



DEMOCRATIC AND ELECTORAL SERVICES

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Date: 3 March 2015 Direct Line: 01895 837227

Dear Councillor

PLANNING COMMITTEE -APPLICATIONS AND PLANS

The next meeting of the Planning Committee will be held as follows:

DATE: WEDNESDAY, 11TH MARCH, 2015
TIME: 4.15 PM
VENUE: COUNCIL CHAMBER, CAPSWOOD, OXFORD ROAD, DENHAM

Yours faithfully

Jim Burness

Director of Resources

To: Members of the Planning Committee

Mr Bagge
Mr Chhokar
Mrs Cranmer
Miss Hazell

Mrs Holloway
Mrs Lowen-Cooper
Dr Matthews
Mr Samson

Mr Sandy
Mrs Simmonds
The Earl of Stockton
Mrs Woolveridge



Declarations of Interest

Any Member attending the meeting is reminded of the requirement to declare if he/she has a personal interest in any item of business, as defined in the Code of Conduct. If that interest is a prejudicial interest as defined in the Code the Member should also withdraw from the meeting.

A G E N D A

3. Applications and Plans

- (a) To consider the reports of the Director of Services (as attached - **(Pages 1 - 78)** if any) under
 - Part A - Committee decision required following a site visit and/or public speaking - Green pages
 - Part B - Committee decision required without a site visit or public speaking - Yellow pages
 - Part C - Committee observations required on applications to other Authorities - Pink pages
- (b) To receive FOR INFORMATION a list of applications already determined under delegated powers by the Director of Services - Part D - white pages.

The next meeting of the Committee is due to be held on Wednesday, 1 April 2015

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South Bucks District Council

Planning Committee

Dated : 11th March 2015

The files for each application are available
for public inspection at the Council Offices

- PART A Green Pages
Committee decision required following a site visit and/or public speaking

- PART B Yellow Pages
Committee decision required without a site visit or public speaking

- PART C Pink Pages
Committee observations required on applications to other Authorities

- PART D White Pages
FOR INFORMATION
Schedule of applications already determined under delegated authority by the Director of Services

SOUTH BUCKS DISTRICT COUNCIL

PLANNING COMMITTEE INDEX

COMMITTEE DATE 11th March 2015

APP NO

PARISH

PART A

14/02160/FUL
SITE :

Beaconsfield

National Film And Television School, Station Road, Beaconsfield, Buckinghamshire, HP9 1LG

14/02262/TEMP
SITE :

Iver

Land Adjacent To, Pinewood Road, Iver Heath, Buckinghamshire.

14/02275/FUL
SITE :

Gerrards Cross

Moray House, 44 Camp Road, Gerrards Cross, Buckinghamshire, SL9 7PD

15/00100/FUL
SITE :

Farnham Royal

Farnham Common Sports Club, One Pin Lane, Farnham Common, Buckinghamshire, SL2 3QY

15/00187/FUL
SITE :

Burnham

Old Tiles, Poyle Lane, Burnham, Buckinghamshire, SL1 8LA

PART B

14/02192/FUL
SITE :

Gerrards Cross

Marsham House, Station Road, Gerrards Cross, Buckinghamshire, SL9 8ER

15/00088/CLUED
SITE :

Farnham Royal

17 Long Close, Farnham Royal, Buckinghamshire, SL2 3EJ

15/00105/FUL

Beaconsfield

SITE :

Revital Health And Beauty, 12 The Highway, Station Road, Beaconsfield, Buckinghamshire,
HP9 1QQ

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PART A

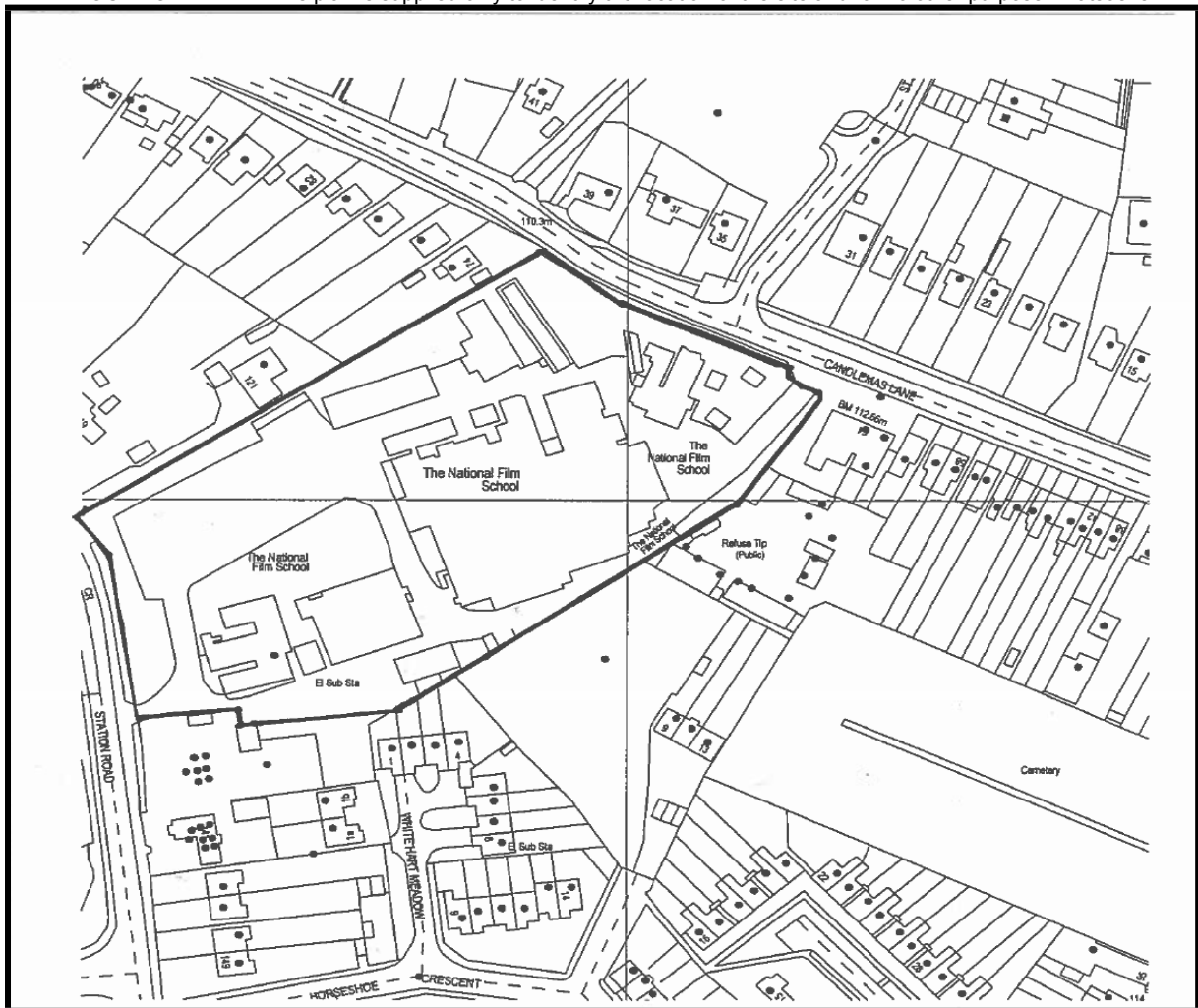
South Bucks District Council Planning Committee

Date of Meeting: 11 March 2015

Town Council: Beaconsfield

Reference No:	14/02160/FUL	Full Application
Proposal:	Erection of two purpose built teaching buildings (Class D1) with ancillary facilities and relocation of substation.	
Location:	National Film And Television School, Station Road, Beaconsfield, Buckinghamshire, HP9 1LG	
Applicant:	National Film And Television School	
Agent:	Mr Matthew Thomas	
Date Valid Appl Recd:	25th November 2014	
Recommendation:	PER	

LOCATION PLAN – This plan is supplied only to identify the location of the site and for no other purpose whatsoever.



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SCALE : NOT TO SCALE

THE PROPOSAL:

Planning permission is sought to erect two purpose built 3 storey teaching blocks at the National Film and Television School (NFTS) with a floor space totalling 3,350 sq.m. It is understood that the proposed development is required to replace existing out-dated facilities and to increase the overall capacity of the School. The proposal will allow the school to take on an additional 118 students, increasing the total student roll from 312 to 430. This will be accompanied by an increase of approximately 25 staff from the current level of 90.

The 'teaching building' is proposed to be erected towards the northern part of the site and would be a dedicated teaching facility housing a new film shooting studio, dubbing room, 12 new classrooms, seminar rooms and editing suites. The building would replace a range of poor quality, single storey buildings.

'The Lodge' is proposed to be erected towards the front of the site close to the Oswald Morris Building and would house administrative facilities, student class bases, a café, 'incubation' rooms and a small Screening Room. The erection of 'The Lodge' building would necessitate the removal of a small part of the existing TV studios and the relocation of an electricity sub-station.

Following concerns raised by nearby residents the application has been amended to relocate the proposed electricity substation further away from neighbouring properties to the south of the site. The southern elevation of 'The Lodge' has also been amended in response to concerns raised by local residents and removes the majority of glazing along this elevation to address concerns with overlooking and any impact from light pollution. This has been possible as the teaching space at the first and second floor of 'The Lodge' would be for uses that do not require natural daylight.

Following concerns raised in relation to the scale and massing of the proposed Teaching Building and its' perceived over dominance and impact on the outlook from the neighbouring properties to the north of the site in Candlemas Lane the Teaching building has been moved a further 3 metres away from the northern boundary of the site and additional landscaping proposed. The revision has required the re-organisation of parking spaces within the site. A total of 9 additional parking spaces are proposed to be provided in connection with the overall scheme.

The proposal includes new soft and hard landscaping around the buildings. No changes are proposed to the vehicular and pedestrian access arrangements for the site.

LOCATION AND DESCRIPTION OF SITE:

The National Film and Television School fronts Station Road and lies between Beaconsfield Old Town and the New Town. The rear of the site backs onto Candlemas Lane. The site comprises buildings of varying ages and styles including the new Oswald Morris Building situated towards the front of the site and older style buildings and single storey temporary buildings many of which are no longer fit for purpose.

The site is surrounded by residential properties in Station Road, White Hart Meadow, Wheeler Place and Candlemas Lane. The site is situated within the developed area of Beaconsfield and the site has been allocated for housing in the Local Plan. Part of the front boundary of the site abuts the Residential Area of Exceptional Character situated to the west of Station Road. There are some trees to the rear of the site that are covered by Tree Preservation Orders.

The application has been advertised on site and in the local press as a major development.

RELEVANT PLANNING HISTORY:

There have been a number of applications relating to this site over the years including applications for temporary buildings. The most recent applications are set out as follows:

- 05/01228/FUL: Erection of a three-storey teaching and administrative building plus ancillary works (The Oswald Morris Building). Permitted.
- 06/00424/FUL: Three-storey teaching and administration building and associated works. (Amendment to planning permission 05/01228/FUL). Permitted.
- 10/00820/FUL: Installation of solar panels onto roof. Permitted.
- 12/00641/FUL: Four music pods and 2 storage sheds. Permitted.

REPRESENTATIONS AND CONSULTATIONS:

PARISH / TOWN COUNCIL COMMENTS:

'The Committee wished to object strongly to this application on the grounds that the proposed structures would be over-bearing and would result in a loss of privacy to the properties at the rear of this development. In addition, the south facing windows would be very obtrusive, particularly when the sun shone on them. Also the proposed sub-station was situated too close to the rear of the properties and there was also the possibility of noise being emitted which would affect the amenity of the residents.'

Comments on amended plans:

Awaited - to be reported verbally.

CORRESPONDENCE:

Letters of objection have been received from 15 separate sources. The objections are summarised as follows:

- Relocation of sub-station poses a threat to health of surrounding residents;
- Devaluation of property;
- Noise and disturbance from sub-station;
- Risk of fire from sub-station and restricted access;
- Sub-station should be relocated to different part of site;
- Insertion of floor to ceiling glazing in southern elevation of 'The Lodge' will result in loss of privacy to residents in White Hart Meadow;
- The 3 storey 'Lodge' building will be a prominent eyesore and result in loss of outlook;
- Impact of Teaching Building on daylight and sunlight enjoyed by properties in - Candlemas Lane will be far greater than 'suggested' by the Daylight and Sunlight Report;
- A building 12.5m in height would not be in keeping with surrounding area;
- Black cladding to be used for Teaching Building will be an eyesore;
- Height, mass and scale of the Teaching Building would be overbearing and over dominant to properties in Candlemas Lane;
- Loss of sunlight;
- Ground level of properties in Candlemas Lane is lower than Film school site;
- Light pollution at night over unlit neighbouring gardens;
- Lack of community involvement and consultation;

- Potential for noise and disturbance from proposed theatre situated close to neighbouring properties.

One letter of support has been received on the grounds that the new buildings will enhance the site and the National Film And Television School.

SPECIALIST ADVICE:

Tree Officer:

No objection subject to conditions.

Environmental Health officer:

No objection subject to conditions.

Sustainability Officer:

Air Source Heat Pumps should be incorporated into the scheme to help meet the requirements of CP12.

Transport for Buckinghamshire:

No objection subject to conditions.

National Grid:

National Grid has identified low or medium pressure gas pipes and associated equipment in the vicinity of the proposed works.

Building Control:

No comments concerning Fire Brigade Access or disabled access and facilities.

Environment Agency:

No objection subject to conditions/informatives.

Ecological Officer (Bucks CC):

No objection subject to conditions/informatives.

ISSUES AND POLICY CONSIDERATIONS:

RELEVANT POLICIES:

National Policy
National Planning Policy Framework
Development Plan

South Bucks District Local Plan (adopted March 1999) Saved Policies: H2, EP3, EP3, EP5, TR5, TR7 and COM1.

South Bucks Local Development Framework Core Strategy (adopted February 2011):
Core Strategy Policies - CP7, CP8, CP9, CP12 and CP13.

1.0 KEY POLICY ASSESSMENT

1.1 The application has been accompanied by a Design & Access Statement, Transport Assessment, Flood Risk and Drainage Statement, Energy Statement, Acoustic Statement including a Sub-station summary note, Statement of Community Involvement, Phase 1 Habitat and Ecology Report, Daylight and Sunlight Report, Tree Survey incorporating Arboricultural Impact Plan and Tree Protection Plan and Phase II Geoenvironmental Risk Assessment.

1.2 It is understood that the NFTS has 310 full-time MA and Diploma students and offers a variety of short courses. It is the only UK film school with its own film and television studios and post-production facilities. Alumni of the NFTS are at the forefront of film and television production in the UK and internationally. The School states its ambition is to build on its success and expand the range, quality and number of courses to turn the site at Beaconsfield into the most complete film and television school in the world. For the NFTS to continue to be a world class centre of excellence for film and television, attract top teachers and students and be a leading contributor to Britain's creative economy it argues that it urgently needs to invest in its infrastructure and replace its temporary teaching buildings with facilities which can meet the needs and demands for specialist skills in this growing and economically profitable sector of the UK economy.

1.3 Phase 1 - the Oswald Morris teaching building was completed in 2008 and the NFTS are now seeking to deliver Phase 2 which involves the construction of 2 new purpose built teaching facilities on the site and improvements to the external environment. The School argues this will enable it to better support its activities, meet industry demands for specialist skills, provide high tech creative training and education, continue to train the best of Britain's creative talent and increase accessibility of employment in the creative industries.

