



## Report to East Buckinghamshire Area Planning Committee

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<b>Application Number:</b>	PL/19/1734/FA
<b>Proposal:</b>	Redevelopment of site to provide 34 residential units with associated landscaping and infrastructure
<b>Site Location:</b>	Springfield Road Industrial Estate Springfield Road Chesham Buckinghamshire
<b>Applicant:</b>	Inland Homes
<b>Case Officer:</b>	Margaret Smith
<b>Ward affected:</b>	Chess Valley
<b>Town Council:</b>	Chesham
<b>Valid date:</b>	21 May 2019
<b>Determination date:</b>	31 July 2020
<b>Recommendation:</b>	Subject to the final views and any conditions from the Council's Landscape Advisor and Environmental Health Officer regarding renewable energy, application PL/19/1734/FA be delegated to the Director of Planning, Growth & Sustainability to approve subject to conditions and the satisfactory prior completion of a Section 106 Planning Obligation Agreement relating to on site affordable housing and necessary education contributions. If the Section 106 Agreement cannot be completed the application be refused for such reasons as considered appropriate.

### 1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 This is a full application for the proposed redevelopment of this site to provide 34 residential units and associated development, of which 14 would be affordable housing. The site is currently a vacant employment site and it is

unlikely that the site would be attractive for commercial re-use or redevelopment due to its access limitations, its location and economic factors. The proposed scheme is compatible in its design with that currently under construction on the land to the west, with staggered ground levels and ridgelines reflecting the slope of the site. 32 of the 63 parking spaces proposed would be provided within 2 courtyards, with the remainder adjacent to the access in groups of 3 or 4, and that ratio of parking spaces would accord with that accepted for the residential units to the west and would be acceptable in this sustainable location. It is considered that the proposed development would sit comfortably within this predominantly residential locality and would provide sufficient amenity space and landscaping to integrate acceptably.

- 1.2 Cllr MacBean has called in this application in the event of it being recommended for approval.
- 1.3 The Officer recommendation is that the application be delegated to the Director of Planning, Growth & Sustainability to approve, subject to conditions and the satisfactory prior completion of a Section 106 planning obligation agreement relating to on-site affordable housing and necessary education contributions. If the section 106 agreement cannot be completed the application be refused for such reasons as considered appropriate.

## **2.0 Description of Proposed Development**

- 2.1 This is a full application for the proposed redevelopment of this site to provide 34 residential units with associated landscaping and infrastructure. Fourteen of these proposed units would comprise affordable accommodation comprising 1 x one bed apartment and 3 x three bed houses in shared ownership, and 5 x one bed apartments, 3 x two bed apartments and 2 x two bed houses as social rented affordable units.
- 2.2 The apartment blocks A, C and E would be 3 storeys and would have a staggered finished floor level and ridgeline. Each of the apartments would benefit from a balcony or access to a communal amenity space at the rear and each block would have cycle storage and refuse storage.
- 2.3 The proposals include 63 parking spaces for the 34 proposed units, of which 32 would be arranged in courtyards, and 31 parking spaces would be set at right angles to the east side of the access through the site.
- 2.4 The application is accompanied by:
  - a) Design and Access Statement
  - b) Soft and hard landscape proposals
  - c) Ecology report

- d) Planning Statement
- e) Employment Land Report
- f) Arboricultural Impact Assessment
- g) Archaeological and Heritage Statement
- h) Environmental Site Assessment
- i) Tree Protection Plan
- j) Transport Statement
- k) Drainage Strategy
- l) Energy Strategy Report
- m) Travel Plan
- n) Commercial Feasibility Study

- 2.5 Amended plans were received on 17 April, 2020 breaking up the spread of the apartment blocks, reducing their bulk and improving the relationship with the contours of the site, to seek to address objections pertaining to their bulk and design. Those plans also amended the spread of development adjacent to the northern boundary of the site, which is that part that lies within the Green Belt and AONB, and the amendments also introduced more landscaping to break up the proposed car parking layout.
- 2.6 On 29 June, 2020 further amended plans were received, which remove the previously proposed projecting balconies at 1<sup>st</sup> and 2<sup>nd</sup> floor level from the west facing elevation of Apartment Block A and replacing them with Juliet balconies.

### **3.0 Relevant Planning History**

#### **3.1 Relevant planning history for the site:**

CH/2015/2020/OA – Conditional Permission 19 October 2017 - Outline application for up to 55 residential units with associated access infrastructure and landscaping, refurbishment and retention of existing commercial units (Matters of access only to be considered at this stage)

CH/2018/0240/DE – Conditional Permission 4 April 2019 – Application for reserved matters, following outline planning permission CH/2015/2020/OA for 55 dwellings with associated access, infrastructure and landscaping.

