



Report to South Area Planning Committee

Application Number:	PL/21/1995/FA
Proposal:	Demolition of existing dwelling and construction of new dwelling with integral garage.
Site location:	37 Howards Wood Drive Gerrards Cross Buckinghamshire SL9 7HS
Applicant:	Mr and Mrs Braich
Case Officer:	Matthew McKane
Ward affected:	Gerrards Cross
Parish-Town Council:	Gerrards Cross Town Council
Valid date:	17 May 2021
Determination date:	12 July 2021
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The proposal is for a replacement dwelling. The proposed development is within the built up area of Gerrards Cross where the principle of development is acceptable. The proposed development is considered acceptable in terms of its character and appearance, impact on residential amenity/waste management, parking & highway safety, trees and landscaping, ecology and flooding risk. On this basis, the application is recommended for conditional approval.
- 1.2 The application is required to be determined by Planning Committee due to the applicant being a member of staff at Buckinghamshire Council
- 1.3 Recommendation – Conditional permission.

2.0 Description of Proposed Development

- 2.1 The application site consists of a two storey side gabled house type, rendered white with an integral garage to the side with a vehicular access point onto Howards Wood Drive only. The dwelling house occupies a corner plot and there is a depreciation in ground levels from West to east along the street, and North to South, with properties located across the street being on higher ground level. The front boundaries/frontages are open in nature and consist of trees and landscaping. The locality is generally characterised by

relatively large detached houses located within their own plots, of varying design, a mix of contemporary and traditional styles. The site is located within the developed area of Gerrards Cross.

2.2 The application is accompanied by:

- a) Design & Access Statement
- b) New dwelling Schedule
- c) 3D rendered drawing
- d) Bat emergence Survey
- e) Environmental Report: Phase 1 Site investigation
- f) Biodiversity enhancement plan
- g) Biodiversity enhancement document

2.3 Amended plan:

- a) 2127-PL-102 Rev B – Proposed floor plans (first floor)
- b) 2127-PL-101 Rev B – Proposed floor plans (ground floor)
- c) 2127-PL-103 Rev B – Proposed floor plans (second floor)
- d) 2127-PL-104 Rev B – Proposed floor plans and elevations
- e) 2127-PL-L&B Rev B – Location and Block Plans

2.4 Additional plans:

- a) 2127-PL-05 Rev A Existing and proposed street scene

2.5 Amended plans have been received during the course of the application which re-sited the dwelling back into its plot and reduced the width, height, altered the ridgeline of the two storey front projection, altered the materials proposed to use on construction of the development.

3.0 Relevant Planning History

3.1 No relevant planning history for the application site

4.0 Summary of Representations

4.1 31, 33, 34, 35 Howards Wood Drive:

- Poor Design
- Impact on trees and landscaping
- Residential amenity issues
- Noise/Disturbance
- Smell
- Inadequate access
- Traffic/Parking
- Impact on Ecology
- Interference with Adjacent Property
- Other Non-Planning Reasons
- Probity and conflict of interest matters

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2021.
- Planning Practice Guidance
- National Design Guidance, October 2019

- South Bucks Core Strategy Development Plan Document - Adopted February 2011
- South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011;
- South Bucks District Local Plan Appendix 5 (Conservation Areas)
- South Bucks District Local Plan Appendix 6 (Parking standards)
- Draft Chiltern and South Bucks Local Plan 2036.
- South Bucks District Council Residential Design Guide Supplementary Planning Document (SPD) - Adopted October 2008
- Chiltern and South Bucks Townscape Character Study 2017
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- Burnham Beeches Special Area of Conservation (SAC) Mitigation Strategy, March 2020

Principle and Location of Development

Core Strategy Policies:

CP1 (Housing provision and delivery)

Local Plan Saved Policies:

H9 (Residential development and layout)

- 5.1 The proposal would comprise a replacement dwelling within the built up area of Gerrards Cross where the principle of development is acceptable.

