



## Report to South Area Planning Committee

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<b>Application Number:</b>	PL/21/4834/FA
<b>Proposal:</b>	Demolition of existing building and erection of pair of semi-detached dwellings vehicular access
<b>Site location:</b>	123 Holtspur Top Lane Holtspur Beaconsfield Buckinghamshire HP9 1BW
<b>Applicant:</b>	Mr R Patel
<b>Case Officer:</b>	Lucy Dolan
<b>Ward affected:</b>	Beaconsfield
<b>Parish-Town Council:</b>	Beaconsfield Town Council
<b>Valid date:</b>	20 December 2021
<b>Determination date:</b>	15 April 2022
<b>Recommendation:</b>	Delegate the application to the Director of Planning and Environment to GRANT planning permission subject to the conditions set out in this report and the satisfactory prior completion of a Planning Obligation relating to mitigation of Burnham Beeches SAC. If the Planning Obligation cannot be completed the application be refused for such reasons as considered appropriate.

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

- 1.1 Planning permission is sought for the replacement of the existing dwelling with a pair of semi-detached dwellings. To facilitate the dwellings, it is proposed to sub-divide the existing plot to create rear gardens and front parking areas for each dwelling.
- 1.2 Holtspur is within a residential built up area, where new dwellings are considered acceptable subject to other material planning considerations such as the impact on the character area and neighbouring residential amenities. The semi-detached pair of dwellings are considered to reflect the external appearance of one unit of built form and would as such not appear out of context or out of keeping with the existing pattern of development in the immediate vicinity and the dwellings would continue the provision of dwellings fronting a highway. The dwellings have been sympathetically designed to minimise potential impacts to neighbouring dwellings. Future occupiers would also have

considerably sized rear gardens. The dwellings are also similar in scale to the replacement building previously found acceptable under PL/19/3431/FA which was approved in July 2021.

- 1.3 An additional access point is proposed to serve the two dwellings and three parking spaces are proposed to serve each plot which meets parking guidance and sufficient manoeuvrability space is provided.
- 1.4 The site lies within 5.6km of the BBSAC and therefore, there is a requirement to provide a financial contribution towards the SAMMS. This has been accepted by the applicant and a planning obligation will be entered into subject to the outcome of the Planning Committee.
- 1.5 The recommendation is to delegate the application to the Director of Planning and Environment to GRANT planning permission subject to the conditions set out in this report and the satisfactory prior completion of a Planning Obligation relating to mitigation of Burnham Beeches SAC. If the Legal Agreement cannot be completed the application be refused for such reasons as considered appropriate.
- 1.6 Cllr Wheelhouse has called this application to Planning Committee stating that it merits scrutiny in the public interest due to the size, massing and impact on adjacent AONB.

## **2.0 Description of Proposed Development**

- 2.1 The proposed application site is located to the west of Holtspur Top Lane and currently accommodates a single storey detached dwelling. The plot is large in size, and there is a difference in the ground levels throughout the site, with there being a significant downward slope in the ground levels from the front of the site to the rear. The site is located within the developed area of Holtspur as well as being designated as a 'Green Suburban Road' as set out in the Townscape Character Study.
- 2.2 The application is accompanied by
  - a) Design and Access Statement
  - b) Ecology survey
- 2.3 Amended plans were sought and received altering the external appearance and design of the dwellings.
- 2.4 An additional plan was received showing the proposed site levels.

## **3.0 Relevant Planning History**

- 3.1 PL/18/3358/FA - Demolition of existing building and erection of detached dwelling - Withdrawn
- 3.2 PL/19/3431/FA - Demolition of existing building and erection of new dwelling - Conditional Permission

## **4.0 Summary of Representations**

- 4.1 Town Council – Received on the 4<sup>th</sup> February 2022 – Objection
- 4.2 Highways – Received on the 18<sup>th</sup> January 2022 and on the 14<sup>th</sup> February 2022 – No objections subject to conditions
- 4.3 Tree Officer – Received on the 17<sup>th</sup> March 2022 – No objection subject to conditions

- 4.4 Ecology – Received on the 31<sup>st</sup> January 2022 and on the 18<sup>th</sup> February 2022 – Further information required. Received on the 28<sup>th</sup> March 2022 – No objection, subject to condition
- 4.5 Natural England – Received on the 14<sup>th</sup> February 2022 - Standing advice relating to BBSAC
- 4.6 Waste – Received on the 31<sup>st</sup> January 2022 – No objections
- 4.7 26 letters of objection have been received.