1.4 A series of pre-application meetings have been held with the Council and consultation with the surrounding neighbours and community was undertaken by the NFTS at a Public Exhibition held at the NFTS on the 28th & 29th October 2014.

1.5 The application needs to be considered against the NPPF and the policies set out in the Local Plan and Core Strategy. At the heart of the NPPF is a presumption in favour of sustainable development. With regards to decision making, paragraph 14 states that LPAs should approve development proposals that accord with the development plan without delay, and where, the development plan is absent, silent or relevant policies are out-of-date, grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies within the NPPF. The NPPF, paragraph 18 states that planning should encourage and not act as an impediment to sustainable growth, and as such, significant weight should be placed on the need to support economic growth through the planning system. The proposals would support the function of the NFTS in its role as an international film school.

1.6 The site is identified for housing in the South Bucks District Local Plan (adopted March 1999). However it has been accepted in the past that the continued use of the site as a film and television school would not be detrimental to the housing quota for South Bucks and therefore no objection in principle to the expansion of the Film School is raised. It will however be necessary to carefully consider the proposals under the following headings.

2.0 IMPACT ON THE VISUAL AMENITY OF THE STREETSCENE/ LOCALITY:

2.1 The design and appearance of the two proposed buildings have been influenced by The Oswald Morris Building to provide a co-ordinated appearance. The intention has been to provide a family of new buildings which have similar proportions and details but are slightly different from each other. The proposed buildings would have solid brick bases, vertical aluminium cladding panels and full height double glazed windows and opening panels to the upper floors.

2.2 The proposed 'Lodge' building at the front of the site would be 11 metres in height to match the height of the existing Oswald Morris building. It is proposed to be erected to the front of the existing TV Studio building and would come out in line with the existing Oswald Morris building. The building would be set back from the Station Road frontage by between 26 and 31 metres. Floor to ceiling glazing is proposed in the front elevation together with a non-illuminated sign to the right hand side of the building. The height and scale of the proposed building would be consistent with the height and mass of the existing Oswald Morris building and whilst the building would be readily visible from the Station Road frontage it is not considered that it would appear unduly prominent or obtrusive in the street scene to the detriment of the locality.

2.3 The application site is set up slightly above the height of Candlemas Lane. The proposed 'Teaching Building' would be set back from the Candlemas Lane frontage by between 24 and 44 metres and the elevation fronting Candlemas Lane would have a width of 14.5 metres and a height of 10.5 metres with some glazing to break up this elevation. The site is reasonably well screened by trees from Candlemas Lane and the proposed building would be seen in the context of the rest of the buildings on the site including the large TV studio building. It is not therefore considered that this aspect of the proposal would appear unduly prominent or obtrusive in Candlemas Lane or detract from the visual amenities of the locality in general.

3.0 IMPACT ON THE LIVING CONDITIONS OF THE NEIGHBOURING PROPERTIES:

3.1 The impact of the proposal on the living conditions of the neighbouring properties needs careful consideration to ensure that the proposal would not adversely impact on light, outlook and privacy for the neighbouring properties in any way that would justify refusal.

3.2 'The Lodge' building would have a height of 11 metres (with a 2.3m metal plant screen set back on the roof) and a depth of 20 metres. The building would be sited between 11 and 15 metres from the southern boundary of the site. Following objections raised by local residents the southern elevation of 'The Lodge' building has been revised to remove the majority of the glazing to ensure that there is no opportunity for overlooking of adjacent properties or any impact from light pollution from these windows. This change has been possible as the teaching space at first and second floor will be for uses that do not require natural daylight. One high level, obscure glazed window is now proposed at first and second floor in this elevation.

3.3 To the south of the site lies a 2 ½ storey apartment building (approximately 9 metres in height) known as Century Studios and the 'Art House' (number 141 Station Road) a detached single storey dwelling set back from the Station Road frontage. This is a gated development with associated courtyard parking. The apartments have some secondary windows in the flank elevation facing towards the application site and French doors and Juliette balconies in the rear elevation and small rear amenity spaces at ground floor level. The 'Art House' has a small courtyard garden and no windows in the flank elevation facing the application site. Properties in White Hart Meadow also lie to the south of the site.

3.4 Given the orientation of the proposed 'Lodge Building' in relation to these properties it is not considered that the proposed building would result in an unacceptable loss of light. The two remaining windows in the southern elevation can be conditioned to be high level and obscure glazed to prevent any overlooking and loss of privacy to the neighbouring properties. Any views from the first and second floor windows in the front elevation would be very oblique and would not result in any unacceptable level of overlooking or loss of privacy to the neighbouring apartment building. Whilst the proposed 'Lodge' building is likely to alter the outlook from some of the residential properties to the south of the site it is not considered that the building would appear unduly prominent or obtrusive when viewed from these properties and no objection is therefore raised to 'The Lodge' building in terms of its impact on light, outlook or privacy.

3.5 A number of objections have been received in relation to noise and possible health risks from the re-location of an electricity sub-station close to the southern boundary of the site. To address this concern the building has now been re-sited to increase the distance from the southern boundary of the site. The proposed sub-station building has been relocated alongside an existing storage building and would be fully enclosed measuring 6.5 by 3 metres and 3 metres in height. The building would be sited between 3.5 and 4 metres from the southern boundary of the site. Additional landscaping is also proposed to be provided along the southern boundary which should adequately screen the building from the neighbouring properties. It is required to serve both the existing TV Studio and the proposed Lodge Building and therefore needs to be situated in proximity to these building. Acoustic monitoring of the existing sub-station took place prior to the submission of the application and the results have been included in the acoustic statement that supports the application. The assessment concludes that the operation of the existing sub-station was inaudible and the same noise level would be expected for the proposed sub-station. In order to provide reassurance that there will be no noise impact from the sub-station the applicant is willing to accept a noise condition and this has been agreed by the Environmental Health section.

3.6 Concern has also been raised in relation to potential health impacts with particular reference to the generation of Electromagnetic Fields and their effect on people with pacemakers. The National Policy Statement for Electricity Networks Infrastructure (EN-5) published in July 2011 sets out Government advice and guidance relating to electricity infrastructure and includes an appraisal of likely health impacts. NPS EN-5 summarises current government advice on exposure to EMF and amongst other things, concludes that, 'The balance of scientific evidence over several decades of research has not proven a causal link between EMFs and cancer or any other disease' (para 2.10.6) and that 'The Department of Health's Medicines and Healthcare Products Regulatory Agency (MHRA) does not consider that transmission like EMFs constitute a significant hazard to the operation of pacemakers.' (para 2.10.7). On this basis it would seem that there is very little risk to human health from electricity sub-stations. Furthermore, there have always been two sub-stations on the school site, and the current proposal is a replacement of one of the existing sub-stations.

3.7 It is understood that the exact specification of the sub-station has not yet been agreed with the utility provider so a detailed assessment of any EMF emissions at this time would not be possible. However the applicant has agreed to the imposition of a condition suggested by our Environmental Health section which would require the applicant to submit a documented Public Health report on the Electro Magnetic Fields likely to be emitted by the proposed sub-station in order to safeguard and protect the adjoining occupiers.

3.8 The ground floor of 'The Lodge' building has a small screening room for a capacity of 55 people and concern has been raised that this may result in some noise to neighbouring properties. The screening room is a sealed box and fully mechanically ventilated for acoustic isolation and therefore should not pose any noise problem to neighbouring residents.

3.9 A Noise Impact Assessment has been submitted with the application and includes details of the two plant areas proposed on the roofs of the buildings. The Environmental Health section has confirmed that they are satisfied that the noise emissions from the plant units comply with set noise emissions criteria, provided mitigation measures are installed as specified in the report. The mitigation measures include the erection of screens around the proposed plant area and a condition can be imposed to ensure the mitigation measures are carried out.

3.10 The proposed Teaching Building to the north of the site would have a height of 10.5m and a higher element of 12.5 metre at one end to enclose roof top plant. The building would have an overall length of 54 metres and an overall depth of 14.5 metres. The proposed building would run almost the entire length of the flank boundary of number 74 Candlemas Lane and part of the flank boundary of number 121 Station Road, a veterinary surgery.

3.11 The neighbouring properties to the north of the site are set down below the height of the application by approximately 1 metre and concern was raised that the building, by virtue of its siting, scale and height would appear unduly dominant and obtrusive when viewed from the neighbouring properties to the north of the site. As a result the application has been amended to move the building a further 3 metres away from the northern boundary. The proposed building is now sited 17 metres (maximum distance) tapering to 6 metres from the northern boundary.

3.12 The dwellings to the north of the site have rear garden lengths of approximately 35 metres and the main aspect/view from these dwellings is down their rear gardens. Whilst there can be no doubt that the proposed Teaching Block would be readily visible from the rear of these neighbouring properties it is necessary to consider whether the impact on these neighbouring properties in terms of outlook, light and privacy would be sufficient to warrant a refusal of the application.

3.13 The building has been designed to have narrow strips of obscure glazing at first and second floor level in the northern elevation to avoid any issues with overlooking and loss of privacy to the neighbouring properties in Candlemas Lane. Ventilation is to be provided by opening, solid panels that will incorporate restrictors so that they cannot be opened fully and will not enable people to look out. Details of these panels and the restrictors would need to be controlled by condition to ensure that there would be no adverse overlooking or loss of privacy.

3.14 The application has been accompanied by a daylight and sunlight study which has examined the daylight, sunlight and overshadowing effects of the proposed scheme on number 74 Candlemas Lane. The results of the study conclude that there would be little effect in terms of daylight and sunlight. The revised siting of the building should also help to limit its impact on the neighbouring properties in terms of daylight and sunlight and on this basis it is not considered that an objection could be substantiated on the grounds of an unacceptable loss of daylight or sunlight to the neighbouring properties.

3.15 The higher section of the proposed Teaching building, which extends to 12.5 metres, would be sited approximately 6 metres from the flank boundary with the adjacent veterinary surgery (number 121 Station Road) which is set down below the height of the application site. This aspect of the proposal is likely to appear visually prominent from this neighbouring property. Given however that it is a commercial use it is not considered, on balance, that an objection in terms of loss of light, outlook or privacy could be substantiated.

3.16 Some of the residents have raised concern about light pollution from the teaching block. The Teaching block will primarily be in use during weekdays in the daytime and given the revised siting of the building it is not considered that any light pollution to the rear of these properties would be significant.

3.17 The proposal requires the removal of some trees close to the northern boundary of the site. The re-siting of the teaching building has enabled more tree planting /landscaping to be provided including an evergreen hedge, tree and shrub planting to help retain a softer edge to the NFTS and provide some screening of the development from the neighbouring properties and rear gardens.

3.18 The impact of the proposed development on the living conditions of the neighbouring properties needs to be weighed up against the need to support the function of the NFTS in its role as the pre-eminent international film school. It is worth noting that no objections have been received from the immediate neighbour at number 74 Candlemas Lane, which is the property most likely to be affected by the development, and on balance it is considered that the revised proposal is now acceptable and would not have an unacceptable impact on the living conditions of the surrounding residential properties in terms of light, outlook and privacy.

4.0 PARKING/HIGHWAY IMPLICATIONS:

4.1 The application has been accompanied by a Transport Assessment. The proposal will allow the school to take on an additional 118 students, increasing the total student roll from 312 to 430. This will be accompanied by an increase of approximately 25 staff from the current level of 90. The school will continue to operate a 40 week term and host the Beaconsfield Film Society on a monthly basis.

4.2 No changes are being proposed to the vehicular or pedestrian access arrangements for this site. The primary access point to the site will remain from Station Road. The site is well served by public transport. Beaconsfield train station is situated 1km, or approximately 12 minutes walking distance to the north of the site. The NFTS has an existing relationship with Chiltern Railways which provides discounted fares for both students and staff, making this a popular means of travel to and from the site for those living outside of Beaconsfield. Northbound and Southbound bus stops serving High Wycombe, Beaconsfield, Slough, Uxbridge and Heathrow are also located close to the site.

4.3 Given the predicted number of additional vehicle movements during the traditional AM and PM peak it is not considered that the expansion proposal would have an adverse impact upon the highway and no objection has been raised by the Highway Authority.

4.4 There is currently on-site car parking capacity for approximately 78 spaces. Of these, 32 car parking spaces are formally marked out at the front of the site, with the rest being provided informally elsewhere within the restricted central part of the site. It is only proposed to provide 9 additional parking spaces in connection with the application which on the face of it would appear somewhat low. However the NFTS has a policy of requiring all parking spaces to be applied for via the Studio Office and not permitting any student car parking (except in mitigating circumstances such as a disability). This serves to minimise demand for on-site car parking.

4.5 The adopted parking standard for non-residential institutions requires a minimum of 2 spaces per classroom. The nature of the NFTS and its higher education use means that it is more difficult to define classroom space. It is estimated that there will be 25 classrooms in total across the whole site on completion of the development which equates to a minimum parking requirement of 50 spaces. This requirement would be more than be catered for on site. With the proposed number of car parking spaces and the continuation of the NFTS existing Car Parking Management Strategy it is considered that parking demand should be adequately catered for on-site. Existing on street parking restrictions

within the immediate vicinity of the site should also deter any overspill parking and support the NFTS' existing policy of discouraging car use by students. A total of 40 cycle spaces are also proposed on-site. Given these circumstances it is not considered that an objection on parking grounds could be sustained.

5.0 IMPACT ON TREES/LANDSCAPING:

5.1 The proposed Teaching building would necessitate the removal of some low category trees of limited amenity value and the proposed tree planting/landscaping should help mitigate the loss of these trees and provide some screening along the northern boundary of the site to help break up the large 'Teaching' block elevation. The tree officer has raised no objection to the proposal and a detailed landscape scheme will need to be submitted which can be secured by condition.

6.0 ECOLOGY CONSIDERATIONS:

6.1 An ecology walkover survey has been submitted with the application. The survey has identified that the buildings to be demolished and the trees to be removed have a negligible potential to support roosting bats. However in the unlikely event that a bat is encountered during demolition work the ecology officer has recommended the inclusion of an informative relating to the applicant's legal responsibility toward European protected species (bats) and the inclusion of an informative relating to breeding birds.

6.2 The conservation and enhancement of biodiversity is a material planning consideration and to accord with CP9 the ecology officer has recommended that biodiversity net gain is secured via an appropriately worded condition that requires the submission of a landscaping scheme that incorporates biodiversity features such as bat and bird boxes and native species. This can be secured by condition.

7.0 SUSTAINABLE ENERGY:

7.1 The new buildings have been designed with the aim of reducing energy demand by focusing on the building fabric and both buildings have been designed to provide a very good level of daylight, natural ventilation and the use of concrete to regulate internal temperatures.

