

## Report to East Buckinghamshire Area Planning Committee

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<b>Application Number:</b>	PL/20/0860/FA
<b>Proposal:</b>	Demolition of existing garages and erection of four new dwellings (2 on site A and 2 on site B)
<b>Site Location:</b>	Land at the rear of Five Acres and Trapps Lane and Pheasant Rise Chesham, Buckinghamshire.
<b>Applicant:</b>	Paradigm Housing Group
<b>Case Officer:</b>	Lucy Wenzel
<b>Ward affected:</b>	Chess Valley
<b>Town Council:</b>	Chesham
<b>Valid date:</b>	10 March 2020
<b>Determination date:</b>	15 January 2021
<b>Recommendation:</b>	Conditional Permission

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

- 1.1 The application seeks permission for the erection of four dwellings. These will be split between two sites creating two semi-detached pairs of dwellings.
- 1.2 The application is before Committee as the Local Member Councillor MacBean has indicated that she would like the application heard before Committee should the Officers' recommendation be for conditional permission.
- 1.3 The recommendation for the proposal is conditional permission.

### **2.0 Description of Proposed Development**

- 2.1 The application seeks permission for the erection of four dwellings. These will be split between two sites creating two semi-detached pairs of dwellings.
- 2.2 Site A comprises a semi-detached pair of dwellings. Each dwelling measures approximately 6 metres in width with a depth of 8 metres. The roofs will be pitched with a ridge height of 7.5 metres. Given the nature of the form of the dwellings the overall built form will extend to a width of 12 metres.
- 2.3 Site B follows the same format as Site A with it comprising of a semi-detached pair of dwellings. Each dwelling measures approximately 6 metres in width with a depth of 8 metres. The roofs will be pitched with a ridge height of 7.5 metres.

Given the nature of the form of the dwellings the overall built form will extend to a width of 12 metres.

2.4 The application is accompanied by:

- a) *Design and Access Statement*
- b) *Arboricultural Impact Access Report*
- c) *Geo-environmental Report*
- d) *Ecology Report*
- e) *Parking Survey*

### **3.0 Relevant Planning History**

3.1 None.

### **4.0 Policy Considerations and Evaluation**

*Development Plan:*

- Core Strategy for Chiltern District - Adopted November 2011.
- Chiltern District Local Plan adopted 1 September 1997 (including alterations adopted 29 May 2001), consolidated September 2007 and November 2011.

*Other material considerations:*

- National Planning Policy Framework (NPPF), February 2019.
- National Design Guidance, October 2019
- Affordable Housing Supplementary Planning Document (SPD) - Adopted 21 February 2012
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule

#### **Principle and Location of Development**

Core Strategy Policies:

CS1 (The spatial strategy),

CS2 (Amount and distribution of residential development 2006-2026)

Local Plan Saved Policies:

H3 (Provision of new dwellings in the built-up areas excluded from the Green Belt (other than in accordance with Policies H2, H4 & H7)),

4.1 The site is located within the built up area of Chesham where in accordance with Policy H3, proposals for new dwellings are acceptable in principle subject to there being no conflict with any other Local Plan policy. Proposals should be compatible with the character of those areas by respecting the general density, scale, siting, height and character of buildings in the locality of the application site, and the presence of trees, shrubs, lawns and verges.

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

Core Strategy Policies:

CS4 (Ensuring that the development is sustainable)

CS20 (Design and environmental quality)  
CS22 (Chilterns Area of Outstanding Natural Beauty)  
CS32 (Green infrastructure)

Local Plan Saved Policies:

GC1 (Design of development throughout the district)  
GC14 (Access for disabled people to developments used by the public throughout the district)  
H11 (Distance between flank elevation(s) of a proposed multi-storey dwelling and boundary of dwelling's curtilage throughout the district)

- 4.2 The site presently contains 25 licensed garages which are split between Site A and B (19 in site A and 6 in site B). Both sites are accessed via Five Acres with Site B located to the left of this access and Site A further centrally within the site. The 2017 Townscape Character Study identifies this area as part of an “Open Plan Suburban” typology area. Open Plan Suburban areas are characterised by a sense of space and openness with no boundary treatments between buildings and roads. The townscape of these areas is identified as medium and small sized semi-detached dwellings and terraces, with uniform sized houses and plots. The built form is simple with a consistent architectural style of buildings.
- 4.3 The two plots currently accommodate a number of garage blocks which are standard in their design and form with hardstanding separating the spaces. Surrounding these blocks are rows of terraced housing creating a level of uniformity to the street design. These terraces form natural constraints to development and create the two parcels of land set to be developed. The proposed siting of the dwellings will follow the linear pattern of terraced development that exists around the site boundary. Each pair of dwellings extends this linear form and as such continues this key feature of development. The dwellings have been sensitively designed and placed within the site constraints to ensure limited negative impacts to the existing street character. To ensure that the dwellings enhance the area in terms of visual impact; design features, forms and materials have been drawn from the surrounding locality. The dwellings reflect existing designs and forms and as such subtly blend into the locality without appearing at odds.
- 4.4 In relation to the dwellings themselves, they have been designed so as to fit compactly and without constraint into either parcel of land and to be viewed as a visual extension to the existing built form that surrounds the sites which as a result sit appropriately in the context of the site. Each parcel of land will house a semi-detached pair which are of a scale and form that reflects neighbouring dwellings. Given this, when viewing the dwellings in the context of the locality, they have been sensitively designed so as not to damage existing character levels and provide a visual enhancement to the area. The overall design of the

dwelling is a traditional pitched roof of two storeys. The materials proposed are red brick at the lower level with vertical timber cladding at first floor level. Whilst maintaining a traditional visual appearance; modern elements are proposed such as large scaled window openings.