## **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 6 (Parking standards)
- 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 Supplementary Planning Document (SPD)

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

Core Strategy Policies:

CP1 (Housing provision and delivery)

Local Plan Saved Policies:

H9 (Residential layout and design)

- 5.1 The NPPF was revised in July 2021 and whilst this replaced the previous Planning Policy Statements and Guidance Notes, it does not replace existing local policies that form part of the development plan. It does state however, that the weight that should be given to these existing local policies and plans will be dependent on their degree of consistency with the NPPF. Therefore, the closer the policies in the development plan to the policies in the Framework, the greater the weight that may be given to them.
- 5.2 With regard to this specific application, it is considered that all of the relevant local policies, as highlighted above, are in accordance with the NPPF. As such, it is considered that this application should be assessed against the relevant local policies set out above and it is considered appropriate to afford these policies significant weight. Where there is a difference or conflict in policy, then the NPPF takes precedence.
- 5.3 Section 11 of the NPPF encourages Local Planning Authorities to make the effective use of land. Paragraph 122 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting needs for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 5.4 The site is located within the developed area of Holtspur where new dwellings are considered acceptable subject to other material planning considerations such as the impact on the character area and neighbouring residential amenities. Furthermore, the proposal

would align with the aims of the NPPF in providing additional homes, making effective use of land and achieving sustainable development. The site is designated as having a Green Suburban townscape for the purposes of the Chiltern and South Bucks Townscape Character Study (2017).

- 5.5 Further to the above, it is noted that planning permission has been granted; and remains extant; for the erection of a replacement dwelling (reference PL/19/3431/FA). This dwelling is two storeys in form and substantial in its scale; reflecting that which is currently proposed; and therefore, whilst this current proposal is for a semi-detached pair and as such is visually different, the principle of a replacement dwelling to a scale currently proposed is considered to have already been established and is therefore, accepted.

### **Transport matters and parking**

Core Strategy Policies:

CP7 (Accessibility and transport)

Local Plan Saved Policies:

TR5 (Access, highways work and traffic generation)

TR7 (Traffic generation)

Buckinghamshire Countywide Parking Guidance, 2015

- 5.6 The Highways authority has confirmed that in terms of trip generation, there would be an intensification of use given the additional dwelling on site. In relation to this, a new access is proposed south of the existing access point where full visibility splays can be achieved.
- 5.7 In line with Buckinghamshire Countywide Parking Guidance, three parking spaces are required per dwelling. These have been accommodated for with one internal space located in an integral garage and two external spaces. These are all of adequate dimensions and there is adequate space within the site for full manoeuvrability. It is noted that a number of neighbouring and the Town Council have raised concerns in relation to the level of parking proposed to serve the two dwellings. Whilst acknowledging these concerns, the parking serving either dwelling complies with parking guidance and the spaces proposed are adequate in their dimensions.
- 5.8 Concerns have further been raised with construction traffic related to the development itself. Highways have recommended an informative relating to the parking of vehicles associated with the building parking on the public highway so as to cause an obstruction. This is considered to be appropriate to the level and nature of development.

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

Core Strategy Policies:

CP8 (Built and historic environment)

CP9 (Natural Environment)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development)

EP4 (Landscaping)

H9 (Residential development and layout)

- 5.9 Section 12 of the NPPF relates to achieving well-designed places. Paragraph 124 of the NPPF states that the creation of high quality 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. Paragraph 134 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans of supplementary planning documents.

- 5.10 C1 of the National Design Guide places important on local identity, stating that well designed new development should respond positively to the features of the site itself and the surrounding context beyond the site boundary. New development should integrate well with the wider surroundings including an understanding of existing built form and layout within the local area.
- 5.11 Local Plan 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.
- 5.12 Local Plan Policy H9 sets out criteria for assessment of residential dwellings. Among other things, it indicates that the new dwelling should be integral to the site context, and in addition, the new dwellings should not have an adverse impact on the character or amenities of the locality in general, and should conform to the guidance set out in Appendix 8.
- 5.13 Paragraph 8.40 of Local Plan Policy H9 requires that 'proposals for new residential development, whether in the form of a single dwelling or a larger development, should safeguard and where possible enhance the character of the surrounding area. New development should respect the general density of development in the locality of the application site, as well as being appropriate in terms of layout, siting, design, height, building form and scale. The Policy does not seek to prevent development at higher densities where this would not be out of character with the locality...'
- 5.14 The application site is located along Holtspur Top Lane, and currently accommodates a detached bungalow. Holtspur Top Lane is characterised by predominately detached two storey dwellings but given the lay of the land most dwellings have three storeys when viewed from the rear elevation. There is limited uniformity in appearances but there is some level of cohesion in the use of crown roofs. The existing dwelling sits to the front of the plot which is rectangular in form. Adjacent neighbours are presented as detached two storey dwellings and are likewise set in rectangular plots. It is proposed to demolish the existing dwelling on site and erect a semi-detached pair of dwellings.
- 5.15 The Townscape Character Study 2017 defines this site as Green Suburban which states that plots are typically regular in width and pattern with large predominately detached houses set in large plots. Gaps between houses are fairly consistent with simple building forms. Whilst noting that the road is predominately detached dwellings, the road is not entirely made up of detached dwellings with one such particular example being approved at No. 131 Holtspur Top Lane (reference PL/19/4396/FA) for a semi-detached pair of dwellings of similar style, scale and appearance as this current proposed application. Therefore, the introduction of a pair of semi-detached properties would not be visually alien for the road. The external appearance reflects the external appearance of one unit of built form and would as such not be markedly incongruous in the street scene. The proposed development would not appear out of context or out of keeping with the existing pattern of development in the immediate vicinity and the dwellings would

