



South Buckinghamshire Area Planning Committee agenda

Date: Tuesday 14 November 2023

Time: 2.30 pm

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

Membership:

T Egleton (Chairman), D Anthony, M Bracken, S Chhokar, P Griffin, G Hollis (Vice-Chairman),
Dr W Matthews, G Sandy, A Wheelhouse and A Wood

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3 Minutes To note the minutes of the meeting held on 17 October 2023.	3 - 4
Planning Applications	
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5 PL/23/2325/FA - Iver Flowerland, Norwood Lane, Iver Heath, SL0 0EW	39 - 50
6 Date of Next Meeting Tuesday 12 December 2023 at 2.30pm.	
7 Availability of Members Attending Site Visits (if required) To confirm members' availability to undertake site visits on Monday 11 December 2023, if required	

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For further information please contact: Liz Hornby on 01494 421261, email democracy@buckinghamshire.gov.uk.



South Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the South Buckinghamshire Area Planning Committee held on Tuesday 17 October 2023 in Amersham Council Chamber, King George V House, King George V Road, Amersham HP6 5AW, commencing at 2.30 pm and concluding at 3.55 pm.

Members present

T Egleton, M Bracken, S Chhokar, P Griffin, Dr W Matthews, G Sandy, A Wheelhouse and A Wood

Others in attendance

L Hornby, G Mansfield, B Robinson, K Stubbs and H Thomas

Apologies

D Anthony and G Hollis

Agenda Item

1 **Declarations of Interest**

Councillor G Sandy: PL/22/4027/FA – declared a non-pecuniary interest due to having called in the application. He declared that he had made no pre-determination, that he had an open mind and would listen to the debate before voting on the application

2 **Minutes**

The minutes of the meeting held on 19 September 2023 were agreed as an accurate record.

3 **PL/22/4027/FA - Cliveden Stud House, Cliveden Road, Taplow, SL6 0HL**

Conversion of two equestrian buildings to form 7 residential units with associated parking and landscaping.

This application was the subject of a site visit.

Members noted the written update.

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

addition of an Informative stressing that Permitted Development Rights would be removed.

The applicant was advised that the planning committee expressed that any future application to alter the proposed development would be looked at carefully. This would include the consideration of the impact on the traditional form and design of the existing stable blocks and the rural character of the area.

Speaking on behalf of Taplow Parish Council: Cllr R Worthington
Speaking in objection: Professor A Sinclair

It was proposed by Councillor T Egleton and seconded by Councillor W Matthews

Resolved: that the application be approved subject to the additional Informative as laid out above.

4 PL/23/0411/FA - Firdene, Oxford Road, Denham, SL9 7AP

Demolition of existing house and outbuildings and erection of a block of 6 flats with associated parking, cycle and bin provision and widening of existing vehicular access.

This application was the subject of a site visit.

Members noted the written update.

Members voted unanimously in favour of the motion to defer the application pending further clarification of the application of the Council's car parking standards for this development and for Conditions 16 to 18 to refer to windows at first floor and above.

It was requested that when the application was brought back to the Committee that a transportation officer attends the meeting.

Speaking as Ward Councillor: Cllr J Chhokar
Speaking on behalf of the applicant: Mr R Patel

It was proposed by Councillor T Egleton and seconded by Councillor M Bracken.

Resolved: that the application be deferred for the reasons as given above.

5 Date of Next Meeting

Tuesday 14 November at 2.30pm.

6 Availability of Members Attending Site Visits (if required)



Update Report to South Area Planning Committee – Following Deferral on Tuesday 17th October 2023

Application Number:	PL/23/0411/FA
Proposal:	Demolition of existing house and outbuildings and erection of a block of 6 flats with associated parking, cycle and bin provision and widening of existing vehicular access
Site location:	Firdene Oxford Road Denham Buckinghamshire SL9 7AP
Applicant:	Ms M Gardiola
Case Officer:	Mr Graham Mansfield
Ward affected:	Denham
Parish-Town Council:	Denham Parish Council
Valid date:	13 February 2023
Determination date:	21 May 2023 (Extension of time: 17 th November 2023)
Recommendation:	Conditional permission.

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application seeks planning permission for the redevelopment of the site to erect a three-storey building accommodating 6 flats with associated parking, cycle and bin storage and widening of the existing vehicular access.
- 1.2 The application has been referred for determination by South Area Planning Committee following it being called in by Councillor Hollis and Denham Parish Council.
- 1.3 The application was considered at the South Buckinghamshire Area Committee on 17th October 2023 and the decision was deferred to enable further clarification/information to be provided in relation to the parking and highway impacts of the proposal.
- 1.4 The previous Planning Committee report is attached at Appendix A and the recommendation for this application remains conditional permission.

2.0 Update since previous Planning Committee on 17th October 2023

- 2.1 At the previous Committee Meeting, members raised queries that the proposed development would appear to be contrary to the parking standards as set out in the adopted document Buckinghamshire Countywide Parking Guidance (BCPG) 2015. Questions were raised on whether the proposed development has been assessed correctly against the Council's adopted parking standards. The proposed development would provide one parking space per flat (a total of six).
- 2.2 Following the previous Committee meeting the applicant has provided a Transport Technical Note and in addition, Highways Officers have re-visited the proposed development in relation to the application of the adopted parking standards.
- 2.3 As highlighted above the applicant has provided a Transport Technical Note which can be found at Appendix B. In summary, this note provides comment on census data relating to car ownership for which the Council's adopted Parking Standards are based. It should be noted that the adopted 2015 BCPG Standards are based on 2001 census data.
- 2.4 Further, the applicant has provided the census data for car ownership based on the 2021 data set which is specific to the Denham Ward (as obtained from the Office of National Statistics (ONS)). This dataset shows that flat occupants in the Denham Ward have between 0.90 and 0.95 cars per flat, and based on this the quantum of parking for the proposed development is therefore acceptable.
- 2.5 The Council's Highway Officer has reviewed the submitted transport note and concurs with the findings. Based on the most up to date census data, the proposed development would provide an appropriate level of parking of one space per unit.
- 2.6 In addition, Highway Officers have provided comments on the adopted BCPG and the application of the standards on the subject proposal. These are set out as follows:
- 2.7 'The Buckinghamshire Countywide Parking Guidance (BCPG) policy document was adopted as policy in September 2015, and has been utilised to provide guidance on parking provision for proposed developments in the legacy Wycombe district since that time. In addition, since the inception of Buckinghamshire Council, the use of the BCPG has since been proliferated throughout the Chiltern (East) and South Bucks (South) areas.
- 2.8 A driving force for the publication of the BCPG was the consensus was that many elements of the historical parking standards were outdated, inclusive of how provision for new developments was calculated, the base data used to underpin the standards and the dimension of spaces themselves. As a result, the BCPG contained standards based upon Census data, Use Class surveys, parking accumulation data, modern vehicle dimensions and reviews of other authority's parking standard guidance and information on what was observed to be good practice and areas where it was deemed to fall short.
- 2.9 The decision was taken for the BCPG parking guidance to be based upon Census-extrapolated data on habitable rooms and its relation to the number of vehicles recorded per household. Using this criteria meant that there was more evidence to support the application of standards based upon credible and current data. However, in acknowledging that residential standards had previously been based upon the number of bedrooms per dwelling, this element was referenced by providing a relatable transition point for those used to determining parking standards on older criteria. It is anticipated that when the current BCPG standards are reviewed, reference to using

bedrooms to decide residential parking standards will support the removal of the bedroom-to-dwelling metric.

- 2.10 Furthermore, and like most guidance and policy, there are minor components therein that have been subjected to test on appeal and direction from Planning Authorities in terms of their practical application since the BCPG was adopted as policy. Although the guidance has generally held up well to scrutiny, parking standards have been based upon habitable rooms for the majority of the last eight years. Although there are various reasons as to why this has been the status quo for the majority of its lifespan thus far, it was felt that the Census data provides more of an evidence-based approach than bedrooms per dwelling. In addition, flatted developments are often located in areas with better access to sustainable means of transport and local services, in addition to generating fewer daily vehicle movements when compared with houses.
- 2.11 Turning toward the development sought as part of this application, both habitable accommodation and bedrooms per unit were noted for each proposed dwelling, in particular the two ground floor units with three beds each. Given the historically tested and robust position of using habitable floor space over bedrooms, in addition to the majority of the proposed flats having open-plan rooms that could not practically be subdivided, the decision was taken by the Highway Authority to comment upon parking standards as habitable rooms per unit, resulting in the figure of 6(no) spaces per dwelling and consistent with dwellings with four habitable rooms or less for a site residing within Zone B. One should also note that the site is in close to two bus stops used for two high-frequency services to Uxbridge/Heathrow and High Wycombe respectively.
- 2.12 Even in a 'worse case scenario' whereby each flat generated the need for two spaces rather than the one each that has been demonstrated, there is no demonstrable harm that the displacement of (6no) vehicles onto the local network. As the only recorded Personal Injury Accident (PIA) in the vicinity of the site was due to a lack of driver attention to a motorcycle (at a midpoint position between the application site and the A40/Pinstone Way junction), there is insufficient evidence to suggest that such a level of parking displacement would be detrimental to highway safety.
- 2.13 For the reasons above, the Highway Authority do not believe that each flat would require two parking spaces each due to its experience of deploying the guidance for apartment developments over the last eight years (of which a great many have been built and occupied. Ergo, we maintain our position of no objections to this application (subject to conditions) due to the lack of evidence to support such an objection on safety, convenience of use or network capacity issues.'
- 2.14 Overall, and in light of the above, the proposed development would be acceptable in terms of parking provision. Therefore, the proposed development would not result in unacceptable impacts on highway safety, or severe residual cumulative impacts on the road network in line with paragraph 111 of the NPPF.

3.0 Recommendation: Conditional Permission

Subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice.
Reason: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990. (SS01A)

2. No development shall take place above ground level until a schedule of external facing materials to be used in the elevations of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details. (SM01)
Reason: To safeguard and enhance the visual amenities of the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
3. Prior to the commencement of the development above ground level a specification of all finishing materials to be used in any hard surfacing of the application site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed using the approved materials. (SM02)
Reason: To ensure that such works do not detract from the development itself or from the appearance of the locality in general. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
4. Notwithstanding any indications illustrated on drawings already submitted, no development shall take place above ground level until a scheme of landscaping which shall include indications of all existing trees, shrubs and hedgerows on the site and details, including crown spreads, of those to be retained has been submitted to and approved in writing by the Local Planning Authority. None of the trees, shrubs or hedgerows shown for retention shall be removed or felled, lopped or topped within a period of five years from the date of this permission, without the prior written permission of the Local Planning Authority. (ST01)
Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)
5. 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 development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from the occupation or substantial completion of the development, whichever is the later, 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 gives written consent to any variation. (ST02)
Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)
6. No works or development shall take place until details of the proposed finished floor levels of the Proposed Development and of finished ground levels in relation to the surrounding Dwellinghouses have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented and retained in accordance with these approved details. (SD16)
Reason: To ensure that construction is carried out at suitable levels having regard to the amenities of neighbouring properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
7. No works (other than demolition) shall not begin until a surface water drainage scheme for the site, based on the Sustainable Drainage System Strategy (SWDS - 2023 - 000019, rev. 1.1, 26 July 2023, STM Environmental) 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 Layout of Network (drawing no. PRV/003224)
- Construction details of all SuDS and drainage components
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction

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

8. The development shall be implemented in accordance with the agreed bat mitigation measures as detailed in the Bat Emergence Survey report (Wychwood Environmental, June 2023). The condition will be considered discharged following; a written statement from the ecologist acting for the developer testifying to the plan having been implemented correctly.