Transport matters and parking

Core Strategy Policies:

CP7 (Accessibility and transport)

Local Plan Saved Policies:

TR4 (Provision for those with special needs)

TR5 (Access, highways work and traffic generation)

TR7 (Traffic generation)

- 5.2 Highways officers responsible for parking and highways safety raise no objection to the proposed development, subject to a condition for the garaging and parking to be laid out prior to initial occupation of the new dwelling and to be retained only for parking thereafter. A suitable condition will be imposed on any grant of approval in this regard.
- 5.3 Parking standards are taken from the following document: Buckinghamshire Parking Guidance September 2015. Gerrard's cross is within zone B (Mid-range population) where guidance requires 3 parking spaces within the curtilage of the application site, which is optimal for a property with 6 bedrooms as proposed. The Highway Officer notes that the garage proposed falls slightly short of the standard size but considers that the proposal would provide sufficient parking on site. In this respect the garage and hardstanding to the front of the property would accommodate in excess of 3 car parking spaces within the curtilage of the site to meet the parking standards for the development.
- 5.4 It should be noted that the proposal does not include any additional access points or gates to the site, including into the Cul-de-sac (east of the site). The drawings show a bin store located to the East of the site. The proposed development resides within the ownership of the applicant and does not encroach onto adjoining pedestrian pathways or highway. Further details (elevations) will be secured by condition on any grant of approval in relation to the bin store proposed.

- 5.5 The proposal is therefore not considered to give rise to any parking or highway safety issues that would warrant the refusal of planning permission in this instance.

Raising the quality of place making and design

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development)

EP4 (Landscaping)

EP6 (Designing to Reduce Crime)

H9 (Residential development and layout)

- 5.6 The NPPF (2021) at paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 states that developments, among other requirements, should function well and add to the overall quality of the area, should be visually attractive as a result of good architecture, layout and landscaping, and should be sympathetic to local character and history.
- 5.7 Paragraph 134 states that development that is not well designed should be refused. Significant weight should be given to development which reflects local design policies and government guidance on design, taking into account any local design guide and/or for outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 5.8 The Ministry of Housing and Local Government published the National Design Guide (NDG) in October 2019. As well as helping to inform development proposals and their assessment by local planning authorities, the NDG aims to support paragraph 134 of the National Planning Policy Framework which states that permission should be refused for development that is not well designed. Paragraph 40 of the design guide notes that well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It enhances positive qualities and improves negative ones. To achieve good design, development should respond positively to the context of the surrounding area, including the existing built development (layout, form, scale, appearance, details and materials); local heritage; landform; landscape character; biodiversity and ecology.
- 5.9 Core Strategy policy 8 states that all new development must be of a high standard of design and make a positive contribution to the character of the surrounding area.
- 5.10 SBDLP policy EP3 states that development will only be permitted where its scale, layout, siting, height, design, external materials and use are compatible with the character and amenities of the site itself, adjoining development and the locality in general. Poor designs which are out of scale or character with their surroundings will not be permitted. SBDLP policy H9 requires that development for residential purposes is compatible with the character of the surrounding area in terms of density, layout, design, height, scale, form and materials.

- 5.11 The Chiltern and South Bucks Townscape Character Study (published November 2017) identifies that site is within a Green Suburban Road which describes these locations as having large, predominantly detached houses set in large plots. Plots regular in width and pattern with houses arranged parallel to the roads with slightly staggered building lines with medium to large front gardens. Properties along this road are individually designed with little homogeneity. Buildings and landscape are of equal importance in this character typology.
- 5.12 Howards Wood Drive is characterised by relatively large detached houses located within their own plots, of varying design, a mix of contemporary and traditional styles sited within proximity of one another, usually at least 1m from side party boundaries. The front boundaries/frontages are open in nature and consist of trees and landscaping. The dwelling house occupies a corner plot and there is a depreciation in ground levels from West to east along the street, and North to South, with properties located across the street being on higher ground level. Howards Wood Drive does not have a consistent building line due to curvatures in the road.

Layout

- 5.13 The two storey replacement dwelling would be larger in terms of footprint however the positioning within the plot is broadly similar to the existing situation and with other properties along the street, compatible with the two immediate dwellings adjacent to the application site. This would ensure that the proposed building would not appear unduly prominent within the street scene in this case.
- 5.14 In terms of plot widths, it is noted that the application site is wider than other plots along the street. In this case the property would preside at least 2m from the side party boundary with number 39 Howards Drive, a similar distance as the existing property located on the site. The resultant property would be sited approximately 4.4m minimum distance from the Eastern boundary. No future terracing effect would occur with neighbouring properties, and a spacious setting along the sides of the property and with adjoining property.
- 5.15 The proposed width of the resultant dwelling would not be out of character in this location. Moreover, the spacing's from either side boundary are consistent with others in the street scene to ensure that the new dwelling would not appear cramped within the plot. In terms of the depth of the proposed dwellings, it is noted that the depth of the building is similar to the adjacent neighbouring property of number 27 Howards Wood Drive across the street. The overall scale of development within the plot would not give rise to a cramped appearance as a significant amount of rear garden space would be retained for the occupants of the dwelling.

