



Report to South Buckinghamshire Area Planning Committee

Site Location:

13 Copperfields, Beaconsfield, Buckinghamshire, HP9 2NS,

Proposal:

Four new detached dwellings with associated garages, access, parking and landscaping, following the demolition of the existing dwelling

Application Number:	PL/19/4444/FA
Applicant:	South Bucks Developments Limited
Case Officer:	Richard Regan
Ward affected:	Beaconsfield North
Parish Town Council:	Beaconsfield Town Council
Valid date:	24 December 2019
Determination date:	9 October 2020
Recommendation:	Conditional Permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application proposes the redevelopment of the site to provide four detached dwellinghouses with garages, access, parking and landscaping. It is proposed to demolish the existing dwelling at No.13, and replace it with 4 new dwellings, which would extend into the site in a north/south linear fashion, facing westwards.
- 1.2 It is to be noted that planning permission has previously been granted, at appeal, on this site for a very similar form of development, ref: 14/01630/FUL. This previous scheme is considered important in the sense that it provides a view as to what level of development maybe considered appropriate and acceptable on this site, and is

considered to constitute a material consideration in the assessment of this current application.

- 1.3 The proposed development is located within the developed area of Beaconsfield where new dwellings are considered acceptable in principle.
- 14 The application has been referred to the Planning Committee following discussion between Officers and the Chairman. In the interests of the wider public it is considered that the application would benefit from further scrutiny.
- 1.5 The recommendation for this application is Conditional Permission

2.0 Description of Proposed Development

- 2.1 The application proposes the redevelopment of the site to provide four detached dwellinghouses with garages, access, parking and landscaping.
- 2.2 It is proposed to demolish the existing dwelling at No.13, and replace it with 4 new dwellings, which would extend into the site in a north/south linear fashion, facing westwards. The proposed dwellings, which are all of similar design, display a different style of appearance to the existing dwellings within Copperfields, and would have greater ridge heights of up to 9.5m, with accommodation within the roof space. A minimum gap of 2m would be retained between the dwellings, whilst a minimum gap of 1.5m would be retained to the flank boundary with No.14 Copperfields. The minimum gap retained between the front of the proposed dwellings on plots 1 to 3 and the western boundary would be 16.5m, whilst the dwelling on plot 4 would retain a gap of 11.7m. The dwellings would be served by rear gardens ranging from 17m to a max. of 24m in depth.
- 2.3 The existing access point would be retained and serve a new access drive leading into the site.
- 2.4 The application is accompanied by:
 - a) Design and Access Statement
 - b) Tree Report
 - c) Ecology Report
 - d) Flood Risk and SuDs report
- 2.5 Additional supporting information have been submitted throughout the duration of the application to demonstrate how the proposed development will adequately deal with the disposal of surface water.

3.0 Relevant Planning History

- 3.1 Relevant planning history for the site:

08/00613/FUL – Refuse Permission - 23 May 2008 - Redevelopment of site for five detached dwellinghouses including garaging, parking and landscaping.

09/00620/TPO – Refuse Permission - 19 August 2009 - Area of dense holly and bramble - Clear 60 - 70%. (BCC TPO No. 16, 1951). Allowed at appeal.

12/00755/TPO – Conditional Permission - 12 July 2012 - Area of dense holly and bramble - Clear 60 - 70% (the felling/uprooting of all of the small trees growing within a defined area of the woodland TPO occupying part of the rear garden of 13 Copperfields, as shown in green on the plan accompanying the application). (BCC TPO No. 16, 1951).

14/01630/FUL – Refuse Permission - 2 October 2014 - Erection of four new detached houses with garages, access, parking and landscaping. Allowed at Appeal.

4.0 Summary of Representations

- 4.1 Letters of objection have been received from 14 separate households regarding the proposed development. A summary of consultation responses and representations made on the application can be viewed in Appendix A.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2019.
- Planning Practice Guidance
- National Design Guidance, October 2019
- South Bucks Core Strategy Development Plan Document - Adopted February 2011
- South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011;
- South Bucks District Local Plan Appendix 6 (Parking standards)
- Draft Chiltern and South Bucks Local Plan 2036.
- South Bucks District Council Residential Design Guide Supplementary Planning Document (SPD) - Adopted October 2008
- Chiltern and South Bucks Townscape Character Study 2017
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- Burnham Beeches Special Area of Conservation (SAC) Mitigation Strategy, March 2020
- 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, only limited weight can be given to this document.

Principle and Location of Development

Core Strategy Policies:

CP1 (Housing provision and delivery)

Local Plan Saved Policies:

H2 (Housing allocation)

- 5.1 The site is located within the developed area of Beaconsfield where new dwellings can be acceptable provided that they do not adversely affect any interests of acknowledged importance, which include factors such as the character and appearance of the area and the amenity of neighbouring properties.
- 5.2 It is important to note that the principle of a similar form of residential development was previously found acceptable by the Appeal Inspector, and this is considered a material consideration in the assessment of this current application.
- 5.3 The NPPF suggests that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area (para. 70). This Council already has such policies in the form of policy H10 of the Local Plan, which resists the development of residential garden land. This application site does not fall within the designation (Residential Area of Exceptional Character) that policy H10 applies to, as it is not considered that its character and appearance warrants the special protection afforded by policy H10. The South Bucks Townscape Character Study does designate this site as having a 'Green Suburban Road' typology, however it is not considered that this designation prevents the introduction of additional dwellings, provided they would not adversely affect the character and appearance of the site or locality in general.
- 5.4 In addition to the above, chapter 11 of the NPPF encourages local planning authorities to make an effective use of land. Paragraph 117 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting needs for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 5.5 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.
- 5.6 In summary, the site is located within the developed area of Beaconsfield where new dwellinghouses are considered acceptable subject to other

material planning considerations such as the impact on the character area and neighbouring residential amenities. In addition to this, the redevelopment of this site for additional residential units was previously considered acceptable by the appeal Inspector, which is a material consideration. Furthermore, the proposal would align with the aims of the NPPF in providing additional homes, making effective use of land and achieving sustainable development.

Transport matters and parking

Core Strategy Policies:

CP7 (Accessibility and transport)

Local Plan Saved Policies:

TR5 (Access, highways work and traffic generation)

TR7 (Traffic generation)

- 5.7 In dealing with transport matters and parking, the appeal Inspector considered that the previous scheme was acceptable. This current scheme proposes the same access and vehicular arrangements as that previous application, as well as the same level of parking provision.
- 5.8 Each dwelling would be provided with at least 3 off street parking spaces, thereby meeting the Councils parking standards.
- 5.9 The Highways Officer raise no objections to the proposals therefore it is considered that the existing vehicular access is adequate enough to serve the proposed new dwellings, the increase in vehicular movements can be accommodated within the existing highway network, and overall, the proposal would not adversely impact upon the highway safety.