Reason: To safeguard protected species that may otherwise be affected by the development.

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

- a) Description and evaluation of features to be managed, including integrated bat boxes and swift boxes.
- 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 Biodiversity Gain Plan.
- 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 five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall 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: In the interests of improving biodiversity in accordance with NPPF and Core Policy 9: Natural Environment of the South Bucks District Core Strategy and ensuring that the development achieves net gain.

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 be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

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

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

13. No other part of the development shall be occupied until the existing means of access has been altered 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.

14. No works or development (including for the avoidance of doubt any works of demolition) shall take place until a tree constraints plan and method statement (in accordance with British Standard 5837:2012 'Trees in relation to design, demolition and construction'(or any replacement thereof or EU equivalent)) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide, as required, details of a no dig driveway; phasing of demolition and construction operations; siting of work huts and contractor parking; areas for the storage of materials and the siting of skips and working spaces; the erection of scaffolding. Protective fencing detailed in the method statement shall consist of a vertical and horizontal scaffold framework, braced to resist impacts, with vertical tubes spaced at a maximum level of 3m. On to this, weldmesh panels shall be securely fixed with wire scaffold clamps. The fencing shall be erected to protect existing trees and other vegetation during construction and shall conform to British Standard 5837:2012 'Trees in Relation to Construction' or any replacement thereof or EU equivalent. The approved fencing shall be erected prior to the commencement of any works or development on the site including any works of demolition. The approved fencing shall be retained and maintained until all building, engineering or other operations have been completed. No work shall be carried out or materials stored within the fenced area without prior written agreement from the Local Planning Authority. (ST17A)

Reason: To ensure that the crowns, boles and root systems of the shrubs, trees and hedgerows are not damaged during the period of construction and in the long term interests of local amenities. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)

15. Prior to any development above a ground level, a detailed written scheme for protecting the proposed development from transportation noise from nearby traffic sources shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall

comprise of such measures as are necessary to ensure compliance in general terms with BS 8233:2014 standards. Thereafter, the development shall be carried out in strict accordance with the approved scheme which shall be completed before any part of the accommodation hereby approved is occupied. The approved scheme shall thereafter be maintained.

Reason: To safeguard the amenities of future occupiers of dwellings

16. The first floor windows in the east and west elevation(s) of the development hereby permitted shall be of a permanently fixed, non-opening design, and shall be fitted and permanently maintained with obscure glass. (SD09)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

17. The first floor roof areas of the development hereby permitted shall not be used as a balcony, roof garden, sitting out area or similar amenity area without the grant of further specific permission from the Local Planning Authority. (SD11)

Reason: To preserve the privacy and amenities of the adjacent property occupiers. (Policies EP3 and H11 of the South Bucks District Local Plan (adopted March 1999) refer.)

18. No further windows shall be inserted at or above first floor level in the Flank elevation(s) of the development hereby permitted. (SD17)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

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

Reason: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised; to mitigate the impacts of climate change; in the interests of sustainability; and to use natural resources prudently, and in accordance with Policy 13 the South Bucks Core Strategy (adopted February 2011) and Section 14 of the National Planning Policy Framework, 2023.

20. This permission relates to the details shown on the approved plans as listed below:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
19 Apr 2023	OR-AP1-105 Rev A
19 Apr 2023	OR-AP1-106 Rev A
19 Apr 2023	OR-AP1-107 Rev B
19 Apr 2023	OR-AP1-108 Rev 1st
19 Apr 2023	OR-AP1-109 Rev 1st
19 Apr 2023	OR-AP1-110 Rev 1st
19 Apr 2023	OR-AP1-111 Rev 1st
19 Apr 2023	OR-AP1-112 Rev 1st

Appendix B: Applicants Transport Technical Note

TRANSPORT TECHNICAL NOTE

PROJECT	P2310.5 FIRDENE, OXFORD ROAD, DENHAM, SL9 7AP
DATE	OCTOBER 2023
REASON	FULL PLANNING
AUTHOR	ALEXANDER OSBORN BSC HONS, PG DIP, CMILT, FCIHT, FIHE

KRONEN has been instructed to prepare this Technical Note assessing off-street parking provisions to support proposals at Firdene, Oxford Road, Denham, SL9 7AP.

The site is the subject of planning application "PL/23/0411/FA" for the "Demolition of existing house and outbuildings and erection of a block of 6 flats with associated parking, cycle and bin provision and widening of existing vehicular access".

The application seeks 6 x flats comprising 2 x 3-bedroom 4-person flats, 2 x 2-bedroom 4-person flats and 2 x 2 x 2-bedroom 3-person flats. The application includes 6 x parking spaces, 1 x space per flat.

The application was heard at Buckinghamshire Council South Area Planning Committee on 17 October 2023.

The application had officers' recommendation for approval and Committee members voted to defer the application to consider planning and highways officers' application of parking standards.

The Committee report stated:

"Transport matters and parking
Core Strategy Policies:
CP7 (Accessibility and transport)
Local Plan Saved Policies:
TR5 (Access, highways work and traffic generation)
TR7 (Traffic generation)
Buckinghamshire Countywide Parking Standards (2015)

5.12 A number of comments have raised concerns regarding the parking for the proposed development. In terms of the parking provision, the proposed development contains 6 residential units, with each being served by one parking space.

5.13 Flatted developments with 4 habitable rooms would require 1 parking space in accordance with the Buckinghamshire Parking Guidance and Highways officer have raised no concerns on this basis. In terms of sustainable transport, it is noted that the development is located in an area served by bus routes on the A40 providing connections to Uxbridge, Gerrards Cross and Beaconsfield. In addition, the development would be served by cycle spaces in accordance with the Council's guidance.

5.14 During the course of the application, the proposed access point was amended to ensure that vehicles could pull off onto the A40 without compromising the safety of Highway users. As such, there are no outstanding concerns in terms of Highway safety.

5.15 Overall, the proposed development would not result in any concerns in terms of highway and parking matters that would warrant refusal of the scheme and this is attributed neutral weight in the planning balance.”

This Note investigates parking provisions.

Buckinghamshire Countywide Parking Standards (2015) does not provide a minimum or maximum standard but a concept of an “optimum standard”.

There are fairly difficult to interpret maps with a zoning system within the guidance.

Table 5 of the guidance includes standards for habitable rooms / number of bedrooms.

These factors invite a degree of ambiguity.

It is noted that the standards are approaching ten years old, published 2015, and are based on 2001 Census data:

“6.3 Calculating Residential car parking

The residential parking standards are based on actual car ownership levels, dwelling numbers and bedroom numbers across the county. This information was used to calculate the number of spaces required for the different dwelling types in each of the three zones.

Current car ownership levels in existing developments across the three zones was calculated to ensure that the new standards provide the appropriate level of parking for different development types across the county. The most comprehensive data source to provide this information is the 2001 Census from the Office of National Statistics (ONS), as the most recent Census Data (2011) does not yet provide a cross tabulation of the relevant data. As the increase in average car ownership per household across the county has been relatively small between 2001 and 2011, this was not considered to compromise the quality of the data.

The Census data is based on habitable rooms (the Census definition includes kitchens, living rooms, bedrooms, utility rooms and studies. It does not include bathrooms, toilets, halls, landings or rooms for storage), and therefore, number of habitable rooms has been used for all calculations. However, as people are more familiar with number of bedrooms, table 2 provides an approximate conversion between bedrooms and habitable rooms for the information of users of this guidance.”

It is anticipated that the 2001 dataset used was a specialist “CT” “Commissioned Table” dataset which had been made publicly available.

Recently released Census 2021 data has been analysed for this Note: RM001 Accommodation type by car or van availability.

The data for flats for the local “output area” as well as the Ward and Authority are enclosed in raw format and with analysis calculating the number of cars per flat.

As shown in the analysed data, flat occupants have between 0.90 and 0.95 cars per flat.

This would suggest that the proposals’ parking would accommodate parking demand likely to be generated.

The use of Census data reflects direction given in the “National Planning Policy Framework”(DHLUC, 2023) which states “local car ownership levels” should be taken into account when considering residential parking.

(There are no publicly available specialist "CT" "Commissioned Table" datasets using Census 2021 data showing car ownership by number of habitable rooms yet.)

With regards to transport impacts Paragraph 111 of the National Planning Policy Framework includes guidance of only preventing or refusing development on transport grounds where "there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

Evidence from the recent 2021 Census projects the proposals would have no parking impact on the public highway and in this context and the proposal is therefore considered acceptable / not objectionable in a planning context.

APPENDIX C: Council Highway Officer Response

The *Buckinghamshire Countywide Parking Guidance* (BCPG) policy document was adopted as policy in September 2015, and has been utilised to provide guidance on parking provision for proposed developments in the legacy Wycombe district since that time. In addition, since the inception of Buckinghamshire Council, the use of the BCPG has since been proliferated throughout the Chiltern (East) and South Bucks (South) areas.

A driving force for the publication of the BCPG was the consensus was that many elements of the historical parking standards were outdated, inclusive of how provision for new developments was calculated, the base data used to underpin the standards and the dimension of spaces themselves. As a result, the BCPG contained standards based upon Census data, Use Class surveys, parking accumulation data, modern vehicle dimensions and reviews of other authority's parking standard guidance and information on what was observed to be good practice and areas where it was deemed to fall short.

The decision was taken for the BCPG parking guidance to be based upon Census-extrapolated data on habitable rooms and it's relations to the number of vehicles recorded per household. Using this criteria meant that there was more evidence to support the application of standards based upon credible and current data. However, in acknowledging that residential standards had previously been based upon the number of bedrooms per dwelling, this element was referenced by providing a relatable transition point for those used to determining parking standards on older criteria. It is anticipated that when the current BCPG standards are reviewed, reference to using bedrooms to decide residential parking standards will support the removal of the bedroom-to-dwelling metric.

