



South Buckinghamshire Area Planning Committee agenda

Date: Tuesday 9 June 2020

Time: 6.30 pm

Venue: Via Video Conference

Accessible to members of the public at

<https://buckinghamshire.public-i.tv/core/portal/home>

Membership:

D Anthony, M Bradford, S Chhokar, T Egleton, B Gibbs, P Griffin, G Hollis, M Lewis, Dr W Matthews and R Reed

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If you have any queries regarding this, please contact the monitoring officer at monitoringofficer@buckinghamshire.gov.uk.

Public Speaking

If you have any queries concerning public speaking at Planning Committee meetings, including registering your intention to speak, please contact a member of the Planning team

– planning.csb@buckinghamshire.gov.uk 01494 732950. Please refer to the Guide to Public Speaking at Planning Committee [here](#).

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If you would like to attend a meeting, but need extra help to do so, for example because of a disability, please contact us as early as possible, so that we can try to put the right support in place.

For further information please contact: Jack Pearce / Tom Fowler on 01895 837224 / 01494 732009, email democracy@buckinghamshire.gov.uk.

Planning Committee Virtual Procedural Rules

Introduction

The Secretary of State for Housing, Communities and Local Government made [Regulations](#) (The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020) (“the 2020 Regulations”) to ensure local authorities can conduct business during the current public health emergency and this legislation was passed on 4 April 2020. The 2020 Regulations will apply to local authority meetings (full council, executive, joint committee, committee or sub-committee) held before 7 May 2021 from 4 April 2020. Councils can make standing orders in respect of virtual meetings, and will not be constrained by any existing restrictions.

Planning Committee (Area and Strategic Committees)

This meeting will be attended by Planning Committee members, officers, town and parish council representatives (in part), public objectors and supporters (in part), applicants/agents (in part) and Buckinghamshire Council members not appointed to Planning Committee (in part) and observed by other interested members of the public and the press.

Prior to the meeting

Access to Information

The Council can hold and alter the frequency and occurrence of meetings without requirement for further notice.

The 2020 Regulations make provision for local authority members and officers, and the public, to have access to documents without attending council buildings and it will be sufficient for local authorities to publish the documents on their website. This includes notices, agendas, reports, background papers and minutes. The Proper Officer will give the requisite notice to the public of the time of the meeting, and the agenda, together with details of how to join the meeting which will be available on the website.

The obligation under the old Regulations (Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012) to supply copies of such documents in response to requests made by members of the public and on behalf of newspapers is disapplied.

The requirement in England for 5 clear days' notice to be given of principal council meetings, including annual meetings, still applies however notice can now be given on the council's website.

Time and Place of Meetings

Meetings can be held remotely, including by (but not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming even if particular members of the public cannot access them. This Council will use Microsoft Teams to hold virtual

meetings and will invite external participants to virtual meetings, if any, via email or telephone. Virtual meetings will be webcast via a link published on the meeting webpage.

During the meeting

Quorum for Meetings

The rules for quorum will still apply. The constitution states that if a quorum is not present within 10 minutes of the scheduled start of the meeting or such longer time as allowed by the Chairman, the business of the meeting will be adjourned. The Chairman may allow for flexibility around the start time of the meeting where there are any technical issues.

In the event of any apparent failure of the technology the Chairman should immediately determine if the meeting is still quorate. The Chairman could adjourn for 10-15 minutes to allow the connection to be re-established. If an individual Member's remote participation fails the Chairman may call a short adjournment of up to 5 minutes. However if the remote connection cannot be restored the meeting should continue providing it is quorate. The Member will have been deemed to have left the meeting at the point of failure. In relation to this meeting if the connection cannot be restored within a reasonable time the meeting can proceed but any Member who was disconnected will not be able to vote on the matter under discussion as they would not have heard all the facts.

Attendance at meetings and webcasting

A roll call or introductions will be made at the start of the meeting to record those present. The Chairman will confirm at the outset that they can see and hear all participating members and any member participating remotely should also confirm at the outset and at any reconvening of the meeting that they can see and hear the proceedings and the other participants. There is no requirement for councillors to sign their names on an attendance sheet when attending a meeting electronically. The Democratic Services Officer ("DSO") will maintain a list of attendance throughout the meeting.

To be classified as a 'member in attendance' and attend a meeting remotely, the following conditions must be satisfied;

- (a) councillors must be able to hear and (where practicable) see; and be heard and (where practicable) be seen by, other councillors in attendance at the meeting.
- b). All other members of the public must as a minimum be able to hear (but if practicable be able to view as well)

In practice this means that if councillors can be heard and hear each other and other members of the public not speaking can hear, this would fulfil the requirements of holding a virtual meeting.

Members of the press and public may only be excluded from a meeting in accordance with the Access to Information Rules and if they are causing a disturbance (see below).

The 2020 Regulations state that meetings being open to the public include access by remote means. Such access includes (but not limited to) video conferencing, live webcast, and live

interactive streaming and where a meeting is accessible to the public through such remote means, the meeting is open to the public whether or not members of the public are able to attend the meeting in person. For clarity, a meeting recorded and then posted online after the event would not satisfy this requirement.

The people on the Teams call who are present throughout the meeting are the Committee Members 'round the table' and any officer supporting the meeting. The public gallery, where Members can sit and observe the meeting alongside members of the public, is the webcast version. It is important to keep numbers in the meeting (except for those allowed to be present as Members) to a minimum to enable the proper flow of the virtual meeting.

Conflicts of interest

Where a councillor has a conflict of interest during a meeting they need to declare their interest at the start of the meeting or when the interest becomes apparent. If the interest is 'personal' having declared a personal interest the councillor may continue to speak and vote on the item of business concerned. If the councillor has a prejudicial interest they will need to declare the existence and nature of their interest and withdraw from the virtual meeting by muting the microphone and only returning to the meeting once the chairman has invited them back in.

Minutes of meetings

The Minutes of meetings will be signed and kept by the Chairman until government guidance allows councillors and officers to return the signed copy to the office.

Voting

The requirements for voting at a virtual meeting will be the same as those for physical meetings. Any amendments will need to be moved and seconded and the Chairman will ask the meeting if there is any dissent to the motion. The Chairman will conduct the vote by reading out the names of voting members (like a recorded vote). Each voting member, when asked by the Chairman, will state if they are for, against or abstain. Voting will be recorded by the DSO. The DSO can then read out the total numbers of members voting in favour, against and abstaining. If Members miss out (even briefly) on hearing contributions to an agenda item they cannot vote. For non-planning application items where votes are required agreement can be made by affirmation of the meeting.

External contributors addressing the meeting

Please refer to virtual public speaking protocol.

Questions

Questions will be asked in the normal way by Committee Members as set out in the Constitution.

When can the Chairman be interrupted ?

There are circumstances allowed for in the Constitution where the Chairman can be interrupted such as:-

- Technology is not working effectively
- Officer needs to provide advice
- Point of order or personal explanation

or any other situation which the Constitution or Chairman allows.

Disturbance during proceedings

The Constitution states that if anyone interrupts proceedings, the Chairman will warn the person concerned and, if they continue to interrupt, the Chairman will order their removal from the virtual meeting room. There may be circumstances where the person needs to be removed immediately, for example, if they are being inappropriate, and the Chairman can do this by muting their microphone. If there is a general disturbance, making orderly business impossible, the Chairman may adjourn the meeting for as long as they consider necessary.

Adjournments

People will remain on the call with microphones muted and cameras off until the meeting starts again. The Chairman may also want to consider having a comfort (screen) break for longer meetings. If there is a problem with the technology, the Chairman should adjourn the meeting . However, it does not stop a meeting going ahead provided it is still quorate because a person does not have access to the required technology in the first place. If technology fails for a wholly remote meeting, and the meeting is no longer open to the public, any decisions made could be challenged as unlawful, which renders the whole meeting incapable of proceeding. Therefore, the Chairman should adjourn until the remote meeting can be restored within a reasonable period, or at a time and date fixed by the Chairman or until the next ordinary meeting

The Council will try and achieve the best possible outcome.

Confidential/exempt items

There are times when council meetings are not open to the public, when confidential, or “exempt” issues (as defined in Schedule 12A of the Local Government Act 1972) are under consideration. Each Member in remote attendance must ensure and verbally declare that there are no other persons present with them who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings.

Where a Member can demonstrate a “need to know” they will be invited to any discussion on exempt items remotely as set out in the Constitution. They must confirm that the venue is secure, that no member of the public has access and that no recording of the proceedings is being made.

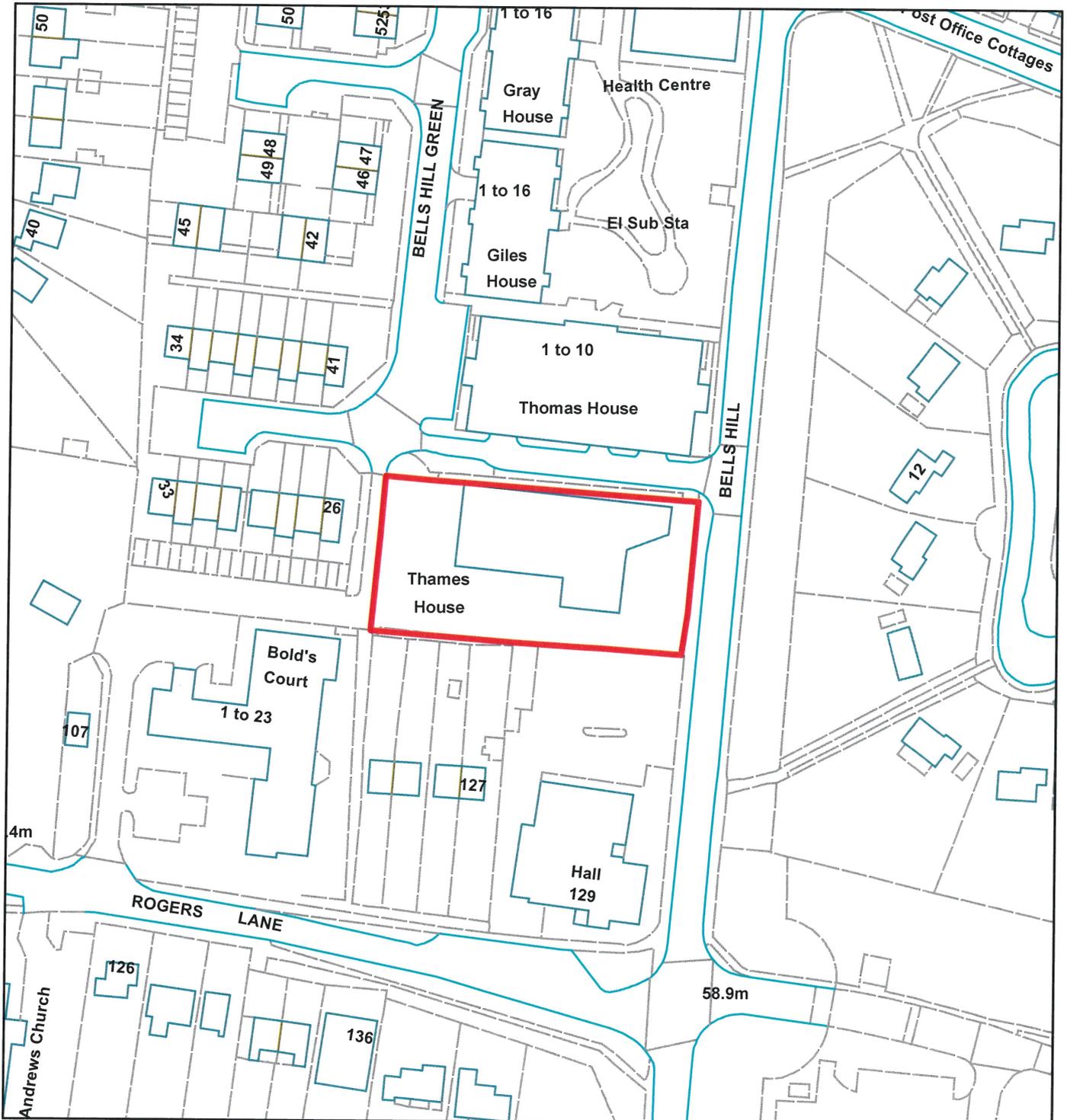
Contacts

All enquiries relating to the Virtual Planning Committee Meeting procedures should be directed to Democratic Services.

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Thames House, Bells Hill, Stoke Poges SL2 4FH



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Organisation	Buckinghamshire Council
Department	Planning
Comments	Not Set
Date	26/05/2020
PSMA Licence Number	100023578

Report to South Buckinghamshire Area Planning Committee

PL/19/2119/FA

Case Officer: Graham Mansfield
Date Received: 01.07.2019
Parish: Stoke Poges
App Type: Full Application
Proposal: Demolition of the existing car showroom and the erection of a three storey mixed use building comprising a car showroom at ground level, and 12 x 1-bed flats on the first and second floors. Retention of existing workshop to the rear with 2 MOT bays. Provision of car parking spaces, cycle storage area, and bin store.
Location: Thames House
Bells Hill
Stoke Poges
Buckinghamshire
SL2 4EH
Applicant: GStar Property Services Ltd

SITE CONSTRAINTS

Adjacent to A and B Road
Adjacent to Unclassified Road
Biodiversity Opportunity Areas
Community Assets/ Council Owned Land
North South Line
A and B Roads
SBDC Airport Safeguarding
SBDC Asset Register
BCC MWLDF and BMWLP (Mineral Protection Zones)
SBDC Rights of Way
SBDC Settlements
SB SSSI Impact Zones
SBDC Wind Turbine Dev
Townscape Character

REASON FOR PLANNING COMMITTEE CONSIDERATION

The application has been referred to the Planning Committee following discussion between Officers and the Chairman elect. In the interests of the wider public it is considered the application would benefit from further scrutiny.

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SITE LOCATION

The application site is located within the developed area of Stoke Poges, on the west side of Bells Hill.

The site is currently occupied by a single storey building located in the north west corner and is used for the purposes of servicing motor vehicles. The front of the site is a state of disuse and is currently enclosed by hoarding.

To the north of the application site is the local shopping centre which was constructed in the late 2000's. The building to the north of the application site known as Thomas House contains car parking at lower ground floor, retail units at ground floor and flats within the roofspace.

There is a notable change in levels between the application site and Thomas House to the north.

To the south of the application site is Stoke Poges Village Hall, the car park of which adjoins the application site to the south. In addition, the rear gardens of 121 - 127 Rogers Lane also abut the application to the south.

A public footpath which joins Rogers Lane and Bells Hill Green runs to the west of the application site.

The application site is within 5.6km of Burnham Beeches.

THE APPLICATION

The application proposes to redevelop the front of the application site by erecting a three storey building which would contain a car showroom at ground floor level and 12 one bedroom flats on the first and second floors. The overall scheme would provide 7 market housing units and 5 affordable units, which equates to 40% affordable units on site.

It is proposed to retain the motor vehicle servicing facilities within the existing single storey building to the north west of the site.

Parking would be provided along the southern and eastern boundary of the site as per the existing arrangements. Marked bays would be provided for the MOT use, residential and car show room uses.

The overall scheme would provide 7 market housing units and 5 affordable units, which equates to 40% affordable units on site.

The proposed building would be approx. 20 metres in width fronting Bells Hill and would be a depth of 21 metres.

In terms of height, the proposed building would be 8.3m to the eaves with a total ridge height of 11.0m.

AMENDMENTS TO CURRENT APPLICATION

Officers worked with the applicant during the course of the application in order to create a scheme which aligned with the NPPF in terms of making effective and efficient use of land and that was acceptable in terms of design.

Whilst the footprint of the proposed building remains the same the external design and the number of flats within the building were amended.