Raising the quality of place making and design

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development)

EP4 (Landscaping)

EP6 (Designing to Reduce Crime)

H9 (Residential development and layout)

H13 (Ancillary buildings within residential curtilages)

- 5.10 In dealing with matters of density, layout, and the design, size, scale, and appearance of the proposed dwellings, the appeal Inspector considered the previous scheme acceptable. This current proposal incorporates the same

number of dwellings in a very similar layout to that approved scheme. The most significant difference is the design of the proposed dwellings.

- 5.11 It is considered that an assessment of the resultant density of the scheme still forms an important part of the overall consideration of the proposal. The proposal would result in a density of approx. 15.4dph, which is the same as the previously approved scheme. This density is not considered to be significantly out of keeping with the prevailing density of the area, and when balanced against the need to make efficient use of land, it is considered that the proposed density of the scheme would not appear inappropriate. It is noted that the Inspector considered that this level of density was acceptable.
- 5.12 With regard to the layout, this would be the same as the previously approved scheme, and it is considered that the proposed development would not appear out of context or out of keeping with the existing pattern of development in the immediate vicinity. The proposed dwellings would continue the pattern of the dwellings off of the head of the cul-de-sac, albeit with an increase in number, and as such, it is considered that the layout of the proposed dwellings would relate acceptably to the surrounding development, would not appear isolated, and due to their set back from the highway, would have limited presence within the street scene. As such, it is considered that this proposed layout would not have a material impact on the existing pattern of development or the character of the area. It is important to note that this view follows that of the Inspector when granting permission for the previous scheme.
- 5.13 The level of spaciousness retained on site is considered acceptable. The gaps retained to the site's boundaries and between the new dwellings themselves are considered sufficient, and would not appear out of place for the general vicinity, and are extremely similar to that of the previously approved scheme. The proposed residential outdoor amenity spaces for the proposed dwellings are also considered sufficient, with garden lengths ranging from 17m to 24m, and overall plot sizes that are comparable to other properties already within Copperfields and the surrounding area. As such, overall, it is considered that the development would not appear cramped or out-of-place, nor would it represent an overdevelopment of the site.
- 5.14 Copperfields is characterised by two storey detached dwellings that are of a particular design, resulting in an American 'Colonial' appearance. It is acknowledged that the proposed dwellings display an entirely different design and appearance, as well as being larger in terms of their height, scale and bulk. However, it is considered that given the location of the dwellings at the head of the cul-de-sac, set back from the highway and partially screened from Copperfields, it is considered that they would have a certain amount of detachment from the existing street scene and would not be read in the context of this street scene. As such, it is considered that the proposed dwellings, whilst not reflecting the size, style and appearance of the existing

dwellings within Copperfields, would still be acceptable, and would not have a detrimental impact on the character of the area or the appearance of the existing street scene.

- 5.15 It is considered that due to the proposed siting of the new dwellings, set back away from the highway, and partially screened, they would have a very limited presence within the existing street scene. As such, it is considered that they would therefore have very limited impact on the characteristics of the locality, and the typology of a 'Green Suburban Road'. Notwithstanding this, it is considered that the development would still provide for the retention of the existing mature trees that form the important backdrop to the ancient woodland beyond. Therefore this important characteristic of the site, which is visible from the public realm, would not be significantly impacted upon as a result of the proposal.
- 5.16 It is noted that the Inspector also took this view in determining the visual impact of the introduction of dwellings that did not follow the style and appearance of the existing dwellings within Copperfields. The current application differs from that previous scheme in that the design and appearance of the proposed dwellings have changed, but whilst still displaying a different character to that of the rest of Copperfields. The dwellings are in fact lower than those previously approved, with them being a minimum of 0.7m lower in height. As such, it is considered that the dwellings currently being proposed will have less of a presence than those previously approved.
- 5.17 Overall, it is considered that the proposed development would have no material adverse impacts on the character and appearance of the street scene and locality in general, nor would it not threaten the areas characteristics as set out in the Townscape Character Study or the adjacent Green Belt or AONB.

Amenity of existing and future residents

Local Plan Saved Policies:
EP3 (The use, design and layout of development)
EP5 (Sunlight and daylight)
H11 (Alterations and extensions to dwellings)

- 5.18 In dealing with matter of residential amenity, the appeal Inspector considered that the previous scheme would not have led to any unacceptable impacts on neighbouring properties. This current scheme proposes very similar relationships and distances between the proposed dwellings and the existing neighbouring dwellings.

- 5.19 Given the distances retained to the neighbouring properties, the proposed new dwellings would not result in any loss of light to these properties nor would they appear over dominant or obtrusive.
- 5.20 With regard to the issue of overlooking, the proposed dwelling on plot 1 would be located directly adjacent to the northern flank boundary of No.14 Copperfields, and it would have two first floor side windows facing No.14. There is boundary screening in place in the form of conifer trees, and when considering the fact that these windows would serve bathroom facilities, it is considered that these windows could be conditioned to be fitted with obscure glazing in order to negate any over looking issues.
- 5.21 With regard to the neighbouring properties to the west, which include No.12 Copperfields and the dwellings located within Howe Drive, given that the distances retained to the rear of these properties range from 22m to 40m, which is almost the same as the previous scheme on the site, and no closer, it is considered that there would be no unacceptable overlooking opportunities created that would lead to a loss of privacy to these properties. It is noted that the dwelling on plot 4 would provide more first and second floor windows facing directly towards the dwellings in Howe Drive than the previously approved scheme, but given the distances retained, they would still not result in any unacceptable loss of privacy.

Flooding and drainage

Core Strategy Policies:
CP13 (Environmental and resource management)

- 5.22 Following the submission of further supporting information and details of how surface water drainage will be dealt with, the Councils SUDS Officers are satisfied that the proposed development will be capable of adequately dealing with surface water, and that it would not lead to any unacceptable flooding within the site or to any adjoining properties.