- 4.5 In comparing the proposed scheme against the surrounding locality, and referring to the Townscape Character Study, it is considered that the proposed dwellings are consistent in terms of the identified built form and architectural style. Further they are not considered to be to the detriment of the open nature of the surrounding locality and the development contributes to the character of the area in a positive manner. Therefore, having regard to the above assessment the proposal is deemed to be compliant with Local Plan Policies GC1 and H3.

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

Local Plan Saved Policies:

GC3 (Protection of amenities throughout the district)

H12 (Private residential garden areas throughout the district)

- 4.6 In terms of its impact upon residential amenities, there is a variety of building types in close surroundings ranging from dwellings to offices and retail units. To the northern boundary sits a terraced row of dwellings and careful consideration has been given to ensure minimal impact is presented to occupiers. The building is set closet to its southern boundary to maximise separation distances to these neighbours and no elevational windows are proposed along the northern flank. The balconies proposed along the eastern flank of the building have large screens which provide protection for privacy for both neighbouring residents and future occupiers of the building. Whilst it is acknowledged that the erection of a three storey building on this plot of land will be visible from surrounding buildings, it has been sensitively designed to minimise potential impacts
- 4.7 Given the above assessment, it is considered that the erection of the four dwellings will not result in adverse implications to neighbouring properties and residents. Therefore, the scheme is considered to be compliant with relevant Policy GC3.
- 4.8 In terms of amenities for future occupiers, each dwelling has been designed with a private rear garden which provides an area of private outdoor space for residents. Policy H12 states that garden depths should be adequate for and appropriate to the size, design and amount of living accommodation proposed. In line with this, the general standard depth expected is 15 metres. Where average garden depths in the vicinity of the development are significantly more or less than 15 metres then the proposed garden depth should reflect this. From assessing the site plan, the garden depths are significantly less than 15 metres but this reflects neighbouring gardens in the locality and there remains to be adequate rear garden provision that is appropriate to and adequate for the scale

of the dwellings. Therefore, no concerns are raised having regard to Local Plan Policy H12.

- 4.9 In relation to bin storage, provision is made on site for the storage of bins for each individual dwelling, providing protection and adequate storage space.

### **Landscape Issues**

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS20 (Design and environmental quality)

Local Plan Saved Policies:

GC1 (Design of development throughout the district)

- 4.10 An Ecology Report was conducted by Cherryfield Ecology (February 2019) which checked all habitats, buildings, trees and structures due to be affected by the proposal. The results of the report conclude that there was no evidence of bats, badgers, breeding birds, amphibians, reptiles or other protected species. Enhancements however are suggested to enhance biodiversity within the locality and these include the installation of bird and bat boxes. In relation to landscaping, as a number of a trees are being removed to facilitate the proposed layout new planting is recommended. A condition has been attached to the permission to ensure that ecological enhancements and landscaping planting is sought and achieved.

### **Transport matters and parking**

Core Strategy Policies:

CS25 (Dealing with the impact of new development on the transport network)

CS26 (Requirements of new development)

Local Plan Saved Policies:

TR2 (Highway aspects of planning applications throughout the district)

TR3 (Access and road layout throughout the district)

TR11 (Provision of off-street parking for developments throughout the district)

TR12 (Relaxation of parking standards throughout the district)

TR15 (Design of parking areas throughout the district)

TR16 (Parking and manoeuvring standards throughout the district)

- 4.11 As clearly laid out in the above Highway Comments, there has been considerable assessment of this assessment and the resultant impact that the development would have upon Trapps Lane and surrounding road networks in relation to parking displacement. A number of surveys were undertaken and submitted by the applicant including photographs of the wider site area to aid the assessment of the displacement. The Highways Authority state throughout their four sets of comments that if a sufficient evidence base is put forward in accordance with

Lambeth Methodology guidelines then parking availability on each surrounding road to the development (Gawdrey Close, Five Acres, Pheasant Rise, Waterside, Five Acres Spur, Trapps Lane and Garrett Close) can be accurately assessed.

Being mindful of the submitted information and data it is considered that there is sufficient space within the vicinity of the site to accommodate the 15 displaced vehicles which arises as a result of the loss of the garages.

- 4.12 The representations received from local residents are fully appreciated and noted and their concerns raised have been comprehensively considered. However; given that the submitted data and information provided by the applicant is compliant with the relevant Lambeth Methodology as requested by the Highways Authority and as the findings demonstrate sufficient levels of on-street parking availability within the immediate locality to Trapps Lane an objection based upon parking displacement cannot be sustained in an appeal scenario. Given the above, the Highways Authority have raised no objections to the scheme subject to conditions.
- 4.13 In relation to parking and access serving the new development access will be taken from Five Acres which serves the existing parking area for the surrounding dwellings. Footpaths will be constructed to ensure safe movements for future occupiers with Site A being additionally accessed via footpath from Trapps Lane. Dropped kerbs will be implemented to facilitate the parking bays serving each proposed dwelling. in terms of the number of parking spaces serving each dwelling this is proposed at 3 spaces. 13 spaces are however proposed split between the two sites (11 at Site A and 2 at Site B). This provides over the standard required under Policy TR16. The separation of the spaces between the two sites is denoted by the space availability which lends itself to placing more of the spaces in Site A. Whilst this only directly provides 2 spaces for Site B; the sites are in close proximity to one another and no concerns are raised with future occupiers potentially have to park vehicles in the spaces provided in Site A.

