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Organisation	Buckinghamshire Council
Department	Planning
Comments	Not Set
Date	26/05/2020
PSMA Licence Number	100023578

Report to South Buckinghamshire Area Planning Committee

PL/19/2119/FA

Case Officer: Graham Mansfield
Date Received: 01.07.2019
Parish: Stoke Poges
App Type: Full Application
Proposal: Demolition of the existing car showroom and the erection of a three storey mixed use building comprising a car showroom at ground level, and 12 x 1-bed flats on the first and second floors. Retention of existing workshop to the rear with 2 MOT bays. Provision of car parking spaces, cycle storage area, and bin store.
Location: Thames House
Bells Hill
Stoke Poges
Buckinghamshire
SL2 4EH
Applicant: GStar Property Services Ltd

SITE CONSTRAINTS

Adjacent to A and B Road
Adjacent to Unclassified Road
Biodiversity Opportunity Areas
Community Assets/ Council Owned Land
North South Line
A and B Roads
SBDC Airport Safeguarding
SBDC Asset Register
BCC MWLDF and BMWLP (Mineral Protection Zones)
SBDC Rights of Way
SBDC Settlements
SB SSSI Impact Zones
SBDC Wind Turbine Dev
Townscape Character

REASON FOR PLANNING COMMITTEE CONSIDERATION

The application has been referred to the Planning Committee following discussion between Officers and the Chairman elect. In the interests of the wider public it is considered the application would benefit from further scrutiny.

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SITE LOCATION

The application site is located within the developed area of Stoke Poges, on the west side of Bells Hill.

The site is currently occupied by a single storey building located in the north west corner and is used for the purposes of servicing motor vehicles. The front of the site is a state of disuse and is currently enclosed by hoarding.

To the north of the application site is the local shopping centre which was constructed in the late 2000's. The building to the north of the application site known as Thomas House contains car parking at lower ground floor, retail units at ground floor and flats within the roofspace.

There is a notable change in levels between the application site and Thomas House to the north.

To the south of the application site is Stoke Poges Village Hall, the car park of which adjoins the application site to the south. In addition, the rear gardens of 121 - 127 Rogers Lane also abut the application to the south.

A public footpath which joins Rogers Lane and Bells Hill Green runs to the west of the application site.

The application site is within 5.6km of Burnham Beeches.

THE APPLICATION

The application proposes to redevelop the front of the application site by erecting a three storey building which would contain a car showroom at ground floor level and 12 one bedroom flats on the first and second floors. The overall scheme would provide 7 market housing units and 5 affordable units, which equates to 40% affordable units on site.

It is proposed to retain the motor vehicle servicing facilities within the existing single storey building to the north west of the site.

Parking would be provided along the southern and eastern boundary of the site as per the existing arrangements. Marked bays would be provided for the MOT use, residential and car show room uses.

The overall scheme would provide 7 market housing units and 5 affordable units, which equates to 40% affordable units on site.

The proposed building would be approx. 20 metres in width fronting Bells Hill and would be a depth of 21 metres.

In terms of height, the proposed building would be 8.3m to the eaves with a total ridge height of 11.0m.

AMENDMENTS TO CURRENT APPLICATION

Officers worked with the applicant during the course of the application in order to create a scheme which aligned with the NPPF in terms of making effective and efficient use of land and that was acceptable in terms of design.

Whilst the footprint of the proposed building remains the same the external design and the number of flats within the building were amended.

RELEVANT PLANNING HISTORY

18/00185/FUL: Single storey side extension, alterations to fenestration and facade treatment and the internal installation of 2 MOT bays. Conditional Permission

10/00302/FUL: Change of use from car sale workshop to banqueting and conference facility with supporting facilities. Refuse Permission

03/00301/FUL: Retrospective application for change of use from Class 81 (Business) and B8(Storage) to vehicle display, sales and servicing. Conditional Permission.

01 /00990/FUL: Single storey rear extension and alterations. Conditional Permission.

98/00926/FUL: Change of use of former filling station / car sales showroom and vehicle repair workshop to Class B1 and Class B8. Demolition of canopy, external alterations to part of building. Closure of one access, revised parking and erection of front boundary wall / railings and infilling of underground tanks. Conditional Permission.

92/00806/FUL: Retention of use of land partly for storage of motor vehicles and partly for car sales display. Conditional Permission.

PARISH COUNCIL

Objection: Policies EP3 (a), (b), (c), (d) & (f), EP4 (c), EP5 (a) & (b), H9 (a), (b) & (c), TR 7 (d) EP16, NPPF 124 all apply. The applicant uses EP6 which we believe is NOT relevant to this application.

The proposed extensions would result in the creation of a large, bulky and unattractive structure of excessive depth, and with a large expanse of the roof at high level.