CH/2018/0520/PNL – Prior Approval Refused 14 May 2018 - Prior Notification under Class PA of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 - Change of Use from light industrial (Use Class B1(c)) to seventeen residential units (Use Class C3)

PL/18/3344/CONDA – Not Accepted 23 May 2019 - Application for approval of conditions 4, 6, 7, 8, 9 & 10 of application reference CH/2015/2020/OA (Outline application for up to 55 residential units with associated access infrastructure and landscaping, refurbishment and retention of existing commercial units (Matters of access only to be considered at this stage)).

PL/19/1371/CONDA – Accepted 20 June 2019 - Application for approval of details reserved by conditions 2 & 5 on planning application CH/2018/0240/DE. (Application for reserved matters following outline planning permission CH/2015/2020/OA for 55 dwellings with associated access, infrastructure and landscaping.)

PL/19/1478/VRC – Conditional Permission 29 October 2019 - Variation of condition 17 of planning permission CH/2018/0240/DE (Application for reserved matters following outline planning permission CH/2015/2020/OA for 55 dwellings with associated access, infrastructure and landscaping.) to allow for an additional lower ground floor unit within Block D, two additional parking spaces and an enlarged cycle store.

PL/19/2017/CONDA – Accepted 6 August 2019 - Application for approval of details reserved by condition 7 on planning permission CH/2015/2020/OA. (Outline application for up to 55 residential units with associated access infrastructure and landscaping, refurbishment and retention of existing commercial units.)(Matters of access only to be considered at this stage)

PL/19/2144/VRC – Conditional Permission 29 October 2019 - Variation of Condition 17 of planning permission CH/2018/0240/DE (Application for reserved matters following outline planning permission CH/2015/2020/OA for 55 dwellings with associated access, infrastructure and landscaping) to allow amended entrance height and porch canopy to Block K, and submission of corrected plans of Block F and the site.

PL/19/2505/CONDA – Accepted in part 4 September 2019 - Application for approval of details reserved by conditions 3, 4, 7, 8, 9 & 10 on planning permission CH/2018/0240/DE. (Application for reserved matters following outline planning permission CH/2015/2020/OA for 55 dwellings with associated access, infrastructure and landscaping.)

PL/19/4104/CONDA – Accepted 20 April 2020 - Application for approval of details reserved by condition 6 on planning permission PL/19/2144/VRC - Variation of Condition 17 of planning permission CH/2018/0240/DE (Application for reserved matters following outline planning permission CH/2015/2020/OA for 55 dwellings with associated access, infrastructure and landscaping) to allow amended entrance height and porch canopy to Block K, and submission of corrected plans of Block F and the site.

PL/20/1568/CONDA – Pending Consideration - Application for approval of details reserved by condition 5 on planning permission PL/19/2144/VRC. (Variation of Condition 17 of planning permission CH/2018/0240/DE (Application for reserved matters following outline planning permission CH/2015/2020/OA for 55 dwellings with associated access, infrastructure and landscaping) to allow amended entrance height and porch canopy to Block K, and submission of corrected plans of Block F and the site.)

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

#### **4.0 Summary of Representations**

- 4.1 Letters of objection have been received from 3 addresses but the objection letter on their behalf from Springfield Road Estate has not been received.
- 4.2 Neutral letters have also been received from 1 address stating:
- No objection if the road is resurfaced and turning bay is provided for residents.
- 4.3 A letter has been received from 1 address in support of the application on the following grounds:
- The road will be resurfaced;
  - More on-site parking.

#### **5.0 Policy Considerations and Evaluation**

- National Planning Policy Framework (NPPF), February 2019.
- National Design Guidance, October 2019
- Core Strategy for Chiltern District - Adopted November 2011:
- Chiltern District Local Plan adopted 1 September 1997 (including alterations adopted 29 May 2001), consolidated September 2007 and November 2011.
- Draft Chiltern and South Bucks Local Plan 2036.
- Affordable Housing Supplementary Planning Document (SPD) - Adopted 21 February 2012
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- Loss of Employment Land
- Green Belt and AONB
- Transport Matters and Parking
- Flooding and Drainage
- Landscape Issues
- Ecology

## **Principle and Location of Development**

- Core Strategy Policies:
  - CS1 (The spatial strategy)
  - CS2 (Amount and distribution of residential development 2006-2026),
  - CS3 (Amount and distribution of non-residential development 2006-2026)
  - CS16 (Employment land)
- Local Plan Saved Policies:
  - H3 (Provision of new dwellings in the built-up areas excluded from the Green Belt (other than in accordance with Policies H2, H4 & H7)),
  - GB2 (Development in general in the Green Belt)
  - E3 (Areas for business and storage or distribution development in the built-up areas excluded from the Green Belt as defined on the Proposals Map)