Furthermore, and like most guidance and policy, there are minor components therein that have been subjected to test on appeal and direction from Planning Authorities in terms of their practical application since the BCPG was adopted as policy. Although the guidance has generally held up well to scrutiny, parking standards have been based upon habitable rooms for the majority of the last eight years. Although there are various reasons as to why this has been the status quo for the majority of its lifespan thus far, it was felt that the Census data provides more of an evidence-based approach than bedrooms per dwelling. In addition, flatted developments are often located in areas with better access to sustainable means of transport and local services, in addition to generating fewer daily vehicle movements when compared with houses.

Turning toward the development sought as part of this application, both habitable accommodation and bedrooms per unit were noted for each proposed dwelling, in particular the two ground floor units with three beds each. Given the historically tested and robust position of using habitable floor space over bedrooms, in addition to the majority of the proposed flats having open-plan rooms that could not practically be sub-divided, the decision was taken by the Highway Authority to comment upon parking standards as habitable rooms per unit, resulting in the figure of 6(no) spaces per dwelling and consistent with dwellings with four habitable rooms or less for a site residing within Zone B. One should also note that the site is in close to two bus stops used for two high-frequency services to Uxbridge/Heathrow and High Wycombe respectively.

Even in a 'worse case scenario' whereby each flat generated the need for two spaces rather than the one each that has been demonstrated, there is no demonstrable harm that the displacement of (6no) vehicles onto the local network. As the only recorded Personal Injury Accident (PIA) in the vicinity of the site was due to a lack of driver attention to a motorcycle

(at a midpoint position between the application site and the A40/Pinstone Way junction), there is insufficient evidence to suggest that such a level of parking displacement would be detrimental to highway safety.

For the reasons above, the Highway Authority do not believe that each flat would require two parking spaces each due to its experience of deploying the guidance for apartment developments over the last eight years (of which a great many have been built and occupied. Ergo, we maintain our position of no objections to this application (subject to conditions) due to the lack of evidence to support such an objection on safety, convenience of use or network capacity issues.

Yours sincerely

Matthew Hardy

**Highways Development Management Team Leader (West, South and East)
Planning Growth & Sustainability**



Buckinghamshire Council

Report to South Area Planning Committee

Application Number:	PL/23/0411/FA
Proposal:	Demolition of existing house and outbuildings and erection of a block of 6 flats with associated parking, cycle and bin provision and widening of existing vehicular access
Site location:	Firdene Oxford Road Denham SL9 7AP
Applicant:	Ms M Gardiola
Case Officer:	Mr Graham Mansfield
Ward affected:	Denham
Parish-Town Council:	Denham Parish Council
Valid date:	13 February 2023
Determination date:	21 May 2023 (Extension of time: 20 October 2023)
Recommendation:	Defer and delegate the application to the Director of Planning and Environment to GRANT planning permission subject to the conditions set out in this report and any others he considers appropriate.

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application seeks planning permission for the redevelopment of the site to erect a three-storey building accommodating 6 flats with associated parking, cycle and bin storage and widening of the existing vehicular access.
- 1.2 The proposed development would meet the exceptions of the South Bucks District Local Plan Policy GB3 which refers to the residential infilling in Green Belt Settlements. This exception is also set out in National Green Belt policy as one of the exceptions to inappropriate development at paragraph 149 e of the NPPF.
- 1.3 In addition, it is considered that the proposed development would provide a sustainable form of development and would make effective use of land. The proposal would meet the requirements of paragraph 120 of the NPPF where substantial weight should be given to the value of using suitable brownfield land within settlements for homes and the promotion of the development for under-utilised land and buildings where this would help meet an identified need for housing where land supply is constrained.
- 1.4 The application has been referred for determination by the South Area Planning

Committee following call-ins from Councillor Hollis and Denham Parish Council.

- 1.5 Defer and delegate the application to the Director of Planning and Environment to GRANT planning permission subject to the conditions set out in this report and any others he considers appropriate.

2.0 Description of Proposed Development

- 2.1 The application site is located on the north side of the A40 Oxford Road within the Green Belt Settlement of Tatling End. The site is currently occupied by a small bungalow on a reasonably sized plot, which is set down at a lower level to the adjacent highway.
- 2.2 The site is bound by a chalet bungalow ('Appletrees') to the east and an access track/public footpath to the west which serves properties to rear of the application site. The property to the west of the access (Twin Oaks) is set forward of that of the application property.
- 2.3 In terms of the surrounding there is a general mix of type and character of properties, including purpose-built flats, terraced and semi-detached dwellings.
- 2.4 The application seeks to erect a three-storey building which would incorporate 6 self-contained flats. The proposed building would be approx. 19.0m in width and 11.0m in depth, with the top storey set back from the front and sides of the building (at a width of 17m and depth of 9.1m). The total height of the building would be 9.2m and 7.0m to the top of the first-floor parapet.
- 2.5 The proposed development would be contemporary in design featuring generous glazing, white render and timber. It would feature a flat roof which would incorporate a green roof for the purposes of bio-diversity. The rear of the development would provide a communal garden space with access to private amenity space provided to the ground and first floor flats in the form of balconies and private gardens.
- 2.6 A total of six parking spaces would be provided to the front of the development, together with soft landscaping and enclosed cycle and bin storage.
- 2.7 The application is accompanied by:
 - a) Insert list of supporting documents...e.g. Planning and Retail Statement
 - b) Design and Access Statement
 - c) Transport Assessment, etc
- 2.8 Amended plans were received during the course of the application to address technical issues regarding drainage, ecology and highway access.

3.0 Relevant Planning History

- 3.1 9 -10 Oxford Road, Tatling End (opposite the application site):

PL/18/3982/FA; Demolition of existing office building and erection of three storey building comprising of six flats.

Refused: The proposed development by reason of its poor architectural design rationale and conflicting roof forms would result in a visually discordant development which would fail to provide a high quality design that would appear appropriate within the character and scale of surrounding area, to the detriment of the character of the Green Belt Settlement. In addition, the extent of hard surfacing and car parking would result in a development would have an overly intensive and cramped appearance that

is dominated by built form. The proposal would therefore constitute a poor form of development which fails to take the opportunity to contribute positively to making places better for people and would be detrimental to the character and appearance of the site and immediate and wider area. As such the proposal is contrary to policies GB3, EP3 and H9 of the South Bucks District Local Plan (adopted March 1999), policy CP8 of the South Bucks Core Strategy (adopted February 2011) and would fail to accord with the design aspirations of part 12 of the National Planning policy Framework (2019).

Allowed on Appeal: Appeal Ref: APP/N0410/W/3246468

4.0 Summary of Representations

- 4.1 Letters of objections have been received from 5 separate households.
- 4.2 Denham Parish Council have raised objections to the proposal on a number of grounds. Concerns relate to parking, highway safety, character and over-development of the plot.
- 4.3 The full consultation responses and summary of representations can be found at Appendix A of this report.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2023.
- Planning Practice Guidance
- National Design Guidance, October 2021
- South Bucks Core Strategy Development Plan Document - Adopted February 2011
- South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011;
- South Bucks District Council Residential Design Guide Supplementary Planning Document (SPD) - Adopted October 2008
- Chiltern and South Bucks Townscape Character Study 2017
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- Denham Neighbourhood Plan 2020-2036

Principle and Location of Development

Core Strategy Policies:

CP1 (Housing provision and delivery)

Local Plan Saved Policies:

GB1 (Green Belt boundaries and the control over development in the Green Belt)

GB3 (Residential infilling in Green Belt settlements)

H2 (Housing allocation)

- 5.1 The application site is located in Tatling End, a Green Belt Settlement as set out in policy GB3 of the South Bucks District Local Plan. Local Plan policy GB3 states that limited infilling is appropriate in Green Belt Settlements and defines limited infilling as 'the filling of small gaps within the settlement'. It goes on to advise that infilling would normally involve development in a gap in a continuously built up frontage.
- 5.2 Local Plan GB3 is broadly consistent with the NPPF. Paragraph 149 of the NPPF states local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt. However, exceptions to this include limited infilling in villages as set out Paragraph 149 e of the NPPF.

- 5.3 With regard to whether the proposal is 'limited', there is no definition of limited infilling within the NPPF, however, the fact that the word limited is applied here poses some form of restriction on the development. With this in mind, it is considered reasonable that at the very least the development should be restricted or limited in such a way that is consistent with the development that surrounds the application site so that the development does not prejudice the aims and purposes of the Green Belt, primarily its openness.
- 5.4 The existing site appears as an anomaly within the streetscene, being a relatively small dwelling in comparison to the surrounding development within Tatling End. The footprint of the proposed development would be comparable to that of surrounding built form. In addition, the siting of the proposed building aligns with the existing line of built form to the east. It would not project further towards the undeveloped Green Belt land than existing buildings within the vicinity of the site, and the land to the rear of the building would remain as an undeveloped lawn area. Therefore, on balance, it is considered that the proposal would not result in an encroachment into the countryside, or an encroachment into the currently undeveloped Green Belt.
- 5.5 In terms of the size of the development, it is recognised that replacement building would be larger in scale than the existing building on site. However, in terms of limited infilling, the Council has previously accepted the principle of larger flatted developments within the Green Belt Settlement of Tatling End. An example of which is located opposite at 9-10 Oxford Road. This development was refused by the planning authority under planning reference PL/18/3982/FA (in terms of character) and subsequently allowed at appeal. As such, given the specific circumstances of the site and existing surrounding built form, it is concluded that the proposal amounts to limited infilling within a Green Belt settlement or village and therefore is appropriate development within the Green Belt.
- 5.6 Given the above, the proposed development would meet with the exception to inappropriate development in the Green Belt as set out in paragraph 149 e of the NPPF. In addition, the proposed development would align with local plan policy GB in relation to residential infilling in Green Belt settlements. Therefore, there are no in principle objections to the scheme. Therefore, this matter is afforded neutral weight in the planning balance.
- 5.7 Matters relating to the character of the area are addressed further in the report below.

Affordable Housing and Housing Mix

Core Strategy Policies:

CP1 (Housing Provision and Delivery)

CP2 (Housing Type and Size)

CP3 (Affordable Housing)

- 5.8 Due to the size of the site and the number of units proposed, the development would not be required to provide affordable housing in line with paragraph 64 of the NPPF.
- 5.9 Paragraph 120 of the NPPF, amongst other things highlights that substantial weight should be given to the value of using suitable brownfield sites within settlements for homes, and support the development of under-utilised homes and buildings especially if this would help to meet identified needs for housing where land supply is constrained.

- 5.10 It is clear that the South Bucks District does not currently have a 5-year land supply of housing and is highly constrained by the Green Belt. As such, the proposed development would make effective use of previously developed land in the Green Belt, whilst contributing to the housing shortfall. The site would represent a brownfield site in the Green Belt and thereby reducing pressure on open Green Belt land.
- 5.11 The area is predominantly residential and there is a significant need for new housing within south Buckinghamshire area. It is considered that the site is sufficiently accessible to not be isolated and unsustainable. On this basis, it is considered that the site is suitable for redevelopment. This matter of housing provision is afforded moderate weight in the balance.