7.2 The proposal also needs to accord with Core Policy 12 'Sustainable Energy' which seeks to secure at least 10% of the energy from decentralised and renewable or low-carbon sources, unless demonstrated that it is not viable or feasible. The application has been accompanied by an Energy Statement (revised 15.1.15) and plans to show 135 sq.m of PV panels on the Teaching Building, 76 sq.m of PV panels on The Lodge and an additional 105 sq.m on the existing Oswald Morris Building. From a broad calculation this will result in a contribution of approximately 5.2% of on site renewable energy which is below the target set by CP12. The Sustainability Officer has recommended the use of Air Source Heat Pumps in addition to the PV's as an effective way to heat and cool the buildings to help meet CP12 and it is considered that the requirements of CP12 can be adequately met in this case. As such it is considered appropriate to impose a condition requiring the applicant to submit details for the provision of on-site renewable energy to meet the requirements of CP12 prior to any work commencing on site.

8.0 OTHER ISSUES:

8.1 The submitted Phase II Geo-environmental Risk Assessment (dated 17th November 2014) has identified significant hydrocarbon contamination to the south of the site, possible from a former off-site diesel tank spill. The levels of contamination identified along the potential pathways for contamination to migrate to the sensitive Chalk principal aquifer, such as the soakaways to Chalk on site, means that further investigation and remediation is required to ensure protection of ground water. The Environment Agency

has raised no objection subject to the imposition of a number of conditions which include the long-term monitoring to ensure ground water resources are not affected by the development.

8.2 The Environmental Health section has also reviewed the Geo-environmental Risk Assessment and has noted the fairly significant hydrocarbon contamination to the south and some asbestos. As such they have requested suitably worded conditions to deal with the contamination and remediation of the site.

8.3 The National Grid has identified gas pipes and associated equipment in the vicinity of the proposed works. An informative will be added to any planning permission advising the applicant of contact National Grid before any works are carried out to ensure the apparatus is not affected by the proposed works.

8.4 The application has been accompanied by a Flood Risk Assessment and the site is located in Flood Zone 1 and is considered to have a very low risk of flooding from fluvial sources. The existing surface water drainage system comprises a piped gravity system which outfalls into a single soakaway near the western boundary of the site. Storm water collected from the roofs of the new buildings would be directed into storage tanks designed to attenuate the flows entering the drainage system and the existing soakaway. The Environment Agency has requested the imposition of a condition to detail the surface water drainage scheme for the site to ensure surface water will be managed in a sustainable way without increasing the flood risk elsewhere.

CONCLUSION:

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 if planning permission were to be granted in this instance.

However, given the strong objection from the Town Council and local residents it is considered that value would be added if **MEMBERS** were to undertake a **SITE VISIT** prior to the determination of this application.

RECOMMENDATION

Full Planning Permission

Conditions & Reasons:

1. NS01 Standard Time Limit - Full Application
2. NMS09A Development To Accord With Application Drawings
3. **NM01 Schedule or Sample of Materials**
4. **NM02 Surface Materials**

5. The existing buildings shown for removal on drawing number A-L-082 Rev 02 shall be demolished in their entirety and all materials resulting from such demolition works shall be removed from the site by the practical completion or occupation of the development hereby permitted whichever is the sooner.

Reason: To ensure a satisfactory development in accordance with the terms of the application. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

6. The windows to be inserted at first and second floor level on the southern elevation of 'The Lodge' building hereby permitted shall be of a high level type with the cill height a minimum of 1.6 metres above floor level and shall be fitted and permanently maintained with obscure glass.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

7. ND17 No Further First Floor Windows - southern - 'Lodge building' - properties

8. The windows to be inserted at first and second floor level on the northern elevation of the 'Teaching' Building hereby permitted shall be of a permanently fixed, non-opening design and shall be fitted and permanently maintained with obscure glass.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

9. No development shall take place until details of the ventilation panels and restrictors to be inserted in the northern elevation of the 'Teaching' building hereby permitted have been submitted to and approved in writing by the District Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

10. ND17 No Further First Floor Windows - northern - 'Teaching' block - properties

11. NT01 Landscaping Scheme to be Submitted

12. NT02 First Planting Season

13. The development shall be implemented in accordance with the approved Tree Protection Plan appended to the Tree Report (dated 22nd October 2014) and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the Tree Report and that the correct material and techniques are employed.

Reason: To maintain the visual amenity of the area. (Policies EP4 and L10 of the South Bucks District Local Plan (adopted March 1999) refers.)

14. NT06 Retention of Existing Landscaping Features - A-L-083 Rev 04

15. The scheme for parking and cycle spaces 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 accord with the submitted application. (Policies TR5 & TR7 of the South Bucks District Local Plan (adopted March 1999) refer.)

16. Prior to the occupation of the development a Travel Plan Statement setting out the aims and measures to reduce single occupancy vehicle travel by staff and visitors shall be submitted to and approved in writing by the District Planning Authority and thereafter shall be implemented in accordance with the Plan.

Reason: To support the use of sustainable transport modes and to reduce single occupancy private car journeys. (Policy TR5 of the South Bucks District Local Plan (adopted March 1999) refers.)

17. **NH58 Site Operatives Vehicles**

18. No development approved by this planning permission shall take place until a remediation strategy, that includes the following components to deal with the risks associated with contamination of the site, have been submitted to and approved, in writing, by the District Planning Authority:

1. 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
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) 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.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) 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 written consent of the District Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure the site is properly investigated and remediated to protect groundwater resources and to ensure that risks from land contamination to future users of the land and neighbouring land are minimised. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) and Core Policy 13 of the South Bucks District Core Strategy (adopted February 2011) refer.)

19. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation have been submitted to and approved, in writing, by the District Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure the site is properly investigated and remediated to protect groundwater resources and to ensure that risks from land contamination to future users of the land and neighbouring land are minimised. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) and Core Policy 13 of the South Bucks District Core Strategy (adopted February 2011) refer.)

20. No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the District Planning Authority, have been submitted to and approved in writing by the District Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the District Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the District Planning Authority.

Reason: To ensure the site is properly investigated and remediated to protect groundwater resources and to ensure that risks from land contamination to future users of the land and neighbouring land are minimised. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) and Core Policy 13 of the South Bucks District Core Strategy (adopted February 2011) refer.)

21. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the District Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the District Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the District Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure the site is properly investigated and remediated to protect groundwater resources and to ensure that risks from land contamination to future users of the land and neighbouring land are minimised. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) and Core Policy 13 of the South Bucks District Core Strategy (adopted February 2011) refer.)

22. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the District Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure the site is properly investigated and remediated to protect groundwater resources. (Core Policy 13 of the South Bucks District Core Strategy (adopted February 2011) refers.)

23. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the District Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that activities that could create pathways for contamination to migrate to the Chalk aquifer, such as piling or infiltration drainage, only take place in areas of the site that will not impact on groundwater resources. (Core Policy 13 of the South Bucks District Core Strategy (adopted February 2011) refers.)

24. The development hereby permitted shall not commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) (prepared by: Burohappold Engineering; dated: 21 October 2014; reference: 032822, revision: 01) has been submitted to and approved in writing by the District Planning Authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the FRA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, both on and off-site. (Core Policy 13 of the South Bucks District Core Strategy (adopted February 2011) refers.)

25. Noise levels from all the works/activities associated with the construction phase and its subsequent use phase shall not exceed 55dB(LAeq (15 mins) daytime when measured at the façade of the nearest residential dwellings at any time.

Reason: To prevent noise nuisance to nearby residential occupiers. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

26. Noise from the operation of all plant and machinery located within or associated with the buildings hereby permitted, including the electricity sub-station, received at one metre from the nearest residential properties, shall not exceed a level of 5dBA below the existing Background Levels or 10dBA if there is a particular tonal quality, when calculated to or measured in accordance with British Standard 4142-2014.

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

27. Details, including acoustic specifications and mitigation measures, of all fixed plant and equipment to be installed within the site shall accord with the details set out in the Noise Impact Assessment (dated 13th November 2014) unless any variation is first agreed in writing with the District Planning Authority

Reason: To accord with the submitted application and to protect the amenities of the surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

28. Prior to commencement of development and once the precise design and specifications of the proposed electricity sub-station has been finalised, a documented Public Health report on the Electro Magnetic Fields likely to be emitted and its' associated, if any, health impacts shall be submitted to the District Planning Authority for approval in writing. The report must address the EMF impact to ensure the substation will not be a significant source of exposure in buildings nearby. The sub-station shall not be implemented until these precise details have been approved in writing, and thereafter shall be implemented and maintained in accordance with the approved details.

Reason: To protect the amenity of the area and the adjoining occupants from the emissions of Electro Magnetic Fields.(Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

29. No development shall commence until details of the proposed renewable and low carbon sources of energy to be used in the development have been submitted to and approved in writing by the District Planning Authority. Thereafter the development shall be implemented and maintained in accordance with the approved details.

Reason: To secure at least 10% of the scheme's energy from decentralised and renewable or low carbon sources.(Core Policy 12 set out in the South Bucks District Core Strategy (February 2011) refers.)

Informatives:-

1. **IN02 Details Required Pursuant to Conditions - 3,4,9,11,17,18,20,24, 28 and 29**
2. The applicant is advised that National Grid apparatus (gas pipes and associated equipment) have been identified in the vicinity of the proposed development and you are required to contact National Grid before any work is carried out to ensure the apparatus is not affected by the proposed works. A copy of their letter dated 4th December 2014 is attached to this planning permission for your information.
3. **IH23 Mud on the Highway**
4. In order to discharge the surface water condition number 24, the following information must be provided based on the agreed drainage strategy. The submitted FRA has demonstrated all of the required information except part f):
 - a) A clearly labelled drainage layout plan showing pipe networks and any attenuation areas or storage locations. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
 - b) Confirmation of the critical storm duration.
 - c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
 - d) Where on site attenuation is achieved through ponds, swales, geocellular storage or other similar methods, calculations showing the volume of these are also required.
 - e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
 - f) Calculations should demonstrate how the system operates during a 1 in 100 chance in any year critical duration storm event, including an allowance for climate change in line with the 'Planning Practice Guidance: Flood Risk and Coastal Change'. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.
5. The applicant is advised that the landscape scheme to be submitted in compliance with condition number 11 shall incorporate ecological enhancement measures including, but not limited to: 1)provision of at least two artificial habitat measures for bats and or birds per new building. In each case, specific details regarding locations and quantities shall be given. 2) A sympathetic lighting scheme to avoid

impacts upon potential bat roosts and bat foraging and 3) a landscaping plan that details locations, size and species of all trees, hedgerows and shrubs to be planted, removed and retained. It shall show preference for the planting of native species of local provenance in keeping with the surrounding landscape.

6. All species of bat and their roosts are protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010. The applicant and contractors should be aware that all bats and any structures used by them are protected by law, and that works likely to disturb bats or their nesting places (even if undertaken at a time of year when the bats are absent) require a licence from Natural England. Should a bat be encountered during development, work should cease immediately and advice should be sought from Natural England (tel. Batline 0845 1300228). Bats should preferably not be handled (and not without gloves) but should be left in place, gently covered, until advice is obtained. Particular care and vigilance should be taken when roof tiles or slates are removed (remove by hand and check underside for bats before stacking, particularly the ones over the gable ends and ridge tiles.) Fascias, barge boards and external cladding may also provide roost opportunities for bats and should be disturbed with care. As a further precaution, undertaking roof work during the months of March to May, or September to November will avoid the main hibernation and breeding seasons when bats are most sensitive to disturbance.
7. All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), including their nests (whilst in use or being built) as well as any eggs the nest may contain. Therefore, vegetation should not be removed nor buildings demolished during the bird nesting season. This is weather dependent but generally extends between March and August inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation shall not be moved until the fledglings have left the nest.
8. The applicant is advised that the details to be submitted in compliance with condition 29 shall include details of Air Source Heat Pumps to help achieve the 10% target required by the condition.
9. IN35 Considerate Constructor
10. IN39 Permeable Hard-Surfacing
11. IH24 Obstruction of the Highway

LIST OF APPROVED PLANS

Plan number/name	Date received by District Planning Authority
A-L-080 Rev 1	25.11.2014
A-L-083 Rev 04	17.02.2015
A-L-084 Rev 3	17.02.2015
A-L-081	25.11.2014
A-L-082	27.01.2015
BTC/101C	16.02.2015
A-L-03-350	25.11.2014
A-L-03-252	25.11.2014
A-L-03-251	25.11.2014
A-L-03-250 Rev 1	22.01.2015
A-L-03-153 Rev 1	22.01.2015
A-L-03-152 Rev 1	22.01.2015
A-L-03-151 Rev 1	22.01.2015
A-L-03-150 Rev 1	22.01.2015
A-L-01-353 Rev 1	09.02.2015
A-L-01-352 Rev 1	09.02.2015
A-L-01-350 Rev 1	09.02.2015
A-L-01-251 Rev 2	17.02.2015
A-L-01-250 Rev 1	09.02.2015
A-L-01-153 Rev 2	09.02.2015
A-L-01-152 Rev 1	09.02.2015
A-L-01-151 Rev 1	09.02.2015
A-L-01-150 Rev 2	17.02.2015
1957-A-L-04-150 Rev 1	19.01.2015
Tree Protection Plan	25.11.2014

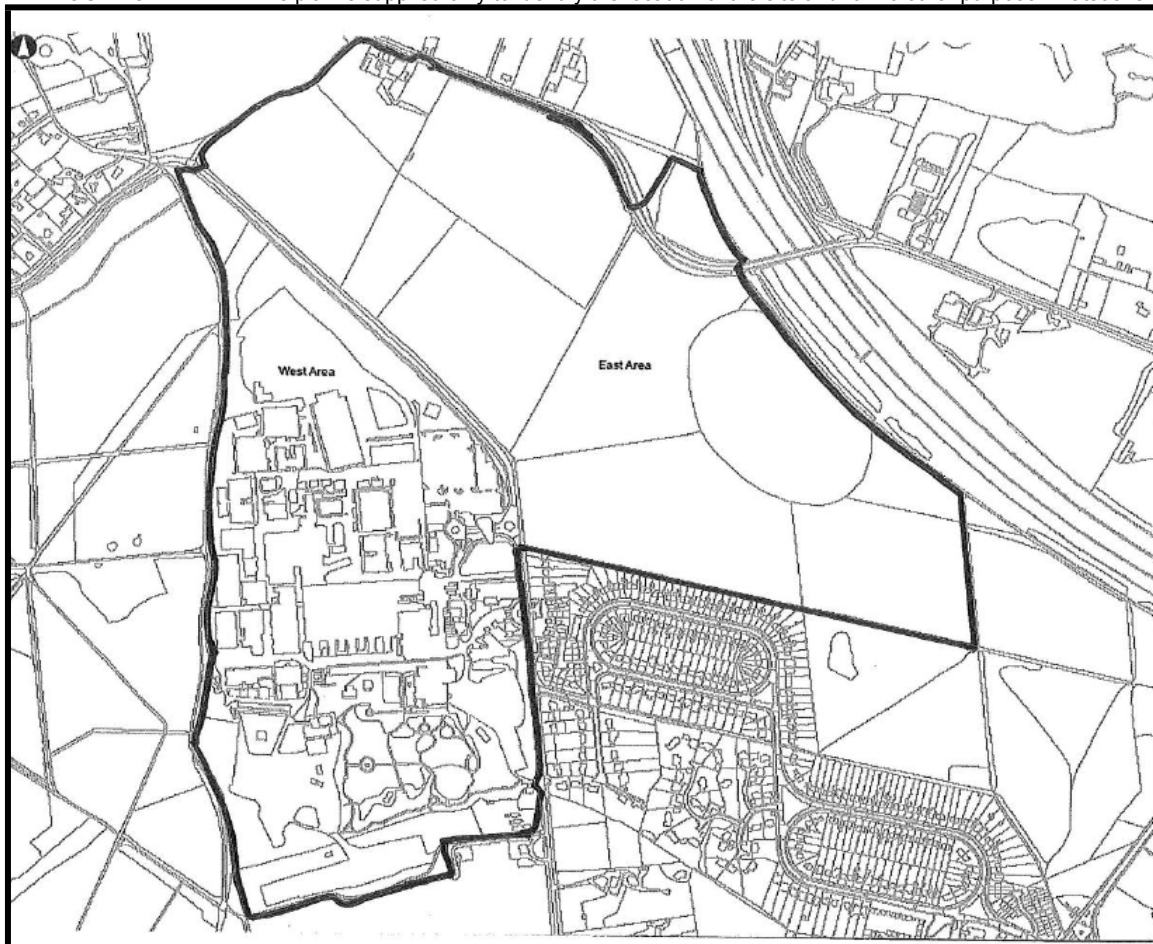
**South Bucks District Council
Planning Committee**

Date of Meeting: 11 March 2015

Parish: Iver

Reference No:	14/02262/TEMP	Temporary Permission
Proposal:	Temporary change of use for up to 12 months for filming works to include construction of film sets with associated landscaping and temporary widening of existing access from Sevenhills Road.	
Location:	Land Adjacent To, Pinewood Road, Iver Heath, Buckinghamshire	
Applicant:	Pinewood Studios Ltd	
Agent:	Susie Rolls	
Date Valid Appl Recd:	7th January 2015	
Recommendation:	PER	

LOCATION PLAN – This plan is supplied only to identify the location of the site and for no other purpose whatsoever.