- 5.1 Outline planning permission was granted under application ref.no. CH/2015/2020/OA for the redevelopment of a site, which included this application site and also land to the west of the access, for the provision of up to 55 residential units. Matters of access only were considered at that stage and a reserved matters application was subsequently submitted under application ref. no. CH/2018/0240/DE. However, the reserved matters application submitted by this applicant only pertained to that land to the west of this current application site and that land was then sold and is now in a different ownership to this current application site.
- 5.2 This application is not a reserved matters application for this part of the site for which the Outline Permission was granted, but is a full application that must, therefore, be considered on its merits. In that regard, this application proposes residential development on land that is predominantly within the built up area and in a sustainable location.
- 5.3 The northern part of this application site does, however, lie within the Green Belt and the AONB, and there is a presumption against inappropriate development unless very special circumstances are advanced to clearly outweigh all harm, and new development should also preserve and enhance the amenities of the AONB. In this regard, it is a material consideration that this application proposes car parking on that part of the site that is already used for commercial parking including lorry parking, and so this part of this proposal is not dissimilar to the existing use of this part of the application site but would be less likely to result in the presence of larger commercial vehicles and also proposes the introduction of some soft landscaping, which would be an enhancement.

5.4 This application does, however, propose the redevelopment of this whole site for residential purposes, resulting in the loss of an existing employment site, which has now been vacated. In this regard, policy E3 states that development for purposes other than for business or storage or distribution will not be permitted except in the case of general industrial sites, which cause amenity problems to neighbouring residential properties. Core Policy CS16 states that the loss of such employment sites will only be acceptable in principle where there is no reasonable prospect of the site being used for employment purposes, or where it is creating significant amenity issues or where the existing use is creating significant highway problems. In order to demonstrate that there is no reasonable prospect of a site being used for employment purposes, marketing information usually needs to be submitted, because that demonstrates whether or not there is any prospect of a particular site being used, rather than a general summation. However, the agents for this application have instead submitted an Employment Land Report and a Commercial Feasibility Study and have advanced the argument that investment in this site to re-use the existing substandard buildings and/or to redevelop the site is not an attractive proposition given access constraints, the fact that the site is surrounded by residential properties, the forecast of an over provision of employment sites and the need for residential development.

5.5 Given the unique circumstances pertaining to this site's location, in particular, its access constraints, it is considered that it would be difficult to justify its retention for employment purposes.

#### **Affordable Housing and Housing Mix**

- Core Strategy Policies:
  - CS8 (Affordable housing policy)
  - CS9 (Affordable housing in rural areas)
  - CS10 (Affordable housing type)
  - CS11 (Affordable housing size)

5.6 The Council's policies require 40% of new residential development to be affordable housing and for it to comprise 70% social rented and 30% shared ownership. This application proposes a policy compliant scheme in this regard and a draft Legal Agreement is being prepared in the event of this application being viewed favourably.

#### **Employment issues**

- Core Strategy Policies:
  - CS16 (Employment land),
- Local Plan Saved Policies:

E3 (Areas for business and storage or distribution development in the built-up areas excluded from the Green Belt as defined on the Proposals Map)

5.7 As set out above, this application does propose the redevelopment of this now vacated employment site for residential purposes. As already set out, policy E3 states a general presumption against the development of such sites for purposes other than for business or storage or distribution except in the case of general industrial sites, which cause amenity problems to neighbouring residential properties. Also Core Policy CS16 states that the loss of such employment sites will only be acceptable in principle where there is no reasonable prospect of the site being used for employment purposes, or where it is creating significant amenity issues or where the existing use is creating significant highway problems. As already stated, the agents for this application have submitted an Employment Land Report and a Commercial Feasibility Study and have stated that investment in this site to re-use the existing substandard buildings and/or to redevelop the site is not an attractive proposition given its access constraints, the fact that the site is surrounded by residential properties, and the forecast of a likely over provision of employment sites, and there is also a known need for residential development.

5.8 Given the unique circumstances pertaining to this site's location, in particular, its access constraints, it is considered that it would be difficult to justify its retention for employment purposes.

### **Transport matters and parking**

- Core Strategy Policies:
  - CS25 (Dealing with the impact of new development on the transport network)
  - CS26 (Requirements of new development)
- Local Plan Saved Policies:
  - TR2 (Highway aspects of planning applications throughout the district)
  - TR3 (Access and road layout throughout the district)
  - TR11 (Provision of off-street parking for developments throughout the district)
  - TR12 (Relaxation of parking standards throughout the district)
  - TR15 (Design of parking areas throughout the district)
  - TR16 (Parking and manoeuvring standards throughout the district)

5.9 The Council's adopted Parking Standards as set out in Local Plan policy TR16 are based on the floorspace of proposed dwellings and require 2 spaces for a dwelling with less than 120 square metres and 3 spaces for those with more and for 4 bedroom dwellings. This application proposes 63 parking spaces for the proposed residential units that comprise 12 x one bedroom apartments, 13 x two bedroom apartments, 2 x two bedroom houses, 3 x three bedroom houses



and 4 x four bedroom houses. In accordance with the Council's adopted parking standards, 12 spaces are proposed for the 12 x one bedroom units, 30 spaces are proposed for the 15 x two bedroom units, 21 spaces are proposed for the 7 x three and four bedroom units.