Transport matters and parking

Core Strategy Policies:

CP7 (Accessibility and transport)

Local Plan Saved Policies:

TR5 (Access, highways work and traffic generation)

TR7 (Traffic generation)

Buckinghamshire Countywide Parking Standards (2015)

- 5.12 A number of comments have raised concerns regarding the parking for the proposed development. In terms of the parking provision, the proposed development contains 6 residential units, with each being served by one parking space.
- 5.13 Flatted developments with 4 habitable rooms would require 1 parking space in accordance with the Buckinghamshire Parking Guidance and Highways officer have raised no concerns on this basis. In terms of sustainable transport, it is noted that the development is located in an area served by bus routes on the A40 providing connections to Uxbridge, Gerrards Cross and Beaconsfield. In addition, the development would be served by cycle spaces in accordance with the Council's guidance.
- 5.14 During the course of the application, the proposed access point was amended to ensure that vehicles could pull off an onto the A40 without compromising the safety of Highway users. As such, there are no outstanding concerns in terms of Highway safety.
- 5.15 Overall, the proposed development would not result in any concerns in terms of highway and parking matters that would warrant refusal of the scheme and this is attributed neutral weight in the planning balance.

Raising the quality of place making and design

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development)

EP4 (Landscaping)

EP6 (Designing to Reduce Crime)

H9 (Residential development and layout)

Denham Neighbourhood Plan Policies:

DEN5: Design in Tatling End

- 5.16 It is noted that a number of objections have been raised in relation to the amount of built form within the plot, together with the impact of the proposed development on

the streetscene.

- 5.17 Local Plan Policy EP3 refers to the use, design and layout of development and the need for new developments to be compatible with surrounding locality in terms of scale, design and layout.
- 5.18 Denham Parish Neighbourhood Plan Policy DEN5 highlights in order to maintain the essential character, development proposals in Tatling End must demonstrate that they have had full regard to the planning and design principles of the Chiltern and South Bucks Townscape Character Part 3.
- 5.19 In terms of the Chiltern and South Bucks Townscape Character Study (2017) the majority of the application site lies within a green suburban road typology, with the front of the site being both within town centre fringe and clustered centre typologies. In addition, the area opposite the application site is noted for being within a 'key area of fragmented character'.
- 5.20 In terms of the footprint of the proposed building and its relationship within the host plot. Officers would note that there would be a sense of separation from both common boundaries (5.0m to the west and 2.0m to the east). In addition, a 20m deep rear amenity would be maintained. In this regard, the proposed development would not result in an overdevelopment of the host plot.
- 5.21 In terms of the scale of the proposed building, whilst it is acknowledged that the proposed building would be larger than that of existing building and neighbouring properties, the proposed scale of the building would not be dissimilar to other flatted developments in the streetscene, including that of Edith Smith House on the north side of Oxford Road and the recent development of flats at 9-10 Oxford Road immediately opposite the application site.
- 5.22 In addition to the above, it is noted that the proposed building would be sited at a lower ground level to the Highway and would be set some distance behind the front elevation of both neighbouring properties. Both of these factors would reduce the prominence of the development within the streetscene.
- 5.23 The design of the proposed building would be of a contemporary design largely consisted of render and large glazing, and featuring timber cladding to the central atrium, and subordinate top floor. The Council's Urban Design officer has not raised any objection to the design principles used, but has advised officer to take into account the context of the wider area.
- 5.24 Noting the above, it is considered that a contemporary flatted development in this location would not unduly harm the character and appearance of the area. Officers would note that the surrounding streetscene is made up of differing typologies including a mixture of flatted developments, domestic scale housing and commercial buildings. The mixed character of the area is such, that the proposed would not warrant refusal on design grounds only. This matter is given neutral weight in the planning balance.

Amenity of existing and future residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

H11 (Alterations and extensions to dwellings)

- 5.25 A number of objections have been raised in terms of impact of residential amenity. In terms of the impacts on the adjacent property to the east ('Appletrees'), the proposed building extend beyond that of Appletrees by 2.5m, with the flank wall of the proposed development being set off from the rear corner of the adjacent property by 2.6m. It has been demonstrated that the proposed development would not breach the relevant 60 degree and 45 degree light angles from the rear facing habitable rooms of 'Appletrees'.
- 5.26 In addition, the applicant supported by a daylight sunlight report which has been produced in accordance with the guidance set out in the BRE' Site layout for Daylight and Sunlight: A Guide to Good Practice'. The report sets out that the proposed development would not result in any unacceptable impacts in terms of daylight and sunlight, and would meet the 80% tolerance in terms of vertical sky component and amenity areas.
- 5.27 In terms of outlook, it is considered that the proposed building would not extend significantly beyond the rear elevation of 'Appletrees', as to cause significant harm to the adjacent occupiers. Furthermore, the top floor of the proposed building would be set in from the outer edges of the lower floors which would also reduce any visual prominence.
- 5.28 In terms of privacy, it is noted that there would be a small flank window in each of the flanks of the top floor of the proposed building. However, these could be conditioned to ensure that they are obscure glazing. All other windows in the development would face the highway or the rear garden of the development. The rear facing windows would not be unusual in this residential location. Although, there would be more opening on the rear elevation at upper floors, this is considered not to result in unacceptable overlooking to neighbouring occupiers.
- 5.29 In terms of the residential property to the rear of the side (Meadow View) a 20.0m rear to side relationship would be maintained. It is considered that the proposed development would not result in unacceptable impact in terms of outlook, daylight or privacy to the front or side windows of Meadow View.
- 5.30 Twin Trees is the closest property to the west of the application site. However, there is separation in terms of the access road and public footpath which serves Meadow View to the rear. There would be a gap of approx. 5.0m maintained between the west flank wall of the development to the boundary. In total an 11.0m gap would be retained from the rear corner of Twin Trees to the flank wall of the proposed development. Officers consider that this relationship would be satisfactory, whilst also noting the conclusions of the daylight and sunlight report.
- 5.31 In summary, the proposed development is considered not to result in any unacceptable impacts in terms of daylight, outlook or privacy.
- 5.32 The proposed dwellings have all been designed to meet the national space standards and would be served by a mixture of private and communal spaces. The layout of the proposed development would also ensure that all habitable rooms would benefit from acceptable levels of daylight and outlook. Noting the above, this matter is attributed neutral weighting in the planning balance.

Environmental issues

Core Strategy Policies:

CP12 (Sustainable energy)

CP13 (Environmental and resource management)

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

5.33 The proposed development would be served by an enclosed waste store to the front of the property. The Council's waste team have reviewed the plans and have no objections to the proposed development.

5.34 Environmental Health have reviewed the proposals in relation to contaminated land and noise/disturbance. No objections have been raised, subject to planning conditions.

Flooding and drainage

Core Strategy Policies:

CP13 (Environmental and resource management)

5.35 The application site is located in Flood Zone 1, with some areas towards the centre of the site subject to low levels of surface water flooding. During the course of the application, a surface water and drainage strategy has been produced to address concerns from the Lead Local Flood Authority (LLFA).

5.36 The proposed development would incorporate permeable paving, green roofs and soakaways to discharge surface water drainage. Details of the maintenance of these suds features have also been provided by the applicant. The LLFA are satisfied with the drainage strategy for the site and have no objects subject to a planning condition in relation to the final details of design for the suds components and features.

5.37 In terms of water efficiency, policy CP13 sets out various infrastructure requirements for new developments, including ensuring they will be served by adequate infrastructure capacity in terms of water supply. A 2021 Ministerial Statement (New water saving measures to safeguard supplies - GOV.UK (www.gov.uk)) on reducing demand for water, included an action to write to local authorities to encourage them to adopt the optional minimum building standard of 110 litres per person per day in all new builds where there is a clear local need, such as in water stressed areas. Normally, such measures are controlled under the Building Regulations, but in this case, this standard is not covered. It was recognised that by adopting this standard, Local Authorities in England would help meet the Governments proposed Water Demand Target under the Environment Act 2021. The application site is in an area of serious water stress, as defined by the Environment Agency, requiring water efficiency opportunities to be maximised. As such, in the event of permission being granted, a condition to ensure this standard is adopted is considered necessary, to mitigate the impacts of climate change, in the interests of sustainability, and to use natural resources prudently, in line with Core Strategy Policy CP13 and Section 14 of the NPPF, 2021.

Landscape Issues

Core Strategy Policies:

CP9 (Natural environment)

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP4 (Landscaping)

L4 (River Thames setting)

L10 (Proposals involving felling or other works affecting trees covered by a Tree Preservation

Order)

- 5.38 There are no protected trees within the application site. However, a tree survey, retention and protection plan has been provided with the application. The Council's Tree officer has identified that the oak trees to the front of the site as being the most significant, and these would be retained as part of the proposal.
- 5.39 In reviewing the submitted details, the Council's Tree officer has raised no objection to the proposed development.
- 5.40 In terms of landscaping, the proposed development would introduce hardsurfacing to the front of the site to serve the car parking area, together with soft landscaping and planting to the front and rear of the site.

Ecology

Core Strategy Policies:

CP9 (Natural environment)

CP13 (Environmental and resource management).

Buckinghamshire Biodiversity Net Gain SPD (2022)

- 5.41 The Proposed development is accompanied by the necessary ecology surveys and supporting information in relation to bio-diversity net gain. Development proposals need to demonstrate measurable gains in biodiversity in accordance with the National Planning Policy Framework (NPPF) and relevant Local Planning policies, policy CP9 in this instance.
- 5.42 Buckinghamshire Council also has an adopted Biodiversity Net Gain Supplementary Planning Document which sets out that Buckinghamshire Council has an aspiration to achieve at least a minimum 10% net gain.
- 5.43 The Council's Ecology officer has reviewed the supporting documents and raises no objection the proposals, noting that surveys undertaken on site confirm that there are no protected species on site. Furthermore, the biodiversity net gain metric supplied indicates that the proposed development would result in a biodiversity net gain of 0.71 habitat units and 0.084 hedgerow units and would be in excess of the minimum requirements for percentage increases in net gain. This would be considered to attract moderate weight in the balance.
- 5.44 In summary, no concerns are raised in terms of protected species and biodiversity net gain. Officers also note that the site is outside of the 5.5km zone of influence of Burnham Beeches Special Area of Conservation.

