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App No : 18/06767/FUL App Type : FUL

Application for : Change of use of land to site 40 residential park homes with associated car parking, landscaping, recreational areas and boundary fence and gate (all within area outlined in orange on plan 07B707320-001 Rev L), siting of ranger's lodge unit with new access onto Bassetsbury Lane on land adjoining the proposed park home estate (within area outlined in blue on plan 07B707320-001 Rev L).

At Allotment Gardens, Bassetsbury Lane, High Wycombe, Buckinghamshire

Date Received : 25/07/18 Applicant : Wycombe District Council

Target date for decision: 24/10/18

1. **Summary**

- 1.1. The proposal for a change of use of the land to provide 40 residential park homes and a rangers lodge and access. Both these areas are defined within the description of development and the accompanying plans.
- 1.2. The proposal is for park homes. The application is being reported to committee because this is a regulation 4 application (Town and Country Planning General Regulations 1992) and has attracted a lot of public comment.
- 1.3. There is an unresolved issue relating to flooding and drainage. This requires further clarification from the Lead Local Flood Authority and comment from the Environment Agency.
- 1.4. The approval would be subject to a legal agreement. The Highway Authority will support the application if the pedestrian links to the site are improved and this will be secured by a S106 agreement. The agreement will also secure an affordable housing contribution and drainage management if required.
- 1.5. The site is considered to be acceptable in terms of its impact on the adjacent Conservation Area and the setting of the nearby listed buildings.
- 1.6. The impact of the proposal on the trees within the site is acceptable in principle subject to detailed information required by condition.

2. **The Application**

- 2.1. This is the site of former council allotments. This is a regulation 4 application (Town and Country Planning General Regulations 1992) because the council are making an application to itself for planning permission to develop its own land but does not ultimately intend to develop the land itself.
- 2.2. The site is a triangular shaped piece of land accessed from Bassetsbury Lane. The site is undeveloped; as former allotments gardens it is not considered to be previously developed land.
- 2.3. The site adjoins High Wycombe Town Centre Conservation Area and within this area is the Funges Farmstead which incorporates two Grade II listed buildings. This Farmstead is located adjacent to the site. The site also adjoins Funges Meadow Nature Reserve. To the north east of the site is the track bed of the former High Wycombe to Bourne End branch railway line.
- 2.4. There are two distinct areas identified and an undefined area within the red edge plan.

- i. Land edged orange - defines the site for the change of use of land to site 40 residential park home utilising the existing access.
 - ii. Land edge blue - defines the change of use of the land for the siting of a rangers lodge and associated parking with a new access.
 - iii. There is a third undefined area within the red edge which contains no development and in an area of open space.
- 2.5. The proposal for the siting of 40 residential park homes is accompanied by a layout plan. The layout seeks to retain the trees along Bassetsbury Lane which are within the site and consequently no development fronts onto this road. The layout of the park homes is relatively uniform, on similar size plots providing two car parking spaces in tandem per plot and 9 visitor spaces.
- 2.6. The Chilterns Rangers unit will be provided by a similar unit to one of the proposed residential units. The layout for this identifies 9 car parking spaces and a separate vehicular access. This site could be used by the Chiltern Rangers as a base and educational venue.
- 2.7. In 2013 a soil survey found that the land was contaminated and could no longer be used for allotments and the use ceased. Subsequently, the site has been allocated within the emerging Wycombe Local Plan for residential use, although it is noted that this is not yet an adopted policy.
- 2.8. The application is accompanied by:
 - a) Planning, Design and Access Statement
 - b) Transport Statement
 - c) Statement of Community Involvement
 - d) Flood Risk Assessment and Surface and Foul Water Drainage Strategy
 - e) Phase 2 Ground Investigation
 - f) Ecological Appraisal and surveys
 - g) Heritage Statement
- 2.9. The followings amendments have been made to the submitted plans:
 - Removal of the footbridge to the elevated track bed to the north east of the site – this was at the request of the Local Planning Authority following concerns by the Design and Crime Prevention Design Advisor for Thames Valley Police.
 - The designation of two separate areas within the overall site – identifying the area for the Chiltern Rangers unit and the area of the residential park homes within the description of development.
- 2.10. Statement of Community Involvement. The applicant has carried out a community consultation exercise which has included an exhibition which was advertised by printed leaflets distributed to homes in the vicinity, as well as an article in the local newspaper and posts on the council's social media channels and a dedicated page on the council's web site. The Local Planning Authority has also widely consulted on the planning application and the responses are summarised in Appendix A of this report and are available in full on our web site.

3. Working with the applicant/agent

- 3.1. In accordance with paragraph 38 of the NPPF2 Wycombe District Council (WDC) 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. WDC 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.
- 3.2. In this instance the applicant:
 - was provided with pre-application advice,

- a number of different issues have emerged during the consultation process and the agent has been advised of these matters. Additional information has been submitted covering issues such as:
 - a) sustainable drainage strategy,
 - b) updated flood risk assessment,
 - c) affordable housing commuted sum payment offer,
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

4. Relevant Planning History

- 4.1. There is no relevant planning history. Planning permission has been granted in the past for communications masts but they have been removed from the site.

