre Area only two sites were identified as suitable for the proposed development; namely, Easton Street and Wycombe Hospital. However, these sites have been allocated for office use and as a hospital respectively and are therefore not suitable.
- 4.34 A number of sites are allocated in the WDLP in edge of centre locations, however, none of these meet the site area threshold. In addition, a number of undeveloped land parcels within the edge of centre have been designated as green spaces, which are therefore not considered suitable for hotel development due to this clear policy conflict. No other sites were identified in High Wycombe that were over 3ha.

- 4.35 In Hazlemere, no sites were identified in the Hazlemere District Centre that were over the 3ha threshold. On the edge of the Hazlemere District Centre, there is undeveloped land which is designated as green space. Given this designation, this site is not considered as suitable for hotel development.
- 4.36 In light of the above, it is considered that there are no sequentially preferable sites that are suitable or available which could accommodate the application proposals within the town centres and the edge of centres. As such, the sequential test required by the NPPF has been met.

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)

Wycombe District Adopted Delivery and Site Allocations Plan (July 2013): DM2 (Transport requirements of development site)

- 4.37 The Council's Highways Authority and its Travel Plan group have been consulted on this application.
- 4.38 The application site adjoins Church Road to the east and Hammersley Lane to the west. Church Road forms part of the B474 which is subject to a 30mph speed restriction in this location. The road does not have parking or waiting restrictions and benefits from pedestrian footways. Hammersley Lane is an unclassified road subject to a 30mph speed restriction. The road also does not have parking or waiting restrictions and benefits from a pedestrian footway on the opposite side of the carriageway to the development site.
- 4.39 Bus stops in Penn, approximately 250m walking distance from the sites existing access or 320m from the centre of the site provide relatively frequent services to High Wycombe and offer an option for more sustainable travel to the site.
- 4.40 As part of the application submissions, a Travel Plan has been submitted, which includes measures to promote sustainable transport modes and reduce single occupancy vehicle trips, including the provision of an on-demand shuttle bus service between the site and public transport interchanges and key population areas, for both guests and staff. The shuttle bus service is seen as being a main option for sustainable transport to/from the site, and the provision of this service heavily contributes to the forecast trip generation of the site and its parking demand.
- 4.41 Following a review of the Travel Plan by the Council's Transport Strategy team, the Travel Plan has been approved, and the team are satisfied that with the provision of a shuttle bus service and guaranteed lift home measures, and therefore it is feasible for the development to achieve the targets that have been set out within the Transport Assessment (TA). Nonetheless, a fee of £1,000 per year for five years shall be sought for this development to meet the costs of monitoring the Travel Plan through S106 agreement. Additionally, as the site will be heavily dependent in the shuttle bus to reduce travel to the site by private motor vehicles, the Council's Highway Authority believe that the shuttle bus service can be secured and enforced by way of a S106 Agreement.

Trip Generation

- 4.42 As part of the Highway Authority's pre-application comments, a trip generation assessment was made for both the existing (school) and proposed uses (hotel and restaurant). It is necessary to consider and to take into account the maximum levels of

movement and occupation associated with the sites existing lawful use and assess this against the proposals as presented. In terms of the existing site, an interrogation of the Trip Rate Information Computer System (TRICS®) database was made, to ascertain the trip generation potential of the historical/lawful use of the site as a school.

- 4.43 It was considered that, under the main land use of Education, the most comparable sub land use would be secondary schools. There is no category for special needs schools or for boarding schools. Using sites in England (excluding greater London), Wales and Scotland in “Suburban Area” and “Edge of Town” locations (excluding any sites where the population within 5 miles is 500,001 or more) featuring up to 10,000sqm of floorspace, it was found that a secondary school, per 100sqm of floorspace, in this location would generate approximately, 8.7 two-way vehicle movements per day of which 2.4 would occur in the AM peak period (08:00 – 09:00) and 1.4 would occur between 15:00 – 16:00 (school PM peak). It was found that a secondary school would be expected to generate approximately 0.5 two-way vehicle movements during the PM network peak hour per 100sqm of floorspace.
- 4.44 Whilst it is acknowledged that the current application has additional features when compared to the pre-application, a further TRICS® assessment was made for the proposed 30-bed hotel and restaurant. Using the main land use of Hotels, Food and Drink, and the sub land use of Pub/Res + Hotel, for sites in England (excluding greater London), Wales and Scotland in “Suburban Area” and “Edge of Town” locations (excluding any sites where the population within 5 miles is 500,001 or more), it was expected that the proposed hotel and restaurant, per 100sqm, would generate 14.6 two-way vehicles per day of which 0.9 would occur in the AM peak period (08:00 – 09:00) and 1.3 would occur in the PM peak (17:00 – 18:00). The result of the TRICS® assessment are shown in the table below;

Use Class (per 100sqm of floor space)	Daily two-way vehicle movements	AM peak (08:00 – 09:00)	PM Peak (17:00 – 18:00)
Existing School	8.7	2.4	0.5
Proposed Hotel and restaurant	14.6	0.9	1.3

- 4.45 Within the submitted TA, a breakdown of the likely trip generation and traffic impact of the proposed development has been included, and this uses a ‘First Principles’ approach. Given the various uses of the site, I am satisfied this is a reasonable type of assessment.
- 4.46 It is first important to note that given the nature of the development, many of the journeys to the site will be linked trips, whereby a single trip will result in the use of different facilities within the site. As such, the TA only takes into consideration the primary purpose for visiting the site, which is counted as a single trip. Additionally, a worst-case scenario assumption has been made, assuming that all uses within the site are fully occupied.

- 4.47 Using the First Principles approach, a service schedule has been determined to establish arrivals and departures, and this is further broken down with the composition of travel modes. As previously mentioned, the travel mode estimations are largely based on the use of sustainable forms of transport, and use of the shuttle bus service. Again, these measures have been approved as part of the Travel Plan, which will be continuously monitored over a 5-year period through the S106 Agreement.
- 4.48 Based on the above, the anticipated peak hour of the site is considered to be between 12:00-13:00, which the Highway Authority is satisfied is a reasonable conclusion to draw, given the likely check-in/check-out times for the hotel, and bistro lunch opening times. Combining both staff and guest movements, a total of 58(no) two-way vehicular movements are estimated to be generated in this hour. The results of a 7-day ATC survey conducted on both Church Road and Hammersley Lane in May 2022 has been provided, with the following table demonstrating the anticipated additional trips on the network during AM and PM peak hours on top of existing observed flows on these roads.

Table 5.3 – Change of Traffic Compared to Observed Flows

	Hammersley Lane		Church Road	
	Observed Flows (Additional Flows)	% Increase	Observed Flows (Additional Flows)	% Increase
08:00-09:00	606 (+1)	0%	493 (+7)	1%
17:00-18:00	513 (+5)	1%	576 (+13)	2%

- 4.49 As can be seen from the table, there would be a minimal increase in trips to the network during peak hours, and they could be considered to fall within the daily fluctuations of the traffic along these roads. Given the likely trip generation of the site, I do not consider further modelling of the local highway network is required in this instance.
- 4.50 Due to the various uses on the site, including the function room, potential for day guests in addition to overnight guests, and potential for linked trips to the site, it is difficult to establish an accurate trip generation potential and parking demand of the site. However, I consider the First Principles approach, which breaks down the demand profiles as shown within Appendix E (which also incorporates the targets of the shuttle bus service), to be a robust assessment. Nonetheless, it is reasonable to expect that over the whole day, the site would be subject to an intensification in use when compared to the site's most recent educational use, therefore the access arrangements would need to be assessed to ensure they are safe and suitable.

Access

- 4.51 As previously mentioned, two access points are proposed to serve the development. The existing access from Church Road will be utilised by guests/visitors, as well as staff that are walking to the site. The new Hammersley Lane access will be used for staff driving to the site, as well as deliveries and servicing. However, during the hours of 23:00-06:00, this access will be closed and those arriving/departing the site during this time will utilise the Church Road access.
- 4.52 The applicant has carried out a review of Personal Injury Accidents (PIAs) on the local road network, for the 5-year period up to 2021. Having reviewed the information, there were no PIAs located within the vicinity of the Church Road access. A 'slight' PIA

occurred to the south of the proposed Hammersley Lane access, which involved two cars in dark and wet conditions. Having reviewed the information, I understand the vehicles were driving on a bend in the carriageway travelling in opposite directions. Given the time and highway conditions, it is considered that this PIA occurred as a result of driver error, and not as a result of highway design or restrictions which would result in additional vehicular movements causing a danger to highway safety.

- 4.53 As part of the TA, the Highway Authority notes a Stage 1 Road Safety Audit has been completed for both access points, with the recommendations appearing to be taken into account in the proposed access designs. With regard to visibility splays, in accordance with guidance contained within *Manual for Streets*, visibility splays of 2.4m x 43m are required in both directions commensurate with a speed limit of 30mph. Whilst it is noted the results of the ATC surveys include 85th percentile speeds at each access point in both directions have been provided, which indicates vehicles travel higher than the posted speed limit, the Highway Authority maintains the requirement of 2.4m x 43m splays to be provided in both directions from the access point.
- 4.54 Firstly, looking at the altered existing Church Road access, as confirmed in the Highway Authority's pre-application comments, sufficient visibility splays can be achieved within the publicly maintained highway or land contained within the site boundary from the access. The access would measure 5.5m in width before narrowing to 4.8m, meaning the access would allow for simultaneous two-way vehicle flows without resulting in increased incidents of stationary vehicles waiting on Church Road whilst awaiting another to egress the site. Additionally, it is noted the access gates would be set-back a sufficient distance from the edge of the carriageway to ensure that vehicles could wait clear of the carriageway whilst gates are opening or closing. A separate pedestrian access has also been provided, which would provide separation between vehicles and pedestrians. Alterations to the access also include dropped kerbs with tactile paving on both sides of the bellmouth, to allow pedestrians on the public highway footway to safely cross the access.
- 4.55 When reviewing the Stage 1 Road Safety Audit for the Church Road access, items raised included:
- Insufficient space to accommodate waiting vehicles between the gates and back edge of the footway.
 - Limited visibility towards the southern direction
 - Lack of uncontrolled pedestrian crossing across the site access
 - Full height kerbs at the access which would be an obstruction to non-motorised users
 - Insufficient access width
- 4.56 As mentioned, the gates will be set back 5.5m, and would also remain open to allow the free flow of vehicles through the access. Access works also include slight relocation of the boundary wall to the south of the access to increase visibility splays. Additionally, pedestrian improvements are also proposed through the access and on the bellmouth. Mindful of the above, the Highway Authority is satisfied that sufficient amendments to the access has been made to address the items raised.
- 4.57 With regard to the Hammersley Lane access, as confirmed in previous highways pre-application comments, the access can also achieve the requisite visibility splays for an access located upon a road subject to a 30mph speed limit (i.e. 2.4m x 43m in both directions). The access would measure 5.5m in width which would allow for

simultaneous two-way vehicle flows, without resulting in increased incidents of stationary vehicles waiting on Hammersley Lane whilst awaiting another to egress the site. The gates are also set back approximately 12m from the carriageway edge which is sufficient.

- 4.58 When reviewing the Stage 1 Road Safety Audit for the Church Road access, items raised included:
- No pedestrian facilities are provided.
- 4.59 Whilst this issue was acknowledged, it has been advised that the Hammersley Lane access will only be for staff and servicing vehicles only, as guests and staff arriving by walking or cycling will utilise the Church Road access.
- 4.60 Whilst the Highway Authority have no objections to the use of the Church Lane access for walking or cycling trips, they do require that an informal dropped kerb tactile crossing point between the Hammersley Lane bellmouth access and the existing footway on the opposite side of the carriageway, which would be beneficial especially for those walking and cycling to/from the west of the site. It is also noted that this was requested by the Highway Authority at the pre-application stage.
- 4.61 Additionally, provision of a crossing point would safeguard any future pedestrian movements through this access, should the proposed arrangements change in the future, or if the site had a different occupier. Nonetheless, detailed design of this access can be reviewed and discussed with the Highway Development Management's Delivery arm through the S278 Agreement that would allow the works to be undertaken within the public highway.
- 4.62 Mindful of the above, the Highway Authority have no objections to the creation of a new access onto Hammersley Lane, as well as the use of the altered existing access onto Church Road.

Parking

- 4.63 From assessing the plans, the development would provide a total of 152(no) parking spaces that would be distributed throughout the site. Of this parking provision, 35(no) spaces would be for staff, and 117(no) spaces would be for guests. In accordance with the *Buckinghamshire Countywide Parking Guidance* (BCPG) policy document, 3 bays or 6% of parking capacity (whichever is greater) should be allocated as blue badge parking. Based on the total parking provision, a total of 10(no) blue badge parking spaces should be provided. This requirement appears to have been met.
- 4.64 Similarly to the trip generation methodology, a worst-case scenario assumption has been made where all uses within the site are fully occupied, although it is expected that many journeys will be linked trips. Nonetheless, a parking accumulation assessment has been made which is informed by the trip demand profiles as shown within Appendix E of the TA. The assessment establishes that as a worst-case, a total of 143(no) parking spaces are required at the same time (12pm). Therefore, this demand is below the proposed number of spaces that is to be provided, and this is without taking into consideration the potential proportion of these journeys being linked trips. Additionally, the provision of the shuttle bus service would also reduce private vehicular trips and subsequently reduce parking demand. For these reasons, the Highway Authority does not consider that they would be in a position to justify the level of parking proposed as a reason for refusal of the application in this instance.

- 4.65 A further parking assessment has been made using the standards in the BCPG policy document. In accordance with the BCPG, the site is located in Non-residential Zone 2. The BCPG requires a hotel in this location to provide 1(no) parking space per bedroom whilst a restaurant requires 1(no) parking space per 10sqm of floorspace. However, where a hotel features a restaurant, the parking requirement should be assessed on a case-by-case basis. It is noted that there are other uses within the site, but due to the case-by-case requirement of the hotel and restaurant use, the Highway Authority considers the First Principles approach and parking accumulation assessment to be a robust way of determining the site's parking demand.
- 4.66 In accordance with the BCPG policy document, parking space dimensions should measure 2.8m x 5m, and each space should have a 6m clearance to allow vehicles to enter, turn and exit the site in a forward gear. Having assessed the plans, the Highway Authority are satisfied that these spaces achieve the required dimensions, and a sufficient level of manoeuvrability space has been provided behind each space.
- 4.67 With regard to cycle parking, a total of 21(no) spaces are to be provided within the site. Whilst I am satisfied with this provision, and would further contribute to encouraging sustainable travel to/from the site, there does not appear to be a plan that demonstrates the location of the cycle parking. A condition will therefore be recommended to submit a scheme for cycle parking to encourage modal shift, and it should be noted that cycle parking should be covered and secure.

Servicing Arrangements

- 4.68 As mentioned, the Hammersley Lane access will be utilised for servicing and deliveries. Once within the site, a large service area will be provided, to allow refuse and delivery vehicles enter, turn and exit the site in a forward gear. This has been evidenced by the swept path analysis drawings, which demonstrates a refuse vehicle and 18 tonne delivery vehicles utilising the access point and turning within the available space. For emergency vehicles, the swept path analysis demonstrates a fire appliance utilising both access points, and also shows the vehicle capable of fully traversing through the site via both access points, meaning these vehicles would be able to freely access any part of the site.

Construction Traffic Management Plan

- 4.69 As part of the submissions, a Framework Construction Traffic Management Plan (CTMP) has been provided, to demonstrate suitable methods to mitigate any potential detrimental impact upon the public highway during the construction of the development. A CTMP is typically expected to include: vehicle routing, vehicle types, frequency of visits, expected daily time frames, use of a banksman, on-site loading/unloading arrangements and parking of site operatives vehicles.
- 4.70 Hours of operation have been confirmed to be 08:00-18:00 Monday to Friday. With regard to deliveries, it has been stated that they will be pre-planned and will take place during hours of operation but will avoid peak network hours which is satisfactory. Anticipated vehicle types have been confirmed, as well as their expected frequency to the site. The vehicle routing of these vehicles has also been demonstrated on the drawings, and the Highway Authority is satisfied that delivery vehicles will utilise the highest classification of roads possible to travel between the site and the strategic road network.

- 4.71 Once at the site, delivery vehicles will utilise the two aforementioned access points on Church Road and Hammersley Lane which is satisfactory, and an area for the storage of materials has been demonstrated on the plan. Although there appears to be sufficient manoeuvrability space to allow construction vehicles to enter, turn and exit the site in a forward gear, the CTMP confirms the use of a banksman at both access points to ensure safe manoeuvres to/from the public highway. Additionally, wheel washing facilities are also provided at both access points, to ensure vehicles would not drag mud or other debris onto the public highway.
- 4.72 Other elements of the CTMP, such as a contractor parking area, and site welfare and offices have also been demonstrated on the plan, and the Highway Authority is satisfied that these elements have been suitable located within the site.
- 4.73 Mindful of the above, the CTMP includes a number of suitable measures which would minimise the highway impacts of the development, therefore it is considered that this document can be secured by way of condition.

Conclusion of Highway Authority

- 4.74 Mindful of the above, the Highway Authority raise no objections to the application subject to the following conditions, informative points, and S106 agreement obligations.

Obligation Description	Objective	Provision	Trigger	Policy Support	CIL Compliance
Travel Plan Co-operation and Monitoring Contribution	Ensuring maximised and convenient use of sustainable forms of transport. Ensuring continued modal shift towards sustainable forms of transport.	£5,000.00 (£1,000.00 per annum for a 5-year period)	Prior to occupation.	NPPF - Section 9 Paras 110-112, 116, 117 Buckinghamshire Local Transport Plan 4 Highways Development Management Guidance	<p>Necessary – Required to ensure appropriate opportunities to promote sustainable transport modes are taken up, and for co-operation and monitoring of these aims between the site occupants and Buckinghamshire Council.</p> <p>Directly related – Contributions relate to the proposal of a Travel Plan relating to the application site.</p> <p>Fair and Reasonable – Mitigation measures proportionate response to identified impacts and supporting policy aims for</p>

					maximising sustainable transport usage.
Shuttle buses To include: Annual review of shuttle bus usage and inclusion of appropriate measures	Ensuring maximised and convenient use of sustainable forms of transport. Ensuring continued modal shift towards sustainable forms of transport.	Total cost to be fully funded by the applicant	Prior to occupation.	NPPF - Section 9 Paras 110-112, 116, 117	<p>Necessary – The proposed shuttle bus service is a main sustainable transport alternative between public transport interchanges, key population areas and the site. Given the material increase in the levels of vehicular movements expected by guests and staff, influenced by the nature of the development, the shuttle bus is required to ensure all guests and staff have the opportunity to use this service. The shuttle buses must serve the whole site and be reasonably located to all areas of the development.</p> <p>Directly related – Reducing the reliance on the private car for guests and staff travelling to and from the site.</p> <p>Fair and reasonable – The provision of a shuttle bus is proportionate for the type and size of the development</p>

4.75 Planning conditions regarding means of access; visibility splays; parking and cycle parking provision; and a Construction Management Plan should be imposed on any subsequent planning permission.

4.76 Concern has been expressed by local residents that the proposed development will increase the amount of traffic to and from the site and will result in a loss of highway

safety, in this location. However, it is considered that the Council's Highway Authority has provided a thorough and robust assessment of the proposed development, which provides a sufficient response to such objections, including matters concerning the generation of private vehicles to and from the site; the use of public transport; the provision of a shuttle bus service and the estimation of vehicle occupancy rates. The Council's Transport Strategy Officer has confirmed that the objections raised do not alter the opinion given.