Historic environment (or Conservation Area or Listed Building Issues)

Core Strategy Policies:

CP8 (Built and historic environment)

- 5.45 The site is not adjacent to, but is close to a number of designated heritage assets, located westward on Oxford Road. The Council's Heritage officer notes that the application site is close to a pair of 17th Century cottages (Rowan Tree Cottage and Gillies Cottage) and a detached 17th Century building (indigo bar and restaurant), all of which are Grade II Listed buildings.
- 5.46 Overall, due to the mix of development of the area, and the fact that the proposed development would be buffered by greenery to the front, it is considered that that the proposed development would not harm the significance or the setting of the designated heritage assets described above.

6.0 Weighing and balancing of issues / Overall Assessment

- 6.1 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
- 6.2 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with an up to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 6.3 It is acknowledged that the Council cannot demonstrate a five-year supply of deliverable housing sites in the South Bucks Area. It is also acknowledged that The Framework, at paragraph 11 is clear that in such circumstances, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed.
- 6.4 As set out above it is considered that the proposed development would accord with the Green Belt policies as set out in the Local Plan and NPPF in relation to limited infilling. It should be noted that the site's proposed redevelopment will make effective and efficient use of previously developed land.
- 6.5 Housing delivery is a strategic aim of the Core Strategy. The proposed development would make a positive contribution to the Council's housing needs and supply. This housing provision represents a benefit that weighs in favour of the proposal and when taking into consideration the level of need, and the number of homes being provided, it is considered that this should be attributed moderate weight.
- 6.6 Compliance with National and Local Plan policies have been demonstrated in terms of visual impact, preserving residential amenities, parking and access, meeting the challenge of climate change and flooding, and conserving and enhancing the natural environment, however these do not represent benefits of the scheme but rather demonstrate an absence of harm to which weight should be attributed neutrally.
- 6.7 In terms of applying paragraph 11 d of the NPPF it is concluded that there are no policies that protect areas or assets of particular importance, that provide a clear reason for refusing the development proposed and there are no adverse effects of the proposal that would significantly and demonstrably outweigh the benefits.
- 6.8 Taking all of the above into account it is considered that the proposal would provide for a sustainable form of development that meets the requirements of the NPPF and

relevant Development Plan policies.

7.0 Working with the applicant / agent

7.1 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.

7.2 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.

7.3 In this instance, the applicant was advised of any issues and provided the opportunity to respond to and submit additional information when necessary.

8.0 Recommendation: Defer and delegate the application to the Director of Planning and Environment to GRANT planning permission subject to the conditions set out below and any others he considers appropriate.

CONDITIONS

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice.
Reason: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990. (SS01A)
2. No development shall take place above ground level until a schedule of materials to be used in the elevations of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details. (SM01)
Reason: To safeguard and enhance the visual amenities of the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
3. Prior to the commencement of the development above ground level a specification of all finishing materials to be used in any hard surfacing of the application site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed using the approved materials. (SM02)
Reason: To ensure that such works do not detract from the development itself or from the appearance of the locality in general. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
4. Notwithstanding any indications illustrated on drawings already submitted, no development shall take place above ground level until a scheme of landscaping which shall include indications of all existing trees, shrubs and hedgerows on the site and details, including crown spreads, of those to be retained has been submitted to and approved in writing by the Local Planning Authority. None of the trees, shrubs or hedgerows shown for retention shall be removed or felled, lopped or topped within a period of five years from the date of this permission, without the prior written permission of the Local Planning Authority. (ST01)
Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)
5. 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 development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved

landscaping scheme which within a period of five years from the occupation or substantial completion of the development, whichever is the later, 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 gives written consent to any variation. (ST02)

Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)

6. No works or development shall take place until details of the proposed finished floor levels of the Proposed Development and of finished ground levels in relation to the surrounding Dwellings have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented and retained in accordance with these approved details. (SD16)

Reason: To ensure that construction is carried out at suitable levels having regard to the amenities of neighbouring properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

7. No works (other than demolition) shall not begin until a surface water drainage scheme for the site, based on the Sustainable Drainage System Strategy (SWDS - 2023 - 000019, rev. 1.1, 26 July 2023, STM Environmental) 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 Layout of Network (drawing no. PRV/003224)
- Construction details of all SuDS and drainage components
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction

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

8. The development shall be implemented in accordance with the agreed bat mitigation measures as detailed in the Bat Emergence Survey report (Wychwood Environmental, June 2023). The condition will be considered discharged following; a written statement from the ecologist acting for the developer testifying to the plan having been implemented correctly.

Reason: To safeguard protected species that may otherwise be affected by the development.

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

- a) Description and evaluation of features to be managed, including integrated bat boxes and
- b) swift boxes.
- c) Ecological trends and constraints on site that might influence management.

- d) Aims and objectives of management which will (without limitation) include the provision of
- e) biodiversity net gain within the Site as shown within the Biodiversity Gain Plan
- f) Appropriate management options for achieving aims and objectives.
- g) Prescriptions for management actions.
- h) Preparation of a work schedule (including an annual work plan capable of being rolled forward
- i) over a five-year period).
- j) g) Details of the body or organization responsible for implementation of the plan.
- k) h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall 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: In the interests of improving biodiversity in accordance with NPPF and Core Policy 9: Natural Environment of the South Bucks District Core Strategy and ensuring that the development achieves net gain.

11. 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 be used for any other purpose.
Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.
12. Prior to the commencement of any works on the site, a Construction Traffic Management Plan detailing the management of construction traffic (including vehicle types, frequency of visits, expected daily time frames, use of a banksman, on-site loading/unloading arrangements and parking of site operatives vehicles) shall be submitted and approved in writing by the Planning Authority in consultation with the Highway Authority. Thereafter, the development shall be carried out in accordance with such approved management plan.
Reason: This is a pre-commencement condition as development cannot be allowed to take place, which in the opinion of the Highway Authority, could cause danger, obstruction and inconvenience to users of the Highway and of the development.
13. No other part of the development shall be occupied until the existing means of access has been altered 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.
14. No works or development (including for the avoidance of doubt any works of demolition) shall take place until a tree constraints plan and method statement (in accordance with British Standard 5837:2012 'Trees in relation to design, demolition and construction' (or any replacement thereof or EU equivalent)) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide, as required, details of a no dig driveway; phasing of demolition and construction operations; siting of work huts and contractor parking; areas for the storage of materials and the siting of skips and working spaces; the erection of scaffolding. Protective fencing detailed in the method statement

shall consist of a vertical and horizontal scaffold framework, braced to resist impacts, with vertical tubes spaced at a maximum level of 3m. On to this, weldmesh panels shall be securely fixed with wire scaffold clamps. The fencing shall be erected to protect existing trees and other vegetation during construction and shall conform to British Standard 5837:2012 'Trees in Relation to Construction' or any replacement thereof or EU equivalent. The approved fencing shall be erected prior to the commencement of any works or development on the site including any works of demolition. The approved fencing shall be retained and maintained until all building, engineering or other operations have been completed. No work shall be carried out or materials stored within the fenced area without prior written agreement from the Local Planning Authority. (ST17A)

Reason: To ensure that the crowns, boles and root systems of the shrubs, trees and hedgerows are not damaged during the period of construction and in the long term interests of local amenities. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)

15. Prior to any development above a ground level, a detailed written scheme for protecting the proposed development from transportation noise from nearby traffic sources shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise of such measures as are necessary to ensure compliance in general terms with BS 8233:2014 standards. Thereafter, the development shall be carried out in strict accordance with the approved scheme which shall be completed before any part of the accommodation hereby approved is occupied, unless the Local Planning Authority otherwise agrees in writing. The approved scheme shall thereafter be maintained.

Reason To safeguard the amenities of future occupiers of dwellings

16. The first floor windows in the elevation(s) of the hereby permitted shall be of a permanently fixed, non-opening design, and shall be fitted and permanently maintained with obscure glass. (SD09)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

17. The first floor roof areas of the development hereby permitted shall not be used as a balcony, roof garden, sitting out area or similar amenity area without the grant of further specific permission from the Local Planning Authority. (SD11)

Reason: To preserve the privacy and amenities of the adjacent property occupiers. (Policies EP3 and H11 of the South Bucks District Local Plan (adopted March 1999) refer.)

18. No further windows shall be inserted at or above first floor level in the Flank elevation(s) of the development hereby permitted. (SD17)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

19. The dwelling(s) hereby approved shall be constructed to meet, as a minimum, the higher standard of 110 litres per person per day using the fittings approach as set out in the 'Housing: optional technical standards' guidance and prescribed by Regulation 36(2)(b) of the Building Regulations 2010.

Reason: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised; to mitigate the impacts of climate change; in the interests of sustainability; and to use natural resources prudently, and in accordance with Policy 13 the South Bucks Core Strategy (adopted February 2011) and Section 14 of the National Planning Policy

Framework, 2021.

20. This permission relates to the details shown on the approved plans as listed below:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
19 Apr 2023	OR-AP1-105 Rev A
19 Apr 2023	OR-AP1-106 Rev A
19 Apr 2023	OR-AP1-107 Rev B
19 Apr 2023	OR-AP1-108 Rev 1st
19 Apr 2023	OR-AP1-109 Rev 1st
19 Apr 2023	OR-AP1-110 Rev 1st
19 Apr 2023	OR-AP1-111 Rev 1st
19 Apr 2023	OR-AP1-112 Rev 1st

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Cllr Guy Hollis:

Received 13 April 2023

Denham Parish Council attempted to request a call in ostensibly on 8th March but say it was not shown on portal until 21st whereafter it was adjudged to be out of time.

Therefore, in the interests of all concerned, I should like to call in this application as deputy chairman of the planning committee in the interests of ensuring that their request is honoured and so that committee members are given an opportunity to scrutinise accordingly.

Denham Parish Council Comments

Received 21 March 2023

The planning application needs to be called-in, the application is an over-development of the plot. Lack of parking within the curtilage of the property and environmental health have concerns.

Received 4 May 2023

This planning application needs to be called-in, as the application is an overdevelopment of the plot. Lack of parking within the curtilage of the property, which could lead to highway safety issues arising from poor visibility accessing and egressing the site onto the A40 Oxford Road. The site is an overdevelopment of the plot, as this side of the road is mainly houses and will create a precedent in the street scene. Our existing call-in request remain and requires public scrutiny at a future planning meeting.

Consultation Responses

Ecology Officer:

No objection, subject to conditions

A bat activity survey was carried out on 30th May 2023 in accordance with appropriate survey methodology. No bats recorded emerging or re-entering the building thus no further surveys are required. Should this application be granted permission the proposed works should be carried out in line with the precautionary measures stated in the report. I would recommend that a compliance condition is attached to any approval granted. The proposed works and any associated vegetation clearance should be undertaken outside the nesting bird season that lasts March to August (inclusive). If this is not possible then the site should be checked for nesting birds prior to works commencing. If nesting birds are present the works cannot proceed until the young have fledged. I would recommend that informatives relating to bats and nesting birds, as protected species, are attached to any approval granted.

