



Report to West Area Planning Committee

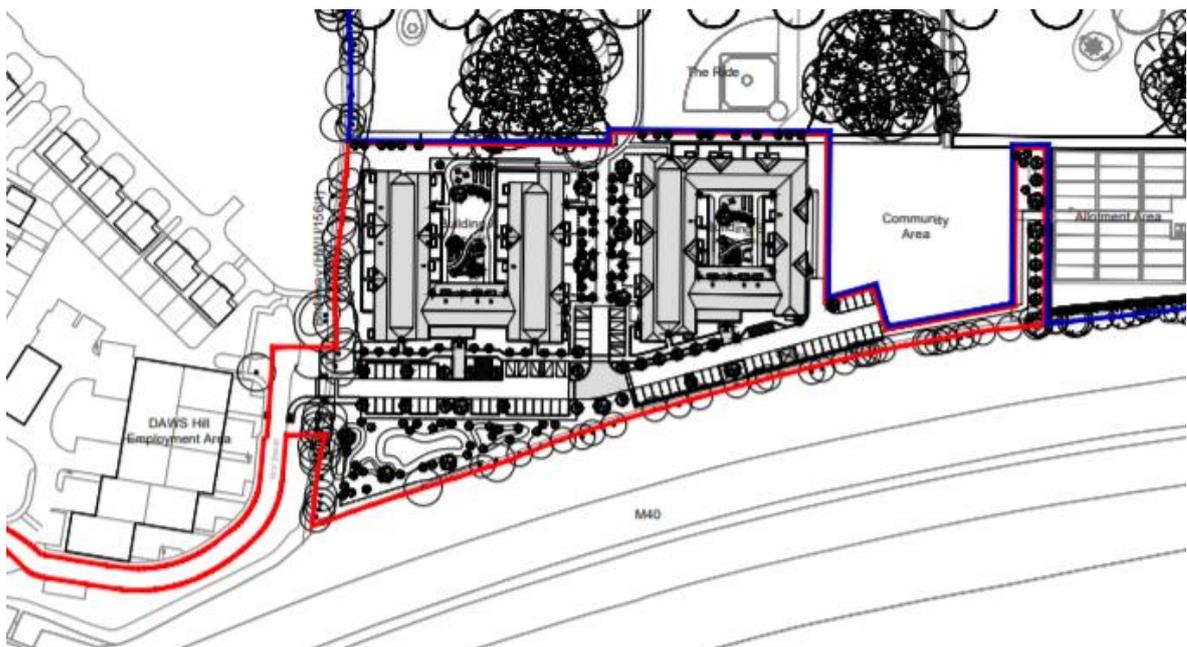
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| Application Number: | 20/07389/FUL |
| Proposal: | Erection of 2 x apartment buildings comprising 71 x 1-bed flats and 51 x 2-bed flats (122 flats in total) for use as Extra Care Facility with provision of 50 x parking spaces, infrastructure and vehicular access, amenity space including community and allotment area, landscaping and associated works |
| Site Location: | Abbey Barn South Reserve Site, Abbey Barn Lane, High Wycombe |
| Applicant: | Berkeley Homes (Oxford & Chiltern) Ltd |
| Case Officer: | Richard White |
| Ward(s) affected: | W038 – Ryemead & Micklefield |
| Parish-Town Council: | High Wycombe Town – Unparished |
| Date valid application received: | 21.09.2020 |
| Statutory determination date: | Current Extension of time 13.04.2021 |
| Recommendation | Refusal |

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 This is a full planning application for the two blocks of apartments on part of the Abbey Barn South site close to the Daws Hill Lane bridge crossing of the M40 motorway. The proposal includes that the apartments should be age restricted (55+). 60 of the 122 apartments are proposed for affordable rent. The site is allocated for employment development in the adopted local plan.
- 1.2 Local ward members had requested a report to planning committee if officers were minded to approve planning permission. The recommendation is to refuse, however officer's view is that a report to committee is still appropriate mindful of the planning history of the site and adjoining sites.
- 1.3 The application is primarily recommended for refusal due to conflict with the recently adopted Local Plan allocations for the site and the loss of much needed employment land that results. This harm is not outweighed by the positive benefits identified in this report. A second proposed reason for refusal relates to the lack of design quality demonstrated in building B – which it should be noted is also the building proposed for affordable rent.

2.0 Description of Proposed Development

- 2.1 The application site (shown edged red in Appendix B) comprises a tapering rectangular field of about 1.8HA and the proposed access route via the neighbouring development at RAF Daws Hill (Pinetrees) to Daws Hill Lane.
- 2.2 The overall arrangement of the proposals is shown in the submitted masterplan drawing 435.EXC.PL.200 (extract below). To the left of this drawing, the recently constructed houses at Pinetrees are visible together with the consented employment area, subject of a related S106 agreement. Toward the right side is the community area envisaged to accommodate the Chiltern Rangers relocation, with the new planned allotments beyond this. (The allotments are to be provided as part of the overall open space package associated with Abbey Barn Park which includes the substantial landscaped ride to the top of this drawing. The M40 at this point is only slightly below the level of the site.



Site location and layout

- 2.3 The application is accompanied by:
- Planning Application Forms (including ownership certificates);
 - CIL Forms;
 - Full plans and drawings;
 - Design and Access Statement;
 - Planning statement (and updates);
 - Employment needs study;
 - Extra care needs assessment;
 - Affordable Housing Statement;
 - Air quality assessment;
 - Noise assessment;
 - Daylight and Sunlight Assessment;
 - Flood risk assessment including drainage information and updates;

- m) Transport assessment;
- n) Archaeology reports;
- o) Tree survey plans, Arboriculture Impact Assessment, Canopy Cover Assessments (and updates);
- p) Ecological appraisal (including bat survey reports, reptile surveys and updates with dormouse surveys);
- q) Landscape and visual impact assessment
- r) Energy and utilities statements

Revisions to a number of technical documents were submitted in response to issues raised by statutory consultees and officers.

Statement of Community Involvement

- 2.4 There has been a high level of community involvement in the site as a whole, including engagement around the Development Brief and new Local Plan, but less so with regards this specific proposal for extra care housing (in part due to the restrictions imposed under lockdown). The Council has widely consulted on the planning application and the responses are summarised in Appendix A of this report and are available in full on our web site. (The proposal has not generated a response from the local community.)

Environmental Impact Assessment

- 2.5 The negative screening opinion adopted by the Council in 2017 in connection with the wider proposals was with respect to “Up to 600 dwellings. 150 bed extra care or Employment. Open Spaces. Retention of Ride. Sustainable urban drainage. Access Road and walk/cycle connections.” As the current proposal falls within the scope of this, no further assessment is required.

3.0 Relevant Planning History

Abbey Barn South

- 3.1 The current site is within the overall area of planning permission 18/05363/FUL: Hybrid planning application for residential-led development comprising: Outline planning application for up to 550 residential dwellings (with a minimum of 520 dwellings) and up to 1.6ha of land for employment use (Class B1c and/or Class B8) and/or community use; retention and enhancement of the Ride and provision of public open space, pedestrian links and other associated works (all matters reserved except for means of access); and Details of the development of Phase 1 for the erection of 129 residential dwellings (129 of the 550 dwellings described above) with associated parking, landscaping and access from Abbey Barn Lane.
- 3.2 The original proposals and technical assessment work under 18/05363/FUL included a version of the current extra care proposals in outline. The permitted employment uses resulted from amendments to the scheme required by the Council at the time.
- 3.3 The current site is constrained by the S106 planning obligation dated 4th July 2019 between Berkeley Homes and the Council. In summary, Schedule 10 of the agreement provides (amongst other things) that the proposed employment buildings must be constructed prior to 200 residential occupations (paragraph 1.4). Subsequent provisions provide a fall back wherein the Council may be given an option to acquire the site (for a token payment of one pound) if Berkeley Homes have not completed the employment development, and they wish to proceed beyond 200 dwellings

without completing the employment development. (If the site is offered to the Council, and the Council does not accept the offer the restriction on occupation falls away.) Berkeley Homes would therefore require the Council's consent to a variation of the existing S106 agreement, as well as planning permission, to allow the construction of the current proposal.

RAF Daws Hill / Pinetrees

- 3.4 The proposed access to the public highway is via a newly constructed road within the adjacent Taylor Wimpey/Comland site consented as part of 13/05799/FULEA: A hybrid planning application seeking detailed planning permission for the demolition of the existing buildings and mixed use development to provide 441 dwellings (362 houses and 79 apartments) 448.13m² retail unit (Class A1), 536.05m² community centre (Class D1), 211.55m² Air Training Corps building (Class D2), 9 industrial units (2819.29m² Class B1c/B8), bus hub, school drop-off, open space, play areas, landscaping, car parking, the creation of a new access from Daws Hill Lane, retention of the existing access from Daws Hill Lane. Outline planning application for a primary school and pre-school (up to 1350m² Class D1) with all matters other than access reserved. Now known as *Pinetrees* the redevelopment of the former RAF Daws Hill site is at an advanced stage.
- 3.5 The S106 agreement associated with 13/05799/FULEA contains two provisions relevant to the current proposal. One is a similar requirement for completion of the employment units on the RAF Daws Hill site, whilst the second set of provisions relate to the safeguarding of the connection across to Abbey Barn South. The planning permission has been subject to a series of minor amendments – most recently 20/06838/MINAMD – but most relevant is a modification to the S106 reference 18/07238/MDS106 which confirms that developer's commitment to delivery of the employment units at RAF Daws Hill. This adjoining area of employment land was protected in the new Local Plan as a local employment area under Policy DM28.