- 4.77 In particular, the Transport Strategy Officer accepts that public transport options are limited in this location. There is a regular service during the week to High Wycombe and an irregular service to Beaconsfield. However, given the further detail provided by the applicant on the shuttle bus, it is deemed the limited public transport offering can be mitigated by this service which will, serve key transport hubs.
- 4.78 A local resident has contested that the shuttle bus service will not work or be viable for this type of "high-end hotel" and goes on to state that it is "totally improbable that the target clientele will use public transport, nor will they be incentivised to do so through room rate discounts". Furthermore, the proportion of car sharing has been over estimated. However, neither the Highway Development management Officer nor the Transport Strategy Officer support these objections.
- 4.79 In light of the above, it is considered that this proposal will provide a safe and convenient means of access to and from the development, which will not cause a loss of highway safety nor inconvenience to other road users.
- 4.80 However, following the receipt of the Highway Authority's comments, a further objection has been received from a local resident regarding the traffic/highways impacts of this development, together with a "independent "Transport Review Note" prepared by Pulsar Transport Consultancy. The Highway Authority's views have been sought on this independent review And these have been provided in full below:

"Whilst noting that this review note is a paid-for objection and not an independent review, the Highway Authority would like to make the following comments in response to the points made:

- Use of Census 2021 data – I note that 'Method of Travel to Work' data was collected during the Covid-19 pandemic. However, as a result the TA excludes 'working at or mainly from home' from the calculations, which I considered to be appropriate and would still ensure that a more up-to-date calculation of modal split could be ascertained.
- Shuttle bus service – this measure was assessed in consultation with the Council's Travel Planning team, who considered that the shuttle bus service and subsequent usage levels of this service is feasible. Nonetheless, monitoring of the Travel Plan, including the shuttle bus service, would be secured by S106. This will determine whether these targets are being met. I also believe this service provides appropriate mitigation for the existing limited bus services within the site's vicinity, as the shuttle bus service would drop visitors/staff off directly within the site, from key population areas and public transport interchanges
- Trip generation – It has already been acknowledged that due to the multiple uses within the site, possibility for linked trips, as well as car sharing (which is likely for this type of development), it is difficult to ascertain an overall trip generation potential of the site. However, even in a worst-case scenario where the trip

generation potential is higher than that demonstrated within the TA, the access arrangements (which were also subject to a Stage 1 Road Safety Audit) have been considered acceptable, in relation to visibility splays, access width, and pedestrian access improvements (although I have requested further improvements at the Hammersley Lane access). Additionally, based on the Crashmap information as mentioned in my comments, I do not consider that use of the accesses for the development sought would have a detrimental impact upon the safety and convenience of the adjoining public highway, nor are there any grounds on which to lodge a highway objection

- I also note reference has been made to the number of departure trips from the site late at night, both for the function room and for non-function uses. However, even when accepting the figures within the review note, these departing movements would take place outside of network peaks, and as mentioned, the access has been demonstrated to be safe and suitable to accommodate these movements. Whilst I appreciate concerns regarding noise levels during this time, this is outside the remit of the Highway Authority to comment on and is therefore something that will be assessed as part of the planning balance.
- Finally, the review note also mentions that trip profiles have been verified using survey data of similar sites, but these have not been included. The TA advises that anticipated demand profiles, staff shift patterns, and typical operations schedules (all of which contribute to the trip generation potential of the site), has been developed using references of hotels with similar characteristics. The Highway Authority requested information on the references used, and upon review of them, are satisfied that the sites are comparable and reasonable to inform the anticipated trip potential of the proposed development.”

To conclude, the content of the commissioned objection does not alter the Highway Authority’s views on the proposed development as contained within our consultation response.

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.

- 4.81 With the exception of the proposed new access onto Hammersley Lane and the re-use of the access onto Church Road, the proposed development will be largely contained within its site boundaries and is unlikely to be visible from any public vantage point.
- 4.82 It is considered that the proposed scheme has been designed to a high standard which will compliment both the historic and parkland character of the site. In addition, this scheme will enable the re-use of the whole site, which has remained vacant for a number of years.
- 4.83 It is accepted that the use of the site as a hotel and associated activities, is not characteristic of the surrounding area. However, the authorised use of the site as a school also appears as a standalone use within the locality.
- 4.84 Concern has been expressed by local residents that this proposal represents an overdevelopment of the site and would increase light pollution into the surrounding dark skies. It is clear that this proposal would increase the amount of development

within the site boundaries. However, it is considered that its predominant characteristic of a large, detached Manor, set in a spacious parkland setting would be retained. The proposed outbuildings, both retained and new, have been designed to be incorporated into the proposed hotel use and will remain subservient to the scale of the main Manor House itself.

4.85 In light of the above, it is considered that this development will not be harmful to the character of the 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

4.86 A number of local residents have written to support the proposed re-development of the site and consider it to be an asset to the local area. However, a large number of objections have been received, primarily from those residents who lived adjacent to the site's boundaries. The objections raised fall into the following categories: noise and disturbance; light pollution; visual intrusion; loss of light and privacy. Matters regarding increased traffic and highway safety, economic benefits have been considered elsewhere in this report.

Noise and Disturbance:

4.87 A number of residents have raised concerns regarding the potential increase in noise and disturbance from the proposed hotel use and associated activities. It is believed that such disturbance will arise from

- the siting and use of the proposed new service yard (back of house facilities) in the north west corner of the site
- the coming and goings of guests, particularly those in cars, late at night
- the increased number of days per year that the site will be in use compared to the authorised school use
- the times of day and night that the hotel will be open – particularly for functions
- increased light pollution from cars and car parks
- increased noise and disturbance from new Church Cottage facility
- disturbance from construction phase of the development.

4.88 The applicant has submitted a Noise Report to support the proposed development and this application has been reviewed by the Council's Environmental Health Officer. The submitted Noise Report concludes that with specified noise mitigation measures, the proposed use will not result in an unacceptable level of noise and disturbance for adjacent residents.

4.89 Specific noise mitigation measures includes the provision of a 2m high close boarded fence around the perimeter of the site and the formation of an earth/landscape bund around the new service yard area, which extends into the site towards the rear of the new Wellness Spa. This feature will shield noise emitting from deliveries and back of house activities from neighbouring properties.

4.90 The applicant proposes to limit the use of the new Hammersley Lane access at night and a gated access will be closed to vehicles between 11pm and 6am on any day. This will ensure that service vehicles, staff and guests cannot use this access within this timeframe. It is also the applicant's intention to limit the size of vehicles accessing the site, to no larger than a refuse truck, as most deliveries will be via a transit sized van.

- 4.91 With regards to guests to the hotel, all visitors will access the site via the main Church Road entrance and will use one of the three car parks available for the public. Each car park will be partially screened from view with timber canopies and additional planting. These canopy structures will help limit noise transmission from these areas, particularly at night.
- 4.92 Indoor music will be limited to the basement level function room and a dedicated sound system will be installed which will automatically lower the sound levels of any amplified music in this room. The applicants have stated that the size of the function room will limit the party size, itself and that all functions will only take place between 8pm and 12.30am.
- 4.93 Concern has been expressed by some residents that doors leading to an outdoor terrace could allow noise to spill out from the function room and that live music cannot be controlled by the dedicated sound system. These concerns are valid as such activities could result in noise disturbance to local residents.
- 4.94 The Council's Environmental Health Officer has reviewed the details provided in the submitted Noise Report and is satisfied that this proposal could be undertaken, without undue disturbance to local residents. However, in order to ensure that the proposed use is managed/controlled in a satisfactory way, a Noise Management Plan should be submitted to and approved by the local planning authority before the hotel use commences. Such a Noise Management Plan should contain all matters relating to noise emissions, including use of the car parks, staff comings and goings; management of guests; music emissions and the use of the service area/timings of deliveries. In addition, the Environmental Health Officer considers that the required licensing procedures for the hotels activities will also limit any undue noise and disturbance.
- 4.95 Concern has also been expressed that the occupants of the new "Church Cottage" adjacent to the rear boundaries of dwellings in Church Road, would also result in disturbance to neighbouring residents. This small structure is to be sited over 25 metres away from the nearest adjacent residential boundary and is intended to be a form of quiet retreat for guests. It is therefore unlikely that any noise and disturbance will result from its occupation. However, the management of this property should form part of the Noise Management Plan, referred to above.
- 4.96 An independent Noise Report has been submitted by a local resident, which disagrees with the methodology and findings of the applicant's report. The Environmental Health Officer has been made aware of this alternative report but has maintained his view that the applicant's Report is based upon sound principals and subject to the provision of an effective Noise Management Scheme, is satisfied that the proposed development will not result in undue noise and disturbance to local residents.
- 4.97 Although an indicative noise management plan has been included within the submitted Noise Report, a planning condition should be imposed on any subsequent planning permission requiring the submission and approval of a specific and dedicated Plan before the hotel use is first commenced. The applicant has agreed to this condition.

Use of lighting

- 4.98 The proposed development seeks to use low level lighting around the service yard; car parks and footpaths within the site and a Lighting Assessment has been submitted in support of this application.

4.99 The Council's Environmental Health Officer has raised no objection to the lighting proposals in principle and states: " *from the detail within the lighting report, in the Woodland GCN bird bat corridor, the proposed light is one lux (equivalent to the light spill from one candle per meter cubed). This would not give me significant concern in regard to impact upon the amenity of adjacent dwellings*".

4.100 With regard to the lighting within the car park canopies, this feature would be activated as and when required. Given that additional landscaping would be provided between the main car park areas and adjacent residential properties, it is not expected that this form of lighting will cause nuisance to neighbouring residents. However, the final details have not been provided at this stage. Therefore, a planning condition should be imposed requiring full details of all lighting to be submitted and approved before it is installed on site.

Movement of guests and staff across the site

4.101 It is the applicant's intention to create a tranquil place for their future guests and as such wish to minimise any form of noise disturbance across the site.

4.102 The details submitted with this application specify that electric carts are to be used to transport goods from the service yard, across the site, which should be silent in their running. However, the control of guests and staff, together with the hours of use of each part of the site would largely be down to the individual management of the hotel activity. In order to ensure that the amenities of adjacent residents are not adversely affected, the movement of guests and staff, together with the hours of use of each activity across the site should form part of the overall Noise Management Report – referred to above.

Visual Intrusion

4.103 Concern has been raised with regard to visual intrusion, primarily in relation to the proposed canopies in the car parking areas. Although, there is no right to a view, under the planning system, the outlook from neighbouring residential properties is a material consideration.

4.104 In this instance, the proposed canopy structures are shown to be a form of timber pergola, suspended on a wire frame. A solar panel would be installed on the sloping surface of the canopy, which will remain in situ and will not be raised up, as some residents feared. Additional landscaping features are also shown to be provided adjacent to these canopy structure.

4.105 Given the use of timber framing and additional landscaping, it is considered that the proposed canopy structures will not appear as incongruous or unattractive features. Although these structures will be partially visible from the neighbouring properties (primarily from first floor level) it is not considered that they would be harmful to their outlook to and will not result in visual intrusion.

Loss of privacy

4.106 Concern has been expressed by a local resident that the proposed dining area within the Private Tower Dining Room and roof terrace would overlook the adjacent residential property at Kennel End. However, the new roof terrace would be contained within the new roof area of the two storey extension to the main house, which will prevent any undue overlooking occurring. The second floor private dining room would have windows which faced to the south, east and west. The boundary with the rear

garden area of Kennel End lies to the west of the application site, at a distance of approximately 32 metres and a substantial area of vegetation extends across the southern section of Kennel End. Given the distance between the Private Dining Tower and the extent of vegetation existing, it is considered that the proposed windows in the 2nd floor dining room would not result in any significant loss of privacy to the neighbouring dwelling.

4.107 A new structure for guests, to be known as Church Cottage is to be sited to the north of the main guest car park. Although this structure will lie within 26.5 metres and 33 metres of the nearest residential properties (Church Road), Church Cottage is a single storey structure and as such no overlooking into adjacent properties will occur.

4.108 Concern has also been expressed by a neighbouring resident that vans and other vehicles using the proposed new access, off Hammersley Lane, would result in overlooking into his property. However, any view of properties on the western side of Hammersley Lane would be limited to their front elevations which lie within the public realm, currently. As such, any additional view of the front elevations of these dwellings would not amount to a loss of privacy.

4.109 With regard to other adjacent residential properties, it is considered that this proposal would not result in any overlooking or a loss of privacy to existing residents.

Loss of light

4.110 Concern has been expressed by a local resident that the additional planting around the boundaries of the site may result in a loss of light into an adjacent garden area. However, the proposed additional landscaping is to be provided in order to help screen the new development from neighbouring properties. Given its intended formation, the additional landscaping will not form a solid screen, but rather a sporadic, vegetative layer. As such, it is not considered that the new landscaping features will result in a significant loss of light to neighbouring properties.

Disturbance from Construction Phase

4.111 The construction phase of a development is not a planning matter and as such any noise and disturbance arising from construction works cannot be taken into account in the determination of this application. However, such matters are within the control of the Council's Environmental Services, who have the ability to ensure that construction works are undertaken in accordance with current legislation.

4.112 In conclusion it is considered that subject to the compliance with an agreed Noise Management Scheme (secured by condition) the proposed development will not result in any undue loss of amenity to neighbouring residents.

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)

4.113 Policies CP1 of the adopted Local Plan requires that all new development should contribute towards delivering sustainable development by contributing to achieving both the objectives of this Plan and the principles for the main places in the District. Policies CP12 and DM33 also require that new developments integrate renewable technologies.

4.114 The applicant has submitted an Energy statement in support of this application which states that concludes that a net zero methodology approach has been taken

throughout the development, based upon the energy hierarchy of 1. Reduce the energy demand 2. Use energy efficiently 3. Supply energy from renewable and low carbon sources. Overall the applicant is seeking to achieve a net zero carbon credential for this development

4.115 Various forms of renewable technologies are to be provided throughout the development, including the use of solar panels throughout the site; insulation in existing buildings; maximising natural daylight where possible; energy efficient building fabric; water source heat pumps; high efficiency lighting; and low flow water outlets.

4.116 This approach to renewable technologies is welcomed. However, a planning condition should be imposed requiring the development to be undertaken in accordance with the submitted energy statement.

4.117 A Ground Condition Assessment has also been submitted by the applicants. This report concludes that no potentially significant sources of contamination have been identified and that the risk of impact to receptors in the context of the proposed development is considered to be very low. As such, no further investigation, assessment and remediation is considered necessary. However, in the event that unexpected contamination is found, a scheme for remediation should be submitted to and approved by the Local Planning authority. Therefore it is considered necessary to impose a planning condition regarding unexpected contamination.

4.118 With regards to air pollution, the Council's Environmental Health Officer has requested that electric car charging points are included within the development. The submitted details show that these features are to be included within the car parking areas. A planning condition should be imposed which requires these electric car charging points to be installed prior to occupation of the proposed use and thereafter retained permanently.

Flooding and drainage

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

4.119 The application site lies within Flood Zone 1 and an area at a low risk from surface and ground water flooding.

4.120 The applicant has submitted a details flood risk Assessment and a Surface Water Drainage scheme in support of this application. The Local Lead Flood Authority has been consulted and has confirmed that the submitted details demonstrate that the proposed development is not at risk from flooding and will not cause a risk elsewhere.

4.121 The submitted details also demonstrate that an effective and efficient surface water drainage scheme can be achieved on site. The LLFA have confirmed that the SuDs scheme is acceptable. However, details of a full drainage scheme is required together with details of its future maintenance. A pre start planning condition should be imposed to this effect.

Landscape and visual Impact

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM30 (Chilterns Area of Outstanding Natural Beauty) DM32 (Landscape character and Settlement Patterns)
CSDPD: CS17 (Environmental Assets)

- 4.122 The application site lies within the Chilterns Area of Outstanding Natural Beauty and provides a parkland setting for four listed buildings.
- 4.123 The applicant has submitted a detailed Landscape Design Proposal with a Landscape and Visual Appraisal (LVA) in support of this application. In terms of landscape design, it is proposed to remove what it describes as the pervasive institutional landscape character from the time when the site was used as a school. The report explains that the grounds will be restored to include pleasure grounds and woodland around the periphery and introduction of new landscape features across the site. Extensive additional planting is to be added to the site in order to create an attractive landscape setting.
- 4.124 The LVA concludes that the effects of the proposal are confined to the site itself or experienced very locally and avoids significant adverse effects on the amenity of neighbouring private houses. No significant adverse effects on public views or the landscape character of the setting have been found and the proposed development will result in a significant enhancement of the landscape and views within the site and sector the future of the estate landscape through its appropriate re-use and investment in its essential long term upkeep and landscape management.
- 4.125 In addition to the landscape proposals, the applicant has submitted an Arboricultural Report and Arboricultural Impact Assessment. The report notes that that the entire site is subject to a Tree Preservation Order and that the majority of the site lies within the Penn and Tylers Green Conservation Area.
- 4.126 The submitted arboricultural details recognise that some tree removal will be required in the certain parts of the site, however, the introduction of a large number of new trees to the site will mitigate the tree loss and restore and enhance the landscape character. The Council's Arboricultural Officer is supportive of this approach and confirms that the mitigation planting that has been proposed in the landscape plan exceeds that required to increase tree canopy cover, as required by Policy DM34 of the Local Plan.
- 4.127 The Council's Arboricultural Officer also confirms that many of the trees that will be removed have physiological defects that would necessitate their removal with or without this application. Indeed, some trees have failed in the interim. The loss of a section of tree belt for the new access will in the short term mean a loss of amenity to residents. However, the new planting should in the medium to long term replace that which is lost.
- 4.128 Protecting retained trees during the build is essential. However due to the phased nature and constraints of the site any tree protection plan may well be a moveable feast with amendments required at different stages. Therefore, a planning condition requiring the submission of a revised Arboricultural Method Statement should be imposed which requires the submission of
- a) Detailed plans showing location of the protective fencing including any additional ground protection whether temporary or permanent;
 - b) Details as to the location of proposed and existing services and utilities including drainage, where these are close to Root Protection Areas (RPAs);
 - c) Details as to the method, specification and materials to be used for any "no dig" surfacing, and; (and the area within the development to which it applies) and

d) All phases and timing of the project in relation to arboricultural matters and details of supervision by a qualified arboriculturist. Unless otherwise first agreed in writing by the Local Planning Authority, the development shall thereafter be carried out strictly in accordance with the AMS.

4.129 In addition, a planning condition should be imposed requiring that a schedule of maintenance of the trees (until successfully established) should also be submitted, agreed in writing with the local planning authority and thereafter implemented. The schedule shall include provision for replacement planting should establishment fail.

4.130 Subject to the satisfactory submission of arboricultural details and the implementation of the submitted landscape proposals, this scheme will enhance the existing landscape of the site, to the benefit of its setting.

Archaeology

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

4.131 The application site is situated within an Archaeological Notification Area. The applicant has submitted an Archaeological Desk Based Assessment In support of this application.