The dwelling would be lacking in pleasing proportions and would fail to respect the traditional character. The excessive depth of the extended building would be apparent in angled views from the road, and would result in an unduly bulky appearance that would be at odds with the traditional proportions of the existing building and would be out of keeping with the general character of this residential area.

This is contrary to the NPPF 124, Not a good design and an urbanising feature, it is too far forward of the existing building line.

The size, bulk, height is incongruent with its surroundings and the design layout and fenestrations are in keeping with an urbanised development, Stoke Poges is classified as a semi-rural village.

EP16 does not fit with residential use from a safety perspective. There are hazardous substances fundamental to the business such as oil storage etc., and there appears to be no fire escape other than the front entrance.

The lay of the land is on a hill so the development is over dominant in relation to the houses on Rogers Lane, 129, 127, 125, 123 & 121 leading to loss of amenity and privacy.

The lack of landscaping will also contribute massively to the appearance of an urban development. with the addition of EP4 (a) & TR7 (b). Existing dwellings in Thomas House and the other blocks of flats and Bells Hill Green resulting in over parking on the roads and the doctor's surgery, where will they park? Visitors parking would also encroach onto Bells Hill Green, where cars already have to park in the doctor's surgery causing chaos.

The drawings are misleading and the rendered elevation drawings are not in perspective. We believe elevation 3 showing the distance from Thomas House to the proposed flats is misleading and is not 18 meters and needs to be clarified, it appears to us to be more like 11 meters!

We would query if there is any social housing stock included in this application?

The rear elevation 4 of the apartments at the back of the building hardly have any natural day light and will have obscured views of the existing workshop, we do not believe that this is properly represented in the drawings and is misleading.

[Officer Note The Parish comments are noted, the majority of the points raised are addressed in the officers report below. It is noted that the proposal is referred to as a dwelling. However, the proposal is for a mixed used building with a car showroom with residential flats above. The concerns regarding distances to Thomas House are noted. Separation distances have been assessed from the scaled drawings provided with the application.]

REPRESENTATIONS

13 Letters of objection received. Concerns raised include:

- Impact of proposed building on daylight and sunlight
- Loss of views
- Proposed building out of scale and out of character with the area.
- Design is urban and too tall
- No outdoor spaces for flats
- Impacts on neighbouring privacy
- Impact on local services
- Traffic impacts
- Insufficient parking
- Noise impacts from surrounding uses
- Overbearing on neighbouring flats
- Impact on house values
- Concerns regarding construction traffic

CONSULTATIONS

Housing Officer:

No objection, subject to securing the affordable housing via a section 106.

Urban Design Consultant (summarised):

Original Comments dated 31/07/2019

The design fails to pick up on the shortcomings of the adjacent co-op development and offers little to enliven the street with the scale and detailing of the building consisting of a series of elements and proportions that lack visual and proportional cohesion.

This is further reinforced by a building that is neither contemporary or traditional. There is a mix of different styles and features - creating an unconvincing proposition. There are a range of range of window openings with a confusing mix of sizes and emphasis

The relationship with Bells Hill is largely inactive - with the entrance to the showroom from the car park to the side of the building. The principal elevation is dominated by a protruding element that provides access to the apartments. This is a further element of the building that adds to the overall lack of cohesion.

Currently, I cannot support the application.

Urban Design Consultant (summarised):

Revised Comments dated 15/05/2020

Considerable improvements have been made to the design of the elevation.

The strongest reason for refusal in terms of design would have been on appearance, however significant improvements have been made in this respect. More needs to be done, but we could not justify a refusal on these grounds when (arguably) this is what planning conditions are there to do.

Information is limited in places, for instance it is not clear what facing material is proposed to the ground floor.

My objection is withdrawn subject to the requirements being secured by condition in relation to finer details including;

- roofing, rainwater and facing brick materials.
- Full details of balcony materials, including the projecting elements
- Glazing details, including shopfront glazing and arrangement

- Hard and soft landscaping
- Boundary treatments

Lead Local Flood Authority:

No objection subject to conditions.

Waste:

Waste services note the proposal of redevelopment of Thames House. We have no objections, collection vehicle will not enter the site but will stop on Bells Hill. crews will wheel the bins out and return them to their original location on collection days in accordance with council policies.

Landscape Officer:

No objection, subject to conditions. Further detail will be required about all the proposed planting - Details are required about plant species, sizes and numbers.

Environmental Health:

The historical maps show that there was a building on site during the 1924-1925 epoch, the layout shown on the historical map for the 1955-1974 epoch has changed, the site is labelled as a garage, the site is labelled Thames House on the raster map. Based on this, a contaminated land condition is recommended.

Environmental Health (Noise):

I do not have any comments to make regarding this application from an Environmental Health perspective.