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

- 5.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 5.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
  - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
  - c. Any other material considerations
- 5.3 As set out above it is considered that the proposed development would accord with most of the development plan policies.
- 5.4 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

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

- 6.1 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and working proactively with applicants to secure good developments.
- 6.2 The Council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and, as appropriate, updating applications/agents of any issues that may arise in the processing of their application.
- 6.3 In this instance:
- The applicant/agent was updated of any issues after the initial site visit;
  - The applicant was provided the opportunity to submit amendments to the scheme/address issues;
  - The application was considered by the Planning Committee where the applicant/agent had the opportunity to address the Committee.
- 6.4 The applicant has agreed to the recommended pre-commencement conditions.
- 6.5 The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

### **Recommendation: Conditional Permission**

Subject to the following conditions:-

1. The development to which this permission relates must be begun before the expiration of three years from the date of this permission.  
Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 (1) of the Town & Country Planning Act 1990, as amended.

2. The exterior of the development hereby permitted shall only be constructed in the materials specified on the plans hereby approved or in materials which shall previously have been approved in writing by the Local Planning Authority.  
Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality.
3. Prior to the commencement of any works on site, detailed plans, including cross section as appropriate, showing the existing ground levels and the proposed slab and finished floor levels of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed datum point normally located outside the application site. Thereafter the development shall not be constructed other than as approved in relation to the fixed datum point.  
Reason: To protect, as far as is possible, the character of the locality and the amenities of neighbouring properties.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order, with or without modification), no windows / rooflights / dormer windows or openings other than those expressly authorised by this permission shall be inserted or constructed at any time at first floor level or above in the dwellings hereby permitted.  
Reason: To protect the amenities and privacy of the adjoining properties.
5. The first floor windows located in the flank elevations of all four dwellings shall only be glazed with obscured glass and shall be non opening up to a height of 1.7 metres above the floor of the room in which the windows are installed. No alterations to the size or glazing of these windows shall take place unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To protect the amenities and privacy of the adjoining property.
6. The scheme for parking 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.
7. Prior to the commencement of construction above ground level, a scheme of ecological enhancements shall be submitted to, and approved in writing by, the Local Planning Authority to ensure a net gain in biodiversity will be achieved. The scheme



will include details of new landscape planting and trees of known benefit to wildlife and provision of artificial roost features, including bird and bat boxes and other features such as hedgehog domes.

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

8. Before any construction work commences above ground level, full details of the means of enclosure to be retained and erected along all external boundaries of the site and between the individual gardens of the approved dwellings shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure between the individual gardens shall be erected prior to the occupation of that dwelling and shall be maintained as such thereafter.

Reason: To safeguard the visual amenities of the locality and the privacy of the adjoining properties.

9. 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.

10. The hardstanding hereby permitted shall be constructed in a permeable material.

Reason: To ensure that surface water run-off does not create flood issues in the locality.

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

**List of approved plans:**

<u>Received</u>	<u>Plan Reference</u>
10.03.2020	L4296 (P)001A SITE LOCATION PLAN
10.03.2020	L4296 (P) 002C PROPOSED SITE PLAN
10.03.2020	L4296 (P)003A SITE A GROUND FLOOR PLAN

10.03.2020	L4296 (P)004 SITE A FIRST FLOOR PLAN
10.03.2020	L4296 (P)005 SITE A ROOF PLAN
10.03.2020	L4296 (P)006 ELEVATIONS SITE A
10.03.2020	L4296 (P)007A SITE B GROUND FLOOR PLAN
10.03.2020	L4296 (P)008 SITE B FIRST FLOOR PLAN
10.03.2020	L4296 (P)009 SITE B ROOF PLAN
10.03.2020	L4296 (P)010 ELEVATIONS SITE B
10.03.2020	L4296 (P)011 PROPOSED CGI SITE A
10.03.2020	L4296 (P)012 PROPOSED CGI SITE A

### **INFORMATIVE(S)**

1. 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.
2. No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.
3. All wild birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Consequently, you should take adequate precautions to ensure that any tree work does not cause any disturbance to birds and their nests particularly during the normal nesting season of March to August. Similarly, all bats and their roosting sites are protected by the same legislation so precautions should also be taken to avoid carrying out activities which might harm or disturb bats or their roosts.
4. The Council is the Charging Authority for the Community Infrastructure Levy (CIL). CIL is a charge on development; it is tariff-based and enables local authorities to raise funds to pay for infrastructure.  
 If you have received a CIL Liability Notice, this Notice will set out the further requirements that need to be complied with.  
 If you have not received a CIL Liability Notice, the development may still be liable for CIL. Before development is commenced, for further information please refer to the following website <https://www.chiltern.gov.uk/CIL-implementation> or contact 01494 732792 for more information.