4.132 The submitted report concludes that the site has a low-medium archaeological importance. It indicates that it is possible that remains associated with the Medieval to post-Medieval Tile production industry, important to Penn, may occur in the southeastern part of the site, and it is likely that the remains of post-Medieval farm buildings and associated yard areas may exist in the eastern part of the site. The site also contains extant buildings and gardens which hold archaeological importance datable to the modern period.

4.133 The Council's Archaeologist has been consulted on this application and has welcomed the applicant's assessment. The Archaeologist agrees that that the application site may contain features and finds relating to earlier phases of Penn, its tile industry and garden archaeology.

4.134 Archaeological investigations carried out as a result of the planning process, in the late 20th C and early 21st C have tended to focus on the potential for finding the remains of kilns. The expectation being that these kilns may be associated with the 14th C Penn Tile industry, or with later (lesser known) tile production and/or pottery production. Several sites with a high number of tiles, or tile fragments have been identified in the village. Kilns associated with the production of those tiles are more rare. This relatively short lived, highly productive, easily recognisable style of Glazed floor tile has been the focus of much archaeological attention in the area. However, the local skills and materials associated with it were retained well beyond the 14th C and there are other archaeological remains, both industrial and domestic which are known to exist in the vicinity.

4.135 The gardens associated with those buildings are also of interest and we note that the Historic Landscape Character of the land within which the proposed development area (PDA) lies is split into three parts. The western part is labelled HBC7294 (Recreation 20th C), the central part is HBC7345 (Orchards) and the eastern part of it which contains Rayners is labelled HBC7299 (Parkland 16th-20th Century).

4.136 The Walkover Survey recorded a number of features within the PDA which may be of research value in terms of Garden Archaeology. As has previously been noted, built

heritage is dealt with in a separate report. The Council's Archaeologist has taken note of various structures within the PDA and various garden features also. This is with a view to these potentially being recorded as part of any process of change; triggered by a potentially successful application of the type which this assessment covers. The types of features include an ornamental pond, various pathways and earthworks and some of the infrastructure which was needed to run an estate, and later a school, such as that which existed at Rayners.

4.137 Where proposed works may impact garden features (visible or buried) and or features relating to earlier phases of Penn and its tile industry then these features should be appropriately recorded.

4.138 The Council's Archaeologist has advised that if planning permission is granted for this development, a condition should be applied to require the developer to secure appropriate investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 205.

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)

4.139 The applicant has submitted ecological information and appraisals in support of this application and the Council's Ecologist has been consulted. Following the request of our Ecologist, the applicant has provided further details regarding the orchard.

4.140 The submitted evidence shows that initially, a Phase 1 survey was undertaken on 4th September 2021, with an update vegetation survey on 18th May 2022 to record spring flora. A further ecological walkover was undertaken in January 2023 to confirm that site conditions remained the same and to further update the flora species list. During this time, protected species surveys recommended within the Phase 1 Report were undertaken for amphibians, badger, reptiles, hedgehog and roosting, commuting and foraging bats.

Biodiversity Opportunity Area

4.141 The application site falls within the Gomm Valley Biodiversity Opportunity Area. Buckinghamshire's Biodiversity Opportunity Areas (BOAs) identify habitat creation and restoration priorities for different parts of the county using a targeted landscape-scale approach. Target habitats for creation and restoration include native woodland, wood pasture/parkland, hedgerows, heathland, meadows, and calcareous grassland.

4.142 Development proposed within, or adjacent to a BOA is required to identify constraints and opportunities for biodiversity enhancement. The design and layout of the development should help achieve the aims of the BOA and development which would prevent the aims of a BOA from being achieved will not be permitted. Upon review of the information submitted, the Ecologist has confirmed that the proposed development would contribute to the aims of the BOA via habitat creation and enhancement within the application site.

Section 41 Priority Habitat

4.143 Both areas of priority deciduous woodland and traditional orchard have been identified within the application site boundary.

Traditional Orchard

4.144 According to Magic and Buckinghamshire and Milton Keynes Environmental Records Centre (BMERC), a larger area of traditional orchard is identified on site than is reflected in the ecological reports and site plans. The British Standard 5837:2012 Arboricultural Report and Arboricultural Impact Assessment (AIA) (Advanced Arboriculture, October 2023) does indicate that fruit trees as present within the areas identified as traditional orchard by both Magic and BMERC, including T12, T25, T26, T27, T28, T29, T30 and tree(s) within A8. Following a request by the Council's ecologist, the applicant has provided further which clarifies why these trees would not constitute traditional orchard habitat. As such, no further information is required regarding this.

Other habitats

4.145 The submitted reports identify a number of different habitats on the application site, including buildings; grasslands; ponds; dense scrub and broadleaved plantation.

4.146 The Ecological Impact assessment and the Biodiversity Net Gain report recommends securing avoidance, protection and mitigation measures for habitats, primarily trees, woodland and the ponds, by conditioning a Construction Environmental Management Plan (CEMP). The Council's Ecologist considers this to be an appropriate action and should the application be considered for approval, a planning condition to this effect should be imposed to secure this action.

Protected Species

Roosting Bats

4.147 A total of 28 buildings (B) were identified on site and subject to a Preliminary Roost Assessment (PRA). Droppings were collected from the buildings supporting confirmed roosts and were subjected to eDNA analysis, which confirmed presence of brown long-eared bats only.

Buildings

4.148 Bat activity surveys were undertaken during the 2022 and 2023 survey seasons and buildings B3, B5, B6, B7 and B14 were confirmed to support active day roosts for common pipistrelle, soprano pipistrelle and brown long-eared bat. As such, the EcIA and BNG report states that the works will be undertaken lawfully under the Natural England's Earned Recognition scheme. The EcIA and BNG report also outlines compensation and mitigation measures that will be implemented during the proposed works. The Council's Ecologist considers these measures to be appropriate and, if the application be considered for approval, these measures it should be secured via a planning condition.

Trees

4.149 Automated static surveys were undertaken in 2022 to assess bat commuting and foraging behaviour. Bat calls were identified within peak emergence or re-entry periods for common pipistrelle, soprano pipistrelle, brown long-eared and noctule were identified, which may indicate that these species are roosting in trees on site in low numbers.

4.150 A ground-level tree assessment was undertaken on site on 14th July 2023 for 38 trees proposed for removal. Those trees concluded to have low, moderate or high potential to support roosting bats were subject to further aerial inspections. No evidence for

roosting bats was identified in any of the trees surveyed, however the EclA and BNG report recommends mitigation measures, including final tree inspections of trees 8, 18, 20, 34, 35 and 36b prior to felling, to be implemented during the proposed works, which are considered appropriate. Details of these should be provided within the CEMP.

Hibernating bats

4.151 Two basements were present under building B4 and were assessed for their potential to support hibernating bats. Basement 1 was concluded to have negligible potential to support hibernating bats, whereas Basement 2 was assessed as having potential to support hibernating bats. Therefore, static bat detectors were deployed for 10 nights between 18th January and 1st February 2022 accompanied by an internal survey for hibernating bats or evidence. No evidence of hibernating bats was identified, therefore they were concluded to be likely absent.

Commuting & foraging bats

4.152 In order to identify the level of bat activity on site, six static bat loggers were deployed across the application site for 5 nights each month over a six-month period (April to September 2022, inclusive). Given the presence of common pipistrelle day roosts within buildings on site, it is expected that the majority of activity recorded was attributed to this species. The remaining calls comprised of several bat species, including serotine, noctule, Myotis sp., long-eared sp., pipistrelle sp. and, most notably, barbastelle bats. Barbastelle bats are listed as a species of principal importance under S41 of the NERC Act 2006.

4.153 The proposed development could result in up to a district level impact for bats due to the presence of barbastelle bats and the loss of roosting opportunities and commuting and foraging habitat within their core sustenance zone. As such, compensatory habitat, mitigation measures and a sensitive lighting strategy outlined in the Lighting Assessment (Max Fordham, October 2023), have been recommended and/or provided. Should the application be considered for approval, these features should be secured via a suitably worded condition.

Reptiles

4.154 In accordance with Froglife Advice Sheet 10 guidelines: Reptile Survey (1999), reptile surveys were undertaken between April and June 2022. A total of three grass snakes were recorded on site at two locations in habitat at the woodland edges and it was concluded that a low population of grass snake is present on site. The EclA and BNG report recommends implementation of Reasonable Avoidance Measures (RAMs). Details of these measures should be provided within the CEMP.

Badgers

4.155 A badger survey and sett monitoring were undertaken between 2021 and 2023. The surveys confirmed the presence of one main badger sett with four outlier setts in the north of the site and a further outlier sett close to the boathouse. Under the proposals, one outlier sett will need to be destroyed to enable works and with works also being undertaken within 30m of active setts. As such, a licence will be required to lawfully close the sett and mitigation measures will need to be implemented to avoid disturbing badgers. The EclA recommends Reasonable Avoidance Measures (RAMs). Details of these should be provided within the CEMP.

Nesting birds & hedgehogs

4.156 Evidence of nesting birds and hedgehog were identified during the Phase 1 surveys, therefore mitigation measures are required to avoid detrimental impacts on these species during demolition and construction works. Compensatory habitat will also be created within the scheme. Should the application be considered for approval, mitigation measures should be detailed within the CEMP.

Biodiversity Net Gain

4.157 In accordance with Policy DM34 of the adopted Local Plan, developments on sites of over 5 ha in size should provide a 10% net gain in biodiversity.

4.158 Under the proposed development, several habitats are proposed for creation and enhancement that would both compensate for the habitat lost to facilitate the development and would create new opportunities for protected and notable species on site. Propose habitats to be created include, but not limited to, native hedgerow, broadleaved woodland, mixed scrub, other neutral grassland, allotments, ponds and traditional orchard.

4.159 According to the EclA and Biodiversity Metric 4.0, these habitats would contribute to an overall net gain of 11.40% in habitat units and 938.00% in hedgerow units. The proposals are therefore in accordance with the National Planning Policy Framework (NPPF) and relevant Local Planning policies. Should the application be considered for approval, a Landscape and Ecological Management Plan (LEMP) should be secured via a suitably worded condition.

Enhancements

4.160 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). Within Chapter 7 of the EclA and BNG report (Davidson-Watts Ecology, October 2023), additional biodiversity enhancements are proposed such as bird and bat boxes, a bat loft and creation of hibernacula for amphibians and reptiles. These are considered appropriate and further details of these should be provided within the LEMP.

Conclusion

4.161 In light of the above, it is considered that the proposed development will protect and enhance existing ecology, protected species and habitats across the site and will achieve a net gain in biodiversity above that currently required by legislation and Policy DM34 of the adopted Local Plan.

Community facilities

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

BCSNP: Policy 11 (Community Facilities)

Community facilities SPD.

4.162 In accordance with Policy DM29 of the Wycombe District Local Plan, development which cannot be adequately served by existing built facilities is required to provide sufficient additional built facilities as are needed to meet the needs of future occupants. This assessment shall take account of the capacity and accessibility of existing facilities. In assessing capacity, first priority will be given to allocated and committed growth in the area.

- 4.163 Policy DM29 goes on to require that land and or buildings currently or last occupied for community use must be retained unless the applicant has clearly demonstrated through an exhaustive needs assessment that the land and/or buildings proposed to be lost are surplus to any community needs.
- 4.164 The sub text to Policy DM29 clearly states that in all cases, the onus is on the developer to evidence that the removal of the facility will not reduce the community's ability to meet its day to day needs for social, recreational or cultural facilities or services. The WDLP makes it clear that the Council will normally resist the loss of community facilities and land.
- 4.165 In this instance, the authorised use of the application site is as a school. Although, Policy DM29 lists schools and non-residential education facilities as a community asset, Penn School was used as a boarding school, and as such, may not fall within this definition. However, as the list of community assets is not exhaustive, the applicants have provided Community Needs Assessment in support of this application.
- 4.166 The submitted assessment has been undertaken in accordance with the requirements of the former Wycombe District Council's Community Facilities SPD, produced in 2011. Although, this SPD is now dated, it remains in force.
- 4.167 The Community Facilities SPD identifies Tylers Green and Loudwater as an urban location. However, as the application site is situated within the Green Belt, the applicant has assessed this proposal on the basis that the location is in a rural area. In such instances, the SPD requires that a detailed assessment and evaluation of community need including a Community Needs Assessment is required.
- 4.168 The methodology for rural areas, as set out in the SPD is as follows:
1. Background information on immediate and surrounding area including site (usage) history and actual and potential catchment area of the site.
 2. Assessment of need for community facilities in the area
 3. Appropriateness of site to meet these needs
 4. Alternative off-site solutions to meet need (if required)

Background

- 4.169 With regard to background, the submitted assessment details the relevant past history of the use of Penn School (formerly known as Rayners School) from its first opening in 1921 as a day and boarding school for pupils from 11 to 18 years old to its closure in 2015. Since that date, the site has remained vacant and was only purchased by the current owner in 2021.

Need

- 4.170 Following the closure of the Penn School, the site was sold to the Education Funding Agency in 2016 . The site was purchased to provide a free school for the County as reported by Bucks Free Press on 25th April 2016 and it was included in the 2016 draft Local Plan for Wycombe¹⁰. However, the proposal for a school did not materialise and the site was not designated in the adopted Wycombe District Local Plan (2019) for educational use.
- 4.171 The applicant identifies that various discussions held by Buckinghamshire County Council regarding the re-use of this site as a school failed on the ground of economic viability and that a previous attempts to return the site to educational use failed and the demand for a new SEN school at the site was also not identified. The applicant goes

on to argue that “the disposal of the site and its subsequent acquisition by a private owner in 2021 reaffirms that the Government has no intention and there is no demand to return the site to its former educational use.”

- 4.172 With regard to other community uses, the applicants have undertaken a public exhibition event and held meetings with Chepping Wycombe Parish Council, Penn Parish Council, Tylers Green Residents Society as well as individual residents living in neighbouring properties were held in June and July 2023. These events enable the applicants to present the current development proposal to the local community.
- 4.173 A dedicated consultation mailbox was set up by Lichfields to collect comments on the proposed scheme. Over 200 written responses were collected in the community engagement process. No respondent has raised any concern over the need for a school at the application site or suggested a community use on the site irrespective of whether there was a wider demand for it or it was feasible/viable.
- 4.174 Given the significant cost of maintenance/repairs; lack of community interest in the use of the property, the submitted assessment demonstrates that there is no community need for this facility.
- 4.175 Notwithstanding the above, the applicant has stated a willingness to engage with the local community by through the use of school tours, explaining the history of the site, educational workshops etc; annual tours with local community groups and by providing apprenticeships and training courses in horticulture/gardening, kitchen, restaurant and front of house, in association with local education establishments.
- 4.176 Given that the Community Facility SPD identifies the Tylers Green and Loudwater Ward as an urban location, it is considered relevant to assess the loss of this community facility, accordingly. In respect of facilities in urban areas, the SPD sets out the methodology as follows:
- “Where a community facility to be lost is located within an urban area as defined in Appendix 3, the Council’s Community Facilities Strategy (CFS) will initially determine whether the loss of a community facility would be acceptable. If the facility to be lost is not in an area with a deficiency (nor would consequently create ANY type of deficiency in ANY Ward area, i.e. would not result in the loss of a named community facility in the CFS AND would not reduce the number of facilities in the Ward to less than the required number OR would not create a geographical deficiency OR a size deficiency), the principle of the loss of the community facility is likely to be accepted. If the facility is in a Ward with a community facilities deficit (or its loss would consequently create a deficit), the principle of the loss of the community facility is unlikely to be accepted prior to a Stage Two assessment and evaluation of needs.”*
- 4.177 In this instance, the Council’s CFS demonstrates that there is no overall geographical deficiency of community facilities, surrounding the application site. Furthermore, the ward contains more than the required number of facilities required for the population size of the ward.
- 4.178 In light of the above, it is considered that the loss of Penn School would not result in an unacceptable loss of a community facility and therefore this proposal complies with Policy DM29 of the Local Plan.

Historic environment (or Conservation Area or Listed Building Issues)

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

The application site consists of four independently Grade II listed structures; including the main building of “Rayners House”; the Gardeners’ Bothy and trellis arches to its east; the Obelisk, located along the main entrance, commemorating Benjamin Disraeli” and Rayners Lodge, adjacent to the main entrance to the site off Church Road.

In addition the application site is situated within the Tylers Green Conservation Area.

4.179 Rayners House was built for Sir Philip Rose, a man of some distinction in Victorian England as the founder of Brompton Hospital, Benjamin Disraeli’s ‘confidential man of business’ and the first agent of the Tory Party. Who helped to bring about political and legislative reform in the mid-C19th.

4.180 The house dates from 1847 (possibly by E B Lamb), with additions and alterations the 1850s, and substantially remodelled in 1867-8 by David Brandon in a picturesque composition of Tudor revival and French Renaissance design,

4.181 The house forms the centrepiece of an estate that at its peak, extended to over 550 acres, and the lodges, garden structures, farm buildings and kitchen garden structures associated with the Rose family ownership contribute to the legibility and group interest of the site. Sir Philip and his son, also called Philip were also fundamental to the development of the village.

4.182 As noted in the Conservation Area Character Appraisal; Sir Philip Rose was responsible for several other important buildings including the church, the Old Laundry complex, St. Margaret’s Cottage, and Tylers Green House (1878, by Vernon, built as St Margaret’s Institute), The Parish Rooms (built by subscription in 1886 by on land given by the second Sir Philip Rose) and numerous estate cottages. The high quality of design and use of materials means that these buildings make a positive contribution to the character and appearance of the conservation area.

4.183 Both Sir Philip Rose and his heir died after WWI. The estate was broken up into separate lots and sold off in the 1920s. 22 acres including the pleasure gardens and fields immediately surround the buildings were purchased by London County Council who operated the site as a school for deaf children. The substantial classroom wing added to the rear of the house in the mid-20th century is not of architectural or historic interest. The school closed in 2016 and the house has been disused since that time.

4.184 The Council’s Conservation Officer has been consulted on this application and has concluded that this proposal will have no adverse impact upon the character of the surrounding Conservation Area. In assessing this proposal, the advice contained in paragraph 205 of the NPPF has been taken into account. Paragraph 205 states that, *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”*.

4.185 With regard to the impact upon the existing listed buildings, their setting and the Park and Garden, the Conservation Officer has made the following assessment:

Proposed Change of use

4.186 Rayners House and ancillary structures and buildings within the 22 acre-acre site has been in use for educational purposes for the last 75 years. The site was marketed for a range of uses when disposed of by the education authority, and its re-use, either as a school or its return to a single dwelling proved unlikely. Conversion to an alternative use i.e. conversion to flats, would be damaging to significance if proposals resulting in dividing up the building or fragmentation of the remaining landholding. The use of the site and building as a hotel with ancillary functions is therefore supported in principle in heritage terms as it represents a sympathetic use that will give purpose to the site as a whole and secures its sustainable long-term future.

4.187 The site and buildings suffered unsympathetic alteration and repair during their use as a school and have been vacant and neglected in recent years. The comprehensive proposals for the refurbishment and conversion of the site and buildings for this use are set out in the Assessment of the Proposed Development contained in the Heritage Statement. The works are generally well described and justified within the document and, in the majority, are positive or benign in heritage terms.