5. Issues and Policy considerations

ALP – H24 Stationing of mobile homes or residential caravans
 CSDPD: CS1 (Overarching principles - sustainable development), CS2 (Main principles for location of development), CS12 (Housing provision)
 DSA: DM1 (Presumption in favour of sustainable development),
 New Local Plan (Submission Version): CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions, Transport and Energy Generation), HW13 – Former Bassetsbury Allotments, Bassetsbury Lane

Development Plan Framework

- 5.1. For the purposes of considering this application the relevant parts of the Development Plan are the Wycombe Development Framework Core Strategy (July 2008), the Wycombe District Local Plan (January 2004) and the Delivery and Site Allocations Plan (July 2013).
- 5.2. The New Local Plan Submission Version – March 2018. The emerging policies of the New Local Plan should be given some weight in any planning decisions as a material consideration.

Principle and Location

- 5.3. The Core Strategy and the Adopted Delivery and Site Allocation Plan promotes the creation of sustainable patterns of development.
- 5.4. The principle focus of development is High Wycombe. The site is located within the urban area of High Wycombe where, in general, sites are considered to be in a sustainable location. However this site is constrained by a section of Bassetsbury Lane which does not have a continuous footpath. Therefore pedestrians cannot easily access the site. This issue requires a satisfactory resolution to ensure that sustainable development can be achieved. This will be considered in more detail under transport matters.
- 5.5. The site is an allocated housing site within the emerging Local Plan. However it has been subject to objections which have been considered at the recent Examination in Public of the Local Plan. Only limited weight can, therefore, be given to this policy at this time. However the site is within the urban area and there are no specific adopted policies which would restrict residential development. Therefore the residential development of this site would be acceptable subject to compliance with other development plan policies and a satisfactory resolution to the issue of providing an alternative pedestrian route from the site.

Affordable Housing and Housing Mix

ALP: H9 (Creating balanced communities)
 CSDPD: CS13 (Affordable housing and housing mix), CS21 (Contribution of development to community infrastructure)
 New Local Plan (Submission Version): DM22 (Housing Mix), DM24 (Affordable Housing),

Housing Mix

- 5.6. The proposal does not provide for a mix of housing within the site. The housing will be park homes and while the exact style and type of home will vary this will not provide a mix of housing type and size. However the nature of park homes means that they provide an alternative form of housing which is cheaper than an equivalent bricks and mortar dwelling, and because of this, is attractive to potential purchasers. The development, therefore, helps to contribute to the housing mix within the District.
- 5.7. Park homes are often popular with older people downsizing from large properties being single floor living with lower cost, less maintenance and located on a smaller plot. This development is targeted at the older population (50+) however there is no planning reason to impose this restriction. The applicant, however, has indicated that they intend to restrict it to that age group. It is likely that a consequence of the development will be to free up larger properties in the local market as purchasers downsize.
- 5.8. Park homes are a specific type of housing and contribute to a broader housing mix within the District and to that extent the development is consistent with policy CS13 and the emerging Local Plan policy DM22.

Affordable Housing

- 5.9. Park homes are dwellings and trigger a requirement for affordable housing provision in line with current policy (CS13). The site is green field and this has latterly been accepted by the applicant. The policy requirement for the site is 40% affordable housing provision on site.
- 5.10. Evidence has been submitted which shows that registered service providers do not wish to have park homes within their housing portfolio. Therefore, on this basis, the council's housing services team have agreed in principle to an equivalent commuted sum payment.
- 5.11. A commuted sum has to be calculated in accordance with the council's existing Planning Obligations Supplementary Planning Advice (Affordable Housing -Appendix 2).
- 5.12. A commuted sum offer has been made and this has been independently appraised. At the time of writing the figure required has not been agreed. However subject to agreement on the commuted sum payment the proposal would comply with the affordable housing policy. It would have to be the subject of a S106 agreement to secure the monies required.

Transport matters and parking

ALP: T2 (On – site parking and servicing), T4 (Pedestrian movement and provision), T5 and T6 (Cycling), T7 (Public transport), T8 (Buses), T12 (Taxis), T13 (Traffic management and calming)

CSDPD: CS16 (Transport), CS21 (Contribution of development to community infrastructure)

DSA: DM2 (Transport requirements of development sites) DM4 (Former Bourne End to High Wycombe railway line)

New Local Plan (Submission Version): CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

- 5.13. The Highway Authority consider that the highway network is sufficient to support the amount of traffic generated by this proposal.
- 5.14. The Highway Authority considers that the proposed residential use will be expected to generate a higher level of daily pedestrian movements when compared with its

previous use. They do not wish to see additional pedestrian movements along the section of Bassetsbury Lane which is devoid of footway (regardless of the existence of footways either side of the double-bend). There is insufficient (if any) land within the existing highway to create one.