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South Bucks District Council
Licence Number LA 100025874

SCALE : NOT TO SCALE

THE PROPOSAL:

The application proposes a temporary change of use of the land for filming works, involving the construction of film sets, the laying of hard-surfacing, the stationing of portacabins and associated landscaping and storage. The access road onto Sevenhills Lane (to the north of the site) is to be widened to 6m. Works have already commenced on site.

The application site forms part of the Pinewood Studios Development Framework (PSDF), which was granted outline permission at appeal (planning application ref; 13/00175/OUT). During the course of this application and appeal it was demonstrated that the current Studios is operating at near capacity and that there was a demand for more space for filming purposes. This demand will be relieved by the expansion of the studios approved under outline permission 13/00175/OUT.

The expansion to the studios is yet to be constructed and the applicants argue that the filming scheduling requirements of 'The Huntsman' mean that the required space for the film set cannot be accommodated within the existing Pinewood Studios. As such temporary use of the adjacent land is required for such purposes. The planning statement advises that permission is required for up to 9-12 months.

LOCATION & DESCRIPTION OF SITE:

Before works commenced in December 2014, the site comprised an open field in the Green Belt. The land falls under the ownership of Pinewood Studios and is located to the north of the existing studio site. The site is bounded by Pinewood Road to the south-west and Sevenhills Road to the north-west and north-east.

The site lies within the Green Belt and Colne Valley Park and is covered by an area-wide Tree Preservation Order.

RELEVANT PLANNING HISTORY:

The Studios has a long planning history. The most relevant applications have been cited below:

- 14/01992/REM: Application for approval of first reserved matters comprising details required by conditions 2, 11, 12 and 14 of outline permission 13/00175/OUT, including details of sound stages, offices, workshops and associated infrastructure, landscaping and other works. Conditional Permission
- 14/00608/REM: Application for Approval of Reserved Matters for: Proposed new production offices and workshops for uses associated with the film and television industry with associated car parking and landscaping. (Outline Application Ref: 04/00660/OUT). Conditional Permission.
- 13/00176/FUL: Highways Improvements to Five Points Roundabout. Conditional Permission.
- 13/00175/OUT: Reconfiguration and expansion of facilities for screen based media, including film, television and video games, and associated services and industries, comprising: demolition of outdated accommodation; erection of new stages, workshops, office accommodation, demountable modular buildings, entrance structures and reception and security offices, gas CHP energy centre, underground waste water treatment plant, recycling facilities, backlots and film

streetscapes, external film production; creation of new vehicular and pedestrian access from Pinewood Road, emergency access from Sevenhills Road, access roads within the site, surface and multi-level car parking; and associated landscaping and ecological habitat creation works.(In respect of access, full approval is sought for the means of vehicular access from Pinewood Road and (for emergency use) from Sevenhills Road. All other aspects of access are to be reserved). Refused. Appeal Allowed.

- 12/01690/FUL: Replacement building comprising of workshops and office space (F & G Block). Conditional Permission.
- 12/01584/REM: Redevelopment of site to create new stage (South Dock Stage) with ancillary workshop and office space. (Outline being: 04/00660/OUT). Conditional Permission.
- 11/01238/VC: Variation of condition 6 of planning permission 11/00613/FUL to allow the submission of a site wide energy strategy. Conditional Permission.
- 11/00613/FUL: Building incorporating new stage (T-stage). Conditional Permission.
- 11/00556/FUL: Provision of electricity substation. Conditional Permission.
- 11/00282/FUL: Highway improvements to the Denham Road/Sevenhills Road junction. The Council informed the Secretary of State that it had no objection to the approval of this application. The Secretary of State allowed the application at appeal.
- 11/00281/FUL: Highway improvements to Five Points Roundabout. The Council informed the Secretary of State that it had no objection to the approval of this application. The Secretary of State allowed the application at appeal.

REPRESENTATIONS AND CONSULTATIONS:

PARISH COUNCIL COMMENTS:

Objections. Concerns that the proposal does not accord with the conditions of planning permission 13/00175/OUT. Specifically concerns are raised about protection of bats, impact on trees and hedgerows, ecological monitoring and management, external lighting, construction management and impact on the highway.

CORRESPONDENCE:

One letter of objection has been received from a neighbouring occupier which raises the following concerns:

- Noise and disturbance to neighbouring occupiers;
- Traffic and highway safety;
- Light pollution;
- Development commenced prior to planning permission being sought;
- Working hours.

SPECIALIST ADVICE:

Arboriculturalist:

No objections.

Environmental Health:

No objections subject to condition.

Environment Agency:

No comments received to date.

Bucks County Council:-

(i) Transport for Bucks:

No objections.

(ii) Bucks Ecologist:

No objections subject to condition

(iii) Bucks Archaeologist:

No objection subject to condition

ISSUES & POLICY CONSIDERATIONS:

RELEVANT POLICY:

National Policy
National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)
Development Plan

South Bucks District Local Plan (adopted March 1999) (Saved policies):
Local Plan Policies GB1, EP3, EP4, L10, TR5 and TR7

South Bucks Local Development Framework Core Strategy (adopted February 2011):
Core Strategy Policy CP8 and CP9.

1.0 GREEN BELT ASSESSMENT:

1.1 The site falls within the Green Belt where there is a presumption against inappropriate development. The change of use of the land to be used for filming purposes, involving the erection of temporary structures and the laying of hard-surfacing would not constitute one of the few limited forms of development or uses deemed acceptable by either paragraph 90 of the NPPF of Local Plan Policy GB1. The proposed change of use is therefore inappropriate development within the Green Belt.

1.2 For inappropriate development in the Green Belt to be justified, very special circumstances must exist. In this case an important material consideration is that outline planning permission has been granted for the expansion of Pinewood Studios onto land north and north-east of the existing studio site, of which the current application site forms part. Specifically on this piece of land, outline permission has been granted for the

erection of 11 buildings (planning application ref: 13/00175/OUT). Whilst reserved matters approval is yet to be sought for these 11 buildings, the outline application contained very detailed drawings of the proposed development. It was concluded by the Planning Inspector and the Secretary of State that the harm to the Green Belt as a result of the inappropriate development and the moderate adverse impact on landscape and visual amenity, would be outweighed by the case for sustainable economic growth and thus permission was granted. Members will also be aware that reserved matters has been approved for phase 1 of this development and works have now commenced.

1.3 Whilst it cannot be argued that the use of this piece of land for filming works in connection with one film would lead to significant economic growth for the Studios or for the national film industry, the key factor is that because of this recent outline permission, the application site has only a limited time to remain free from development before it is covered by the 11 sizable buildings. The harm of which would be far greater than the use currently proposed which is only for a limited period.

1.4 As such, it is considered that whilst the proposal is for inappropriate development within the Green Belt, the additional harm is limited given the temporary nature of the proposal. Furthermore, the existence of outline permission for the expansion of the studios onto land which includes the current application site and that involves significant permanent development within the Green Belt mean that Very Special Circumstances exist in this case to allow the development.

2.0 NEIGHBOUR IMPACT:

2.1 It is not considered that the structures which have been erected in association with the change of use would be harmful to the amenities of any nearby residential occupiers given the distance away and their limited height. There is potential however for noise and disturbance to arise from the activities themselves and therefore the Environmental Health Officer has commented on the application in this respect.

2.2 The Environmental Health Officer has recommended that the applicant submits a noise management plan. The period of the plan will cover the entire filming phase for which temporary planning permission is being sought and include details of proposed hours of filming. The plan will need to be assessed and approved by the Council prior to the commencement of filming. This condition will enable the Council to ensure that neighbouring occupiers are not affected by harmful levels of noise and disturbance and to ensure that the proposed hours of filming do not result in a nuisance to neighbouring occupiers again through noise or light pollution.

2.3 It is understood that there has been some disturbance from the construction of the film sets. The applicant will be made aware of their duty to comply with the 'Considerate Constructors Scheme' to ensure that nuisance to neighbouring occupiers will be kept to a minimum.

3.0 PARKING/ACCESS/HIGHWAY IMPLICATIONS:

3.1 There is adequate space within the site to accommodate the vehicles visiting the site and therefore there are no concerns regarding parking provision.

3.2 Comments from the Highways Authority regarding the use of the accesses and impact on the highway are awaited.

4.0 TREES/LANDSCAPING:

4.1 There are no trees of any merit within the site, however there is significant screening on the site boundaries. The Arboriculturist is satisfied that the proposals would not harm any important trees despite the proposed widening of the existing vehicular access onto Sevenhills Road. The Parish Council have raised concerns that trees and hedgerow have

been removed. The plans indicate that trees are to be retained and only trimmed back to allow for the widening of the access. The planning agent has confirmed that this is the case. A condition has been recommended to ensure that the existing trees on site are retained.

5.0 ECOLOGY:

5.1 The Planning Statement advises, 'The presence of bat roosts and their continued usage of the area around Saul's Farm will be protected in accordance with legal requirements and filming near this area will be restricted accordingly.' The County Ecologist has recommended a condition to ensure that construction and filming works avoid this area. A method statement is also requested outlining the measures that will be implemented in order to mitigate any potential impacts upon roosting and/or foraging and commuting bats.

5.2 A further condition is attached relating to a restoration plan to ensure that habitats are restored and created as part of the restoration of the site as a whole. It is advised that such a plan could result in an overall gain as habitats created now have a much greater chance to reach a level of functionality.

6.0 OTHER ISSUES

6.1 The Parish Council have raised a number of concerns relating to whether the proposed use and development complies with the conditions imposed on planning permission 13/00175/OUT. Whilst the current application site falls within the wider PSDF site, this application needs to be assessed on its own merits. The details of this specific application have been assessed by the relevant consultees and found to be acceptable subject to conditions.

CONCLUSION:

It is considered that a fair balance would be struck between the interests of the community and the human rights of the individuals in the event of planning permission being granted in this instance. Councillor Matthews has requested that **MEMBERS** undertake a **SITE VISIT** and the Chairman has agreed this request.

RECOMMENDATION:

Temporary Planning Permission

SUBJECT TO: i) FINAL VIEWS FROM TRANSPORT FOR BUCKS, AND ii) FINAL VIEWS FROM THE ENVIRONMENT AGENCY.

Conditions & Reasons:

1. The use hereby permitted shall be carried out for a limited period only, expiring on 11th March 2016. On or before that date the development hereby permitted shall be discontinued and any building or works carried out under this permission shall be removed, and the land re-instated to its former condition on or before 11th March 2016 in accordance with a scheme of work submitted to and approved in writing by the District Planning Authority, unless permission has in the meantime been renewed via the submission of a further application. (NL01)

Reason: To protect the Green Belt and to enable the District Planning Authority to review the suitability of the development in the light of the circumstances prevailing at the end of the above period. (Policy GB1 of the South Bucks District Local Plan (adopted March 1999) refers.)

2. NMS09A Devt to accord with applicn dwgs

3. No later than 2 weeks prior to the commencement of filming, the applicant shall submit a detailed Noise Management Plan to cover the duration of the filming phase. The plans shall use the scope of the following statutory principles: (1) BS 8233:2014, (2) The World Health Organisation (WHO) and (3) BS 5228: 2009, to ensure ALL noise associated with the use phase are effectively contained, mitigated and suppressed to ensure compliance with the relevant statutory documents, identified above. This document shall focus largely on site generated noise sources, during the use phase and outline measures to be deployed in either responding to and/or mitigating noise. The document will also contain details of the proposed hours of filming works for the duration of the filing phase.

Reason: To protect the amenities of the area and to prevent noise nuisance. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers).

4. Within two calendar months of the date of this decision the applicant shall submit a restoration scheme to the Local Planning Authority to be approved in writing. The applicants are advised to consult the ecologists responsible for the wider site management in relation to this restoration plan.

Reason: To ensure the ecological interests of site are maintained (Policy CP9 of the South Bucks District Core Strategy (adopted February 2012) refers.)

5. Construction works and filming works shall avoid the area identified as skylark habitat to the east of the site, as indicated on drawing no 001 (Ecological Constraints and Opportunities) in the EMMP approved as part of application 14/01992/REM.

Reason: To protect this ecologically sensitive area. (Policy CP9 of the South Bucks District Core Strategy (adopted February 2012) refers.)

6. Within one calendar month of the date of this decision a Method Statement outlining the measures that will be implemented in order to mitigate any potential impacts upon roosting and/or foraging and commuting bats shall be submitted to the Planning Authority and approved in writing. Thereafter all works shall continue in accordance with these approved measures.

Reason: To ensure the ecological interests of site are protected and maintained (Policy CP9 of the South Bucks District Core Strategy (adopted February 2012) refers.)

7. Works on site shall continue in accordance with the written scheme of investigation submitted with the application and dated January 2015.