Landscape and visual Impact

Core Strategy Policies:
CP8 (Built and historic environment)
CP9 (Natural environment)

Local Plan Saved Policies:
EP3 (The use, design and layout of development)
EP4 (Landscaping)
L10 (Proposals involving felling or other works affecting trees covered by a Tree Preservation Order)

- 5.23 In dealing with the matter of trees, the appeal Inspector considered that the previous scheme was acceptable and would not have adversely impacted upon any trees, including protected trees and the ancient woodland. This current scheme maintains a very similar relationship with the nearest trees and woodland as that of the approved scheme, with the most notable difference being the introduction of small single storey rear additions to the dwellings.
- 5.24 It is acknowledged that the matter of the protected trees on this site has been an important consideration and subject of much debate in the past. The site is still covered by an area TPO, but it is noted that since the previous application, the triangle of land to the north of the site is no longer designated as Ancient Woodland. In assessing the matter of trees during the appeal of the previous application, the Inspector carefully considered the status of the site and impact of the proposed development and concluded that the development would not have an adverse impact upon the contribution existing trees make to the character and appearance of the area.
- 5.25 The current application has again been assessed by the Councils Tree Officer, who again raises no objections to the proposed development from the point of view of its impact on the protected and important trees within and adjacent to the site.
- 5.26 In light of the comments of the Inspector and the comments of the Councils Tree Officer in relation to the current application, it is considered that the proposed development would not adversely impact upon the existing protected trees or the contribution that they make to the character and appearance of the area.

Ecology

Core Strategy Policies:

CP9 (Natural environment)

CP13 (Environmental and resource management).

- 5.27 From an ecological point of view, it is noted that no objections were previously raised in relation to impact on protected species or wildlife in general. This current application has been accompanied by an up to date survey which concludes that there has been little change in respect of the ecological value of the site and the presence of any protected species. It is noted that the Inspector, in allowing the previous application, and based on the ecological evidence provided, did not consider that ecological enhancements were necessary other than the inclusion of a landscape scheme which incorporated appropriate planting. As already stated, the current application is accompanied by an up to date ecological appraisal, and this does set out a number of specific ecological enhancements that could be incorporated into the current proposal. In light of this new evidence, it is

considered that the application would not adversely impact upon any protected species or wildlife in general, and the inclusion of the suggested mitigation and enhancement measures would benefit the ecological and biodiversity status of the site.

- 5.28 Core Policy 9 of the adopted Core Strategy sets out that the highest priority will be given to the integrity of Burnham Beeches Special Area of Conservation (SAC). Para 3.3.11 of the Core Strategy also states that "where a specific development could result in significant effects on the SAC, a Project level (regulation 48) HRA will need to be carried out by the developer when the planning application is submitted to determine whether mitigation measures are required." This is also consistent with Section 15 of the NPPF relating to 'Conserving and enhancing the natural environment'.
- 5.29 Natural England has been consulted on this application and raises concerns regarding the impact on the Burnham Beeches SAC. Natural England state that when there is sufficient scientific uncertainty about the likely effects of the planning application under consideration, the precautionary principle is applied to fully protect the qualifying features of the European Site designated under the Habitats Directive.
- 5.30 Due to new evidence on the impacts of recreational and urban growth at Burnham Beeches SAC carried out by Footprint Ecology as part of the emerging Local Plan, Natural England recognises that new housing within 5.6km of the Burnham Beeches SAC can be expected to result in an increase in recreation pressure. The 5.6km zone represents the core area around the SAC where increases in the number of residential properties will require Habitats Regulations Assessment. Mitigation measures will be necessary to rule out adverse effects on the integrity of the SAC from the cumulative impacts of development.
- 5.31 Impacts to the SAC as a result of increasing recreation pressure are varied and have long been a concern. These impacts, which have the potential to adversely affects its interest features, include:
Contamination (e.g. dog fouling, litter, spread of plant pathogens);
Increased fire risk;
Trampling/wear (e.g. loss of vegetation, soil compaction, erosion, damage to trees from climbing);
Harvesting (e.g. fungi, wood);
Difficulties in managing the site (e.g. maintaining the grazing regime);
Disturbance (e.g. affecting the distribution of livestock and deer).
- 5.32 Natural England confirm that, in light of the new evidence relating to the recreation impact zone of influence, planning authorities must apply the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended), to housing development within 5.6km of the SAC boundary. The authority must decide whether a particular proposal, alone or in

combination with other plans or projects, would be likely to have a significant effect on the SAC.

- 5.33 Given the above, the Council has carried out an Appropriate Assessment for the proposed development. This concludes that without mitigation measures the development is likely to have a significant effect upon the integrity of the SAC with the result that the Council would be required to refuse this planning application.
- 5.34 In order to mitigate such impacts the Council has adopted a Strategic Access Management and Monitoring Strategy (SAMMS). The Council consider that the SAMMS, which is supported by Natural England, is robust and capable of mitigating the likely significant effects of the proposal over 500 metres and up to 5.6 kilometres provided the proposal pays a contribution towards the SAMMS. Natural England has also confirmed that subject to a legal agreement to secure this financial contribution they do not raise an objection on grounds relating to its impact on Burnham Beeches.
- 5.35 The applicant has agreed to the financial contribution and a legal agreement is being drafted to secure it. Provided this legal agreement is completed, then it successfully addresses the schemes impacts on Burnham Beeches.

Infrastructure and Developer Contributions

Core Strategy Policies:
CP6 (Local infrastructure needs)

- 5.36 The development is a type of development where CIL would be chargeable.
- 5.32 It is considered that other than the financial contribution towards the Burnham Beeches Mitigation Strategy, there would not be other types of infrastructure that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.

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 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.
- 6.4 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. A social objective would also be met as the proposal would provide additional housing and would make effective and efficient use of land, whilst giving regard to the local built environment.
- 6.5 The proposed development would therefore accord with both National and Local Plan Policies and is subsequently recommended for conditional permission.
- 6.6 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.
- 6.7 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.

7.0 Working with the applicant / agent

- 7.1 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 7.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

- 7.3 As aforementioned above, additional information was submitted following the comments raised by the Councils SuDS Officer. The applicant/agent was provided the opportunity to submit additional information to address these issues.

Recommendation:

Delegate the application to the Director of Planning and Environment to GRANT planning permission subject to the conditions set out in this report and any others which he considers appropriate and the satisfactory prior completion of a Legal Agreement relating to mitigation of Burnham Beeches SAC. If the Legal 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 above ground level until a schedule of materials to be used in the elevations of the development hereby permitted have been submitted to and approved by the Local Planning Authority in writing. 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) refers.)

3. No development shall proceed above ground level until a specification of all finishing materials to be used in any hard surfacing of the application site is submitted to and approved by the Local Planning Authority in writing. Thereafter the development shall be constructed using the approved materials. (SM02)

Reason: To ensure that such works do not detract from the development itself or from the appearance of the locality in general. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

4. Notwithstanding any indications illustrated on drawings already submitted, prior to the occupation of the development a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. Details shall include indications of all existing trees, shrubs and hedgerows on the site and details, including crown spreads, of those to be retained. 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.

Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from the occupation or substantial completion of the development, whichever is the later, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

6. 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.)

7. The first floor windows in the south elevation of the dwelling on plot 1 hereby permitted shall be fitted and permanently maintained with obscure glass.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property. (Policy EP3 and H9 of the South Bucks District Local Plan (adopted March 1999) refers).