Extracare Charitable Trust at Hughenden Quarter

- 3.6 This case is relevant as a recent example of a similar type of development in High Wycombe and of particular note are a series of modifications to the S106 agreement which have become necessary as demand for the affordable component of the scheme has been less than anticipated. (14/06590/FUL & 19/06388/MDS106 & 20/07910/MDS106).
- 3.7 The examination of the Wycombe District Local Plan is also relevant to the applicant's submissions re the need for employment land and the need for older persons housing, as the examination considered a range of evidence in connection with both of these factors.

4.0 Policy Considerations and Evaluation

Planning policy framework

- 4.1 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.
- 4.2 In this case the site is allocated for employment development by Policy HW5 of the adopted local plan. There are other development plan policies that are also relevant. The policy framework will be set out below.

Principle

Wycombe District Local Plan (August 2019):
CP1 (Sustainable Development),
CP2 (Overall Spatial Strategy),
CP3 (Settlement Hierarchy),
CP4 (Delivering Homes),
CP5 (Delivering Land for Business)
HW5 (Abbey Barn South and Wycombe Summit)
DM21 (The Location of New Housing),

- 4.3 This proposal directly conflicts with the most relevant adopted policy (HW5), which allocates this part of the Abbey Barn South site for employment purposes only.
- 4.4 This indicates that permission should be refused unless material considerations exist to justify a departure from the Local Plan. These material considerations will be weighed and balanced in the conclusion to this report, but the issues identified by the applicant are set out below.

Perceived oversupply of employment land

- 4.5 The applicant has submitted an Employment Needs Study which reviews the joint Buckinghamshire Housing and Economic Development Needs Assessment (HEDNA) that underpinned the new Local Plan. It comments on the gross floorspace requirements across the former District and County areas without engaging with the evidence around the quality of existing premises and the need for new sites to generate a qualitative uplift. Neither does the report look beyond the HEDNA to the other supporting evidence including for example the Council's Topic Paper on Economic Development and Matter Statement on Employment, Retail and Town Centres. This evidence fully explains the rationale for the new Local Plan requirements that the applicant now seeks to unpick. The assertion that there is no need for sites like this is not accepted and is wholly rebuttable with reference to the Local Plan evidence.
- 4.6 More fundamentally, any such rebuttal should be unnecessary as the applicant now seeks to challenge an evidence base and site allocation that was tested rigorously in the examination of the new Local Plan. They do not accept or even acknowledge the Inspector's conclusions that the allocation of Abbey Barn South should include this level of employment development. As the conclusion to their own report says "This report reviews the evidence base for the allocation and potential uses in the Local Plan." It does not introduce new material considerations. The arguments presented were relevant to the Local Plan examination but challenges that go to the soundness of a plan that has already been tested should not be relevant to a subsequent planning application.
- 4.7 Indeed, it should be noted that at the time of the Local Plan examination the current applicant was already in control of the site and many of the same arguments presented now were presented in their representations on the draft Local Plan (reference WDLP19 1251). These representations did not persuade the Local Plan Inspector to strike out the employment requirement and during the course of the examination Berkeley Homes in fact agreed a Statement of Common Ground with the Council (Appendix C) which confirms that in their view 'the site policy in the plan is soundly

based and deliverable' and (subject to a modification jointly proposed with respect to housing capacity) 'they no longer have any objections to the policy'. In other words, their earlier objections had now fallen away. (For the avoidance of doubt, the draft policy that Berkeley Homes agreed at the Local Plan examination included the same employment land requirements as the adopted policy.)

The impact of the Covid pandemic on the local economy and employment land requirements

4.8 The applicant has suggested in discussions with officers that the Covid pandemic will reduce the demand for employment land in the area due to economic slowdown. The Council's Economic Development Officer disagrees. She considers that if anything protecting opportunities for economic development like this has been made more important by the pandemic, not less.

Perceived unmet need for older persons housing with extra care

4.9 The applicant has submitted an Extracare Needs Assessment which provides a commentary on national and local policy but no new data. The gist of their case is that the new Local Plan does not accord with the 2019 NPPF, and therefore the proposal should be supported as meeting a need which is in effect overlooked by the Local Plan.

4.10 Firstly, their analysis of the relationship between national and local policy is flawed as the new Local Plan was examined and found sound against the 2012 NPPF. In terms of the 2019 NPPF first and foremost this reinforces the statutory presumption in favour of the development plan with a policy presumption in favour of up-to-date adopted Local Plans, such as ours. It does not encourage decisions to revisit the evidence or strategy or an up-to-date local plan simply because the plan was examined against the earlier version of the NPPF.

4.11 Next, whilst it is true (if not strictly relevant) that the Local Plan evidence only considers the 75+ age bracket, not the 55+ age bracket there is no actual data provided to support the applicant's proposition that the needs of the 55 to 75 age bracket are not in fact being met by the market or what element of any needs is best met by specialist development of this type.

4.12 This relates to the third point to note, which is that their assessment overlooks part of the strategy for older persons housing embedded in the new Local Plan. Specifically, part of the reason for the accessibility standards in DM41 is to support the preference of many people to remain in their own homes where care can be provided later in life if needed. (This is in fact exactly the operating model assumed in the current proposal.)

4.13 Lastly, market indications from the Hughenden Quarter Extra Care Charitable Trust development do not support the view that there is unsatisfied demand for accommodation of this sort.

The unsuitability of Daws Hill Lane to provide safe highways access for employment uses

4.14 Paragraph 5.8 of the submitted Planning Statement opines that "Employment uses on the site would increase the number of goods vehicles on the narrow roads which would likely lead to more accidents. An alternative use, such as Extra Care, is therefore more appropriate in light of this data."

4.15 The first point to note is that planning permission has already been granted for employment uses on the site and that the Highway Authority were entirely satisfied with this. The second point to note (with reference to 3.16 to 3.20 of the Transport

Assessment) is that there are a range of recorded accidents in the area, only some of which involved goods vehicles. This does not provide a firm basis for concluding that an alternative use would be more appropriate.

The timely delivery of the link road from the Pinetrees employment area to the site

4.16 The delivery of the link road is already ensured by the existing S106 agreements on Pinetrees and Abbey Barn Park. The applicant argues that this will be delivered sooner and with greater certainty in connection with the current proposal than with the consented employment scheme. This is true only in the very limited sense that the applicant has chosen to pursue an alternative planning proposal for the site in preference to progressing delivery of the consented employment uses.

The timely delivery of the Chiltern Rangers centre / supporting the funding of the Chiltern Rangers centre

4.17 This issue is closely connected to the link road issue above. In terms of timing/certainty the current proposal cannot offer any significantly greater security than the existing S106 obligations, although as with the link it is clear that allowing the applicant to pursue their preferred scheme could accelerate delivery of the Chiltern Rangers centre which is identified to be located adjacent to the extra care facility. But as with the link road, this 'acceleration' is only relative to the delays already created that may soon result in a breach of the current S106 obligations.

4.18 The applicant has also indicated that "Should the Council not wish to pursue with the NHS contribution payable for the Extra Care scheme, Berkeley are interested in whether part of this payment could be used as a S106 contribution towards the Chiltern Rangers new community building to support their use further on the site in addition to providing the access sooner than anticipated."

Other planning benefits

4.19 Section 6 of the submitted Planning Statement sets out a number of other perceived planning benefits:

- Provision of 122 high quality Extra Care homes, comprising 1 and 2 bedroom apartments to meet an identified need for homes for those over 55 in the District;
- The Extra Care homes would be set adjacent to the Ride offering picturesque views of the Lime Trees and adjacent to the consented allotments;
- Provision of 60 affordable Extra Care homes (equating to 49% of the total housing mix and therefore exceeding policy) for those over 55, all of which will be rented;
- The opportunity for residency within an Extra Care facility will reduce the burden for those over 55 maintaining an oversized home and free up family sized homes within the District through downsizing;
- Biodiversity improvements on site;
- Delivery of a vehicular access connecting the allotments and the land set aside for community use to an adopted highway, and in turn, securing their delivery;
- Economic benefits to the local economy including approximately £1.5m in CIL contributions; and
- 19 jobs created through the Extra Care facility

4.20 As noted above, all of these material considerations will be weighed and balanced in the conclusion to this report.

Affordable Housing and Housing Mix

Wycombe District Local Plan (August 2019):
DM22 (Housing Mix),
DM24 (Affordable Housing),
DM41 (Optional Technical Standards for Building Regulation Approval)
Planning Obligations Supplementary Planning Document (POSPD)