Highways:

I write further to my original comments dated the 30th July 2019, in which the Highway Authority had no objection to the proposals subject to conditions. Since these comments were submitted to the Local Planning Authority, the applicant has increased the quantum of development from 8 x 2-bed flats to 12 x 1-bed flats. The following comments consider this increase and should be read in conjunction with my original comments on the proposals. Bells Hill is classified as the B416 and in this location is subject to a speed restriction of 30mph.

Proposals include the demolition of the existing car showroom and the erection of a mixed use building comprising a car showroom at ground level, and 12 x 1-bed flats on the first and second floors. The existing workshop to the rear of the site will be retained, along with two MOT bays. When considering trip generation, having interrogated the TRICS® (Trip Rate Information Computer System) database, I find that the existing 768sqm car showroom would have the potential to generate in the region of 151 vehicular movements (two-way) as a whole. Proposals seek the erection of 12 x 1-bed flats and a 398sqm car showroom.

The proposed car showroom would have the potential to generate in the region of 79 vehicular movements (two-way) per day and a 1-bed flat would have the potential to generate in the region of 2-4 vehicular movements (two-way) per day, and as such, in total, would have the potential to generate 24 - 48 vehicular movements (two-way) per day. As this is the case, I consider that the proposals would lead to a reduction in vehicular movements from the current site. The existing access point into the site is to be altered, however I understand that no alterations would be made within the extent of the publicly maintained highway, and therefore I have not suggested a condition or licence for this. Within the site, I note that 42 car parking spaces are provided. This level of parking has been broken down into the specific uses on site, with 24 spaces provided for the existing retained workshop to the rear of the site, 12 spaces proposed for the 8 flats on site and 6 spaces proposed for the showroom and customer parking on site. Whilst I trust that the Local Planning Authority will comment upon the suitability of the parking provision proposed, I can confirm that the spaces proposed are of adequate dimensions and would allow for vehicles to park, turn and leave the site in a forward gear.

No objection, subject to conditions on parking layout and construction management plan.

Natural England:

Originally issued an objection due to the impacts of new housing on Burnham Beeches SAC in terms of visitor pressures.

Between 500 metres to 5.6km from Burnham Beeches SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity. This should be in line with emerging Local Plan Policy DM NP3, which requires proposals to;

1. Make financial contributions towards the Burnham Beeches Access Management Scheme, or any subsequent scheme which replaces this; and
2. Demonstrate that no adverse impacts on the SAC will arise as a result of additional visitors to the SAC from the development. Mitigation will need to be determined in agreement with Natural England.

Natural England subsequently lifted their objection owing to the applicant's agreement to contribute to mitigation payments. The contribution will be secured via a section 106 agreement.

POLICIES

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

South Bucks Core Strategy Development Plan Document - Adopted February 2011: Saved Policies CP1, CP2, CP3, CP8, CP9, CP12, CP13

South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011: Saved Policies GB1, GB3, EP3, EP4, EP5, EP6, H9, TR5, TR7.

Chiltern and South Bucks Draft Local Plan 2036 (2019)

South Bucks District Council Residential Design Guide Supplementary Planning Document (SPD) - Adopted October 2008

South Bucks District Council Affordable Housing SPD - Adopted July 2013

Chiltern and South Bucks Townscape Character Study (2017)

Burnham Beeches SAC Mitigation Strategy (2020)

EVALUATION

1. The NPPF was updated on 19th February 2019 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.

2. In addition to the above, the publication version of the Chiltern and South Bucks Local Plan 2036 was approved at Council on 14 May 2019 and it was agreed that this should be endorsed as a material consideration in the determination of planning applications. This document has now gone through the consultation stage. However, given that draft Local Plan has yet to be examined by the planning inspectorate, only limited weight can currently be given to this document.

Principle of development

3. Paragraph 122 of the NPPF highlights that planning decisions should support development which makes the efficient use of land, taking into account; housing need, local market conditions, availability and capacity of infrastructure, maintaining the area's prevailing character and securing well-designed places. The site falls within the developed area of Stoke Poges where new and replacement buildings are acceptable, subject to all other material planning consideration such as character, amenity and highways.

4. Paragraph 122 of the NPPF highlights that planning decisions should support development which makes the efficient use of land, taking into account; housing need, local market conditions, availability and capacity of infrastructure, maintaining the area's prevailing character and securing well-designed places.

5. The current application seeks to redevelop the front portion of the site, whilst keeping the motor vehicle servicing facility to the rear. The proposal would seek to provide a mixed use development with a car showroom at ground floor and two stories of residential accommodation above.

6. Officers consider that the car sales element of the proposal, together with the retention of the motor vehicle serving facility would maintain the application site as an employment generating site and therefore would align with Core Policy 10 of the South Bucks District Core Strategy (2011).

7. Noting the above, there would be no principle objection to the introduction of residential on the site. Furthermore, the mixed use nature of the site would add to the vitality of Stoke Poges Village Centre. In this regard the proposal would align with Core Policy 11 of the South Bucks District Core Strategy (2011) which highlights that proposals for new retail, office and other main centre uses should enhance the vitality and viability of centres in South Bucks.