- 5.15. However, the applicant has been exploring a scheme to upgrade the adjacent former railway line to provide an alternative route for pedestrians both from the development and the wider area. The initial plans, which have been shared on an informal basis with the Highway Authority, provide new connections from the site to the former railway line linking to the existing development. The initial plans also reduce foliage and introduce some lighting.
- 5.16. The Highway Authority have initially indicated that they support these improvements because it would help deliver part of the wider policy DM4 (which encourages the provision of a cycle/walkway between Bourne End and High Wycombe). The improvement would provide pedestrians with an alternative route to bypass Bassetsbury Lane where there is no footway. It is unlikely that this will be the key walking route, as walking along Bassetsbury Lane is still the most direct route to the town centre, however it will provide an alternative for pedestrians to access public transport and local services.
- 5.17. The original plans included a footbridge link from the rear of the park home site to the trackbed on the old railway line as a convenient link to the route in line with policy DM4. The Highway Authority were keen to see this link to the trackbed. However it was removed following concerns from Crime Prevention Design Advisor (CPDA) that the route could be used by the public as a pedestrian route through the park home site. This would make it a site more vulnerable to crime
- 5.18. The removal of the footbridge link means that there is no longer direct access to the old railway line from the development. The applicant has sought to address this by extending the footpath eastwards on Bassetsbury Lane which currently stops just beyond the site entrance. The proposal would extend the footpath to the entrance of the old railway line. Providing the path would require land within the development site to allow a sufficiently wide path which would not compromise the highway.
- 5.19. Initial plans have been drawn up and shared with the Highway Authority and they support this improvement in principle.
- 5.20. The Highway Authority are satisfied that the level of parking provision is broadly in accordance with the County Council's Buckinghamshire Countywide Parking Guidance and would not lead to displaced parking.
- 5.21. The Highway Authority's comments indicate that they support the application subject to conditions. They are seeking a mechanism to ensure that the improvement to the adjacent trackbed is undertaken before the development is occupied. It is appropriate to secure this through a S106 agreement.

5.22. Raising the quality of place making and design

ALP: G3 (General design policy), G7 (Development in relation to topography), G8 (Detailed Design Guidance and Local Amenity), G10 (Landscaping), G11 (Trees), G26 (Designing for safer communities), Appendix 1

CSDPD: CS19 (Raising the quality of place shaping and design)

DSA: DM11 (Green networks and infrastructure), DM16 (Open space in new development)
Housing intensification SPD

New Local Plan (Submission Version): CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality)

- 5.23. The layout of the site is satisfactory. The character of the area is a semi-rural one which sits comfortably with the original rural setting of Bassetsbury Lane (as identified in the Conservation Area appraisal). This character is achieved, partly, by the extensive tree line along this part of Bassetsbury Lane. It is therefore important that

this character is maintained. The development layout looks inward rather than direct frontages to Bassetsbury Lane and this ensures that the tree line is not altered and maintains the character of the wider area.

- 5.24. The CPDA do not support either the upgrade of the trackbed of the old railway line or the original footbridge link to the trackbed. They do not support the old railway line as a main pedestrian route. Their views are detailed in the Appendix.
- 5.25. During the course of the application, initial plans for the improvement of the trackbed were drawn up - the scheme would improve sight lines and provide additional links to and from the path. It is hoped that by improving the environment it would encourage greater use and would discourage anti-social behaviour, a concern of the police. These measures help address some of the concerns of the CPDA but are not sufficient to enable them to support the proposal as an alternative pedestrian route. Therefore, on this basis, the proposal (and associated requirements) does not meet the quality standards of safe public environments required by CS19 or G26.
- 5.26. On the advice of the CPDA further safety measures have been introduced into the scheme such as metal railings, defensive planting, entrance gates and 2m high mesh panel fencing along the rear and side boundaries supported by defensive planting. These have been incorporated into the design to ensure the external boundaries are more defensible given the open plan nature of the park homes,
- 5.27. The Conservation Officer has made a number of suggestions requiring boundary planting which are required for both conservation and urban design purposes. These are considered in more detail in the Historic Environment section. Some of the planting/fencing also addresses concerns about exposed rear boundaries within the site on security grounds. A condition will require a landscaping scheme which will address safety, conservation and urban design issues.

Amenity of existing and future residents

ALP: G8 (Detailed design guidance and local amenity), H19 (Residents amenity space and gardens) Appendix 1

CSDPD: CS19 (Raising the quality of place shaping and design)

Housing intensification SPD

New Local Plan (Submission Version): DM35 (Placemaking and Design Quality), DM40 (Internal space standards)

- 5.28. The distance between the development and the neighbouring properties means that there are no direct impacts upon the amenity of nearby properties in terms of outlook and overlooking.
- 5.29. Each unit will be set within a small plot – providing private amenity space. However this will not provide a conventional garden environment because of the issues with land contamination. The site will be capped with subsoil over a crushed concrete layer to enforce a no-dig zone. There will be raised beds for anyone who wishes to garden.
- 5.30. The site provides private amenity space on the boundary of the site adjacent to Funges Nature Reserve and a recreational walk through the woodland area.
- 5.31. The development is considered to be acceptable in terms of the amenity of existing and future residents.