Height

- 5.16 Building heights within Howards Wood Drive typically follow the topography of the land, and the height of the new dwelling at number 37 is considered to follow the pattern of development along this side of the street. Whilst the bulk and density of the dwelling would be increased by reason of a crown roofed form, the resultant dwelling would have a lower ridgeline than the existing building being replaced. Given the above the resultant dwellings height is not considered to appear incongruous in this regard as it would accord

with the existing pattern of development along Howards Wood Drive. The resultant dwelling's overall form would not appear too top heavy or unduly prominent within the street scene.

Design

- 5.17 The resultant property would have a crowned roof to the top of the dwelling. There are many examples of detached two storey dwellings along this street and within the immediate vicinity that also have a crowned roof form (for example 27 Howards Wood Drive to the East of the site). Front projections to the dwelling would appear modest in terms of their width and depth beyond the main bulk of the dwelling and subservient in appearance. The front projections help to provide interest and character to the façade of the dwelling.
- 5.18 Although the resultant dwelling is larger than the one it would replace it matches the size, style and design of other properties along the road, such that it would not look incongruous within the street scene as it would be in keeping with character and appearance of development along the road.
- 5.19 The resultant property would be constructed of walls: red-multi facing brickwork, mixed yellow brickwork cornerstone detailing, white painted render, roof tiles: Antique brown tiles, windows/doors: grey Upvc. All materials would be of a high standard providing a new property that would remain in keeping with the material pallet of other properties along the street remain in character with the locality.
- 5.20 There is a variety of window styles to dwellings along the street. The proposed openings to the dwelling's front elevation are of similar proportions to the existing openings, align with one another, would be simple in form similar to previous windows, and would be constructed of I grey Upvc matching material. The change to the front elevation fenestration is considered to have an acceptable appearance on the property and within the street scene as they would remain in character with the variety of window types along the street. To the rear elevation, there are more open areas of glazing with bi-fold doors. All materials would be of a high standard providing also a new property that would remain in keeping with the material pallet of other properties along the street remain in character with the locality.
- 5.21 The single storey rear projection would appear domestic in appearance and simple in form that would not be readily visible from within the street scene.
- 5.22 Given the above, it is not considered that the proposal would result in overdevelopment of the site within this residential setting. The proposed development is considered to be acceptable in terms of its impact on the character and appearance of the street scene and locality of this residential location. The proposal would therefore meet with Policies EP3 & H9
- 5.23 As such the proposal would achieve a suitably high standard of design which accords with policy EP3 & H9 of the Local plan and with the aims of the NPPF.

Amenity of existing and future residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

HP9 (Residential layout and design)

- 5.24 The NPPF requires a high standard of amenity for existing and future occupiers are secured from planning proposal. Local Planning policies not adversely affect the amenities of nearby properties through over dominance, loss of privacy, loss of light.
- 5.25 Adjoining site number 39 Howards Wood Drive is most likely to be impacted by the proposal due to its proximity to the application site.
- 5.26 Number 39 is located on slightly higher ground level and does not have any side elevation openings facing towards the proposed development.
- 5.27 The resultant properties two storey main bulk would not extend beyond the front or rear elevation of the number 39's property, whilst the resultant dwellings two storey front projections would be located significantly from the common boundary line with this neighbouring property. As such the proposed development would not encroach into a 45-degree visibility splay of either the front or rear elevation immediate ground floor windows of number 39's property.
- 5.28 The single storey elements of the proposed development would be single storey in height and would not project significantly beyond the front or rear elevation of number 39's property, the single storey elements of the proposal would be located sufficiently from the shared boundary line and side elevation of number 39's property. It is therefore considered that no significant degree of loss of light or visual overbearing impact is considered to occur from the proposed development towards number 39's property or site. Sufficient outlook would be afforded to number 13's rear & front elevation windows post development.
- 5.29 Sufficient distance is afforded between the proposed development and all other surrounding residential property and sites that no significant loss of light or overbearing impacts are considered to occur as a result of the proposed development.
- 5.30 Party boundary fencing surround the garden would mitigate against any adverse overlooking impacts from new ground floor openings proposed.
- 5.31 The proposed roof lights within the roof slope of the main dwelling would reside above 1.7m internal floor level and provide the occupants with predominantly skyward views only.
- 5.32 First floor rear elevation windows would have comparable views towards neighbouring property and sites as the existing properties first floor rear elevation windows and is not considered to result in a degree of overlooking that would warrant the refusal of planning permission in this instance. The proposal does not include any first floor side elevation windows.
- 5.33 Due to the change in topography a condition for existing and proposed ground floor levels would be secured by condition to ensure that construction is carried out at a suitable level having regard to the appearance of the development and the amenities of neighbouring occupiers.
- 5.34 Overall, the proposed development is not considered to result in any significant degree of residential amenity harm towards neighbouring properties or sites that would warrant the refusal of planning permission in accordance with Policies EP3, EP5 & H9 of the Local plan & aims of the NPPF.