RELEVANT PLANNING HISTORY

18/00185/FUL: Single storey side extension, alterations to fenestration and facade treatment and the internal installation of 2 MOT bays. Conditional Permission

10/00302/FUL: Change of use from car sale workshop to banqueting and conference facility with supporting facilities. Refuse Permission

03/00301/FUL: Retrospective application for change of use from Class 81 (Business) and B8(Storage) to vehicle display, sales and servicing. Conditional Permission.

01 /00990/FUL: Single storey rear extension and alterations. Conditional Permission.

98/00926/FUL: Change of use of former filling station / car sales showroom and vehicle repair workshop to Class B1 and Class B8. Demolition of canopy, external alterations to part of building. Closure of one access, revised parking and erection of front boundary wall / railings and infilling of underground tanks. Conditional Permission.

92/00806/FUL: Retention of use of land partly for storage of motor vehicles and partly for car sales display. Conditional Permission.

PARISH COUNCIL

Objection: Policies EP3 (a), (b), (c), (d) & (f), EP4 (c), EP5 (a) & (b), H9 (a), (b) & (c), TR 7 (d) EP16, NPPF 124 all apply. The applicant uses EP6 which we believe is NOT relevant to this application.

The proposed extensions would result in the creation of a large, bulky and unattractive structure of excessive depth, and with a large expanse of the roof at high level.

The dwelling would be lacking in pleasing proportions and would fail to respect the traditional character. The excessive depth of the extended building would be apparent in angled views from the road, and would result in an unduly bulky appearance that would be at odds with the traditional proportions of the existing building and would be out of keeping with the general character of this residential area.

This is contrary to the NPPF 124, Not a good design and an urbanising feature, it is too far forward of the existing building line.

The size, bulk, height is incongruent with its surroundings and the design layout and fenestrations are in keeping with an urbanised development, Stoke Poges is classified as a semi-rural village.

EP16 does not fit with residential use from a safety perspective. There are hazardous substances fundamental to the business such as oil storage etc., and there appears to be no fire escape other than the front entrance.

The lay of the land is on a hill so the development is over dominant in relation to the houses on Rogers Lane, 129, 127, 125, 123 & 121 leading to loss of amenity and privacy.

The lack of landscaping will also contribute massively to the appearance of an urban development. with the addition of EP4 (a) & TR7 (b). Existing dwellings in Thomas House and the other blocks of flats and Bells Hill Green resulting in over parking on the roads and the doctor's surgery, where will they park? Visitors parking would also encroach onto Bells Hill Green, where cars already have to park in the doctor's surgery causing chaos.

The drawings are misleading and the rendered elevation drawings are not in perspective. We believe elevation 3 showing the distance from Thomas House to the proposed flats is misleading and is not 18 meters and needs to be clarified, it appears to us to be more like 11 meters!

We would query if there is any social housing stock included in this application?

The rear elevation 4 of the apartments at the back of the building hardly have any natural day light and will have obscured views of the existing workshop, we do not believe that this is properly represented in the drawings and is misleading.

[Officer Note The Parish comments are noted, the majority of the points raised are addressed in the officers report below. It is noted that the proposal is referred to as a dwelling. However, the proposal is for a mixed used building with a car showroom with residential flats above. The concerns regarding distances to Thomas House are noted. Separation distances have been assessed from the scaled drawings provided with the application.]

REPRESENTATIONS

13 Letters of objection received. Concerns raised include:

- Impact of proposed building on daylight and sunlight
- Loss of views
- Proposed building out of scale and out of character with the area.
- Design is urban and too tall
- No outdoor spaces for flats
- Impacts on neighbouring privacy
- Impact on local services
- Traffic impacts
- Insufficient parking
- Noise impacts from surrounding uses
- Overbearing on neighbouring flats
- Impact on house values
- Concerns regarding construction traffic

CONSULTATIONS

Housing Officer:

No objection, subject to securing the affordable housing via a section 106.

Urban Design Consultant (summarised):

Original Comments dated 31/07/2019

The design fails to pick up on the shortcomings of the adjacent co-op development and offers little to enliven the street with the scale and detailing of the building consisting of a series of elements and proportions that lack visual and proportional cohesion.

This is further reinforced by a building that is neither contemporary or traditional. There is a mix of different styles and features - creating an unconvincing proposition. There are a range of range of window openings with a confusing mix of sizes and emphasis

The relationship with Bells Hill is largely inactive - with the entrance to the showroom from the car park to the side of the building. The principal elevation is dominated by a protruding element that provides access to the apartments. This is a further element of the building that adds to the overall lack of cohesion.

Currently, I cannot support the application.

Urban Design Consultant (summarised):

Revised Comments dated 15/05/2020

Considerable improvements have been made to the design of the elevation.

The strongest reason for refusal in terms of design would have been on appearance, however significant improvements have been made in this respect. More needs to be done, but we could not justify a refusal on these grounds when (arguably) this is what planning conditions are there to do.

Information is limited in places, for instance it is not clear what facing material is proposed to the ground floor.

My objection is withdrawn subject to the requirements being secured by condition in relation to finer details including;

- roofing, rainwater and facing brick materials.
- Full details of balcony materials, including the projecting elements
- Glazing details, including shopfront glazing and arrangement

- Hard and soft landscaping
- Boundary treatments

Lead Local Flood Authority:

No objection subject to conditions.

Waste:

Waste services note the proposal of redevelopment of Thames House. We have no objections, collection vehicle will not enter the site but will stop on Bells Hill. crews will wheel the bins out and return them to their original location on collection days in accordance with council policies.

Landscape Officer:

No objection, subject to conditions. Further detail will be required about all the proposed planting - Details are required about plant species, sizes and numbers.

Environmental Health:

The historical maps show that there was a building on site during the 1924-1925 epoch, the layout shown on the historical map for the 1955-1974 epoch has changed, the site is labelled as a garage, the site is labelled Thames House on the raster map. Based on this, a contaminated land condition is recommended.

Environmental Health (Noise):

I do not have any comments to make regarding this application from an Environmental Health perspective.

Highways:

I write further to my original comments dated the 30th July 2019, in which the Highway Authority had no objection to the proposals subject to conditions. Since these comments were submitted to the Local Planning Authority, the applicant has increased the quantum of development from 8 x 2-bed flats to 12 x 1-bed flats. The following comments consider this increase and should be read in conjunction with my original comments on the proposals. Bells Hill is classified as the B416 and in this location is subject to a speed restriction of 30mph.

Proposals include the demolition of the existing car showroom and the erection of a mixed use building comprising a car showroom at ground level, and 12 x 1-bed flats on the first and second floors. The existing workshop to the rear of the site will be retained, along with two MOT bays. When considering trip generation, having interrogated the TRICS® (Trip Rate Information Computer System) database, I find that the existing 768sqm car showroom would have the potential to generate in the region of 151 vehicular movements (two-way) as a whole. Proposals seek the erection of 12 x 1-bed flats and a 398sqm car showroom.

The proposed car showroom would have the potential to generate in the region of 79 vehicular movements (two-way) per day and a 1-bed flat would have the potential to generate in the region of 2-4 vehicular movements (two-way) per day, and as such, in total, would have the potential to generate 24 - 48 vehicular movements (two-way) per day. As this is the case, I consider that the proposals would lead to a reduction in vehicular movements from the current site. The existing access point into the site is to be altered, however I understand that no alterations would be made within the extent of the publicly maintained highway, and therefore I have not suggested a condition or licence for this. Within the site, I note that 42 car parking spaces are provided. This level of parking has been broken down into the specific uses on site, with 24 spaces provided for the existing retained workshop to the rear of the site, 12 spaces proposed for the 8 flats on site and 6 spaces proposed for the showroom and customer parking on site. Whilst I trust that the Local Planning Authority will comment upon the suitability of the parking provision proposed, I can confirm that the spaces proposed are of adequate dimensions and would allow for vehicles to park, turn and leave the site in a forward gear.

No objection, subject to conditions on parking layout and construction management plan.

Natural England:

Originally issued an objection due to the impacts of new housing on Burnham Beeches SAC in terms of visitor pressures.

Between 500 metres to 5.6km from Burnham Beeches SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity. This should be in line with emerging Local Plan Policy DM NP3, which requires proposals to;

1. Make financial contributions towards the Burnham Beeches Access Management Scheme, or any subsequent scheme which replaces this; and
2. Demonstrate that no adverse impacts on the SAC will arise as a result of additional visitors to the SAC from the development. Mitigation will need to be determined in agreement with Natural England.

Natural England subsequently lifted their objection owing to the applicant's agreement to contribute to mitigation payments. The contribution will be secured via a section 106 agreement.

POLICIES

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

South Bucks Core Strategy Development Plan Document - Adopted February 2011: Saved Policies CP1, CP2, CP3, CP8, CP9, CP12, CP13

South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011: Saved Policies GB1, GB3, EP3, EP4, EP5, EP6, H9, TR5, TR7.

Chiltern and South Bucks Draft Local Plan 2036 (2019)

South Bucks District Council Residential Design Guide Supplementary Planning Document (SPD) - Adopted October 2008

South Bucks District Council Affordable Housing SPD - Adopted July 2013

Chiltern and South Bucks Townscape Character Study (2017)

Burnham Beeches SAC Mitigation Strategy (2020)

EVALUATION

1. The NPPF was updated on 19th February 2019 and whilst this replaced the previous Planning Policy Statements and Guidance Notes, it does not replace existing local policies that form part of the development plan. It does state however, that the weight that should be given to these existing local policies and plans will be dependent on their degree of consistency with the NPPF. Therefore, the closer the policies in the development plan to the policies in the Framework, the greater the weight that may be given to them.

2. In addition to the above, the publication version of the Chiltern and South Bucks Local Plan 2036 was approved at Council on 14 May 2019 and it was agreed that this should be endorsed as a material consideration in the determination of planning applications. This document has now gone through the consultation stage. However, given that draft Local Plan has yet to be examined by the planning inspectorate, only limited weight can currently be given to this document.

Principle of development

3. Paragraph 122 of the NPPF highlights that planning decisions should support development which makes the efficient use of land, taking into account; housing need, local market conditions, availability and capacity of infrastructure, maintaining the area's prevailing character and securing well-designed places. The site falls within the developed area of Stoke Poges where new and replacement buildings are acceptable, subject to all other material planning consideration such as character, amenity and highways.

4. Paragraph 122 of the NPPF highlights that planning decisions should support development which makes the efficient use of land, taking into account; housing need, local market conditions, availability and capacity of infrastructure, maintaining the area's prevailing character and securing well-designed places.

5. The current application seeks to redevelop the front portion of the site, whilst keeping the motor vehicle servicing facility to the rear. The proposal would seek to provide a mixed use development with a car showroom at ground floor and two stories of residential accommodation above.

6. Officers consider that the car sales element of the proposal, together with the retention of the motor vehicle serving facility would maintain the application site as an employment generating site and therefore would align with Core Policy 10 of the South Bucks District Core Strategy (2011).

7. Noting the above, there would be no principle objection to the introduction of residential on the site. Furthermore, the mixed use nature of the site would add to the vitality of Stoke Poges Village Centre. In this regard the proposal would align with Core Policy 11 of the South Bucks District Core Strategy (2011) which highlights that proposals for new retail, office and other main centre uses should enhance the vitality and viability of centres in South Bucks.

8. Whilst considerations in terms of the design of the building are discussed further below, officers consider that the redevelopment of the front of the site would be beneficial to the townscape character and the general visual amenity of the area. Due to the fact that part of the site is derelict and enclosed by hoarding fronting Bells Hill.

Housing Provision and Delivery

9. During the course of the application, the proposed residential element of the scheme was amended from 8 flats to 12 flats. This made for a more efficient use of land and also allowed for affordable housing (5 units) to be provided as part of the development.

10. The NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses and also states that decisions should support development that make efficient use of land. Core Policy 3 also seeks to ensure that developments are not built at a low density to avoid the need for affordable housing. As noted above, officers consider that the proposal would align with these requirements.

11. One of the primary aims of the NPPF is to significantly boost the supply of housing and the advice is clear that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 61 of the NPPF highlights that local authorities should plan for a mix of housing based on current and future demographic trends and needs of different groups within the community.

12. Paragraph 62 of the NPPF further sets out that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:

- a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
- b) the agreed approach contributes to the objective of creating mixed and balanced communities.

13. Paragraph 64 of the NPPF further states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership (as part of the overall affordable housing contribution from the site), subject to exemptions including Built to Rent and self-build.

14. Core Policy 3 sets out that for developments of this scale at least 40% of dwellings should be affordable, unless it is clearly demonstrated that this is not economically viable. The Policy also sets out that on qualifying sites, about two thirds of the affordable of the affordable units provided should be rented, with the remainder as intermediate affordable dwellings.

15. As a result of the revised scheme, 5 out of 12 units on site would be affordable housing units which equates to a 40% provision. The on-site provision would align with policy requirements in this regard. In terms of the mix the proposed 5 units would be made up of Affordable Rented units and thereby exceed the policy requirement of Core Policy 3 which aims for two thirds of the Affordable Housing to consist of Affordable Rented. Officers acknowledge that the NPPF requires at least 10% of the affordable contribution on site to be made of affordable ownership. However, the Council's Housing Manager has confirmed that he would always favour getting as many social rented or affordable rented units as possible as this directly meets the needs from the Council's Housing Register and homelessness duties. In this regard the Council's Housing officer therefore has raised no objection to the scheme. As such, on balance 5 affordable rented units is considered to better contribute towards the Council's housing needs than would be the case if some of the provision were allocated to affordable ownership units and the proposed housing mix is considered acceptable.

16. As such, subject to a Section 106 Legal Agreement to secure the affordable housing, the proposal complies with the Core Strategy Policy CP3.

17. In summary, the proposed developed would be align with the provisions of the NPPF in providing mixed and balanced communities and would comply with Core Policies CP2 and CP3 of the South Bucks District Council Core Strategy (2011).

Design/character & appearance

18. A number of comments have been received which highlight that the proposed development is out of scale and generally out of character with the surrounding are. In addition, the architectural design of the building has been amended during the course of the application.

19. The Council's Urban Design officer had significant concerns with the design of the building as was originally submitted with the application. The principle objections related to the fact that the proposed elevations provided an inactive frontage onto Bells Hill, this coupled with the fact that the design of the building was not cohesive and consisted of a mixture of styles. This was evident in the range of window opening and conflicting roof details.

20. As result of the above the Council has worked with the applicant to obtain an improved design which now consists of a simplified contemporary design and offering an increased active frontage to Bells Hill. This is further explored below.

21. Paragraph 127 point C of the NPPF states that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscaping setting, while not preventing or discouraging appropriate innovation or change. Point E of paragraph 127 seeks to optimise the potential of the site to accommodate an appropriate amount and mix of development.

22. Local Plan policy EP3 states that development will only be permitted where its scale, layout, siting, height, design, external materials and use 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 their surroundings will not be permitted.

23. The application site is located on the main road through Stoke Poges and within the Village Centre. The Chiltern and South Bucks Townscape Character Study identifies the site as being within a clustered centre. Clustered Centres for the purposes of the above document as defined as small areas of commercial or community activity, restricted to a handful of buildings that may or may not have a physical relationship with each other. These centres are not well defined, fragmented, and commercial standalone buildings are often interspersed with dwellings. Clustered centres are generally located along main routes with high volume traffic, and there is no spatial coherence.