4.188 The proposed works includes numerous improvements that are beneficial to the significance of the listed buildings and their settings, including:

- Appropriate repair of neglected garden structures and buildings to match the original works. A condition should be attached to any consent requiring a schedule of works and specification should be submitted for approval.
- Restoration of the form and appearance of the Gardener's Bothy and the Lodge, both Grade II listed buildings
- Replacement of insensitive alterations and removal of later accretions or unsightly, redundant features including removal of existing uPVC windows and their replacement with or timber windows in appropriate style, removal of fire escapes and fire doors; insensitive services and drainage runs; large expanse of tarmac to front of main building; protective metal cages to the lightwells, inferior quality structures within the grounds etc
- Restoration of lost features within the main house. Fortunately, many of the original architectural features and finishes remain in situ as illustrated in the submitted photographic record: these features should be protected during the works and the record used as a pattern for restoration of missing/unsympathetic features
- Restoration of the form of the original billiard room
- Removal of later additions and alterations to the stable/coach house block
- Restoration of the historic park and garden, including the removal of hardstanding and modern buildings.

4.189 The Conservation Officer is satisfied that the above works greatly enhance the special interest of the historic buildings, their settings and the character of the registered garden. Consequently, these works are seen to deliver considerable heritage benefits. However, there are elements of the overall scheme that will require further details and or clarification to be submitted and approved. Most of these details relate only to structural alterations covered under the corresponding listed building application (ref 23/07722/LBC). Those elements relating to this full application are listed below:

Demolition Works

4.190 There is no objection to the demolition of the 1960s school buildings subject to a method statement for the works together with suitable protection of retained structures from damage or the weather and including temporary support as necessary. This may be secured by a planning condition on the listed building permission.

Raising the western terrace and reconstruction of the balustrade

4.191 These works include removing existing steps and ramps in order to improve accessibility. This would involve dropping sills to two original windows and rebuilding the stone balustrade at the external terrace level to enable level access into the building. While the works would impact on the original materials and detailing, the impact is off set by the removal of the visually intrusive metal protective grills to the lightwells, the improved outlook and accessibility. Details of the reconstructed balustrade, protective grill and alterations to the window openings should be submitted for approval. A planning condition should be imposed to this effect.

Rayners House – reinstatement of features

4.192 The reinstatement of features and detailing including former staff porch, billiard room, conservatory, replacement windows, brickwork and roof diaper work is welcomed. However, making good and new/reinstatement work should be carried out using matching materials and detailing to the original work and made good to safeguard the special interest of the listed building. Materials specification, schedule of works and large- scale elevations showing typical details of architectural features and detailing are required – this can be delivered by condition.

Rayners House: Extension

4.193 The proposed location, scale and design of the replacement extension to Rayners House is acceptable in heritage terms. The existing building is richly detailed, and it is important that the extension is not seen as a poor pastiche of the original work. Large scale drawings of typical elevations/ architectural features such as chimneys, openings, eaves, verges, junctions of materials, brickwork and roof tile detailing will be required to demonstrate the proposals will be executed to the necessary standard.

4.194 Samples panels should be constructed on site for the different materials and retained throughout the construction period. Rainwater goods should be painted metal and details/locations of flues, extracts, service should be provided.

4.195 The basement extension will link into the existing basement but 1.5m below the finished basement level. Underpinning should only generally be undertaken as a last resort and other options should be considered. Details of any structural intervention should be submitted for approval.

4.196 All of the above details should be required by a planning condition.

Conversion of Gardener's Bothy to hotel suite

4.197 The restoration of the chimney stack is considered to be beneficial. However, large scale plans are required in order to assess the full detail of this element. Furthermore, there is no objection to the proposed new mansard dormer, subject to the submission and approval of detailed drawings. These required details can be required by way of a planning condition.

Park and Garden – New visitor car park (96 spaces) and driveway

4.198 While a large car park is alien to the informal landscape character of the Park and Garden, the main car park is situated in former orchard, beyond the formal gardens, minimising the impact on the setting of Rayners House. Following the submission of further details regarding the proposed EV charging points and PV canopies, these facilities are considered to be acceptable and will not detract from the overall character of the Park and Garden setting.

Valet Parking Area, reconfigured driveway and new hard landscaping

4.199 The removal of the existing tarmac is beneficial, and the realignment of the driveway is based on historic precedent and operational requirements. The new/replacement hard surfacing as set out on the Landscape Masterplan: Paving Types is welcome. However, a planning condition should be imposed requiring that samples of materials should be submitted for approval, before their use.

Service entrance to Hammersley Lane, service area and staff parking

4.200 These new facilities are essential to the operational requirements of the hotel. While they are located at the furthest distance from the listed buildings, the facilities with their associated bunding, 2.8m high retaining walls along the service road, solar panels and PV canopies will be viewed as substantial features that formalise the parkland character in this area. Concern was expressed that a more natural design for this area using trees and hedging should be considered, minimising the need for retaining walls and the proposed canopies should be deleted.

4.201 However, the applicant has confirmed that the proposed Service Area will be discretely located in the north west corner of the site, contained to the south by a tall thuja hedge and to the north by existing dense planting. The turning circle is set well back from Hammersley Lane beyond retained trees within the most operationally compact and efficient layout negating the need for reversing vehicles with audible alarms.

4.202 The proposed canopies will be a timber construction, providing all-weather protection for staff handling of deliveries and are set within acoustic bunds that will be of an organic form and natural profile with further planting surrounding. To confirm, as with the Service Area, the main mound will have a natural, undulating, and organic form with planting on top. There will be no access to the top of the mound for guests.

4.203 With regards to the proposed solar panels/PV canopies, as set out above, the proposed canopies are designed in timber like a pergola structure but with a cantilever supported by a tensile wire. The smaller lay-in grid PV panels are fixed and non-adjustable to minimise their visual impact with reduced overall height. The lay-in grid enables quarter-turn orientation optimising their efficiency to absorb and not reflect sunlight.

4.204 The above details are now considered to be acceptable, in heritage terms.

The wall and gateway adjacent to Hammersley Lane

4.205 This feature should be built in Flemish bond. A planning condition should be imposed requiring a brick/sample panel to be submitted and approved prior to its use.

Rayners Lodge and Church Road Entrance

4.206 The original entrance is shown to be altered. Its reconstruction is acceptable as it will restore the historic configuration. Again a planning condition should be imposed requiring a brick/sample panel to be submitted and approved prior to its use.

Church Cottage and Boat House extension

4.207 The replacement of the waterworks with a new building based on the Old Laundry, together with the proposed extension to the boathouse is acceptable, subject to detailing and materials. A planning condition should be imposed requiring the submission and approval of a materials specification, schedule of works and large-scale elevations showing typical details of architectural features and detailing.

Stables and Coach House

4.208 The removal of the later extensions is beneficial as it restores the building to its original form and appearance, together with the restoration of the screen wall.

Ancillary buildings - Reconstruction of the forge and fruit store

4.209 These are functional estate buildings that have been insensitively altered and are in a poor condition. Subject to materials and detailed drawings the proposals are acceptable. A planning condition should be imposed to this effect.

Spa, orangery and garden suites

4.210 The proposed spa is located beyond the formal gardens and has been designed to minimise impact on the setting of the listed buildings in an area of the Park and garden that has already been altered over time. A planning condition should be imposed requiring that detailed drawings and materials should be submitted and approved.

Basement to Spa and tunnels

4.211 The new basement construction is approximately 1.5m lower than the existing basement. The condition survey notes that some underpinning would be necessary but again, further information is required to confirm the scope and extent of structural intervention necessary. Underpinning is generally inadvisable in historic structures unless the last resort to rectify inherent defects. Full details and a method statement for construction should be submitted and approved prior to these works commencing.

4.212 The tunnels are fully underground structures that connect the basement of the main house with the spa building. They should be located sufficiently away from the Bothy, Melon House and other retained garden structures to avoid structural intervention. A planning condition should be imposed on the listed building application requiring that a method statement and construction details should be submitted for approval.

Curtilage listed structures

4.213 It is proposed to restore the existing glasshouses, walls and garden structures. A planning condition should be imposed requiring that a schedule of works, specification and samples of materials should be submitted for approval.

Boundary details

4.214 2m high fences are proposed in areas of the park and garden which could introduce a suburban character, and these should be omitted or screened by vegetation. The applicant has confirmed that all proposed fencing will have planting in front of it to the

boundary and the proposed fencing at the Partridge House boundary will be next to rather than replacing the existing hedgerow.

Heritage Conclusion

Subject to the submission of satisfactory details, listed above, this proposal is considered to be a significant benefit to the heritage asset. It is accepted that some limited harm will arise from these proposals. Great weight is given to this level of harm. However, given the significant benefits that this development will have upon the heritage assets overall, it is considered that this harm is far outweighed by the resulting benefit.

Building sustainability

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

4.215 As stated above, the applicant has submitted an Energy Statement in support of this proposal, which details a variety of renewable energy measures to be incorporated into this development.

4.216 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)

BCSNP: Policy 13 (Connecting the Parish)

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

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

- Travel plan (including monitoring fee)

4.219 The applicant has confirmed that he is willing to enter into a legal agreement.

5.0 Weighing and balancing of issues / Overall Assessment

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

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

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

5.3 As set out above it is considered that the proposed development would accord with the development plan policies.

- 5.4 In this instance, it is accepted that the proposed development would represent inappropriate development in the Green Belt. Policy DM42 of the adopted Wycombe District Local Plan states that inappropriate development will be refused unless there are very special circumstances. Very special circumstances will exist when the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 5.5 In this instance, the application site is considered to be pre-developed land. In accordance with Paragraph 154 (g) of the NPPF, the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), is considered to be appropriate development, providing that it would not have a greater impact on the openness of the Green Belt than the existing development.
- 5.6 The details submitted with this application demonstrate that the footprint of the proposed development is larger than that of the existing development. The submitted details does show that the proposed development will mainly be located in areas where existing development exists. Nevertheless, it is evident that the increase in the building footprint will have a greater impact on the Green Belt than currently exists, albeit a moderate one. As such, the proposed development must be considered to be inappropriate, by definition.
- 5.7 In order to justify the proposed development, in Green Belt terms, the applicant has put forward a case of very special circumstances. The benefits accrued from the restoration of and re-use of the heritage asset, together with economic benefits and the lack of alternative sites have been sited.
- 5.8 With regard to the benefits to the heritage asset, these are considered to be substantial. It is accepted that there will be some limited harm to the heritage asset and great weight is given to this harm. However, the application site has been left vacant for over nine years and is starting to decline. The proposed restoration works and redevelopment will enable the four Grade II listed buildings to be fully restored and brought back into a use. Of particular importance, is the fact that the site will be occupied by a single use, which will prevent the fragmentation of the heritage asset.
- 5.9 In this instance alone, it is considered that the significant benefit accrued from the restoration and re-use of these heritage assets, alone, outweighs the limited e harm to the heritage asset itself. In addition, the significant benefit also outweighs the limited harm to the open character and function of the Green Belt, and any other harm. The economic benefits accrued and the lack of an alternative suitable site, simply add weight to the very special circumstances.
- 5.10 With regard to all other matters, this proposal is considered to comply with the policies of the Development Plan.
- 5.11 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 or society to a harmful extent.

5.12 The Human Right 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 (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 provided with pre-application advice. The applicant/agent was updated of any issues after the initial site visit and was requested to provide clarification on various features of the scheme. The applicant/agent provided the required information and the application was subsequently referred to the Council's West Area Planning Committee, with a recommendation that conditional planning permission be granted, subject to the prior completion of a Section 106 agreement.

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 3144-JBA-DR-A-2135-P01; 3144-JBA-DR-A-2140-P01; 3144-JBA-DR-A-2141-P01; 3144-JBA-DR-A-2142-P01; 3144-JBA-DR-A-2201-P03; 3144-JBA-DR-A-2202-P03; 3144-JBA-DR-A-2203-P03; 3144-JBA-DR-A-2210-P03; 3144-JBA-DR-A-2211-P03; 3144-JBA-DR-A-2212-P03; 3144-JBA-DR-A-2213-P03; 3144-JBA-DR-A-2214-P03; 3144-JBA-DR-A-2220-P03; 3144-JBA-DR-A-2221-P03; 3144-JBA-DR-A-2222-P03; 3144-JBA-DR-A-2230-P01; 3144-JBA-DR-A-2240-P01; 3144-JBA-DR-A-2241-P01; 3144-JBA-DR-A-3000-P01; 3144-JBA-DR-A-3010-P01; 3144-JBA-DR-A-3011-P01; 3144-JBA-DR-A-3020-P01; 3144-JBA-DR-A-3030-P01; 3144-JBA-DR-A-3031-P01; 3144-JBA-DR-A-3032-P01; 3144-JBA-DR-A-3110-P01; 3144-JBA-DR-A-3111-P01; 3144-JBA-DR-A-3120-P01; 3144-JBA-DR-A-3130-P01; 3144-JBA-DR-A-3131-P01; 3144-JBA-DR-A-3132-P01; 3144-JBA-DR-A-3200-P01; 3144-JBA-DR-A-3210-P01; 3144-JBA-DR-A-3211-P01; 3144-JBA-DR-A-3212-P01; 3144-JBA-DR-A-3220-P01; 3144-JBA-DR-A-3221-P01; 3144-JBA-DR-A-3222-P01; 3144-JBA-DR-A-3230-P01; 3144-JBA-DR-A-3231-P01; 3144-JBA-DR-A-3232-P01; 3144-JBA-DR-A-4000-P01; 3144-JBA-DR-A-4001-P01; 3144-JBA-DR-A-4010-P01; 3144-JBA-DR-A-4200-P01; 3144-JBA-DR-A-4201-P01; 3144-JBA-DR-A-4210-P01; 3144-JBA-DR-A-4211-P01; 3144-JBA-DR-A-4220-P01; 3144-JBA-DR-A3201-P01; 1491.002Q; 1491.005I; 1491.006A; 1491.010H; 1491.020A; 1491.011H; 1491.016A; 1491.017F; 1491.018A; 1491.019A; 1491.021A; 1491.022; 1491.023A; 1491.024; 1491.025A; 3144-JBA-DR--2001-P01; 3144-JBA-DR-A-1001-P01; 3144-JBA-DR-A-1102-P01; 3144-JBA-DR-A-1103-P01; 3144-JBA-DR-A-1202-P02; 3144-JBA-DR-A-1203-P02; 3144-JBA-DR-A-1300-P01; 3144-JBA-DR-A-2005-P01; 3144-JBA-DR-A-2002-P01; 3144-JBA-DR-A-2003-P01; 3144-JBA-DR-A-2004-P01; 3144-JBA-DR-A-2010-P01; 3144-JBA-DR-A-2050-P01; 3144-JBA-DR-A-2051-P01; 3144-JBA-DR-A-2052-P01; 3144-JBA-DR-A-2053-P01; 3144-JBA-DR-A-2054-P01; 3144-JBA-DR-A-2100-P01; 3144-JBA-DR-A-2101-P01; 3144-JBA-DR-A-2111-P01; 3144-JBA-DR-A-2112-P01; 3144-JBA-DR-A-2113-P01; 3144-JBA-DR-A-2114-P01; 3144-JBA-DR-A-2115-P01; 3144-JBA-DR-A-2120-P01; 3144-JBA-DR-A-2131-P01; 3144-JBA-DR-A-2132-P01; 3144-JBA-DR-A-2133-P01; 3144-JBA-DR-A-2134-P01; unless the Local Planning Authority otherwise first agrees in writing.

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

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

Reason: To secure a satisfactory external appearance.

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

Reason: To secure a satisfactory appearance.

- 5 No other part of the development shall be occupied until the existing means of access onto Church Road, and new means of access onto Hammersley Lane, has been provided in general accordance with the approved planning drawing and constructed to the appropriate Buckinghamshire Council access standards.
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.
- 6 No other part of the development shall be occupied until the visibility splays shown on the approved drawings (6912.001 Rev E & 6912.003 Rev F) have been provided on both sides of the accesses and the area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.
Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.
- 7 The scheme for parking and manoeuvring and the loading and unloading of vehicles shown 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, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.
- 8 Prior to occupation of the scheme, details to be submitted for the approval of the Local Planning Authority shall include a scheme for cycle parking in accordance with Buckinghamshire Council's Buckinghamshire Countywide Parking Guidance policy document. The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and that area shall not be used for any other purpose.
Reason: In order to influence modal choice and to reduce single occupancy private car journeys and comply with national and local transport policy.
- 9 The development hereby permitted shall be carried out in accordance with the submitted Construction Traffic Management Plan detailing (but not limited to), the management of construction traffic including vehicle routing, vehicle types, frequency of visits, expected daily time frames, use of a banksman, on-site loading/unloading arrangements and parking of site operative's vehicles.
Reason: In order to avoid danger, obstruction and inconvenience to users of the highway and of the development during the construction phase.
- 10 Prior to the first occupation of the development, hereby permitted, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall include full details of the following:
- Management of Function Room
 - Movement of Guests throughout the day and night
 - Movement of Staff throughout the day and night
 - Management of Car Parks
 - Timings of music events
 - Management of Service Area
 - Timings of Deliveries.
- Thereafter, the approved Noise Management Plan shall be in operation prior to the first occupation of the development, hereby approved, and shall be retained in force for the lifetime of the development.

Reason: In order to safeguard adjacent residents from noise and disturbance emitting from the approved development.

- 11 Prior to the first occupation of the development, hereby permitted, the noise mitigation measures specified in the submitted Noise Impact Assessment, by 24 Acoustics, dated October 2023, shall be constructed/provided and thereafter retained permanently for the lifetime of the development.

Reason: In order to safeguard adjacent residents from noise and disturbance emitting from the approved development.

- 12 Prior to its first installation, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: In order to safeguard the amenities of adjacent residents and the heritage setting of the site.

- 13 The development, hereby approved, shall be undertaken in accordance the landscaping details specified in the submitted Landscape and Visual Impact Assessment, by Colvin and Moggridge and on drawing numbers 1491.002Q; 1491.010H and 1491.023A.

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

- 14 Prior to the commencement of development, (other than demolition and enabling works) a detailed landscape management plan for the site shall be submitted to and approved in writing by the Local Planning Authority.

- Description of the features to be managed;
- Lifespan of the management plan;
- Aims and objectives of management;
- Appropriate management options for achieving aims and objectives;
- Prescriptions for management actions;
- Preparation of a work schedule (an annual work plan and the means by which the plan will be rolled forward annually);
- Personnel responsible for implementation of the plan.

Thereafter the development shall be carried out in accordance with the approved landscape management plan unless otherwise first agreed in writing by the Local Planning Authority.

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

- 15 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.

- 16 The development hereby permitted shall not be brought into use until the measures specified in sections 3.2 and 3.3 of the submitted Energy Statement, by Max Fordham, dated October 2023, have been installed and brought into use.

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

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

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

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

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

- 18 The development, hereby permitted shall not be brought into use until details showing the precise location, number and specification of the proposed electric car charging points, have submitted to and approved in writing by the Local Planning Authority. Thereafter, the electric car charging vehicle points shall be provided prior to the first occupation of the development hereby permitted and shall be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the architectural and historic integrity of the Grade II listed building, and to assist in the reduction of air pollution from vehicular traffic by facilitating the use of electric vehicles to reduce the negative impact on the health of residents living within the Air Quality Management Area thereby meeting the requirements of Policies CP12 and DM33 in the adopted Wycombe District Local Plan (2019).

- 19 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority should be given to above ground SuDS components
- SuDS components agreed in the outline application
- Full construction details of all SuDS and drainage components
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.