5.10 In addition, space to store 1 cycle per residential unit is proposed internally for each of the proposed apartment blocks, and each of the dwellings has a rear access to its private garden giving the opportunity to securely store cycles within the curtilages of the dwellings.

5.11 This site is only 1 mile from Chesham centre and there are public transport opportunities including the railway station. The Highways section has raised no objection to this application subject to the imposition of conditions, and the Council's waste section has confirmed that the proposed layout would allow for refuse and recycling vehicles to manoeuvre and collect.

#### **Raising the quality of place making and design**

➤ Core Strategy Policies:

CS4 (Ensuring that the development is sustainable)

CS20 (Design and environmental quality)

CS22 (Chilterns Area of Outstanding Natural Beauty)

➤ Local Plan Saved Policies:

GC1 (Design of development throughout the district)

GC4 (Landscaping throughout the district)

GC14 (Access for disabled people to developments used by the public throughout the district)

5.12 This amended application has now taken on board most of the comments raised by the Council's Urban Design Consultant and he now advises 'Following the previous consultation comments I have met the applicant on site and discussed a different design approach.

5.13 The resubmitted scheme represents a noticeable improvement in quality and whilst it is not fully compliant with BfL12 it is much better. It is important to highlight that the council began using BfL12 once the applicant had already acquired the site – therefore a pragmatic approach to design quality is likely merited and reasonable.

5.14 One 'red' indicator has been raised to a 'green' (subject to conditions if this is proposed for approval); one 'red' has been raised to an 'amber'; two 'ambers' have been raised to 'greens'.

- 5.15 I have made suggestions as to where further improvements have been made, however we are approaching the point of determination. As such, I would advise that a justification for refusal could not be sustained at appeal. I consider that additional conditions may be imposed (in addition to those suggested) to address some of the areas highlighted for improvement.'
- 5.16 The outstanding objection in design terms is that parking is not as well integrated as it should be and there is concern that some of the proposed trees are close to building foundations and that the width afforded to growing spaces is limited. However, the Council's Landscape Officer has raised no objection in principle and, as set out above, it is not considered that this concern would constitute a reason for refusal.
- 5.17 As already stated, the proposed parking area adjacent to the north boundary of the site that falls within the Green Belt and the AONB would benefit from the introduction of 2 native trees to break up that area of surface parking.
- 5.18 Elsewhere native trees are proposed to break up those other parking areas and the proposed development would be sited at a sufficient distance to enable the retention of the important, dense, mature tree screen that runs along the north and east boundaries of the site.
- 5.19 Thames Valley Police have highlighted some security concerns for prospective occupiers, however, the concerns are noted and would be best addressed by way of an informative in the event of planning permission being granted or refused, they would not be sufficient to constitute a reason for refusal.

### **Amenity of existing and future residents**

➤ Local Plan Saved Policies:

GC3 (Protection of amenities throughout the district)

H12 (Private residential garden areas throughout the district)

5.20 These proposals introduce 2 storey dwellings and 3 storey apartment blocks on the east side of the access. Similar scaled buildings have been approved and are under construction on the west side of the access.

5.21 The proposed 1<sup>st</sup> and 2<sup>nd</sup> floor windows and balconies would be sited approximately 17metres from the rear boundaries of the dwellings and the nearest windows. In order to seek to ensure there would not be an unacceptable level of overlooking between those habitable room windows that have been approved on that land to the west and those proposed windows and balconies, 2 of the west facing balconies in apartment block A have been replaced with Juliet balconies that do not afford any greater opportunity to overlook than a full

length window. It is considered that the resultant juxtaposition between those dwellings being constructed to the west and the proposed dwellings would be acceptable given that it is in respect of windows and gardens that face towards an access way.

5.22 To the north of the application site there is woodland and that land to the east is also wooded. Part of the woodland to the east falls within the ownership of Beechfield, Trapps Lane, however, the dwellings lie on land to the south of the application site and so there would be no significantly adverse impact on the amenities of those dwellings and/or their private gardens in proximity to those dwellings, although there would be windows and balconies as near as 6 metres from the boundary with that woodland to the east. There are no south facing windows in the dwellings comprising Block F and, in any event, there is also an intervening area of undeveloped land between that Block and 34 Springfield Road.