24. The application site is adjacent to Thomas House which is located to the north and is set into the slope of Bells Hill resulting in a two and half storey building. The Stoke Poges Village centre is located to the south of the application site and consists of a one and half storey building. The current building to the front of the application site is single storey.
25. In terms of location and layout, the proposed building would be closer to the Highway than the existing buildings on site. However, in terms of building lines, the proposed front elevation of the building would respect the building lines on Bells Hill and that of neighbouring premises at Stoke Poges Village Centre and Thomas House.
26. In terms of scale and bulk, the proposed building would be comparable to that of Thomas House to the north. The proposed building would be considerably shallower in terms of depth compared to Thomas House. The proposed building would be three stories in height, it is noted comments have been received which state that proposed building would be unduly high. However, the site would be located in the village centre which has a distinct commercial/mixed used character and includes other large buildings which are between 2 and three stories tall. In terms of the location and surrounding site circumstances, it is considered that the height of the proposed building would not appear out of character with the surrounding area.
27. Officers recognise that the Stoke Poges Village Centre to the South would be noticeably lower in height than the proposed building. However, due to the separation distance of approx.45 metres, it is considered that the proposed building would not appear incongruous within the streetscene, considering the views from the south of the deep southern flank of Thomas House which is a prominent feature.
28. As noted previously the original design was amended during the course of the application. The current design would be simple in terms of proportions and rhythm and would be of a more contemporary style, the previous design attempted to replicate that of Thomas House which is an architecture of its time. The current design also attempts to offer an improved relationship to Bells Hill with a greater active frontage at ground floor level. Whilst being a contemporary design, the proposed building would have a greater sense of proportion, with improved fenestration arrangements and would pick out material features from the surrounding vernacular including the use of brick and tiled roofing.
29. The Council's Urban Design officer has commented on the proposals and overall has noted on the improved design of the scheme, thus removing the original objection to the scheme. The proposed development would require to demonstrate finer design detailing such as the specific external material details and finer details such as fascias and rainwater goods. However, the Council's Urban Design officer has recommended conditions in this regard.
30. In terms of landscaping, the existing site is predominately made up of hardsurfacing and the proposed scheme would retain most of this for the purposes of parking. While officers note that the uses on ground floor inhibit the ability to incorporate significant soft landscaping, there would be opportunity on the street elevation to soften the appearance of the proposed building.
31. The Council's Landscape officer has also noted the lack of soft landscaping as identified above, However, no objection has been raised in relation to the scheme. It is noted that there would be opportunities for some planting adjacent to the building to the front of the site and on the north boundary, and on the car park boundaries on the north, west and south boundaries to provide some screening and softening of the proposed development. As such, a condition requiring the finer details of the hard and soft landscaping would be required as part of the permission.
32. Overall, the proposed development is considered to be appropriate in terms of its size, scale, style, and appearance. The proposed development would not appear over-dominant or obtrusive within the street scene. The proposed development is considered to improve the visual amenities of the area and is not considered to be out of keeping for the locality. Overall, the scale and siting of the proposed development is

considered to be acceptable when considered in terms of policy EP3 and H11 of the South Bucks District Local Plan.

Residential amenity

33. Local Plan policy EP3 requires regard to the amenities of adjacent properties. Policy EP5 states that development will be permitted only if it would provide for adequate daylight, and where possible sunlight, to reach into spaces around and between buildings and other physical features and would not result in a significant loss of daylight or sunlight to adjacent buildings or land.

34. A number of objections have been raised in relation the proposed building and its impact on neighbouring residential amenity. The proposal and its impacts on neighbours are assessed as follows.

Rogers Lane

35. Along with 129 Rogers Lane (known as the Stoke Poges Village Centre), two pairs of semi-detached properties at 121 to 127 (odds) Rogers Lane adjoin the application site to the south. The dwellinghouses at 121 to 127 are located centrally in their plots and have rear gardens which are approx. 26.0m in depth. There is also a notable change in gradient up towards the application site boundary from these properties.

36. However, officers consider that the occupants of these dwellings would not be unduly impacted by the proposed development in terms of daylight, overshadowing or outlook. The proposed building fronting Bells Hill would not site directly to the rear of 121-127 Rogers Lane and would be located some 46 metres from the closest residential property at 127 Rogers Lane.

37. Whilst it is recognised that habitable windows on the proposed building would be located on the western and southern elevations, these would only afford oblique views towards 121-127 Rogers Lane, combined with the generous separation distances, it is considered that no unacceptable impacts would occur in terms of privacy.

Bells Hill Green

38. Properties on Bells Hill Green are located to the west of the application site, no. 26 Bells Hill Green being the closest to the application site. However, due to the separation distance of over 50 metres and the right angles relationship between no. 26 and the proposed building, it is considered that no undue impacts would occur in terms of residential amenity.

Thomas House

39. Thomas House is located to the north of the application site and is located at a higher ground level. The roofspace of Thomas House contains 10 residential dwellings, 6 of which have a southern aspect towards the application site. The windows serving the flats within Thomas House are deeply set within the roofslope.

40. The proposed development would be adjacent to four of the flats within Thomas House, specifically those on the eastern half of the roof. However, as noted previously, the application site is located on a lower ground level than Thomas House.

41. While it is noted that comments have been received which question the distances between the two buildings, from the scaled plans, there would be a 14.0m distance from the windows serving Thomas House and the proposed development. Taking this into account, together with the change in levels, it is considered that the proposed development would not lead to undue impacts in terms of daylight and overshadowing. The relationship between the two buildings would be such that no breach of the 25 degree would occur.

42. It is noted that concerns have been raised in relation to the loss of views from the flats in Thomas House. While this is recognised, there are no rights in relation to views in planning terms. In terms of privacy, the proposed windows on the northern flank of the proposed development would be at a lower level than the roof level windows of Thomas House. It is also noted that the roof windows serving Thomas House

are also set in within the roofslope. As such, there would be little opportunity for unacceptable levels of overlooking to occupiers of Thomas House.

Residential amenity future occupiers

43. Whilst it is noted that the South Bucks District Local Plan (1999) does not require specific standards in terms of amenity standards for future occupiers, the draft Chiltern and South Bucks Local Plan 2036 includes draft policies DM DP17 and DM DP18 in relation to internal space standards and outdoor amenity respectively. It is noted that limited weight can be attributed to these policies due to the current stage of the Local Plan. Notwithstanding this, they are still a material planning consideration. In addition, the NPPF provides guidance on providing well designed places in terms of amenity under paragraph 127 f.

44. In terms of the layout of the proposed dwelling and impacts on future occupiers, it is noted that the proposed units would exceed with the minimum space standards as prescribed by the national space standards in terms of one bedroom flats. Furthermore, each flat would align with the minimum floor to ceiling heights also set out in the Technical housing standards - nationally described space standards.

45. It is noted that concerns have been raised regarding the quality of the living accommodation and the impacts of the motor servicing on future occupiers. As noted previously, the proposed living accommodation would exceed the minimum floor space standards which apply to new build properties.

46. In addition, the proposed layout of the residential accommodation would ensure that main habitable windows would have either a western or eastern aspect which would ensure satisfactory amounts of natural daylight. It is noted that eight of the flats would benefit from dual aspect windows.

47. In addition to the above, each dwelling would have an acceptable standard of outlook, with open plan areas opening out onto enclosed balcony areas which would serve as private amenity areas. Officers consider that the amount of amenity provided would be sufficient for dwellings of this size. As noted previously, the flats would either have an eastern aspect (facing the highway of Bells Hill) or a western aspect (facing towards the boundary with Bells Hill Green).

48. The existing single storey building which accommodates the motor vehicular servicing would be adjacent to the western elevation of the proposed building. However, due to the fact that the flats are at higher level at first and second floors, it is considered that the outlook here would be acceptable.

49. In terms of potential noise and disturbance from the motor servicing, officers consider that this would not result in unacceptable impacts on future occupiers. Officers note that use of the site in regards to the current operations are in close proximity to neighbouring residential properties.

50. Furthermore, it is noted that Environmental Health officers have not raised any concerns. Notwithstanding this, planning conditions would be necessary to control noisy works associated with the current use. Officers note that such conditions in relation to noise levels and hours of operation were attached to the previous permission to protect neighbouring amenities and these conditions would be recommended on the current proposal.

51. Overall, it is considered that the proposal would provide a sufficiently high standard of accommodation for future occupiers. The proposal therefore aligns with the aims of para. 127 F of the NPPF and policy EP3 of the South Bucks District Local Plan (1999).

Parking/Highway implications

52. It is noted that objections have been raised in terms of parking, traffic generation and highway safety in general.

53. Local Plan policy TR5 requires that in considering proposals involving a new or altered access onto the highway, works on the highway, the creation of a new highway or the generation of additional traffic, the

District Council will have regard to the potential impact on safety, congestion and the environment. The amenities of nearby properties will also be considered.

54. Policy TR7 states that development will only be permitted if parking provision complies with the parking standards set out in Appendix 6. The Appendix sets out minimum standards for residential development, requiring one space per 1 bedroom dwelling.

55. The proposed plans submitted show that there would be provision for 1 car parking space for each of the 12 dwellings. 24 spaces and 6 spaces would be provided for the existing car servicing and car showroom respectively. As such, the proposed parking provision would comply with policy TR7 and appendix 6 of the South Bucks District Local Plan (1999).

56. The Council's Highways officer has commented on the application in terms of potential trip generation and the proposed vehicular access to the east site and are satisfied with the details submitted and have concluded that the proposal would not unduly impact upon the safety of the Highway. Subject to the attachments of conditions in relation to parking layouts, the proposal would comply with policy TR5 and TR7 of the South Bucks District Local Plan (1999).

57. While a number of concerns have been raised in relation to disturbance connected with construction, the Council's Highways officer has recommended that a condition be attached to any permission which would require the applicant to submit a construction management plan prior to any building works taking place.

58. In terms of waste, while the waste arrangements for the motor vehicle servicing would be as per the existing arrangement. It is proposed to provide a dedicated bin storage area for the proposed residential element of the scheme. The Council's waste service have accepted this arrangement for the purposes of refuse collection and management.

Drainage

59. The applicant has supplied a Surface Water Management Strategy for the proposed development. It is noted that the site is located in an area with very low risk surface water flooding. The proposed development would utilise a tanked permeable paving which would have an outfall into the existing Thames Water surface water sewer located under Bells Hill.

60. The Lead Local Flood Authority has reviewed the submitted documentation and has confirmed that the surface water strategy is sufficient and raises no objection. However, conditions are recommended in which the applicant would be required to submit details in relation to technical details in relation to pipe work and SUDs components. Further details are also required in relation to the ongoing maintenance of the drainage on site. Subject to these requirements the proposal would align with paragraph 165 of the NPPF in terms of flood risk.

Ecology

61. An ecological appraisal was carried out on site including the survey of the existing premises and those earmarked for demolition (single storey building of a flat roof nature). The results have confirmed a lack of supporting habitats for bats and other protected species. As such no objection has been raised in these regards.

62. Notwithstanding the above, a condition would be recommended to ensure that opportunities for ecological enhancements are incorporated into the proposed development.

Burnham Beeches Special Area of Conservation

63. It is noted that an objection has been raised from Natural England in regards to the impact of the proposal on the Burnham Beeches Special Area of Conservation (SAC).

64. Whilst officers note that Draft Local Plan Policy DM NP3 highlight that developments between 400km and 5.6km of the Burnham Beeches are still likely to result in additional recreational visits to SSSI/SAC. The draft local plan has been informed by a recent Habitats Regulations Assessment which demonstrates that without appropriate mitigation there are likely to be increased visitor pressure and deterioration of the designated SAC.

65. As noted previously, the draft local plan can afford only limited weight. However, the new evidence which is built upon visitor surveys which in turn informs the study carried out entitled 'Impacts of Urban Development at Burnham Beeches SAC and Options for Mitigation: update of evidence and potential housing growth, 2019 shows that increased population within the area is resulting in undue harm to the SAC. In light of the new evidence the Local Planning Authority must apply the requirements of Regulation 61 of the Conservation of Habitats and Species Regulations 2017 (as amended).

66. As such and in line with Regulation 61 the Council must carry out an appropriate assessment of the implications of development within the relevant catchments of the SAC. Chilterns and South Bucks District Council has carried out a Mitigation Strategy for development within the Burnham Beeches 5.6km radius. This includes a Strategic Access Management and Monitoring Strategy (SAMMS). This aim of the SAMMS is to manage and avoid impacts and to change the visitor behaviour when visiting the SAC. The SAMMS is made up of six various projects stretched over 80 year period. As a result, all net new homes granted planning permission from March 2020 will need to contribute financially to these projects.

67. The applicant has confirmed that they are willing to enter into a Legal Agreement to secure the necessary costs towards the mitigation strategy for Burnham Beeches SAC. As such no objection is raised subject to the completion of the Legal Agreement.

Other matters

68. Comments have been noted regarding the impacts of the proposal on property values. However, issues regarding property values are not material planning considerations.

Planning Balance

69. The NPPF sets out the presumption in favour of sustainable development, and for decision making, setting out approving development proposals that accord with up to date development plans without delay.

70. Section 2, paragraph 8 of the NPPF sets out three overarching objectives, these are set out as Economic, Social and Environmental objectives. Overall it is considered that the proposed development would align with the aims of sustainable development in line with section 2 of the NPPF. The proposal would fulfil economic objectives in terms of supporting growth. The proposal would result in the creation of temporary jobs during the construction phase of the proposed development. In addition, it is considered that the proposal would maintain the vitality of Stoke Poges Village Centre.

71. A social objective would also be met as the proposal would provide additional housing within the local area, including providing a proportion of affordable housing. It is considered that that the mixed use scheme would make effective and efficient use of land, whilst giving regard to the local built environment.

72. Overall, officers consider that proposed development would align with the principles of sustainable development as reinforced within the NPPF. The proposal would make an effective and efficient use of the existing site by a mixed use scheme providing both employment and housing. The proposed housing, (including 5 affordable units) would help provide the area with much needed housing which would utilise a brownfield site and thereby relieve development pressures from the Green Belt.

Conclusions

73. It is considered that a fair and reasonable balance would be struck between the interests of the community and the human rights of the individuals concerned in the event of planning permission being granted in this instance.

Working with the applicant

74. In accordance with section 4 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal.

75. Buckinghamshire Council works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

In this case the Local Planning Authority has worked with the applicant to secure amended plans to achieve a scheme which is considered acceptable by Officers.

Human Rights

76. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: APPLICATION PL/19/2119/FA BE DELEGATED TO THE DIRECTOR OF PLANNING, GROWTH AND SUSTAINABILITY TO APPROVE SUBJECT TO CONDITIONS AND THE SATISFACTORY PRIOR COMPLETION OF A SECTION 106 PLANNING OBLIGATION AGREEMENT RELATING TO AFFORDABLE HOUSING AND MITIGATION OF BURNHAM BEECHES SAC. IF THE SECTION 106 AGREEMENT CANNOT BE COMPLETED THE APPLICATION BE REFUSED FOR SUCH REASONS AS CONSIDERED APPROPRIATE.

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. (SS01)

Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).

2. No development shall take place beyond ground level until a schedule of materials of the following have been submitted to and approved in writing by the Local Planning Authority;

- All facing materials for the building, including brickwork and roofing materials
- Specification of all finishing materials to be used in any hard surfacing
- Windows and doors including glazing details for shopfronts
- Balcony screening and supports
- Boundary fencing including all pedestrian, access gates and frontage treatment
- Waste storage

The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

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. Notwithstanding any indications illustrated on drawings already submitted, no development shall take place 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.)

4. 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.)

5. The development hereby permitted shall not commence (unless an alternative timescale for submission of the scheme has previously been agreed in writing by the District Planning Authority)), until the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

i) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

6. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out, together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 5, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 5, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved

remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 5.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8. No works or development shall take place until details of the proposed finished floor levels of the development and of finished ground levels in relation to the surrounding dwellings have been submitted to and approved in writing by the District 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.)