- 4.21 Whilst the proposal is for a specialist form of accommodation with a narrow range of accommodation, judged in context with the wider development of Abbey Barn Park it can be seen as contributing to an appropriate housing mix overall in compliance with DM22. The proposal conflicts with the self-build requirement in DM22.2, but this is considered acceptable with regards to the format of development proposed.
- 4.22 The proposal complies with the headline requirement that at least 48% of the dwellings are provided as affordable housing, and it broadly complies with the requirement in DM24.4 that the affordable housing mix and tenure shall be provided in accordance with current evidence. This evidence is summarised in 6.43 and Table 25 of the new Local Plan. The applicant's *Affordable Housing Statement* simply refers back to the Council's evidence.
- 4.23 The proposal is for 100% affordable rent (rather than 80/20 rented/intermediate). This is acceptable in policy terms. With reference to Table 25, some flexibility is appropriate as this is overall a scheme of exclusively 1 and 2 bedroom apartments. Where the market elements of a scheme are a restricted mix like this, it is generally accepted that the affordable mix will also be restricted. Ordinarily we would expect the mix of dwelling types and sizes in the affordable housing to broadly match the mix in the market housing proposed. That is not the case here as only 30% of the affordable housing is two bedrooms and 70% is one bedroom. This contrasts strongly with the market proposals which are 54% two bed / 46% one bed. No specific justification has been provided for this stark difference but mindful of the fact that this is proposed as age restricted housing for people in need of care the second bedrooms provided can only function in effect as guest bedrooms (or studies perhaps) and as such an increase in two bedroom homes in the affordable development would not assist with meeting more housing need whilst it would increase the cost (rental charges etc.) of accessing this housing. On balance no objection is raised to this disparity.
- 4.24 Section 3.8.11 of the applicant's DAS demonstrates that compliance with the accessibility requirements in DM41 are achievable.
- 4.25 If the proposal was otherwise acceptable, a S106 agreement would be required to secure the affordable housing. Planning conditions would be required to secure the accessible housing.

Transport matters and parking

Wycombe District Local Plan (August 2019):
CP7 (Delivering the Infrastructure to Support Growth)
CP12 (Climate change)

DM33 (Managing Carbon Emissions: Transport and Energy Generation)
DM35 (Placemaking and Design Quality)
DSA: DM2 (Transport requirements of development sites)
Buckinghamshire Countywide Parking Guidance

- 4.26 Many of the transport related questions have been previously assessed and agreed in relation to the earlier planning permission 18/05363/FUL. The proposed access route is as per the existing planning permission for employment uses and the wider impacts on the network have been assessed at that time as well – remembering that the original proposals and transport assessment work under 18/05363/FUL included a version of the current proposals in outline. The permitted employment uses resulted from amendments to the scheme required by the Council at the time.
- 4.27 The Highway Officer report (in Appendix A) concludes that the proposal is (as per 18/05363/FUL) acceptable with regards to site access, traffic generation, walking and cycling access to local services, and sustainable public transport. There are no additional off-site highway improvement and mitigation works beyond those already secured in connection with 18/05363/FUL. The transport issues that require further consideration at this stage are therefore fairly limited, mainly relating to the question of the internal road layout and adequate parking for the extra care housing now proposed in detail.
- 4.28 The level of parking proposed complies with the BCPG standards. The dimensions of the parking spaces proposed appear to comply with both the BCPG standards and the accessibility standards triggered by DM41 in Part M Building Regulations. There appears to be scope within the layout to provide sufficient EV charging points. If the proposal was otherwise considered acceptable more detailed plans would be required by condition to ensure compliance with these requirements. Additional conditions would be required ensuring delivery of the parking as proposed.
- 4.29 As per the Highway Officer and Rights of Way Officer reports in Appendix A there is also a detailed construction issue relating to the bridleway crossing that is capable of resolution by condition.

Raising the quality of place making and design

Wycombe District Local Plan (August 2019):
CP7 (Delivering the Infrastructure to Support Growth),
CP9 (Sense of place),
DM32 (Landscape character and Settlement Patterns),
DM34 (Delivering Green Infrastructure and Biodiversity in Development),
DM35 (Placemaking and Design Quality)
DSA: DM11 (Green networks and infrastructure),
DM16 (Open space in new development)
Residential Design Guide

- 4.30 The site's location close to the landscaped ride and the M40 motorway, but visually detached from other new buildings at Abbey Barn Park and Pinetrees, provide scope for a range of different building types to be successfully integrated. In this regard the broad format and scale of development proposed is capable of contributing positively to the character of the area.

4.31 Building A (market housing) is a U shaped block laid out with an open communal courtyard garden with a northeast outlook towards the ride. The plans show generous pathways leading from this courtyard and into the ride. Building B (affordable housing) is a square or quad shaped block with an enclosed courtyard garden with no outlook or integrated access to the ride. Whilst this does give the affordable block a more closed off character this is not considered on balance to give rise to a reason for refusal.



Detailed site layout

4.32 There are differences also in the quality of the forms and elevations. The two most striking differences are firstly, the smaller windows in building B which affect the proportion of window to wall and result in building B appearing heavier and again, more closed in. (It is unclear to what extent the difference in the fenestration is a consequence of the increased proportion of one bed homes referred to earlier.)

4.33 The second key difference is the use of half hips or flying hips to differentiate between the two buildings. Counterintuitively perhaps half hips tend to emphasise the mass of the building and its roof resulting in a heavier 'squat' appearance. Tenure blind design does not require an identical approach but the design of the affordable housing must be of equivalent quality and it is questionable whether this is the case. However, this issue is not considered to be so severe as to warrant a reason for refusal on this ground. In the pictures below the affordable block is on the left.



Extra Care - CGI View of Building B



Extra Care - CGI View of Building A

Amenity of existing and future residents and Environmental Issues

Wycombe District Local Plan (August 2019):
 CP9 (Sense of Place),
 DM35 (Placemaking and Design Quality)
 DM40 (Internal space standards)
 Residential Design Guide

- 4.34 The nearest neighbouring residence is the closest house in Beech Street to the west of building A across the tree lined bridleway some distance way. The nearest planned neighbours on Abbey Barn Park itself are on the opposite side of the landscaped ride. The proposal may be visible in glimpses from these properties but it will have no significant impact in terms of amenity.
- 4.35 Turning then to the interrelationships between the new proposed apartments themselves, as is common with courtyard development there are some fairly close relationships between neighbouring windows on the internal corners, but the face-to-face windows across the courtyards and from building A to building B are set at 25 metres, in accordance with the minimum standard.
- 4.36 The apartments comply with the internal space stand requirements in DM40. In block A, the 2 bed/3 person flats measure circa 67m² against the minimum standard of 61m². The 1 bed/2 person flats measure circa 55m² against the minimum standard of 50m². (The apartments in block B are 69m² and 53m².) The external storey height in both buildings is circa 3.2 metres suggesting the minimum standard of 2.3m floor to ceiling can be met.
- 4.37 The submitted Daylight and Sunlight assessment shows that the proposed dwellings are all adequately lit.
- 4.38 All of the apartments are provided with private balconies/terraces and have access to communal gardens as well.
- 4.39 The submitted Noise Impact Assessment shows that whilst the dwellings themselves are not unacceptably impacted by noise from the M40 motorway a small number of external balconies would be adversely and unacceptably impacted as originally proposed. Those that face to the side can be protected with acoustic screens but the

balconies that face towards the M40 are more problematic. Discussions with the applicant have not yet resolved this point. Their initial suggestion is to replace the balconies with 'Winter Gardens' (in essence a conservatory type room in place of a balcony). This would resolve the noise issue but would leave these units with no private outdoor amenity space, contrary to policy and guidance. Had the proposal otherwise been considered acceptable further discussions would be required to resolve this issue.

- 4.40 With regards to air quality, notwithstanding the proximity to the M40 motorway the latest evidence (agreed by the Council's EHO) is that the air quality is acceptable in terms of the living environment for residents.

Flooding and drainage

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth),
CP12 (Climate Change),
DM39 (Managing Flood Risk and Sustainable Drainage Systems),

- 4.41 The development is acceptable in respect of managing flood risk and complies with the planning authority's policies.
- 4.42 The site is not at risk of fluvial or groundwater flooding.
- 4.43 The applicant has supported the application with a Flood Risk Assessment. Additional information has been submitted as a result of comments by the Lead Local Flood Authority who now raise no objections to the proposal subject to a legal agreement relating to sustainable drainage systems (SuDs) management and maintenance and to planning conditions.

Green networks and infrastructure, biodiversity and ecology

Wycombe District Local Plan (August 2019):
CP7 (Delivering the Infrastructure to Support Growth),
CP9 (Sense of Place),
CP10 (Green infrastructure and the Natural Environment),
DM34 (Delivering Green Infrastructure and Biodiversity in Development),
DSA:
DM11 (Green networks and infrastructure),
DM13 (Conservation and enhancements of sites, habitats and species of biodiversity and geodiversity importance),
DM14 (Biodiversity in Development)

- 4.44 In accordance with the planning authority's policies and subject to the imposition of planning conditions, the development would enhance biodiversity and green infrastructure, deliver a net gain in biodiversity, not harm protected species or designated nature conservation sites and would achieve appropriate tree canopy cover.

Designated nature conservation sites

- 4.45 As per 3.2.4 of the applicant's Ecological Appraisal: "The site falls within the 2-3km Impact Risk Zone (IRZ) for Gomm Valley SSSI and the 5- 10km IRZs for both Chiltern Beechwoods SAC and Burnham Beeches SAC, as identified from the MAGIC online database. Impact Risk Zones (IRZs) are used by Natural England to identify

development activities in the vicinity of SSSIs, SPAs and SACs which may in the absence of mitigation or avoidance measures adversely affect designated features, thereby requiring planning authorities to consult with Natural England where potentially damaging activities are proposed. Residential development is not identified as a potentially damaging activity for the IRZs within which the site is located and as such current knowledge indicates that it is unlikely that the proposed development at the site would have a detrimental effect on the integrity of any of the statutory designated areas in the sites surrounds." Officers support this conclusion.