## **APPENDIX A: Consultation Responses and Representations**

### **TOWN COUNCIL:**

#### **Received on the 1<sup>st</sup> May 2020**

“The Committee recommends REFUSAL of this application on the grounds of loss of parking in an already congested area. The Committee is of the view that the initial parking survey was flawed and should have been undertaken after 6pm when residents had returned from their working environment and parked accordingly. This insufficient parking space will adversely affect the amenity of surrounding properties through roadside parking and, moreover, raises access concerns for emergency vehicles through Trapps Lane. Additionally, it will be overlooking to the property and garden of 12 Five Acres, resulting in loss of privacy and loss of light and result in the loss of pedestrian access to 14 Five Acres. The Committee would also wish to see longer time given for comments to be submitted, in light of the ongoing Covid-19 virus.”

### **Buckinghamshire Council Highways Authority:**

#### **Received on the 21<sup>st</sup> April 2020**

“Five Acres is an unclassified, residential cul de sac subject to a speed restriction of 30mph. The road is not subject to parking or waiting restrictions within the vicinity of the site. Five Acres benefits from pedestrian footways on both sides of the highway, as well as street lighting. This application proposes demolition of garages and development of 4(no) 2 bed dwellings.

Having assessed the proposed development, I note that the existing use of both sites comprises parking provision in the form of garages. I am mindful that these garages are: privately owned independent of associated dwellings, the parking spaces fall below the current parking space dimensions of the Buckinghamshire Countywide Parking Guidance policy document, and the garages have been demonstrated to have a low rate of occupation for vehicle parking. However, it must be noted that the parking survey was carried out during off peak hours, therefore the level of parking within the residential area, including the garages has not been assessed during peak times (00.30 – 05.30). However, as the applicant has shown that there are few movements during the peak commuting hours, there is sufficient evidence to demonstrate that the garages are likely to have a low usage for parking.

I understand that the landowner is not duty bound to provide parking provision at either of these sites for local residents and given that the spaces are of a limited size future up take of these spaces for parking purposes is likely to be low. The loss of the parking spaces provided by these sites is unlikely to lead to significant vehicle displacement onto the public highway.

Looking at the proposed layouts, the parking standards specify that each parking space should measure a minimum of 2.4m x 4.8m. Whilst I trust that the Local Planning Authority will consider the level of parking proposed, I can confirm that the 13(no) parking spaces proposed are of adequate dimensions and would allow for vehicles to park, turn and leave the site in a forward gear.

The application proposes 4 dwellings on 2 different sites, each site proposed will use the already existing access onto Five Acres. When considering trip generation along with evidence submitted by the applicant, I would expect a residential dwelling to generate approximately 4-6 daily vehicular movements (two-way). Therefore, in terms of trip generation from the site, the four dwellings would have the potential to generate approximately 16-24 daily vehicular movements (two-way). I am satisfied that these movements can be accommodated on the local highway network. However, as both sites are to be subject to intensification in use, the access points serving the development will need to be assessed in order to determine its suitability to accommodate the additional vehicular movements.

Having reviewed the submitted plans, I am satisfied that sufficient visibility splays can be achieved for both access points within the publicly maintained highway and land owned by the applicant. Given the unclassified residential nature of Five Acres, the proliferation of vehicular accesses within the vicinity of the sites leading to a reasonable expectation that drivers will be alert to vehicles accessing the highway, I am prepared to accept the location of the accesses adjacent to a highway junction in this instance. While the slowing and turning manoeuvres on approach to and at this junction is not ideal I do not believe highway safety would be detrimentally impacted. Expected vehicular speeds in this location are commensurate with the visibility splays that are achievable over land controlled by the applicant and land controlled by the Highway Authority.

Mindful of the above, the Highway Authority raises no objections.”

**Received on the 27<sup>th</sup> July 2020:**

“Five Acres is an unclassified, residential cul de sac subject to a speed restriction of 30mph. The road is not subject to parking or waiting restrictions within the vicinity of the site. Five Acres benefits from pedestrian footways on both sides of the highway, as well as street lighting. This application proposes demolition of garages and development of 4(no) 2 bed dwellings.

The Highway Authority has previously commented on this application dated 21<sup>st</sup> April 2020. The comments from the Highway Authority ultimately recommended conditions accordingly in the event that planning permission was to be granted. Following representations from Councillors and nearby residents, and the identification of weaknesses in the evidence that had been put forward, the Highway Authority requested a more robust parking survey to establish the parking levels at peak hours, this included 2 weekday nights.

Since the submission of an updated parking survey, there have been further representations that contend that the survey findings are not accurate; subsequently further evidence has been presented in the form of a parking survey that has been submitted by a resident, and additional photographic evidence and written representations. The Highway Authority has been requested to assess the evidence put forward by both the applicant and the local residents. Mindful of this, within my comments both surveys will be assessed and compared to each other, in order to ascertain accurate parking levels within the vicinity of the application site.

## Vehicular Displacement

Before assessing the findings of both surveys, I believe it is important to ascertain first how many vehicles are to be displaced onto the public highway. The parking survey submitted by the applicant contains information relating to vehicular movements using camera footage. The findings suggest that 10 garages are currently being used regularly for vehicles. There are concerns with these findings however; this review was only carried out on a single day (9<sup>th</sup> January 2020), when submitting this information, the Highway Authority would request a survey carried out over a minimum of two days to ensure more accurate data.