Environmental issues

ALP: G15 (Noise), G16 (Light pollution)

CSDPD: CS18 (Waste, natural resources and pollution)

New Local Plan (Submission Version): CP7 (Delivering the infrastructure to support growth), DM20 (Matters to be determined in accordance with the NPPF)

- 5.32. The significant environmental health issue raised is contaminated land known to exist at the site. The applicant has previously undertaken a Phase 2 Ground Investigation

and it has been submitted to support this application. This means that there is a good understanding of the risks.

- 5.33. Environmental Health have requested a condition requiring the completion of ground water testing and gas monitoring. The results and conclusions of the testing and monitoring to be approved by the Local Planning Authority. A detailed remediation scheme will need to be submitted and approved.

Flooding and drainage

CSDPD: CS1 (Overarching principles - sustainable development), CS18 (Waste, natural resources and pollution)

DSA: DM17 (Planning for flood risk management)

New Local Plan (Submission Version): DM39 (Managing Flood Risk and Sustainable Drainage Systems)

- 5.34. The site area is greater than one hectare and while the Environment Agency's published Flood Map indicates that the majority of the site is within Flood Zone 1 a small portion of the site is within Flood Zone 2 and 3. It is also identified within Wycombe District's Strategic Flood Risk Assessment as having critical drainage problems.
- 5.35. This means that the site is potentially at risk of flooding and it is necessary to appraise, manage and reduce that risk through a Flood Risk Assessment (FRA) for the site.
- 5.36. Policy DM17 provides a framework for assessing sites which are at risk of flooding. The policy requires that the Flood Risk Assessment (FRA) for the site should demonstrate that no other sites are available in a lower flood risk zone. This is known as a sequential assessment (sequential test). The aim is to direct new development to areas with the lowest risk of flooding. The FRA has not undertaken this assessment.
- 5.37. If the sequential test demonstrates that it is not possible for development to be located in areas of lower flood risk an Exception Test may have to be applied. The Exception Test provides a method of managing flood risk while still allowing necessary development to occur. However the Exception Test is only appropriate for use when there are large areas in Flood Zones 2 and 3.
- 5.38. Planning permission is being sought for a change of use of the land identified within the red edge on the plan that includes land within flood zones 2 and 3. However the park homes and the rangers unit have been sited solely within the land with the lowest risk of flooding – flood zone 1. The open space (least vulnerable use) is sited within the flood zones 2 and 3. The description of development and proposed site plan were amended during the application to reflect this sequential approach to the development. Under the sequential approach, the most vulnerable uses to flooding are located within the parts of the site least liable to flood.
- 5.39. Flood zones 2 and 3 form a small part of the overall site and an Exception Test would only be necessary if these were large areas of the development.
- 5.40. Policy DM17 requires that a flood risk assessment demonstrates that the layout of the site is appropriate in terms of flood risk. The site is to be developed by residential park homes which are considered to be more vulnerable to flooding than standard housing. It is essential that the park homes are sited on land at least risk of flooding – flood zone 1, as in this case.
- 5.41. The Environment Agency have objected to this application because planning permission is being sought for a more vulnerable use on a site where some of the land is within Flood zones 2 and 3. However during the course of the application it has come to light that the Environment Agency has undertaken new modelling work which is currently unpublished. The new modelling demonstrates that the extent of Flood Zone 2 and 3 does not extend into the site: the site falls solely within flood zone

- 1 and is no part of the site is at risk of flooding.
- 5.42. Unfortunately the EA will not update their consultation response to reflect this new modelling data until it is formally published on their national website. There is no date for this but it will not be until next year. The EA have, at this time, maintained their objection to a highly vulnerable use within Flood Zones 2 and 3. However this objection will fall away when the new modelling data is used to assess the application.
- 5.43. The implications of this new modelling information is that the whole of the site is within Flood Zone 1. A flood risk assessment is still necessary because of the size of the site (over 1 hectare) rather than due to any risk of flooding; policy DM17 remains a framework for an assessment.
- 5.44. DM17 requires the FRA to demonstrate a sequential approach to the location of development. The FRA has adopted this approach based on flood zones identified through the published modelling data.
- 5.45. The policy seeks to ensure that the FRA considers resilient and resistant construction methods, provision of space for flood water storage and a demonstration that the flood risk is not increased elsewhere and reduced where possible.
- 5.46. The Environment Agency have objected to the FRA because it is not satisfactory. The applicant has updated the FRA to address the concerns however it is not possible to assess whether the FRA addresses DM17 adequately until a response from the EA is received.
- 5.47. DM17 requires that all forms of flooding to be taken into account. There are areas within the site which are susceptible to surface water flooding varying from low to high probability of flooding. The layout of the caravans avoids the areas liable to surface water flooding. Furthermore the caravans will be raised by 600mm above finished ground level to further reduce any impact from surface water flows.
- 5.48. The final requirement of DM17 is for a satisfactory sustainable drainage strategy for the site. The Lead Local Flood Authority have maintained a holding objection considering the FRA does not adequately address this matter. The FRA has been twice updated and it is anticipated that the LLFA will be satisfied with the additional information supplied and will withdraw their holding objection subject to conditions.
- 5.49. The flooding issues can only be concluded once responses from the LLFA and the EA have been received. At that stage it will be clear if there are any further outstanding matters. If the EA intend to maintain an objection on flood risk grounds then the application would have to be referred to the Secretary of State if the planning authority wished for the development to be approved.