4.46 There are a number of non-statutory ecological sites within 2km of the site (Local Wildlife sites and Biological Notification sites). The Central Chilterns Chalk Rivers Biodiversity Opportunity Area (BOAs) is also located circa 620 metres from the site. Ecological surveys have been undertaken within the application site.

4.47 It is considered that the proposal would not result in an adverse impact on local designated nature conservation sites. In this respect the development would accord with development plan policies DM13 and CP10.

Biodiversity

4.48 The site comprises an area of grassland, last used as a grass baseball pitch, with various trees and hedgerows at the boundaries. The development should be capable of achieving a net biodiversity gain on site although the precise scale of this gain is not yet accurately known as discussions with the Council's Natural Environment Officer are not yet concluded at the time of writing. Had the proposal been otherwise acceptable a number of planning conditions would have been necessary to ensure that proposed on-site biodiversity enhancements are appropriately created. A section 106 agreement would secure the future management of ecological areas.

Trees and canopy cover

4.49 The applicant's canopy cover calculations are set out in the submitted reports and additional notes provided in response to officer comments. The development would accord with policy DM34 in that it would achieve a future canopy cover of 25% of the site area. This would be achieved by the retention of existing trees and new tree planting both to boundaries and within the site itself.

Building sustainability and climate change

Wycombe District Local Plan (August 2019):
DM33 (Managing Carbon Emissions: Transport and Energy Generation),
Air Quality SPD

4.50 The applicant has set out that the development will meet the relevant water efficiency requirements set out in policy. It is necessary to secure this with a planning condition.

4.51 A planning condition will also be required to secure a scheme to demonstrate how renewable technologies will be integrated into the development. The planning policy does not set out a target for the level to be achieved by such a scheme.

Public open space

Wycombe District Local Plan (August 2019):
CP7 (Delivering the infrastructure to support growth)
DSA:
DM16 (Open space in new development)

DM19 (Infrastructure and delivery)

- 4.52 Specialist forms of residential development such as this typically require a bespoke assessment of open space needs, however in this case, mindful of the public open space and play areas recently provided / soon to be provided in the vicinity of the site no additional assessment or provision is required.

Infrastructure and Developer Contributions

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth)

DSA: DM19 (Infrastructure and delivery)

- 4.53 The development is a type of development where CIL would be chargeable.
- 4.54 It is considered that there would not be other types of infrastructure, other than those previously highlighted that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.
- 4.55 The Buckinghamshire Healthcare NHS Trust has commented that the development should make a financial contribution towards health care provision in order to fill a funding gap created by the current NHS's funding mechanism.
- 4.56 The National Planning Practice Guidance (NPPG) confirms that planning obligations should not be sought where they are clearly not necessary to make development acceptable in planning terms. Therefore, a planning judgment needs to be made whether the contributions sought by the NHS Trust are necessary to make the development acceptable in planning terms and are fully justified and evidenced.
- 4.57 The reasoning provided and contribution sought by the NHS Trust would not satisfy Regulation 122 of the CIL Regulations. The request is not necessary to make the development acceptable in planning terms and is not fully justified and evidenced. The pressures identified do not demonstrably arise from the development in question and they are not evidenced as being directly related to, or fairly and reasonably related in scale and kind to the development. As such, securing the requested financial contribution towards health infrastructure cannot be secured via a Section 106 Agreement.
- 4.58 Having regard to the statutory tests in the Community Infrastructure Levy regulations and the National Planning Policy Framework it is considered that the following planning obligation(s) are required to be secured within a section 106 agreement:
- Affordable housing – at least 48% of dwellings to be provided as affordable housing.
 - Future management and maintenance of on-site sustainable drainage system
 - Provision of a scheme of biodiversity off-setting within the site including its future management and maintenance.
- 4.59 The applicant has confirmed willingness to enter into a legal agreement to secure all of the above aspects.
- 4.60 The applicant has also offered a number of additional planning obligations but these are not considered to be compliant with the statutory tests that would allow them to be considered as a reason (or part of a reason) for granting planning permission. In particular, the mooted financial contribution (of £100,000) towards the funding of the

Chiltern Rangers development may appear attractive, but it is difficult to see why it is required to make this development acceptable or how it is related to planning.

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 NOT accord with the key development plan policy concerned with the allocation of uses for this site (HW5) or the underlying strategic policy (CP5). Whilst there are many other relevant policies that the proposal does comply with, HW5 is specific to this site and clearly addresses the question of appropriate uses. For that reason, the applicant has accepted that the proposal does not accord with the development plan overall. The Council can demonstrate a five year supply of housing in the West area and the NPPF therefore reinforces the statutory presumption in favour of the development plan and permission should be refused unless there are material considerations sufficient to justify a departure from this.
- 5.4 The various material considerations and planning benefits proposed by the applicant to justify a permission contrary to the Local Plan are summarised and assessed earlier in this report.
- 5.5 Officers do not agree that there is an oversupply of employment land or that this site is in any way unsuitable for the allocated use. As such no weight should be attached to the proposition that there is no need for the site for employment, as the proposition is not supported by the evidence.
- 5.6 Officers acknowledge that the Local Plan does not explicitly address the needs for the 55 to 75 age bracket (such as they may be), but there are policies (in particular DM41) that will assist in meeting some element of this need. (Note there is in fact no definite evidence presented of specific housing needs in this bracket.) The limited market signals that are available locally suggest there is no surplus of demand for accommodation of this type. Some weight can be given to providing a wider mix of housing and a format of housing aimed at meeting a specific sector of the population.
- 5.7 Little to no weight should be attached to the assertion that the proposal would result in reduced risk of vehicle accidents on Daws Hill Lane, as the employment uses already have planning permission and the accident record does not lead to the conclusion suggested.

- 5.8 The linked issues of the link road and the Chiltern Rangers do attract some weight but this should be limited by the fact that properly speaking the existing S106 obligations already ensure delivery of these elements. The additional benefits outlined by the applicant appear to flow from their aspiration to escape these requirements and the earlier negotiated position, with the possible implication that the applicant will behave in some obstructive fashion if this alternative permission is not granted. It is a well-established principle that developers should not benefit from any breach of planning controls and it should be assumed that if this application is not permitted, Berkeley Homes will fully comply with their existing obligations. Set against that baseline, the additional benefits suggested are slight.
- 5.9 The mooted financial contribution towards the funding of the Chiltern Rangers development may appear attractive, but this does not appear to comply with the statutory tests and it should not therefore be taken as a reason for granting planning permission.
- 5.10 As noted earlier in the report, the submitted Planning Statement sets out a number of other perceived planning benefits. In the main, these are the types of benefits commonly accepted as additional benefits on a greenfield site which is not allocated for other uses. In a case like this, the benefit will be much reduced, relating only to the additional benefit offered above and beyond the allocated use.
- 5.11 The provision of extra care homes has been discussed above. The picturesque views and proximity to the allotments are positive aspects of the proposal but this does not deliver any wider benefit. Provision of affordable housing at 48% is no more than required by policy. The additional affordable housing above this minimum is one apartment. The provision of one additional unit of affordable housing can only attract very limited weight. Accommodation of this nature may encourage some downsizing and may free up some family homes but this has not been quantified. Biodiversity improvements are no more than required by policy. Delivery of the link road has been discussed above. In the officers' view, employment development of the site will bring greater economic benefits than the proposed housing. As such the mooted benefits should be considered net of the lost employment land and identified as a dis-benefit. Similar logic pertains to job creation. The CIL contribution is no more than can be required to meet the needs of the development. CIL charges are not generally considered a positive benefit as they rarely (if ever) fully cover the cost of infrastructure requirements triggered by the contributing development.
- 5.12 Overall, there is no compelling evidence that the need for accommodation of this type is severe and if there was a surplus demand in the market, extra care housing of this type could be delivered as an integral part of other housing development, rather than on land allocated for employment uses. Overall, the considerations and benefits proposed should attract little weight in this context and the application should be refused in accordance with the adopted Local Plan.

6.0 Working with the applicant / agent

- 5.13 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.

5.14 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.

5.15 In this instance:

- The applicant was provided with pre-application advice identifying the conflict with the adopted local plan
- The applicant was advised again in December 2020 about the conflict with the adopted local plan
- Officers have engaged openly with the applicant to explore the material considerations that were proposed to justify a departure from adopted policy.
- The applicant was provided the opportunity to submit amendments/additional information to the scheme/address issues.

7.0 Recommendation: Refusal

- 1 The proposed use is directly contrary to site allocation policy HW5 of the adopted Wycombe District Local Plan. It would result in the permanent loss of allocated and deliverable employment land in a heavily constrained area, in conflict with the strategy in Policy CP4. This would adversely and unacceptably impact the local economy. The material considerations and planning benefits proposed by the applicant are not considered to attract sufficient weight to approve this application in conflict with these policies.
- 2 The proposal fails to secure the provision of affordable housing associated with this development and is thereby contrary to Policy DM24 of the Wycombe District Local Plan 2019 and the Planning Obligations Supplementary Planning Document.