Following representations advising that this information is not accurate, Councillor MacBean has since spoken with the majority of garage users and has confirmed at least 15(no) of the 24(no) garages are used for parking purposes. 1(no) garage has been confirmed as storage use, but the use of the remaining 8(no) garages has not been confirmed. Taking into consideration the ratio of the garages that we know about that are used regularly for parking, compared to other uses it is reasonable to assume that at least 5(no) of the 8(no) remaining garages may also be used for parking, it is my view that whilst it is confirmed that 15 garages are used for parking, it is reasonable to conclude that this figure could be as high as 20(no).

The applicant has confirmed that no residents have the legal right to park on site – other than to use the garages, despite an historic tolerance of this practice. Photographic evidence from residents suggests that a number of cars are parking within the applicants red edge outline; however, as this is an existing situation this cannot be considered part of the displacement as a result of this development proposal. Any displacement this generates could take place anyway as a result of the landowner preventing this informal parking arrangement.

Mindful of the above, when taking into consideration the number of garages currently being used for parking, as well as the number of vehicles illegally parked within the application site, there are a minimum of 15 vehicles that will be displaced onto the public highway following this development. It is reasonable to consider that this figure could be as high as 20 vehicles.

However, within this application we can only consider the 15 vehicles associated with the garages as displaced by the development.

## Comparison of two parking surveys

An updated parking survey was requested to show parking levels during peak times, this included a snapshot survey between the hours of 00.30-05.30 on two weekday nights. This survey was carried out on Wednesday 27<sup>th</sup> May and Thursday 28<sup>th</sup> May, both surveys were carried out at 00.30. Whilst the survey provides details of number of spaces, and those that are occupied and available, no photographic evidence has been submitted to validate the findings. I note that there are typographical errors in the report, for example reference is made to Howard Crescent and Manor Farm Way, these are roads relating to a different application site in which a similar parking survey was submitted, this survey was carried out on the same date as the survey for this application. Mindful of this I have carefully examined

the findings of both parking surveys to look for any similarities and am satisfied that both surveys have been carried out independently of one another without duplications, with any errors being typographical in nature.

Following the applicants parking survey submission, representations have been made by numerous residents within the vicinity of the site, advising that the findings are not accurate. Therefore, monitoring data has been submitted by a resident which provides parking levels over the course of 4 days (between 9<sup>th</sup> July-12<sup>th</sup> July) at 20.30. However, in comparison with the applicants parking survey, the time in which these surveys have taken place is not consistent with Lambeth Methodology. Any times prior to the recommended Lambeth Methodology time (00.30-05.30) has the potential to include visitors or other parked vehicles visiting local shops, leisure or community facilities or commuters. Whilst the data has been collected at the incorrect time, pictures have been provided in support of their findings. I acknowledge that the Highway Authority did not instruct Cllr MacBean as to the requirements of a Lambeth Methodology Survey, however it was advised that evidence should be gathered to support the position that was being presented. This has been done, and I have considered this through the following analysis of the impact of the proposals.

When comparing both sets of information the data given by both the applicants and residents falls short of the required standards set out in the Lambeth Methodology, which leads to a situation whereby, a recommendation based on one or other set of information could be found to be unsound.

Nonetheless, I have reviewed the information supplied for each road that has been included in both surveys.

#### Waterside

The residents monitoring data demonstrates that parking levels along Waterside ranges from 2(no) – 8(no) available spaces, compared to a range of 15(no) – 17(no) available spaces shown in the applicants parking survey.

Due to the respective inadequacies of the applicant-supplied and resident conducted parking surveys, as well as the significantly contrasting findings of available parking along Waterside, I am not currently in a position to definitively determine the level of parking along this road.

#### Five Acres

There has been significant representation from residents that feel that the Five Acres road and spur is the most heavily congested, in relation to vehicular parking, and is not in a position to accommodate any additional users. Even though the resident-conducted monitoring data is flawed, it presents evidence demonstrating that 2(no) – 7(no) spaces are available, however there are also a number of vehicles that are parked illegally which could be a result of the lack of on-street parking available. If these illegally parked vehicles were to use the available spaces there would be no space available to additional users, in fact there is likely to be overspill of vehicles onto other roads within the vicinity of the site.

The applicant-based parking survey suggests parking availability ranges from 34(no) – 38(no) spaces (these numbers include availability of the Five Acres road and spur), which contrasts significantly with the resident conducted survey. Due to this I cannot accurately determine what the parking levels are on this road.

#### Gawdrey Close

Whilst the applicants parking survey points to a low level of availability to accommodate additional users, between 1(no) – 3(no) spaces, the residents monitoring data demonstrates that there is a higher level of parking available, between 6(no) – 10(no) spaces.

Should a survey be conducted in full compliance with the Lambeth Methodology and contain evidence of these illegally parked cars, I would be satisfied there is capacity for up to 7(no) additional users to park following this development.

#### Garrett Close

The data from both the applicant and resident confirms that is a high level of parking along this road. When considering that this is also an area that is subject to resident only parking restrictions, I am prepared to accept that there is no capacity to accommodate further parking on this street.

#### Pheasant Rise

Both sets of information differ significantly in relation to the number of parking spaces available along this road.

The applicant's parking survey suggests that the level of available parking ranges from 60(no) – 61(no) spaces, compared to a range of 2(no) – 4(no) spaces in the resident's monitoring data.