9. No development shall take place, including works of demolition, until a Construction Traffic Management Plan (CTMP) has been submitted to and approved by the Local Planning Authority, in conjunction with the Highway Authority. The CTMP shall include details of:

- the routing of construction vehicles;
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- operating hours;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities.

The approved plan shall be adhered to throughout the construction period.

Reason: In the interests of highway safety, convenience of highway users and to protect the amenities of residents. (Policy TR5 of the South Bucks District Local Plan (adopted March 1999) refer.)

10. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

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

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

- Permission from Thames Water to discharge into existing surface water sewer network or demonstration of existing permission
- Demonstrate that water quality, ecological and amenity benefits have been considered
- Full construction details of all SuDS and drainage components
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
- Calculations to demonstrate that the proposed drainage system does not surcharge for the 1 in 1 year storm event and can contain up to the 1 in 30 year storm event without flooding. Any onsite flooding between the 1 in 30 year and the 1 in 100 year plus climate change storm event should be safely contained on site
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.
- Flow depth

- Flow volume
- Flow direction

Reason: The reason for this pre-construction condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 163 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

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

Reason: The reason for this prior occupation condition is to ensure that arrangements have been arranged and agreed for the long term maintenance of the drainage system as required under Paragraph 165 of the NPPF.

13. No deliveries of vehicles shall be taken or despatched from the site outside the hours of 8a.m to 6p.m Monday to Saturday and at no time on Sundays or Bank Holidays.

Reason: To protect the amenity of the area. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

14. No noise producing plant or machinery shall be installed outside the workshop without the prior permission of the District Planning Authority.

Reason: To protect the amenity of the area from excessive noise generation. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

15. The workshop doors shall remain closed when any mechanical equipment is in operation within the workshop except for reasons of health and safety and during entry and exit of vehicles.

Reason: To protect the amenity of the area from excessive noise generation. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

16. The noise levels when measured at the boundaries of the site with the permitted use including vehicle servicing and MOT testing shall not at any time, as a result of this development exceed 5 dB(A) over the existing background levels. (NNO4)

Reason: To protect the amenity of the area from excessive noise generation. (Policy EP3 and EP9 of the South Bucks District Local Plan (adopted March 1999) refers.)

17. The workshop use which provides for the servicing and MOT testing of motor vehicles shall not operate before 8am or after 7pm on Monday to Saturday and at no time on Sundays or Bank Holidays.

Reason: To protect the amenity of the area. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

18. The car sales use hereby approved shall operate only between 07.30 and 18.00 Monday to Saturday and 10.00 and 14.00 on Sundays and Bank Holidays.

Reason: To safeguard the amenities of nearby occupiers in accordance with Local Plan Policy EP3 of The South Bucks District Local Plan Adopted March 1999 Consolidated September 2007 and February 2011 Saved Policies.

19. No part of the development shall be occupied until a scheme of ecological enhancements has been submitted to, and approved in writing by, the Local Planning Authority to ensure a net gain in biodiversity will be achieved. The scheme will include provision and details of artificial roost features, including bird and bat boxes.

Reason: In the interests of improving biodiversity in accordance with NPPF and Core Policy 9: Natural Environment of the South Bucks District Council Core Strategy (2011) and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

20. AP01 Approved plans

INFORMATIVE(S)

1. The Council is the Charging Authority for the Community Infrastructure Levy (CIL). CIL is a charge on development; it is tariff-based and enables local authorities to raise funds to pay for infrastructure.

If you have received a CIL Liability Notice, this Notice will set out the further requirements that need to be complied with.

If you have not received a CIL Liability Notice, the development may still be liable for CIL. Before development is commenced, for further information please refer to the following website

<https://www.southbucks.gov.uk/CIL-implementation> or contact 01494 732792 for more information.

2. No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980 (as amended). (SIH24)

3. It is an offence under S151 of the Highways Act 1980 (as amended) for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site. (SIH23)

4. You are advised that consent under the Building Regulations may be required for the proposed development and the Building Control Unit at the Council should be contacted in this regard. (SIN41)

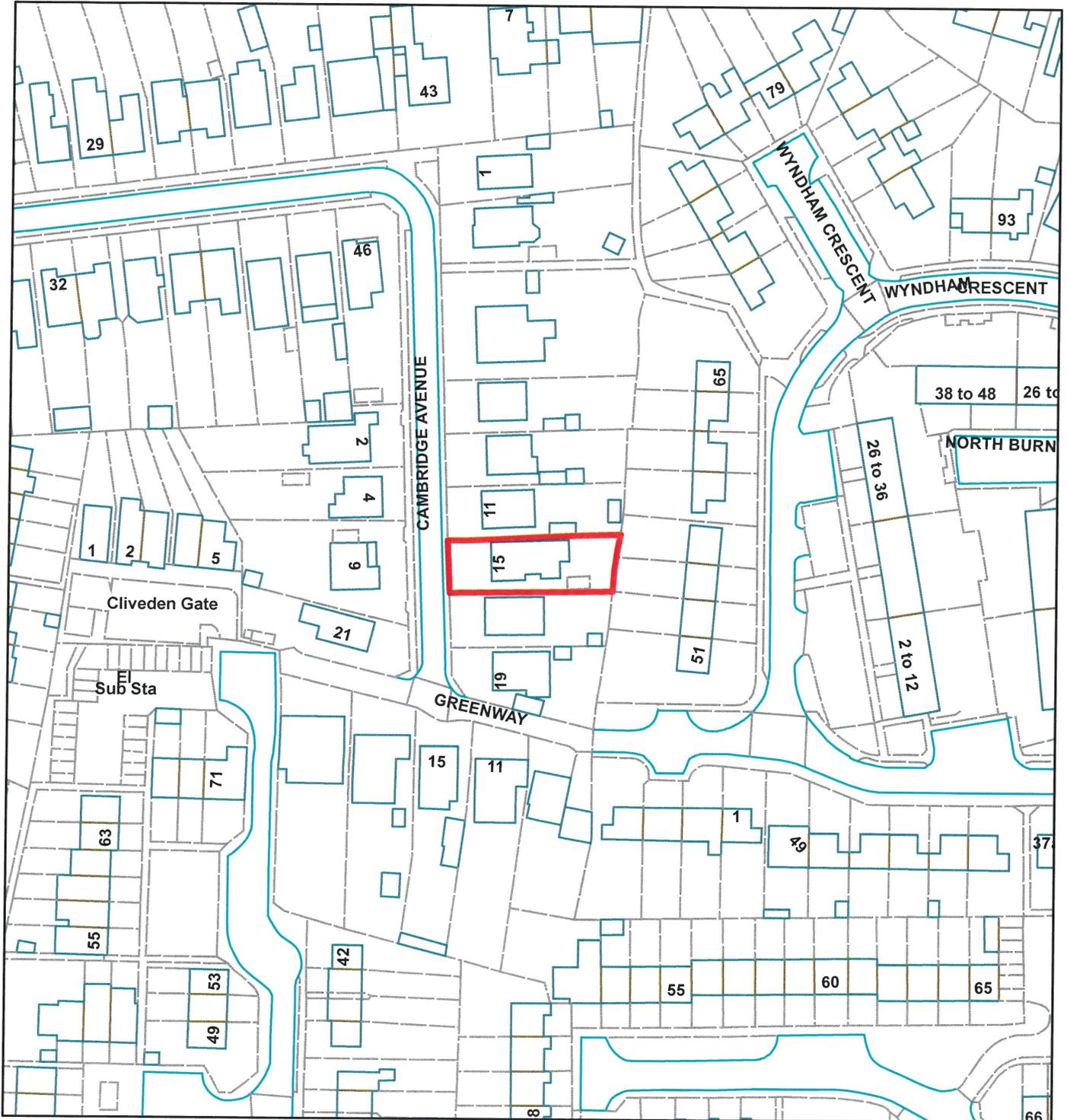
5. Due to the close proximity of the site to existing residential properties, the applicants' attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicles parking at the site or making deliveries, and general disruption caused by the works.

By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and complaints from local residents and further information on how to participate can be found at www.ccscheme.org.uk. (SIN35)

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PL/20/0135/FA

15 Cambridge Avenue, Burnham SL1 8HP



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Department	Planning
Comments	Not Set
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PL/20/0135/FA

Case Officer: Vicki Burdett
Date Received: 13.01.2020
Parish: Burnham
App Type: Full Application
Proposal: Demolition of existing garage and erection of single storey side and rear infill extensions. Loft conversion including rear roof extension and raising of the ridge, addition of front and rear dormers and 6 rooflights. Front porch, formation of 3 parking spaces and vehicular access
Location: 15 Cambridge Avenue
Burnham
Buckinghamshire
SL1 8HP
Applicant: Mr Tajinder Dhaliwal

SITE CONSTRAINTS

Adjacent to Unclassified Road
North South Line
SBDC Airport Safeguarding
BCC MWLDF and BMWLP (Mineral Protection Zones)
SBDC Settlements
Site of Special Scientific Interest (SSSI) Impact Zones
SBDC Wind Turbine Dev
Townscape Character

CALL IN

The application has been referred to the Planning Committee following discussion between Officers and the Chairman elect. In the interests of the wider public it is considered the application would benefit from further scrutiny.

SITE LOCATION

The application site comprises of a detached bungalow situated on the west side of Cambridge Avenue, within the developed area of Burnham. The dwellings along Oxford Avenue and Cambridge Avenue are predominantly bungalows, with a number having being converted into chalet-style dwellings with the introduction of dormer windows.

Cambridge Avenue terminates to the south where it meets the small cul-de-sac of Greenway, which also largely comprises of chalet-style and bungalow buildings. The application site benefits from a vehicular access point with a small driveway and front lawn area. Boundary treatments along Cambridge Avenue comprise, in the main, of low bridge walls and soft landscaping. The street scene therefore has a slightly open character and buildings are generally low level and modest in terms of scale.

The application site is designated as a Suburban Settlement within the Chiltern and South Bucks Townscape Character Study (2017).

THE APPLICATION

The application proposes the demolition of the existing garage and erection of single storey side and rear infill extensions. Loft conversion including rear roof extension and raising of the ridge, addition of front and rear dormers and 6 roof lights. Front porch, formation of 3 parking spaces, vehicular access and associated landscaping.

The proposed extensions would create a resultant chalet-style bungalow whereby the footprint of the dwellinghouse would not be significantly enlarged. The existing dwellinghouse already has a deep footprint and features a series of flat roofed single storey rear extensions, in addition to the existing garage outbuilding.

The proposed roof extension and dormers would allow for habitable accommodation within the roof space which is a recognised characteristic within the existing street scene of Cambridge Avenue. The overall roof ridge would be raised by 1.3 metres (totalling 6.5m) with an eaves height of 2.5m (which would not be any higher than the eaves of the existing dwelling) featuring a hipped roof with front and rear dormers which would be set down in height from the main ridge by 0.5m.

The proposed resultant dwellinghouse would be finished in a mixture of brickwork, white render, tile cladding and matching roof tiles.

The application also proposes an extended vehicular access, hardstanding of the existing front lawn area to form a driveway with associated soft landscaping.

During the course of the application the proposed development has been amended.

RELEVANT PLANNING HISTORY

PL/20/0141/SA - Certificate Granted - Certificate of Lawfulness for proposed: Outbuilding

PL/18/2382/FA - Refused - Replacement dwelling

17/00038/FUL - Withdrawn - Replacement detached 6 bedroom house with basement. Formation of vehicular access and associated parking

12/00196/FUL - Refused - Single storey side/rear extension. Replacement roof incorporating 2 side dormer windows to create habitable accommodation. Detached garden room.

89/01055/APPLIC - Conditional Permission - Single storey rear extension

77/00305/APPLIC - Conditional Permission - Erection of single storey rear extension to form bedsitter for elderly parent

PARISH COUNCIL

Burnham Parish Council made the following comments:

'The Committee RESOLVED to OBJECT to the application for several reasons: inadequate parking provision, insufficient visibility at the access point; the dwelling would seem incongruent and constitute overdevelopment by virtue of its scale and design; the roof alterations would appear overbearing to the adjacent property; there were issues relating to the invasion of privacy through the positioning of the various skylight, dormer and floor to ceiling windows; the loft conversion was viewed as superfluous and would result in several properties being overlooked as well.

Additionally, a construction management plan was needed to outline how the transportation of materials and traffic management would be dealt with; the site in question had a small frontage and the road on which it was situated was large inadequate for manoeuvring large vehicles.

The Committee also stated that the application should be considered alongside PL/20/0141/SA to properly gauge the overall intensification of the site'.

[OFFICER NOTE: It is necessary to note that the comments submitted from the Parish Council were prior to the submission of amended plans, and subsequently, following re-consultation, no further comments have been submitted].

REPRESENTATIONS

A total of 17 neighbouring properties have objected to the proposed development with concerns summarised as below:

Character and Appearance

- Proposed works are excessive to the size of the plot
- The scale of the enlarged and extended roof is excessive compared to the surrounding properties
- No other properties have a full width driveway
- Reduction in garden space
- The rear extension was only intended as a rear porch/mud room and not intended as a habitable room, but has now been re-named as a family room. We feel that this would need demolishing and re-building to allow for the proposed extensions rather than building above with new footings dug.

Residential Amenity

- At present the pitched roof of No. 15 is in line with our own roof (No.11) and their extension is flat roofed so does not interfere with light
- The proposed development has a heightened and much extended pitched roof only 1 metre from our boundary will render it obtrusive and unduly prominent when viewed from our living room, kitchen and garden
- Overlooking from windows
- Currently there is a substantial conifer hedge that hides me from the houses in Cambridge Avenue and if it were to be retained, the impact of the loft conversion would be less concerning. However, the second application leads me to conclude that this hedge will have to be removed to build the outbuilding.

Parking/Highways

- Currently the occupiers have 4 vehicles, where at least 2 are parked on the pavement
- The proposed building will increase the amount of residential vehicles and visitor vehicles

Other

- Damage to the environment by cutting down trees
- No action plan for the disposal of waste and building materials coming in and out of the cul-de-sac
- Having oversized/heavy trucks will cause damage to the road and grass verges and there is no safe turning point to exist the Avenue
- Taking into account there is an additional application for a separate outbuilding we feel this is attempting to incorporate too much into the plot resulting in overdevelopment
- Over the years there has been serious damage to my garden wall, to kerb stones, verges and street furniture due to large vehicles
- Development will cause a lot of noise, nuisance, dirt and dust
- Trees might have to come down
- Concerns of impact on underground sewers and water supply
- Parking of tradesmens vans and vehicles parking adjacent to the site
- Lack of design and access statement
- Garage could have an asbestos roof

[OFFICER NOTE: It is noted that following the comments summarised as above, amended plans were submitted to address Officers concerns and previous objections. These included amendments to the design of the extensions, revised dropped kerb width, proposed landscaping and driveway arrangements].

The following summarises comments received since the submission of amended plans:

- Previous concerns have not been addressed
- I do not want to lose my privacy and be overlooked by a huge house at the end of my garden
- Blocking sunlight and lack of natural drainage from the main building and outbuilding/gym
- My concern is that the parking provision is for 3, not 4 as the applicant has 4 cars

- No mention of how they intend to achieve the loft conversion at the rear of the building, no mention of the demolition of the rear extension, which would appear to be necessary
- Concerned about the amount of heavy haulage traffic
- Gross overdevelopment of a small site
- Loss of privacy, overbearing and loss of light
- We are pleased to see that some of our concerns about car parking have been addressed
- The proposed drive is more in keeping with the street scene
- The dropping of the dormers is welcomed as it is more in keeping with others in the street

CONSULTATIONS

The Council's Arboriculturist made the following comments:

'There are no current tree constraints at above property. I have looked at site photographs in submitted DAS for application PL/18/2382/FA as well as street view and aerial photography. As far as I can tell no significant trees are affected. If following your site visit you have any concerns/site photographs in regards to trees, please let me know'.