5.23 These proposals provide private gardens for each of the proposed dwellings and balconies for each of the proposed apartments with the exception of 2 of those apartments in Block A, which would have Juliet balconies. However, each of the apartment blocks also has a modest communal garden space.

### **Environmental issues**

- Core Strategy Policies:
  - CS4 (Ensuring that development is sustainable)
  - CS20 (Design and environmental quality)
  - CS24 (Biodiversity)
- Local Plan Saved Policies:
  - GC4 (Landscaping throughout the district)
  - TW3 (Resistance to loss of trees covered by a Tree Preservation Order throughout the district)
  - TW6 (Resistance to loss of woodland throughout the district)

5.24 The Council's Landscape Officer has raised no objection to these proposals and the Arboriculturalist has confirmed that the proposed development would be sited a sufficient distance from those trees to the north and east of the site to avoid prejudicing their long term well being.

5.25 The Council's Environmental Health section has also confirmed that there is no objection on contamination grounds subject to the imposition of conditions and the Council's Ecological Consultant has raised no objection subject to the imposition of 2 conditions.

## **Flooding and drainage**

- Core Strategy Policy:  
CS4 (Ensuring that development is sustainable)
- Local Plan Saved Policy:  
GC10 (Protection from flooding in the areas as defined on the Proposals Map and throughout the district)

5.26 The Council's SuDs section has confirmed that there is no objection subject to the imposition of 2 conditions.

## **Landscape Issues**

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS20 (Design and environmental quality)

CS22 (Chilterns Area of Outstanding Beauty)

Local Plan Saved Policies:

GC1 (Design of development throughout the district)

LSQ1 (Chilterns Area of Outstanding Natural Beauty as defined on the Proposals Map)

GB30 (Conservation and enhancement of rural landscape in parts of the Green Belt)

5.27 As stated above, the Council's Landscape Officer has raised no objection to these proposals and the proposed parking area adjacent to the north boundary of the site that falls within the Green Belt and the AONB would benefit from the introduction of 2 native trees to break up that area of surface parking. The proposed apartment Block A would be no nearer the boundary with the Green Belt and the AONB than the existing warehouse in this approximate position.

5.28 As already stated, the Council's Arboriculturalist has confirmed that the proposed development would be sited a sufficient distance from those trees to the north and east of the site to avoid prejudicing their long term well being.

## **Ecology**

- Core Strategy Policies:  
CS4 (Ensuring that development is sustainable)  
CS24 (Biodiversity)
- Local Plan Saved Policies:  
NC1 (Safeguarding of nature conservation interests throughout the district)

5.29 An Ecology report has been submitted with this application and the Council's Consultant has confirmed no objection subject to the imposition of 2 conditions.

### **Building sustainability**

- Core Strategy Policies:  
CS4 (Ensuring that development is sustainable)  
CS5 (Encouraging renewable energy schemes)
- Local Plan Saved Policy:  
GC1 (Design of development throughout the district)

5.30 It is proposed to install multiple PV systems, approximately 60 panels, with a total peak output of 18 kWp, with panels facing South-East or SouthWest on the pitched roofs of the proposed apartment blocks. When using panels of 300 Wp output each, the proposed amount of PV will generate 14,820 kWh of electricity per year, representing 10.5% of the site regulated energy demand.

5.31 The Core Strategy for Chiltern District and the Sustainable Construction and Renewable Energy SPD requires a 10% energy reduction by renewable sources and this would be achieved by the proposed solar PV technology.

### **Infrastructure and Developer Contributions**

- Core Strategy Policies:  
CS31 (Infrastructure)

5.32 It is considered that there would not be other types of infrastructure, other than the provision of affordable housing and education that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure. A draft Legal Agreement had been prepared in this connection.

5.33 Also, the development is a type of development where CIL would be chargeable.

## **6.0 Weighing and balancing of issues / Overall Assessment**

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

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

- a. Provision of the development plan insofar as they are material,
  - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
  - c. Any other material considerations
- 6.3 As set out above it is considered that the proposed development would accord with most of the development plan policies, and that very special circumstances exist to justify the proposed hardsurfacing within the Green Belt and that the introduction of additional landscaping would enhance that part of the AONB. Furthermore, it is considered that given the unique circumstances pertaining to this site's location, in particular, its access constraints, it is considered that it would be difficult to justify its retention for employment purposes.

#### 6.4 **Human Rights**

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

### 7.0 **Working with the applicant / agent**

- 7.1 In accordance with paragraph 38 of the NPPF (2019) the Council approaches decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and working proactively with applicants to secure developments.
- 7.2 With regard to this application, the Council worked with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating the agents of any issues that arose during the processing of their application. In addition, the agents were informed of the Council's initial objections and objections from consultees, and amended proposals were submitted to seek to overcome those objections.