continue the provision of dwellings fronting a highway. Furthermore, an additional residential dwelling is unlikely to generate any significant additional paraphernalia that would fail to harmonise with the existing residential character of the locality.

- 5.16 The siting of the dwellings within the plots leaves sufficient and appropriate levels of spacing to boundary lines and as such the level of spaciousness retained on site is considered acceptable and would not appear out of place for the general vicinity. It is not uncommon for dwellings along Holtspur Top Lane to stretch close to the full width of their corresponding plots and therefore the proposed spacing is commensurate to the locality. Furthermore, the siting is consistent with the original dwelling and that proposed and approved under application PL/19/3431/FA and as such it is considered that the semi-detached pair would not appear inconsistent with the locality.

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

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

H11 (Alterations and extensions to dwellings)

- 5.17 Local Plan policy H9 requires that development for residential purposes is compatible with the character of the surrounding area, and should not adversely affect the character or amenities of nearby properties or the locality in general, for example through over dominance, obtrusiveness, loss of important trees or important groups of trees, loss of privacy or loss of daylight.
- 5.18 In regards to residential amenity, given that the site is located with a row of existing dwellings there are direct neighbouring dwellings sited on both elevations and therefore the replacement of the existing dwelling has the potential to impact upon amenities. Whilst acknowledging the increase in built form, spacing to both boundaries is in excess of 1 metre and correlates to existing spacing on site and that sought and approved under planning application PL/19/3431/FA. The existing northern neighbour is a substantial two storey dwelling and whilst the proposed development does extend past the depth of this adjacent dwelling this is not substantial and does not impinge upon the relevant 45-degree test to neighbouring rear windows. There is an usual relationship to the southern neighbour as it sits at an angle to the applicant dwelling. Although recognising this relationship, the proposed replacement dwellings are not considered to result in adverse impacts as the frontwards projection away from existing is not significant. Rear terraces are proposed which sit atop of the rear exposed basement but appropriate screening will be sought via condition to minimise any harm to privacy. It should further be noted that terraces were approved under the previous extant permission PL/19/3431/FA. Furthermore, the most private spaces serving either neighbouring dwelling themselves would not be overlooked.
- 5.19 When viewing the proposed semi-detached from the rear elevation, they will appear three storeys in height as a result of the exposed basement level. The overall height of the building is not visually overbearing and corresponds to the ridge and eaves height of the northern neighbour (measuring at approximately 8.4 metres and 5.1 metres) and given that sufficient spacing is maintained, the dwellings will not appear dominant or overbearing. It is deemed relevant and appropriate in this instance to remove permitted development rights for Classes A and B relating to the enlargement of a dwellinghouse and additions to the roof. This will prevent the further increase in depth without prior

assessment by the Local Planning Authority in order to maintain satisfactory residential amenities.

- 5.20 In terms of privacy, one small window is proposed at first floor level on either flank elevation and flank dormers are proposed in the side roof slopes. These windows will however be conditioned to be obscurely glazed to prevent undue overlooking. Furthermore, an additional condition will be secured to prevent the insertion of any additional windows without the approval of the Local Planning Authority.
- 5.21 In regards to the amenities of future occupiers, Local Plan Policy H9 states that residential developments should include amenity space for residents that is attractive, usable, conveniently located in relation to the dwelling itself and of an appropriate size. Each dwelling proposed has its own private garden which are in excess of 26 metres at their greatest depth. This provision is considered to result in an appropriate and usable level of private amenity space for the scale of dwellings proposed and remains commensurate to neighbouring plots along Holtspur Top Lane.