Highways Development Management Team:

'Cambridge Avenue is a residential unclassified road subject to a 30mph speed restriction. Within the vicinity of the site, there is an absence of parking and waiting restrictions. The road benefits from pedestrian footpaths.

This application proposes three parking spaces. The parking standards specify that each parking space should be a minimum of 2.4m x 4.8m wide. Whilst I trust that the Local Planning Authority will consider the level of parking proposed, I can confirm that these spaces are of adequate dimensions and would allow for vehicles to park, turn and leave the site in a forward gear. The existing access and dropped kerb is to be widened.

Having assessed the submitted information, it would seem that the access point cannot achieve the required visibility of 2.4m x 43m. Notwithstanding this, I note that other properties in the local area have similar access arrangements and as such I do not believe an objection on this point alone would be sustainable.

Mindful of the above, I do not have any objections to this proposal subject to the following conditions and informative points imposed in any consent you may grant'.

POLICIES

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

South Bucks Core Strategy Development Plan Document - Adopted February 2011 - CP8

South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011: Saved Policies - EP3, EP4, EP5, H11, TR5 and TR7.

South Bucks District Council Residential Design Guide (Supplementary Planning Document (SPD) - Adopted October 2008

Emerging Chiltern and South Bucks Joint Local Plan (2036)

Chiltern and South Bucks Townscape Character Study - 2017

National Design Guide - October 2019

EVALUATION

Principle of Development

1. The application site is located within the built up area of Burnham, wherein extensions and alterations to dwellings are considered to be acceptable, subject to complying with all relevant Development Plan Policies.
2. The publication version of the Chiltern and South Bucks Local Plan 2036 was approved at Council on 14 May 2019 and it was agreed that this should be endorsed as a material consideration in the determination of planning applications. This document has now gone through the consultation stage. However, given that draft Local Plan has yet to be examined by the Planning Inspectorate, only limited weight can currently be given to this document.

Design/character and appearance

3. The NPPF at Section 12, under the heading "Achieving well-designed places" sets out guiding 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.
4. Local Plan Policy EP3 states that development will only be permitted where its scale, layout, siting, height, design, external materials and use 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 their surroundings will not be permitted.
5. Local Plan Policy H11 further emphasises that proposals to extend and alter existing residential dwellings will only be permitted where the extension would be integral to the dwelling and would harmonise with the existing building in terms of scale, height, form and design; and the extension would not have an adverse impact on the character or amenities of the locality in general.
6. As aforementioned above, the site lies within a Suburban Settlement as defined by in the Chiltern and South Bucks Townscape Character Study (2017). These areas are defined by the buildings that line the roads rather than the landscape that surrounds them. They are dominated by hard surfaces and often contain smaller plots and a tighter urban grain, compared to Green Suburban Roads and Woodland Roads.
7. When viewed in the context of the street scene, the proposed development would have an appearance similar to other buildings by virtue of the proposed chalet-style bungalow with accommodation in the roof space. The existing dwelling is relatively small in comparison to other properties in the street scene, including next door at No. 17 Cambridge Avenue which has been extended through a roof extension, roof dormers and roof lights.
8. In regards to the proposed scale of the development, as aforementioned, the existing footprint of the dwellinghouse would not be significantly altered by building above the existing single storey rear extension and by infilling the footprint to form a rectangular shape build. The resultant dwellinghouse would feature a roof extension to allow for habitable accommodation in the roof space which is a regular characteristic within the street scene of Cambridge Avenue, with many properties being of a similar appearance.
9. The proposed development would not disrupt the established building line within Cambridge Avenue and would continue to retain spaciousness to the sides of the building to the flank boundaries. In addition, the proposal would incorporate an open front driveway with a low front boundary treatment which is also a key characteristic and contributes positively to the character and appearance of the area.
10. During the course of the application, amendments were made to reduce the overall bulk of the dwellinghouse by setting down the rear dormers from the main roof ridge allowing the roof dormers to sit comfortably within the front and rear roof slopes, and not result in a prominent or obtrusive addition within the street scene.

11. Concerns have been raised from residents regarding the proposed vehicular access and parking arrangements and its impact on the character and appearance of the street scene. These concerns have been noted by Officers, and amended plans were subsequently submitted to reduce the size of the vehicular access, resulting in a low front boundary treatment being retained and landscaping. Whilst it is regrettable that the front lawn area is to be laid in hardstanding, this is a common feature within the street scene where many front gardens have been converted to form driveways. In addition, the proposed hardstanding would be finished in an off-red paving which would be similar to that of other properties in Cambridge Avenue.

12. The proposed extensions would allow for the dwelling to be 6.5m in height with an eaves height of 2.5m (which matches the existing dwelling). The ridge height of the resultant dwelling would have a similar height to other chalet-bungalows in the street scene and therefore is not considered to result in a development which is at odds with the prevailing character of the area.

13. Whilst Officers do acknowledge that the resultant appearance of the dwellinghouse would be larger in scale in comparison to the existing host dwelling, by virtue of its gap to the boundaries, similar height to surrounding properties, retained building line and close match in the choice of materials, it is not considered that the proposed development would result in a prominent or uncharacteristic addition within the street scene and would integrate acceptably within the locality.

14. The proposed development is therefore not considered to be detrimental to the character and appearance of the existing dwelling or the wider locality, and would be in accordance with Local Plan Policies EP3, H11 and Section 12 of the NPPF.

Residential amenity

15. Local Plan Policy H11(b) refers to the protection of amenities throughout the District and emphasises that the development would not adversely affect the amenities of any adjacent properties for example through overlooking, over dominance, obtrusiveness and loss of daylight. The Council will consider the effect of proposals on the amenities of dwellings and their gardens. In considering the impact on a dwelling, the Council will pay particular attention to the impact on the primary windows of habitable rooms and kitchens.

16. The application site is flanked to both sides by neighbouring properties No. 11 and No. 17 Cambridge Avenue where the resultant dwelling would extend beyond the rear elevations of both properties. It is considered necessary to note that the existing footprint already extends beyond the rear elevations of neighbouring properties, albeit at single storey level incorporating a flat roof but the proposed extensions would not be any deeper.

17. The rear boundary of the application site also adjoins to No. 55 and No. 57 Wyndham Crescent; located to the east. Concerns have been raised from neighbouring properties to the rear of the proposed development in regards to potential overlooking resulting in a loss of privacy. Officers do note that in comparison to the existing dwelling, the proposed development would result in a larger and taller building with the installation of a rear roof dormer. However, by virtue of the significant distance in between both the host dwelling and the neighbouring properties to the rear (in excess of 25 metres) it is not considered that the proposed development would give rise to a harmful level of overlooking.

18. Within built up areas, a degree of overlooking is expected, however in this case it is considered that there is sufficient separation to the buildings to the rear to not result in a significant loss of privacy. It is also noted that this is a similar situation with other properties that have been extended within Cambridge Avenue, whereby similar distances are retained to properties within Wyndham Crescent. It is therefore not considered that the proposed development would adversely affect the amenities of these neighbouring properties.

19. Concerns have also been raised by immediate neighbouring properties flanking the application site and the impact on these properties is considered below.

17 Cambridge Avenue

20. As mentioned previously, No. 17 Cambridge Avenue has already been extended which is similar in appearance to that proposed. The proposed resultant dwelling would extend approx. 5.4m beyond the rear elevation of No. 17. As aforementioned, this projection already exists, however it's necessary to assess the impact of the roof extension resulting in an overall increased height. The projection would be set in approx. 2.8m from the south flank boundary, totalling a gap of 3.7m to the flank wall of No. 17.

21. The proposed eaves height would not be increased, whereby the resultant roof form would pitch away from the south flank boundary. Taking into account the boundary treatment separating the two properties, only a small proportion of the flank wall would be visible from No. 17, with the main visibility being the roof. By virtue of the gaps between the buildings and the roof sloping away from the south boundary at a 45-degree pitch, the proposed development is not considered to result in an overbearing or obtrusive form of development when viewed from No. 17.

22. In regards to whether the proposed development would result in a loss of privacy to No. 17, a total of four roof lights are proposed within the southern flank elevation and a series of windows at ground floor level. Due to the height of the boundary treatment between the two properties, it is not considered that the ground floor flank fenestration would result in any overlooking with the boundary treatment providing adequate screening. The proposed roof lights would accommodate two bedrooms and two bathrooms. Given the positioning within the roof slope of the proposed roof lights, it is considered that it would be possible to directly look out of them and into the garden space of No. 17.

23. As such, it is considered necessary to condition for these roof lights to be obscurely glazed and non-opening (unless installed 1.7 metres above the floor level) to ensure that the proposed fenestration arrangements do not result in any direct overlooking or loss of privacy. It is considered that this is an appropriate solution given that two of the roof lights serve bathrooms, and the other two bedrooms already have principle sources of light and views through the front and back dormers. It is also considered necessary to impose a condition to prevent the further installation of any roof lights to protect the amenities of No. 17.

24. Local Plan Policy EP5 refers to sunlight and daylight and stipulates that development will only be permitted where its design and layout would provide for adequate daylight, and where possible, sunlight, to reach into spaces around and between buildings and other physical features and would not result in a significant loss of daylight or sunlight to adjacent buildings or land. In association with the assessment of potential loss of light and overshadowing, guidance within the Building Research Establishment (BRE) Report: "Site layout planning for daylight and sunlight: a guide to good practice" (2011) is utilised as a standard for assessing acceptable levels of visual amenity with concern to loss of light.

25. In accordance with BRE report guidance, a 25-degree line was drawn from the lowest habitable room in the flank elevation of No. 17 towards the host dwelling where the line does not intersect. Similarly, a 45-degree line was drawn from the rear facing windows of No. 17 towards the host dwelling where due to the gap in between the buildings despite the depth of the extension, the line does not intersect. As such, the Local Planning Authority are satisfied that the proposed development does not give rise to a significant loss of light to No. 17 Cambridge Avenue.

26. As such, given the reasoning's above, it is not considered that the proposed development would adversely affect the amenities of No. 17 Cambridge Avenue.

11 Cambridge Avenue

27. No. 11 Cambridge Avenue is flanked to the north of the application site and is a similar sized building to the host property. The property has not been extended and comprises a modest sized bungalow. The proposed extensions, similar to above, would extend beyond the rear elevation of No. 11 by approx. 6.9m. As aforementioned, this projection already exists, however it's necessary to assess the impact of the roof extension resulting in an overall increased height.

28. The resultant dwelling would retain a gap of 1m to the north-flank boundary where a total gap of 3m would be retained between the two buildings by virtue of the separation between the north flank boundary and No. 11 Cambridge Avenue. In addition, a single storey garage sits on the north flank boundary to the rear of No. 11, to a height of approx. 2.7m.

29. As aforementioned, the proposed eaves height would not be increased, whereby the resultant roof form would pitch away from the north flank boundary. Taking into account the boundary treatment separating the two properties and the existing detached garage to the rear of the neighbouring property, only a small proportion of the flank wall would be visible from No. 11, with the main visibility being the roof. The siting of the existing garage would be adjacent to the projection beyond the rear elevation of No. 11 and therefore would mitigate against any overbearing views from the proposed projection. By virtue of the gaps between the buildings and the roof sloping away from the south boundary at a 45-degree pitch, the proposed development is not considered to result in an overbearing or obtrusive form of development when viewed from No. 11.

30. In regards to whether the proposed development would result in a loss of privacy to No. 11, a total of two roof lights are proposed within the northern flank elevation and a series of windows and a door at ground floor level. Due to the height of the boundary treatment between the two properties, it is not considered that the ground floor flank fenestration would result in any overlooking with the boundary treatment providing adequate screening. The proposed roof lights would accommodate a bedroom and a study. Given the positioning within the roof slope of the proposed roof lights, it is considered that it would be possible to directly look out of them and into the garden space of No. 11.

31. As such, it is considered necessary to attach a condition for these roof lights to be obscurely glazed and non-opening (unless installed 1.7 metres above the floor level) to ensure that the proposed fenestration arrangements do not result in any direct overlooking or loss of privacy. It is considered that this is an appropriate solution given that the roof lights serve a bedroom which already has a principle source of light and views through the front and back dormers. Whilst it is noted that the second roof light serving the study is the only fenestration for that room, light would not be disrupted through the introduction of obscure glazing and notwithstanding this, the room would directly look into the neighbouring properties garden. It is also considered necessary to impose a condition to prevent the further installation of any roof lights to protect the amenities of No. 11.

32. In accordance with BRE report guidance and Local Plan Policy EP5 a 25-degree line was drawn from the lowest habitable room in the flank elevation of No. 11 towards the host dwelling where the line would intersect. However, it is considered necessary to mention that the line intersected with the existing house. By virtue of the matching eaves height to the existing dwelling, and 45-degree pitched roof sloping away from the neighbouring property, it is not considered that the proposed extensions would significantly result in any additional loss of light. It is considered that light would still be able to reach over the proposed roof and between the buildings.

33. As such, given the reasoning's above, it is not considered that the proposed development would adversely affect the amenities of No. 11 Cambridge Avenue.

34. To conclude, it is not considered that the proposed development would adversely affect the amenities of any neighbouring properties and the ones assessed are both are those located within close proximity to the application site. Therefore, the proposed development complies with Local Plan Policies EP3, EP5 and H11.

Parking/Highway Implications

35. Local Plan Policy TR5 refers to accesses, highway works and traffic generation from proposed development and Local Plan Policy TR7 refers to the Council's Parking Standards.

36. The Highways Development Management Team have been consulted, and subsequently raise no objections to the proposed development comprising of the alterations to the vehicular access and parking

arrangements, subject to recommended conditions. Officers do note that throughout the duration of the application, the width of the vehicular access has been reduced to ensure the character of the area is not compromised.

37. The Highways Development Management Team have not provided a full set of formal comments on the latest amendments but have confirmed that the proposed width of the vehicular access and parking arrangements in regards to manoeuvring in and out of the site would not give rise to any highway implications.

38. Furthermore, many residents have raised concerns over the proposed parking provision given the number of vehicles which are currently parking on, or near the site. Local Plan Policy TR7, Appendix 6 sets out the Council's Parking Standards where for a dwelling comprising 4 bedrooms or more, 3 parking spaces are required. As submitted within the application details, 3 car parking spaces can be provided within the proposed front driveway area and would therefore be in accordance with the Council's Parking Standards.

39. Whilst Officers do note that residents are concerned about further parking on the highway, as the proposed development complies with Local Plan Policy TR7; Appendix 6 the Local Planning Authority cannot request for further parking provision on site or sustain this as a reason for refusal.

Other matters

40. Concerns have also been raised from residents regarding the disturbance of Construction Traffic vehicles and the nuisance this could cause to residents. This does not amount to a material planning consideration and therefore cannot be taken into account when assessing this application.

41. Due to the size and nature of the proposed householder development, the Highways Development Management Team do not regard it as necessary to request for a Construction Management Plan to monitor the transportation of building materials etc.

42. Concerns have also been raised over the implementation of a detached outbuilding approved under PL/20/0141/SA. This has been approved under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore any objections relating to this cannot be taken into account under this application. Notwithstanding this, an informative shall be included advising the applicant that if both are proposed to be implemented, the outbuilding approved under PL/20/0141/SA would still have to comply with the criteria within Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Conclusion

43. It is considered that a fair and reasonable balance would be struck between the interests of the community and the human rights of the individuals concerned in the event of planning permission being granted in this instance.

44. In accordance with Chapter 4 of the National Planning Policy Framework, the Council works in a positive and proactive way with Applicants and Agents and is focused on seeking solutions to issues arising from development proposals, where such solutions are apparent.