**Recommendation:** Subject to the final views and any conditions from the Council's Landscape Advisor and Environmental Health Officer regarding renewable energy, application PL/19/1734/FA be delegated to the Director of Planning, Growth & Sustainability to approve subject to conditions and the satisfactory prior completion of a Section 106 Planning Obligation Agreement relating to on site affordable housing and necessary education contributions. 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 before the expiration of three years from the date of this permission.  
Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 (1) of the Town & Country Planning Act 1990, as amended.
2. Before any construction work takes place above slab level, named types and details of the facing bricks and roofing tiles to be used in the external construction of the buildings hereby permitted and of the hardsurfacing within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.  
Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality.
3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
Reason: In order to maintain, as far as possible, the character of the locality.
4. Prior to the initial occupation of any of the development hereby approved, details of the siting and design of all walls and/or fencing to Block E and the retaining walls shown in yellow on drawing no. INL21868-12A shall have been submitted to and approved by the District Planning Authority in writing. All walls and fencing as approved in writing and as indicated on drawing no. INL21868-12A shall be erected in accordance with the approved details before the initial occupation of any of the dwellinghouses.  
Reason: To ensure a satisfactory resultant appearance and standard of amenity of the site.
5. The development hereby permitted shall not be occupied or brought into use until the parking spaces for vehicles of occupiers or visitors to the residential properties have been provided in accordance with the plans hereby approved by the Local Planning Authority and those parking spaces shall thereafter be retained for that purpose.  
Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of the highway.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no windows/dormer windows other than those expressly authorised by this permission, or as subsequently agreed in writing by the local planning authority, shall be inserted or constructed at any time at first floor level

or above in any of the elevations of the dwellinghouses hereby permitted. Reason: To protect the amenities and privacy of the adjoining properties.

7. Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Classes A, B, C, D, E and F of Part 1 of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site unless planning permission is first granted by the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider whether any future proposals will constitute overdevelopment of the site or will in any other way be detrimental to the character of the locality.

8. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), 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 site investigation scheme, based on Phase 1 Environmental Site Assessment prepared by WDE Consulting Limited (Report ref. 20762R1) 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. ii) The site investigation results and the detailed risk assessment (i) 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. iii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (ii) 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.

9. 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 must be produced 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. The above must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11.

10. 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.

11. Prior to commencement of any works of site clearance or demolition, an updated Badger survey shall be undertaken. The results of the survey(s) and any required mitigation will be agreed with the Local Planning Authority. The survey shall be considered valid for no more than 6 months.

Reason: To comply with the requirements of the Protection of Badgers Act 1992 and Core Strategy Policy 24: Biodiversity of the Chiltern District Core Strategy.

12. Prior to the commencement of development, a detailed scheme of ecological enhancements shall be submitted to, and approved in writing by, the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme will include details of artificial roost features, including bird and bat boxes, hedgehog domes and other refugia of benefit to wildlife. Full details of planting of known benefit to wildlife shall be provided.

Reason: In the interests of improving biodiversity in accordance with NPPF and policy 24 of the Chiltern District Core Strategy and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

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

- Raise finish floor levels of Block A to 300mm above the anticipated surface water flooding level
- Clarification of trench soakaway draining Block A
- Demonstrate that water quality, ecological and amenity benefits have been considered including but not limited to rain gardens and tree pits
  - Demonstrate that the scheme meets the water quality assessment criteria
  - Infiltration in accordance with BRE365
- Subject to infiltration being inviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the hierarchy listed in the informative below.
- 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 for the whole of the surface water drainage strategy to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.
  - Flow depth
  - Flow volume
  - Flow direction

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

14. 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: 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.

15. No development shall commence until details of the measures to be incorporated into the development to demonstrate how Secured by Design accreditation will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until the Council has acknowledged in writing that it has received written confirmation of SBD accreditation. Alternatively, the applicant shall provide an access control strategy for the development including

details for access controls and the visitor entry system and that further details are provided relating to provisions for postal services into the communal blocks. To assist the applicant best practice guidance can be found on the Secured By Design Website [https://www.securedbydesign.com/images/downloads/HOMES\\_BROCHURE\\_2019\\_update\\_May.pdf](https://www.securedbydesign.com/images/downloads/HOMES_BROCHURE_2019_update_May.pdf)

Reason: To ensure the development is secure and is designed to prevent crime.

16. Prior to the occupation of any part of the development hereby permitted the requirements of the submitted Energy Strategy Report shall be implemented in their entirety.

Reason: To ensure compliance with the need to promote sustainable energy.