Environmental issues

Core Strategy Policies:

CP12 (Sustainable energy)
CP13 (Environmental and resource management)
Local Plan Saved Policies:
EP3 (The use, design and layout of development)
EP5 (Sunlight and daylight)
EP16 (Hazardous substances)

Contaminated land

5.35 Environmental officers raise no objection to the proposed development. 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 necessary a remediation scheme must be prepared, subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings. To ensure that adequate protection of human health is maintained and the quality of groundwater is protected. A condition would be imposed on any grant of approval in this respect.

Waste Management

5.36 Concerns have been raised regarding waste management and the potential for smell and rodents and also the location of the bin store. The application is for a replacement dwelling and the number of bins required for the property would not increase. Any potential rodent problems would be a matter for environmental health. It is noted that the bins would typically reside within the proposed bin store as indicated on proposed plans, and presented to the sites frontage on collection day as per the current arrangements.

5.37 A condition would be imposed on any grant of approval to provide further details (elevations) of the proposed bin stores in the interest's character and appearance of the area and proper planning.

Flooding and drainage

Core Strategy Policies:
CP13 (Environmental and resource management)

5.38 Residents have drawn the officer's attention to flooding & drainage concerns.

5.39 In accordance with the NPPF Paragraph 168, it is considered that a flood risk assessment is not required as part of this application as the development is located on land less than 1ha and the site is located within flood risk zone 1, which is least likely to be at risk from flooding events.

5.40 The hardstanding proposed would be porous material and therefore no discernible amount of water runoff toward the highway is considered to occur as a result.

5.41 Drainage/guttering details is controlled through building regulations during the construction of development.

5.42 The proposal is considered compliant with the NPPF.

Landscape Issues

Core Strategy Policies:

CP9 (Natural environment)

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP4 (Landscaping)

- 5.43 The site is not located within a conservation area and, and trees on the site and on adjacent sites do not have tree protection orders attached. The site in question is domestic and residential whereby control over the trees within the garden spaces in this instance of limited public amenity value is limited. No trees or hedges are scheduled for removal as part of the proposed development.
- 5.44 The landscaping changes to the front of the site involves additional hardstanding and the general amenity of the area would not be unduly harmed as a result of the proposal.
- 5.45 A detailed landscape scheme can be secured by way of condition, in order to ensure that sufficient levels of natural vegetation and landscaping are maintained on site.
- 5.46 A condition is recommended on any grant of approval that material burning or storage shall not take place within a certain distance of trees on the site or adjoining sites in the interests of retaining the visual amenity of the area and nearby trees.
- 5.47 It is considered the aims of EP4 are therefore achieved from the proposal as the impact on trees and landscaping is negligible.

Ecology

Core Strategy Policies:

CP9 (Natural environment)

CP13 (Environmental and resource management).

- 5.48 The location provides foraging opportunities for bats and it is possible they will also forage around the properties. Ecology officers agrees with the supporting documentation that bats are not a constraint that would warrant refusal of planning permission. Ecology officers also agrees with the supporting documentation that the proposed development will not result in a net loss of biodiversity and has recommended approval subject to conditions in relation to the adoption of a series of avoidance, mitigation and enhancement measures. This includes a conditions requiring the provision of bat box/tube details, bird boxes etc. within the application site to mitigate the impact of the proposal on protected species and provide a net gain in biodiversity.

Non-material planning considerations

- 5.49 A material planning consideration is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission). The following points raised by neighbours are not considered to constitute 'material planning considerations' and are given limited to no weight in the overall recommendation of this application. The application is required to be determined by committee due to the applicant being a member of staff at Buckinghamshire Council. The allegation of a conflict of interest is not of itself a material planning consideration.
- 5.50 Concerns have been raised in relation to consultation procedures with neighbours. Adjoining neighbouring sites and adjacent sites have been notified by letter in accordance with statutory and local requirements exceeding the requirements set out within the Town and Country planning (Development Management Procedure) 2015 as amended. The application can proceed to be determined on this basis.