### **Landscape and visual Impact**

Core Strategy Policies:

CP8 (Built and historic environment)

CP9 (Natural environment)

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP4 (Landscaping)

- 5.22 In relation to landscaping on site, the Tree Officer has confirmed that they raise no objections to the scheme subject to conditions relating to landscaping and appropriate consideration being made for retained trees on site during the demolition and construction phases on site. It is therefore, considered appropriate to condition the submission of a landscaping plan.
- 5.23 Some concern has been raised as to the potential impact upon the designated AONB land which lies to the rear. Core Strategy Policy CP9 relates to the natural environment stating that the conservation and enhancement of the AONB and its setting should be achieved. Whilst noting this, there is substantial separation distance between the dwelling and its associated plot and the designated AONB land of around 170 metres. Whilst views can be afforded into the site from the open countryside to the rear given the land levels change, this is an existing relationship and commonplace along Holtspur Top Lane. Dwellings similar to the scale and height proposed are already in existence and this coupled with the significant separation distance to the AONB, the alteration in design and scale from the existing dwelling on site is not considered to be detrimental to the preservation or landscape character of the AONB.

### **Ecology and Environmental Issues**

Core Strategy Policies:

CP9 (Natural environment)

CP13 (Environmental and resource management).

- 5.24 An Ecological Survey was undertaken by AA Environmental Consultants on the 3<sup>rd</sup> March 2022. This confirmed that there was no evidence of bats on site and no further surveys were required. The Ecologist has recommended the submission of a Biodiversity Method Statement which will provide protection measures for protected and notable species that

may be present on site during works. This will also incorporate biodiversity enhancements and can be secured via condition.

- 5.25 Core Policy 9 of the adopted Core Strategy sets out that the highest priority will be given to the integrity of Burnham Beeches Special Area of Conservation (SAC). Paragraph 3.3.11 of the Core Strategy also states that “where a specific development could result in significant effects on the SAC, a project level (regulation 48) HRA will need to be carried out by the developer when the planning application is submitted to determine whether mitigation measures are required”. This is also consistent with Section 15 of the NPPF relating to ‘Conserving and enhancing the natural environment’. The Burnham Beeches Special Area of Conservation Strategic Access Management and Monitoring Strategy Supplementary Planning Document (SPD) has also recently been adopted and sets out the Council’s approach to new residential development within 5.6 kilometres of Burnham Beeches SAC.
- 5.26 Natural England have been consulted on this application and raise concerns regarding the impact on the Burnham Beeches SAC. Natural England state that when there is sufficient scientific uncertainty about the likely effects on the planning application under consideration, the precautionary principle is applied to fully protect the qualifying features of the European Site designated under the Habitats Directive.
- 5.27 Due to new evidence on the impacts of recreational and urban growth at Burnham Beeches SAC carried out by Footprint Ecology as part of the emerging Local Plan, Natural England recognises that new housing within 5.6km of the Burnham Beeches SAC can be expected to result in an increase in recreational pressure. The 5.6km zone presents the core area around the SAC where increases in the number of residential properties will require Habitats Regulations Assessment. Mitigation measures will be necessary to rule out adverse effects on the integrity of the SAC from the cumulative impacts on development.
- 5.28 Impacts to the SAC as a result of increasing recreational pressure are varied and have long been a concern. These impacts, which have the potential to adversely affects its interest features, including contamination, trampling/wear, harvesting, difficulties in managing the site and disturbance.
- 5.29 Natural England confirm that, in light of the new evidence relating to the recreation impact zone of influence, planning authorities must apply the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended), to housing development within 5.6km of the SAC boundary. The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SAC.
- 5.30 Given the above, the Council has carried out an appropriate assessment for the proposed development (see Appendix C). This concludes that without mitigation measures the development is likely to have a significant effect upon the integrity of the SAC and with the result that the Council would be required to refuse this planning application.
- 5.31 In order to mitigate such impact, the Council has adopted a Strategic Access Managements and Monitoring Strategy (SAMMS) and the approach is set out in The Burnham Beeches Special Area of Conservation SAMMS SPD. The Council consider that the SAMMS, which is supported by Natural England, is a robust and capable means of mitigating the likely significance effects of the proposal over 500 metres and up to 5.6km provided the proposal pays a contribution towards the SAMMS. Natural England has also



confirmed that subject to a legal agreement which secures the financial contribution they do not raise an objection on grounds relating to the impact of such development on Burnham Beeches.