8. No further windows shall be inserted at or above first floor level in the south elevation of the dwelling on plot 1 hereby permitted. (ND17)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property. (Policy EP3 and H9 of the South Bucks District Local Plan (adopted March 1999) refers).

9. The scheme for parking, garaging 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. (SH46)

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. (Policy TR7 of the South Bucks District Local Plan (adopted March 1999) refers.)

10. No other part of the development shall be occupied until the existing means of access has been altered in accordance with the approved drawing and constructed 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) refers).

11. 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.

12. The development hereby approved shall be carried out and maintained in accordance with the recommendations set out in the ecological appraisal undertaken by AA Environmental Limited, dated 20th December 2019, submitted and approved as part of this application. The recommended ecological and biodiversity enhancement measures set out within this document shall be incorporated into the development and implemented prior to the first occupation of the development hereby permitted or by the 1st planting season following completion.

Reason: In the interests of improving biodiversity in accordance with NPPF and Core Policy 9 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.

13. No works (other than demolition) shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles as set out in Technical Note (ref. SH/466/L001, 17th June 2020, Beal Consulting Engineers) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall

subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority should be given to above ground SuDS components

Existing and proposed discharge rates and volumes

Ground investigations including:

Infiltration in accordance with BRE365

Groundwater level monitoring during the winter period (November to March)

Subject to infiltration being inviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the drainage hierarchy as outlined in paragraph 080 of the Planning Practice Guidance.

Drainage layout detailing the connectivity between the dwelling(s) and the drainage component(s), showing pipe numbers, gradients and sizes, complete together with storage volumes of all SuDS component(s)

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.

Construction details of all SuDS and drainage components

Detailed capacity calculations for the swale as shown on Indicative Drainage Layout (drawing no. 466:SK01 Rev. B)

Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance

Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction

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

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
15 Jan 2020	P25/100
15 Jan 2020	P25/101
15 Jan 2020	P25/110
15 Jan 2020	P25/111
15 Jan 2020	P25/120
15 Jan 2020	P25/121

15 Jan 2020	P25/210
15 Jan 2020	P25/211
15 Jan 2020	P25/220
15 Jan 2020	P25/221
15 Jan 2020	P25/310
15 Jan 2020	P25/311
15 Jan 2020	P25/320
15 Jan 2020	P25/321
15 Jan 2020	P25/410
15 Jan 2020	P25/411
15 Jan 2020	P25/420
15 Jan 2020	P25/421
15 Jan 2020	P25/430
15 Jan 2020	P25/500
15 Jan 2020	P25/501

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. The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This 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 Council website at www.buckscc.gov.uk/services/transport-and-roads/highwaysdevelopment-management/apply-online/section-184-licence/
Highways Development Management
6th Floor, County Hall
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
Telephone 01296 382416

3. It is contrary to section 163 of the Highways Act 1980 (as amended) for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system. (SIH11)
4. 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)
5. 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)

APPENDIX A: Consultation Responses and Representations

Parish/Town Council Comments

The Committee wish to strongly object to this planning application as it is considered to be an overdevelopment of the plot, out of character compared to neighbouring properties and could cause issues with traffic and parking. The Committee also had concerns about the large number of long-established trees being cut down, despite their life expectancy.

Consultation Responses

Building Control:

I am able to confirm that the design appear unsatisfactory with regard to the requirements for Fire Brigade Access. Disabled access and facilities appears satisfactory.

Tree Officer:

The site is subject to a Woodland designated Tree Preservation Order known as no.16 1951. I have reviewed the revised site layout drawing P25/101 and there are minor changes to plots 1 & 2 in approved layout of planning application 14/01630/FUL with a larger increase in size to dwellings in plots 3 & 4. I have reviewed the submitted tree report and tree protection plan by GHA Trees Arboricultural Consultancy (5 December 2019) which includes an Arboricultural Impact Assessment (AIA) and preliminary Arboricultural Method Statement (AMS). The report is a fair representation on the quality of trees on site and the AIA and AMS has considered the ground protection measures of retained trees. Because of existing permission and juxtaposition of dwellings it appear to be still in accordance with the minimum guidance of BS 5837 so I have no objection in arboricultural terms.

If planning permission is granted I recommend the following planning conditions: ST18

Highways Officer:

Due to the similarity with the previous application, I consider that this application does not propose a material difference in highway terms and the principle of development remains the same. As such, I would like to reiterate comments made in the previous application. Whilst the Highway Authority would usually require an access width of at least 4.8m, the access width proposed would still allow for the simultaneous two-way flow of vehicles in this location, and the applicant could still implement the existing consent granted at appeal for a similar quantum of development.

Mindful of the above, the Highway Authority has no objection to the proposed development, subject to the following conditions being included on any planning permission you may grant:

Condition 1: No other part of the development shall be occupied until the existing means of access has been altered in accordance with the approved drawing and constructed 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.

Condition 2: The scheme for parking, garaging 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.

Condition 3: No part of the development shall be occupied until an area has been laid out within the site for vehicles to turn in accordance with the approved drawing and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off and turn clear of the highway thereby avoiding the need to reverse onto the public highway.

Informatives:

1. It is contrary to section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system.

2. The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This 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/highwaysdevelopment-management/apply-online/section-184-licence/
Highways Development Management
6th Floor, County Hall
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
Telephone 01296 382416

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

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

Natural England:

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Due to new evidence coming to light as part of the evidence base for the emerging Chiltern and South Bucks Local Plan, Natural England recognises that new housing within 5.6km of the internationally designated Burnham Beeches Special Area of Conservation (SAC) can be expected to result in an increase in recreation pressure.

The 5.6km zone proposed within Policy DM NP3 of the emerging Chiltern and South Bucks Local Plan represents the core area around the SAC where increases in the number of residential properties will require Habitats Regulations Assessment. Mitigation measures will be necessary to rule out adverse effects on the integrity of the SAC from the cumulative impacts of development.

NATURAL ENGLAND'S ADVICE

OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 5.6 KILOMETRES OF BURNHAM BEECHES SPECIAL AREA OF CONSERVATION (SAC) WITHIN 5.6 KILOMETRES

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. This may require the provision of bespoke

mitigation, such as Suitable Alternative Natural Greenspace (SANG), as part of the development in order to offset visitor pressure to the SAC. Such mitigation will need to be determined in agreement with Natural England.

Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

Please re-consult Natural England once this information has been obtained.

Impacts to the SAC as a result of increasing recreation pressure are varied and have long been a concern. These impacts, which have the potential to adversely affect its interest features, include:

Contamination (e.g. dog fouling, litter, spread of plant pathogens);

Increased fire risk;

Trampling/wear (e.g. loss of vegetation, soil compaction, erosion, damage to trees from climbing);

Harvesting (e.g. fungi, wood);

Difficulties in managing the site (e.g. maintaining the grazing regime);

Disturbance (e.g. affecting the distribution of livestock and deer).