- 5.51 It is acknowledged that objections have been received on the grounds of noise during the construction of the development and how this may affect the health and wellbeing of neighbours. Notwithstanding this the construction of development would be temporary. An informative is attached to this application to remind the applicant to give consideration to the impact during construction on the environment, neighbours and the public. Attention is also drawn to the Control of Pollution Act 1974 by way of informative as this legislation relates to the control of noise on construction and demolition sites, and working hours.
- 5.52 Due to the small scale of development being proposed a traffic management plan or/and traffic management plan for contractors required by condition is considered to be unreasonable on any grant of permission. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. An informative will be added to any permission to bring this to the applicant's attention.
- 5.53 Concerns regarding rodents due to bin storage has been raised by neighbours. The matter of bin storage has been considered above further up within the report. The solution proposed at the site is considered acceptable, whereby bins are presented to the bin store area on collection day.

Infrastructure and Developer Contributions

Core Strategy Policies:

CP6 (Local infrastructure needs)

- 5.54 The development is a type of development where CIL would be exempt

6.0 Weighing and balancing of issues / Overall Assessment

- 6.1 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
 - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
 - c. Any other material considerations
- 6.2 As set out above it is considered that, the proposed development would accord with the development plan policies.
- 6.3 It is considered that a fair and reasonable balance would be struck between the interests of the community and the human rights of the individuals concerned in the event planning permission being granted in this instance.

7.0 Working with the applicant/agent

- 7.1 In accordance with paragraph 38 of the NPPF (2021) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 7.2 The Council work with the applicants/agents in a positive and proactive manner by offering pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application
- 7.3 In this instance amended plans were submitted during the course of the application which reduced the overall resultant level of built form on the site by reducing the width, height, siting of the proposed dwelling.

8.0 Recommendation

Conditional Permission - subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice. (SS01)
Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).
2. The materials to be used in the external construction of the development hereby permitted shall match those stated on the application form and approved plans
Reason: To ensure that the external appearance of the dwelling is not detrimental to the character of the locality.
3. The scheme for parking, garaging and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.
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.
4. The destruction by burning, of materials within the site shall not take place within 8 metres of the furthest extent of the canopy of any tree or group tree to be retained on the site or on land adjoining. Similarly, no building materials, equipment, vehicles, plant, oil or other petroleum products shall be stored or allowed to stand within the branch spread of the trees to be retained on site. (ST12)
Reason: To ensure that the trees to be retained are adequately protected, in the interests of visual amenity. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)
5. Notwithstanding any indications illustrated on drawings already submitted, prior to occupation of the development hereby permitted, details of a scheme of landscaping which shall include indications of all existing trees, shrubs and hedgerows on the site and details, including crown spreads, of those to be retained and also details of new trees to be planted shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity of the Area and locality in general. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)

6. All planting, seeding or turfing comprised in the approved details of landscaping from condition 5 shall be carried out in the first planting and seeding season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from the occupation or substantial completion of the development, whichever is the later, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. (ST02)

Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)
7. 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 off site receptors.
8. Prior to occupation of the development, further details (elevations, roof plan, material details) of the bin store hereby approved shall be submitted to and approved in writing by the local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: in the interests of the character and appearance, visual amenity of the locality and in the interests of proper planning.
9. Notwithstanding the Biodiversity enhancement plan provided, prior to any above ground construction works commencing on site, an ecological/biodiversity enhancement scheme shall be submitted and approved in writing by the Local Planning Authority, as bird boxes should also be provided within the development to provide enhancements for nesting birds. The development shall be carried out and maintained in accordance with the approved scheme and details.

Reason: To protect and enhance the biodiversity and ecology of the site. (Core Policy 9 of the South Bucks Local Development Framework Core Strategy (adopted February 2011) refers.
10. No works of site clearance, demolition or construction shall take place until a European Protected Species Mitigation Licence has been granted by Natural England. A copy of the licence is to be provided to the Local Planning Authority. Following this, the development shall be undertaken in accordance with the recommendations provided within the Bat Emergence Survey Report (June 2021) produced by ASW Ecology, Biodiversity enhancements plan document, and Biodiversity plan proposed first floor plan drawing no. 2127-PL.

Reason: To comply with the requirements of The Conservation of Habitats and Species Regulations 2017 and to protect species of conservation concern.

11. No works or development shall take place until full details of the proposed finished floor levels of the buildings hereby approved, and of finished ground levels in relation to the surrounding buildings have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented and retained in accordance with these approved details.