- 5.32 The applicant has confirmed that they willing enter into the planning obligation to secure the contribution. A planning obligation will therefore be progressed and completed to secure the financial contribution towards the SAMMS subject to the outcome of the Planning Committee. Subject to its completion the proposal would be in accordance with Core Policy 9 of the Core Strategy, Section 15 of the NPPF and the Burnham Beeches Special Area of Conservation SAMMS SPD.

### **Flooding and drainage**

Core Strategy Policies:

CP13 (Environmental and resource management).

- 5.33 In accordance with the NPPF Paragraph 167, 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.

### **Infrastructure and Developer Contributions**

Core Strategy Policies:

CP6 (Local infrastructure needs)

- 5.34 The Council has adopted a Community Infrastructure Levy (CIL) for certain forms of development. This does not affect the assessment of the proposed development; however the applicant has been made aware the permission is subject to CIL by virtue of the nature of the development.

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

- 6.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 6.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
  - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
  - c. Any other material considerations
- 6.3 As set Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would

significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- 6.4 It is acknowledged that the Council cannot demonstrate a 5 year supply in the South Bucks Area and paragraph 11(d) of the NPPF is engaged. As set out above it is considered that the proposed development would accord with development plan policies, and the site's proposed redevelopment will make effective and efficient use of land. Housing delivery is a strategic aim of the Core Strategy. The proposed development would make a positive contribution to the Council's housing needs and supply. This housing provision represents a benefit that weighs in favour of the proposal.
- 6.5 In terms of applying Paragraph 11(d) of the NPPF it is concluded that, there are no policies that protect areas or assets of particular importance, that provide a clear reason for refusing the development proposed and there are no adverse effects of the proposal that would significantly and demonstrably outweigh the benefits. Housing delivery is a strategic aim of the Core Strategy. The proposed development would make a positive contribution to the Council's housing needs and supply. This housing provision represents a benefit that weighs in favour of the proposal.
- 6.6 Taking all of the above into account it is considered that the proposal would provide for a sustainable form of development that meets the requirements of the NPPF and relevant Development Plan policies.
- 6.7 It is considered that a fair and reasonable balance would be struck between the interests of the community and the human rights of the individuals concerned in the event planning permission being granted in this instance.

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

- 7.0 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.
- 7.1 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 7.2 This instance the application is to be considered by the Planning Committee where the applicant/agent has the opportunity to speak to the committee and promote the application.

**8.0 Recommendation:** Delegate the application to the Director of Planning and Environment to GRANT planning permission subject to the conditions set out in this report and the satisfactory prior completion of a Planning Obligation relating to mitigation of Burnham Beeches SAC. If the Planning Obligation cannot be completed the application be refused for such reasons as considered appropriate.

Subject to the following conditions:-

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice. (SS01)  
Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).
2. No development shall take place until a schedule of materials to be used in the elevations of the development hereby permitted have been submitted to and approved in writing by

the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details. (SM01)

Reason: To safeguard and enhance the visual amenities of the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

3. No works or development shall take place until details of the proposed finished floor levels of the dwellings; and of finished ground levels in relation to the surrounding land; taken from a fixed datum point; 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 suitable levels having regard to the amenities of neighbouring properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

4. Notwithstanding any indications illustrated on drawings already submitted, the development hereby permitted shall not be occupied until 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 has been submitted to and approved in writing by the Local Planning Authority. None of the trees, shrubs or hedgerows shown for retention shall be removed or felled, lopped or topped within a period of five years from the date of this permission, without the prior written permission of the Local Planning Authority.

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

5. No works or development (including for the avoidance of doubt any works of demolition) shall take place until a tree constraints plan and method statement (in accordance with British Standard 5837:2012 'Trees in relation to design, demolition and construction' or any replacement thereof or EU equivalent)) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide, as required, details of a no dig driveway; phasing of demolition and construction operations; siting of work huts and contractor parking; areas for the storage of materials and the siting of skips and working spaces; the erection of scaffolding. Protective fencing detailed in the method statement shall consist of a vertical and horizontal scaffold framework, braced to resist impacts, with vertical tubes spaced at a maximum level of 3m. On to this, weldmesh panels shall be securely fixed with wire scaffold clamps. The fencing shall be erected to protect existing trees and other vegetation during construction and shall conform to British Standard 5837:2012 'Trees in Relation to Construction' or any replacement thereof or EU equivalent. The approved fencing shall be erected prior to the commencement of any works or development on the site including any works of demolition. The approved fencing shall be retained and maintained until all building, engineering or other operations have been completed. No work shall be carried out or materials stored within the fenced area without prior written agreement from the Local Planning Authority. (ST17A)