Having considered both the applicants and resident's submissions of the parking along Pheasant Rise I note that there is a large discrepancy between them regarding the total number of parking spaces potentially available. It is my inference that this is due to current practice being to park on one side of the road only whilst the applicants have assumed that it is possible to park on both sides. Without the drawings and full data from the applicants I am unable to assess if this is reflective of the available parking on this road.

Mindful of this, without a survey in line with Lambeth Methodology guidelines, I am not in a position to accurately determine what the parking levels are along Pheasant Rise.

#### Conclusion

In consideration of the respective inadequacies of the applicant-supplied and resident conducted parking surveys, I am not currently in a position to definitively determine the highway impact of the proposed development.

If there was a sufficient evidence base that was put forward in accordance with Lambeth Methodology guidelines (i.e. correct times for beat surveys, photographic evidence, production of accurate maps showing safe and legal parking spaces etc.) I would be able to supply the final highway comments on the proposed development. Nonetheless, at this juncture, I object to the application on highway grounds.”

**Received on the 2<sup>nd</sup> September 2020:**

“It was previously stated that due to the conflicting information of the applicants and resident’s submissions of the parking on the local highway network, I was not in a position to definitely determine the highway impact of the proposed development. Due to this in my second comments it was requested that if an evidence base was put forward in accordance with Lambeth Methodology including photographic evidence, and the findings demonstrated that the Local Highway Network can accommodate the number of displaced vehicles resulting from this development, then the Highway Authority would have no objections to the proposals.

Having assessed the applicant’s response, including the full version of the parking survey data, I note that no additional evidence has been submitted by the applicant. Whilst it was originally requested that a snapshot survey between 00.30-05.30 on two weekday nights would be acceptable, the Lambeth Council Parking Survey guidance note, included in the applicant’s comments, states the following:

Photographs of the parking conditions in the survey area can be provided to back-up the results. If submitted, the location of each photograph should be clearly marked.

Due to the number of representations made by residents within the vicinity of the site advising that the findings are not accurate, as well as conflicting data within the residents parking survey, it was necessary in this instance to ask for a Lambeth parking survey with photographic evidence.

I note that the applicant has summarised a range of parking space availability within the vicinity of the site, including a total range of 12 to 29 spaces. Within my second comments, along a number of these roads (Waterside, Five Acres, and Pheasant Rise) it was advised that due to the contrasting information of both surveys, parking levels could not be accurately determined and were therefore not considered.

Nonetheless, if I was to use the total range of parking spaces suggested in the applicant’s comments, this range does not guarantee that 15(no) parking spaces could be accommodated upon the local highway network, further increasing the need for a photographic evidence base to be put forward.

Mindful of the above, the Highway Authority would have no objections to the development if a parking survey was put forward in accordance with Lambeth Methodology which included photographic evidence, demonstrating sufficient on-street parking availability to accommodate any vehicular displacement as a result of the development. Therefore, in lieu



of this further information, we are prepared to uphold our objection as stated within our consultation response dated 27th July 2020.

**Received on the 11<sup>th</sup> November 2020:**

“The Highway Authority has previously commented on this application dated 21st April 2020, 27th July 2020 and 2<sup>nd</sup> September 2020. In most recent comments, the Highway Authority objected to this application based upon insufficient information submitted to enable the highways implications of the proposed development to be fully assessed.

I had previously stated that due to the conflicting information of the applicants and resident’s submissions of the parking on the local highway network, I was not in a position to definitely determine the highway impact of the proposed development. Due to this in my second comments it was requested that if an evidence base was put forward in accordance with Lambeth Methodology including photographic evidence, and the findings demonstrated that the Local Highway Network can accommodate the number of displaced vehicles resulting from this development, then the Highway Authority would have no objections to the proposals.

Due to the number of representations made by residents within the vicinity of the site advising that the findings were not accurate in the original parking surveys, as well as conflicting data within the residents parking survey, it was necessary in this instance to ask for a Lambeth parking survey with photographic evidence.

As mentioned in previous comments, when taking into consideration the number of garages currently being used for parking, as well as the number of vehicles illegally parked within the application site, there are a minimum of 15 vehicles that will be displaced onto the public highway following this development. However, five of the garage owners did not come forward with details on how the garages were used, and therefore this figure could be as high as 20 vehicles. However, within this application we can only consider the 15 vehicles associated with the garages as displaced by the development.

I note that there have been representations made that suggest the level of displaced parking as a result of the proposal should be higher than the number stated above, due to the amount of vehicles illegally parked on the site. However, as stated in previous comments, this is an existing situation so cannot be considered as part of the displacement, any displacement this currently generates could take place anyway as a result of the landowner preventing this informal parking arrangement.

The applicant has submitted an updated parking survey, including photographic evidence. Therefore, the Highway Authority will assess and provide comments on this below.

Gawdrey Close

Within the applicants parking survey, it is stated that 2(no) parking spaces on the 22<sup>nd</sup> September, and 3(no) parking spaces on the 24<sup>th</sup> September were occupied. Comparing this with the photographic evidence supplied however, this appears to be contrasting data, as the photographs show a higher level of parked cars than the data states.