8. Whilst considerations in terms of the design of the building are discussed further below, officers consider that the redevelopment of the front of the site would be beneficial to the townscape character and the general visual amenity of the area. Due to the fact that part of the site is derelict and enclosed by hoarding fronting Bells Hill.

Housing Provision and Delivery

9. During the course of the application, the proposed residential element of the scheme was amended from 8 flats to 12 flats. This made for a more efficient use of land and also allowed for affordable housing (5 units) to be provided as part of the development.

10. The NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses and also states that decisions should support development that make efficient use of land. Core Policy 3 also seeks to ensure that developments are not built at a low density to avoid the need for affordable housing. As noted above, officers consider that the proposal would align with these requirements.

11. One of the primary aims of the NPPF is to significantly boost the supply of housing and the advice is clear that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 61 of the NPPF highlights that local authorities should plan for a mix of housing based on current and future demographic trends and needs of different groups within the community.

12. Paragraph 62 of the NPPF further sets out that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:

- a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
- b) the agreed approach contributes to the objective of creating mixed and balanced communities.

13. Paragraph 64 of the NPPF further states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership (as part of the overall affordable housing contribution from the site), subject to exemptions including Built to Rent and self-build.

14. Core Policy 3 sets out that for developments of this scale at least 40% of dwellings should be affordable, unless it is clearly demonstrated that this is not economically viable. The Policy also sets out that on qualifying sites, about two thirds of the affordable of the affordable units provided should be rented, with the remainder as intermediate affordable dwellings.

15. As a result of the revised scheme, 5 out of 12 units on site would be affordable housing units which equates to a 40% provision. The on-site provision would align with policy requirements in this regard. In terms of the mix the proposed 5 units would be made up of Affordable Rented units and thereby exceed the policy requirement of Core Policy 3 which aims for two thirds of the Affordable Housing to consist of Affordable Rented. Officers acknowledge that the NPPF requires at least 10% of the affordable contribution on site to be made of affordable ownership. However, the Council's Housing Manager has confirmed that he would always favour getting as many social rented or affordable rented units as possible as this directly meets the needs from the Council's Housing Register and homelessness duties. In this regard the Council's Housing officer therefore has raised no objection to the scheme. As such, on balance 5 affordable rented units is considered to better contribute towards the Council's housing needs than would be the case if some of the provision were allocated to affordable ownership units and the proposed housing mix is considered acceptable.

16. As such, subject to a Section 106 Legal Agreement to secure the affordable housing, the proposal complies with the Core Strategy Policy CP3.

17. In summary, the proposed developed would be align with the provisions of the NPPF in providing mixed and balanced communities and would comply with Core Policies CP2 and CP3 of the South Bucks District Council Core Strategy (2011).

Design/character & appearance

18. A number of comments have been received which highlight that the proposed development is out of scale and generally out of character with the surrounding are. In addition, the architectural design of the building has been amended during the course of the application.

19. The Council's Urban Design officer had significant concerns with the design of the building as was originally submitted with the application. The principle objections related to the fact that the proposed elevations provided an inactive frontage onto Bells Hill, this coupled with the fact that the design of the building was not cohesive and consisted of a mixture of styles. This was evident in the range of window opening and conflicting roof details.

20. As result of the above the Council has worked with the applicant to obtain an improved design which now consists of a simplified contemporary design and offering an increased active frontage to Bells Hill. This is further explored below.

21. Paragraph 127 point C of the NPPF states that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscaping setting, while not preventing or discouraging appropriate innovation or change. Point E of paragraph 127 seeks to optimise the potential of the site to accommodate an appropriate amount and mix of development.

22. 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.

23. The application site is located on the main road through Stoke Poges and within the Village Centre. The Chiltern and South Bucks Townscape Character Study identifies the site as being within a clustered centre. Clustered Centres for the purposes of the above document as defined as small areas of commercial or community activity, restricted to a handful of buildings that may or may not have a physical relationship with each other. These centres are not well defined, fragmented, and commercial standalone buildings are often interspersed with dwellings. Clustered centres are generally located along main routes with high volume traffic, and there is no spatial coherence.

24. The application site is adjacent to Thomas House which is located to the north and is set into the slope of Bells Hill resulting in a two and half storey building. The Stoke Poges Village centre is located to the south of the application site and consists of a one and half storey building. The current building to the front of the application site is single storey.

25. In terms of location and layout, the proposed building would be closer to the Highway than the existing buildings on site. However, in terms of building lines, the proposed front elevation of the building would respect the building lines on Bells Hill and that of neighbouring premises at Stoke Poges Village Centre and Thomas House.