Reason: To ensure that the crowns, boles and root systems of the shrubs, trees and hedgerows are not damaged during the period of construction and in the long term interests of local amenities. (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 shall be carried out in the first planting and seeding season following the occupation of the development hereby permitted or the substantial completion of the development,

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

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

7. No development shall take place (including any demolition, ground works, site clearance) until a method statement for the safeguarding of protected and notable species (bats, nesting birds, amphibians, reptiles, badger and hedgehog) and of trees, and securing specific biodiversity measures during construction has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a. purpose and objectives for the proposed works;
- b. detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c. extent and location of proposed works shown on appropriate scale maps and plans;
- d. timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e. persons responsible for implementing the works;
- f. initial aftercare and long-term maintenance (where relevant);
- g. disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: In the interests of improving biodiversity in accordance with NPPF and Core Policy 9: Natural Environment of the South Buckinghamshire Core Strategy and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order, with or without modification), no windows, rooflights, dormer windows or openings other than those expressly authorised by this permission shall be inserted or constructed at any time at first floor level or above in the dwellings hereby permitted.

Reason: To protect the amenities and privacy of the adjoining properties.

9. The first floor windows and dormer windows located in the northern and southern flank elevations of the dwellings hereby permitted, shall only be glazed with obscured glass and shall be non-opening up to a height of 1.7 metres above the floor of the room in which the windows are installed. No alterations to the size or glazing of these windows shall take place unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities and privacy of the adjoining properties.

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

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

11. Prior to the occupation of the development the new access to Holtspur Top Lane shall be designed in accordance with the approved plans. The access shall be constructed in

accordance with; 'Buckinghamshire County Council's Guidance note, "Private Vehicular Access within Highway Limits" 2013.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

12. Within one month of the new access being brought into use, all other existing access points not incorporated in the development hereby permitted shall be stopped up by raising the existing dropped kerb and reinstating the footway and highway boundary to the same line, level and detail as the adjoining footway and highway boundary.

Reason: To limit the number of access points along the site boundary for the safety and convenience of the highway user.

13. 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.

14. Prior to either terrace being used, the walled screens enclosing the proposed rear terraces shown on the plans hereby approved shall be erected and they shall remain in place at a minimum height of 1.7 metres above the floor level of the terraces thereafter.

Reason: To protect the privacy of the adjoining properties.

15. Notwithstanding the provisions of Article 3 and Classes A and B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking and/or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of or to the dwellinghouse the subject of this permission, shall be carried out.

Reason: The nature and density of the layout requires strict control over the form of any additional development which may be proposed in the interests of maintaining a satisfactory residential environment. (Policies EP3 and H9 of the South Bucks District Local Plan (adopted March 1999) refer.)

16. 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>
21 Mar 2022	1906-SP1B LEVELS SITE PLAN
20 Dec 2021	1906 SUR - 14.12.2021 EXISTING
7 Feb 2022	AMENDED REV A 1906 P1
7 Feb 2022	AMENDED REV A 1906 P2
7 Feb 2022	AMENDED REV A 1906 SP1
20 Dec 2021	1906 TOPO - 14.12.2021 EXISTING AND LOCATION

**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](http://www.ccscheme.org.uk). (SIN35)

2. 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
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.
4. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A period of 28 days must be allowed for the issuing of the licence, please contact the Area Manager at the following address for information or apply online via Buckinghamshire County Council's website at <https://www.buckscc.gov.uk/services/transport-and-roads/licencesand-permits/apply-for-a-dropped-kerb/>  
  
Transport for Buckinghamshire (Streetworks)  
10th Floor,  
New County Offices Walton Street,  
Aylesbury,  
Buckinghamshire  
HP20 1UY  
Tel: 01296 382416
5. It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.
6. No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

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

### Councillor Comments

**Councillor A Wheelhouse:** I would like to call-in this application as it merits scrutiny in the public interest. Many thanks.

Confirming my call-in on the grounds that public scrutiny needed due to high level of local interest, size, massing and impact on adjacent AONB.

### Town Council Comments

Received on the 4<sup>th</sup> February 2022

Massive structure, Dangerous road conditions as on a bend, not enough room for parking in the area proposed for cars Drainage could be a problem as the land would be over developed. Bat report is out of date.

### Consultation Responses

#### **Tree Officer**

Received on the 17<sup>th</sup> March 2022

‘The submitted tree and ecology checklist outlines trees are unaffected but the Preliminary Roost Assessment (16 Aug 2021) has a useful illustration of trees in appendix 1 and outlines in the executive summary three trees to be removed. Obviously the tree and ecology checklist has been completed incorrectly and an AIA should have been submitted.