Reason: The reason for this pre-start condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 173 and 175 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

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

Reason: The reason for this pre start condition is to ensure that arrangements have been arranged and agreed for the long term maintenance of the drainage system as required under Paragraph 175 of the NPPF.

- 21 Notwithstanding the submitted Arboricultural Method Statement, a revised Arboricultural Method Statement (AMS) including a Tree Protection Plan (TPP) in accordance with the British Standard 5837:2012 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 shall include:

- a) Detailed plans showing location of the protective fencing including any additional ground protection whether temporary or permanent;
- b) Details as to the location of proposed and existing services and utilities including drainage, where these are close to Root Protection Areas (RPAs);
- c) Details as to the method, specification and materials to be used for any "no dig" surfacing, and; (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 schedule of maintenance of the trees until successfully established is to be agreed in writing with the local planning authority and implemented. The schedule shall include provision for replacement planting should establishment fail.

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

Reason: The reason for this pre start condition is to ensure the satisfactory protection of retained and newly planted trees in the interests of visual amenity.

- 22 No development shall take place, unless authorised by the Planning Authority, until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work (which may take place over a number of phases) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. The development shall only be implemented in accordance with the approved scheme. This may include earthwork surveys, archaeological monitoring and recording.

Reason: The reason for this pre start condition is in view of the history of the site and the desirability of recording any items of interest.

- 23 The development shall be implemented in accordance with the following:

- Compensation and mitigation measures for roosting bats as outlined within the Ecological Impact Assessment and Biodiversity Net Gain Assessment, Chapter 7 (Davidson-Watts Ecology, October 2023);
- the proposed Lighting Assessment (Max Fordham, October 2023);

The condition will be considered discharged following; a written statement from the ecologist acting for the developer confirming these measures have been implemented correctly.

Reason: To ensure that measures are undertaken in accordance with submitted plans for the benefit of important wildlife.

- 24 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
- a. Risk assessment of potentially damaging construction activities.
 - b. Identification of "biodiversity protection zones".
 - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including mitigation measures for nesting birds and hedgehogs, and Reasonable Avoidance Measures (RAMs) for reptiles and badger.
 - d. The location and timing of sensitive works to avoid harm to biodiversity features.
 - e. The times during construction when specialist ecologists need to be present on site to oversee works.
 - f. Responsible persons and lines of communication.
 - g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
 - h. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: The reason for this pre start condition is to ensure that development is undertaken in a manner which ensures important wildlife is not adversely impacted.

- 25 No development shall take place (including demolition, ground works, vegetation clearance) until a 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 as shown within the Ecological Impact Assessment and Biodiversity Net Gain Assessment (Davidson-Watts Ecology, October 2023)
 - 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 shall include details of ecological enhancements recommended in the Ecological Impact Assessment and Biodiversity Net Gain Assessment, Chapter 7 (Davidson-Watts Ecology, October 2023). 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: The reason for this pre start condition is 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.

- 26 Details of the reconstructed balustrade, protective grill and alterations to the window openings shall be submitted to and approved by the Local Planning Authority, prior to their installation. Thereafter, the development shall be undertaken in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.
Reason: In the interests of visual amenity and to safeguard the architectural and historic integrity of the Grade II listed building.
- 27 A schedule of works and large-scale elevations showing the details of the proposed reinstatement work at Rayners House, including the former staff porch, billiard room, conservatory, replacement windows, brickwork and roof diaper work shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of this element of the development. The submitted details should include the use of matching materials and detailing in the making good and new reinstatement work.
Thereafter the development shall only be undertaken in accordance with the approved details, unless otherwise first approved in writing by the Local Planning Authority.
Reason: In the interests of visual amenity and to safeguard the architectural and historic integrity of the Grade II listed building.
- 28 Prior to the commencement of the extension to Rayners House, hereby permitted, large scale drawings shall be submitted to and approved in writing by the Local Planning Authority. The submitted drawings shall include the detailing of the proposed typical elevations/ architectural features, including chimneys, openings, eaves, verges, junctions of materials, brickwork, rainwater goods and roof tile detailing. In addition, samples panels should be constructed on site for the different materials and retained throughout the construction period. Rainwater goods should be painted metal and details/locations of flues, extracts, service should be provided.
Thereafter the development shall only be undertaken in accordance with the approved details, unless otherwise first approved in writing by the Local Planning Authority.
Reason: In the interests of visual amenity and to safeguard the architectural and historic integrity of the Grade II listed building.
- 29 Large scale plans showing the details of the restoration of the chimney stack to the Gardeners Bothy shall be submitted to and approved in writing prior to the commencement of work on this element of the development. hereby permitted. Thereafter the development shall only be undertaken in accordance with the approved details, unless otherwise first approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the architectural and historic integrity of the Grade II listed building.

- 30 The wall and gateway adjacent to Hammersley Lane should be constructed in Flemish bond. A brick or sample panel should be submitted to and approved in writing before its use. Thereafter the development shall only be undertaken in accordance with the approved details, unless otherwise first approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the architectural and historic integrity of the Grade II listed buildings.

- 31 A brick or sample panel depicting the materials to be used in the reconstruction of the Rayners Lodge and Church Road entrance should be submitted to and approved in writing prior to the commencement of work of these elements. . Thereafter the development shall only be undertaken in accordance with the approved details, unless otherwise first approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the architectural and historic integrity of the Grade II listed buildings.

- 32 A schedule of works, large-scale elevations and a materials schedule showing typical details of architectural features and detailing for the proposed extensions to Church Cottage and the Boat House shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of this element of the development.

Thereafter the development shall only be undertaken in accordance with the approved details, unless otherwise first approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the architectural and historic integrity of the Grade II listed building.

- 33 Details of the proposed external materials and large scale drawings of the elevations for the reconstruction works to the ancillary forge and fruit store buildings shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of this element of the development.

Thereafter the development shall only be undertaken in accordance with the approved details, unless otherwise first approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the architectural and historic integrity of the Grade II listed building.

- 34 Details of the proposed external materials and large scale drawings of the elevations for the proposed Wellness Spa, Orangery and Garden Suites shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of this element of the development.

Thereafter the development shall only be undertaken in accordance with the approved details, unless otherwise first approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the setting of the adjacent Grade II listed buildings.

- 35 A schedule of works, a detailed specification and a sample of materials to be used in the restoration of the existing glasshouses, walls and garden structures shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of this element of the development.

Thereafter the development shall only be undertaken in accordance with the approved details, unless otherwise first approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the setting of the adjacent Grade II listed buildings.

36 No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR112 , or a 'Further Licence') and with the proposals detailed on plan "Rayners Penn: Impact plan for great crested newt District Licensing (Version 2)", dated 6th March 2024.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR112, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

37 No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR112, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence.

The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

38 No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence WML-OR112 (or a 'Further Licence') and in addition in compliance with the following:

- Works to existing ponds onsite may only be undertaken during autumn/winter, unless otherwise in accordance with the Great Crested Newt Mitigation Principles.
- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.
- Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e., hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development).
- Amphibian fencing and pitfall trapping must be undertaken at suitable habitats and features, prior to commencement of the development.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR112, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006

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 the applicant/agent was provided with pre-application advice. The applicant/agent was updated of any issues after the initial site visit and was requested to provide clarification on various features of the scheme. The applicant/agent provided the required information and the application was subsequently referred to the Council's West Area Planning Committee, with a recommendation that conditional planning permission be granted, subject to the prior completion of a Section 106 agreement

- 2 The applicant is advised that the off-site works will need to be constructed under a Section 184/278 of the Highways Act legal agreement. This Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. Please visit the Council's website for further guidance or contact Highways Development Management at the following address for information:

Highway Development Management (Delivery)
Buckinghamshire Council
6th Floor, Walton Street Offices
Walton Street
Aylesbury
Buckinghamshire
HP20 1UY
highwaysdm@buckinghamshire.gov.uk

- 3 It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.
- 4 No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.
- 5 It is contrary to section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system.
6. It is recommended that the NatureSpace Best Practice Principles are considered and implemented where possible and appropriate.

It is recommended that the NatureSpace certificate is submitted to this planning authority at least 6 months prior to the intended commencement of any works on site.

It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority (which permits the development to proceed under the District Licence WML-OR112, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newts are thereby committed then criminal investigation and prosecution by the police may follow.

It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but

which fail to respect controls equivalent to those detailed in the planning condition above which refers to the NatureSpace great crested newt mitigation principles would give rise to separate criminal liability under the District Licence, requiring authorised developers to comply with the District Licence and (in certain cases) with the GCN Mitigation Principles (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017 (as amended) (for which the Police would be the enforcing authority).

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Cllr Nathan Thomas: I have been closely watching resident's comments and views on this application whilst going through the documents attached to the proposal. This application is a significant project and there are arguments for and against the proposal. Due to the large amount of public interest in the application and some resident's concerns about the assumption made in the Highway/Noise Assessment I wish for this application to come before the planning committee for decision. I think that this application would benefit from extra scrutiny and open decision making.

Cllr Katrina Wood: This is a large significant application for Penn & Tylers Green villages and whilst there is a good deal of support there is also a large number of objections. As this is causing grave concerns to some residents regarding various points in the application especially around highways, noise and use of property going forward I would request that should the officers be minded to approve that the application come before the planning committee for final discussion and decision.

Parish/Town Council Comments

CWPC do not object to the development itself, but do strongly object to the likely impact of the necessary traffic a development of this scale would have on the community if Cock Lane and Hammersley Lane are allowed to be used for site traffic. Cock Lane is already congested and unsuitable for heavy vehicles, and Hammersley Lane is also unsuitable for heavy vehicles; two heavy vehicles would not be able to pass in some places and it would be unsafe for pedestrians who have to walk in the road in places due to the lack of a footpath.

Additionally, the exit route from Hammersley Lane along School Road towards the Rayners site access gate is entirely unsuitable, passing as it does the First School and then the narrow and already congested exits beyond onto the B474.

If the application is recommended for approval, we request a condition be imposed that all construction and contractors' vehicles use the much wider and more suitable B474 from Hazlemere or Beaconsfield at ALL times and access the site through the main entrance only. We request this too in the knowledge of other large developments most likely being built during the same time frame in the immediate vicinity, namely Ashwells and Gomm Valley, which will add their own unwelcome impact on the community's road infrastructure.

We are also concerned regarding the impact on immediate neighbours on any outdoor events, weddings, large parties and would request a condition to limit frequency, noise, lighting, fireworks and antisocial hours.

Penn Parish Council: We welcome the careful thought which has gone into, and extensive consultation on, the proposals for Rayners, which will boost the local economy. We would like to see use of external marquees restricted, similarly the use of external terraces permitted only during licensed hours.

Consultation Responses

Highways Authority (Development Management): No objection, subject to conditions regarding means of access; visibility splays; parking and cycle parking provision; and a Construction Management Plan. In addition, a Section 106 agreement is required for a) a fee of £1,000 per year for five years to meet the costs of monitoring the Travel Plan through S106 agreement and b) the provision and retention of the shuttle bus service.

Highways Authority: Travel Plan Review: This is a well thought out Travel Plan with some good measures to reduce single occupancy car use. This Travel Plan covers all of the requirements of the Buckinghamshire Travel Plan guidance for developers. The implementation of the shuttle bus and the Guaranteed Lift Home as described in the Travel Plan and other planning documents are critical in delivering a successful Travel Plan which hits the targets set out

Local Lead Flood Authority: No objection, subject to a pre-start condition requiring details of a full drainage scheme is required together with details of its future maintenance.

Historic England: Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

The Georgian Group: None received

The Gardens Trust: None received

Ancient Monuments Society: None received

The Victorian Society: None received

Twentieth Century Society: None received

Environmental Health Officer: No objections, subject a condition requiring the prior submission of a Noise Management Plan; details of external lighting and the provision of electric car charging points.

Waste Management: We in Southern waste, consider this as commercial consultation and therefore we currently do not consult on commercial developments. We provide consultation for domestic residential settings only. We must advise to source waste services from a private contractor.

Thames Water: As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer.

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses. As per Building regulations part

H paragraph 2.21, Drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-:2004 and designed in accordance with BS EN 1825-2:2002 or other effective means of grease removal. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

Archaeology Officer: No objection in principle, subject to a planning condition requiring the submission, approval and implementation of a written scheme of archaeological investigation.

Conservation Officer: No objections subject to planning conditions requiring the submission of further details regarding elements of the development.

Ecology Officer: No Objection, subject to planning conditions requiring a) compensation and mitigation measures for roosting bats as outlined within the Ecological Impact Assessment and Biodiversity Net Gain Assessment, Chapter 7 (Davidson-Watts Ecology, October 2023); b) implementation of the proposed Lighting Assessment (Max Fordham, October 2023) and c) Construction Environmental Management Plan; and Landscape and Ecological Management Plan

Ecology - Newts Officer

Arboricultural Officer: No objection, subject to conditions requiring a) the submission of a revised Arboricultural Method Statement (AMS) including a Tree Protection Plan (TPP) in accordance with the British Standard 5837:2012 Trees in relation to construction and b) a schedule of maintenance of the trees until successfully established is to be agreed in writing with the local planning authority and implemented.

Landscape Officer: None received.

Representations

Several letters of representation have been received from local residents objecting to this proposal on the grounds, the grounds of objection include:

- Noise and disturbance from vehicles; car headlights; guests; music and service yard, particularly, but not exclusively, at night
- Light pollution and disturbance from light sources
- Possible use of circular pathway by motor vehicles
- Noise and disturbance during construction phase
- Inaccurate findings in applicants Noise Report
- Increased traffic to and from the site
- Loss of highway safety
- Inadequate public transport network
- Inadequate parking provision
- Additional vehicular entrance onto Hammersley Lane
- Inaccurate findings/assumptions in applicants Transport Report and Council's Highway Authority Assessment.
- Inaccurate findings provided in submitted Economic Report
- Overdevelopment of the site in Green belt and AONB
- Loss of privacy
- Loss of light
- Incongruous appearance of proposed canopies in car parks
- Loss of outlook

- Harm to wildlife habitats

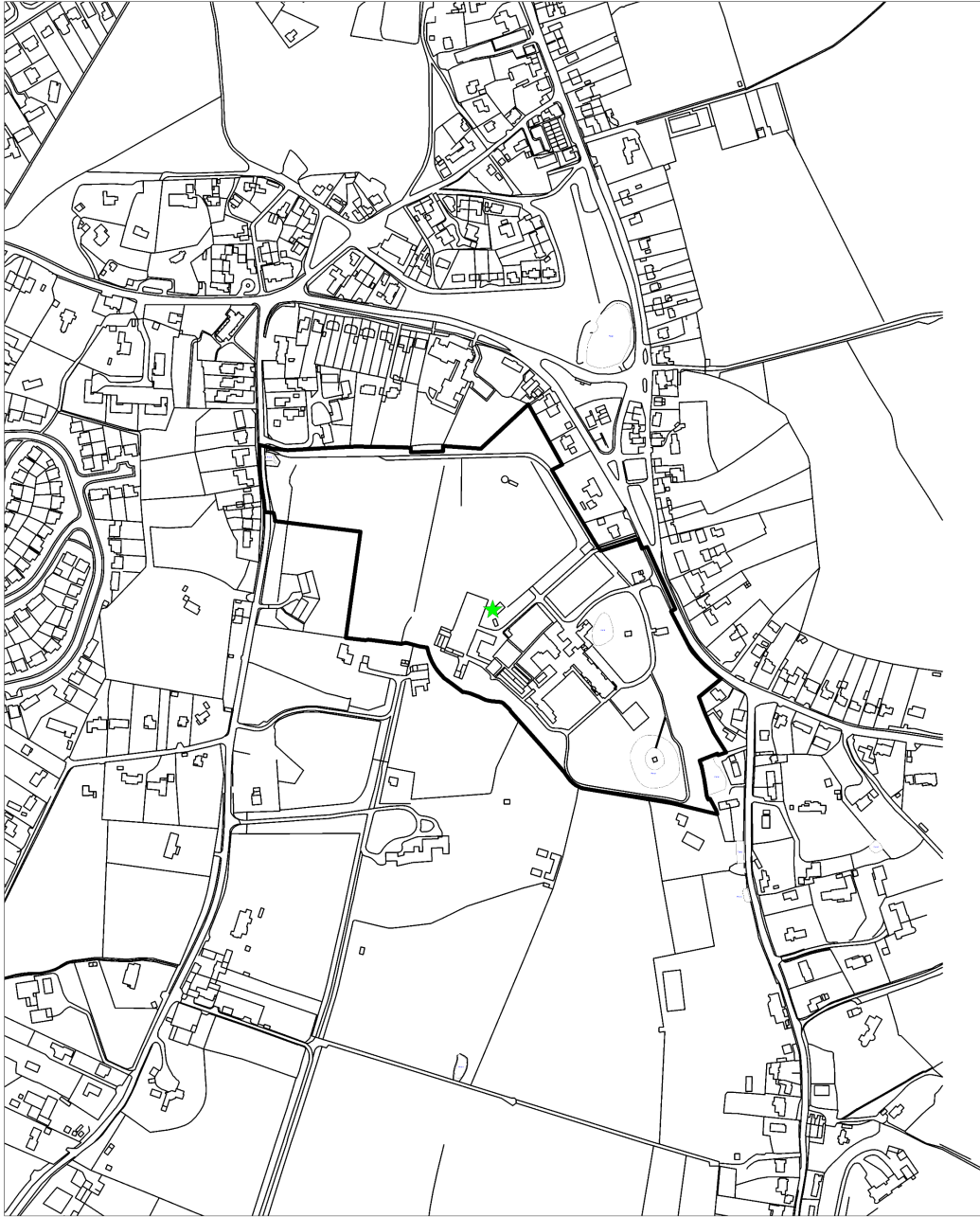
In addition, a local resident has submitted their own Transport and Noise Assessments, objecting to this proposal.

Letters of support have also been submitted, including one from a descendant of Sir Phillip Rose and the Penn Tylers Green Residents Society. The grounds of support include:

- Sympathetic restoration and reuse of Grade II listed property
- Creation of local jobs and economic benefit
- Sustainable development
- Enjoyable public consultations
- Highly appropriate use for the site
- No substantial increase in traffic
- Noise loss of amenity re: noise and light pollution.

APPENDIX B: Site Location Plan

23/07721/FUL
Scale 1/5000



Planning Committee
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Ordnance Survey 100062456

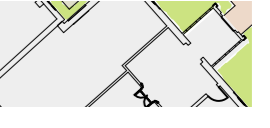


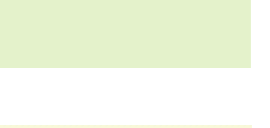
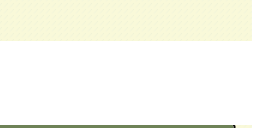
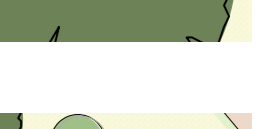
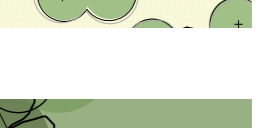







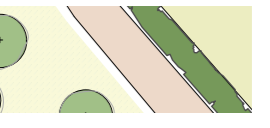
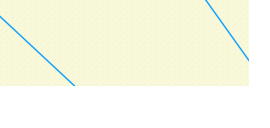

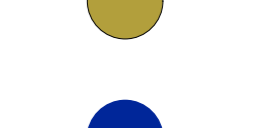



APPENDIX C: Landscape Master Plan – drg no. 1491.002Q.