Reason: To ensure that construction is carried out at a suitable level having regard to the appearance of the development and the amenities of neighbouring occupiers, in compliance with EP3 & H9 of the South Bucks Local Development Framework Core Strategy (adopted February 2011) refers.

12. 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>
9 Jul 2021	2127-PL-102 Rev B
9 Jul 2021	2127-PL-101 Rev B
9 Jul 2021	2127-PL-103 Rev B
9 Jul 2021	2127-PL-104 Rev B
9 Jul 2021	2127-PL-L_B Rev B

INFORMATIVE(S)

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

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

2. Under the Control of Pollution Act 1974, the applicant is advised that no demolition or construction works relating to this site and development should be carried out on any Sunday or Bank Holiday, nor before 08.00 hours or after 18.00 hours on any days, nor on any Saturday before 08.00 hours or after 13.00 hours
3. You are advised that consent under the Building Regulations may be required for the proposed development and the Building Control Unit at the Council should be contacted in this regard. (SIN41)

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

5. The applicant's attention is drawn to the Party Wall Etc. Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.
6. The applicant is requested to ensure no damage is caused to the footpath and highway verge during the course of the development. Any damage should be repaired to the satisfaction of Buckinghamshire Council Highways
7. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.
8. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

N/A

Parish/Town Council Comments

- Overshadowing/bearing
- Traffic/Parking
- Overdeveloped
- Inadequate parking
- Out of keeping with the street scene.

Consultation Responses

Highways officers:

Howards Wood Drive is an unclassified road subject to a 30mph speed restriction. The proposal involves a replacement dwelling. I would not expect a significant increase in vehicular movements.

The parking standards specify that each parking space should be a minimum of 2.8m x 5m and 3m x 6m for each internal garage space. I note that the proposed garage falls slightly short of this guidance at 3.6m x 5.5m, however despite this shortfall I consider that there is sufficient parking on site for the dwelling. The existing access point is to serve the site; I can confirm that this is suitable.

Mindful of the above, the Highway Authority raises no objections to this application, subject to the following conditions being included on any planning consent that you may grant:

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

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

Ecology officers:

(20/07/2021)

Discussion:

The application is supported by a Bat Emergence Survey report (ASW Ecology, June 2021).

It would also be useful to see the preliminary roost assessment (PRA) report which would have been carried out. Although the results of the PRA have been summarised within the submitted bat survey report, the full details of the results would be useful to assess the roost potential of the building and whether or not there were any access constraints to assess the building.

Evidence of bat roosting was found in the form of likely brown long-eared bat droppings in the roof void and pipistrelle bat droppings also in the roof void. The building was assessed as having a high suitability for roosting bats. The habitat surrounding the site is of optimal suitability for

foraging and commuting bats, including mature gardens and large areas of woodland in the local area.

We note that three emergence surveys of the main dwelling were undertaken during the optimal survey period for such surveys and in suitable weather conditions (May – June 2021). In line with the Bat Conservation Trust Survey Guidelines, ideally at least one of the surveys should be a pre-dawn re-entry survey, however, I do not consider this to be a significant limitation to the survey work.

Emergences of individual common pipistrelle bats were recorded during the surveys, with a maximum of two bats emerging from under roof tiles during the first survey on 8th May 2021. No bats emerged during the remaining two surveys.

In addition, the building has been identified as a brown long-eared bat roost, with several droppings found in the roof space during June 2021. It would be useful if the results of the DNA analysis could be confirmed to confirm that the species is brown long-eared bat.

As bat roosts for common pipistrelle (low numbers) and brown long-eared bats have been confirmed in the building, a Natural England mitigation licence will be required to enable the lawful demolition of the building. An outline bat mitigation scheme has been included in the report. The replacement roosts outlined in the report are for five Schwegler 2F Bat Boxes installed on mature trees within the property. Although a replacement bat box may be accepted by Natural England, brown long-eared bats are void-dwelling species, the Local Planning Authority has a wider remit than Natural England under the provisions of the NPPF and the ODPM Circular 2005/6 in the requirement to maintain, enhance and restore biodiversity over and above just mitigating for any loss of a roost. In addition to the NPPF, the LPA also has a biodiversity duty under section 40 of the NERC Act in exercising its functions to 'have regard, so far as consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'.