26. In terms of scale and bulk, the proposed building would be comparable to that of Thomas House to the north. The proposed building would be considerably shallower in terms of depth compared to Thomas House. The proposed building would be three stories in height, it is noted comments have been received which state that proposed building would be unduly high. However, the site would be located in the village centre which has a distinct commercial/mixed used character and includes other large buildings which are between 2 and three stories tall. In terms of the location and surrounding site circumstances, it is considered that the height of the proposed building would not appear out of character with the surrounding area.

27. Officers recognise that the Stoke Poges Village Centre to the South would be noticeably lower in height than the proposed building. However, due to the separation distance of approx.45 metres, it is considered that the proposed building would not appear incongruous within the streetscene, considering the views from the south of the deep southern flank of Thomas House which is a prominent feature.

28. As noted previously the original design was amended during the course of the application. The current design would be simple in terms of proportions and rhythm and would be of a more contemporary style, the previous design attempted to replicate that of Thomas House which is an architecture of its time. The current design also attempts to offer an improved relationship to Bells Hill with a greater active frontage at ground floor level. Whilst being a contemporary design, the proposed building would have a greater sense of proportion, with improved fenestration arrangements and would pick out material features from the surrounding vernacular including the use of brick and tiled roofing.

29. The Council's Urban Design officer has commented on the proposals and overall has noted on the improved design of the scheme, thus removing the original objection to the scheme. The proposed development would require to demonstrate finer design detailing such as the specific external material details and finer details such as fascias and rainwater goods. However, the Council's Urban Design officer has recommended conditions in this regard.

30. In terms of landscaping, the existing site is predominately made up of hardsurfacing and the proposed scheme would retain most of this for the purposes of parking. While officers note that the uses on ground floor inhibit the ability to incorporate significant soft landscaping, there would be opportunity on the street elevation to soften the appearance of the proposed building.

31. The Council's Landscape officer has also noted the lack of soft landscaping as identified above, However, no objection has been raised in relation to the scheme. It is noted that there would be opportunities for some planting adjacent to the building to the front of the site and on the north boundary, and on the car park boundaries on the north, west and south boundaries to provide some screening and softening of the proposed development. As such, a condition requiring the finer details of the hard and soft landscaping would be required as part of the permission.

32. Overall, the proposed development is considered to be appropriate in terms of its size, scale, style, and appearance. The proposed development would not appear over-dominant or obtrusive within the street scene. The proposed development is considered to improve the visual amenities of the area and is not considered to be out of keeping for the locality. Overall, the scale and siting of the proposed development is

considered to be acceptable when considered in terms of policy EP3 and H11 of the South Bucks District Local Plan.

Residential amenity

33. Local Plan policy EP3 requires regard to the amenities of adjacent properties. Policy EP5 states that development will be permitted only if it would provide for adequate daylight, and where possible sunlight, to reach into spaces around and between buildings and other physical features and would not result in a significant loss of daylight or sunlight to adjacent buildings or land.

34. A number of objections have been raised in relation the proposed building and its impact on neighbouring residential amenity. The proposal and its impacts on neighbours are assessed as follows.

Rogers Lane

35. Along with 129 Rogers Lane (known as the Stoke Poges Village Centre), two pairs of semi-detached properties at 121 to 127 (odds) Rogers Lane adjoin the application site to the south. The dwellinghouses at 121 to 127 are located centrally in their plots and have rear gardens which are approx. 26.0m in depth. There is also a notable change in gradient up towards the application site boundary from these properties.

36. However, officers consider that the occupants of these dwellings would not be unduly impacted by the proposed development in terms of daylight, overshadowing or outlook. The proposed building fronting Bells Hill would not site directly to the rear of 121-127 Rogers Lane and would be located some 46 metres from the closest residential property at 127 Rogers Lane.

37. Whilst it is recognised that habitable windows on the proposed building would be located on the western and southern elevations, these would only afford oblique views towards 121-127 Rogers Lane, combined with the generous separation distances, it is considered that no unacceptable impacts would occur in terms of privacy.

Bells Hill Green

38. Properties on Bells Hill Green are located to the west of the application site, no. 26 Bells Hill Green being the closest to the application site. However, due to the separation distance of over 50 metres and the right angles relationship between no. 26 and the proposed building, it is considered that no undue impacts would occur in terms of residential amenity.

Thomas House

39. Thomas House is located to the north of the application site and is located at a higher ground level. The roofspace of Thomas House contains 10 residential dwellings, 6 of which have a southern aspect towards the application site. The windows serving the flats within Thomas House are deeply set within the roofslope.

40. The proposed development would be adjacent to four of the flats within Thomas House, specifically those on the eastern half of the roof. However, as noted previously, the application site is located on a lower ground level than Thomas House.