See following page.

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General notes:
 1. This drawing is to be read in conjunction with other C&M landscape drawings and specifications.
 2. Any discrepancies between sources of information should be immediately notified to the Landscape Architect for clarification.
 3. Do not scale off this drawing other than for planning purposes.
 4. All dimensions in mm unless otherwise stated.

KEY

-  Buildings - Existing & Proposed
-  Hedges - Existing & Proposed
-  Fruit Tree Cordons - Existing & Restored
-  Lawns
-  Parkland Meadow
-  Existing Trees Retained
-  Proposed Trees
-  Woodland Infill planting
-  Dense Scrub biodiversity planting
-  Understorey/shrub planting
-  Shrub planting
-  Ornamental plantings
-  Planters/grating over light wells
-  Gravel parking (reinforced) & gravel pathways
-  Service Drive: porous macadam
-  Resin-bound parking aisles & pathways
-  View lines
-  Axial Centrelines
-  Urns/Ornament
-  EV Charging Points
-  Site Boundary

0 4 8 12 16 20 M

Q	Red line boundary adjusted	18.10.23	GC
P	Charging units adjusted	3.02.23	GC
O	Minor adjustments	8.9.23	GC
N	Substation/ipv panels	8.9.23	GC
M	Mound & south terrace updates	25.8.23	GC
L	Mound & south terrace updates	16.8.23	GC
K	BNG updates, arch updates	11.8.23	GC
J	Solar panel added	08.8.23	ZC
I	Post-consultation drive changes	25.7.23	GC
H	Design/Key Updates	19.6.23	GC
G	Arch/Design Updates	12.6.23	GC
F	Design Updates	22.5.23	GC
E	Design Updates	10.5.23	GC
D	Design Updates	13.4.23	GC
C	Design Updates	23.3.23	GC
B	Design Updates DRAFT	14.2.23	GC
A	Design Updates	7.2.23	GC

RAYNERS PENN

Landscape Masterplan

PLANNING

1500 @ A0
 12.12.2022
 MB/MD/GC

1491.002Q



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Report to West Area Planning Committee

Application Number:	24/05048/FUL
Proposal:	Householder application for construction of part single/part two-storey front extension, single-storey side and garage conversion and part single/part two-storey rear extension together with internal alterations
Site Location:	111 Bridgestone Drive Bourne End Buckinghamshire SL8 5XQ
Applicant:	Mr James Bent
Case Officer:	Chris Lamb
Ward(s) affected:	The Wooburns, Bourne End & Hedsor
Parish-Town Council:	Wooburn And Bourne End Parish Council
Date valid application received:	26th January 2024
Statutory determination date:	22nd March 2024
Recommendation	Application Permitted

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Planning permission is sought for the construction of a part single/part two-storey front extension, single-storey side and garage conversion and part single/part two-storey rear extension together with internal alterations.
- 1.2 It is considered that the proposed development would not have a significantly adverse effect upon the character and appearance of the dwelling and surrounding area, or the amenities of adjacent residents. Furthermore, the proposal would also not have a negative impact in terms of highway safety/parking or ecology.
- 1.3 The application is considered to comply with the development plan policies, and is therefore recommended for approval.
- 1.4 This application has been referred to the Planning Committee for determination, having been subject to a three-member call-in by The Wooburns, Bourne End and Hedsor Ward Councillors: Kayani, Drayton and Wilson.

2.0 Description of Proposed Development

- 2.1 The application relates to a two storey, detached residential property located within a cul-de-sac at the end of Bridgestone Drive. The property is of brick construction with

white render to all elevations, and is characterised by a pitched tile roof with front and rear gables, and attached single storey garage to one side. An existing single storey extension projects from the rear. The property benefits from off-street parking to the side, in addition to modest front and rear gardens. It is not located within the Green Belt, a Conservation Area nor an Area of Outstanding Natural Beauty.

- 2.2 The application proposes the construction of a two storey front extension, measuring approximately 3.3m in width by 2.7m in depth, and a first floor rear extension measuring 3.6m in width by 2.8m in depth, which would sit atop part of the existing single storey rear extension. The existing side garage would also be partly converted into habitable accommodation, with respective additions of approximately 0.9m and 0.8m to the front and rear of the structure and alterations to the existing roof pitch to accommodate said additions.
- 2.3 During the course of the application, the original drawings were amended to correct noted discrepancies, principally to the red edge and the extent of land in ownership of the applicant.

3.0 Relevant Planning History

- 3.1 The development follows on from two previous planning applications, which were withdrawn at the request of the application following recommendations for refusal, and a certificate of lawfulness which was refused given that permitted development rights have been historically removed from this property. It is considered that the proposal has now been amended to an acceptable level following these applications.

Reference	Development	Decision	Decision Date
23/05134/FUL	Householder application construction of single storey rear extension, two storey side extension and internal alterations	WDN	4 May 2023
23/06295/CLP	Certificate of lawfulness for proposed construction of new front porch, side extension, garage conversion and part single/ part double storey rear extension, following the demolition of the existing single storey rear extension.	RECLP	6 September 2023
23/07351/FUL	Householder application for construction of part single/part two-storey front extension, single-storey side and garage conversion and part single/part two-storey rear extension together with internal alterations	WDN	25 January 2024

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)

DSA: DM1 (Presumption in favour of sustainable development)

- 4.1 The application relates to an existing residential property located within the Bourne End Settlement Boundary. Extensions to existing residential properties in this location would be considered acceptable in principle subject to complying with all other Development Plan policies.

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 property lies within Residential Parking Zone B. The proposal would not increase the number of bedrooms at the property, but would increase the number of habitable rooms from seven to eight. As per the Buckinghamshire Countywide Parking Guidance policy document, this would not however increase the required parking provision, which would remain at the optimal number of three vehicles.
- 4.3 At present, the property has only one off-street parking space, to the front of the garage, with the existing garage not of the sufficient dimensions to count towards the parking provision. There is therefore an existing deficit of two vehicles on the optimal requirement of three spaces.
- 4.4 Whilst the proposed garage conversion would not therefore alter the existing parking provision, the addition of a 0.9m extension to the front of this aspect would remove the usability of the existing off-street parking space. Nevertheless, the application proposes the creation of further hardstanding to the front of the property, to accommodate two off-street parking spaces. Though remaining below the optimal requirement of three spaces, this would represent an increase in parking provision on the existing arrangement and reduce the current deficit from two to one. As such, the existing deficit would not be exacerbated and the number of parking spaces serving the property would not be made deficient as a result of the proposal.

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), DM36 (Extensions and Alterations to Existing Dwellings)

Householder Planning and Design Guidance (2020)

Wooburn and Bourne End Neighbourhood Development Plan (2023): WBE/PD2 (Residential Infill and Quality Design).

- 4.5 The two storey front extension would be set down from the main roof ridge of the property, and would extend to just over half the width of the front elevation. In light of its overall scale, it is considered that the front extension would appear as appropriately subservient and proportionate, and would be of a satisfactory design which replicates the roof form of the main dwelling. Members should also be aware that the neighbouring property to the south, no. 113, benefits from a materially similar front extension in both size and appearance, permitted under Ref: 15/07231/FUL. As such, the front extension would not look out of place within the street scene.
- 4.6 The front elevations of nos. 109, 111 and 113 are staggered. The front extension would bring the front wall of the application property roughly in line with no. 109, thereby somewhat reducing this staggered nature, though the submitted ground floor plan shows the extension would remain marginally set back from the principal front elevation of this neighbour. In any case, given that the extension does not cover the

width of the property, with a portion of the existing front elevation remaining, it is considered that the staggered relationship between the properties would be preserved to an acceptable extent.

- 4.7 The rear extension would be of an appropriate depth which replicates the same design and, being set down from the main roof, also appears as a proportionate and subservient addition. The additions to the garage would be minor in nature which would not significantly alter its existing visual appearance. All elements would be finished in matching materials.
- 4.8 In light of the above it is not considered that the proposed development would appear as out of keeping with the existing property or character of the surrounding area.

Amenity of existing and future residents

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality), DM36 (Extensions and Alterations to Existing Dwellings)
Householder Planning and Design Guidance (2020)

- 4.9 In terms of privacy, the application would include the addition of a new ground floor window and first floor window to the northwest facing side elevation. The ground floor window would look onto a solid wall of the neighbour's garage, therefore would have no impact on privacy. The first floor window provides a greater vantage point for overlooking, however this opening could be conditioned to be obscurely glazed/ fixed shut below 1.7m to prevent any undue impact, particularly as it relates to a non-habitable room. There would be no additional side windows to the southeast facing side elevation, therefore there would be no greater impact to neighbour privacy on this side beyond the existing arrangement.
- 4.10 In terms of light, the front and rear extensions would conform to the Council's light angle guidance with respect of the front and rear openings of neighbouring properties, whilst given their siting and the detached nature of the properties, impacts on outlook are also deemed to be acceptable. Whilst the front extension would somewhat block light to a side window of no. 109, and also reduce its outlook, this window does not serve a habitable room, therefore little weight can be attached to this loss.
- 4.11 It is noted that the garage of the neighbouring property, no. 113, has been previously converted into a habitable room. As can be seen on the proposed ground floor plan, given the siting of this room and its proximity to the side of the application property, the current layout already significantly breaches the light angle guidance with respect of this habitable room. This is however an existing relationship, and given the modest alterations proposed to the garage (including no overall height increase), in this instance it is not considered that this relationship would be worsened or exacerbated by the proposal in terms of loss of light or outlook.
- 4.12 No other properties would be unduly impacted by the proposal in terms of amenity. Whilst comments from neighbours regarding a loss of vista to no. 107 are noted, given the siting of this property, separation distance from the development and that the front extension would project to approximately the same build line as no. 109, it is not considered that this neighbouring property would be adversely affected.

Flooding and drainage

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

- 4.13 The application site is not within an area at risk of flooding, however the proposed enlarged front hardstanding should be laid with a permeable or porous material, in

order to ensure that surface water is drained in a sustainable manner. A planning condition should be imposed to this effect.

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)

- 4.14 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.
- 4.15 Whilst the proposed extensions would be sited within areas of the site which are already developed or laid to hardstanding, the proposed enlarged parking area would involve the loss of a section of front lawn. As such, to ensure the proposal would achieve a net gain in on site biodiversity, it is recommended a bird box or similar is installed within the curtilage of the site, to be secured by way of condition.
- 4.16 The agent has indicated that the existing tree to the front of the site is due to be retained. Whilst this tree is not protected, and is of limited amenity value, this would be desirable as it would assist in visually breaking up the extent of hardstanding by retaining some soft landscaping to the front of the property. As such, and so as to also maintain existing levels of biodiversity, it would be appropriate to impose a condition requiring a replacement tree of similar size and species be planted should the existing tree be subsequently lost to the development or harmed in the construction process.

5.0 Weighing and balancing of issues / Overall Assessment

- 5.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 5.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
 - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
 - c. Any other material considerations
- 5.3 As set out above it is considered that the proposed development would accord with the development plan policies.
- 5.4 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.
- 5.5 The Human Rights Act 1998 Article 1 the protection of property and the peaceful enjoyment of possessions and Article 8 the right to respect for private and family life, have been taken into account in considering any impact of the development on

residential amenity and the measures to avoid and mitigate impacts. It is not considered that the development would infringe these rights.

6.0 Working with the applicant / agent

- 6.1 In accordance with paragraphs 38 and 39 of the NPPF (2023), Buckinghamshire Council takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. Buckinghamshire Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application. In this instance the agent was advised of concerns relating to the original submission. Amended plans were subsequently received which were deemed to be acceptable.

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 and retained in accordance with the details contained in the planning application hereby approved and amended plan numbers 22118.S.PP-05G, 22118.S.PP-06G, 22118.S.PP-07G, 22118.S.PP-08A, 22118.S.PP-09 REV D and 22118.S.PP-10 REV D, 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 used in the existing building, unless the Local Planning Authority otherwise first agrees in writing. Furthermore, the widened front hardstanding shall be matching in appearance to that of the existing hardstanding.
Reason: To secure a satisfactory external appearance.
- 4 The scheme for parking and manoeuvring of vehicles shown 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 ensure an adequate level of parking at the site and to enable vehicles to draw off, park, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.
- 5 Before the first occupation of the extensions hereby permitted, the new first floor window to the northwest facing side elevation, as indicated on plan numbers 22118.S.PP-06G and 22118.S.PP-08A, shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of any room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.
Reason: In the interests of the amenity of neighbouring properties.

- 6 Notwithstanding any details hereby approved, the widened front hardstanding shall either be made of porous materials, or provision shall be made to direct run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the dwellinghouse.
Reason: To ensure the sustainable drainage of surface water.
- 7 Prior to the occupation of the development hereby permitted, a bird box shall be installed within the curtilage of the site. Thereafter the bird box shall be retained for the lifetime of the development.
Reason: In order to preserve and enhance biodiversity as a result of the development hereby permitted, in accordance with Policy DM34 of the adopted Local Plan.
- 8 Unless otherwise agreed, the tree to the frontage of the site shall not be lopped, topped, felled or removed without the prior approval of the Local Planning Authority. If during construction of the development, or within a period of three years of its completion, the tree dies or becomes damaged, destroyed, diseased or dangerous, it shall be replaced during the following planting season by another healthy tree of a similar size and species, unless otherwise approved in writing by the Local Planning Authority. Thereafter any such replacement planting shall be maintained or further replaced as necessary for three years after replacement.
Reason: To ensure the satisfactory retention of existing trees, shrubs and hedges and in the interests of visual amenity.

Informative(s)

- 1 In accordance with paragraphs 38 and 39 of the NPPF (2023), Buckinghamshire Council takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. Buckinghamshire Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application. In this instance the agent was advised of concerns relating to the original submission. Amended plans were subsequently received which were deemed to be acceptable.
- 2 Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, care should be taken upon the commencement and during the course of building operations to ensure that no part of the development, including the foundations and roof overhang will encroach on, under or over adjoining property. During construction no scaffolding shall encroach on, under or over adjoining property unless permission has first been obtained from the owner of that property.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

CLlr Kayani:

If the planning officer is minded to approve this application, I would wish it to be called in the the West Bucks Area Planning Committee. I am concerned about over-development of the site, impact on the street scene and adequate access and parking for the proposed dwelling.

CLlr Drayton:

If the planning officer is minded to approve this application I request a call in to committee. There are concerns of over development of the site.

CLlr Wilson:

If the planning officer is minded to approve this application, I would wish it to be called in the the West Bucks Area Planning Committee. I am concerned about over-development of the site, impact on the street scene and adequate access and parking for the proposed dwelling.

Parish/Town Council Comments:

Objection, as stated on previous application, Overdevelopment and impact on the Street Scene. On Site parking standard for Buckinghamshire not met for proposed 5 bed house, Errors in application with existing and proposed Fenestration layout.

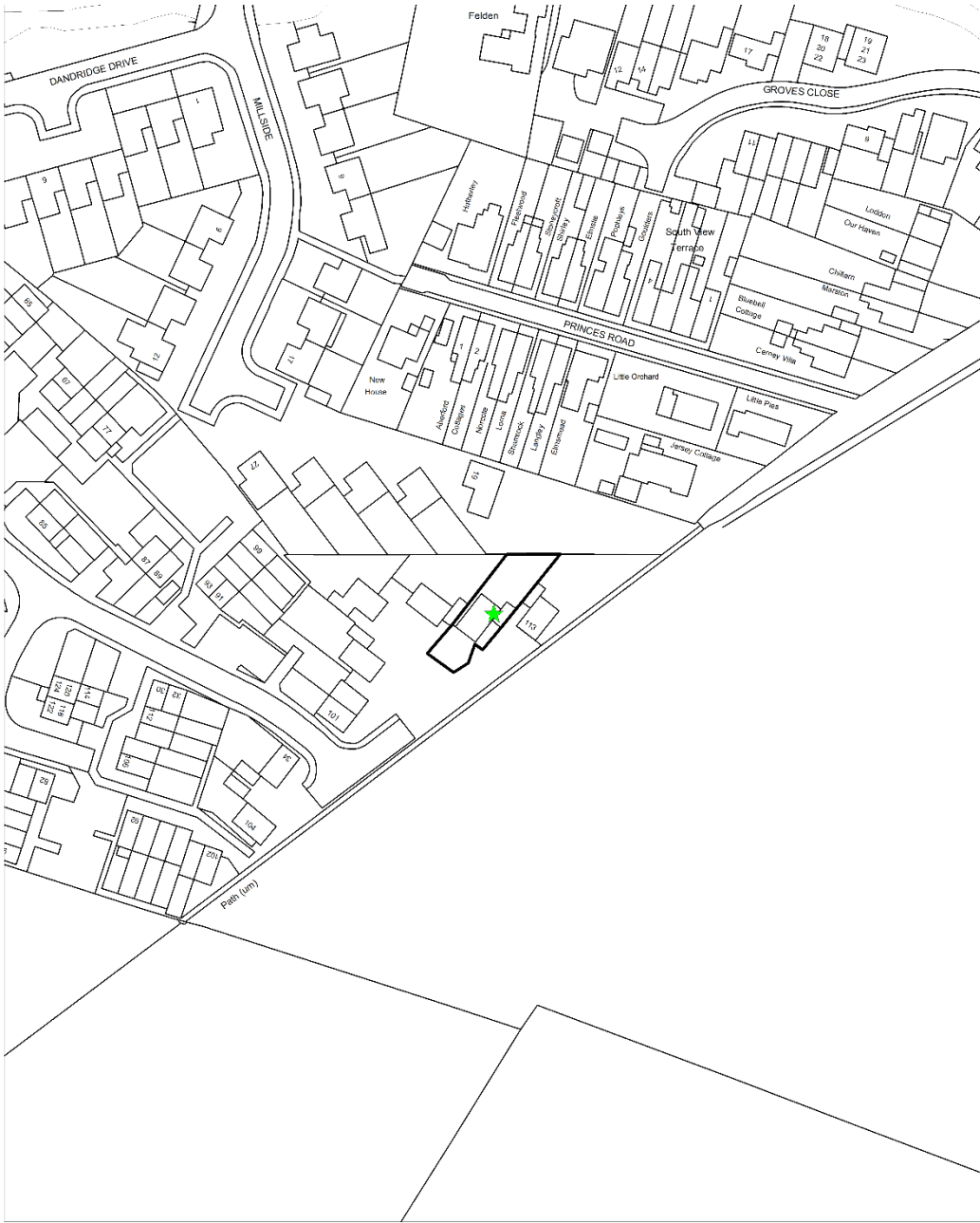
Representations:

The concerns and comments of the general public are summarised below:

- Insufficient parking
- Impact on neighbour amenity: light, privacy, loss of vista
- Overdevelopment
- Impact on character/appearance of the area
- Boundaries not accurate and other errors in the application

APPENDIX B: Site Location Plan

24/05048/FUL
Scale 1/1250



Planning Committee
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Ordnance Survey 100062456

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Report to West Area Planning Committee

Application Number:	24/05279/FUL
Proposal:	Removal of existing garage and erection of new two storey 2 bed low carbon eco dwelling
Site Location:	106 Roberts Ride Hazlemere Buckinghamshire HP15 7AN
Applicant:	Mr Edmund Gemmell
Case Officer:	Matthew McKane
Ward(s) affected:	Hazlemere
Parish-Town Council:	Hazlemere Parish Council
Date valid application received:	16th February 2024
Extension of time date:	10th May 2024
Recommendation	Application Refused

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Planning permission is sought for demolition of the existing garage and erection of a two storey side extension to the existing house to create a two bedroom dwelling that would infill the gap between the flank elevation of the house and the side boundary.
- 1.2 This application is brought to the West Area Planning Committee because the applicant Mr Gemmell is an Elected Member, representing Hazlemere Ward of Buckinghamshire Council.
- 1.3 The proposal by reason of its form, scale, layout and design would fail to respect the existing grain of development and architectural vernacular of this neighbourhood, resulting in an incongruous built form prominently visible in the street scene. The proposal in its current form represents town cramming and overdevelopment.
- 1.4 Insufficient information has been provided to demonstrate protected trees would not be unacceptably harmed during demolition and construction phases of development through the submission of Arboricultural surveys and tree protection plan. This could not be reasonable to secure by planning condition in this instance given the proximity

of TPO trees to proposed development. Insufficient information has been provided to demonstrate that the proposal meets the sustainability objectives of the Neighbourhood Plan. Insufficient information has been provided in order to demonstrate a 10% biodiversity net gain could be achieved.