In light of the new evidence relating to the recreation impact zone of influence, planning authorities must apply the requirements of Regulation 61 of The Conservation of Habitats and Species Regulations 2017 (as amended), to housing development within 5.6km of the SAC boundary. The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SAC.

Development in accordance with the emerging Chiltern and South Bucks Local Plan's DM NP3 Policy and emerging Avoidance and Mitigation Strategy would not be likely to have a significant effect on the SAC because they will provide, or make an appropriate contribution to, acceptable avoidance and mitigation measures. The planning authority can grant planning permission to such developments in accordance with the Regulations.

However, development proposals which are not in accordance with the above would be likely to have a significant effect on the SAC, either alone or in combination with other plans and projects. In accordance with Regulation 61, before granting planning permission for such a proposal, the planning authority must undertake an appropriate assessment of the implications of the development on the SAC, in light of the site's conservation objectives. The conservation objectives are to maintain and, where not in favourable condition, to restore, the Atlantic acidophilous beech forest habitat. Consequently, it is Natural England's view that the planning authority will not be able to ascertain that this proposed development as it is currently submitted would not adversely affect the integrity of the SAC. In combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat by reason of increased access to the site including access for general recreation and dog-walking. There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the tests of

Regulation 62. Priority Habitat as identified on Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006 The consultation documents indicate that this development includes an area of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. The National Planning Policy Framework (paragraph 174) states that 'when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'

Natural England notes that the development will result in a partial loss of deciduous woodland priority habitat. We advise that the applicant provides further detail on how this loss will be avoided, mitigated or compensated prior to the granting of any permission. Chilterns Area of Outstanding Natural Beauty (AONB) The proposed development is for a site adjacent to a nationally designated landscape namely the Chiltern Hills AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below. Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals, paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty. Further general advice on protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact the case officer Eleanor Sweet-Escott at Eleanor.sweet-escott@naturalengland.org.uk. For any new consultations or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk

Annex A – additional advice

Natural England offers the following additional advice: Landscape

Paragraph 170 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments.

Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply the requirements of the NPPF. This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in Natural England's Technical Information Note 049.

Agricultural Land Classification information is available on the Magic website on the Data.Gov.uk website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further. Guidance on soil protection is available in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species

Natural England has produced standing advice to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraph 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies. Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and

Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)².

Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Ancient woodland and veteran trees

You should consider any impacts on ancient woodland and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland/veteran trees where they form part of a SSSI or in exceptional circumstances.

Environmental enhancement

Development provides opportunities to secure a net gain for nature and local communities, as outlined in paragraphs 8, 32 and 170 of the NPPF. We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you may wish to consider off site measures, including sites for biodiversity offsetting. Opportunities for enhancement might include:

Providing a new footpath through the new development to link into existing rights of way.

Restoring a neglected hedgerow.

Creating a new pond as an attractive feature on the site.

Planting trees characteristic to the local area to make a positive contribution to the local landscape.

Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.

Incorporating swift boxes or bat boxes into the design of new buildings.

Designing lighting to encourage wildlife.

Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

Links to existing greenspace and/or opportunities to enhance and improve access.

Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)

Planting additional street trees.

Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.

Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access and National Trails

Paragraph 98 of the NPPF highlights the importance of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Biodiversity duty

Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

Waste Officer:

Waste services note the proposal for 4 detached dwellings. Residents to present their containers in a safe & suitable location adjacent to Copperfields on collection day only. Collections teams will not access the long drives under any circumstances. All collections to take place in accordance with council policies.

SUDS

07/02/2020

The LLFA objects to the proposed development due to insufficient information regarding the proposed surface water drainage scheme.

Flood risk

The Flood Map for Surface Water (FMfSW) provided by the Environment Agency shows that the site lies in an area of high risk of surface water flooding (meaning there is greater than 3.3% likelihood of flooding occurring in a given year). This flood extent inundates Plot 1, with an anticipated depth of 0.3m for the 3.3% AEP event; it is considered that a sequential approach has not been taken into account when locating the proposed dwellings within the site.

Moreover, for the 1% to 3.3% AEP surface water event the flood extent impacts upon all proposed dwellings, with Plots 1, 2 and 3 being significantly covered by a depth of 0.3m and areas on Plot 1 reaching 0.6m in anticipated depth. An online version of this

mapping data is available to view through the Environment Agency's Long term flood risk information mapping.

The Flood Map for Surface Water shows that areas of the site have a hazard rating of 'Significant' risk for the 1% AEP event (including Plot 1) meaning 'Dangerous for most people' (Framework and Guidance for Assessing and Managing Flood Risk for New Development, FD2320/TR2). Due to the risk of surface water flooding safe access and egress issues at this site are possible. It is recommended that an emergency flood plan is requested by the LPA, additional information can be found within the informative below. Groundwater emergence potential mapping, provided by Jeremy Benn Associates 2016, shows the groundwater level in the location of the proposed development to be between 0.5m and 5m below the ground surface for a 1 in 100 year return period. As such the anticipated high groundwater may have implications on the viability of an infiltration based scheme.

Resistance, resilience and managing the existing flow

It is acknowledged within the Surface Water Drainage Strategy that there is a surface water flow pathway which travels through the site, the applicant will need to demonstrate that this flow route will not be impeded, will not increase flood risk elsewhere and will not pose a significant risk to the future occupants of the development. The applicant may wish to consider conveyance features and mechanisms to enable the flow route to travel safely through the site.

The applicant has proposed that the FFL will be raised by 150mm, the LLFA would however expect the development to be sequentially located. If the proposed dwelling is still shown in an area of risk, a 300mm freeboard above the anticipated flood levels should be provided.

We would encourage the applicant to consider further flood resistance and resilience measures; further information can be found in Improving the Flood Performance of new buildings, Flood Resilient Construction (May 2007, Department for Communities and Local Government); These may include the implementation of flood doors, locating sockets 600mm above the designed flood level, the installation of airbrick ventilation systems above flood level. The application should also consider fitting the property with a damp membrane and using water resistant materials for the flooring. The applicant may also wish to consider using a waterproof mortar for the lower courses of brickwork. Internal walls could be finished with a waterproof additive and a lime based plaster.

Surface water drainage

Surface water runoff from the proposed development will be managed using infiltration techniques in the form of soakaways and permeable paving. Ground investigations to demonstrate the viability of the proposed scheme have not yet been undertaken.