INFORMATIVE

- 1 Reason for refusal number 2 could be overcome if the applicant were to enter into a suitably worded legal agreement.

APPENDIX A: 20/07389/FUL

Consultations and Notification Responses

Ward Councillor Preliminary Comments

Councillor M Clarke If minded to approve please bring to committee for determination as this application appears to be in conflict with Policy HW5 of the extant Wycombe Local Plan.

Parish/Town Council Comments/Internal and External Consultees

High Wycombe Town Unparished

Economic Development Comments

From an economic development perspective and being cognisant of the level of 'employment-led' development that has been happening in the Wycombe area just before and during the Covid-19 pandemic I would suggest that there is even more need to preserve our economic land sites than before.

The Government's 'Build Back Better' agenda and the need for us to create new jobs and provide jobs for the people that have sadly lost employment as a result of the pandemic

The HQube development in High Wycombe of small industrial sheds has progressed and will reach practical completions later this year.

Some other examples that have continued to be developed over this period include the new warehouse on the former Evans site on Lincoln Road, Cressex Industrial Park and the new Chancery Gate warehouse / industrial development on Globe Business Park, Marlow – that was let in 2020 and now occupied.

With respect to business property in the town centre we have also seen investment and take up of long-term vacant units for new business and service usage which indicates there is a market for space, even in this unusual time.

I am also minded to reflect back that when the employment land on Glory Park was challenged as not being required to be maintained for this use that the planning inspector overturned this not once, but twice.

Being nestled in green belt – retaining all of the brownfield business use development sites is even more key for Buckinghamshire as it starts the process to produce a new plan for the whole of the county.

Highway Authority Comments

You will obviously be aware that, when the overall principle of development at the Abbey Barn South (ABS) Reserve Site was permitted under application 18/05363/FUL, it included 1.6ha of land for employment use. However, prior to consent being issued, the applicant had expressed their intent to replace the employment land with an Extra Care facility. Although the respective land uses differ, there remain certain commonalities (i.e. that each use is capable of a certain level of trip generation, and that the entire site has already contributed to appropriate off-site mitigation works and financial contributions toward infrastructure provision). As a result, there are several elements of the currently proposed use of this part of the ABS site that have already been evaluated or accepted in principle.

Site Access

The site's sole vehicular and primary pedestrian access connects to First Street, which is part of the Pine Trees development and provides access to an employment use at that site (other secondary pedestrian accesses lead to and from The Ride and allotments). First Street is a private road and not maintained at public expense, therefore no licence from or agreement with the Highway Authority will be required to construct the access. That said, the access is intersected by Bridleway HWU/156/1, so due regard should be paid as to how the council's Strategic Access Officer would like this confluence to be designed so that it does not impede or endanger users of the bridleway.

From the indicative configuration of the access, it appears to have satisfactory radii to safely permit traversal of the type of vehicles that would be expected to frequent the site. Detailed design of the access should include footways that also allow pedestrians to connect with extant/future footways within Pines Trees and allow safe and satisfactory passage between that site and the proposed development.

Traffic Generation and Distribution

The Transport Assessment (TA) makes references to the strategic modelling analysis conducted and contained within the TA submitted in support of application 18/05363/FUL. Specifically, the quantum of development for the ABS Reserve Site utilised to extrapolate the strategic modelling outputs used a 120-bed care home in anticipation of the applicant's desire to seek future consent for an Extra Care facility in place of the 1.6ha employment land use. In reflection of this, the development proposed within this application has already been tested on its impact from a strategic perspective and I satisfied that this does not need to be revisited.

Furthermore, whilst the respective permitted employment and proposed Extra Care facility will have differing trip characteristics and levels, the loading from the latter will be dispersed throughout the day in contrast to the employment use that would be expected to be concentrated in the two daily weekday peak periods.

Having reviewed the comparative peak periods, any potential vehicle movements through local junctions during the peak periods will be minimal and would not represent a materially significant impact to the operation of the junctions created by background traffic and the development already permitted under application 18/05363/FUL.

Walking and Cycling

Given the topographical characteristics separating the site from the rest of High Wycombe, and coupled with the age group associated with the facility sought, I find it unlikely that the level of walking and cycling between the Extra Care home and the town will be comparable with a general residential use. Ergo I would expect most trips between the aforementioned locations will be contained within private motor cars or by using public transport.

However, this is not to prejudice movements on foot between the proposed development and facilities contained within or close by the Pine Trees development, for anyone associated with the Extra Care facility who wish to commute (i.e. staff) or residents that wish to cycle for recreational purposes.

It is envisaged that most footfall to and from the development would likely take place through California Way and the 'Lozenge' where the nearest bus stop to the Extra Care facility currently resides (although this may change when the No.36 bus services is routed through the Pine Trees and main ABS development in line with permission granted to the latter). This would also be a preferable route that would separate pedestrians from the main section of Daws Hill Lane.

In terms of cycling, and aside from access via First Street and Daws Hill Lane, in addition to bridleways HWU/156/1, HWU/64/1 and HWU/67/1, part of the ABS Section 106 contribution was to allow the council to establish a shared cycleway/footway between Flackwell Heath and the Daws Hill Lane bridge over the M40.

Layout

The site layout is relatively basic, with a singular internal access road serving the car parking spaces and bin stores and culminating in a turning facility at the eastern end of the site. Having reviewed the swept path analyses drawings within the TA, I am confident that the type of larger vehicle visiting the site will be able to enter, turn within and then re-enter First Street in a forward gear.

Parking

When viewing the parking provision against the standards recommended within the Buckinghamshire Countywide Parking Guidance (BCPG), and in acknowledgement that the site resides within Zone 1, consideration of the proposed development as either Sheltered Accommodation or Retirement Flats (both a C3 use) recommend that the total parking provision for each use is 32(no) spaces. Along with 6(no) visitor spaces, 13(no) staff spaces and 14(no) for community/allotment use, the intended level of parking provision ultimately adheres to BCPG standards. It is also encouraged that all spaces, aside from disabled or emergency vehicle parking, remain unallocated in order to provide a more dynamic provision for the site.

Sustainable Public Transport

As previously mentioned, the closest bus stop to the proposed development is located within the 'Lozenge' at the entrance to the Pine Trees development. It is possible that this may change when the No.36 service is diverted through the development when the ABS residential element is ready to accommodate the amended route. In addition, and again as part of the consent for the main ABS site, a demand-led shuttle bus will serve both the Pine Trees and ABS site, either solely or predominantly at peak times, and will also benefit the sought Extra Care facility.

Off-site Highway Improvement and Mitigation Works

As previously mentioned, application 18/05363/FUL considered the primary transport matters for the entire ABS site have already been secured, and include:

- Construction of Abbey Barn Lane site access (with speed limit changes and footway/cycleway connections to the proposed Heath End Road shared footway/cycleway)
- Roundabout junction to replace existing Abbey Barn Lane/Heath End Road priority junction (also with requisite speed limit changes)
- Contribution to the creation of a user-led peak passenger shuttle service between the development and High Wycombe town centre/railway station
- Diversion of and contribution toward increased frequency of existing No.36 bus service
- Contribution to secure the construction of the Abbey Barn Lane/Heath End Road/Daws Hill Lane footway cycleway
- Contribution toward Abbey Barn Lane re-alignment and Abbey Barn Lane/Kingsmead Road junction works HIF scheme
- Contribution toward A40 London Road Corridor Improvements
- Contribution to secure UTMC augmentation package, ancillary traffic control equipment and requisite physical works to the Marlow Hill, Daws Hill Lane, Marlow Road and Desborough Avenue

In reflection of this mitigation package, and that the proposed site access does not connect to the adopted highway, the Highway Authority does not foresee or require any further off-site works or financial contributions

Conclusion

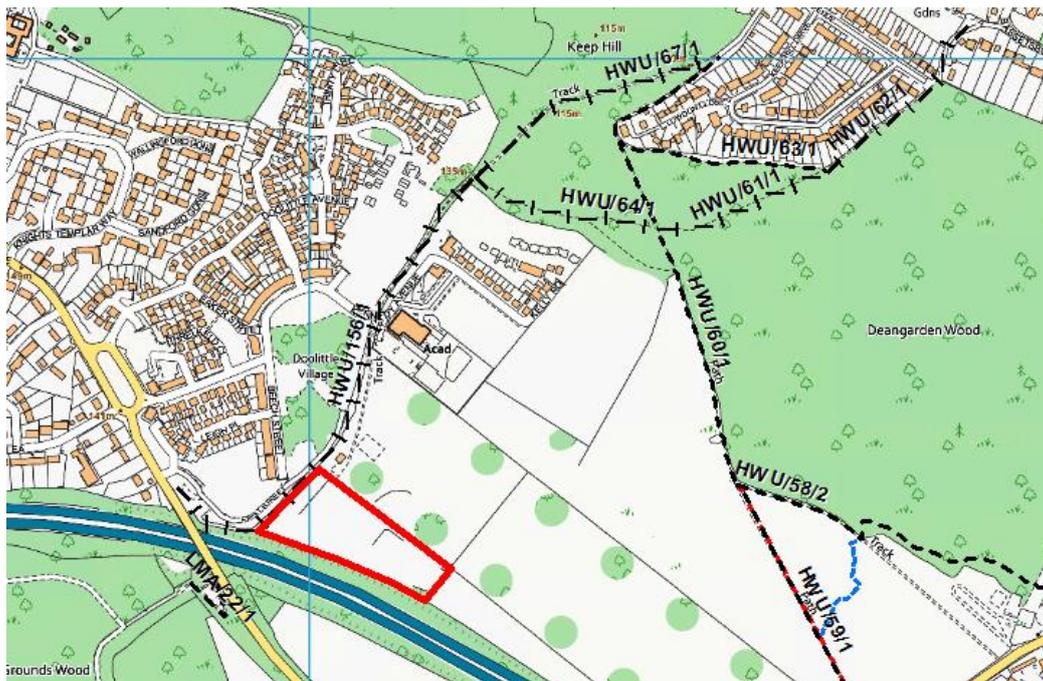
It is the Highway Authority's position that this development site has already been considered fully or effectively in principle as part of the main Abbey Barn South Reserve Site. In addition, all necessary mitigations and contributions were also secured as part of the determination of application 18/05363/FUL. So, mindful of this and the contents of this consultation response pertaining to the proposed Extra Care facility sought (and all elements therein), I have no objections to this application with regard to highway issues subject to the following conditions:

Condition 1: No part of the development shall be occupied until an area has been laid out within the site for refuse/delivery vehicles to turn in accordance with the approved and that area shall not thereafter be used for any other purpose. This feature should be signed as a turning area and denote that no parking should occur within.