Having reviewed the proposals, we note that there would be scope within the proposed dwelling to incorporate a roof void for brown long-eared bats. We see no reason why a roof void could not be used and designed as a dedicated bat roost, with advice on the location and design from the applicant's ecologist, to more closely replicate the nature of the brown long-eared bat roost lost (like-for-like compensation), without compromising the proposed design and at minimal extra cost. We would also suggest that integrated bat boxes/bat tubes are used as replacement roosts in suitable locations within the dwellings, as opposed to the tree-mounted bat boxes, as they are longer lasting and less likely to be prone to disturbance, for example the Habitat Bat Box or Schwegler 1FR/2FR Bat Tube. Locations/types of the bat boxes/tubes should be clearly shown on a plan. We would recommend that an updated bat mitigation plan is provided to include these details, so that they can be secured via a suitably worded planning condition.

Biodiversity enhancements: In line with recognised good practice and government policy on biodiversity and sustainability, all practical opportunities should be taken to harmonise the built development with the needs of wildlife. The proposals must demonstrate a net gain for biodiversity in accordance with planning policy and features for biodiversity must be incorporated within the development. It would be recommended that an ecological enhancement plan to show the locations of the ecological features is then secured by a suitably worded condition should approval be granted. The following provisions for wildlife could be built into the development:

Bats: Bat box(es) could be integrated into the building(s) on a southerly aspect/orientation (south, south-west and south-east). Example specifications include the Habitat Bat Box shown below or Schwegler 1FR/2FR Bat Tube. Boxes should be located a minimum of 2 metres, but ideally 5-7 metres above ground, in a position near the eaves or gable apex. Placement should avoid windows, doors and wall climbing plants.

Birds: Bird box(es) could be integrated into the building on a northerly aspect/orientation (north, north-east and north-west). Example specification includes the Schwegler Brick Box Type 24, or an equivalent suitable for tits, sparrows or starlings. The boxes should be located between two to four metres high, ideally at the gable apex or at eaves. The box can be installed flush with the outside wall and can be rendered or covered so that only the entrance hole is visible

Swifts: Swift box(es) could be integrated into the new buildings on a northerly aspect/orientation (north, north-east and north-west). Example specification includes the Manthrope 'GSWB' Swift Brick as shown below or the Vivara Pro Cambridge Brick Faced Swift Nest Box. The box(es) should be located high within the gable wall, ideally above 5m high, below the overhang of the verge and barge board.

23/07/2021

Please see below updated comments for the application at 37 Howards Wood Drive. I've spoken with the applicant regarding the requirement for the bat loft. I understand from the plans that the height of the proposed roof is less than 2.8 m, which is the recommended height for a replacement loft for a brown long-eared bat roost. From previous experience and discussion with a colleague, we are of the opinion that Natural England are likely to grant a licence without the need for a replacement loft for brown long-eared bats in this scenario as the roost is not a maternity roost but is a non-breeding roost likely used by an individual or small numbers of bats. As such the provision of bat boxes/bat tubes is considered likely to be accepted by Natural England to mitigate for the roost to be lost. Although the LPA has a wider remit than NE, bat boxes would be considered a minimum requirement acceptable, and ideally integrated bat boxes/bat tubes which are incorporated into the new building should be provided as these are generally far longer lasting than attached bat boxes. The provision of a bat roof tile could also be considered, in addition to the boxes/tubes. The applicant's ecologist should be consulted to advise on the most suitable locations/heights/aspects of the features.

Bird boxes should also be provided within the development to provide enhancements for nesting birds.

The bat mitigation plan submitted outlines the bat mitigation measures which will be required. As bat roosts for common pipistrelle (low numbers) and brown long-eared bats have been confirmed in the building, a Natural England mitigation licence will be required to enable the lawful demolition of the building prior to works commencing. The bat survey report provides an outline mitigation plan for the provision of five bat boxes within the site on trees or mounted on the building. However, as above, at least some of the boxes/tubes should be integrated within the new building. The details to confirm the types and clear locations of bat boxes/tubes and details of the types and locations of bird boxes should be included in an updated detailed ecological mitigation and enhancement plan. The plan could then be secured via planning condition, for works to proceed in accordance with the updated details submitted. Alternatively, the detailed plan could be submitted prior to commencement of the development and secured via a pre-commencement condition.