Infiltration rate testing

The drainage scheme relies on infiltration as a means of surface water disposal; however infiltration rate testing has not been completed to support this approach. The applicant is required to complete testing in accordance with BRE 365. Tests must be completed in

the location (or as close as practically possible) and to the effective depth of the proposed infiltration component. Tests must be completed a minimum of three times and water should drain until nearly empty. The average time taken for the trial pit to drain from 75% full to 25% full is then used to calculate the infiltration rate. The worst calculated rate from the three tests is then used to inform the storage calculations.

Groundwater

As stated above the Groundwater Flood Map (Jeremy Benn Associates, 2016) indicates groundwater levels between 0.5m and 5m for the 1 in 100 year return period.

Groundwater fluctuates seasonally, with groundwater recharge occurring predominately over the winter period (November-March). Therefore, ground investigations must take place over the winter period to demonstrate seasonal variation.

In line with guidance set out in Section 13.2 of the CIRIA SuDS Manual (2015) there must be a minimum distance of 1m between the base of the infiltration component and the groundwater table. This distance is required 'to minimise the risk of groundwater rising into the infiltration component and reducing the available storage volume, to protect the functionality of the infiltration process by ensuring a sufficient depth of unsaturated material and to protect the groundwater from any contamination in the runoff.' The 1m freeboard has not been demonstrated and therefore due to the anticipated groundwater levels groundwater monitoring is required.

It should be noted that if site specific ground investigations demonstrate that infiltration techniques are not viable or ground investigations are unable to be completed at this stage of the planning process, then an alternative discharge method must be demonstrated.

Calculations

The LLFA is pleased that the proposed scheme is being designed to accommodate the 1 in 100 year storm event plus 40% climate change. We require 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 40% climate change storm event should be safely contained on site. These calculations must include details of critical storm durations, and demonstrate how the proposed system as a whole will function during different storm events. If any flooding occurs for the 1 in 100 year plus 40% climate change event, then we require details of where this flooding will occur and the volume of the flooding. At present calculations have been based on an assumed rate of $6 \times 10^{-6} \text{m/s}$. It should be noted that calculations will need to be provided based on the infiltration rates derived from the site specific testing and that when sizing a soakaway an infiltration co-efficient value should not be given for the base of the soakaway in order to account for siltation over time.

Incorporation of SuDS

Permeable paving has been proposed for the access with attenuation beneath it. The LLFA support the use of permeable surfacing to reduce hardstanding on site, this is able to provide not only storage but also additional filtration benefits. If following ground investigations infiltration is not found feasible then the applicant should explore the use of a Type C (tanked) permeable paving system.

The LLFA strongly encourages surface water reuse. It is encouraged that the applicant explores the opportunity to utilise an active rain water harvesting system. An active system enables water to be reused within the dwelling for non-potable uses such as toilet flushing and can therefore decrease the total volume of surface water which requires disposal at the site.

Safe access and egress informative

The applicant should demonstrate a safe access and egress route with a 'very low' hazard rating in accordance with the 'Framework and Guidance for Assessing and Managing Flood Risk for New Development' (FD2320/TR2) and the National Planning Policy Framework, can be provided from the development to an area wholly outside of the 1% annual exceedance probability (AEP) plus an appropriate allowance for climate change flood extent. By placing the future occupants of the development, including potential vulnerable people into this area of existing flood risk and safe access and egress issues this will create an increased burden on the local authority, the emergency services, and other associated parties during a time of a flood.

Advice to LPA

If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Further comments 21/05/2020:

The LLFA objects to the proposed development due to insufficient information regarding the proposed surface water drainage scheme.

Flood risk

The Flood Map for Surface Water (FMfSW) provided by the Environment Agency shows that the site lies in an area of high risk of surface water flooding (meaning there is greater than 3.3% likelihood of flooding occurring in a given year). This flood extent inundates Plot 1, with an anticipated depth of 0.3m for the 3.3% Annual Exceedance Probability event. The LLFA have previously highlighted that a sequential approach to locating the property has not been undertaken and this has again not be addressed. The LLFA would further recommend taking a sequential approach to the layout of the site and relocate Plot 1 away from the area of high risk. It is however acknowledged that the FFL will be raised 300mm above the anticipated 100 year plus climate change flood depth and as such would be raised to a minimum of 101.210 AOD for Plot 1. For the 1% to 3.3% AEP surface water event, the flood extent impacts upon all proposed dwellings, with Plots 1, 2 and 3 being significantly covered by a depth of 0.3m and areas on Plot 1 reaching 0.6m in anticipated depth. In response to this, the applicant has proposed that plots 2, 3 and 4 will be sited 150mm above surrounding ground levels. The LLFA would anticipate further measures to be implemented. An online version of this mapping data is available to view through the Environment Agency's Long term flood risk information mapping. It has also been previously highlighted that the Flood Map for Surface Water shows that areas of the site have a hazard rating of 'Significant' risk for the 1% AEP event (including Plot 1) meaning 'Dangerous for most people' (Framework and Guidance for Assessing and Managing Flood Risk for New Development, FD2320/TR2). Due to the risk of surface water flooding, safe access and

egress issues at this site are possible. As such it has previously been recommended that an emergency flood plan is requested by the LPA, it would also be for the LPA to determine the suitability of this.

In response to the concerns of safe access and egress, it is proposed that the on site access will be raised to 101.06 AOD in order to provide a 150mm freeboard above the 1 in 100 plus climate change event and enable access during times of flood. It should however be highlighted that by raising the access this would in turn alter the flow route and may subsequently increase flood risk elsewhere, thus would not be in accordance with the NPPF (2018). The applicant will need to demonstrate that this flow route will not be impeded, will not increase flood risk elsewhere and will not pose a significant risk to the future occupants of the development. The applicant may wish to consider conveyance features and mechanisms to enable the flow route to travel safely through the site, this may include the incorporation of swales.

Property level protection

Due to the existing surface water flood risk to the development, it is encouraged further flood resistance and resilience measures are incorporated within the proposed development and details of those to be included should be provided. These may include the implementation of flood doors, locating sockets 600mm above the designed flood level, the installation of airbrick ventilation systems above flood level. The application should also consider fitting the property with a damp membrane and using water resistant materials for the flooring. The applicant may also wish to consider using a waterproof mortar for the lower courses of brickwork. Internal walls could be finished with a waterproof additive and a lime based plaster; further information can be found in Improving the Flood Performance of new buildings, Flood Resilient Construction (May 2007, Department for Communities and Local Government).

Surface water

Ground investigations were conducted to assess the viability of the previous surface water drainage proposal; it was indicated that managing surface water using soakaways would not be suitable. As such, the proposal has been revised to discharge surface water to a deep borehole soakaway. Infiltration rate testing at depth has not been undertaken therefore the viability of the current proposal has not been demonstrated. Additionally, an assessment of the site has highlighted concerns regarding the risk of solution features; as such, if an infiltration based scheme at depth is pursued then the advice of a geotechnical engineer must be sought in order to verify the suitability of this at this site.