Landscape Issues

CSDPD: CS17 (Environmental assets)

DSA: DM11 (Green networks and infrastructure), DM12 (Green space), DM13 (Conservation and enhancements of sites, habitats and species of biodiversity and geodiversity importance), DM15 (Protection and enhancement of river and stream corridors)

New Local Plan (Submission Version): DM34 (Delivering Green Infrastructure and Biodiversity in Development)

- 5.50. The boundary of the site is well landscaped and the trees are an important feature of this part of the lane.
- 5.51. The consultation process has identified that a number of the plots are close to trees and there is a proposed footpath within the wooded recreational area. The principle of the development is acceptable however in the absence of an Arboricultural Impact Assessment it is not possible to determine whether the development will have a negative impact upon the trees.
- 5.52. Further information is required to determine the impact upon the trees. Because the

applicant has not submitted this, during the course of the application, it will be required by a pre-start condition; the applicant has been made aware of this requirement.

- 5.53. The site will also need to be adequately screened along the side boundaries to ensure a satisfactory relationship to the conservation area and within the immediate environment. A landscaping scheme will be required by condition.

Green networks and infrastructure

CSDPD: CS17 (Environmental assets)

DSA: DM11 (Green networks and infrastructure), DM15 (Protection and enhancement of river and stream corridors)

LNP: Policy A4: Local Green Space Designations

New Local Plan (Submission Version): CP7 (Delivering the infrastructure to support growth), CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development)

- 5.54. Adjoining the site are two areas identified as Green Spaces in the development plan - namely the old railway line and Funges Meadow. As such they are a key element of the district's green infrastructure.
- 5.55. The proposal for the development of the allotment site does not fragment these sites. The proposed open space for the development is adjacent to both Funges Meadow and part of the trackbed; this will allow a link between these two areas for wildlife.
- 5.56. The development is considered to consistent with DM11 and DM12.

Ecology

CSDPD: CS17 (Environmental assets)

DSA: DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance), DM14 (Biodiversity in development)

New Local Plan (Submission Version): DM34 (Delivering Green Infrastructure and Biodiversity in Development)

- 5.57. An ecological appraisal was submitted with this application. This appraisal covers all of the important ecological areas and was accompanied by a survey of the Great Crested Newt and a reptile survey.
- 5.58. Moving forward it is anticipated that applications will be supported by biodiversity accounting details – if the policies in the emerging Local Plan are supported (DM34) – however at this time it is not possible to require this information to be submitted.
- 5.59. Currently, the application has to be considered in terms of whether it is expected to provide a net gain in biodiversity based on the ecological proposals submitted. On balance it is considered that the proposals will help to achieve this objective but must be secured by condition. The condition will require an Ecological Mitigation and Enhancement Plan based on the proposals in the Ecological Appraisal to be submitted and approved.

Community facilities

CSDPD: CS15 (Community facilities and built sports facilities)

BCSNP: Policy 11 (Community Facilities)

Community facilities SPD

New Local Plan (Submission Version): DM29 (Community Facilities)

- 5.60. The proposal seeks to provide a base for the Chiltern Rangers. They are currently based at Kingsmead Depot. They are a social enterprise, based in High Wycombe that works with local communities to provide practical habitat management of the woodlands, chalk grassland, commons, ponds, and chalk streams in the Chilterns' area.

- 5.61. The site for the Chiltern Rangers is defined by a blue edge within the overall site. It is a separate and distinct from the residential use of the site. It has its own vehicular access and 9 car parking spaces. The unit will be similar to a residential unit but will be used as a base and educational venue for the Chiltern Rangers.
- 5.62. The proposed Chiltern Rangers site is well located to the adjacent Funges Meadow Nature Reserve which is owned by Wycombe District Council, leased to (and managed by) Chiltern Rangers. The nature reserve is not open to the public but is available to schools and other groups for education purposes.
- 5.63. The provision of a Rangers lodge will provide a community benefit.