Biodiversity Net Gain

An amended Small Sites Metric was provided indicating that the proposed development will result in a biodiversity net gain of 0.7111 habitat units and 0.0849 hedgerow units equivalent to total net change of 354.48% habitat units and 265.38% hedgerow units. I would recommend that the habitat creation and long-term management of the site are addressed in a Landscape and Ecological Management Plan (LEMP) to be secured via a condition to any approval granted.

Lead Local Flood Authority

Received 18th August 2023

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

Surface water drainage

Calculations

Updated calculations have been provided which show that the permeable paving has been included under the storage structure section.

Maintenance

A maintenance schedule for the soakaway has been provided. It details what maintenance tasks need to be completed and the frequency of when the maintenance tasks need to be carried out. I would request condition(s) be placed on the approval of the application, should this be granted by the LPA.

Council Waste Department

Received 15th May 2023

Bin store located at the front of the property for ease of access for collections and residents without the need for waste vehicles to enter site. Our recommended containers are, 3 x 1100L bins to ensure required waste separation can be practiced by occupants. Residents to present their waste and recycling at the property in bin store for communal. All collections to take place in accordance with Council policies.

Highways Development Management:

Received 15th May 2023

The Highway Authority has previously commented on this application dated 10th March 2023. These comments requested additional plans demonstrating the access measuring 4.8m in width to allow for simultaneous two-way vehicles movements, as well as parking space dimensions measuring 2.8m x 5m to meet current standards.

Having assessed the amended plans, I note the parking space dimensions now measure 2.8m x 5m, along with a sufficient level of manoeuvrability space to allow vehicles to park, turn and exit the site in a forward gear. As mentioned in previous comments, the proposed development requires 6(no) parking spaces (1(no) space per flat). Whilst I recognise the representations that have been made on the portal regarding parking, the residential parking standards within the Buckinghamshire Countywide Parking Guidance are based on a dwellings level of habitable accommodation, in line with Census data.

With this in mind, the number of habitable rooms a dwelling has is primarily used to calculate its inherent parking requirement. Therefore, I consider all flats to fall within the 1-4 habitable room category and therefore require 1(no) parking space each.

In regard to the site access, I note the initial access will measure 4.8m wide. The driveway is also proposed to be widened, and although the width measures approximately 4.4m at its narrowest point, this is still sufficient to accommodate safe simultaneous two-way vehicular movements, in line with current Manual for Streets guidance.

Mindful of the above, I have no objections to the proposed application subject to conditions and informative points.

Tree Officer:

Received 23rd March and 5th May 2023

I have reviewed AIA & AMS by Trevor Heaps (4 February 2023) and is generally in accordance with BS 5837 guidance in categorising trees within close proximity of the site dwelling. The most significant tree from the public realm is the oak trees along the frontage and western boundary. The driveway I suspect will be widened so this should only occur on the western side of existing driveway so that any excavation/change of levels does not adversely affect the RPA T1 oak as the grass verge/ground level is raised and this would help with machinery clearance access into the site.

The amended plans OR-AP1-107 illustrates the widening of the driveway on the western side of nearby oak to avoid any excavation/change of levels within the RPA of T1. The submitted AMS & TPP relates to the superseded layout so a revised AMS & TPP is ideally required to ensure the ground protection measures and construction of any hard surfaces within vicinity of the T1 has fully considered arboricultural implications. I have no objection in arboricultural terms and if planning permission is permitted I recommend planning condition ST17.

Environmental Health – Contaminated Land

Received 15th March 2023

The site does not appear to have had a previous potentially contaminative use. Historical mapping indicates that the dwelling was built during the 1920s. The residential use of the site is unlikely to have given rise to anything more than diffuse anthropogenic contamination.

I have no further comments to make with regards to land contamination

Environmental Health – Noise

Received 27th February 2023

Given the close proximity of the development site to the A40 there is a significant potential for noise to materially impact on the amenity of the future residents of the proposed dwellings. The Environmental Noise Survey (report ref. 22114-1-R1) dated 18th November 2022 prepared by Jonathan Seiffert of noise.co.uk ltd on behalf of the applicant has been reviewed and the findings, recommendations and conclusions are generally accepted by Environmental health The internal noise levels should adhere to the levels as stated in BS8233:2014 and as such all habitable rooms will need to include acoustic glazing and ventilation systems that comply with the BS8233:2014 levels. Unfortunately, the applicant has not supplied any information in relation to the proposed glazing or ventilation schemes, nor have they provided any noise assessment to establish the level of control required to meet the BS8233:2014 requirements.

I would recommend that the Local Planning Authority (LPA) hold determination of this application in abeyance until the applicant has furnished it with a definitive noise control scheme for the dwelling houses (which reflects ventilation and cooling arrangements) and communal areas associated with the proposed development. However, if the LPA is minded to grant permission then I do believe that the issues cited above can be adequately managed via the use of a planning condition.

Heritage Officer:

Received 24th January 2023

The application is acceptable in heritage terms.

A Heritage statement has not been supplied. The NPPF paragraph 194 states applicants are required to describe the significance of any assets affected by the proposals including their setting. The

surrounding area is one of mix use development and the site is well screened from the front and side with a line of mature trees and hedging. Heritage would welcome that the greenery remains to lessen any impact on the nearby listed buildings.

The Planning (Listed Building and Conservation Areas) Act 1990

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

NPPF

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

For the reasons given above it is felt that in heritage terms: The application would not raise any heritage objection.

Urban Design Officer:

(Verbal Advice)

No objections in terms of design. Officers to recognise the context of the surrounding area.

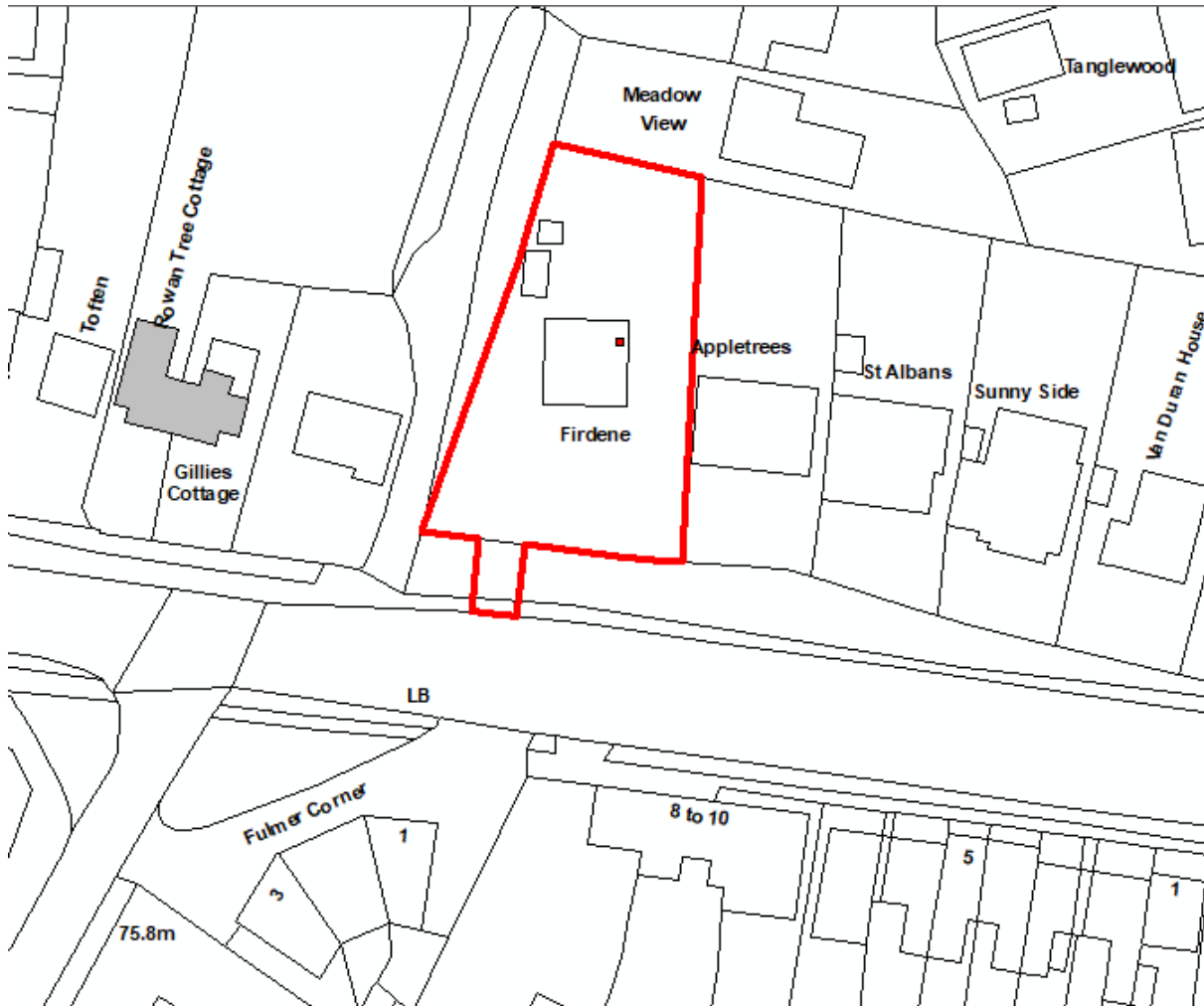
Representations

Letters of objections have been received from 5 separate households, the contents of which are summarised as follows:

- Concerns regarding the construction of further flats in the area
- Highway safety
- Anti-social behaviour due to increase in flats
- In adequate parking
- Obstruction of view
- Out of character
- Overdevelopment
- Overlooking
- Impact on amenity
- Parking pressure

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APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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Report to South Area Planning Committee

Application Number:	PL/23/2325/FA
Proposal:	Change of use to storage (Class B8) (retrospective) and associated landscaping
Site location:	Iver Flowerland Norwood Lane Iver Heath SLO OEW
Applicant:	Iver Flowerland Garden Centre
Case Officer:	Richard Regan
Ward affected:	Iver
Parish-Town Council:	Iver Parish Council
Valid date:	17 July 2023
Determination date:	16 November 2023
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 This application seeks planning permission for the change of use to storage (Class B8) and associated landscaping.
- 1.2 It is considered that the proposals are considered to not constitute inappropriate development within the Green Belt and would maintain its openness and not prejudice its purposes.
- 1.3 Whilst the application would result in an increase in HGV movements, these are minimal, and would not lead to any unacceptable impacts on highway safety, nor would there be an adverse impact on Air Quality.
- 1.4 The proposals would also not adversely impact upon the character and appearance of the site or locality in general, nor would there be any unacceptable impacts on the amenities of any neighbouring properties.
- 1.5 The application has been referred for determination by the South Area Planning Committee following it being called in by Cllr Matthews and Cllr Griffin.
- 1.6 Recommendation – Conditional Permission.