17. No part of the development shall commence until a Travel Plan for the site has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out measures to reduce single occupancy journeys by the private car and indicate how such measures will be implemented and controlled. The Travel Plan shall include a full analysis of the modal split at existing sites and indicate targets for modal shift in the forthcoming year. No part of the development shall then be occupied until the approved Travel Plan has been implemented and subject to annual review thereafter. For the avoidance of doubt the Travel Plan will require the appointment of a Travel Plan Co-ordinator.

Reason: In order to influence modal choice and to reduce single occupancy private car journeys and comply with national and local transport policy.

18. No part of the development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highways section. The Plan shall include details of:

Construction access;

Management and timing of deliveries;

Routing of construction traffic;

Vehicle parking for site operatives and visitors;

Loading/off-loading and turning areas;

Site compound;

Storage of materials;

Precautions to prevent the deposit of mud and debris on the adjacent highway.

The development hereby permitted shall thereafter be carried out in accordance with the approved Construction Management Plan.

Reason: To minimise danger and inconvenience to highway users.

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

**List of approved plans:**

<u>Received</u>	<u>Plan Reference</u>
29 Jun 2020	Site Plan P101C
29 Jun 2020	Block A Elevations P110C
29 Jun 2020	Block A G and _st floors P111B

29 Jun 2020	Block A 2nd and roof P112C
27 Apr 2020	Sections P106
17 Apr 2020	Amended Design and Access Statement
17 Apr 2020	Amended Archaeological and Heritage Statement
17 Apr 2020	Travel Plan
17 Apr 2020	Energy Strategy Report
17 Apr 2020	Street Elevations P102A
17 Apr 2020	Site Sections P105
17 Apr 2020	Block B Plans and Elevations P113A
17 Apr 2020	Block C Elevation P114B
17 Apr 2020	Block C P115B
17 Apr 2020	Block D P116A
17 Apr 2020	Block E Elevations P117B
17 Apr 2020	Block E Floor Plans P118B
17 Apr 2020	Block F Plans and Elevations P119A
17 Apr 2020	Topographical Survey P120A
23 Aug 2019	151630/AT/E01 Rev D
21 May 2020	Drainage Strategy
21 May 2020	Transport Statement
21 May 2020	Phase 1 Environmental Site Assessment
21 May 2020	Tree Protection Plan
21 May 2020	Ecology Technical Report
21 May 2020	Soft Landscape Proposals
21 May 2020	Hard Landscape Proposals
21 May 2020	Soft Landscape Specification

### **INFORMATIVE(S)**

1. With regard to security, you are advised that the parking area for Block A is large and easily accessible without appropriate boundary treatments and there is limited surveillance to this area with none available from the ground floor of Block A or from previous phase dwellings opposite. You are also advised that the proposed bin and cycle stores are fitted with double doors which are inherently insecure, requiring them to be closed in the right order to lock correctly. You are advised to consider the use of single wide doors. Also, the use of appropriate access controls can allow these stores to be fitted with self-closing and self-locking doors preventing them from being left accidentally insecure. These areas often attract ASB and criminal activity including drug usage and arson if not secured robustly. Where they are located within the fabric of the building doors should meet the minimum standard of PAS24:2016. With regard to Rear access Gate Block C, a secure gate should be provided at the front fascia of the building for Block C to prevent unauthorised access between this block and the plots of Block D. You are also advised that the rear boundaries of numerous plots are accessible and so robust defensive space should be provided especially along the southern boundary to prevent unauthorised access. Robust defensive planting should be present to prevent unauthorised access over the rear retaining wall and the addition of a trellis topping could help to deter entry being non-weight

bearing. Finally you are advised that there is limited information relating to the proposed physical security for the development ie. access controls, proposals for postal services and this should be provided.

## **APPENDIX A: Consultation Responses and Representations** **PL/19/1734/FA**

### Councillor Comments

Councillor MacBean has called this application in to Committee in the event of it being recommended for approval.

### Town Council Comments

“No Objections.”

### Consultation Responses

#### **Economic Development Officer:**

Objection but ‘We also recognise the constraints on the industrial estate, given its current condition and location. ....it is extremely disappointing to see the commercial proposals now withdrawn.’

#### **Building Control (Access for the Disabled):**

No objection.

#### **Thames Valley Police:**

Some outstanding concerns and a suggested condition to be imposed in the event of planning permission being forthcoming.

#### **Education Officer:**

No objection subject to the entering into of a Legal Agreement to ensure education contributions.

#### **Landscape Officer:**

No comments at time of drafting report, any comments to be reported orally.

#### **Strategic Environment Team:**

Recommends conditions relating to contaminated land.

#### **Strategic Access Officer:**

No objection.

#### **Waste Development Team:**

No objections

#### **Highways:**

No objection subject to the imposition of conditions.

#### **Lead Local Flood Authority (LLFA):**

No objection subject to the imposition of 2 conditions.