The Local Planning Authority works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service,
- updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

In this case, amended plans were submitted during the course of the application to overcome concerns raised by the Case Officer.

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. (SS01)
Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).
2. The exterior of the development hereby permitted shall only be constructed in the materials specified on the plans hereby approved or in materials which shall previously have been approved in writing by the Local Planning Authority.
Reason : To ensure that the external appearance of the development is not detrimental to the character of the locality. (Policies EP3 and H11 of the South Bucks District Local Plan (adopted March 1999) refer.)
3. Before the first occupation of the extensions hereby permitted the roof lights in the flank elevations shall be fixed with obscured glazing and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter unless agreed in writing by the Local Planning Authority.
Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
4. No further windows, dormer windows or roof lights shall be inserted at or above first floor level in the flank elevations of the dwelling.
Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining dwelling. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
5. The revised vehicular access shall be designed in accordance with the approved plans. The access shall be constructed in accordance with the approved plans and with; 'Buckinghamshire County Council's Guidance note, "Private Vehicular Access within Highway Limits" 2013.
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.
6. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial commencement of the extensions hereby permitted and that area shall not thereafter be used for any other purpose.
Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.
7. 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.)
8. AP01 Approved plans

INFORMATIVE(S)

1. Due to the close proximity of the site to existing residential properties, the applicants' attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicles parking at the site or making deliveries, and general disruption caused by the works.

By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and complaints from local residents and further information on how to participate can be found at www.ccscheme.org.uk. (SIN35)

2. You are advised that consent under the Building Regulations may be required for the proposed development and the Building Control Unit at the Council should be contacted in this regard. (SIN41)

3. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A period of 28 days must be allowed for the issuing of the licence, please contact Transport for Buckinghamshire at the following address for information

Transport for Buckinghamshire (Streetworks)
10th Floor, New County Offices
Walton Street, Aylesbury
Buckinghamshire
HP20 1UY
01296 382416

4. The applicant is advised that if both this permission (PL/20/0135/FA) and the outbuilding approved under PL/20/0141/SA are to both be implemented, the outbuilding would still need to comply with the criteria set out under Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in order to benefit from being Permitted Development.



Report to South Buckinghamshire Area Planning Committee

DEFERRED APPLICATION

Application reference PL/19/3143/FA (Case Officer: Richard Regan)

Erection of a multi-purpose space and ancillary rooms, removal of existing modular classrooms, creation of a new footpath link with Khalsa Academy, creation of temporary construction access on School Lane and related landscaping, SUDS and other drainage works and associated works to 6 no. TPO trees.

Focus School Stoke Poges Campus, School Lane, Stoke Poges, Buckinghamshire SL2 4QA

REASON FOR PLANNING COMMITTEE CONSIDERATION:

This application was considered by Members at the Planning Committee meeting of 4th March 2020 where Members resolved to defer the application in order to enable further information to be submitted by the Applicant to demonstrate that very special circumstances would apply in this case and an independent educational professional assessment be undertaken. A copy of the previous Committee report is attached as Appendix 1.

The applicant has subsequently submitted further information for consideration, and the Council's Education Officer has reviewed the application.

SITE LOCATION

The application site consists of the site known as the Focus School site, as well as a portion of the lower section of the adjoining Khalsa School site. The site falls within the Green Belt and the Parish of Stoke Poges. All of the land is utilised in connection with an education facility. The main building on site consists of a Grade II building that has been extended over time. There are also a collection of single storey portacabins sited to the north of the main buildings that provide further classroom space. The land within the adjoining Khalsa School site consists predominantly of its playing fields.

THE APPLICATION

The proposal seeks to create a new facility for a 6th Form Centre and Multi-Use Space for the Khalsa Secondary Academy. The Focus School site has been purchased in order to be amalgamated into the existing Khalsa Academy facility that lies immediately next door.

It is proposed that the existing School building, which is Grade II Listed, will be retained and refurbished and remodelled to meet the teaching requirements of Khalsa Secondary Academy. The building will mainly act as a hub for Sixth Form pupils however, where school timetabling requires it pupils from lower years may be taught within the building's classrooms and equally Sixth Formers will still have certain lessons at Pioneer House as that is where the specialist classrooms for subjects such as science, design & technology and food technology will continue to be based.

It is proposed to erect a new building adjacent to the existing School building. Most of the footprint of the building will be taken up by a double-height multi-purpose space which will be used for a variety of activities including holding examinations, hosting school assemblies and being used for low-impact sports such as badminton and gymnastics. The remainder of the building will contain service spaces such as changing rooms, WCs and storage spaces that are positioned together over two floors in order to minimise the building footprint.

The existing modular classrooms on the site will be removed and the area of the site which they occupy will be remodelled to as an area of soft landscaping which will be predominantly grass.

In order to allow for the construction of this new building a contractor's compound will be formed in the adjacent field to the east, within the Khalsa Secondary Academy site, with a temporary access taken from School Lane.

A path will be built to link the Site with Khalsa Academy so that pupils and staff can move freely between the two school sites. This path will also be used to transfer equipment and catering.

Apart from additional details/information submitted to support the proposals, all other details remain as previously considered by the Planning Committee (previous report attached as an appendix).

RELEVANT PLANNING HISTORY

PL/19/3144/HB: Listed Building Consent application for: Erection of a multi-purpose space and ancillary rooms and refurbishment of Grade II Listed Sefton Park School. Granted.

10/00625/TEMP: Retention of single storey temporary prefabricated classrooms. Conditional Permission

05/00436/LBC: Listed building application for single storey extension and erection of temporary building for 5 years and boundary fence. Consent granted.

05/00435/TEMP: Temporary building for five years. Erection of fence to boundary. Temporary planning permission granted.

05/00434/FUL: Single storey extension creating foyer and WC facilities: Conditional Permission.

TOWN/PARISH COUNCIL

No further comments received since previous committee report - please refer to previous report for their comments.

REPRESENTATIONS

1 further letter of objection received since previous committee report. Concerns raised include:

- Noise;
- Parking problems;
- Impact on Listed Building;
- Litter.

Please refer to previous report for objections raised at time of previous committee meeting.

CONSULTATIONS

Education Officer:

In summary it is our view that the proposal does not seem unreasonable.

No further consultee comments received since previous committee report - please refer to previous report for all other consultation comments.

POLICIES

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

South Bucks Core Strategy Development Plan Document - Adopted February 2011: Saved Policies CP1, CP2, CP3, CP8, CP9, CP12 and CP13

South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011: Saved Policies GB1, EP3, EP4, EP5, EP6, TR5 and TR7

South Bucks District Council Residential Design Guide Supplementary Planning Document (SPD) - Adopted October 2008

South Bucks District Council Affordable Housing SPD - Adopted July 2013

Chiltern and South Bucks Townscape Character Study 2017

EVALUATION

1. The NPPF was revised on 19th February 2019 and whilst this replaced the previous Planning Policy Statements and Guidance Notes, it does not replace existing local policies that form part of the development plan. It does state however, that the weight that should be given to these existing local policies and plans will be dependent on their degree of consistency with the NPPF. Therefore, the closer the policies in the development plan to the policies in the Framework, the greater the weight that may be given to them.

2. In addition to this, the publication version of the Chiltern and South Bucks Local Plan 2036 was approved at Council on 14 May 2019 and it was agreed that this should be endorsed as a material consideration in the determination of planning applications. It was submitted for independent examination on 26 September 2019. However, given its current stage, limited weight can be given to this document.

3. There have been no material changes in national or local planning policy since the previous committee meeting. Additional information has however been submitted by the applicant in relation to providing further details of the schools existing facilities and further justification for the proposals. The views of the Councils Education Officer has been sought on this additional information and the application as a whole.

4. The report presented to the Committee on 4th March 2020 is appended and Members are referred to paragraphs 1 to 54 which deal with the detailed considerations and assessments of the relevant planning policies, constraints, and impacts of the scheme, based on the information submitted at that point.

Assessment of additional information

5. Further details have been provided which confirms the number of students attending the school, as well as that which it will expect in the coming academic year. Details have also been

provided of the existing school facilities, including the number and size of classrooms and other spaces that are used by the school such as the dining hall, offices, laboratories, and the spiritual hall.

6. The submitted details show that Pioneer House has the ability to accommodate assemblies within the Drama studio, but this is restricted to 1 year group (120 pupils) in a single room, but this is very cramped and uncomfortable for students. The spiritual space has capacity for 240 pupils (two year groups) but does not accommodate assemblies for those of no faith or of other faiths.

7. The proposed multi use space offers an area for larger assemblies to be held in comfort, with a capacity for 364 seated.

8. With regard to exams, due to their primary function and need, the dining hall and spiritual space cannot be used for exams. Therefore the largest rooms currently available for holding exams are the Gym/Dance and Drama Studios which each have the capacity for 28 pupils during an exam. It therefore follows that the other rooms would have a smaller capacity during exams, and some of those would be impractical to use in any case due to their layout and equipment set up within them. The information also shows that the rooms within the Focus School building are significantly smaller than the largest rooms at Pioneer House and as such it follows that these would be able to accommodate fewer pupils during exams.

9. In contrast, the multi use space provides capacity for 150 pupils and 3 invigilators during exams. That is equivalent to more than 5 rooms similar in size to the Pioneer House Gym/Dance and Drama studios. As the other rooms are smaller, that implies that a greater number would be needed in order to provide the same capacity as would be accommodated in the proposed multi use space.

10. With regard to sports provision, the details show that there are no appropriate rooms that currently exist that could provide the appropriate space and height for sports to take place. In contrast the proposed multi use space provides an area for low impact sports, such as badminton.

11. The application has now been assessed by the Council's Education Officer, and that have advised that when assessing the school against the DfE guidance (Building Bulletin B103) which is the document they use as a guide for school accommodation, for a school of this capacity, even when taking into consideration the additional accommodation in Focus School, it is still slightly short of accommodation.

12. With regards to the sports hall, they advise that the guidance states that in secondary schools a sports hall can provide a multi-purpose space for PE and also exams and is typically 18m x 28m (504sqm) or 18m x 33m (594sqm) for a three or four courts respectively x 7.5m high. The proposed sports halls is only 302sqm.

13. Overall, it is their view that the proposal does not seem unreasonable in terms of the type and size of accommodation being sought for a school of this size, and in the context of its existing facilities.

14. Further to the above, the additional submission reinforces the arguments previously put forward as to justifying the siting and design of the proposed new building.

CONCLUSIONS:

15. Overall, in light of the additional information submitted and the views of the Councils Education Officer, the Officer recommendation of granting conditional permission remains unchanged.

Working with the applicant

16. In accordance with section 4 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal.

17. The Council works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

In this case, South Bucks District Council has considered the details as submitted which were considered acceptable.

18. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

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. (SS01)

Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).

2. A schedule of materials to be used in the elevations and hardsurfacing of the development hereby permitted shall be submitted to and approved by the District Planning Authority in writing prior to the commencement of any construction works above ground level. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refer.)

3. The development hereby permitted shall be implemented in accordance with the details of landscaping submitted and approved as part of this application, unless otherwise agreed in writing.

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.)

4. 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.)

5. Prior to the occupation of the development hereby approved, a scheme of ecological enhancements shall be submitted to and approved by the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme will include details of hibernacula such as log piles and provision of artificial roost features, including bird and bat boxes. A measurable net gain in biodiversity shall be demonstrated. The development shall be implemented in accordance with the approved details.

Reason: In the interests of improving biodiversity in accordance with Core Policy 9: Natural Environment of the South Buckinghamshire Core Strategy and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

6. The development shall be undertaken in accordance with the recommendations provided within the Preliminary Bat Roost Assessment Report (The Ecology Consultancy, September 2019). No demolition shall take place until a European Protected Species Mitigation Licence has been granted by Natural England. A copy of the licence is to be provided to the Local Planning Authority.

Reason: To comply with the requirements of The Conservation of Habitats and Species Regulations 2017 and to protect species of conservation concern.(Policy CP9 of the South Bucks District Core Strategy (Adopted February 2011) refers.)

7. Prior to the occupation of the development hereby permitted, details of external lighting for the buildings, features or areas to be lit shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be designed to prevent disturbance to light sensitive wildlife such as bats. The development shall be implemented and maintained in accordance with the approved details

Reason: The prevention of disturbance to species within the site during operation in accordance with Core Policy 9 of the South Buckinghamshire Core Strategy.(Policy CP9 of the South Bucks District Core Strategy (Adopted February 2011) refers.)

8. Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. No other part of the development shall begin until the temporary means of access has been constructed in accordance with the approved drawings and in accordance with Buckinghamshire County Council's guide note "Commercial Vehicular Access within Highway Limits" 2013.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development. (Policy TR5 of the South Bucks District Local Plan (adopted March 1999) refer.)

10. The development hereby permitted shall be carried out in accordance with the Construction Traffic Management Plan (CTMP) submitted and approved as part of this application.

Reason: To minimise danger and inconvenience to highway users. (Policy TR5 of the South Bucks District Local Plan (adopted March 1999) refers).

11. The development hereby permitted shall only be used by Khalsa Secondary Academy in connection with the use of the site for educational purposes and shall not be used for any other purpose or activity not connected with the school, in particular, it shall not be leased or hired to other organisations.

Reason: To accord with the application and to ensure that the amenities of the locality are preserved. (Policies GB1 and EP3 of the South Bucks District Local Plan (adopted March 1999) refer).

12. No works (other than demolition) shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles set out in the Flood Risk Assessment (ref. 07135, July 2019, Engineer Consultancy) 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:

Full construction details of all SuDS and drainage components;

Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components;

Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.

Reason: To secure a sustainable drainage strategy in accordance with Paragraph 163 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

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

Reason: To ensure that arrangements have been arranged and agreed for the long term maintenance of the drainage system as required under Paragraph 165 of the NPPF.

14. The development shall be implemented in accordance with the arboricultural method statement submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the method statement and that the correct materials and techniques are employed. (ST18)

Reason: To maintain the visual amenity of the area. (Policies EP4 and L10 of the South Bucks District Local Plan (adopted March 1999) refer.)

15. Within 1 month of the completion of the development hereby approved, the temporary means of access shall be removed, and the land re-landscaped in accordance with the details submitted and approved as part of this application.

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.)

16. AP01 Approved plans

INFORMATIVE(S)

1. Due to the close proximity of the site to existing residential properties, the applicants' attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicles parking at the site or making deliveries, and general disruption caused by the works.

By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and complaints from local residents and further information on how to participate can be found at www.ccscheme.org.uk. (SIN35)

2. Removal of any building or vegetation shall be undertaken outside of the bird nesting season (March to August inclusive). If this is not possible, then a suitability qualified ecologist shall check the areas concerned immediately prior to the commencement of clearance works to ensure no nesting or nest-building birds are present. If any nesting activity is confirmed, no clearance will be permitted within the area until the birds have fledged and the nest is considered inactive.