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

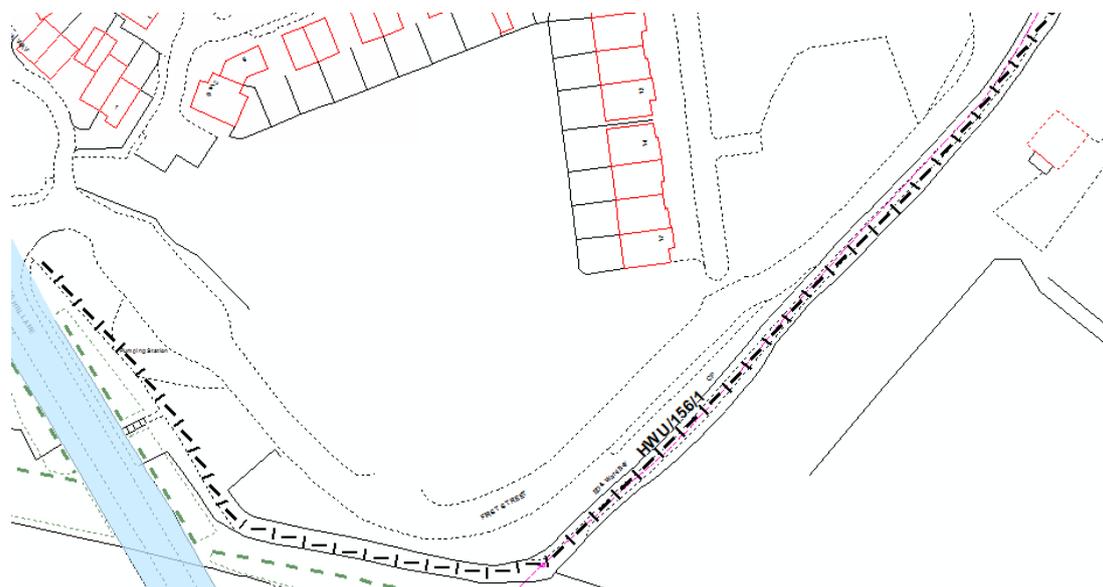
Rights of Way Comments

The local rights of way network is illustrated in Fig 3 of the Transport Assessment and Plan 1 below. The blue and red-dashed lines on Plan 1 refer to the diverted section HWU/59/1 to be respectively created and deleted as part of a formal s257 TCPA 1990 diversion process on the neighbouring residential site.



Plan 1

Bridleway HWU/156/1 passes immediately adjacent to the north-western site boundary (Plan 2) and is bisected by the proposed vehicular access.



Plan 2

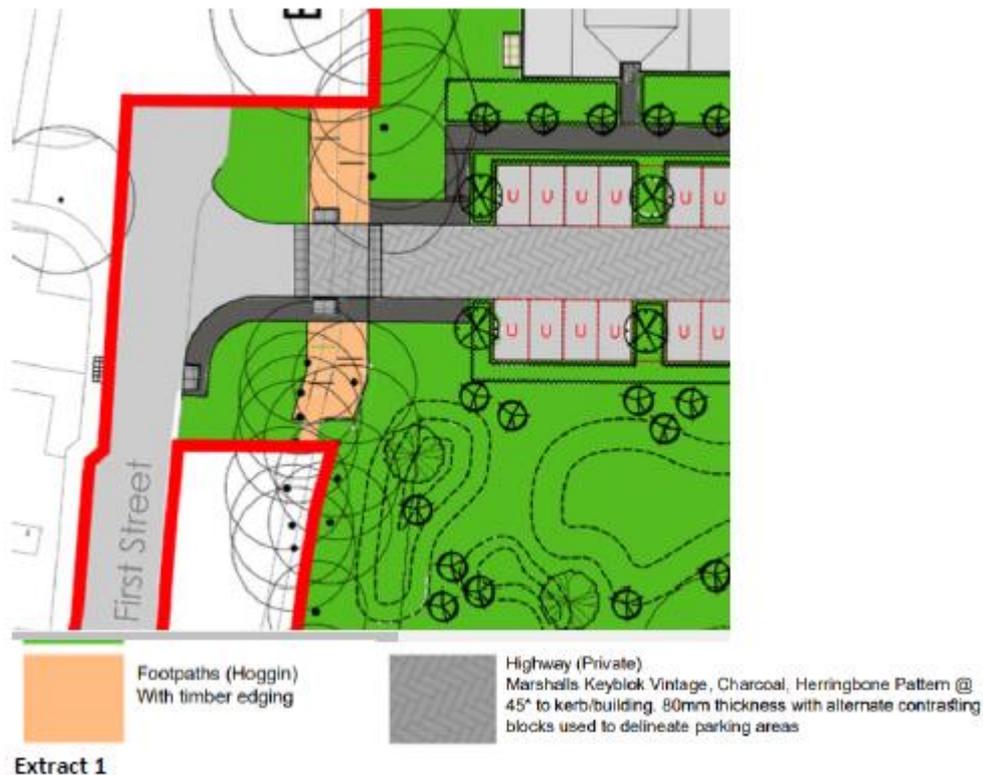
The formal legal width of Bridleway HWU/156/1 is “2.2 to 5.5m”, decided upon by an Inspector appointed by the Sec of State. The widths correspond to the centre of hedge or fence lines passing each side of the bridleway corridor, as shown on Plan 2.

Para 4.7 of the TA confirms that existing footways along First Street will connect new residents in a south-westerly direction with Daws Hill Lane bus stops, residential communities and other services. As such, I would consider there is no need to improve the bridleway surface to facilitate additional walking and cycling movements. Similarly, in a north-easterly direction, there is funding in place to improve the length of Bridleway HWU/67 through Keep Hill Wood. A further length of Bridleway HWU/156/1 has been improved already as part of the Abbey View Primary Academy application. I presume there are either footways that already exist along First Street or other s.106-funded improvements along Bridleway HWU/156/1 that will connect walkers and cyclists from this development with the Abbey View Primary Academy, but I’m unclear.

Para 4.15 of the TA mentions Footpath LMA/22/1 to the south of Daws Hill Lane. While only a footpath, there is an ambition to upgrade this link to facilitate cycling, as it connects with an unclassified road and therefore provides cyclists with options along existing quiet lanes towards Marlow and Bourne End.

Turning to the new road crossing of Bridleway HWU/156/1, the TA addresses walkers, cyclists and horse riders at this new junction in Fig 6 and details proposed horse barriers across the bridleway. These, together with a raised table on the new road, aim to slow everyone down for safety reasons on the four approaches. I am content with the proposed horse barriers and the rubber crumb surface each side, but will leave pedestrian and cycling visibility splays (as detailed in Fig 6) for colleagues in Highways Development Management to comment upon. The proposed widths are satisfactory when compared to the legal widths mentioned above.

Nevertheless, I do have one concern: the bridleway approaches shown as rubber crumb on Fig 6 ‘Proposed Site Access’ drawing of the TA are shown as ‘Hogin’ on the Hard Surfacing Plan (see beige area in Extract 1). I would suggest hogin unsuitable on (what will be) a busy crossing and the surface will soon wash away and expose upstands against adjoining edges. This will inconvenience walkers with trip hazards, and hinder the passage of wheelchair users. The approaches along the bridleway will also need to be graded in order to rise up to the crossing level.



I would request a revised plan to indicate rubber crumb at this location and ensure consistency between drawings. In addition, a more hard-wearing concrete, rather than timber, edging is recommended for the rubber crumb.

My preference would be for the detailed design of the rubber crumb surface, gradient and horse barriers to be overseen by the highway authority and the following is recommended.

Condition:

Prior to commencement of development a scheme outlining the bridleway crossing surface, gradient and barriers, shall first be agreed in writing by the LPA.

Reason: In order to maintain the safety and convenience of pedestrians, cyclists and equestrians along the Bridleway HWU/156/1 at the vehicular raised table crossing area and ensure the safety and convenience of vehicular traffic accessing the development.