Historic environment (or Conservation Area or Listed Building Issues)

ALP: HE3 (Development affecting the setting of a listed building), HE5 (Local list buildings), HE6 (Conservation areas), HE11 (Development adjoining Conservation Areas)

CSDPD: CS17 (Environmental assets)

New Local Plan (Submission Version): CP9 (Sense of place), CP11 (Historic Environment), DM20 (Matters to be determined in accordance with the NPPF), DM31 (Development Affecting the Historic Environment)

- 5.64. The site is located adjoining the High Wycombe Town Centre Conservation Area. One of the groups of buildings referred to within the character study (March 2011) is the historic Funges Farmstead, comprising Funges Farmhouse (grade II listed) and its attached barn (also grade II), together with its other ancillary farm buildings, now converted to residential use, that are included on the local list for their architectural and historic interest. The farmstead is located adjoining the western boundary of the site.
- 5.65. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires the LPA to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.
- 5.66. Sec 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 5.67. Para 131 of the NPPF sets out matters which should be taken into account when determining planning applications, including sustaining and enhancing the significance of heritage assets (which includes conservation areas) and the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.68. When considering the impact of a proposed development on the significance of a designated heritage asset, paragraph 132 of the Framework advises that great weight should be given to the asset's conservation. It goes on to note that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
- 5.69. The applicant has submitted a heritage statement to support the application. The key points to note are that the existing tree line boundary line with the adjacent conservation area will be retained. This will provide a visual barrier to further views of the development which have been set off the boundary.
- 5.70. The park homes have been situated towards the eastern side of the site which allows a green landscape buffer between the boundary of the conservation area and the residential units. While the Chiltern Rangers unit is closer to this boundary much of the surrounding vegetation and tree screening will remain. The vehicular access to this part of the site utilises an existing gate opening. This helps limit the impact of the development.
- 5.71. The low level, single storey units enclosed by additional planting will help the

development to blend into the wider landscape surroundings.

- 5.72. The layout of the development should be secured by condition on the grounds that any change to the layout could have a detrimental impact upon the adjoining conservation area.
- 5.73. In terms of the impact upon the setting of the adjacent listed building (Funges Farmstead) it is considered that the impact is limited by the existing tree line surrounding the site. Again the low level nature of the buildings, siting to the east of the site and the existing and proposed landscaping will not have a detrimental impact on the setting of the listed building.
- 5.74. The impact upon the conservation area and the setting of the nearby listed buildings is considered acceptable if suitable conditions are imposed to control the layout of the development; require a landscaping plan which retains the trees on the boundaries and proposes adequate planting close to the boundary with the park homes.

Building sustainability

CSDPD: CS18 (Waste, natural resources and pollution)

DSA: DM18 (Carbon reduction and water efficiency)

New Local Plan (Submission Version): DM41 (Optional Technical Standards for Building Regulations Approval)

- 5.75. Following the Adoption of the Delivery and Site Allocations Plan (July 2013) and in particular policy DM18 (Carbon Reduction and Water Efficiency) it would have previously been necessary to impose a condition to secure the required 15% reduction in carbon emissions as well as reducing future demand for water associated with the proposed dwelling. However, this was superseded in October 2016 by ministerial policy to transfer the issue to Building Regulations. It is only considered necessary to condition water efficiency.
- 5.76. The park homes will meet the latest BS3632 standard for residential caravans which incorporate sustainable and energy saving measures including: high levels of insulation, energy saving appliances and lighting, combined heat and power boiler and intelligent heating controls etc.

Public open space

CSDPD: CS21 (Contribution of development to community infrastructure)

DSA: DM16 (Open space in new development), DM19 (Infrastructure and delivery)

New Local Plan (Submission Version): CP7 (Delivering the infrastructure to support growth)

- 5.77. To accord with policy DM16, the development is required to provide local public open space. There is open space, of a sufficient size, within the development but it is not readily accessible to the general public. This land functions as communal amenity space for the residents of the park homes rather than public open space for the wider community. On this basis the proposal does not comply with this policy.
- 5.78. The proposal for amenity space has been accepted because:
- (a) The concerns expressed by the CPDA about crime if members of the public have a reason to access the site.
 - (b) The land is located beside Funges Meadow an ecologically important site to which the public do not have access.
 - (c) There is a lot of open space already located in the immediate area including the Rye.

Infrastructure and Developer Contributions

CSDPD: CS21 (Contribution of development to community infrastructure)

DSA: DM19 (Infrastructure and delivery)

BCSNP: Policy 13 (Connecting the Parish)

New Local Plan (Submission Version): CP7 (Delivering the infrastructure to support growth)

- 5.79. The proposed development, will be a change of use of land, rather than operational development or engineering works. Accordingly a charge to CIL will not be triggered by the development because they are not defined as buildings.
- 5.80. It is considered that there would be other types of infrastructure that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.
- 5.81. The Planning Obligations SPD sets out the Local planning Authority's approach to when planning obligations are to be used in new developments.
- 5.82. Having regard to the statutory tests in the Community Infrastructure Levy regulations and the National Planning Policy Framework it is considered that the following planning obligation(s) are required to be secured within a section 106 agreement:
- Affordable housing – commuted sum payment
 - Extension of public footway along Bassetsbury Lane from the site entrance to the entrance of the former railway line on Bassetsbury Lane
 - Upgrading of the former railway line for pedestrian and cycle use
 - Maintenance of SuDs (if required by the Lead Local Flood Authority).
- 5.83. The applicant has confirmed that he is willing to enter into a legal agreement