Reason: To ensure the continued protection of this area of archaeological interest. (Policy CP8 of the South Bucks District Core Strategy (adopted February 2011) refers)

8. NT06 Retention Of Existing Landscapg Features - 001 SL
9. NT12 Control Of Burning Of Materials - 001 SL

Informative(s) :-

1. IN02 Details Required Pursuant To Condition - 3, 4 and 6
2. IN35 Considerate Constructor

LIST OF APPROVED PLANS

Plan number/name

**Date received by District
Planning Authority**

001 SL

10.02.2015

Location Plan

23.02.2015

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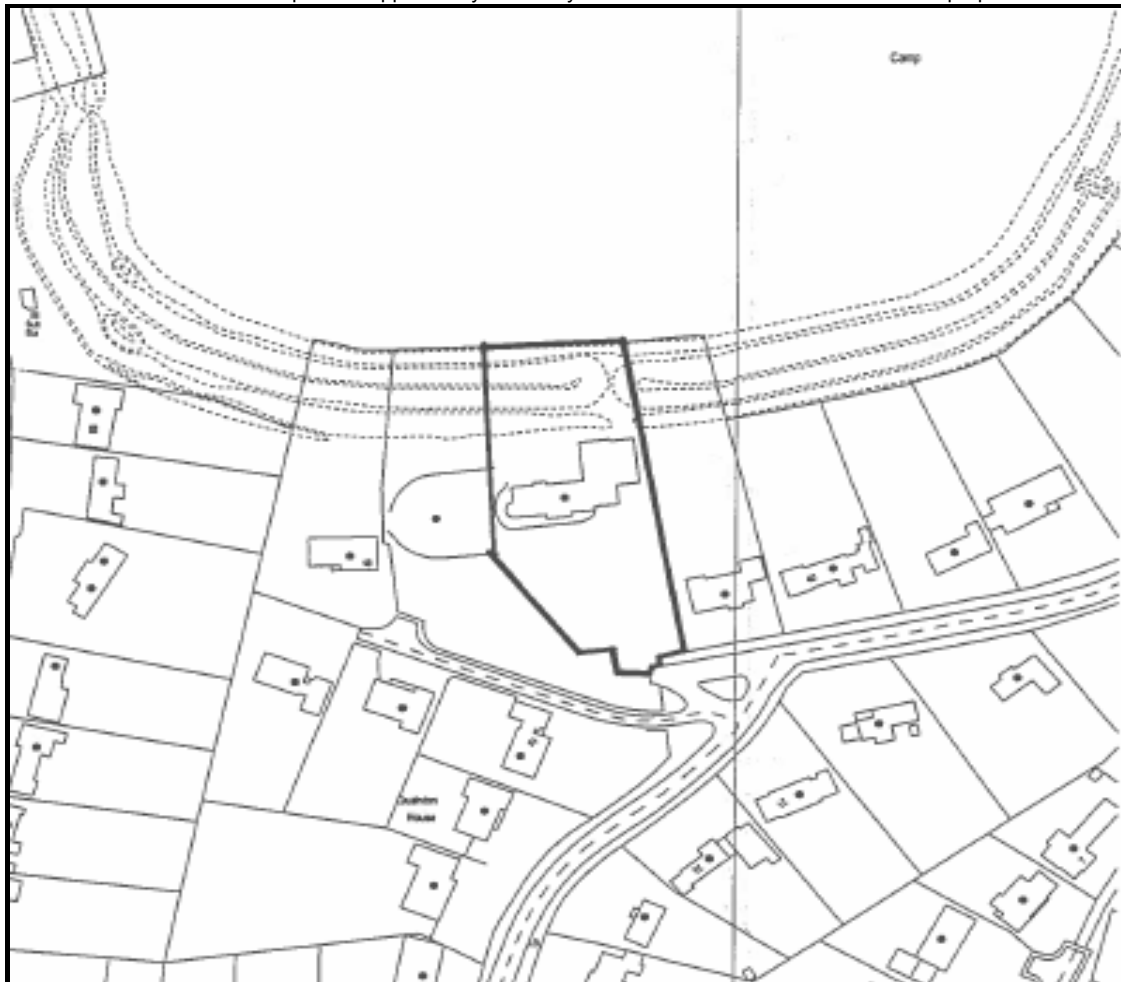
**South Bucks District Council
Planning Committee**

Date of Meeting: 11 March 2015

Parish: Gerrards Cross

Reference No:	14/02275/FUL	Full Application
Proposal:	Redevelopment of site to provide two new dwellings and associated garages.	
Location:	Moray House, 44 Camp Road, Gerrards Cross, Buckinghamshire, SL9 7PD	
Applicant:	Mr M Smyth	
Agent:	Miss S Woods	
Date Valid Appl Recd:	1st December 2014	
Recommendation:	PER	

LOCATION PLAN – This plan is supplied only to identify the location of the site and for no other purpose whatsoever.



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South Bucks District Council
Licence Number LA 100025874

SCALE : NOT TO SCALE

THE PROPOSAL:

This application seeks the re-development of the site for two detached dwellings incorporating basements. This application follows the refusal of application 14/01869/FUL for the following reason:-

1) The proposal would, by virtue of the restricted plot frontages and, in particular, the siting of the proposed plot 1 dwellinghouse and its juxtaposition with the existing adjacent dwellinghouse at 42 Camp Road, be inconsistent with the spacing and layout of dwellings in the vicinity of the application site. This area has been identified as a Residential Area of Exceptional Character (RAEC), due to its high quality landscape and townscape qualities and is considered to be sensitive to new development as a result of its uniform pattern of large landscaped plots, as identified in the South Bucks Townscape Character Study. Consequently, this proposed development would have a detrimental impact on the character of this designated RAEC contrary to policies H10, H9 and EP3 of the South Bucks District Local Plan.

The new application alters the proposal as follows:-

Plot 1:

The ridge height of this dwelling has been reduced from 9m to 7.5m compared to that which was previously submitted, so it now has the form of a chalet bungalow. The overall width of the dwelling has been reduced which is due to the re-positioning of the chimney on the western flank of the dwelling. The dwelling would also benefit from a basement which would provide additional habitable room and an integral garage.

Plot 2:

The changes to plot 2 from that which was previously refused are a reduction in the ridge height by 400mm and the re-positioning of the chimney on the western flank wall of the dwelling.

LOCATION & DESCRIPTION OF SITE:

The application site comprises of a detached dwelling and plot located on the southern side of Bulstrode Camp which is an Iron Age hillfort. The eastern boundary of the site is screened with a mature hedge approx 2.7m in height whilst the western boundary is screened with panel fencing. To the front of the site are a group of Cedar trees which are the subject of a Tree Preservation Order 25, 1995.

RELEVANT PLANNING HISTORY:

14/01519/FUL: Redevelopment of site to provide two new dwellings with detached garages. Withdrawn.

14/01869/FUL: Redevelopment of site to provide two new dwellings with detached garages. Refused.

REPRESENTATIONS AND CONSULTATIONS:

PARISH/TOWN COUNCIL COMMENTS:

The Council object to this application which, if permitted, would set an unwelcome precedent in this location. This application would result in a change to the streetscene in this RAEC and would contravene the characteristic spacing of the houses, resulting in a cramped appearance.

CORRESPONDENCE:

Letters of objection from 17 sources raising issues including the following:-

- Loss of privacy to the neighbouring properties No.42 and 46 Camp Road;
- Two dwellings would detract from the character of the area;
- High density which is not in keeping with the area;
- Object to two-for-one development in this area;
- Breach of a covenant;
- Impact on trees to the front and rear of the site;
- Submission is inaccurate and should be withdrawn.

SPECIALIST ADVICE:

Tree Officer:

No objection subject to conditions.

Transport for Bucks:

No objection subject to conditions.

Bucks Archaeological:

No objection subject to condition.

ISSUES & POLICY CONSIDERATIONS:

RELEVANT POLICY:

National Policy
National Planning Policy Framework (NPPF)

Development Plan:-

South Bucks District Local Plan (adopted March 1999) Saved Policies:-EP3, EP4, EP5, H9, H10, L10, TR5 and TR7

South Bucks Local Development Framework Core Strategy (adopted February 2011) CP8, CP9 and CP12.

Other material considerations:

Residential Design Guide and Townscape Character Study

1.0 KEY POLICY ASSESSMENT

1.1 The previous application (14/01869/FUL) was refused for one reason, as set out at the beginning of this report. The central issue now is whether the amendments to the scheme overcome that reason for refusal.

2.0 VISUAL IMPACT/IMPACT ON LOCALITY:

2.1 Policy H10 of the adopted South Bucks Local Plan seeks to ensure that new development within an RAEC reflects the defining characteristics of that RAEC. The key character of such areas is not just the design and appearance of the built form but often the spaciousness and appearance of dwellings within their plot. Camp Road is characterised as sizable dwellings on good size plots. It is noted that there are a substantial number of replacement dwellings in the immediate vicinity.

2.2 Concerns are still raised by residents that the erection of two dwellings in place of one would set a precedent. However, there is no text within Policy H10 that states two-for-one developments represent inappropriate development within a RAEC. The application property is unique in that it is wider than other plots within the immediate vicinity and it is worth noting that the existing dwelling appears substantially larger than other dwellings in the immediate vicinity due to this overall width. The gap between the rear elevation of plot 1 and its tapered boundary has been increased when measured from its deepest point so that the visual gap between the proposed dwelling and the hedge is maintained from front to rear.

2.3 Furthermore, the overall size and scale of the house on plot 1 had been significantly reduced to ensure the two dwellings, when viewed in tandem, would not appear cramped within the street scene. Members attention is drawn to two dwellings recently granted planning permission and subsequently built (No.72 and No.74 Camp Road), both these dwellings are of a size and scale similar to that of plot 2, the subject of this application. Furthermore, these recently constructed dwellings maintain a similar relationship and visual gaps to that which is sought under this proposal. It is acknowledged that the dwellings were not built onto a single plot, however the resultant appearance of the these dwellings No.72 and No.74 would be comparable to that which is being proposed under this application.

3.0 NEIGHBOUR IMPACT:

3.1 Concerns are still raised by local residents in regards to the impact the proposals would have on the amenities of No.42 and No.46 Camp Road. Impact on neighbours was not part of the previous reason for refusal and as the scheme has reduced in scale, there are not considered to be any grounds to introduce it now.

4.0 PARKING/ACCESS/HIGHWAY IMPLICATIONS:

4.1 No concerns were raised about parking when the previous scheme was refused.

4.0 TREES/LANDSCAPING:

4.1 Subject to conditions, the Tree Officer raises no grounds for objection.

5.0 AMENITY SPACE:

5.1 No concerns were raised about amenity area when the previous scheme was refused.

6.0 OTHER ISSUES

- 6.1 Concerns have been raised by objectors about inaccuracies in the submission. However, the submission is considered to be clear and precise to a degree that allows full assessment of exactly what is proposed.

CONCLUSION:

In conclusion, I am satisfied that a fair balance would be struck between the interests of the community and the human rights of the individuals in the event of planning permission being granted in this instance. As the Committee visited the site on the 27.11.14 before refusing the previous application, it is not considered that value would be added to the decision making process by making another site visit.

RECOMMENDATION:

Full Planning Permission

Conditions & Reasons:

1. NS01 Standard Time Limit - Full Application
 2. **NM01** **Schedule or Sample of Materials**
 3. **NM02** **Surface Materials**
 4. NMS09A Development To Accord With Application Drawings
 5. **NT01** **Landscaping Scheme to be Submitted**
 6. NT02 First Planting Season
 7. **NT08** **Walls & Fencing details - site**
 8. NT18 Completion in accordance with Method Statement
 9. NT04 Soil Levels Maintained
 10. ND12 Exclusion of PD Part 1 Density of layout -any
11. The detached garage serving plot 2 hereby permitted shall not be used for any purpose other than for the accommodation of private vehicles or for purposes incidental to the enjoyment of the dwellinghouses and, in particular, the garage shall not be used for any business purpose. (ND01)

Reason: To accord with the terms of the application and to safeguard the amenities of the area. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) relates.

12. **ND16A** **Details Of Soil Disposal From Basement**

13. The first floor windows in the eastern and western elevation(s) of the Plot 2 hereby permitted shall be fitted and permanently maintained with obscure glass and be of a non-opening type. (ND04)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

14. No further windows shall be inserted at or above first floor level in the eastern or western elevation(s) of the dwelling known as Plot 2, hereby permitted. (ND17)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

15. The first floor window serving the 'master en-suite' in the principal elevation of Plot 1 hereby permitted, shall be fitted and permanently maintained with obscure glass and only the glass above the top transom shall be openable. (ND03)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

16. ND05 No windows at first floor level -eastern or western - dwellinghouse known as Plot 1 - properties

17. Prior to the construction of the rear terrace serving bedroom 4, hereby permitted on plot 2, details of a non-transparent, solid balcony screen no less than 1.8m above floor level on the western side of the terrace facing the sites flank boundary shall be submitted to and approved in writing by the District Planning Authority. The screen shall then be erected prior to the use of the balcony/terrace and thereafter permanently maintained in accordance with the approved details.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

18. No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the District Planning Authority. (ND16A)

Reason: To maintain the historic and archaeological interest of Bulstrode Camp. (Core Policy 8 of the South Bucks District Core Strategy (adopted February 2011) refers.)

Informatives:-

1. IN02 Details Required Pursuant to Conditions - 2, 3, 5, 7, 12 17 and 18
2. IN39 Permeable hard-surfacing
3. IH23 Mud On The Highway
4. IH24 Obstruction Of The Highway

LIST OF APPROVED PLANS

Plan number/name	Date received by District Planning Authority
14.126.PL.301 B	12.12.2014
14.126.PL.303 D	12.12.2014
14.126.PL.302 D	12.12.2014
14.126.PL.300 B	12.12.2014
14.126.PL.304 E	27.01.2015

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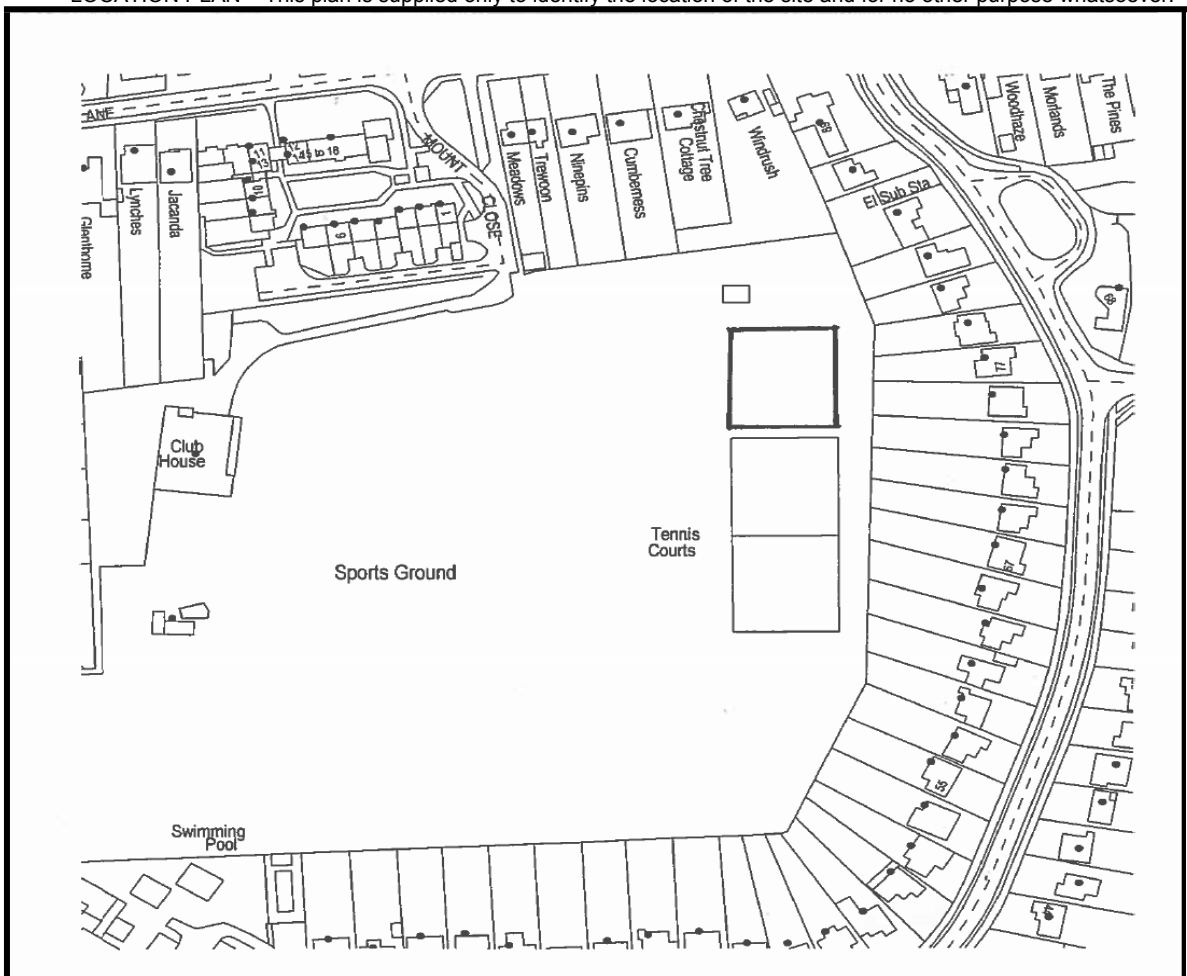
South Bucks District Council
Planning Committee

Date of Meeting: 11 March 2015

Parish: Farnham Royal

Reference No:	15/00100/FUL	Full Application
Proposal:	Installation of floodlighting to two tennis courts.	
Location:	Farnham Common Sports Club, One Pin Lane, Farnham Common, Buckinghamshire, SL2 3QY	
Applicant:	Farnham Common LTC	
Agent:	Mr R Reynolds	
Date Valid Appl Recd:	19th January 2015	
Recommendation:	PER	

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SCALE : NOT TO SCALE

THE PROPOSAL:

The application proposes to erect floodlighting to two existing tennis courts.