Ground investigations

Within the Aviron Associates Limited report (20-148.01 Rev A) it is stated that from a desk based assessment there is moderate risk of solution features in the southern two thirds of the site and as such further consideration regarding this risk should be undertaken. Within the report it is suggested that for a moderate risk, drainage should not be infiltrated and that specialist site investigations and stability assessments should be undertaken. Further assessment of the risk of dissolution features and ground stability at the site will need to be undertaken by a geo-technical expert in order to pursue an infiltration based approach. It should be noted that if infiltration is discounted as a method of surface water disposal, the

applicant will need to provide a viable alternative method in line with the drainage hierarchy as outlined within paragraph 080 of the Planning Practice Guidance.

Infiltration rate testing

The infiltration rate testing which was conducted established that infiltration at the depth of soakaways is not viable. However, within trial pit SP5 (the slowest infiltration rate of) 2.0×10^{-5} was derived; it should be noted that this was based on testing in extremely shallow geology in order to replicate the functionality of permeable paving. While SP5 indicates infiltration potential, due to the inability to infiltrate within the lower strata in other areas across the site the LLFA have concerns regarding the wider functionality of the permeable paving system.

Groundwater

The LLFA have previously highlighted that groundwater emergence potential mapping, provided by Jeremy Benn Associates 2016, shows the groundwater level in the location of the proposed development to be between 0.5m and 5m below the ground surface for a 1 in 100 year return period. As such, ground investigations were undertaken in March 2020 and indicated that no groundwater was encountered to a depth of 2.6m bgl. The applicant has also referenced borehole records to indicate the absence of groundwater to greater depths 50m BGL; notwithstanding, site specific ground investigations will be required if the proposal of a deep borehole soakaway is to be pursued. If infiltration techniques are not viable or further ground investigations are unable to be completed at this stage of the planning process, then an alternative discharge receptor must be demonstrated.

Calculations

The LLFA is pleased that the proposed scheme is being designed to accommodate the 1 in 100 year storm event plus 40% climate change. At present calculations have been based an assumed rate of 6×10^{-6} m/s. It should be noted that the LLFA do not accept assumed infiltration rates and the calculations must be provided based on site specific testing as such this will need to be updated accordingly. Calculations demonstrating that the proposed drainage system can contain up to the 1 in 30 storm event without flooding must be provided. Any onsite flooding between the 1 in 30 and the 1 in 100 plus 40% climate change storm event should be safely contained on site. These calculations must include details of critical storm durations, and demonstrate how the proposed system as a whole will function during different storm events. If any flooding occurs for the 1 in 100 year plus 40% climate change event, then we require details of where this flooding will occur and the volume of the flooding.

Incorporation of SuDS

The LLFA support the use of permeable surfacing to reduce hardstanding on site, this is able to provide not only storage but also additional filtration benefits. If following further assessment of ground stability and ground investigations, an infiltration based permeable paving is not found suitable then the applicant should explore the use of a Type C (tanked) permeable paving system. The LLFA strongly encourages surface water reuse. It is encouraged that the applicant explores the opportunity to utilise an active rain water harvesting system. An active system enables water to be reused within the dwelling for non-

potable uses such as toilet flushing and washing machines helping reduce dependency on potable water usage and act as an effective way of managing surface water.

Maintenance

The applicant has provided maintenance detail for the proposed scheme, providing an indication as to tasks required, frequency by which these will be undertaken and the persons responsible. The LLFA would like to highlight that at present the property owners are stated as being responsible for private drainage; it is unclear who would be responsible for undertaking maintenance of the shared attenuation tank. Further detail should be provided with regards to the maintenance of the shared components as to avoid confusion as to where the responsibility sits when maintenance is required or components replaced; it is anticipated that a maintenance company would be instated. Moreover, further information is required as to how the deep borehole soakaway itself will be maintained, should this method of surface water management be pursued. The applicant will be required to provide the updated maintenance detail at detailed design stage.

Advice to LPA

If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Further comments received 10/09/2020:

Flood Risk

The technical note provides further detail in relation to the surface water flood risk to the site and provides assurances that the finished floor levels are set above the anticipated flood depths for the 1 in 100 year storm event. In addition, the amended plans include a swale on the western side of the development to capture any overland flows and route this through the development. At detailed design stage further information on the capacity of the swale will be required.

Surface water drainage

Following my previous consultation response in July 2020, the applicant has sought to obtain an alternative method of surface water disposal. A pre-planning enquiry from Thames Water sets out further work would be needed to improve the capacity of the network however this work will not be carried out until the applicant has demonstrated to the LLFA the correct application of the drainage hierarchy as referred to in my previous letter. As it is not possible to conduct further testing at the site due to restrictions, these details will need to be secured by a suitably worded planning condition.

Condition 1

No works (other than demolition) shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles as set out in Technical Note (ref. SH/466/L001, 17th June 2020, Beal Consulting Engineers) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority should be given to above ground SuDS components;

Existing and proposed discharge rates and volumes;

Ground investigations including;

Infiltration in accordance with BRE365;

Groundwater level monitoring during the winter period (November to March);

Subject to infiltration being infeasible, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the drainage hierarchy as outlined in paragraph 080 of the Planning Practice Guidance;

Drainage layout detailing the connectivity between the dwelling(s) and the drainage component(s), showing pipe numbers, gradients and sizes, complete together with storage volumes of all SuDS component(s);

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;

Construction details of all SuDS and drainage components;

Detailed capacity calculations for the swale as shown on Indicative Drainage Layout (drawing no. 466:SK01 Rev. B);

Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance;

Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction.

Reason: The reason for this 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.

Environmental Health:

The historical maps indicate that the site was partially covered by woodland during the 1874- 1891 epoch, the property is shown on the map for the 1960-1976 epoch. The residential use of the site is unlikely to have given rise to anything more than diffuse anthropogenic contamination. However, the property was built in a period where made ground materials imported to site to allow the formation of foundations may have contained chemical contaminants and physical contaminants such as asbestos fibres.

Based on this, the following condition is recommended on this and any subsequent applications for the site.

The application requires the following condition(s):

1. 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.

INFORMATIVE: Information for Developers and guidance documents can be found online at http://www.southbucks.gov.uk/information_for_developers
<http://www.chiltern.gov.uk/article/2054/Information-for-Developers>

Forestry Commission:

Development management and woodland Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover, with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS).

It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, ancient trees or veteran trees, unless “there are wholly exceptional reasons and a suitable compensation strategy exists” (National Planning Policy Framework paragraph 175c).

You can find the updated NPPF at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

The Forestry Commission is a non-statutory consultee on developments in or within 500m of ancient woodland - further details.