Weighing and balancing of issues – overall assessment

- 5.84. This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 5.85. 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 (in this case, CIL)
 - (c) Any other material considerations
- 5.86. As set out above it is considered that the proposed development would conflict with policy DM17 and the requirement to take a sequential approach to site selection. However this is a matter that will be resolved once the new modelling data by the Environment Agency is released. The publication of this data will demonstrate that the site is within flood zone 1 only. On this basis a sequential test will no longer be necessary for the site. While the EA intend to maintain an objection on flood risk grounds this will, in due course, fall away. It is unclear, until responses are received from the EA and LLFA whether the FRA is satisfactory. At this time this weighs against the proposed development and would attract moderate weight.
- 5.87. In favour of the development is the provision of 40 park homes for the district and a financial contribution towards the provision of affordable homes off site. The weight that can be given to this is significant.
- 5.88. The requirement of the highway authority to have an alternative pedestrian route to public transport and local services has resulted in a potential upgrade of the trackbed along the former Bourne End to High Wycombe Railway Line being proposed. This has the benefit of providing an alternative pedestrian link which could avoid the necessity of walking along Bassetsbury Lane in the direction of the town centre without adequate footways. This is considered to be an essential infrastructure improvement helping to realise the aims of DM4. This would provide wider public benefits and weighs significantly in favour of the development.

- 5.89. The Crime Prevention Design Advisor, however, does not support this route because it is secluded and lacks an obvious level of surveillance and this would be contrary to policy CS19. The failure to create a safe public environment weighs against the proposal.
- 5.90. While the concerns of the CPDA are legitimate it has to be balanced against the long term policy aim (DM4) of creating a new walk/cycle route along this former railway line. The trackbed will need to be upgraded and improved to encourage greater use and it is not until there is greater use that there will be better surveillance of the route which, in turn, will address the concerns of the police.
- 5.91. The intended improvements to the trackbed will provide an alternative pedestrian link for the development and the surrounding area. On balance this is considered to outweigh the dis-benefits of promoting a route which has limited surveillance because this situation should improve as the route is better used.
- 5.92. The economic contribution that the development would provide through the construction stage is very limited by the nature of the development. The park homes are likely to be factory built and assembled at the site. New residents are likely to support existing local services and businesses with a possible increase in local jobs as a result. Weight is limited as there is nothing here that would not be provided by any other development.
- 5.93. Moderate weight can also be given to the social role the development would play in delivering a mix of housing type that would meet the social needs of the population of the district. The extension of the footpath along Bassetsbury Lane will provide significant benefits to the existing and proposed population. The improvements to the old railway line are considered to be a neutral impact because of the counter concerns regarding crime prevention.
- 5.94. In terms of the environmental and community benefits moderate weight can be given to the provision of a lodge for the Chiltern Rangers to facilitate their environmental and educational role as well as a net gain in biodiversity from the proposal.
- 5.95. The open space provision is not easily accessible to the public and therefore fails to meet the requirements of DM16. This weighs against the proposal however it is given only limited weight because there is significant high quality open space in the area such as The Rye and Kingsmead recreation ground.
- 5.96. Until the Local Planning Authority are in a position to determine how much weight can be attributed to the flood risk issues it is not possible to conclude the weighing and balancing assessment. A final assessment will be necessary once the outstanding issues are resolved.

Other matters

Referral to the Secretary of State

- 5.97. If the Environment Agency maintain their objections on flood risk grounds then the application would have to be referred to the Secretary of State if the application were to be considered acceptable.

Equalities Act Duties

- 5.98. Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

Recommendation:

Minded to grant permission subject to completion of a Planning Obligation or

other agreement

It is anticipated that any permission would be subject to the following conditions:

- a) That the Head of Planning and Sustainability be given delegated authority to grant Conditional Permission provided that a Planning Obligation is made to secure:
- an agreed commuted sum payment for affordable housing provision,
 - an extension of the public footpath along Bassetsbury Lane and
 - the improvement of the former trackbed (former Bourne End to High Wycombe Railway Line) adjacent to the site,
 - Management and maintenance of SUDS (if required)

or to refuse planning permission if an Obligation cannot be secured.

- b) Confirmation that the Lead Local Flood Authority intend to remove their holding objection and are satisfied with the Sustainable Drainage Strategy subject to conditions
- c) Whether the Environment Agency intend to maintain their two objections to the proposal. If they intend to withdraw their objections the application can proceed to determination, or if the EA are satisfied that the Flood Risk Assessment is satisfactory but intends to maintain their objection on the grounds that the development is within flood zone 2 and 3 the Secretary of State would be formally consulted.

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).

- 2 The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers:

Location Plan - 02B722964/01

Proposed Site Plan - 07B707320/001 L

Entrance Elevation - 07B707320 E

Reason: In the interest of proper planning and to ensure a satisfactory development of the site.