Nonetheless, in the Highway Authority's previous comments, it has been stated that up to 7(no) additional vehicles can park following the development, after comparing the residents monitoring data and applicants parking survey. Therefore, I am prepared to accept that vehicles can be accommodated on Gawdrey Close.

### Pheasant Rise

Within the applications parking survey, the level of on-street parking availability is high (54(no) and 52(no) parking spaces). However, it is considered that this number is higher due to current practice being to park on one side of the road only whilst the applicants have considered that it is possible to park on both sides of the road at the same point, without obstructing the public highway.

When assessing the road widths, as well as information most recently submitted by a resident, parking on both sides of the road at the same point is likely to result in instances of obstruction of the public highway for emergency service vehicles and highway users in general. Mindful of this, parking space availability can only be included for one side of the road.

Nonetheless, the photographs included in the parking survey demonstrate available parking spaces. Therefore, I am satisfied that Pheasant Rise can accommodate a small number of vehicles displaced as a result of the proposed development.

### Five Acres

Similarly, to Pheasant Rise, the level of on-street parking availability is on Five Acres is high (39(no) parking spaces), which is likely due to the applicants determination that parking spaces are achievable on both sides of the road at the same point, however this is not possible due to the restrictive widths of Five Acres, therefore current practice is to park on one side of the road.

Mindful of the above, the applicant has included photographic evidence which demonstrates a small amount of on-street parking space availability. Comparing this with the residents monitoring data which advised that Five Acres is the most heavily congested road within the vicinity of the application site, I am prepared to accept that a small number of vehicles can be accommodated along this road.

### Five Acres Spur

The parking survey states that 15(no) parking spaces on the 22<sup>nd</sup> September, and 13(no) parking spaces on the 24<sup>th</sup> September were available. Having compared this to the photographic evidence also put forward, I am satisfied the Five Acres Spur can accommodate additional displaced vehicles as a result of the proposal. However due to the representations made by residents stating that this area is the most heavily congested, I am prepared to accept that this figure may be lower than the figures given in the applicant's data.

## Waterside

Whilst I note representations have been made raising concerns around the distance of Waterside relative to the application site, in line with Lambeth Methodology, parking surveys should cover an area of 200m walking distance from the application site. Mindful of this, part of Waterside that is in close proximity of the Pheasant Rise junction is included within these limits. Whilst I note this junction sits approximately 200m from the application site, the Lambeth Methodology states that surveys should be taken up to the next junction, in this case the Waterside/Pheasant Rise junction, therefore parking spaces around this junction have been included.

The photographs included in the applicants parking survey show parking space availability on Waterside, close to the Pheasants Rise junction. Therefore, I am satisfied this road can accommodate additional vehicles displaced as a result of the proposed development.

## Trapp's Lane

The submitted parking survey demonstrates that between 2(no) – 3(no) spaces are available on Trapp's Lane. However, as mentioned in the applicant's comments vehicles are unlikely to park there. As well as this, no photographs have been submitted for Trapp's Lane to evidence the available parking spaces. Therefore, I am not currently in a position to definitively determine the level of parking along this road.

## Garrett Close

I note the parking survey data from May 2020 suggested that parking along Garrets Close was high and could not accommodate additional vehicles; this was further reinforced by the residents monitoring data. The most recent parking survey however suggests that parking stress along Garrett Close is low and can accommodate additional vehicles.

Within the residents monitoring data, parking space along Garrett Close was not recorded, as the parking spaces are for residents only, which is clearly signed for road users. When considering that this is an area that is subject to resident only parking restrictions, I am prepared to accept that there is no capacity to accommodate further parking on this road.

## Conclusion

The Highway Authority previously stated that if there was sufficient evidence base that was put forward in accordance with Lambeth Methodology guidelines (i.e. photographic evidence) then the level of on-street parking availability can be more accurately assessed.

Mindful of the above comments which has considered parking availability on each road, I am satisfied on balance that there is sufficient space within the vicinity of the site that can accommodate the 15(no) displaced vehicles as a result of the loss of garages.

Whilst I fully appreciate the representations made by residents and local members, the applicants parking survey has been carried out in accordance with Lambeth methodology as requested by the Highway Authority. As their findings demonstrate sufficient levels of on-street parking availability, any objection that the Highway Authority would raise at this point would not be able to be sustained in an appeal scenario.

Therefore, the Highway Authority raises no objections to this application.”

**Building Control – Disabled Access:**

Received on the 4<sup>th</sup> May 2020

“I have no objections or further comments to make.”

**Environmental Health Team:**

Received on the 1<sup>st</sup> May 2020

“The historical maps indicate that the site has had an agricultural use, inferred by field boundaries shown on the map for the 1874-1891 epoch, allotments are shown on the map for the 1924-1925 epoch, the allotments are still present during the 1961-1971 epoch, the garages, surrounded by the wider housing development are shown on the map for the 1970-1988 epoch.

Soils on allotment sites are sometimes found to contain contaminants of concern resulting from activities such as the enrichment of soils, treatment with pesticides, the burning of waste materials etc.

Garage sites can pose certain risks. These can include leaking fuels, oils and fluids from the parking or storage of motor vehicles, the storage of fuels, oils, chemicals etc. and the presence of asbestos containing materials (i.e. corrugated cement roofing sheets). Direct contact with contaminants in soft landscaping is a possibility. Inhalation of fibres is also a possibility. Due to the presence of hydrocarbons, vapour intrusion and permeation of water pipes can be a possibility. Based on this, a contaminated land condition is required.”