- 1.5 The proposal would be in conflict with multiple policies contained in the Development Plan and the National Planning Policy Framework. The harm resulting from its failure to comply with these policies would not be outweighed by other material planning considerations. As such, it is recommended for refusal.

2.0 Description of Proposed Development

- 2.1 The application site contains a two storey semi-detached dwelling with single storey flat roof detached garage to the side with a passageway in-between. The proposal intends to remove the detached garage and extend off the existing dwelling following the front elevation, ridgeline and eaves and extending up to the side boundary. The pitch of the roof when viewed from the front mimics the host dwellings pitched roof form. As can be seen on the proposed side section drawing has a shallower pitch roof from the ridgeline out towards the rear of the proposed dwelling. Materials are indicated on the application form as matching the existing property.
- 2.2 The dimensions of the proposed dwelling are approximately: 12.3m (d) x 3.6m (w) x 5.7m (height to eaves) x 8.9m (height to ridgeline). Eaves and ridgeline would match the existing dwelling it would extend of and share a driveway with. The proposed dwelling would extend approximately 1.3m beyond the rear elevation of the existing dwelling according to proposed drawings. The dwelling would include solar panels on the roof.
- 2.3 The proposed dwelling would consist of consist of a kitchen / living area, hall, W/c, sitting room on the ground floor and two bedrooms and a bathroom on first floor with hall/landing.
- 2.4 The application is accompanied by:
 - a) Application Form
 - b) CIL form – Self build exemption
 - c) Ecology and Trees Checklist
 - d) Parking support statement
 - e) Proposed ground floor plan
 - f) Proposed first floor plan
 - g) Proposed roof plan
 - h) Side section plan
 - i) Proposed front and rear elevations
 - j) Existing front and rear elevations
 - k) Existing side elevation
 - l) Proposed side elevation
 - m) Amended Parking and amenity plan
 - n) Coloured elevation
 - o) Design and access statement
 - p) Ecology Report
 - q) Supplementary description of development document

3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
01/07206/TPO	5.5 metre clearance above the road and footpath plus 4 metre clearance at the branch tips on the house side to 1 Beech tree and 4 metre clearance from the front dormer and house to 1 Beech tree, plus 20% thinning to both Beech trees	PER	6 November 2001
03/06802/FUL	Demolition of existing conservatory and erection of single storey rear extension	PER	3 September 2003
93/00092/TPO	FELLING 1 BEECH & CROWN REDUCTION, RE-SHAPING & THINNING OF 1 BEECH	SPLIT	12 October 1993
15/05475/TPO	Reduce crowns of two trees by 33% / 6 metres of both height and spread back to the growth points and remove any dead branches.	SPTPCZ	21 April 2015
22/05429/FUL	Demolition of existing garage and erection of new container two storey 3-bed dwelling with heat source pump at rear and associated parking	WDN	25 August 2022

4.0 Policy Considerations and Evaluation

Principle and Location of Development

No Neighbourhood plan policies relate to the principle 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)

4.1 The application site is within a residential area and the settlement boundary of High Wycombe. Residential development in this location would comply with the settlement and housing strategies set out in Policies CP3 and CP4 of the Wycombe District Local Plan.

Affordable Housing and Housing Mix

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

Hazlemere Neighbourhood Plan 2023-2033 (January 2024): HAZNP1 (Delivering Homes for First Time Buyers and Downsizers)

Planning Obligations Supplementary Planning Document (POSPD)

- 4.2 The scale of development is below the threshold for the provision of affordable housing. The application is not for affordable housing provision. The proposal is for a self-build dwelling.
- 4.3 The Neighbourhood Plan supports new homes within the built-up area of Hazlemere which are suited by their size, type and affordability to first time buyers and to households wishing to downsize to smaller homes in the village. The proposal is for a self-build home which would meet the needs of the applicant who intends to occupy the dwelling. It is not considered that the proposal conflicts with housing mix objective part of policy HAZNP1 of the neighbourhood plan.
- 4.4 Affordable housing provision or housing mix does not therefore form a reason of the refusal of planning permission in this instance. Design, character and appearance objective of policy HAZNP1 is discussed further on within the main body of the 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)

Hazlemere Neighbourhood Plan 2023-2033 (Jan 2024): Policy HAZNP4 (Promoting Sustainable Transport).

- 4.5 The proposal, if permitted, would significantly intensify the residential use of the site by creating a new two bed dwelling within the curtilage of an existing semi-detached house. The increase in number of vehicular movements and car parking required would have the potential to affect highway safety.
- 4.6 The applicant had submitted a revised drawing showing the parking layout of the site would contain 2 parking spaces on the driveway, one per dwelling. Highways have subsequently commented on this change and consider these spaces have adequate dimensions in line with the requirements set out within the Buckinghamshire Countywide Parking Guidance policy document, and are satisfied that vehicles can practically use these spaces via the existing dropped kerb.
- 4.7 The site is located in Zone B as set out in the Parking Guidance. The proposed dwelling would have four habitable rooms therefore require one space. In this area dwellings with 5 or 6 habitable rooms require two spaces, and 7 or more habitable rooms require three spaces. The existing dwelling, currently served by the garage and driveway, would have just one space, resulting in a parking shortfall.
- 4.8 With regard to the displacement of the remaining parking space, whilst parking around the junction is not ideal and is more of a matter for enforcement, the parking survey demonstrates that safe parking is available within the site's vicinity. Therefore, in light of the additional information submitted by the applicant, no objection is raised to the displacement of remaining parking space onto the public highway in this instance.
- 4.9 The proposal is considered compliant with policies DM33 of the adopted Wycombe District Local Plan and the aims of the National Planning Policy Framework.

Raising the quality of place making and design

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

DSA: DM11 (Green networks and infrastructure)

Hazlemere Neighbourhood Plan 2023-2033 (Jan 2024): Policy HAZNP1 (Delivering Homes for First Time Buyers & Downsizers), Policy HAZNP3 (Delivering Zero Carbon Buildings).

Housing intensification SPD

Residential Design Guide SPD

Policy Context:

- 4.10 Policy HAZNP1 of the neighbourhood plan states that in respect design, proposals should demonstrate they have had full regard to the Wycombe District Housing Intensification Supplementary Planning Document and the Wycombe District Residential Design Guide. Supporting paragraph 5.6 of policy HAZNP1 notes the supplementary planning documents are relevant to guiding proposals for infill schemes to prevent ‘town cramming’ and over-development in urban areas like Hazlemere.
- 4.11 The Council’s Residential Design Guidance SPD stipulates that new residential development should improve or reinforce the positive existing character of the place it is part of. In this sense, character is defined as a pattern or repeated trait that defines a place’s identity. For new single dwellinghouses, the character should be identified primarily at street-level, with traits such as plot size and width, building arrangement, gaps/setbacks and built footprint taken into consideration.
- 4.12 Housing Intensification Supplementary Planning Document (2011) requires the impact of the whole scheme upon the existing character to be assessed and addressed.
- 4.13 Policy HAZNP3 (Delivering Zero Carbon Buildings) – point B of the policy says: “New and refurbished buildings (except householder applications) that are certified to a Passivhaus or equivalent standard with a space heating demand of less than 15KWh/m²/year are supported. Where a scheme can show its potential to meet this standard, including by the use of terraced and/or apartment building forms, even if the plot sizes and plot coverage and layout are different to those of the immediate character area, it will be supported, provided it can be demonstrated that it will not have a significant harmful effect on a designated heritage asset.”
- 4.14 Supporting paragraph 5.2 clarifies that out the policy enables the Passivhaus standard to be achieved by allowing for some compromise in preserving the character of the immediate area if novel building forms, plot arrangements and layouts are necessary to maximise the potential of a scheme. It also states that the applicant would be expected to acknowledge the compromise (in design) in their proposal and to demonstrate any harm to the character of the area would not be significant.
- 4.15 Wycombe District Local Plan policies (2019) relating to design include:
- CP9 (Sense of Place) – requires the development to achieve a high quality of design which contributes positively to making places better for people and which takes the opportunities available for improving the character and quality of an area and the way it functions.
 - DM35 (Placemaking & Design Quality) – requires to improve the character of the area with existing positive characteristics retained, opportunities for improvements and enhancements maximized. Development should achieve attractive and high-quality design, and appropriate character in the scale, form, layout and detailed design of buildings, respect for the character and appearance of the surrounding area.

- DM32 (Landscape character and settlement patterns) - Development is required to protect and reinforce the positive key characteristics of existing settlement patterns. Development should reflect established settlement forms and patterns in order to protect their character.
- 4.16 The National Planning Policy Framework (NPPF) sets out the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Planning policies and decisions should ensure that developments function well and add to the overall quality of the area over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character ... while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live.
- 4.17 The NPPF clearly sets out the importance of design in achieving sustainable development and the role it plays in good planning and contributing positively to making places better for people. It further states at para. 139: "Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:
- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
 - b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."

Assessment:

- 4.18 The street scene consists of two storey semi-detached dwellings of a similar size, scale and design in similarly sized plots. Many of the sites along the street have single storey detached garages to their sides, overall creating a spacious setting between semi-detached pairs within the street scene. Some dwellings have been extended out to their sides maintaining a sufficient gap to the side boundary within their respective plots. The materials palette along the street is varied, with dwellings having plain roof tiles, either yellow or red multi brick walls, some with hanging tiles at first floor level on their facades. There are grass verges before the highway and there are large mature trees sparsely sited along the street scene. The area is an urban environment with dwellings having regular plotting arrangements.
- 4.19 The proposal intends to remove the detached garage and extend off the existing dwelling following the front elevation, ridgeline and eaves extending up to the side boundary, completely infilling the narrow space besides an existing semi-detached property. The pitch of the roof when viewed from the front mimics the host dwellings pitched roof form. As can be seen on the proposed side section drawing has a shallower pitch roof from the ridgeline out towards the rear of the proposed dwelling. Materials are indicated on the application form as matching the existing property. Fenestration arrangements would be sizeable is scale to those in the surrounding area.

- 4.20 The proposal would fail to respect the grain and density of development in this locale. The site and its surroundings are purely residential characterised by two storey semi-detached houses with various extensions. The erection of the proposed dwelling with a considerably narrower frontage besides two existing semi-detached filling the existing gap would unduly prejudice the sense of place and the street scene of Roberts Ride. It would appear cramped and incongruent with the pattern of development in the area.
- 4.21 To completely infill the gap between these houses would erode the character of the site and surroundings. Furthermore, the new dwelling would be sited in a small plot of land and in a tight relationship with the buildings adjacent. These factors would give rise to an undesirable sense of enclosure, a cramped and overcrowded environment. Consequently, the scale and layout of development would be inappropriate from a visual amenity perspective.
- 4.22 The elongated built form, plotting and cramped form of this development together with its uncharacteristic fenestration detail and contrived/awkward roof form, which would be visible along the side the dwelling would result in an incongruous building that would be out of keeping with all other dwellings on Roberts Ride, including existing extensions that the applicant argues it intends to replicate. The proposed windows, due to their size and positioning relative to the parent dwelling, appear discordant in the street scene. It would thus represent an unsympathetic form of development, which would fail to preserve or enhance the quality of place. It is noted that the intention is to use materials to match the existing dwelling. The existing roof appears to be clad in plain concreted tiles. These may not be suitable for use on the shallow pitch of the rear roof slope.
- 4.23 Filling the entire width of the plot, up to the side boundary is a negative design element according to Wycombe Housing Intensification Supplementary Planning Document and the Wycombe Residential Design Guidance, what can be described as a 'terracing effect'. Gaps between dwellings and their respective side boundaries provides open and spacious setting between dwellings that contribute to the character and appearance of this street scene. By extending onto the boundary and not keeping sufficient spacing would seriously diminish the spacious setting between dwellings in this location, detrimental to the character and appearance of the site and area. This could result in a harmful precedent if repeated along the street and permitting this development would make it difficult to resist similar proposals for extensions / additional dwellings, elsewhere.
- 4.24 Overall, the proposal represents town cramming and overdevelopment of a site contrary to policy HAZNP1 requirements. It is unsympathetic overall in appearance when compared to the host dwelling and contrary to the prevailing density and pattern of development of the area. Both the retained and proposed dwellings would have uncharacteristically narrow plots when compared to the surrounding area. The development would clearly read as two dwellings by virtue of the two front entrance doors. Positive defining characteristics of the area (character of the host building, gaps/spacious setting between dwellings in the street scene, built form with compatible roof forms) are not improved or reinforced through the intensification of the site in this instance. The proposal is not in context with the existing built character of the area and as such, conflicts with a number of policies within the development plan.

- 4.25 The applicant/agent describes the proposed dwelling as a PassivHaus eco home intended to produce zero carbon emissions in operation. As explained in the building sustainability section of the report this has not been demonstrated prior to determination and could not be deferred to condition and therefore the proposal does not comply with policy HAZNP3. No further consideration is against the remainder of clause B of policy HAZNP3 is required.
- 4.26 Nevertheless, noting that the requirements of policies HAZNP1 and HAZNP3 pull in different directions, the benefits of a highly energy efficient building is not considered to outweigh the harm arising from the adverse impacts on the character and appearance of the host property, site and area by reason of its cramped form and unsympathetic design. The proposed development does not represent an acceptable compromise to the character area.
- 4.27 The development does not reflect local design policies and guidance. The proposed development to infill the gap beside an existing dwelling is not outstanding or innovative design, nor would it raise the standard of design more generally in the area. The proposal does not have full regard to the Wycombe District Housing Intensification Supplementary Planning Document and the Wycombe District Residential Design Guide and represents an example of town cramming and overdevelopment in an urban area of Hazlemere.
- 4.28 In conclusion, the development proposal by reason of its scale, layout, form and design would result in an incongruous built form that would fail to respect the grain and density of development and preserve the character of its immediate surroundings. To infill the gap between two existing semi-detached houses with a new house that subsumes the plot, would create a cramped and overcrowded environment that would be unduly detrimental to the street scene of Roberts Ride. To permit the development in its current form would be contrary to Policy HAZNP1 & and HAZNP3 of the Hazlemere Neighbourhood Plan 2023 – 2033 (January 2024) & Policy CP9, DM35, DM32 of the adopted Wycombe District Local Plan (2019), adopted Residential Design Guide (2017), Housing intensification supplementary document (2011) and the National Planning Policy Framework (2023).
- 4.29 The harm identified in terms of the proposals impact on the character and appearance of the host property, site and area carries significant weight against the proposed development.

Amenity of existing and future residents

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

- 4.30 The proposed dwellings would provide an acceptable level of accommodation that would meet minimum nationally described space standards. Although relatively small, each dwelling would also have an area of private amenity space associated with the dwelling. Whilst narrower than other gardens in the road is considered sufficient for the future occupiers of the dwelling.
- 4.31 The depth of the new house would be similar to that of the buildings adjacent. The proposed dwelling would not extend significantly beyond the rear elevation of the existing dwelling. Mindful of these factors, it is considered that the development is unlikely to cause significant overshadowing and overbearing impacts upon its immediate neighbours.

- 4.32 Boundary treatment to create the new garden area would mitigate against any adverse overlooking by additional ground floor openings. First floor rear elevation windows would have oblique angles of view towards adjoining sites immediate rear garden amenity spaces. No adverse overlooking is therefore considered to arise from the proposed development.
- 4.33 To proposal is therefore considered to comply with Policies DM35 and DM40 of the adopted Wycombe District Local Plan, the adopted Residential Design Guide (2017) and aims of the National Planning Policy Framework.

Environmental issues

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

Hazlemere Neighbourhood Plan 2023-2033 (Jan 2024): Policy HAZNP2 (Protecting and Improving Green Infrastructure), Policy HAZNP3 (Delivering Zero Carbon Buildings), Policy HAZNP4 (Promoting Sustainable Transport).

- 4.34 Policy HAZNP4 of the neighbourhood plan requires that all parking spaces in a new development will have access to an EV charging point as part of the proposal. The adopted Air Quality SPD also requires the provision of on-site EV charging for all minor developments. A condition should be imposed to secure the provision of one charging point. The proposed plans show an Ev charging point would be provided.

Flooding and drainage

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

- 4.35 The site is in flood zone 1 and is not at risk from flooding from other sources (including ground water and surface water). The proposed development intends to extend up to the boundaries of its respective plot and therefore could leave to displacement of water onto adjacent sites. To satisfy Policy DM39 and the aims of the NPPF paragraph 173, proposals should demonstrate that there is a satisfactory solution to dealing with surface water disposal to ensure that the development would not increase the risk of flooding from surface water run-off, either on the site itself, or elsewhere. A condition could therefore be required to secure the provision of a SuDS scheme.

Ecology, green network and infrastructure

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

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

Hazlemere Neighbourhood Plan 2023-2033 (Jan 2024): Policy HAZNP2 (Protecting and Improving Green Infrastructure), Policy HAZNP3 (Delivering Zero Carbon Buildings), Policy HAZNP4 (Promoting Sustainable Transport).

Biodiversity Net Gain SPD

- 4.36 The proposed development would replace the flat roof garage at the side of the existing dwelling. Given the site is not in or near an ecologically sensitive area nor is it of significant biodiversity value, the impact resulting from this development considered to be low.
- 4.37 Biodiversity Net Gain (BNG) is an approach to development, and/or land management, that aims to leave the natural environment in a measurably better state than it was

beforehand. The requirement under the Environment Act 2021 for all minor development in England (with a few exemptions) to deliver at least 10% biodiversity net gain applies to applications submitted from 2nd April 2024. An exemption that the government has included under this mandatory requirement are self-build development (on sites below 9 dwellings and 0.5ha site area).