3. The applicant is advised that a Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Development Management at the following address for information or apply online via Buckinghamshire County Council's website at

www.buckscc.gov.uk/services/transport-and-roads/highways-development-management/apply-online/section-184-licence/

Highways Development Management

6th Floor, County Hall
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
Telephone: 01296 382416

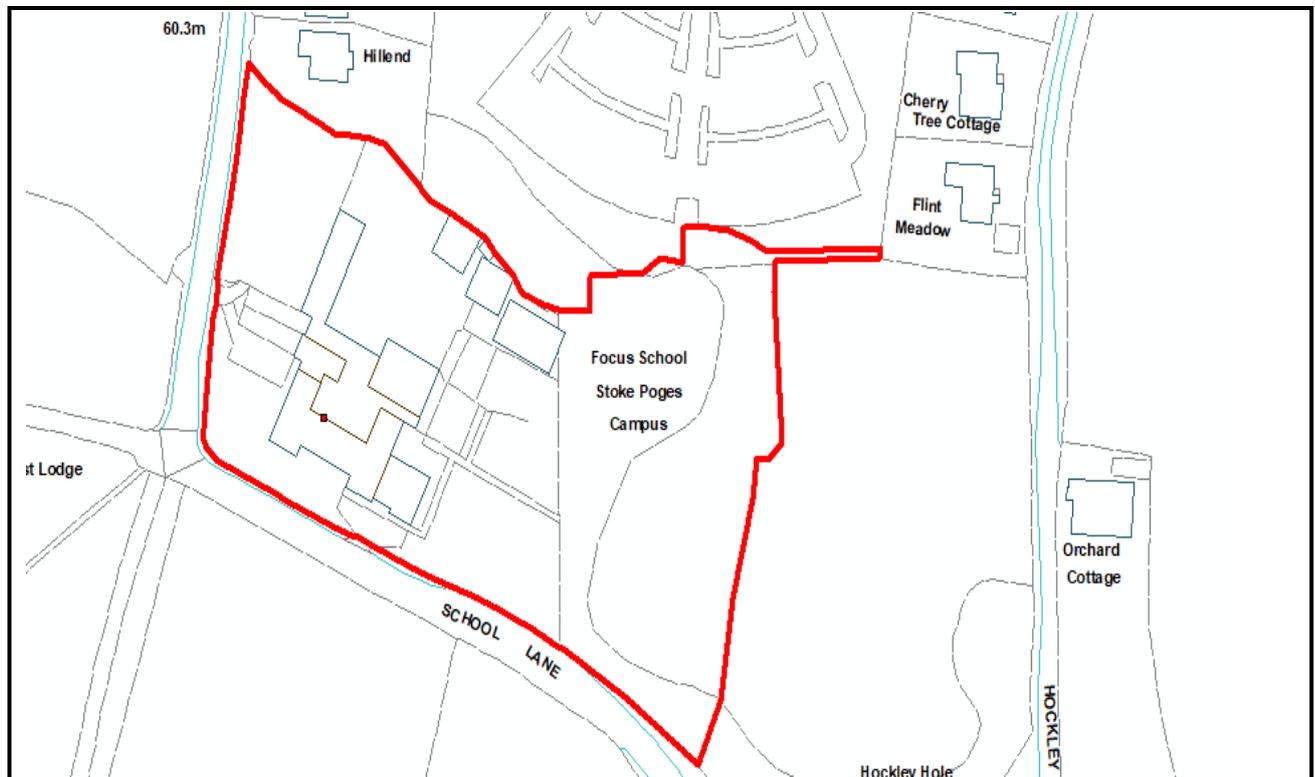
4. No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such willful obstruction is an offence under S137 of the Highways Act 1980.

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PART A**South Bucks District Council
Planning Committee****Date of Meeting:** 4th March 2020 **Parish:** Stoke Poges Parish Council

Reference No:	PL/19/3143/FA
Proposal:	Erection of a multi-purpose space and ancillary rooms, removal of existing modular classrooms, creation of a new footpath link with Khalsa Academy, creation of temporary construction access on School Lane and related landscaping, SUDS and other drainage works and associated works to 6 no. TPO trees.
Location:	Focus School Stoke Poges Campus, School Lane, Stoke Poges, Buckinghamshire, SL2 4QA
Applicant:	Department for Education
Agent:	Mr James Cording
Date Valid Appl Recd:	10th September 2019
Recommendation:	Conditional Permission
Case Officer:	Richard Regan

LOCATION PLAN – This plan is supplied only to identify the location of the site and for no other purpose whatsoever.



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NOT TO SCALE

REASON FOR PLANNING COMMITTEE CONSIDERATION:

This application has been reported to the planning committee due to the nature of the application and the level of objection that has been received. Due to the nature of the application and the local concern that has been raised, it is considered that value would be added to the decision making process if **MEMBERS** were to carry out a **SITE VISIT** prior to their determination of this application.

SITE LOCATION

The application site consists of the site known as the Focus School site, as well as a portion of the lower section of the adjoining Khalsa School site. The site falls within the Green Belt and the Parish of Stoke Poges. All of the land is utilised in connection with an education facility. The main building on site consists of a Grade II building that has been extended over time. There are also a collection of single storey portacabins sited to the north of the main buildings that provide further classroom space. The land within the adjoining Khalsa School site consists predominantly of its playing fields.

THE APPLICATION

The proposal seeks to create a new facility for a 6th Form Centre and Multi-Use Space for the Khalsa Secondary Academy. The Focus School site has been purchased in order to be amalgamated into the existing Khalsa Academy facility that lies immediately next door.

It is proposed that the existing School building, which is Grade II Listed, will be retained and refurbished and remodelled to meet the teaching requirements of Khalsa Secondary Academy. The building will mainly act as a hub for Sixth Form pupils however, where school timetabling requires it pupils from lower years may be taught within the building's classrooms and equally Sixth Formers will still have certain lessons at Pioneer House as that is where the specialist classrooms for subjects such as science, design & technology and food technology will continue to be based.

It is proposed to erect a new building adjacent to the existing School building. Most of the footprint of the building will be taken up by a double-height multi-purpose space which will be used for a variety of activities including holding examinations, hosting school assemblies and being used for low-impact sports such as badminton and gymnastics. The remainder of the building will contain service spaces such as changing rooms, WCs and storage spaces that are positioned together over two floors in order to minimise the building footprint.

The existing modular classrooms on the site will be removed and the area of the site which they occupy will be remodelled to as an area of soft landscaping which will be predominantly grass.

In order to allow for the construction of this new building a contractor's compound will be formed in the adjacent field to the east, within the Khalsa Secondary Academy site, with a temporary access taken from School Lane.

A path will be built to link the Site with Khalsa Academy so that pupils and staff can move freely between the two school sites. This path will also be used to transfer equipment and catering.

RELEVANT PLANNING HISTORY

PL/19/3144/HB: Listed Building Consent application for: Erection of a multi-purpose space and ancillary rooms and refurbishment of Grade II Listed Sefton Park School. Granted.

10/00625/TEMP: Retention of single storey temporary prefabricated classrooms. Conditional Permission

05/00436/LBC: Listed building application for single storey extension and erection of temporary building for 5 years and boundary fence. Consent granted.

05/00435/TEMP: Temporary building for five years. Erection of fence to boundary. Temporary planning permission granted.

05/00434/FUL: Single storey extension creating foyer and WC facilities: Conditional Permission.

TOWN/PARISH COUNCIL

OBJECT (addition of multi-purpose space). This is an historically sensitive location set on a narrow wooded lane within the green belt. The development does not meet any of the criteria of Policy GB1 and in light of the application from Pioneer House asking for approval to hold civil ceremonies there is a major concern that this building will be used as a venue for 3rd party events. Therefore, Policy GB5 (a), (b), (c), (d) & (e) would also become relevant. Additionally, we have concerns over an increase in parking onsite which would lead to the generation of additional traffic on an already busy but narrow lane. Policies TR5 and TR7 (d) would also apply. Furthermore, we consider that the proposed application does not meet any of the requirements of Policy EP3

REPRESENTATIONS

Letters of objection have been received from 2 separate sources. Concerns raised include:

Increase in school traffic;

Adverse highway implications;

Increase in construction traffic;

Increase in noise disturbance;

Out of place and not in keeping;

To be used for non-school activities.

CONSULTATIONS

Transport for Bucks:

No objections.

Environmental Health:

No objections.

LLFA:

No objections.

Ecology Officer:

No objections.

Tree Officer:

No objections.

Heritage Officer

No objections.

POLICIES

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

South Bucks Core Strategy Development Plan Document - Adopted February 2011: Saved Policies CP1, CP2, CP3, CP8, CP9, CP12 and CP13

South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011: Saved Policies GB1, EP3, EP4, EP5, EP6, TR5 and TR7

South Bucks District Council Residential Design Guide SPD - Adopted October 2008

South Bucks District Council Affordable Housing SPD - Adopted July 2013

Chiltern and South Bucks Townscape Character Study 2017

EVALUATION

1. The NPPF was revised on 19th February 2019 and whilst this replaced the previous Planning Policy Statements and Guidance Notes, it does not replace existing local policies that form part of the development plan. It does state however, that the weight that should be given to these existing local policies and plans will be dependent on their degree of consistency with the NPPF. Therefore, the closer the policies in the development plan to the policies in the Framework, the greater the weight that may be given to them.

2. In addition to this, the publication version of the Chiltern and South Bucks Local Plan 2036 was approved at Council on 14 May 2019 and it was agreed that this should be endorsed as a material consideration in the determination of planning applications. It was submitted for independent examination on 26 September 2019. However, given its current stage, limited weight can be given to this document.

Principle of development

3. 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 Government's guidance on development within the Green Belt, as well as identifying its five purposes.

Green Belt

4. The NPPF states that the construction of new buildings should be regarded as inappropriate in the Green Belt except in specified exceptions as set out in Paragraph 145. The construction of a school building within the Green Belt is not one of the specified exceptions to Green Belt policy, and therefore a proposal of this nature constitutes inappropriate development within the Green Belt which is fundamentally unacceptable in principle.

5. In addition to the harm caused by its inappropriateness, the proposal would result in the introduction of a building within the Green Belt on an area that is predominantly free from built form. In this regard, it is considered that the proposal would cause other harm to the Green Belt by way of a reduction in its openness. However, it is also acknowledged that the applicant has sought to minimise the impact on the Green Belt by siting the new building adjacent to the existing buildings on site.

6. The NPPF reiterates that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

7. As such, the application needs to be justified by a set of very special circumstances in order to be looked upon favourably.

Design/character & appearance

8. In terms of the size and scale of the proposed building, it is acknowledged that it would result in a building of considerable size. Notwithstanding this, it is still considered that it is of an appropriate and acceptable size and scale for the site within which it would be sited. The building would be two storeys in height, with the main roof being no higher than the ridge height of the adjacent existing school building. It is acknowledged that due to the intended use of the proposed building, it needs to be designed in such a manner that results in a box-like appearance, with a flat roof and high eaves. However, it is considered that the presence of a building of this design and scaling is not uncommon on educational sites. It is not considered excessive for the site or locality in general, and given its location and presence of existing tree screening that would be retained on site, it would not appear unacceptably overdominant or obtrusive within the street scene or locality in general.

9. Given the size of the site, and the positioning of the proposed new building, it is considered that an acceptable level of spaciousness would be retained within the site.

10. Whilst needing to be functional, the choice of materials to be used in the construction of the building have been chosen to provide a connection with the existing listed building on site, with the use of a traditional clay brick at ground level, Flemish in Bond and the use of vertical hung clay tiles above, with the club tiles seen on some of the gables of the existing building used to pattern the tiles to create diamond shapes based on the lines of these gables. The palette of materials is intended to break up the elevations of the building and create a visually interesting facade. It is considered that a combination of the design of the building and the use of the materials proposed result in a building that would not

adversely impact upon the character and appearance of the street scene or locality in general, and maintains the established character of the site as a school.

11. The proposed footpath would not have a visual presence outside of the site and the proposed temporary construction access is not permanent, and would be removed and the land and soft landscaping reinstated following completion of the development.

12. Overall, it is considered that the proposed development would not adversely impact upon the character or appearance of the site, street scene or locality in general.

Residential amenity

13. It is considered that the distances retained to the neighbouring residential properties are sufficient enough for the proposal to not result in an unacceptable loss of light or privacy to these neighbouring properties, nor would it appear overdominant or obtrusive when viewed from them.

14. The site will be amalgamated into the wider Khalsa School site, having most recently been occupied by a separate school. As such, the site would continue to be used as a school, and it would not result in any greater use than that which historically occurred there. The proposed new building would not result in an increase in children attending this site, and such, it is considered that it would not lead to any noise impacts on the neighbouring residential properties.

Parking/Highway implications

15. The proposed development does not involve an increase in the number of pupils or staff attending the site, and the existing level of parking provision would be maintained. The existing parking and drop off arrangements in place on the wider Khalsa School site would remain in place and located on the wider site accessed from Hollybush Lane. As such, it is considered that a sufficient level of off street parking provision is provided for.

16. The County Highways Authority raise no objections to the proposal from a highway safety point of view. They advise that the proposal would not lead to an increase in the level of vehicular movements associated with the school.

17. With regard to the temporary construction vehicular access that would be created, the County Highway Authority raise no objections, and consider that it would not lead to unacceptable highway implications during the course of construction. A construction management plan has been submitted as part of the application and amended upon request by the Highway Authority which sets out issues such as the timing of deliveries, the provision of wheel washing facilities, as well as the routing of the actual construction vehicles. They are satisfied that the details are acceptable.

18. Overall therefore, it is considered that the proposed development would not lead to any adverse highway or parking implications.

Impact on designated/non-designated heritage asset

19. A key consideration on this site is Heritage given the existing school building is Grade II listed. A heritage statement has been submitted as part of the application, setting out and identifying the overall level of significance of the listed building.

20. With regard to the proposed works to the existing building, these are generally remodelling and reconfiguration works that do not require planning permission, but do require listed building consent, for which an application has been submitted. It is noted that the Councils Heritage Officer raises no objections to the works to the existing listed building.

21. With regard to the proposed new building, the Councils Heritage Officer considers that harm would be caused to the setting of the listed building, and the level of harm would be less than substantial. In acknowledging the setting of the listed building, the application sets out that a number of approaches have been employed to mitigate any harm including that the proposed building has been set back as far as possible from the existing building line of the Listed Building; the building will be screened from School Lane by existing tree planting and as such the impact on the prominent view of the Listed Building from the south-east corner of School Lane is minimal; views of the original school building from the north will be maintained and the relationship with the former headmaster's house can be fully appreciated and understood from this part of the Site; the proposed building has been separated as far as possible from the listed building itself; the roof height of the building has been kept lower than the ridge height of the listed building; and the proposed building will use a palette of good quality bricks and hanging tiles, similar to those on the Listed Building, but in a contemporary manner resulting in a sympathetic new addition that they consider will enhance the setting and age in a similar manner to the existing Listed Building. It is noted that the NPPF para. 196 sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use.

22. Within the application, justification has been put forward as to why the proposed building needs to be located where it is currently proposed, and why it could not be sited elsewhere within the site or the wider Khalsa Academy site. When reviewing this information, it is considered that there is a valid argument for locating the proposed building adjacent to the listed building. It is also considered that there would also be clear public benefits from the provision of this building by virtue of the enhancements that it would bring to an educational facility in terms of the improved facilities that it could offer, and the improvements in how the school could actually operate and provide an improved service.

23. Upon review of further justification submitted by the applicant, the Councils Heritage Officer has advised that on balance, given the benefits that would be brought about by the proposal, the level of harm is not considered sufficient enough to warrant refusing the application.

24. Overall therefore, it is considered that the public benefits of the proposal outweigh the less than substantial harm that would be caused to the setting of the Listed building, and as such, the scheme is considered acceptable from a heritage point of view.

Trees/Landscape

25. Following the submission of additional information, the Council's Tree Officer is now satisfied that the proposed development will not adversely impact upon the health and future life span of any of the important trees that are to be retained. The small number of trees that have been shown for removal are considered acceptable from a landscape and visual amenity point of view.

26. The existing trees along the southern boundary of the site, immediately to the front of the proposed new building are to be retained, and the vegetation that will be cleared to enable the temporary works access, will be replaced by new planting once the works have been completed.

27. Overall therefore, it is considered that the proposed development would not adversely impact upon the natural landscape of the site or surrounding area.

Other matters

28. The Council's Environmental Health Department raise no objections from the points of view of both contaminated land and noise.