- 3 There shall be no more than 40 residential plots on the site. The park homes shall be sited in accordance with the agreed details shown on drawing 07B707320 001 L and the layout shall not be amended without the prior approval in writing of the Local Planning Authority.

The Chiltern Rangers unit shall be sited in accordance with the details shown on drawing 07B707320 001 L and shall not be relocated with the prior approval in writing of the Local Planning Authority.

Reason: The existing layout of the residential park homes and the Chiltern Rangers unit do not have a detrimental impact upon the adjoining Conservation Area or the setting of the adjoining listed buildings (Funges Farmstead). If the layout were to be altered then the impact upon these aspects of the historic environment may not be acceptable and could harm the significance of the conservation area and listed buildings contrary to the NPPF 2018.

- 4 Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of all surfacing materials shall be submitted to and approved in writing by the Local Planning Authority before any work to the finished surfaces of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To secure a satisfactory appearance.

5 Prior to the preparatory works required in connection with the contamination of the land details of all boundary treatments (including all fencing, railings etc.) and any other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details and the park homes shall not be occupied until the details have been fully implemented.

Reason: To ensure that the intended boundary treatment provides sufficient security for the site and that they are compatible with the location of the site adjacent to the conservation area and within the setting of the nearby listed buildings.

6 Prior to the construction of the concrete bases for the park homes, a scheme demonstrating all detailed aspects of the proposed physical security of the development shall be submitted to and approved by the Local Planning Authority. This scheme is further to requirements of Document Q of the Building Regulations and shall include the following:

- All external doors must meet the minimum standard of PAS 24 whilst all ground floor easily accessible windows and doors should be fitted with laminated glazing.
- Third party certification for all windows and doors is provided prior to installation.
- A detailed strategy for robust access controls both internally and externally with a provision for the vehicle access gate.

CCTV should also be addressed with a camera layout and operational statement which should be approved prior to any commencement of work.

Reason: In the interests of achieving safe public and private environments.

7 No development, other than site clearance and road layout, shall take place before a fully detailed landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:

- the retention of the existing trees on the boundary of the site
- screen planting along the boundary of the park homes plots 1, 6, 8, 10, 12, 14, 16, 17, 18 and 19
- defensive planting along the external boundaries
- native planting to reflect the semi-rural context of the application site;
- structural planting of a scale and size relative to the development to soften the appearance of the development and to provide a high quality environment

The development shall be implemented in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and to ensure a satisfactory relationship with the adjoining conservation area and listed buildings and also to ensure a satisfactory standard of landscaping.

8 Prior to the commencement of development an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: This is a pre-start condition is required because the submitted information was insufficient to determine whether the development will have a negative impact upon the trees which are located close to some of the residential park home plots and also the proposed footpath within the wooded recreational area.

9 An Ecological Management and Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development on the site. The plan shall include the recommendations contained with the Ecological Appraisal Rev A by Hankinson Duckett Associates and also the opportunities for enhancement.

Thereafter the development shall be carried out in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: This is a pre-start condition because it is necessary to ensure appropriate protection and enhancement of biodiversity is detailed in a series of recommendations which have a defined timetable prior to the commencement of development. Unless this is agreed prior to development it may not be possible to achieve a net gain in biodiversity (requirement of planning policy) once development commences.

10 No development shall take place until the following have been completed and approved in writing by the Local Planning Authority:

- a) Completion of groundwater testing and gas monitoring to determine the potential risks to human health, the water environment, the natural and historical environment, and buildings and other property by contaminants;
- b) The results and conclusions of the testing and monitoring referred to in (a) have been submitted to and approved in writing by the Local Planning Authority;
- c) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, and a timetable of works and site management procedures. As the site is predominantly made ground, its removal may not be the most appropriate and/or sustainable option so this scheme must also include an appraisal of remediation options, and proposal of the preferred option(s).

The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Thereafter the development shall not be implemented otherwise in accordance with the approved remediation scheme.

Reason: To ensure that the potential contamination of this site is properly investigated and its implication for the development approved fully taken into account.

11 SUDS conditions to follow

12 Highways conditions to follow

13 The Rangers hut shall be occupied by the Chiltern Rangers (a social enterprise) or a similar organisation and by no other occupant unless previously agreed in writing by the Local Planning Authority.

Reason: The change of use has been assessed on this basis and the requirements of a different occupant could have an impact on the use of the land which in turn could have an impact on the adjacent conservation area and to the setting of the adjacent listed buildings,

14 Prior to the occupation of any park home, details of a proposed pathway linking the homes to the open space and details of the pathway within the open space (including details of the surfacing) shall be submitted to and approved in writing by the Local Planning Authority and the footpath shall be provided in accordance with the approved details.

Reason: To ensure that the footpath is acceptable in terms of its impact upon the character of the area.

15 The park homes that are brought onto the site shall meet the latest BS3632 standard for residential caravans.

Reason: To ensure a high standard of residential accommodation which represents sustainable and energy saving development

INFORMATIVE(S)

- 1 In accordance with paragraph 38 of the NPPF2 Wycombe District Council (WDC) 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. WDC 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.