2.0 Description of Proposed Development

- 2.1 The application seeks planning permission for the change of use of the land and building within the application site, to storage (Class B8), together with associated landscaping.
- 2.2 The application site relates to a parcel of land that forms part of the wider Iver Flowerland site, which is a nursery/garden centre business. The site, subject to this current application, consists of two large glasshouse buildings, as well as the land around them to the south and west, which is a mixture of hardsurfacing and grass. The site is located within the Green Belt.
- 2.3 The type of storage proposed is specific to the company that currently operates from the site, 'Green Teams', who supply plants and landscaping materials/objects to film companies. It is proposed to re-use the two existing greenhouse buildings on the site, as well as a small area in between the two glasshouses, and a small area immediately to the south of the most southern glasshouse. An area to the west of the glasshouses, which is currently used for storage purposes, without planning permission, is to be returned to open grassland as part of these proposals. It is proposed to utilise the existing vehicular access from Swallow Street.
- 2.4 The application is accompanied by:
 - a) Planning Statement
 - b) Transport Statement
 - c) Travel Plan
 - d) SUDS Statement

3.0 Relevant Planning History

- 3.1 Relevant planning history for the site:
 - 93/00190/FUL – Conditional Permission, 15 August 1997 – Erect Glasshouse; continue use/extn glasshouse for sale garden assoc goods; ret/extn car park with landscaping; area for display/sale plants; use glasshouse for display/sale plants; replacement portaloo.
 - 01/00544/FUL – Conditional Permission, 3 July 2001 - Erection of covered way between greenhouses.
 - 01/00803/ADV – Conditional Consent, 8 August 2001 - Retention of two non-illuminated advertisement hoardings.
 - 01/01515/ADV – Conditional Consent, 31 January 2002 - Retention of two non-illuminated sign boards.
 - 05/01018/FUL – Conditional Permission, 15 September 2005 - Erection of production glasshouse, retail glasshouse, open sided retail canopies. Change of use of existing nursery glasshouse to nursery/garden centre.
 - PL/19/2883/FA - Refused, 14 October 2019 - Change of use of part of the Garden Centre to a Builder's merchant with retail sales (retrospective).
 - PL/22/0758/FA – Refused, 16 June 2022 - Change of use to storage (Class B8) (retrospective) and landscaping.
 - AP/22/0143 – In Progress, - Appeal against a material change of use of the Land and buildings to a mixed use comprising Storage and Distribution (Use Class B8), agriculture and horticulture (the unauthorised use) and integral to the unauthorised

use, the carrying out of operational development comprising the laying of hardstanding, the formation of bunding and the siting of associated paraphernalia, items, equipment and vehicles (the unauthorised development) without planning permission.

4.0 Summary of Representations

4.1 Letters of objection have been received from 7 separate households regarding the proposed development. The Parish Council have raised an objection to the proposals on the grounds of it resulting in an increase in the number of HGV movements occurring on the local highway network and the associated impacts of this. A summary of consultation responses and representations made on the application can be viewed in Appendix A.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2023.
- Planning Practice Guidance
- National Design Guidance, October 2019
- South Bucks Core Strategy Development Plan Document - Adopted February 2011
- South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011;
- Chiltern and South Bucks Townscape Character Study 2017
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- The Ivers Neighbourhood Plan 2021-2040

Principle of Development/Green Belt

Local Plan Saved Policies:

GB1 (Green Belt boundaries and the control over development in the Green Belt)

GB2 (Re-use of buildings in the Green Belt)

GB4 (Employment generating and commercial development in the Green Belt (excluding Green Belt settlements)),

GB9 (Agricultural diversification)

- 5.1 The site falls within the Green Belt where the types of development that are deemed acceptable are very limited. Policy GB1 of the Local Plan, together with the National Planning Policy Framework (NPPF) set out the types of development that are deemed acceptable. Where there is a conflict, then the NPPF takes precedence. Section 13 of the NPPF sets out the Governments guidance on development within the Green Belt, as well as identifying its five purposes.
- 5.2 This proposal follows a recently refused application for a similar form of development, which was refused on grounds relating to its impact on the Green Belt and highway safety.
- 5.3 The current proposals differ from that refused scheme by virtue of an increased use of the existing buildings on site, and a reduction in the amount of land being used for external storage.
- 5.4 Para. 150 of the NPPF sets out the forms of development, other than the for erection of a building, which are not inappropriate development within the Green Belt. The caveat to this, is that they must preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Part 'd' of para.150 allows for the re-use of buildings, provided that they are of permanent and substantial construction, whilst part

'e' of the same paragraph allows for material changes in the use of land. Policies GB1 and GB4 of the Local Plan also allow for the re-use of buildings within the Green Belt, provided they are also in compliance with policy GB2, as well as allowing for uses of land which would not compromise the purposes of the Green Belt and would enable it open and undeveloped character to be retained.

- 5.5 It is considered that the existing buildings being proposed to be re-used are of a permanent and substantial construction. The storage of plants and landscaping materials to be used in filming, within the buildings, is considered acceptable, as the items would not have a physical impact on the Green Belt.
- 5.6 With regard to the proposed external storage, this is proposed to be confined to the area in-between the two glasshouses, as well as an area to the south of the most southerly glass house. Both of these areas appear to fall within land directly associated with the existing Iver Flowerland nursery/garden centre operation on the site.
- 5.7 It is considered that the storage of planting and landscaping materials are not dissimilar to items that could be located on these pieces of land in connection with the nursery/garden centre operation on the site, as these areas of land can lawfully be used for the storage of plants and other landscape vegetation such as small trees and hedges, as well as various other items associated with a Garden Centre. The visual appearance of the site would therefore be very similar to that which can lawfully appear on the site. The confinement of the storage to these areas would also ensure that the purposes of the Green Belt are not prejudiced as there would be no encroachment beyond the land lawfully allowed to form part of 'Iver Flowerland'.
- 5.8 It is acknowledged that there are certain items that would exceed the height of anything that would be stored in site in connection with the existing business, such as palm trees and large sections/trunks of dead trees. It is acknowledged that such larger/taller items would appear out of character, and could not be argued to be similar to that which could be found on the existing site. Their greater height would also adversely impact upon openness. It is considered that it would be inappropriate for such items to be stored externally and it would be appropriate for a condition to be used to limit the height of items that can be stored externally.
- 5.9 It is also acknowledged that the storage of the landscape items would introduce a new use with its own associated activities. However, due to the nature of the business, the level of external activity associated with the storage use overall is not expected to be significant. It is noted that the highway assessment submitted as part of the application sets out daily vehicular movements would average out at only 1.4 per day, Monday to Friday, with no movements at the weekends. As such, associated uses of the storage are not considered to adversely impact upon the openness of the Green Belt.
- 5.10 Overall, it is considered that the proposals would not constitute inappropriate development within the Green Belt as it would maintain its openness and not prejudice its purposes. This view is based on there being a restriction on the type of items that can be stored externally, as well as a restriction on the maximum height of any item to be stored on the external parts of the site. As such, it is considered that the proposals are in compliance with policies GB1, GB2, and GB4 of the Local Plan, as well as the exceptions for development in the Green Belt as set out in the NPPF.

Transport matters and parking

Core Strategy Policies:

CP7 (Accessibility and transport)

Local Plan Saved Policies:

TR5 (Access, highways work and traffic generation)

TR7 (Traffic generation)

TR10 (Heavy goods vehicles)

Iver Neighbourhood Plan Policies:

IV6 (Sustainable Travel)

IV9 (Reducing HGV)

- 5.11 The applicant has supplied a Transport Statement in support of the application. This sets out that in terms of traffic generation, the use would generate up to 7 HGV movements per week. As the site would not operate at the weekends, the average HGV traffic movements Monday to Friday would therefore be 1.4 movements.
- 5.12 The Council's Highways Officer acknowledges that both Swallow Street and Bangors Road South have a 7.5t weight restriction 'except for loading'. However, they consider that this level of HGV movement would result in a minimal daily increase over and above those HGV movements generated by the adjacent nursery/garden centre site, and access to the site is permitted for loading purposes. In light of these circumstances, they consider that the level of vehicular movements can safely be accommodated onto the local highway network, and would not lead to an unacceptable impact on highway safety, nor would it result in a severe cumulative impact on the road network movements.
- 5.13 It is noted that policy IV9 of the Ivers Neighbourhood Plan seeks to control the level of Heavy Goods Vehicle movements within the Ivers, with part 'b' of that policy advising the following:
- "Proposals for the development of new businesses, or for the intensification of existing businesses, that will lead to an increase in HGV that would have an unacceptable impact on highway safety, or which would result in a severe cumulative impact on the road network movements will not be supported."
- 5.14 It is important to note that policy IV9 does not seek to prevent all applications that would lead to an increase in HGV movements, but only those that would result in unacceptable highway implications. The policy does therefore allow for applications that result in increases in HGV movements. In this instance, in light of the comments of the Council's Highways Officer, it is considered that whilst the proposal would lead to an increase in HGV movements, the increase is minimal, and would not lead to unacceptable impacts on highway safety, nor would it result in a severe cumulative impact on the road network movements. As such, it is considered that the proposal complies with policy IV9.
- 5.15 With regard to the vehicular access, the Council's Highways Officer considers that this provides adequate visibility for vehicles exiting the site, and swept path analysis demonstrates that HGV's can safely turn into and out of the access without having to carry out multiple manoeuvres on the highway or using the public footpath or private driveways opposite the site.
- 5.16 The existing access, in terms of its construction, can be upgraded to a suitable standard, for which the relevant license would need to be obtained.
- 5.17 In light of these comments, it is considered that the use of the existing access is appropriate and would not lead to any unacceptable highway or safety implications.
- 5.18 Overall therefore, it is considered that the proposal would adhere to the relevant

transport related policies including policies IV6 and IV9 of the Ivers Neighbourhood Plan, and would not result in any unacceptable highway implications.

Raising the quality of place making and design

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development)

EP4 (Landscaping)

- 5.19 The NPPF sets out Core Planning principles for the operation of the planning system. One of the principles set out is that authorities should always seek to secure high quality design.
- 5.20 Local Plan policy EP3 states that development will only be permitted where its scale, layout, siting, height, design, external materials and uses are compatible with the character and amenities of the site itself, adjoining development and the locality in general. Poor designs which are out of scale or character with the surroundings will not be permitted.
- 5.21 The proposed development does not involve the provision of any new built form, but would incorporate the presence of landscape products/items on the designated external areas which are immediately adjacent to the existing buildings. The appearance of these landscape products/items would not be too dissimilar to items that you may find on a nursery/garden centre site, and they would be seen in relation to the adjoining garden centre with limited views from the surroundings areas. Consequently, it is not considered that the proposal would adversely impact upon the character or appearance of the area.