Lead Local Flood Authority Comments

Buckinghamshire Council as the Lead Local Flood Authority (LLFA) has reviewed the information provided in the following documents:

- Flood Risk Assessment (ref. HH290362/KLJ/198, 26th August 2020, Glanville)

The LLFA objects to the proposed development due to insufficient information in relation to the infiltration rate tests and absence of supporting drainage calculations. In the absence of this information, the LLFA is unable to advise if infiltration is a viable method of surface water disposal and if there is sufficient space on site to attenuate the surface water runoff generated by the proposed impermeable area.

Flood Risk

The Flood Map for Surface Water (FMfSW) provided by the Environment Agency shows that the site lies in an area of very low risk of surface water flooding (meaning there is less than 0.1% likelihood

of flooding occurring in a given year). An online version of this mapping data is available to view through the Environment Agency's Long term flood risk information mapping.

The Groundwater Flood Map (Jeremy Benn Associates, 2016), shows the groundwater level in the area of the proposed development to be at least five metres below the ground surface for a 1 in 100 year return period. This means that flooding from groundwater is not likely.

Surface water drainage

The surface water drainage scheme for the proposed development relies on infiltration as a means of surface water disposal. This is based on infiltration rate tests conducted in July 2020 which achieved rates of between $1.76 \times 10^{-4} \text{m/s}$ and $6.31 \times 10^{-4} \text{m/s}$. However, the infiltration rate logs have not been included for review and therefore, I am unable to verify that testing has been conducted in accordance with BRE 365 and that infiltration is a viable method of surface water disposal. I request that the infiltration rate logs are provided for review.

The FRA suggests that the surface water drainage system is to be sized to attenuate the 1 in 100 year plus 20% allowance for climate change storm event, however it appears that evidence to support this commitment has not been submitted.

The FRA also refers to swales however, having reviewed the Extra Care Proposed Drainage (drawing no. 290362-SK199, Rev. P3), I am unable to identify the locations of the swales and so I would welcome clarification on this matter.

I will provide further detailed comments once the above matters have been addressed. I look forward to receiving the additional information requested above. I request that the Local Planning Authority consults the LLFA when they are in receipt of this information so that I can review our position in relation to the above proposals.

(Additional comments)

Buckinghamshire Council as the Lead Local Flood Authority (LLFA) has reviewed the information provided in the following documents:

- Flood Risk Assessment (ref. HH290362/KLJ/198, 26th August 2020, Glanville)

The LLFA has no objection to the proposed development as sufficient information in relation to the infiltration rate tests and supporting drainage calculations has been provided in the Flood Risk Assessment, Appendix A and B.

Flood Risk

The Flood Map for Surface Water (FMfSW) provided by the Environment Agency shows that the site lies in an area of very low risk of surface water flooding (meaning there is less than 0.1% likelihood of flooding occurring in a given year). An online version of this mapping data is available to view through the Environment Agency's Long term flood risk information mapping.

The Groundwater Flood Map (Jeremy Benn Associates, 2016), shows the groundwater level in the area of the proposed development to be at least five metres below the ground surface for a 1 in 100 year return period. This means that flooding from groundwater is not likely.

Surface water drainage

The surface water drainage scheme for the proposed development relies on infiltration as a means of surface water disposal. Infiltration rate logs have been included in Appendix A. The records demonstrate that the infiltration rate tests conducted in July 2020 achieved rates of between $1.76 \times 10^{-4} \text{m/s}$ and $6.31 \times 10^{-4} \text{m/s}$. Infiltration rate testing was conducted across the site with the exception of the central area, shown as Catchment Area Y on the Extra Care Proposed Drainage

Catchment Areas (drawing no. 290362-SK208, Rev P1, 25.08.2020, Glanville). Further infiltration rate testing should be conducted in the locations of proposed infiltration components at detailed design stage.

The FRA suggests that the surface water drainage system is to be sized to attenuate the 1 in 100 year plus 20% allowance for climate change storm event. The supporting calculations contained in Appendix B show that the infiltration components have been designed on the third recorded infiltration rate in Trial Pit 1, 2.15×10^{-4} m/s. Firstly, the infiltration components should be designed using the nearest slowest infiltration rate. Secondly, the supporting calculations show the use of a base infiltration rate, it should be noted that this value should be set as 0.00 m/hr to account for the silting up of the infiltration device over time (section 25.4 CIRIA SuDS Manual, 2015). The effects of siltation will be more noticeable when infiltration rate of the soil is high in relation to that of the site, such as infiltration rates for design that are greater than 1×10^{-5} m/s. This matter must be resolved at detailed design.

I would request the following condition(s) be placed on the approval of the application, should this be granted by the LPA:

Condition 1

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

- Infiltration in accordance with BRE365 in the locations of the proposed infiltration components
- Full construction details of all SuDS and drainage components
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site. Base infiltration coefficient set to 0.00m/hr.
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.

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

Condition 2

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

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

Thames Water Comments

Waste Comments

FOUL WATER network capacity - No objection -. Thames Water are aware of some network constraints in the vicinity of the proposed development. We are however confident that should the planning application be approved, any investigations to understand the network performance in more detail and if required, associated upgrades can be delivered in time to serve the development. We will therefore not be seeking a planning condition relating to foul water network matters.

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network. Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

Control of Pollution Environmental Health

Comments: 50 parking spaces are to be provided for the care home therefore, as per the air quality SPD, five 32 amp electric vehicle charging points (at least 10% of non-residential parking spaces) must be provided prior to the occupation of the development. Recommendation (with conditions if appropriate): Objection, unless following conditions imposed; Condition - Electric Vehicle Charging Points Prior to the occupation of the development hereby permitted, five 32amp electric vehicle charging points must be installed (one per dwelling). Reason ' to comply with the air quality SPD and, to reduce the carbon emissions and the impact on the health of Nitrogen Dioxide emissions from the development. Construction/Demolition Noise INFORMATIVE The attention of the applicant is drawn to the requirements of section 60 of the control of pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application under Section 61 of the Act, for prior consent to the works, can be made to the environmental Services Division of the Council.

Urban Design Comments

(Initial Comments CK 23.10.20)

I am satisfied with the broad scale, layout, built form and finishes proposed for the buildings. The proposed access route is inappropriate for the proposed residential use of the site. The route is through an employment (industrial) site which offers very poor amenity for residents and visitors and is completely detached from the adjacent residential areas at Pine Trees. This route is suitable for the site's current designation for employment uses similar to that on the adjacent site. I am also concerned that all residents with cars will be elderly, at least some of which are likely to be less confident or responsive drivers, but who have no choice but to navigate a T-junction onto/from the busy Daws Hill Lane, alongside vehicles serving the industrial estate, instead of using the more manageable 'roundabout' that serves the adjacent residential area.

RESPONSE(S) An alternative access route connected to the adjacent residential street network will be needed to satisfy the site's use for residential development.

Landscape Comments

(Initial Comments)

I am satisfied with the scale, height and appearance of the proposed development. I am also satisfied with the hard and soft landscape proposals. I am concerned with the likely adverse impact of the approach to the development through the adjacent employment area (industrial estate). This is detrimental to the visual amenity of residents and their visitors. Refer to the Urban Design comments. There does not appear to be details of the proposed boundary treatments - fences or walls - which should be provided to illustrate their appearance and security features (if any).
RESPONSE(S) Provide boundary details for fences and/or walls and how existing and proposed trees and shrubs relates to them

(Additional comments)

The findings of the Landscape and Visual Impact Assessment are satisfactory. The hard and soft landscape design proposals are satisfactory.

CONDITIONS: Hard and soft landscaping is to be completed in accordance with the details submitted here. A more detailed hard and soft landscaping scheme is NOT required for approval, except for the layout and specification of tree planting within the landscape scheme, in accordance with the requirements of the Council's Arboricultural Officer.

Ecology Comments

(Initial Comments)

The Ecological Appraisal recommends further surveying for bats, reptiles and dormice. However, a dormice survey has not been submitted. The Phase 1 survey plan shows areas of bare ground and mentions tyre tracks, this accords roughly with the latest Google Maps Aerial Photos which show substantial damage. This clearance would have reduced the base line biodiversity value of the site and may well have also reduced the possibility of finding protected species. The reptile surveys found a maximum count of 4 slow worms on site, however in 2017 common lizard were also found and it is likely that the recent unmitigated damage has reduced reptile populations. Bat surveys have been carried out and inspections of trees have found that there are three trees which have a low bat roost potential (BRP). It is suggested that two of these trees will be removed for development however they are not shown on the tree survey. It is strange that while surveying for bats was undertaken, emergence surveys were not undertaken on the three trees identified with low BRP as this is necessary to decide how they should be dealt with. In line with policy DM34, it is necessary to achieve a measurable biodiversity net gain. It is also necessary to follow the mitigation hierarchy. No Biodiversity Impact Assessment (BIA) has been submitted and so it is uncertain whether a net gain can be achieved. Various recommendations have been made in relation to ecological mitigation, compensation and enhancement, but they are quite general and there is limited evidence to suggest that they have been carried forward into the design. RECOMMENDATION(S) A Biodiversity Impact Assessment (BIA) using the Warwickshire metric needs to be undertaken and submitted. As a baseline it must consider the site prior to the recent scraping and piling of soil. The areas of habitat which will be retained/enhanced/created need to be shown on a plan with information and justification for their proposed condition and time to establishment. This will be needed to support the BIA. Trees with bat roost potential need to be cross referenced with the tree survey and need further investigation (climbing or emergence surveying) to determine the presence or likely absence of bats. Dormice surveys need to be carried out/submitted. Following the submission of further protected species information more specific information can be provided about avoidance, mitigation, compensation and enhancement measures for protected and priority species. Ecological enhancement details need to be incorporated into landscape proposals and into building design. Fallen and standing dead trees are shown on surveys. Dead wood should be retained on site for its ecological value. Further information is required about the proposed lighting of the development. Conditions will be required in relation to lighting and ongoing management and maintenance (in a Landscape and Ecology Management Plan (LEMP)). A Construction and Environmental Management Plan (CEMP) will also be required, to cover avoidance and mitigation measures during site clearance and construction.