The scheme involves the erection of 9 lighting columns around the tennis courts, which would be 8.25m in height. A total of 12 floodlights would be attached to these lighting columns. The design of the floodlights is such that they are of a box like shape, which enables the light provision to be directed downwards. They would be dark green in colour.

It is proposed to utilise the floodlights until 9:30pm

LOCATION & DESCRIPTION OF SITE:

The application site forms part of the Farnham Common Sport Club which is situated within the developed area of Farnham Common, with access being obtained from the south side of One Pin Lane, along Mount Close. The site is used as a sports club facility, providing various grass sports pitches, cricket nets, and hard surfaced tennis courts. The tennis courts are located towards the north east corner of the site, towards the boundary with the residential properties along One Pin Lane and Mayflower Way.

RELEVANT PLANNING HISTORY:

07/00093/FUL: Provision of floodlighting system for training pitch incorporating 6 x 15m high floodlight columns. Conditional Permission.

REPRESENTATIONS AND CONSULTATIONS:

PARISH COUNCIL COMMENTS:

No comment.

CORRESPONDENCE:

Letters of objection have been received from 11 separate households. Concerns raised include:

- Incremental commercial development of open space;
- Hours of operation;
- Impact from light spillage - light pollution - adverse impact on amenities of residential properties;
- Details inaccurate;
- Visually intrusive;
- Rugby floodlights should not set a precedent;
- No community benefit;
- Inadequate parking provision;
- Cumulative impact of development on site;
- Noise and disturbance from increased operating hours;
- Impact upon value/saleability of property;
- No support from local community;
- No need for lights - courts rarely used.

SPECIALIST ADVICE:

Environmental Health:

No objections subject to condition.

Natural England:

No comments received to date.

City of London:

No comments received to date.

ISSUES & POLICY CONSIDERATIONS:

RELEVANT POLICY:

National Policy:

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Development Plan:-

South Bucks District Local Plan (adopted March 1999) Saved Policies: EP3, R8 and TR5.

South Bucks Local Development Framework Core Strategy (adopted February 2011):
Core Strategy policies CP5, CP8 and CP9.

1.0 KEY POLICY ASSESSMENT:

1.1 The NPPF was published on the 27th March 2012 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. With regard to this specific application, it is considered that most of the relevant local policies, as highlighted above, are in accordance with the NPPF, and as such, it is considered that they should be afforded significant weight and that is it considered appropriate to still assess this current application against the relevant local policies set out above.

2.0 VISUAL IMPACT/IMPACT ON LOCALITY:

2.1 Physically, it is considered that the introduction of the proposed floodlights would not introduce an alien feature to the site, given the presence of the existing floodlighting that serves the rugby pitches. Floodlighting of this nature is not uncommon at sports facilities such as this, and there are many examples throughout the district where sporting facilities are served by similar floodlighting. Whilst just over 8m in height, they are almost half the size of the existing floodlighting on the site. It is considered that this existing taller floodlighting does not appear intrusive within the locality or detrimental to the character and appearance of the area. The introduction of this lower floodlighting would have less of a physical impact and presence, and therefore is considered to be acceptable from a visual point of view, as it would not appear dominant or obtrusive within the locality.

2.2 The presence of artificial lighting at the site already exists by virtue of the existing floodlighting. As such, it is considered that the proposed floodlighting would not introduce a new feature to the site or alter its characteristics.

2.3 Whilst the floodlighting would enable an extended use of the courts, it is considered that any increase in the intensity of the use of the site would not be significant, and would not go beyond that which could be experienced during the summer months without any lighting. As such, it is considered that the proposal would not lead to an unacceptable increase in the intensity of the use of the site. The NPPF (para.73) recognises that sport and recreational opportunities make an important contribution to the health and wellbeing of communities.

2.4 As such, in terms of the impact of the lighting on the locality, along with the proposed appearance of the lighting, and the level of activity the proposal would result in, it is considered that the proposal would accord with policies EP3, R8 and CP8.

3.0 NEIGHBOUR IMPACT:

3.1 Given that the nearest residential property would be sited more than 30m metres away from the proposed floodlighting, it is considered that the floodlighting structures would not appear overdominant or obtrusive when viewed from the surrounding properties.

3.2 The main consideration in terms of potential impacts on the neighbouring properties is that of light spillage and light pollution. Environmental Health have assessed the application and the supporting information and have confirmed that, subject to compliance with a condition requiring the lighting to be erected and directed so as to avoid nuisance to residential or other accommodation and for the main beam angles of all the lights to be below 70 degrees from vertical (to keep off site glare to a minimum), the proposed floodlighting would not cause an unacceptable nuisance.

3.3 In light of these comments, and the supporting information submitted with the application, which includes a light spillage diagram which indicates that the above can be achieved, it is considered that the proposed floodlighting would not have an unacceptable impact on the amenities of the neighbouring properties in terms of lighting pollution and light spillage in any way that could justify refusal of the application.

3.4 It is not considered that the increased ability to use the courts during the winter months would lead to an unacceptable level of noise and disturbance, which would be detrimental to the amenities of the neighbouring properties. This view is based on the fact that the courts could be used until approximately 9pm in the summer time. A condition could be attached to any permission that restricts the hours within which the floodlights could be used. It is noted that the applicant proposes a time of 9:30pm as the cut off time for use, however, it may be more appropriate to restrict this to 9pm, which is in line with the restrictions for the existing floodlights on the site.

3.5 The proposal is therefore considered to accord with policy R8 and EP3.

4.0 PARKING/ACCESS/HIGHWAY IMPLICATIONS:

4.1 As set out above, it is considered that whilst the floodlighting would enable an extended use of the courts during the winter months, any increase in the intensity of the use of the site would not be significant, and would not go beyond that which could be experienced during the summer months without any lighting. As such, it is considered that the proposal would not lead to any material increase in vehicular movements to and from the site.

4.2 In light of the above, it is considered that the existing level of parking provision on site is adequate.

4.3 It is considered therefore that the proposal would adhere to policies TR5 and TR7 of the local Plan.

5.0 TREES/LANDSCAPING:

5.1 The proposal would have any impacts on the existing trees/landscape.

6.0 OTHER ISSUES:

6.1 Core Policy 5 of the Adopted Core Strategy seeks to protect open space, sport and recreational facilities. It is considered that this proposal would not run counter to the aims and objections of this policy as it would be maintaining such a use on the site, whilst increasing opportunities for its potential use.

6.2 It is noted that the comments of Natural England and the City of London have yet to be received. They were consulted on the basis that the application site falls within the water catchment area of a river that feeds into the nearby Burnham Beeches. It should be ensured that developments within such river catchments do not adversely affect the hydrology of the land and the infiltration of water into the river catchments. In this instance, given that the land on which the proposed lighting is to be erected is already fully hardsurfaced, the installation of the floodlighting would not in any way impact upon the infiltration of water into the ground. Therefore, notwithstanding the lack of comments from Natural England and the City of London, it is considered that the proposal would not have any adverse impact on the hydrology of the land, and therefore would not have any impacts on the nearby Burnham Beeches. This may be a factor in the lack of response from these two consultees.

6.3 The concerns raised by local residents regarding the potential negative impact on the value of their homes as a result of these proposals is not a material planning consideration.

CONCLUSION:

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

Due to the significant local interest in this application it is considered that value would be added to the decision making process if **MEMBERS** were to carry out a **SITE VISIT** prior to their determination of this application.

RECOMMENDATION:

Full Planning Permission

Conditions & Reasons:

1. NS01 Standard Time Limit - Full Application
2. NMS09A Development To Accord With Application Drawings
3. The floodlighting hereby approved shall be erected and directed so as to avoid nuisance to residential or other accommodation in close proximity to the site. The main beam angles of all lights must be kept below 70° from vertical to keep off site glare to a minimum. A maximum of 5 Lumens shall be received at ground level at any point on or beyond the boundaries of the neighbouring properties.

Reason: To protect the amenities of adjoining occupiers and not to cause a statutory nuisance. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers).

4. The floodlights hereby permitted shall not operate between the hours of 9 p.m. and 8 a.m. on any day and shall not operate at any time on a Sunday.

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

5. The floodlighting columns hereby approved shall be painted dark green and shall thereafter be permanently maintained as such, unless prior approval has first been given in writing by the District Planning Authority to any variation.

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

LIST OF APPROVED PLANS

Plan number/name	Date received by District Planning Authority
Location Plan	19.01.2015
Elevation	19.01.2015
Site layout	19.01.2015
light spillage plan	19.01.2015
illumination levels plan	19.01.2015

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**South Bucks District Council
Planning Committee**

Date of Meeting: 11 March 2015

Parish: Burnham

Reference No:	15/00187/FUL	Full Application
Proposal:	Redevelopment of site to provide four semi-detached dwellings, garage block, vehicle circulation and associated landscaping.	
Location:	Old Tiles, Poyle Lane, Burnham, Buckinghamshire, SL1 8LA	
Applicant:	Heronsbrook Homes Ltd	
Agent:	Mike Spurgeon	
Date Valid Appl Recd:	30th January 2015	
Recommendation:	PER	

LOCATION PLAN – This plan is supplied only to identify the location of the site and for no other purpose whatsoever.



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SCALE : NOT TO SCALE

THE PROPOSAL:

The application proposes the replacement of the existing dwelling with two pairs of semi-detached dwellings.

The proposed new dwellings would be sited in a similar location to that of the existing dwelling that extends across a majority of the width of the plot. The new dwellings would however project further to the rear and front of the site than the existing dwelling. The dwellings would be two storey in height, at a maximum height of 9.4m, designed with pitched roof and a front gable feature. Both pairs of semis have been designed to appear as a large single detached dwellings, with only one main entrance door on their front elevation, the other being located on the side elevation. The pairs of semis would retain a minimum gap of 2.97m between one another, this increases to 4.3m at their front building line. A minimum gap of 3.1m would be retained to the western flank boundary, this increases to 4.1m at the buildings front, whilst a minimum gap of 3.2m would be retained to the eastern flank boundary, with this increasing to 3.7m at the buildings frontage. Garden lengths would be 18.5m plus.

The two existing vehicular access points would be retained and widened, and a detached garage would be erected to the front of the proposed buildings. This would provide 4 parking spaces, one for each new dwelling. The garage would be designed with a pitched roof with a ridge height of 5m. A total of 12 parking spaces would be provided, 3 for each new dwelling.

A majority of the existing trees, hedging and vegetation is to be retained, including that which currently exists along the front boundary. There will be some removal of trees where considered necessary.

LOCATION & DESCRIPTION OF SITE:

The application site comprises of a detached dwelling located on the north side of Poyle Lane, within the developed area of Burnham and is also designated as a Green Suburban Road, as set out within the Townscape Character Study.. The application site is within close proximity to the Metropolitan Green Belt to the north. The application site is screened in the street scene by mature vegetation and has two vehicular access points onto Poyle Lane.

RELEVANT PLANNING HISTORY:

None.

REPRESENTATIONS AND CONSULTATIONS:

PARISH COUNCIL COMMENTS:

The Parish Council recommends refusal and would ask that Highways investigate the entrancing and exiting. There are concerns the proposal would be an overdevelopment and would change the character of adjacent properties. The Parish Council also has concerns for drainage and believes local habitat would be endangered. This application would not contribute to the enhancement of the local scene and is considered to be contrary to policy H11 and EP3 of the Local Plan.

CORRESPONDENCE:

At the time of drafting this report letters of objection had been received from 13 separate sources. Concerns raised include:

- The introduction of semi-detached properties is out of keeping and detrimental to character of area;
- Overdevelopment of site;
- Adverse highway implications due to increase in vehicular movements;
- Loss of vegetation;
- Impact on wildlife;
- Drainage/sewerage implications;
- Will act as a precursor for further development.

SPECIALIST ADVICE:

Transport for Bucks:

No comments received to date.

Arboriculturalist:

No objections subject to condition.

Building Control:

No objections.

Bucks County Ecologist:

No comments received to date.

SBDC Waste:

Advised that the proposed bin drop area is too far from the highway, and that it is located behind entrance gates. Such an approach would not enable the refuse vehicle to collect the refuse.

ISSUES & POLICY CONSIDERATIONS:

RELEVANT POLICY:

National Policy
National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Development Plan:-

South Bucks District Local Plan (adopted March 1999) Saved policies: EP3, EP4, EP5, EP6, H9, TR5 and TR7.

South Bucks Local Development Framework Core Strategy (adopted February 2011):
Core Strategy Policies CP8, CP9, CP12 and CP13.

Other material considerations:-

Residential Design Guide SPD
Interim Guidance on Residential Parking Standards

1.0 KEY POLICY ASSESSMENT:

1.1 The NPPF was published on the 27th March 2012 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. With regard to this specific application, it is considered that all of the relevant local policies, as highlighted above, are in accordance with the NPPF, and as such, it is considered that they should be afforded significant weight and that it is considered appropriate to still assess this current application against the relevant local policies set out above.

2.0 AFFORDABLE HOUSING:

2.1 It is noted that the application site is 0.22ha and therefore means that the requirements of core policy CP3 may be applicable. However, it is considered that if the Council were to seek to secure more units on this site, in order to obtain some form of affordable housing provision, then it would create a development that would be inappropriate in its context in terms of its level of density and impact on the character and appearance of the site and locality in general. Therefore, it is considered that the applicant's design does not seek to circumvent the requirement for affordable housing by proposing an inappropriately low density of development.