However, because of previous permitted development PL/19/3431/FA is still extant, I consider it acceptable for an AMS to be undertaken as part of planning condition to ensure retained trees are appropriately considered during the demolition and construction phases of development.

Planning conditions ST1 and ST2 may be considered appropriate by the planning case officer to ensure replacement landscaping which should bolster the frontage/street scene of the development by one or two trees within the public realm.

I have no objection in arboricultural terms and recommend planning condition ST17.’

#### **Highways**

Received on the 18<sup>th</sup> January 2022

‘I note the Highway Authority has provided previous comments for this site, most recently under application number PL/19/3431/FA (erection of a replacement dwelling), which in a response dated 24th October 2019; the Highway Authority had no objection subject to conditions.

Holtspur Top Lane is an unclassified road subject to a speed restriction of 30mph. Proposals includes the demolition of existing dwelling and the erection of a pair of semi-detached dwellings with associated vehicular access.

In terms of trip generation, I would expect a dwelling in this location to generate in the region of 4-6 vehicular movements (two-way) per day. As this is the case, I would expect the proposals to result in an intensification in use, in the region of an additional 4-6 vehicular access (two-way) per day. As this is the case, the access arrangements serving the site will need to be assessed in order to determine its suitability to accommodate the level of vehicular movements anticipated.

A new access is proposed which is just south of the existing access. The existing dropped kerb will therefore need to be amended to only serve the proposed vehicular access which I will secure by way of condition. In line with guidance contained within Manual for Streets, visibility splays of

2.4m x 43m are required, commensurate with a 30mph speed limit. Having assessed the submitted plans, I am satisfied that full visibility can be achieved.

In line with the Buckinghamshire Countywide Parking Guidance, 3 parking spaces per dwelling are required. It is noted that each dwelling benefits from an internal garage and two external parking spaces, I am satisfied that all of which are of adequate dimensions. There also appears to be adequate room within the site for the manoeuvring of vehicles clear of the highway.

Mindful of the above, I have no objection to the proposed development, subject conditions being included on any planning consent you may grant.'

Received on the 14<sup>th</sup> February 2022

'Having reviewed the amended plans, I am satisfied that they do not make a material difference in highway terms and the principle of the development remains the same. Therefore, I have no further comments to add to my previous response.'

### **Ecology**

Received on the 31<sup>st</sup> January 2022

'Further Information Required. An updated bat survey is required as the last survey was carried out in June 2020 and the results of that survey are no longer considered valid. In addition, a tree survey is recommended as it appears that a number of trees are present within the site and will be impacted on by the proposed works.'

Should this application be subsequently granted approval a biodiversity method statement will be recommended detailing reasonable avoidance measures for all protected and notable species that may be present on site during works and specific biodiversity enhancements that will be incorporated into this development in order for the development to result in a biodiversity gain in line with NPPF.'

Received on the 18<sup>th</sup> February 2022

"Further Information Required. An updated bat survey is required as the last survey was carried out in June 2020 and the results of that survey are no longer considered valid. In addition, a tree survey is recommended as it appears that a number of trees are present within the site and will be impacted on by the proposed works."

Should this application be subsequently granted approval a biodiversity method statement will be recommended detailing reasonable avoidance measures for all protected and notable species that may be present on site during works and specific biodiversity enhancements that will be incorporated into this development in order for the development to result in a biodiversity gain in line with NPPF."

Received on the 28<sup>th</sup> March 2022

'No Objection, subject to Conditions. A biodiversity method statement is recommended, detailing reasonable avoidance measures for all protected and notable species that may be present on site during works and specific biodiversity enhancements that will be incorporated into this development.'

### **Natural England**

Received on the 14<sup>th</sup> February 2022

'Standing advice - no objection - subject to appropriate mitigation being secured.'



## **Waste**

Received on the 31<sup>st</sup> January 2022

'I have looked at the plans and cannot see waste collection point provided, however, I don't envisage there being an issue as 123 Holtspur Top Lane is currently serviced by us. Therefore, Waste services have no objections towards the proposal for waste and recycling provisions at property, 123 Holtspur Top Lane Holtspur Beaconsfield Buckinghamshire HP9 1BW.'