Amenity of existing residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

- 5.22 Policy EP3 of the Local Plan requires that development should not adversely affect the character or amenities of any neighbouring properties or the locality in general.
- 5.23 The proposed development would be set well away from neighbouring dwellings and is not considered to give rise to any loss of amenities. It is noted that concern has been raised by some local residents with regard to noise and disturbance resulting from the HGV vehicular movements associated with the proposed use. However, the number of HGV movements associated with the proposed use equates to 1.4 movements per day Monday to Friday, with no such movements at the weekends. It is considered that these levels of movements would not lead to an unacceptable impact on the amenities of local residents in terms of noise and disturbance.

Environmental issues

Core Strategy Policies:

CP13 (Environmental and resource management)

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

Iver Neighbourhood Plan Policies:

IV7 (Air Quality)

- 5.24 The Parish of Iver has been designated as an Air Quality Management Area (AQMA), and

policy IV7 of the Ivers Neighbourhood Plan seeks to protect and where possible improve air quality within Iver.

- 5.25 Given the nature and scale of this application, which does not incorporate any new built form, but rather the re-use of existing land and buildings, criteria 'B' of policy IV7 is the relevant criteria to be applied to this application. This sets out that development proposals will be required to demonstrate at least Air Quality Neutral standard during operation in order to avoid causing or contributing to worsening air quality in the AQMA, and that this should be demonstrated via an air quality assessment.
- 5.26 In this instance, the Councils Environmental Protection Officer has reviewed the proposals and has advised that given the small number of vehicular movements associated with the proposals, there is no requirement for an air quality assessment to be undertaken. This is due to the fact that the levels of Nitrogen Dioxide associated with the vehicular movements would not have a material impact on air quality.
- 5.27 In light of these comments, it is considered that the proposal would not adversely impact upon air quality and therefore would be in compliance with policy IV7 of the Ivers Neighbourhood Plan.

6.0 Weighing and balancing of issues / Overall Assessment

- 6.1 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
- 6.2 As set out above it is considered that the proposed development would accord with the development plan policies.
- 6.3 Taking all of the above into account it is considered that the proposal would provide for a sustainable form of development that meets the requirements of the NPPF and relevant Development Plan policies.

7.0 Working with the applicant / agent

- 7.1 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.
- 7.2 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.
- 7.3 In this instance, the applicant has undertaken pre-application discussions with the Council, whereby the applicant was advised of any issues and provided the opportunity to respond to revise the scheme accordingly.

8.0 Recommendation: Conditional permission, subject to the following conditions:-

1. Any items to be stored externally, outside of the glasshouses, shall not exceed 3m in height.
Reason: To protect the openness of the Green Belt.
2. Any external storage shall be limited to the areas as shown on plan No. P2065-03A.
Reason: To protect the openness of the Green Belt.
3. No more than a total of 7 deliveries shall take place within any given week. All deliveries and collections to and from the site shall only be carried out between the following days and times:
Monday to Friday from 08.00 hours to 17.00 hours.
At no times on Saturdays and Sundays.
Reason: To protect the amenities of the neighbouring properties and to prevent any adverse effects to air quality.
4. The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
17 Jul 2023	P2065-01A
17 Jul 2023	P2065-02A
17 Jul 2023	P2065-03A

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Cllr Matthews:

"I would also like to retain my call in of this application both on Green belt grounds and the HGV traffic on a road which has an environmental weight restriction on it."

Cllr Griffin:

"I would like to retain the 'call-in' as this application appears to fall foul of the objectives of the NHP to proactively limit and reduce the number of HGVs accessing The Ivers and specifically on weight limited roads."

Parish Council Comments

"The parish council object and request a call-in due to the following:

As stated in the adopted Ivers Neighbourhood Plan, Policy IV9 (B) Reducing Heavy Goods Vehicles, the parish council will not support development that will lead to an increase in HGV movements.

The parish council dispute the number of HGV movements quoted in association with the application.

If minded to permit, the parish council request the inclusion of the following conditions:

- Active air quality management to be in place
- Hours of operation to be reduced to 09:00 - 17:00
- Restriction on the number of HGV movements - not to exceed 7 per week"

Consultation Responses

Highways Officer:

Swallow Street is an unclassified road which in this location is subject to a speed restriction of 30mph. Proposals include the change of use to storage from a agricultural/horticultural use. Proposals include the change of use to storage for plants and landscaping materials before being sent to filming locations on a rental basis.

The applicant has provided data for the site, which indicates that the site currently generates an average of 1 delivery per day and as such would equate to a total of 2 trips per day. I can confirm that the existing site access onto Swallow Street is of adequate width and visibility to accommodate the intensification in use of the site.

Mindful of the above, I have no objection to the proposals, and in this instance, I have no conditions to suggest for inclusion on any planning consent that you may grant.

Environmental Protection Officer:

"Air Quality Comments

Thank you for consulting us on the proposed development outlined above. I have no comments to make with regards to air quality.

The requirement to undertake an air quality assessment for both construction and operational traffic has been scoped out based on screening criteria outlined in the IAQM Land-Use Planning & Development Control: Planning for Air Quality Guidance. The 1st stage criteria are:

A. If any of the following apply

- 10 or more residential units or a site more than 0.5ha
- More than 1000m² of floor space for all other uses or a site greater than 1ha

B. Coupled with any of the following:

- The development has more than 10 car parking spaces
- The development has a centralised energy facility or other centralised energy facility or other centralised combustion process.

The 2nd stage screening thresholds for residential development includes:

- An Annual Average Daily Flow (AADF) of greater than 100 vehicles below 3.5 tonnes and an AADF greater than 25 Heavy Goods Vehicles if the development is located within, or adjacent to, an Air Quality Management Area.
- An Annual Average Daily Flow (AADF) of greater than 500 vehicles below 3.5 tonnes and an AADF greater than 100 Heavy Goods Vehicles if the development is not located within, or adjacent to, an Air Quality Management Area.

Traffic flows over these thresholds indicates the need for an air quality assessment, whether this takes the form of a Simple or Detailed Assessment.

There are concerns about the potential air quality impacts of cumulative developments in the Ivers as many individual schemes, deemed insignificant in themselves, are potentially contributing to a “creeping baseline”. There is a concern that in combination the emissions of local planning developments and the National Infrastructure Projects could result in a significant increase in NO₂ concentrations in Iver and contribute towards an increase in particulate matter. The Air Quality Action Plan for the Iver contains several measures that should reduce NO₂ concentrations in Iver Parish. The council are requesting a financial contribution from all developments that increase concentrations within the Iver area. In this case the impact on Air Quality is not considered so significant as to request s106 funding the Strategic Environment will consider the CIL contribution from the developer.”

Representations

7 comments have been received objecting to the proposal:

HGV Movements;

Highway Implications;

Contrary to Neighbourhood Plan Policies;

Damage to carriageway and footpaths;

Access inadequate;

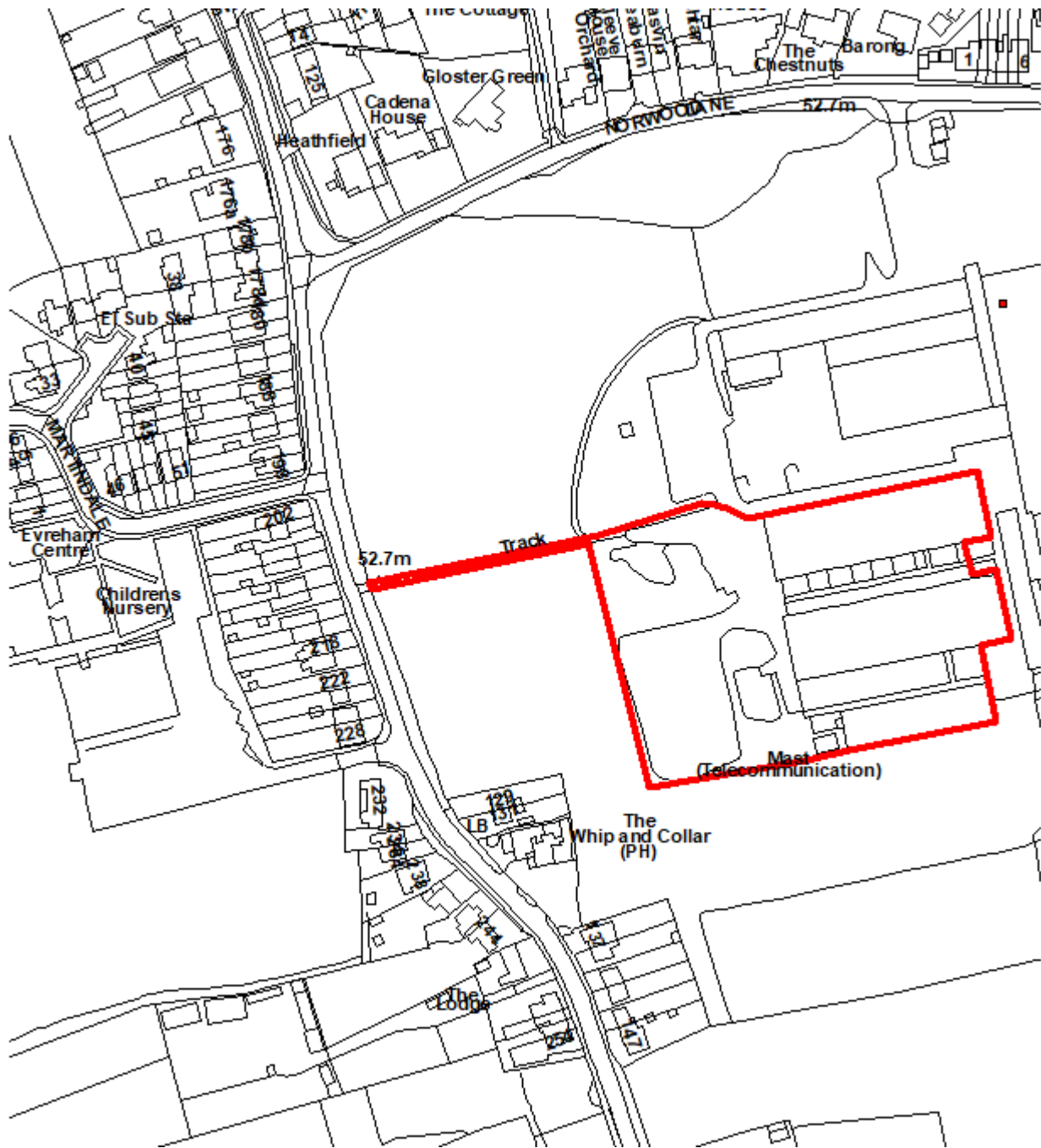
Impact on Green Belt;

Impact on character of area;

Noise disturbance;

Impact on wildlife.

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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