(Additional comments sent via email on 31/3/2021)

I have just had a look through the metric you have submitted. I will make a few comments on this and also on the questions raised in the email below.

1. The metric looks like it is a fair assessment of the habitats to be lost with regards to distinctiveness and condition.
2. The distinctiveness of the habitats to be created seems fair but I think you have been over optimistic with regards the condition and/or time to target condition. This will need:
 - a. Justification
 - b. Detailed management plan
 - c. S106 agreement to secure the management plan
3. I would like to see how the design process has considered the mitigation hierarchy in coming to the proposals. It doesn't look like it has.

4. It is my understanding that the costs Warwickshire have used to populate their calculator are a fair reflection of what they looked at, at the time.
- a. I would be surprised if other offset schemes could deliver the same for a lot less. I would like to see how these are justified. I am concerned that if other schemes are saying they can deliver the same for less, it may:
- i. not have been properly costed,
 - ii. be located in a remote location which is not representative of local conditions and would not meet requirements for local offsetting,
 - iii. not tie in with strategic planning for offsetting,
 - iv. not include the costs that are needed to manage and monitor these schemes and ensure they are correctly delivered.
- b. The Buckinghamshire costs are looking like they will be higher than Warwickshire, but they are not yet finalised. It is intended that they will be reviewed again later in April.5. On reflection I think it makes sense that if there is a requirement for offsetting from these proposals, this is dealt with through a payment to the NEP, rather than trying to amend what has already been approved for the surrounding Abbey Barn South site.

Arboriculture Comments

(Initial comments)

The assessment of the existing trees and proposals to remove those at the entrance into the site is acceptable. The above assessment has gone into the Canopy Calculator to show the retained canopy cover which makes sense. The Canopy Calculator has had all of the new trees from the Overall Tree Planting Plan entered into it, this gives a substantial (34%) future canopy cover of the site. However, as the Overall Tree Planting Plan only shows the canopy cover of the trees at planting and not at circa 25 years (as is required by the Canopy Cover SPD), it is not possible to see whether the proposed arrangement will be appropriate or whether it will achieve the canopy cover claimed. Details of the soil currently on the site and the location for new utilities has not been given. Nor has the location for the soil which will enable the trees to grow to their projected size. Greater detail for tree protection and methods of working near them will be required. The Canopy Cover SPD sets out the type and level of detail required to support an application but the required level of information has not yet been submitted.

RECOMMENDATION(S) Further information is required to support the claimed projected canopy cover percentage, as per the Canopy Cover SPD. Further information will be needed at condition stage to support the canopy cover process and tree protection.

ADDITIONAL RECOMMENDATION Aerial photos on Google Earth show that substantial vehicle movement has been taking place within the ride with rutting around TPO'd trees. Remediation measures and/or prosecution may be necessary. Progress should not be made with this application until the potential breach of the TPO has been resolved.

(Additional comments)

The Tree Canopy Assessment Notes address the previous comments made about provision of canopy cover. And it is now clear that the proposals can meet the DM34 canopy cover requirement.

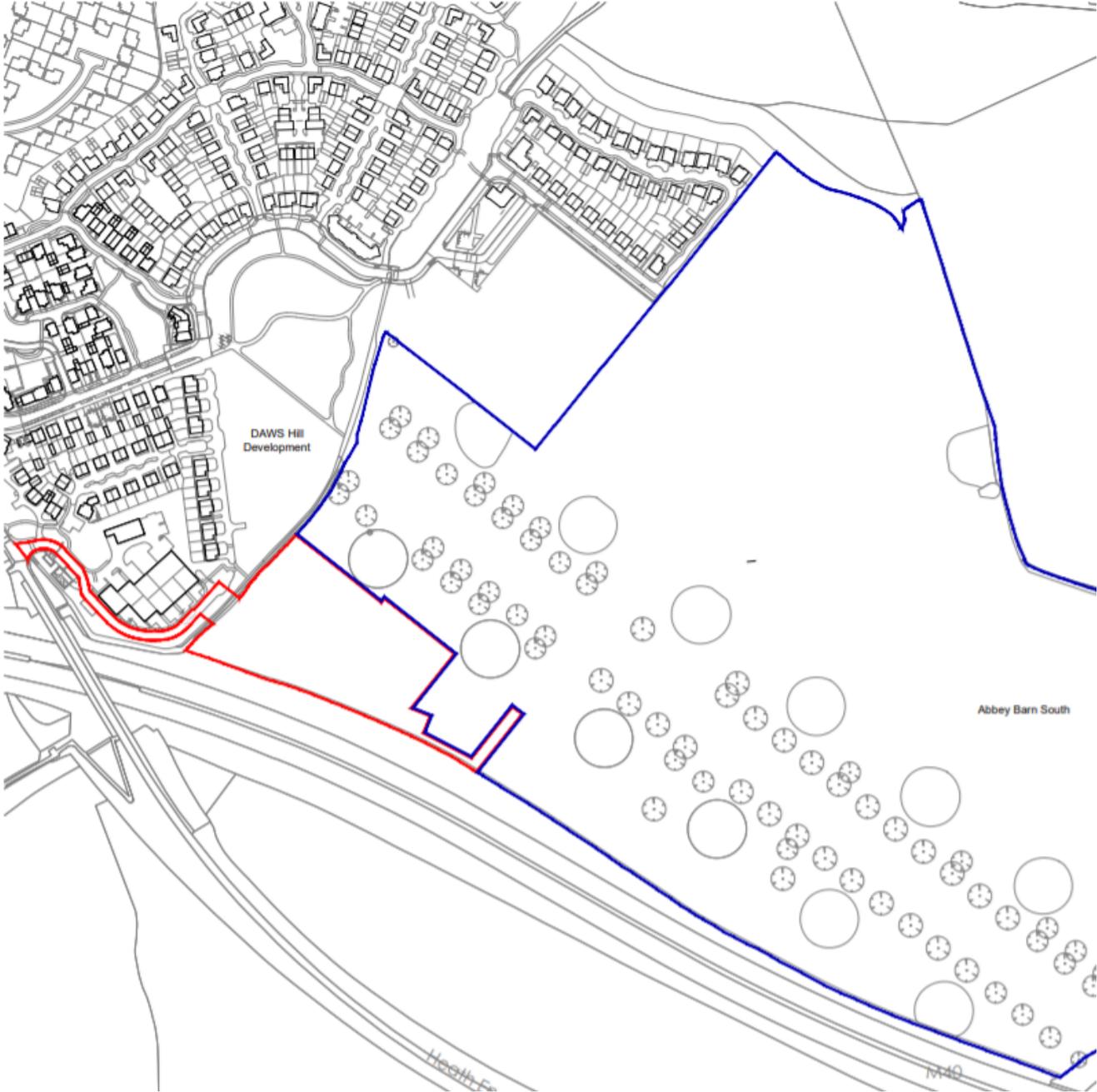
Further details can be provided by condition prior to commencement. These can cover submission of an Arboricultural Method Statement (including Tree Protection Plan. This must show all retained and proposed underground elements (utilities, lighting cables, drainage features) as well as those

elements and activities above ground which could impact upon retained trees.- full details of planting specification, including soil provision detail.- specific details relating to supervision and monitoring of retained tree protection and new tree planting, to ensure there is an audit trail of what happens and this is updated and shared with the LPA on a regular basis throughout development and as a final report for condition sign off prior to occupation.

More information with regards to condition wording can be discussed if permission is being considered.

APPENDIX B: Site Location Plan

20/07390/FUL



APPENDIX C

Wycombe District Local Plan

Statement of Common Ground: HW 5 Abbey Barn South and Wycombe Summit

Matter 7, Question 1(b)

28th August 2018

Between:

- 1) Wycombe District Council (WDC) – the Local Planning Authority, and,
- 2) Berkeley Homes (Oxford & Chiltern) Limited

Introduction

This Statement of Common Ground applies to the Abbey Barn South part of the proposed allocation site HW 5 in the new Wycombe District Local Plan.

- 1) The parties agree that the Abbey Barn South site policy in the Plan is soundly based and deliverable.
- 2) The parties agree that there is scope for the capacity of the Abbey Barn South part of HW5 to be increased to an indicative figure of 550 dwellings, which is higher than the indicative figure set out in the Plan and associated evidence base.
- 3) Berkeley Homes agree that they no longer have any objections to this policy.

Signed

On behalf of Wycombe District Council



On behalf of Berkeley Homes (Oxford & Chiltern) Limited



Date

29/08/18