41. While it is noted that comments have been received which question the distances between the two buildings, from the scaled plans, there would be a 14.0m distance from the windows serving Thomas House and the proposed development. Taking this into account, together with the change in levels, it is considered that the proposed development would not lead to undue impacts in terms of daylight and overshadowing. The relationship between the two buildings would be such that no breach of the 25 degree would occur.

42. It is noted that concerns have been raised in relation to the loss of views from the flats in Thomas House. While this is recognised, there are no rights in relation to views in planning terms. In terms of privacy, the proposed windows on the northern flank of the proposed development would be at a lower level than the roof level windows of Thomas House. It is also noted that the roof windows serving Thomas House

are also set in within the roofslope. As such, there would be little opportunity for unacceptable levels of overlooking to occupiers of Thomas House.

Residential amenity future occupiers

43. Whilst it is noted that the South Bucks District Local Plan (1999) does not require specific standards in terms of amenity standards for future occupiers, the draft Chiltern and South Bucks Local Plan 2036 includes draft policies DM DP17 and DM DP18 in relation to internal space standards and outdoor amenity respectively. It is noted that limited weight can be attributed to these policies due to the current stage of the Local Plan. Notwithstanding this, they are still a material planning consideration. In addition, the NPPF provides guidance on providing well designed places in terms of amenity under paragraph 127 f.

44. In terms of the layout of the proposed dwelling and impacts on future occupiers, it is noted that the proposed units would exceed with the minimum space standards as prescribed by the national space standards in terms of one bedroom flats. Furthermore, each flat would align with the minimum floor to ceiling heights also set out in the Technical housing standards - nationally described space standards.

45. It is noted that concerns have been raised regarding the quality of the living accommodation and the impacts of the motor servicing on future occupiers. As noted previously, the proposed living accommodation would exceed the minimum floor space standards which apply to new build properties.

46. In addition, the proposed layout of the residential accommodation would ensure that main habitable windows would have either a western or eastern aspect which would ensure satisfactory amounts of natural daylight. It is noted that eight of the flats would benefit from dual aspect windows.

47. In addition to the above, each dwelling would have an acceptable standard of outlook, with open plan areas opening out onto enclosed balcony areas which would serve as private amenity areas. Officers consider that the amount of amenity provided would be sufficient for dwellings of this size. As noted previously, the flats would either have an eastern aspect (facing the highway of Bells Hill) or a western aspect (facing towards the boundary with Bells Hill Green).

48. The existing single storey building which accommodates the motor vehicular servicing would be adjacent to the western elevation of the proposed building. However, due to the fact that the flats are at higher level at first and second floors, it is considered that the outlook here would be acceptable.

49. In terms of potential noise and disturbance from the motor servicing, officers consider that this would not result in unacceptable impacts on future occupiers. Officers note that use of the site in regards to the current operations are in close proximity to neighbouring residential properties.

50. Furthermore, it is noted that Environmental Health officers have not raised any concerns. Notwithstanding this, planning conditions would be necessary to control noisy works associated with the current use. Officers note that such conditions in relation to noise levels and hours of operation were attached to the previous permission to protect neighbouring amenities and these conditions would be recommended on the current proposal.

51. Overall, it is considered that the proposal would provide a sufficiently high standard of accommodation for future occupiers. The proposal therefore aligns with the aims of para. 127 F of the NPPF and policy EP3 of the South Bucks District Local Plan (1999).

Parking/Highway implications

52. It is noted that objections have been raised in terms of parking, traffic generation and highway safety in general.

53. Local Plan policy TR5 requires that in considering proposals involving a new or altered access onto the highway, works on the highway, the creation of a new highway or the generation of additional traffic, the

District Council will have regard to the potential impact on safety, congestion and the environment. The amenities of nearby properties will also be considered.

54. Policy TR7 states that development will only be permitted if parking provision complies with the parking standards set out in Appendix 6. The Appendix sets out minimum standards for residential development, requiring one space per 1 bedroom dwelling.

55. The proposed plans submitted show that there would be provision for 1 car parking space for each of the 12 dwellings. 24 spaces and 6 spaces would be provided for the existing car servicing and car showroom respectively. As such, the proposed parking provision would comply with policy TR7 and appendix 6 of the South Bucks District Local Plan (1999).

56. The Council's Highways officer has commented on the application in terms of potential trip generation and the proposed vehicular access to the east site and are satisfied with the details submitted and have concluded that the proposal would not unduly impact upon the safety of the Highway. Subject to the attachments of conditions in relation to parking layouts, the proposal would comply with policy TR5 and TR7 of the South Bucks District Local Plan (1999).

57. While a number of concerns have been raised in relation to disturbance connected with construction, the Council's Highways officer has recommended that a condition be attached to any permission which would require the applicant to submit a construction management plan prior to any building works taking place.

58. In terms of waste, while the waste arrangements for the motor vehicle servicing would be as per the existing arrangement. It is proposed to provide a dedicated bin storage area for the proposed residential element of the scheme. The Council's waste service have accepted this arrangement for the purposes of refuse collection and management.