3.0 VISUAL IMPACT/IMPACT ON LOCALITY:

3.1 The site is located within the developed area of Burnham where new dwellings can be acceptable provided that they do not adversely affect any interests of acknowledged importance, which include factors such as the character and appearance of the area and the amenity of neighbouring properties.

3.2 The NPPF states that 'housing applications should be considered in the context of the presumption in favour of sustainable development (para 49). The NPPF also suggests that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area (para 53)'. This Council already has such policies in the form of policy H10 of the Local Plan, which resists the development of residential garden land. This application site does not fall within the designation (Residential Area of Exceptional Character) that policy H10 applies to, as it is not considered that its character and appearance warrants the special protection afforded by policy H10. The South Bucks Townscape Character Study does designate this site as a Green Suburban Road, however, it is not considered that this designation prevents the introduction of any additional dwellings at all, providing they would not adversely affect the character and appearance of the site or locality in general.

3.3 It is considered that an assessment of the resultant density of the scheme still forms an important part of the overall consideration of the proposal. The proposal would result in a density of approx. 18dph. Whilst a significant increase over that existing density of the site, this density is not considered to be significantly out of character with the prevailing density of the wider area, and when balanced against the need to make efficient use of land, it is considered that the proposed density of the scheme would not appear inappropriate.

3.4 Policy H9 states that any development should be compatible with the character and appearance of the immediate locality. Whilst there is a mix in the type of dwellings within the wider area, the dwellings on the north side of Poyle Lane consist entirely of two storey detached dwellings. It is noted though that there is a pair of semi-detached properties on the southern side of Poyle Lane, just to the east of the application site (Little Orchard and Coverack). Overall however, semi-detached properties are not characteristics of the vicinity. Notwithstanding this, it should be acknowledged that the proposed buildings do have the general appearance of being two single family detached dwellings. As such, this helps to disguise the fact that they are semi-detached properties, and helps to retain the visual appearance of the locality and the presence of large detached buildings. This view is further supported by the substantial set back of the dwellings from the highway and the presence of significant screening at the front of the site which is to be retained, and which restricts views into the site. As such, it is considered that the presence of the proposed buildings within the street scene is reduced, and in turn their potential to impact upon the visual amenities of the locality is also reduced.

3.5 Overall, therefore it is considered that the introduction of semi-detached properties on this site would not be inappropriate, and the principle of such dwellings is considered acceptable.

3.6 With regard to the layout, it is considered that the proposed development would not appear out of context or out of keeping with the existing pattern of development in the immediate vicinity. The proposed dwellings would continue the provision of the dwellings fronting the highway, and as such, it is considered that the layout of the proposed dwellings would relate acceptably to the surrounding development and would not be significantly detrimental to the existing pattern of development or character of the area.

3.7 The level of spaciousness retained on site is considered acceptable. The gaps retained to the site's boundaries are also considered sufficient, as is the gap that would be retained between the two pairs of semis. Whilst the proposed gardens would be narrower than those elsewhere, they would still be in excess of 18.5m in length, which is comparable to that seen elsewhere. Overall, given the limited impact of the development within the street scene and wider environment due to the presence of boundary screening, it is considered that the smaller plot sizes to the rear would have minimal visual impact on the character and appearance of the area. As such, overall, the development would not appear cramped or out-of-place, nor would it represent an overdevelopment of the site.

3.8 It is considered that the proposed dwellings are of an appropriate size and scale to not appear excessive in height, scale or bulk, and would appear comparable to existing properties within the vicinity, including that of the immediately adjoining property to the west, 'Laurel Bank'. When combining this with the fact that they would be set back from the highway and well screened by the existing hedging and trees, it is considered that the proposed dwellings would not appear overdominant or obtrusive within the street scene or locality in general.

3.9 The introduction of a detached garage forward of the building line is not considered to be out of keeping for the locality given the fact that there are examples of such garages elsewhere, including at the neighbouring properties to the west. The proposed garage block would have minimal impact on the street scene due to being well screened by the existing hedging and trees.

3.10 Overall, it is considered that the proposed development it would not appear out of keeping or detrimental to the visual amenities of the area, including its 'Green Suburban Road' characteristics as set out within the Townscape Character Study.

4.0 NEIGHBOUR IMPACT:

4.1 With regard to the adjoining property the west, Laurel Bank, it is considered that given the siting of the proposed dwellings, the juxtaposition of the two properties to one another, and the gap retained between them, the proposal would not lead to any unacceptable loss of light, nor would it appear overdominant or obtrusive. The proposed first floor side window directly facing this property can be conditioned to be fitted with obscure glass.

4.2 With regard to the adjoining property the east, Fairways, it is considered that given the siting of the proposed dwellings, the juxtaposition of the two properties to one another, and the gap retained between them, the proposal would not lead to any unacceptable loss of light, nor would it appear overdominant or obtrusive. The proposed first floor side window directly facing this property can be conditioned to be fitted with obscure glass.

4.3 Given the significant distances retained to the neighbouring property to the rear, Willow Corner, combined with the presence of some boundary screening, it is considered that the proposal would not lead to any unacceptable loss of privacy to this property, nor would there be any loss of light, nor would the proposed dwellings appear overdominant or obtrusive.

5.0 PARKING/ACCESS/HIGHWAY IMPLICATIONS:

5.1 Sufficient off street parking would be provided on site.

5.2 The comments of the County Highways Authority have yet to be received. As such, a accurate assessment of the highway implications of the scheme cannot be undertaken, and it is considered that the determination of this application should be subject to the receipt of these comments and any recommendations they provide.

6.0 TREES/LANDSCAPING:

6.1 The Councils Arboriculturalist has raised no objections to the proposal subject to the inclusion of various conditions, one of which is a detailed landscape scheme.

7.0 OTHER ISSUES:

7.1 The Building Control Department have verbally advised that they do not have any significant concerns. It is considered that any building control matters can be dealt with via a building control application.

7.2 The Council's Waste Department have advised that the proposed bin drop area is too far from the highway, and that it is located behind entrance gates. Such an approach would not enable the refuse vehicle to collect the refuse. Notwithstanding this, it is considered that the new properties would be able to continue the same procedure as the current dwelling does, in terms of refuse collection, which would involve the placing of bins outside of the property on the very large grass verge, adjacent to the highway on the day of collection.

7.3 The application has been accompanied by a ecological appraisal. At the time of drafting this report, the comments of the Bucks County Ecologist had not been received. As such, an accurate assessment of the ecological implications of the scheme cannot be undertaken, and it is considered that the determination of this application should be subject to the receipt of these comments and any recommendations they provide.

7.4 Given that this application only involves a net increase of 3 dwellings, there is no requirement under the Bucks County Council policy for Obligations towards Education Provision, to provide a contribution.

7.5 Concern has been raised over the method of drainage and sewerage, however the application advises that the proposed development would connect to the mains sewer.

CONCLUSION:

It is considered that a fair balance would be struck between the interests of the community and the human rights of the individuals in the event of planning permission being granted in this instance. However it is acknowledged that this proposal has raised considerable local concern. In these circumstances, it is considered that value would be added to the decision making process if **MEMBERS** were to undertake a **SITE VISIT** before making their decision on this application.

RECOMMENDATION:

Full Planning Permission

THE COMMITTEE IS MINDED TO APPROVE THE APPLICATION SUBJECT TO THE RECEIPT OF THE FINAL COMMENTS FROM i) TRANSPORT FOR BUCKS; ii) BUCKS COUNTY ECOLOGIST.

Conditions & Reasons:

1. NS01 Standard Time Limit - Full Application
2. NMS09A Development To Accord With Application Drawings
3. **NM01 Schedule or Sample of Materials**
4. **NM02 Surface Materials**
5. **NT01 Landscaping Scheme to be Submitted**
6. NT02 First Planting Season
7. NT18 Completion in accordance with Method Statement
8. ND12 Exclusion of PD Part 1 Density of layout - any

9. The first floor windows in the west elevation of the dwelling on plot 1 and the first floor windows in the east elevation of the dwelling on plot 4 hereby permitted shall be fitted and permanently maintained with obscure glass. They shall also be fitted and permanently maintained so that the bottom section is fixed shut, whilst the top section cannot be lowered beyond a height of 1.8m above the finished first floor level. Written consent must be obtained from the District Planning Authority prior to any replacement of these windows which would have an alternative design.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

10. No further windows shall be inserted at or above first floor level in the west elevation of the dwelling on plot 1 hereby permitted, nor shall any further windows be inserted at or above first floor level in the east elevation of the dwelling on plot 4 hereby permitted. (ND17)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

11. The flat roof area of the single storey elements of the dwellings hereby permitted shall not be used as a balcony, roof garden, sitting out area or similar amenity area without the grant of further specific permission from the District Planning Authority. (ND11)

Reason: To preserve the privacy and amenities of the adjacent property occupiers. (Policies EP3 and H11 of the South Bucks District Local Plan (adopted March 1999) refer.)

Informatives:-

1. **IN02 Details Required Pursuant to Conditions - 3, 4, and 5**
2. The applicant is advised that the Council refuse collection service will not collect bins from the indicated bin drop off areas due to their distance from the highway and their siting behind the entrance gates. All bins will need to be placed adjacent to the highway and in front of the entrance gates on the day of collection.
3. **IN39 Permeable Hard-Surfacing**

LIST OF APPROVED PLANS

Plan number/name	Date received by District Planning Authority
14-P1041-LP01	29.01.2015
Block Plan	29.01.2015
14-P1041-CP01	29.01.2015
14-P1041-101	29.01.2015
14-P1041-104	29.01.2015
14-P1041-103	29.01.2015
14-P1041-102	29.01.2015
14-P1041-105	29.01.2015
Tree Protection Plan	05.02.2015
Tree Constraints Plan	05.02.2015

PART B

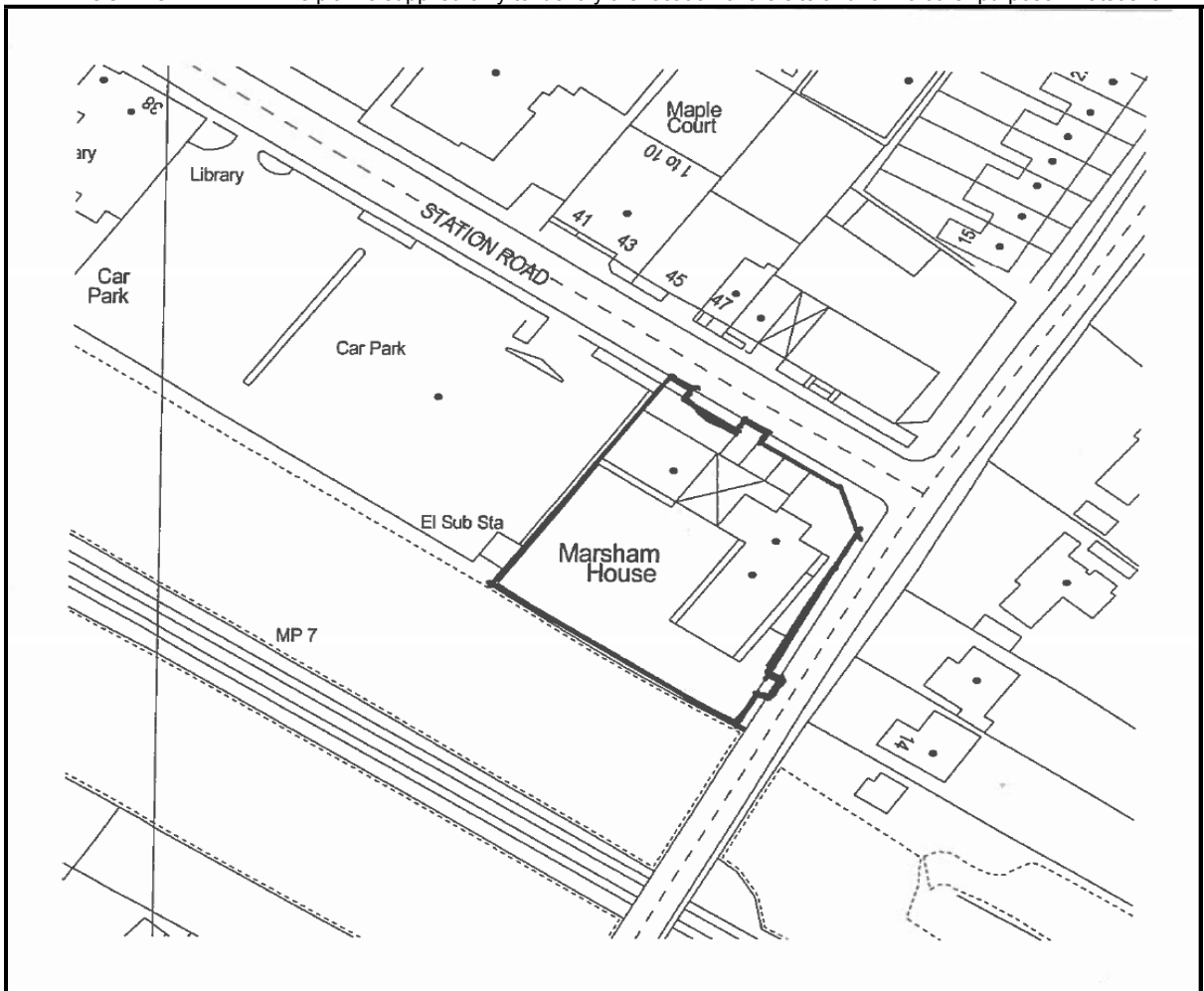
South Bucks District Council Planning Committee

Date of Meeting: 11 March 2015

Parish: Gerrards Cross

Reference No:	14/02192/FUL	Full Application
Proposal:	Redevelopment of site to provide residential building consisting of 30 one-bedroom apartments and 20 two-bedroom apartments with basement and ground floor level car parking. Relocation of existing vehicular access and associated landscaping.	
Location:	Marsham House, Station Road, Gerrards Cross, Buckinghamshire, SL9 8ER	
Applicant:	Angle Property (Gerrards Cross) Limited	
Agent:	Mr J Best	
Date Valid Appl Recd:	20th November 2014	
Recommendation:	PER	

LOCATION PLAN – This plan is supplied only to identify the location of the site and for no other purpose whatsoever.



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South Bucks District Council
Licence Number LA 100025874

SCALE : NOT TO SCALE

THIS APPLICATION WAS HEARD AT THE MEETING OF 11TH FEBRUARY 2015. THE COMMITTEE APPROVED THE APPLICATION SUBJECT TO, INTER-ALIA, THE SUBMISSION OF A SATISFACTORY LEGAL AGREEMENT WITH THE RELEVANT OVERAGE CLAUSE AND A COMMITMENT TO PAY THE REQUISITE CONTRIBUTION TOWARDS EDUCATION PROVISION.