- 4.38 However, for ongoing applications submitted before the commencement date for the BNG legislation, local policy on BNG still applies. This application was submitted on 06.02.2024, therefore local planning policies relating to BNG remain applicable.
- 4.39 During the above mentioned transition period, the development proposals need to demonstrate measurable gains in biodiversity in accordance with the National Planning Policy Framework (NPPF) and relevant Local Planning policies including 'Policy HAZNP2 – Protecting and Improving Green Infrastructure' of the Hazlemere Neighbourhood Plan 2023 – 2033 (January 2024) & Policy DM34 - Delivering Green Infrastructure And Biodiversity In Development' of the Wycombe District Local Plan (adopted August 2019).
- 4.40 Policy DM34 requires all proposals to deliver a measurable net gain in biodiversity. The SPD sets out that this will normally be demonstrated through the submission of a recognized biodiversity metric. No metric has been submitted with the application.
- 4.41 Neighbourhood planning policy HAZNP2 sets out that “proposals will be required to deliver a 10% biodiversity net gain”.
- 4.42 In the opinion of the Local Planning Authority, this proposal fails to demonstrate how a 10% net gain in biodiversity could be achieved. The applicant suggests that this does not apply as the supporting text refers to addressing biodiversity loss on green field sites. It is noted that land in built up areas, such as residential gardens, is excluded from the definition of previously developed land in the NPPF and that part of this site is residential garden.
- 4.43 Given this uncertainty as to whether it would be possible to achieve the required biodiversity net gain it would not be appropriate to defer consideration of this matter to a planning condition. As such, this proposal is contrary to Policy HAZNP2 of the Hazlemere Neighbourhood Plan 2023 – 2033 (January 2024) and Policy DM34 of the adopted Wycombe District Local Plan (2019), the Council's adopted Biodiversity Net Gain SPD (2022) and Section 15 of the National Planning Policy Framework (2023).
- 4.44 Concern has been raised by the Council's arboriculturist that the proposed development is to be sited within close proximity to existing trees with TPO status attached. No Arboricultural Impact Assessment (AIA) or tree protection plan has been submitted and the proposal has failed to demonstrate that it would not harm these trees and result in a significant loss of visual amenity. The AIA would the relevant root protection area, whether there would be encroachment into that area, the impact of any such encroachment and whether this could be mitigated, for example by use of particular construction methods.
- 4.45 As such, this proposal conflicts with the Adopted (Wycombe) Local Plan (August 2019) Policies DM34 (Delivering Green Infrastructure and Biodiversity in development), CP9 (sense of place), DM35 (Placemaking and Design Quality) and Adopted Delivery and Site Allocations Plan Policy DM13 (Conservation and enhancements of sites, habitats and species of biodiversity and geodiversity importance). Without an Arboricultural Impact Assessment and Method Statement, the Local Planning Authority is unable to

establish whether the development could be carried out in a manner that does not prejudice the long-term viability of these trees.

- 4.46 In summary, there is a concern about the impact this development might have on the trees nearby and ecology implications.

Building sustainability

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

Hazlemere Neighbourhood Plan 2023-2033 (Jan 2024): Policy HAZNP1 (Delivering Homes for First Time Buyers & Downsizers), Policy HAZNP2 (Protecting and Improving Green Infrastructure), Policy HAZNP3 (Delivering Zero Carbon Buildings), Policy HAZNP4 (Promoting Sustainable Transport).

- 4.47 Were the development otherwise acceptable it would be necessary to condition water efficiency in accordance with Policy DM41. It is also necessary to condition the scheme to meet Part M4(2) of the Building Regulations (accessible and adaptable dwellings).
- 4.48 Policy CP12 promotes mitigation and adaptation to climate change and supports the integration of renewable technologies into residential and commercial developments of all sizes. Policy DM33 also requires the integration of renewable technologies into developments. In this instance measures such as solar panels or air source heat pumps could be provided and these can be secured by way of an appropriately worded condition. As shown on the proposed drawings the applicant intends to provide solar panels.
- 4.49 Policy HAZNP3 is in four parts – the supporting text say that the combination of these parts “is intended to incentivise a step change in the energy performance of all new developments in the Parish”.
- 4.50 Part A requires all development to be “‘zero carbon ready by design’ to minimise the amount of energy needed to heat and cool buildings through landform, layout, building orientation, massing, and landscaping. Proposals should also consider the efficient use of resources at the earliest design stage and should prioritise wherever possible the refurbishment and reuse of existing buildings as part of the scheme to capture their embodied carbon.”
- 4.51 Part B support construction of new houses to “a Passivhaus or equivalent standard with a space heating demand of less than 15KWh/m²/year”. Where a scheme can show its potential to meet this standard, development which differs in character to surrounding development may be supported. Supporting paragraph 5.21 sets out that where the Passivhaus standard or equivalent is proposed then applicants must be able to demonstrate that it can be achieved.
- 4.52 Part C imposes a requirement for development not proposed for PassivHaus or equivalent standard to be tested to ensure there will be no energy performance gap using a Post Occupation Evaluation Report. The Report must be secured by a planning condition. Where the Report identifies an energy performance gap and makes recommendations for reasonable corrective action, the applicant must demonstrate that those actions have been implemented before the condition will be discharged.
- 4.53 Part D requires “all planning applications for development (except householder applications to be accompanied by a Whole Life-Cycle Carbon Emission Assessment, using a recognised methodology, to demonstrate actions taken to reduce embodied

carbon resulting from the construction and carbon emissions resulting from the use of the building over its entire life.”

- 4.54 The applicant states that the proposed dwelling would be constructed as a PassivHaus eco home intended to produce zero carbon emissions in operation. However, although this is stated as the intention, and some details as to the potential construction method have been given, this application is unsubstantiated in this respect to demonstrate the development would meet with a space heating demand of less than 15KWh/m²/year. Accordingly, it is not possible to conclude that the scheme would be able to provide Passivhaus standard or equivalent.
- 4.55 Nor has a “Whole Life-Cycle Carbon Emission Assessment” been submitted with the application. The supporting statement refers to the potential to re-use the existing garage foundations and use construction methods to avoid pouring of deep concrete foundations, and an intention to re-claim bricks from the garage. However the level of information provided does not fulfil the requirements of part D, nor demonstrate that the proposal is “zero carbon ready”.
- 4.56 It is noted that in a recent appeal case, ref. 20/07388/FUL, the Inspector did not consider it appropriate to leave provision of renewable technologies such as heat pumps to condition due to uncertainty over their location and impacts in terms of noise and vibration on the amenity of nearby occupiers.
- 4.57 In this instance insufficient information has been submitted to demonstrate that the proposal meet the requirements of Policy HAZNP3 to address carbon emissions and climate change. The proposal would therefore not accord with Policy HAZNP3 of the Hazlemere Neighbourhood Plan 2023 – 2033 (January 2024) and policy CP12 and DM33 of the adopted Wycombe District Local Plan (2019) and Section 14 of the National Planning Policy Framework (2023).
- 4.58 If the applicant were to demonstrate the proposal could meet Passivhaus standard or equivalent and the development was otherwise acceptable conditions would be required securing ‘preconstruction compliance checks’ completed by a Passivhaus Designer accredited by the Passive House Institute (PHI) & upon completion a Quality Approved Passivhaus certificate for the building prior to occupation. This is according to policy HAZNP3.

Infrastructure and Developer Contributions

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

DSA: DM19 (Infrastructure and delivery)

- 4.59 Self-build dwelling is a type of development where CIL would be exempt. It is considered that there would not be other types of infrastructure that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.

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 The Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. On this occasion the proposal is in conflict with multiple policies contained in the development plan. The material considerations identified in this report as well as those in the application documents do not outweigh the significant harm caused by the conflicts with the relevant policies. As such, this application is recommended for refusal.
- 5.4 The proposal, if permitted, would make a positive contribution to the supply of housing for the Wycombe Area and it is acknowledged that the additional dwelling would attract short term financial benefits from its construction and long-term benefits such as potential commerce arising from future occupants of the dwelling in the local area.
- 5.5 Nonetheless, the Wycombe area does have an up to date local plan, has a spatial strategy for housing and can demonstrate a 5 year housing land supply so that the presumption in favour of sustainable development, contained in paragraph 11(d) of the National Planning Policy Framework is not engaged.
- 5.6 The addition of one dwelling to the Wycombe area, whilst a benefit, would only attract limited weight in favour of the development due to the small quantum of development being proposed.
- 5.7 The proposal is required to be considered against the development plan as a whole. The benefits of a highly energy efficient building is not considered to outweigh the harm arising from the adverse impacts on the character and appearance of the host property, site and area by reason of town cramming and overdevelopment.
- 5.8 The proposal would be detrimental to design & character, TPO trees and fails to demonstrate biodiversity net gain. Insufficient information has been provided in respect of energy efficiency and construction to demonstrate compliance with Policy HAZNP3. Although development may have the ability to deliver a highly energy efficient building this has not been conclusively demonstrated. In any event, this potential benefit would not outweigh the multiple conflicts with policies set out within the neighbourhood and local plan. The benefits of the scheme do not outweigh its adverse impacts. Thus, the proposal is recommended for refusal.
- 5.9 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 or society to a harmful extent.

5.10 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 (2023) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

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

6.3 In this case, the applicant has been informed both verbally and in writing about the issues identified in this report.

6.4 The applicant had submitted revised drawings, removing additional parking to seek to remove highway and tree officer objections to the proposal. The plan was accepted and highways officer and tree officers were re-consulted. Whilst highways officers objections were rescinded, tree officer objections to the proposal due to potential impact on TPO trees to the front of the site remain. The applicant has also submitted additional written information contesting the reasons provided as to why the development is not being recommended for approval.

6.5 The application was therefore recommended for refusal.

7.0 Recommendation

7.1 It is recommended that planning permission be **REFUSED** for the following reasons:

1. The development proposal by reason of its scale, layout, form and design would result in an incongruous built form that would fail to respect the character and appearance of the existing dwelling, the grain and density of development and preserve the character of its immediate surroundings. To infill the gap between two existing semi-detached houses with a new house that subsumes the plot, would create a cramped and overcrowded environment that would be unduly detrimental to the street scene of Roberts Ride. To permit the development in its current form would be contrary to Policies HAZNP1 (Delivery of Homes for First Time Buyers and Downsizers) and HAZNP3 (Delivering Zero Carbon Buildings) of the Hazlemere Neighbourhood Plan 2023 – 2033 (January 2024) & Policies CP9 (Sense of Place), DM35 (Placemaking and Design Quality) and DM32 (Landscape Character and Settlement Patterns) of the adopted Wycombe District Local Plan (2019), the adopted Residential Design Guide SPD (2017), Housing Intensification Supplementary Planning Document (2011) and the National Planning Policy Framework (2023).
2. The applicant intends the proposed dwelling to be a PassivHaus eco home intended to produce zero carbon emissions in operation. However insufficient information has been provided to demonstrate that the development has the potential to meet with a space heating demand of less than 15KWh/m²/year, that the development is “zero carbon ready by design” or to demonstrate actions taken to reduce

embodied carbon resulting from the construction and carbon emissions resulting from the use of the building over its entire life. Accordingly the proposal would not comply with Policy HAZNP3 (Delivering Zero Carbon Buildings) of the Hazlemere Neighbourhood Plan 2023 – 2033 (August 2023) and Policies CP12 (Climate Change) and DM33 (Managing Carbon Emissions, Transport and Energy Generation) of the adopted Wycombe District Local Plan (2019) and Section 14 of the National Planning Policy Framework (2023).

3. The development proposal is within close proximity to trees protected by a Tree Preservation Order which are located at the front of the property which is tightly spaced. In the absence of an Arboricultural Impact Assessment and Method Statement the Local Planning Authority is not satisfied that the development could be carried out without causing an adverse impact on the long-term viability of these trees. To permit the development in its current form would therefore give rise to a material conflict with Policy DM14 (Biodiversity in development) of the adopted Delivery and Site Allocation Plan (2013), Policies DM34 (Delivering Green Infrastructure and Biodiversity in Development), CP9 (Sense of Place) and DM35 (Placemaking and Design Quality) of the adopted Wycombe District Local Plan (2019), Policy HAZNP2 (Protecting and Improving Green Infrastructure) of the Hazlemere Neighbourhood Plan 2023-2033 (January 2024) and the aims of the National Planning Policy Framework (2023).
4. In the opinion of the Local Planning Authority, this proposal fails to demonstrate how a net gain in biodiversity could be achieved. As such, this proposal is contrary to Policy HAZNP2 (Protecting and Improving Green Infrastructure) of the Hazlemere Neighbourhood Plan 2023 – 2033 (January 2024) and policy DM34 (Delivering Green Infrastructure and Biodiversity in Development) of the adopted Wycombe District Local Plan (2019), the Council's adopted Biodiversity Net Gain SPD (2022) and Section 15 of the National Planning Policy Framework (2023).

APPENDIX A: Consultation Responses and Representations

Councillor Comments

No comments received from the relevant ward councillors.

Parish/Town Council Comments

The chair invited the member of public to speak briefly to his application.

It was noted by the committee that this application took full consideration of national, local and Neighbourhood Plans and should be applauded for its innovative redevelopment of a previously unused garage into an affordable eco home.

There were concerns raised over parking with a shared and potentially cramped driveway and if the application would encourage unwelcome additional street parking. Mr Gemmell confirmed it was the Highways solution for the 3rd parking space to be on the road and not onsite. Potentially if a third space was required for off street parking, then a solution would be available but this would impact on the Neighbourhood Plan Policy HPZNP2 due to the loss of front garden.

The Council generally support this application – it is well researched and takes full consideration of the Neighbourhood Plan and its an innovative approach.

Consultation Responses

Highway Authority

Following receipt of amended parking layout plan the highways commented on 16.04.2024:

The Highway Authority has previously commented on this application proposal, dated 13th March 2024. The comments from this Authority ultimately objected to the application based upon inadequate space within the site for manoeuvring of vehicles clear of the highway. Specifically, this related to the most western parking space, as it was considered that an unrealistic manoeuvre was required around the tree to access it, meaning the site could only accommodate 2(no) spaces, with the third space being subsequently displaced onto the highway. However, further consideration was given to the submission of additional information including an updated parking survey, which demonstrated that there is a plethora of safe on-street parking availability. Therefore, it was stated that if amended plans were submitted to demonstrate the removal of the western parking space, then the Highway Authority would raise no objections to the proposal and to the displacement of a single parking space onto the public highway.

Having assessed the amended plan, it demonstrates 2(no) parking spaces to the front of the dwelling, served by the existing vehicular access. These spaces have adequate dimensions in line with the requirements set out within the Buckinghamshire Countywide Parking Guidance policy document, and I am satisfied that vehicles can practically use these spaces via the existing dropped kerb.

With regard to the displacement of the remaining parking space, as mentioned in previous comments, whilst parking around the junction is not ideal and is more of a matter for enforcement, the parking survey demonstrates that safe parking is available within the site's vicinity. Therefore, upon further consideration, and in light of the additional information submitted by the applicant, I raise no objection to the displacement of 1(no) parking space onto the public highway in this instance.

Mindful of the above, I do not have any objections to this application pertaining to highway issues subject to the following condition:

Condition: 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.

Informative Points:

It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

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

Arboricultural Service

Initial comments made on 08.03.2024:

Cannot support in its current form.

Having viewed the available plans, photos and statements we in the tree team find that we cannot support the application in its current form. Two trees covered by a preservation order front the property giving high amenity for the area. Nowhere in the submitted plans does it mention the trees and how they may be/are to be protected before and during the build. Given the proximity of the trees to the proposed build we would need to see via an Arboricultural impact Assessment that the trees are to be protected and that no harm will come to them.

Following receipt of amended parking layout plan the arboricultural service commented on 16.04.2024:

As per our discussion we in the tree team would still question the proposed application viability in relation to protected trees. We would like to see an AIA with AMS and TPP before we could comment. Not only are we concerned with construction work within RPAs, but the relatively tight spacing creating future pressures on the trees should another dwelling be added.

Environmental Health

No objections

Representations

No representations were received at the time of writing this report.

APPENDIX B: Site Location Plan

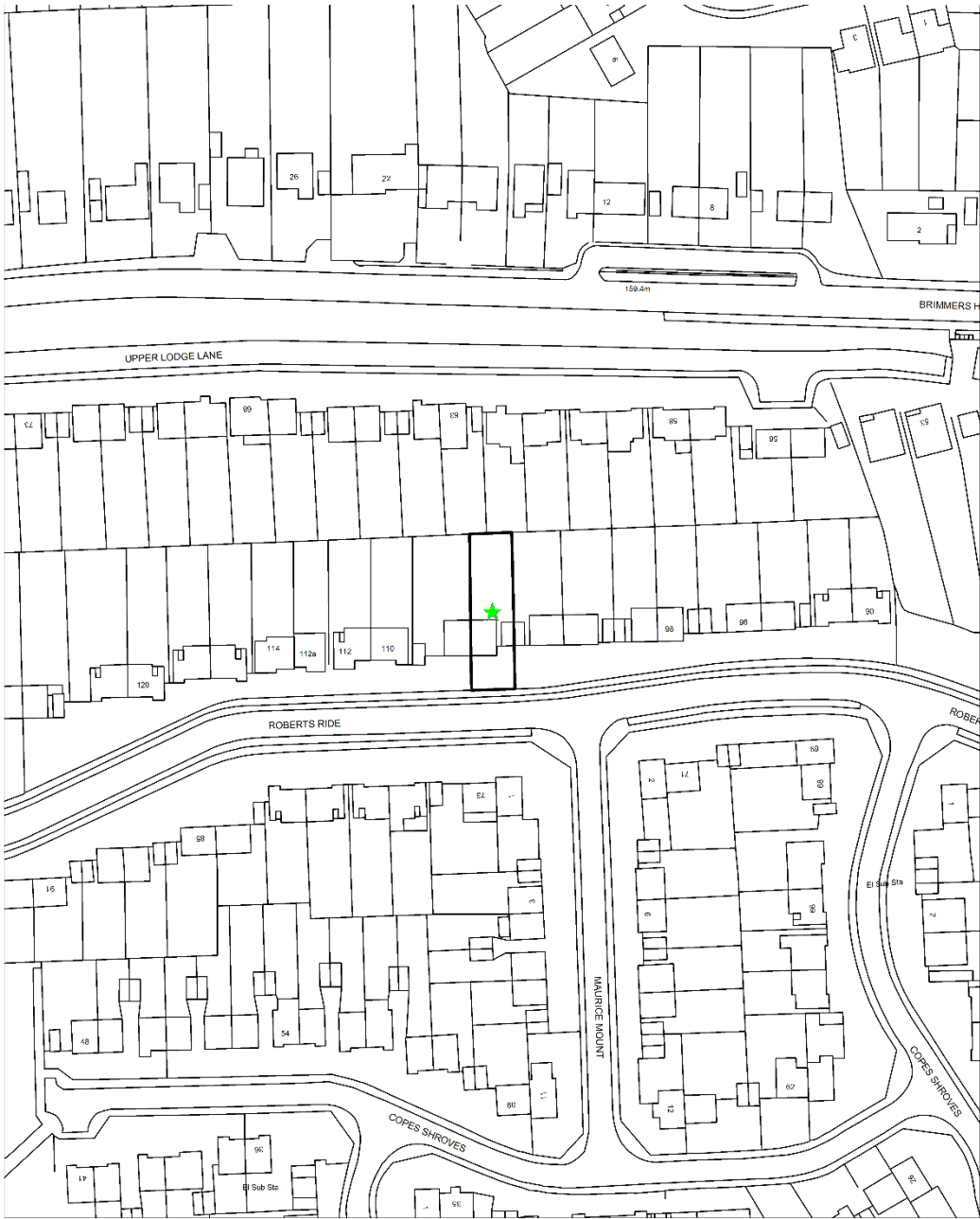


Do not scale – this map is indicative only

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APPENDIX B: Site Location Plan

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