Drainage

59. The applicant has supplied a Surface Water Management Strategy for the proposed development. It is noted that the site is located in an area with very low risk surface water flooding. The proposed development would utilise a tanked permeable paving which would have an outfall into the existing Thames Water surface water sewer located under Bells Hill.

60. The Lead Local Flood Authority has reviewed the submitted documentation and has confirmed that the surface water strategy is sufficient and raises no objection. However, conditions are recommended in which the applicant would be required to submit details in relation to technical details in relation to pipe work and SUDs components. Further details are also required in relation to the ongoing maintenance of the drainage on site. Subject to these requirements the proposal would align with paragraph 165 of the NPPF in terms of flood risk.

Ecology

61. An ecological appraisal was carried out on site including the survey of the existing premises and those earmarked for demolition (single storey building of a flat roof nature). The results have confirmed a lack of supporting habitats for bats and other protected species. As such no objection has been raised in these regards.

62. Notwithstanding the above, a condition would be recommended to ensure that opportunities for ecological enhancements are incorporated into the proposed development.

Burnham Beeches Special Area of Conservation

63. It is noted that an objection has been raised from Natural England in regards to the impact of the proposal on the Burnham Beeches Special Area of Conservation (SAC).

64. Whilst officers note that Draft Local Plan Policy DM NP3 highlight that developments between 400km and 5.6km of the Burnham Beeches are still likely to result in additional recreational visits to SSSI/SAC. The draft local plan has been informed by a recent Habitats Regulations Assessment which demonstrates that without appropriate mitigation there are likely to be increased visitor pressure and deterioration of the designated SAC.

65. As noted previously, the draft local plan can afford only limited weight. However, the new evidence which is built upon visitor surveys which in turn informs the study carried out entitled 'Impacts of Urban Development at Burnham Beeches SAC and Options for Mitigation: update of evidence and potential housing growth, 2019 shows that increased population within the area is resulting in undue harm to the SAC. In light of the new evidence the Local Planning Authority must apply the requirements of Regulation 61 of the Conservation of Habitats and Species Regulations 2017 (as amended).

66. As such and in line with Regulation 61 the Council must carry out an appropriate assessment of the implications of development within the relevant catchments of the SAC. Chilterns and South Bucks District Council has carried out a Mitigation Strategy for development within the Burnham Beeches 5.6km radius. This includes a Strategic Access Management and Monitoring Strategy (SAMMS). This aim of the SAMMS is to manage and avoid impacts and to change the visitor behaviour when visiting the SAC. The SAMMS is made up of six various projects stretched over 80 year period. As a result, all net new homes granted planning permission from March 2020 will need to contribute financially to these projects.

67. The applicant has confirmed that they are willing to enter into a Legal Agreement to secure the necessary costs towards the mitigation strategy for Burnham Beeches SAC. As such no objection is raised subject to the completion of the Legal Agreement.

Other matters

68. Comments have been noted regarding the impacts of the proposal on property values. However, issues regarding property values are not material planning considerations.

Planning Balance

69. The NPPF sets out the presumption in favour of sustainable development, and for decision making, setting out approving development proposals that accord with up to date development plans without delay.

70. Section 2, paragraph 8 of the NPPF sets out three overarching objectives, these are set out as Economic, Social and Environmental objectives. Overall it is considered that the proposed development would align with the aims of sustainable development in line with section 2 of the NPPF. The proposal would fulfil economic objectives in terms of supporting growth. The proposal would result in the creation of temporary jobs during the construction phase of the proposed development. In addition, it is considered that the proposal would maintain the vitality of Stoke Poges Village Centre.

71. A social objective would also be met as the proposal would provide additional housing within the local area, including providing a proportion of affordable housing. It is considered that that the mixed use scheme would make effective and efficient use of land, whilst giving regard to the local built environment.

72. Overall, officers consider that proposed development would align with the principles of sustainable development as reinforced within the NPPF. The proposal would make an effective and efficient use of the existing site by a mixed use scheme providing both employment and housing. The proposed housing, (including 5 affordable units) would help provide the area with much needed housing which would utilise a brownfield site and thereby relieve development pressures from the Green Belt.

Conclusions

73. It is considered that a fair and reasonable balance would be struck between the interests of the community and the human rights of the individuals concerned in the event of planning permission being granted in this instance.

Working with the applicant

74. In accordance with section 4 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal.

75. Buckinghamshire Council works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

In this case the Local Planning Authority has worked with the applicant to secure amended plans to achieve a scheme which is considered acceptable by Officers.