**Representations:**

46 letters have been received from residents throughout the assessment of the application. Given the number of Highways comments received some residents have provided comment multiple times. A brief summary of all the comments received will be provided below:

**Character and Appearance:**

- *The development represents overcrowding in this area.*
- *Infilling will ruin the character of the estate and overwhelm it.*
- 

**Amenities:**

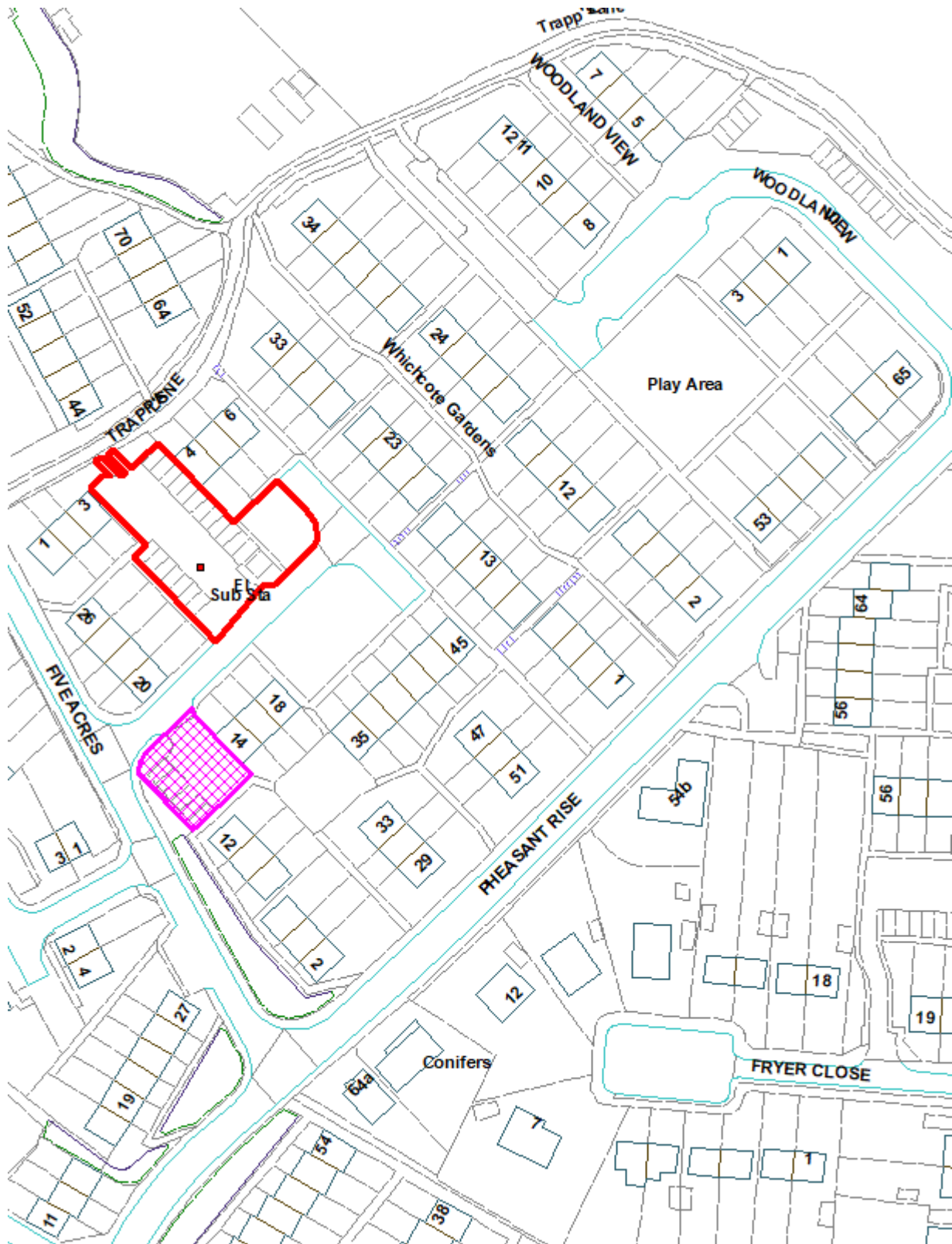
- *Side windows are proposed on the dwellings which would result in overlooking.*
- *The dwellings would block existing views for residents.*
- *The dwellings could create overshadowing to existing dwellings.*

**Parking and Highways**

- *The new dwellings will have their own designated parking but existing residents won't.*
- *There will be traffic generated.*
- *There are already no spaces for residents to park and this development will exacerbate it.*
- *The application should be refused on the grounds of parking inadequacy for existing residents.*
- *Trees have already been cut down which ruins the character of the area and more could be removed as a result of this.*
- *The parking surveys conducted are not accurate. They do not represent the true displacement of parking that the removal of the garages will create.*
- *Building new dwellings is positive but sensible consideration is needed with regards to the parking displacement.*
- *The geographical features of the area are not conducive to off road parking.*
- *Is there sufficient space for the access and movement of larger vehicles into the estate such as refuse lorries and emergency services.*

Residents did raise concern with the submitted Parking Report and Survey; Highways took note of these concerns and requested additional information be submitted from the applicant. This was received and was made available for residents to view.

## APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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