29. The Council's Ecologist raises no objections to the proposals, and advises that it would not adversely impact upon any protected species or wildlife within the site.

30. From a Surface Water Drainage point of view the Lead Local Flood Authority are satisfied that an appropriate surface water drainage scheme can be incorporated into the development and as such, it would not lead to any increased risk of flooding within the site or to adjacent sites.

31. The concerns raised regarding potential noise and disturbance caused during the construction period are noted, however, such matters are only temporary, and it is not considered reasonable or appropriate to prevent a development on such grounds. The applicant will be encouraged to sign up to the Considerate Contractors Scheme which seeks to minimise and limit the impacts of construction on neighbouring properties.

32. Concern has been raised that the new building would be used for non-school activities. It is important to note that this site, and the wider Khalsa site has a lawful use as a school, and therefore any use of the site or buildings for uses that are not directly related to its use as a school would require planning permission. A condition can be attached to any permission that restricts the use of the proposed build to those directly associated and ancillary to its use as a school.

Very Special Circumstances (VSC)

33. The applicant acknowledges that the application amounts to inappropriate development within the Green Belt and as such have provided a set of very special circumstances (VSC) which they consider justify its acceptance.

Exams

34. The proposed new multi-purpose building will provide Khalsa Secondary Academy with educational provision not available at Pioneer House. One of the key functions for the multi-purpose space will be to hold examinations for pupils of all ages. Most schools hold their examinations in a single large space in order to ensure that all pupils sitting the same exam are examined in identical conditions to eliminate any accusation of unfairness. The Academy has to undertake exams in a number of smaller rooms as they do not have a single large space. Exam regulations stipulate that the minimum spaces are required between chairs, and this is more achievable in a large single space than in multiple smaller rooms which can accommodate fewer pupils sitting exams as the room will be shared with existing teaching equipment from their regular role as a classroom.

35. It is also more efficient to invigilate exams being undertaken in a large single space as exam regulations stipulate at least one invigilator must be present for each group of 30 pupils or fewer sitting a timetabled examination. Currently using small rooms, it means the Academy must hire additional invigilators than it would need to where large numbers of pupils are sitting exams at the same time.

36. In addition to this, as exams tend to be undertaken in the hotter summer months with a number of people in the same room for extended periods of time the temperature of the exam room can become uncomfortable. One large multi-purpose space can benefit from a specific ventilation system. The current system used by the Academy at Pioneer House whilst currently an unfortunate necessity is not conducive to effective exam protocol nor good pupil comfort, particularly as the student roll grows towards its maximum capacity.

Assemblies

37. The proposed multi-purpose space will also be used to bring pupils of various ages and staff together for school assemblies. Assemblies form an integral part of school life. However, Khalsa Secondary Academy does not currently have an indoor space large enough to deliver assemblies to significant sections of the school. As such the Academy's pupils are missing out on a crucial part of the school experience that pupils at most other schools can enjoy and the proposed multipurpose space would be able to correct this.

Sport

38. The multi-purpose space will also be used for sport. Khalsa Secondary Academy does not currently have any indoor sports facilities to undertake activities such as badminton, basketball and gymnastics. As indoor sports form a compulsory part of the physical education element of the national curriculum the Academy has had to use off-site provision to provide these lessons. However, this has significant implications for the Academy. Timetabled lessons last for one hour and in order to reach the off-site provision pupils must travel with their teachers on school minibus for at least 10 minutes. With the return journey taking at least a further 15 minutes it means that at least 20 minutes of a PE lesson is lost to travel, that equates to one-third the timetabled lesson, meaning that valuable teaching time and opportunity for pupils to engage in physical activity is lost.

Sustainability and Costs

39. Travelling to the off-site sports provision in Slough is a journey of approximately 2.4 miles and requires the use of two 17-seater diesel minibuses to move one class of 30 pupils. The proposed new building would provide a more sustainable form of development, negating the need to travel off site to undertake such sporting activities. This in turn would reduce costs incurred by the School as well as reducing pollution via a reduction in vehicle movements.

Removal of portacabins

40. The proposed development will also involve the removal of the modular classrooms which lie in the northern half of the Site. The removal of these unattractive structures will improve the visual amenities of the site.

Alternative locations

41. It is argued that the proposed location of the new building is the most suitable and practical. Khalsa Secondary Academy, the future end-user of the multi-purpose building, is based in Pioneer House to the immediate north-west of the Focus School campus. Pioneer House and the wider Academy site are situated in the Green Belt meaning that were the proposed building to be located on the Pioneer House site it would be subject to the same policies on development in the Green Belt as apply at the current proposed location at the Focus School.

42. It is argued that development of the proposed building to the north of Pioneer House in between the building and the street frontage on Hollybush Hill is not considered possible as it would result in the loss of land currently used for parking by staff and visitors and as the pick-up and drop-off points for pupils travelling to the school. A reduction in the land available for these functions could lead to traffic and parked cars spilling out on to Hollybush Hill and other surrounding roads with a negative impact on highway safety and traffic management. It is also contended that building such a building in this location would also represent a prominent addition to the streetscene that would not be in keeping with the wider setting along Hollybush Hill.

43. Siting the proposed new building to either the eastern or western side of the existing Pioneer House was not considered realistic due to there being insufficient width for such a structure between Pioneer House and the boundaries of the Academy's campus. On the eastern side of Pioneer House there is also an access road that allows for service vehicles, including emergency vehicles, to reach the southern side of Academy campus. This access road is vital to the operation and safety of the Academy and therefore cannot be lost in favour of a multi-purpose space. In addition to this, siting the building to either side of the existing Pioneer House could have potentially significant impacts on the neighbouring residential properties on Hockley Lane to the east and School Lane to the west in terms of amenity and access to daylight and sunlight.

44. A further option for providing a multi-purpose space at Pioneer House would be to the south of the existing building. It is argued that this option would involve the loss of land that is currently occupied by the Academy's playgrounds. This space is used as part of formal PE lessons and by after school clubs for sports that can be played outside such as football, netball and basketball as well as providing a recreational outdoor space for pupils to use during breaktimes. It is considered therefore that this space forms an important part of the Academy's day-to-day functions and its loss would have adverse implications. The topography of the Academy campus and the wider area means that the land gradually slopes down to the south of Pioneer House. It is argued that this means that any new multi-purpose

building to the south of Pioneer House would be more noticeable in long-distance views. Similar to building to the sides of Pioneer House, there is also the potential to negatively impact on the nearby neighbouring dwellings.

45. In terms of the alternative locations within the actual Focus School site, it is argued that given the limited space available, there are only two realistic options, one being the currently proposed location and the other being the site of the existing portacabins. It is contended that the portacabin site is not suitable for a number of grounds. The first of these relates to the ground levels and that this site would result in a significant quantity of cut-and-fill type earthworks being required to accommodate the multi-purpose building but even then the new building would still be substantially above the ridge line of the listed school building, and therefore potentially increasing its harm on the listed building. There is also a lack of screening to the south to restrict views of this higher ridge.

46. The trees to the north of the portacabins are protected by Tree Preservation Orders, and it is contended that if the proposed new buildings were to be built on the portacabin site it would likely generate a significant pressure to prune the crowns of the adjacent trees particularly as the years go by and the trees grow further. The foundations needed to support a new multi-purpose space in this location would also breach RPAs having a potentially negative impact on the many good and medium quality existing trees.

47. Building on the portacabin site would also result in the loss of an additional external hard surface play area with marked courts. This forms an outdoor space as it provides space for formal outdoor PE lessons and after school sports clubs as well as informal recreation by pupils whilst being able to be used in all weather conditions. If this hard surfaced external area were lost from this location it would nevertheless need to be provided elsewhere on the Focus School campus, of which the only location available would be that where the multi-purpose space is currently proposed for.

48. The location of the portacabins is also much closer to existing neighbouring properties and therefore has the potential to adversely impact upon their amenities.

VSC conclusions

49. When taking into consideration all of the above, it is considered that the arguments put forward do collectively constitute very special circumstances that outweigh the harm caused by the inappropriateness of the proposal, and the harm to openness. It is considered that there is a clear need for the provision of the proposed facilities, and it is significantly important to the future successful operation of the school in order to ensure its statutory functions, enhance pupil wellbeing and improve sustainability. It is also considered that the siting of the proposed new building in the chosen location would have no greater impact on the Green Belt than any of the other alternative locations identified by the applicant, and that this location is the most appropriate and practical from an operational point of view.

50. It is also acknowledged that the NPPF places a high importance on meeting educational needs, stating that local planning authorities should "give great weight to the need to create, expand or alter schools" (NPPF paragraph 94 part a). It is also noted that the NPPF advocates the expansion and improvement of existing provision in order to ensure that "sufficient choice of school places is available to meet the needs of existing and new communities" (NPPF paragraph 94).

51. Overall therefore, it is considered that the proposal should be looked upon favourably from a Green Belt point of view.

Working with the applicant

52. In accordance with section 4 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal.

53. South Bucks District Council works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

In this case, South Bucks District Council has considered the details as submitted which were considered acceptable.

54. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

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. (SS01)

Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).

2. A schedule of materials to be used in the elevations and hardsurfacing of the development hereby permitted shall be submitted to and approved by the District Planning Authority in writing prior to the commencement of any construction works above ground level. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refer.)

3. The development hereby permitted shall be implemented in accordance with the details of landscaping submitted and approved as part of this application, unless otherwise agreed in writing.

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.)

4. 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 District 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.)

5. Prior to the occupation of the development hereby approved, a scheme of ecological enhancements shall be submitted to and approved by the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme will include details of hibernacula such as log piles and provision of artificial roost features, including bird and bat boxes. A measurable net gain in biodiversity shall be demonstrated. The development shall be implemented in accordance with the approved details.

Reason: In the interests of improving biodiversity in accordance with Core Policy 9: Natural Environment of the South Buckinghamshire Core Strategy and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

6. The development shall be undertaken in accordance with the recommendations provided within the Preliminary Bat Roost Assessment Report (The Ecology Consultancy, September 2019). No demolition shall take place until a European Protected Species Mitigation Licence has been granted by Natural England. A copy of the licence is to be provided to the Local Planning Authority.

Reason: To comply with the requirements of The Conservation of Habitats and Species Regulations 2017 and to protect species of conservation concern. (Policy CP9 of the South Bucks District Core Strategy (Adopted February 2011) refers.)

7. Prior to the occupation of the development hereby permitted, details of external lighting for the buildings, features or areas to be lit shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be designed to prevent disturbance to light sensitive wildlife such as bats. The development shall be implemented and maintained in accordance with the approved details

Reason: The prevention of disturbance to species within the site during operation in accordance with Core Policy 9 of the South Buckinghamshire Core Strategy. (Policy CP9 of the South Bucks District Core Strategy (Adopted February 2011) refers.)

8. Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. No other part of the development shall begin until the temporary means of access has been constructed in accordance with the approved drawings and in accordance with Buckinghamshire County Council's guide note "Commercial Vehicular Access within Highway Limits" 2013.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development. (Policy TR5 of the South Bucks District Local Plan (adopted March 1999) refer.)

10. The development hereby permitted shall be carried out in accordance with the Construction Traffic Management Plan (CTMP) submitted and approved as part of this application.

Reason: To minimise danger and inconvenience to highway users. (Policy TR5 of the South Bucks District Local Plan (adopted March 1999) refers).

11. The development hereby permitted shall only be used by Khalsa Secondary Academy in connection with the use of the site for educational purposes and shall not be used for any other purpose or activity not connected with the school, in particular, it shall not be leased or hired to other organisations.

Reason: To accord with the application and to ensure that the amenities of the locality are preserved. (Policies GB1 and EP3 of the South Bucks District Local Plan (adopted March 1999) refer).

12. No works (other than demolition) shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles set out in the Flood Risk Assessment (ref. 07135, July 2019, Engineer Consultancy) 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:

Full construction details of all SuDS and drainage components;
Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components;
Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.

Reason: To secure a sustainable drainage strategy in accordance with Paragraph 163 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

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

Reason: To ensure that arrangements have been arranged and agreed for the long term maintenance of the drainage system as required under Paragraph 165 of the NPPF.

14. The development shall be implemented in accordance with the arboricultural method statement submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the method statement and that the correct materials and techniques are employed. (ST18)

Reason: To maintain the visual amenity of the area. (Policies EP4 and L10 of the South Bucks District Local Plan (adopted March 1999) refer.)

15. Within 1 month of the completion of the development hereby approved, the temporary means of access shall be removed, and the land re-landscaped in accordance with the details submitted and approved as part of this application.

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.)

16. The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings:

LIST OF APPROVED PLANS

<u>Plan Reference</u>	<u>Date received by District Planning Authority</u>
FS0172-TF-00-00-DR-L-2001	10.09.2019
FS0172-TF-00-00-DR-L-1002	10.09.2019
FS0172-TF-00-00-DR-L-2002	10.09.2019
FS0172-TF-00-00-DR-L-2003	10.09.2019
FS0172-TF-00-00-DR-L-2004	10.09.2019
FS0172-TF-00-00-DR-L-2005	10.09.2019
FS0172-TF-00-00-DR-L-4001	10.09.2019
FS0172-TF-00-00-DR-L-4002	10.09.2019
FS0172-TF-00-00-DR-L-4003	10.09.2019
FS0172-TF-00-00-DR-L-4005	10.09.2019
FS0172-TF-00-00-DR-L-4006	10.09.2019
FS0172-TF-00-00-DR-L-4007	10.09.2019
FS0172-TF-00-00-DR-L-3001	10.09.2019
FS0172-TF-00-00-DR-L-1006	10.09.2019

FS0172-TF-00-00-DR-L-0002	10.09.2019
FS0172-TF-00-00-DR-L-1000	10.09.2019
FS0172-1A-02-00-SK-A 0001 REV 4C	10.09.2019
FS0172-1A-30-ZZ-EL-A 0004 4C	10.09.2019
FS0172-1A-30-01-GA-A 4C	10.09.2019
FS0172-1A-30-00-GA-A 4C	10.09.2019
FS0172-1A-30-ZZ-EL-A 0002 4C	10.09.2019
FS0172-1A-30-ZZ-EL-A 0005 4B	10.09.2019
FS0172-1A-30-RF-GA-A 4C	10.09.2019
FS0172-1A-30-ZZ-XS-A 0001 4C	10.09.2019
FS0172-1A-30-ZZ-XS-A 0002 4C	10.09.2019
FS0172-1A-30-ZZ-XS-A 0003 4C	10.09.2019
FS0172-1A-30-ZZ-EL-A 0001 4C	10.09.2019
FS0172-1A-30-ZZ-XS-A 0004 4C	10.09.2019
FS0172-TF-00-00-DR-L-5005	10.09.2019
FS0172-1A-02-00-SK-A-0002 REV 4A	10.09.2019
FS0172-TF-00-00-DR-L-1001	10.09.2019

INFORMATIVE(S)

1. Due to the close proximity of the site to existing residential properties, the applicants' attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicles parking at the site or making deliveries, and general disruption caused by the works.

By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and complaints from local residents and further information on how to participate can be found at www.ccscheme.org.uk. (SIN35)

2. Removal of any building or vegetation shall be undertaken outside of the bird nesting season (March to August inclusive). If this is not possible, then a suitability qualified ecologist shall check the areas concerned immediately prior to the commencement of clearance works to ensure no nesting or nest-building birds are present. If any nesting activity is confirmed, no clearance will be permitted within the area until the birds have fledged and the nest is considered inactive.

3. The applicant is advised that a Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Development Management at the following address for information or apply online via Buckinghamshire County Council's website at

www.buckscc.gov.uk/services/transport-and-roads/highways-development-management/apply-online/section-184-licence/

Highways Development Management
6th Floor, County Hall
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
Telephone: 01296 382416

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