Human Rights

76. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: APPLICATION PL/19/2119/FA BE DELEGATED TO THE DIRECTOR OF PLANNING, GROWTH AND SUSTAINABILITY TO APPROVE SUBJECT TO CONDITIONS AND THE SATISFACTORY PRIOR COMPLETION OF A SECTION 106 PLANNING OBLIGATION AGREEMENT RELATING TO AFFORDABLE HOUSING AND MITIGATION OF BURNHAM BEECHES SAC. IF THE SECTION 106 AGREEMENT CANNOT BE COMPLETED THE APPLICATION BE REFUSED FOR SUCH REASONS AS CONSIDERED APPROPRIATE.

Subject to the following conditions:-

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice. (SS01)

Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).

2. No development shall take place beyond ground level until a schedule of materials of the following have been submitted to and approved in writing by the Local Planning Authority;

- All facing materials for the building, including brickwork and roofing materials
- Specification of all finishing materials to be used in any hard surfacing
- Windows and doors including glazing details for shopfronts
- Balcony screening and supports
- Boundary fencing including all pedestrian, access gates and frontage treatment
- Waste storage

The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

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. Notwithstanding any indications illustrated on drawings already submitted, no development shall take place 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. (ST01)

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.)

4. 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. (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.)

5. The development hereby permitted shall not commence (unless an alternative timescale for submission of the scheme has previously been agreed in writing by the District Planning Authority), until the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

i) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

6. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out, together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 5, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 5, 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 in accordance with condition 5.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8. No works or development shall take place until details of the proposed finished floor levels of the development and of finished ground levels in relation to the surrounding dwellings have been submitted to and approved in writing by the District Planning Authority. Thereafter the development shall be implemented and retained in accordance with these approved details. (SD16)

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.)

9. No development shall take place, including works of demolition, until a Construction Traffic Management Plan (CTMP) has been submitted to and approved by the Local Planning Authority, in conjunction with the Highway Authority. The CTMP shall include details of:

- the routing of construction vehicles;
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- operating hours;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities.

The approved plan shall be adhered to throughout the construction period.

Reason: In the interests of highway safety, convenience of highway users and to protect the amenities of residents. (Policy TR5 of the South Bucks District Local Plan (adopted March 1999) refer.)

10. The scheme for parking 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.

11. No works, other than demolition, shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Permission from Thames Water to discharge into existing surface water sewer network or demonstration of existing permission
- Demonstrate that water quality, ecological and amenity benefits have been considered
- Full construction details of all SuDS and drainage components
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
- Calculations to demonstrate that the proposed drainage system does not surcharge for the 1 in 1 year storm event and can contain up to the 1 in 30 year storm event without flooding. Any onsite flooding between the 1 in 30 year and the 1 in 100 year plus climate change storm event should be safely contained on site
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.
- Flow depth

- Flow volume
- Flow direction

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

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

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

13. No deliveries of vehicles shall be taken or despatched from the site outside the hours of 8a.m to 6p.m Monday to Saturday and at no time on Sundays or Bank Holidays.

Reason: To protect the amenity of the area. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

14. No noise producing plant or machinery shall be installed outside the workshop without the prior permission of the District Planning Authority.

Reason: To protect the amenity of the area from excessive noise generation. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

15. The workshop doors shall remain closed when any mechanical equipment is in operation within the workshop except for reasons of health and safety and during entry and exit of vehicles.

Reason: To protect the amenity of the area from excessive noise generation. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

16. The noise levels when measured at the boundaries of the site with the permitted use including vehicle servicing and MOT testing shall not at any time, as a result of this development exceed 5 dB(A) over the existing background levels. (NNO4)

Reason: To protect the amenity of the area from excessive noise generation. (Policy EP3 and EP9 of the South Bucks District Local Plan (adopted March 1999) refers.)

17. The workshop use which provides for the servicing and MOT testing of motor vehicles shall not operate before 8am or after 7pm on Monday to Saturday and at no time on Sundays or Bank Holidays.

Reason: To protect the amenity of the area. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

18. The car sales use hereby approved shall operate only between 07.30 and 18.00 Monday to Saturday and 10.00 and 14.00 on Sundays and Bank Holidays.

Reason: To safeguard the amenities of nearby occupiers in accordance with Local Plan Policy EP3 of The South Bucks District Local Plan Adopted March 1999 Consolidated September 2007 and February 2011 Saved Policies.

19. No part of the development shall be occupied until a scheme of ecological enhancements has been submitted to, and approved in writing by, the Local Planning Authority to ensure a net gain in biodiversity will be achieved. The scheme will include provision and details of artificial roost features, including bird and bat boxes.

Reason: In the interests of improving biodiversity in accordance with NPPF and Core Policy 9: Natural Environment of the South Bucks District Council Core Strategy (2011) and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

20. AP01 Approved plans

INFORMATIVE(S)

1. 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.

2. No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980 (as amended). (SIH24)

3. It is an offence under S151 of the Highways Act 1980 (as amended) for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site. (SIH23)

4. 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)

5. 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)