## **Representations**

### **Amenity Societies/Residents Associations**

Beaconsfield Society:

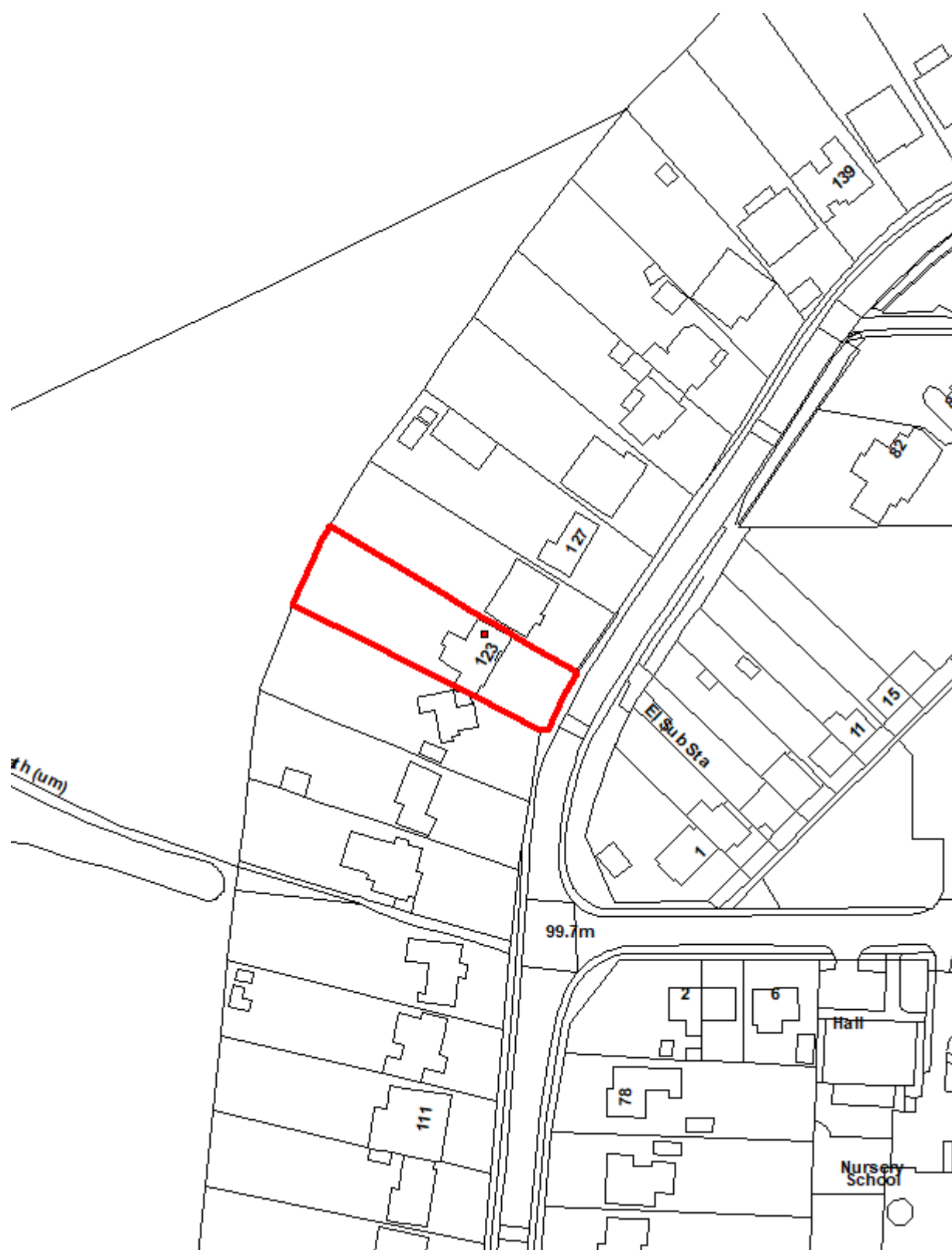
- overdevelopment of small site
- proposed design overwhelms the neighbouring properties
- loss of amenity for the neighbouring properties
- the application is not in accordance with Local Plan Policies EP3 and H9

### **Other Representations**

25 comments have been received objecting to the proposal:

- it is within the BBSAC
- overdevelopment of the area replacing one dwelling with two
- there will be congestion and danger caused
- there is a creeping over-development in Holtspur and cannot be continued traffic will increase
- the value of wildlife will be reduced
- there is no indication on the plans as to how they will move about the site
- there is already low water pressure along the road
- the excavations relating to the basement level raises concern
- the street scene in Holtspur will be impacted
- there is an associated increase in bulk and size
- the resultant plots would be narrower than surroundings
- Holtspur is losing its 'affordable housing'
- Three storeys is not acceptable

## APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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