27/07/2021

The proposed bat mitigation details of the 3 bat tubes and 2 bat boxes submitted are acceptable, however the document doesn't include precautionary measures such as supervision of works by a licenced bat ecologist so I would not be completely happy to recommend that the documents are conditioned. These precautionary details are listed in Section 5.5 of the bat survey report. Also, the bird box details should also be included as enhancements for nesting birds. I would could recommend the following conditions, alternatively:

Conditions

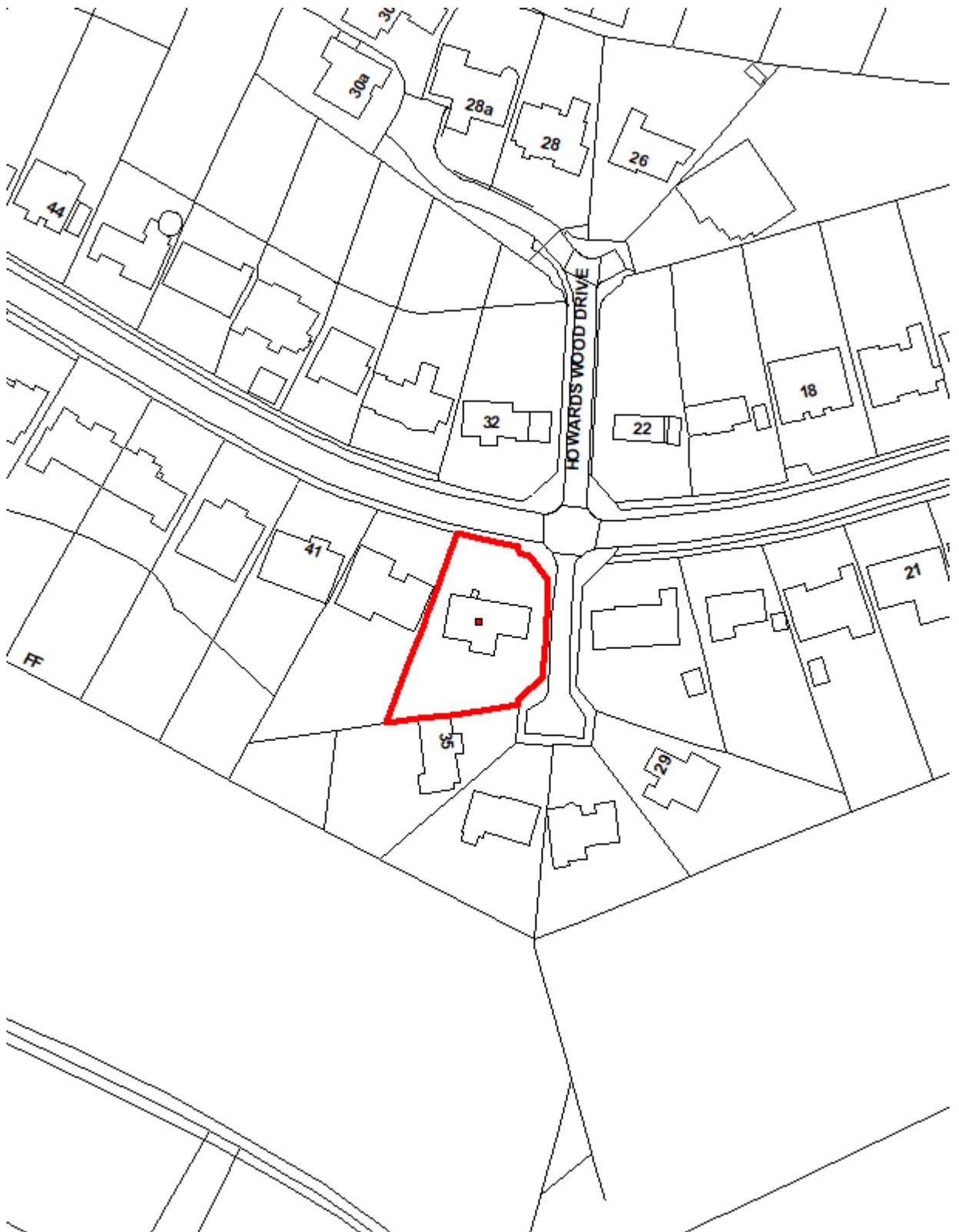
- The development hereby permitted, including any demolition works, shall not in any circumstances commence unless the local planning authority has been provided with either:
a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitat and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or b) a statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.
- Prior to the completion of the development hereby permitted, a scheme of ecological enhancements shall be submitted to and approved by the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme will include provision of artificial roost features, including bird and bat boxes.

Aerodrome Manager:

Denham is a long established Civil Aviation Authority Licensed Aerodrome providing facilities for business aviation and flying training for both fixed and rotary wing aircraft, and may be available for use at any time.

It is inevitable that any occupants in this location will both hear and see aircraft operations including aircraft and it is important that all concerned are aware of the juxtaposition of the sites.

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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