**Ecology:**

No objection subject to the imposition of 2 conditions.

**Arboriculturalist:**

No objection subject to the implementation of the submitted tree protection measures.

**Buckinghamshire Healthcare NHS Trust:**

A contribution is necessary to ensure that Health services are maintained for current and future generations and in that way make the development sustainable.

**Environmental Health (Renewable Energy):**

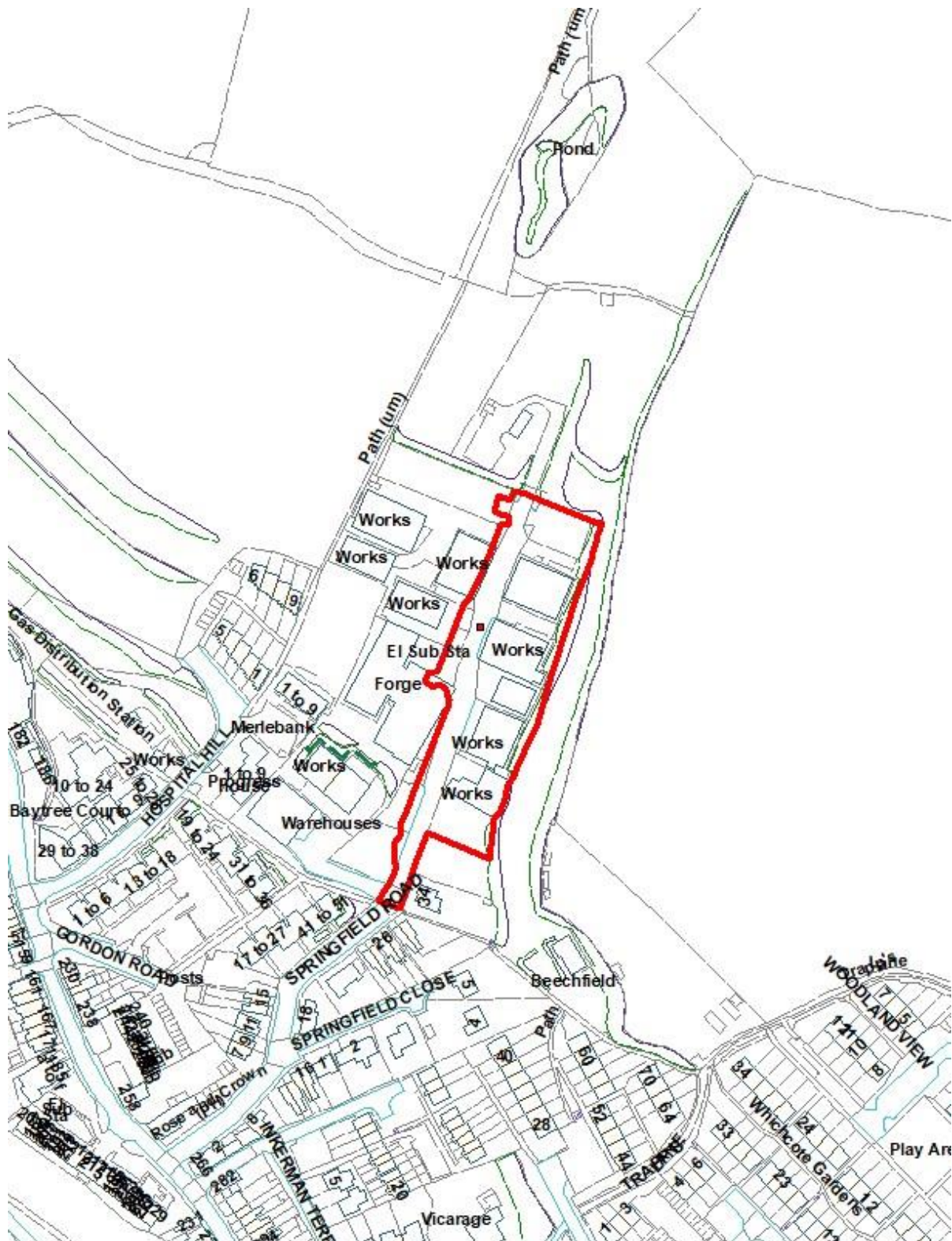
No response at the time of drafting this report, any comments to be reported orally.

Representations

5 representations have been received on the application which are summarised below:

- Letters of objection have been received from 3 addresses but the objection letter on their behalf from Springfield Road Estate has not been received.
- Neutral letters have also been received from 1 address stating:
  - No objection if the road is resurfaced and turning bay is provided for residents.
- A letter has been received from 1 address in support of the application on the following grounds:
  - The road will be resurfaced;
  - More on-site parking.

## APPENDIX B: Site Location Plan - PL/19/1734/FA



Do not scale – this map is indicative only

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