The Forestry Commission has prepared joint standing advice with Natural England (Last updated 5 November 2018) on ancient woodland , ancient trees and veteran trees which we refer you to in the first instance. This:

is provided in place of individual responses to planning consultations, should be taken into account by planning authorities where relevant when determining planning applications; will provide you with links to Natural England’s Ancient Woodland Inventory, assessment guides and other tools to assist you in assessing potential impacts. In the majority of cases this will provide the advice you need to help you make your decision about a development proposal. If you wish to consult further the Forestry Commission please contact your local Forestry Commission Area office. In the wider planning context the Forestry Commission encourages local authorities to consider the role of trees in delivering planning objectives.

For instance through:

the inclusion of green infrastructure (including trees and woodland) in and around new development; and

the use of locally sourced wood in construction and as a sustainable, carbon lean fuel.

Representations

Amenity Societies/Residents Associations

Objections received from the Beaconsfield Society. Objections raised are as follows:

- Over shadows neighbouring properties;
- Over development of the site setting a precedent for higher density housing and tandem development on the estate;
- General increase in traffic from additional houses;
- Completely out of character with the neighbourhood breaching both the Local Plan and the estate covenants. That character is detached homes on spacious uniform plots with a shared common design;
- Loss of amenity (the integrity of the estate) and sets a precedent for future development;
- Not in compliance with the Copperfields estate covenant which prohibits changes in the character of the estate, as does the local plan;
- This development will harm the character and appearance of the estate contrary to Policies EP3, H9 and H11 of the South Bucks District Local Plan;
- Policy EP3 states among other things 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. Poor designs which are out of scale or character with their surroundings will not be permitted". The designs for these four large dwellings are not compatible;
- Policies H9 and H11 clearly state proposals for the development of land for residential purposes will only be permitted where, "the proposal would not adversely affect the character or amenities of nearby properties or the locality in general, for example through over-dominance, obtrusiveness, loss of privacy...". The designs of these dwellings adversely affect the character of the neighbourhood.

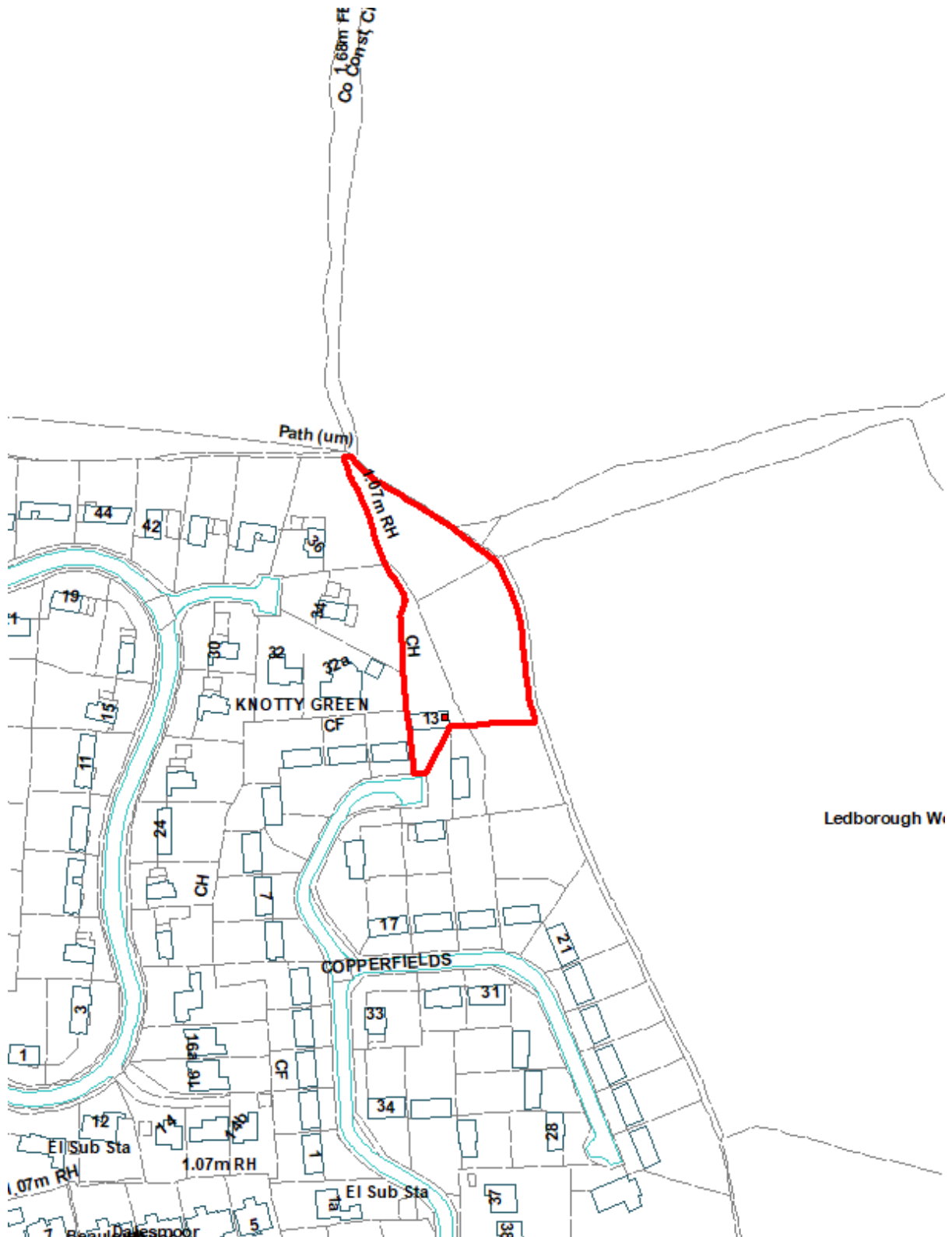
Other Representations

Objections have been received from 14 separate households relating to the proposed application and are summarised as below:

- Development on the site is subject to legal action at the high court;
- Scheme not materially different to previous scheme that was refused;
- Inappropriate in terms of scale in its setting;
- No material change on circumstances since the Council refused the previous scheme;
- TPO has been enforced previously on site;
- Inadequate waste provision/collection arrangements;
- Legal covenant restricting amount of housing allowed on one plot;
- Set a precedent;
- Houses out of keeping;
- Houses too tall;
- Loss of protected trees;
- Construction vehicles would cause danger and safety issues to residents;
- Drainage issues;
- No need for this infilling of residential gardens;
- Overdevelopment in terms of level of density;
- Damage existing character of area;

- Impact house values;
- Lack of consultation;
- Overlooking;
- Increase in traffic;
- Overshadowing;
- More landscaping required to prevent overlooking.

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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