AN APPEAL DECISION DATED 12TH FEBRUARY 2015, RELATING TO THE INN ON THE GREEN SITE IN DENHAM (PLANNING APPLICATION REF: 14/00447/FUL), CONCLUDED THAT SUCH REQUESTS FOR OVERAGE PAYMENTS ARE NOT IN ACCORDANCE WITH THE RELEVANT NATIONAL PLANNING POLICY, GUIDANCE OR LEGISLATION. AS SUCH, IT WOULD NOT BE APPROPRIATE FOR THE COUNCIL TO REQUEST SUCH PAYMENTS FOR OTHER SUCH DEVELOPMENTS WITHIN THE DISTRICT.

ACCORDINGLY IT IS RECOMMENDED THAT THE LEGAL AGREEMENT IS AMENDED TO EXCLUDE ALL REFERENCE TO THE OVERAGE CLAUSE. ALL OTHER ASPECTS OF THE PROPOSAL REMAIN THE SAME.

RECOMMENDATION:

Full Planning Permission

SUBJECT TO: THE SUBMISSION OF A SATISFACTORY LEGAL AGREEMENT WITH A COMMITMENT TO PAY THE REQUISITE CONTRIBUTION TOWARDS EDUCATION PROVISION. IF SUCH AGREEMENT IS NOT REACHED, AUTHORITY IS DELEGATED TO THE HEAD OF SUSTAINABLE DEVELOPMENT TO REFUSE THE APPLICATION FOR APPROPRIATE REASONS.

Conditions & Reasons:

1. NS01 Standard Time Limit - Full Application
 2. NMS09A Development To Accord With Application Drawings
 3. NM01 Schedule or Sample of Materials
 4. NM02 Surface Materials
 5. NT01 Landscaping Scheme to be Submitted
 6. NT02 First Planting Season
 7. ND16 Details of Levels Building - properties
 8. NH20 Comm Access Constructed Prior To Occupation Full
 9. NH33 Closure of Existing Access (Full) One - G2872(05)202 Rev A
10. The scheme for parking, cycle 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. (NH46)
- 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. (Policy TR7 of the South Bucks District Local Plan (adopted March 1999) refers.).
11. Prior to the commencement of the development hereby permitted, full details of the bin storage collection areas shall be submitted to and approved by the District Planning Authority in writing. Such areas as may be approved shall be completed prior to the occupation of the development and thereafter maintained for use as bin storage areas.
- Reason: To protect the residential amenities of the locality. (Policies H9 and EP3 of the South Bucks District Local Plan (adopted March 1999) refer.).

12. Construction activities and deliveries to the site during the construction phase shall not take place outside 07.30 hours to 19.00 hours Mondays to Fridays and 08.00 hours to 13.00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: To protect the amenities of adjoining occupiers (Policy EP3 of the South Bucks Local Plan (adopted March 1999) refers).

13. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the District Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v. wheel washing facilities
 - vi. measures to control the emission of dust and dirt during construction
 - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Thereafter, the works shall be carried out in accordance with the approved details.

Reason: To protect the amenities of adjoining occupiers. (Policy EP3 of the South Bucks Local Plan (adopted March 1999) refers)

14. Notwithstanding any details already submitted and before commencement of the development hereby permitted a statement detailing how the proposed development will secure up to 10% of its energy from decentralised and renewable or low-carbon sources shall be submitted to and approved in writing by the District Planning Authority. The development shall thereafter be carried out entirely in accordance with the approved details.

Reason: In order to contribute towards meeting national targets for reducing CO2 emissions. (Core Policy 12 of the South Bucks Core Strategy (adopted February 2011) refers.)

15. NT08 Walls & Fencing details - building

Informative(s):-

- 1. IN02 Details Required Pursuant to Conditions - 3, 4, 5, 7, 11, 13, 14 and 15
- 2. The applicant and contractors should be aware that all bats and any structures used by them are protected by law, and that works likely to disturb bats or their resting places (even if undertaken at a time of year when the bats are absent) require a licence from Natural England. Should a bat be encountered during development, work should cease immediately and advice should be sought from Natural England (tel. Batline 0845 1300228). Bats should preferably not be handled

(and not without gloves) but should be left in place, gently covered, until advice is obtained. Particular care and vigilance should be taken when roof tiles or slates are removed (remove by hand and check underside for bats before stacking, particularly the ones over the gable ends and ridge tiles.) Fascias, barge boards and external cladding may also provide roost opportunities for bats and should be disturbed with care. As a further precaution, undertaking roof work during the months of March to May, or September to November will avoid the main hibernation and breeding seasons when bats are most sensitive to disturbance.

3. The landscaping scheme as requested by condition 5 should show preference for the planting of native species of local provenance. Planting of flowering and berry-bearing plants is recommended in order to provide a food source for invertebrates, birds and small mammals.
4. IH17 Highway Authority Licence Required
5. IH11 Surface Water Drainage
6. IH23 Mud on the Highway
7. IH04 No Obstruction Of Public Highway
8. IH24 Obstruction of the Highway

9. Attention is drawn to the contents of the attached letter dated 28th November 2014 issued by the Affinity Water. (IN04)
10. Attention is drawn to the contents of the attached email dated 3rd December 2014 issued by Thames Valley Police. (IN04)
11. Attention is drawn to the contents of the attached email dated 7th January 2015 issued by the Network Rail. (IN04)
12. IN35 Considerate Constructor

LIST OF APPROVED PLANS

Plan number/name	Date received by District Planning Authority
G2872 (05) 102	20.11.2014
G2872 (05) 100	20.11.2014
G2872 (05) 103	20.11.2014
19047/1	20.11.2014
19047/2	20.11.2014
G2872 (05) 200	20.11.2014
G2872 (05) 201	20.11.2014
G2872 (05) 202	20.11.2014
G2872 (05) 203 Rev B	14.01.2015
G2872 (05) 204	20.11.2014
G2872 (05) 205	20.11.2014
G2872 (05) 206	20.11.2014
G2872 (05) 207	20.11.2014
G2872 (05) 208 Rev B	14.01.2015

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**FOR MEMBERS ASSISTANCE THE PREVIOUS COMMITTEE REPORT IS ATTACHED IN FULL.
THE ONLY CHANGE IS THAT AN OVERAGE PAYMENT CAN NO LONGER BE REQUIRED.**

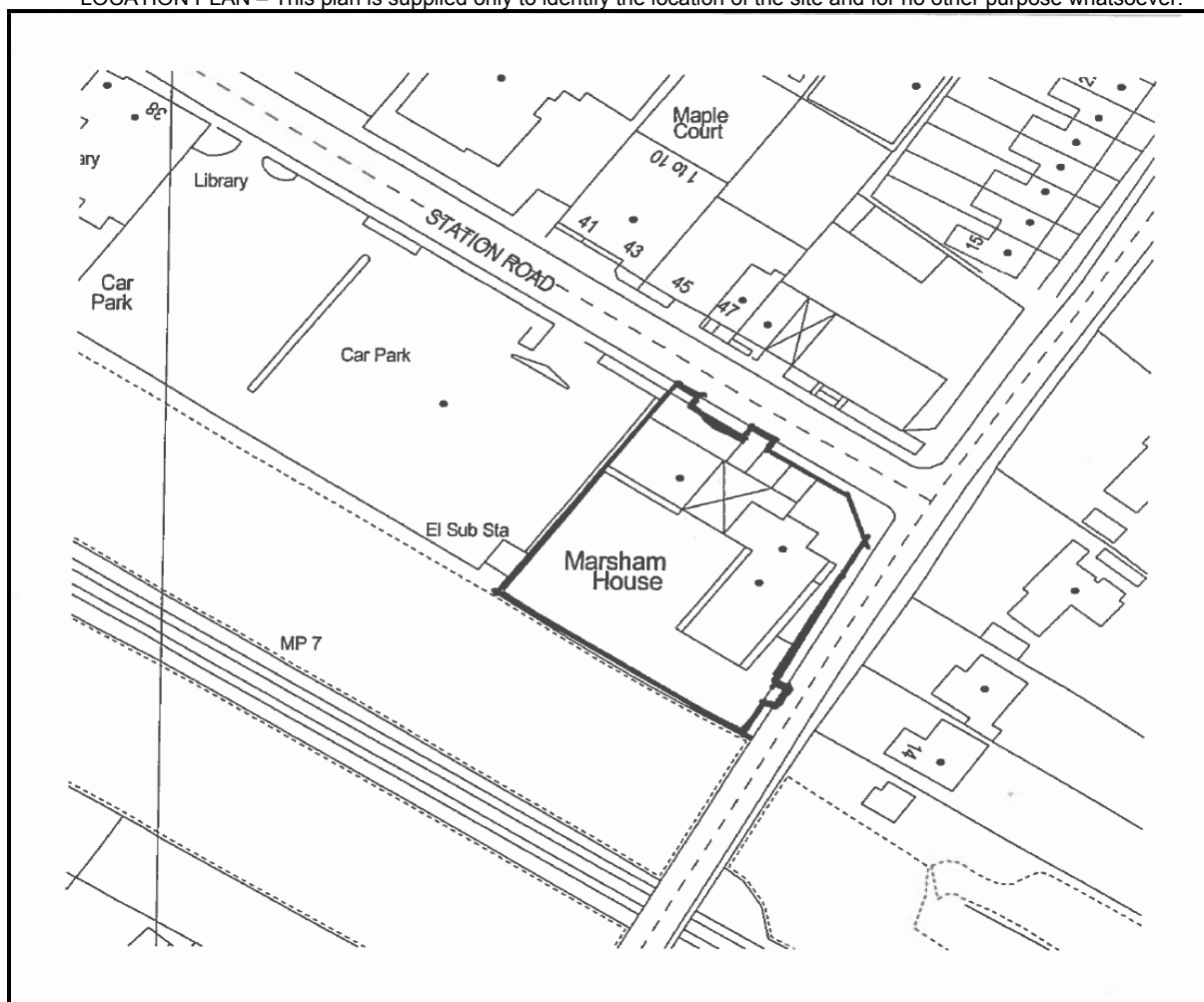
**South Bucks District Council
Planning Committee**

Date of Meeting: 11 February 2015

Parish: Gerrards Cross

Reference No:	14/02192/FUL	Full Application
Proposal:	Redevelopment of site to provide residential building consisting of 30 one-bedroom apartments and 20 two-bedroom apartments with basement and ground floor level car parking. Relocation of existing vehicular access and associated landscaping.	
Location:	Marsham House, Station Road, Gerrards Cross, Buckinghamshire, SL9 8ER	
Applicant:	Angle Property (Gerrards Cross) Limited	
Agent:	Mr J Best	
Date Valid Appl Recd:	20th November 2014	
Recommendation:	PER	

LOCATION PLAN – This plan is supplied only to identify the location of the site and for no other purpose whatsoever.



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South Bucks District Council
Licence Number LA 100025874

SCALE : NOT TO SCALE

THE PROPOSAL:

This application seeks permission for the redevelopment of the site to provide a building comprising fifty 1 and 2 bed flats. The building would incorporate car parking on the ground floor and within the proposed basement, and living accommodation on the ground floor and levels 1-5. This new residential building would replace the existing 4 storey office building, which is currently vacant.

Vehicular access would be off Station Road. The existing Marsham Lane access would be closed.

LOCATION & DESCRIPTION OF SITE:

The application site is situated on the south-east side of Station Road at the eastern extremity of the road at its junction with Marsham Lane. The site comprises a vacant 4 storey office building.

To the north-west of the site lies a surface level car park, owned by the Council and known as the Station Road car park. To the south-west of the site lies a railway line, on top of which lies surface level parking for Gerrards Cross Tesco.

The site lies within the Gerrards Cross Town Centre Inset Area. The Centenary Conservation Area lies approximately 160m to the north-west of the application site.

RELEVANT PLANNING HISTORY:

04/01052/FUL: Erection of railing to existing flat roof. Conditional Permission.

49 Station Road:

13/01516/JNOT: Notification under The Town and Country Planning (General Permitted Development) Order 1995, Part 3 of Schedule 2 Class J for: Change of use from Office to Residential to provide 14 one bed apartments. Prior approval not required.

14/01069/FUL: Redevelopment of site to provide residential building consisting of 15 flats and basement car park. Construction of vehicular access and associated landscaping. Conditional Permission.

45-47 Station Road:

13/01513/JNOT: Notification under The Town and Country Planning (General Permitted Development) Order 1995, Part 3 of Schedule 2 Class J for: Change of use from office to residential to provide 15 one bedroom and 1 two bedroom apartments and associated parking. Prior approval not required. Change of use implemented. Now known as Portland House.

REPRESENTATIONS AND CONSULTATIONS:

PARISH COUNCIL COMMENTS:

The Council do not object to this development but regret the lack of provision of affordable housing.

CORRESPONDENCE:

One letter of support has been received from a neighbouring resident, who comments that the proposal is of a high quality design that would improve the street scene. A recommendation is made regarding improvements to the street lighting at this end of Station Road and Marsham Lane.

One letter of objection has been received from a neighbouring occupier, which expresses the following concerns:

- Strong objections if the height and size of the building were to be increased;
- Adverse effect on views;
- Loss of privacy;
- Building too big for the location;
- Increase in traffic;
- Safety concerns for pedestrians;
- Marsham Lane is too narrow for HGVs;
- Noise and dirt from building works

One letter of representation has been received from the Head of Environment of South Bucks District Council drawing attention to the fact that the Council are putting together a proposal for a multi-storey car park at the adjacent site and this proposal may impact on the outlook of the north-west facing windows of the proposed development.

Bikerton's Aerodrome Limited advises that the site is within Denham Aerodrome Traffic Zone.

SPECIALIST ADVICE:

Local Plans:

Objections relating to loss of Employment use.

Arboriculturist:

No objections subject to condition.

Landscape Officer:

A full landscaping scheme is required.

Environmental Health:

No objections subject to conditions.

Housing Enabling Officer:

Opportunities for housing development are limited in the district so it is very disappointing that a scheme of this size, and in such a high value location, is not to contribute anything towards the provision of much needed affordable housing.

It is noted that the analysis of the scheme development shows a deficit but the section would support the use of an overage clause over an ex gratia payment.

Conservation and Design Officer:

No objection.

Waste and Recycling Officer:

A further plan detailing the size and access arrangements of the bin store is requested.

Bucks County Council:

No objections in relation to flooding, highways, ecology or archaeology. Conditions and infomatives recommended.

Thames Valley Police:

No objection. Recommends ways to design out crime and promote personal safety.

Network Rail:

Objections due to the application site including land within Network Rail's ownership. Further comments and recommendations relate to how the railway can be protected during construction.

Affinity Water:

Advise that the developer should be referred to the Control of Water pollution from construction - guidance for consultants and contractors.

ISSUES & POLICY CONSIDERATIONS:

RELEVANT POLICIES:

National Policy
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Development Plan

South Bucks District Local Plan (adopted March 1999) (Saved policies):
Local Plan Policies:- EP3, EP4, EP5, EP6, H9, TC1, TR4, TR5 and TR7.

South Bucks Development Framework Core Strategy (adopted Feb 2011):
Core Strategy:- CP1, CP2, CP3, CP5, CP6, CP7, CP8, CP9, CP10, CP11, CP12 and CP13

Other Material Considerations

Residential Design Guide SPD
South Bucks Townscape Character Study Part 2 (Feb 2014)
Interim Guidance on residential car parking standards

1.0 KEY POLICY ASSESSMENT

1.1 Background Of Application Site And Immediate Vicinity

1.2 Marsham House is an empty office building which is said to have been vacant for over 4 years. It has been put forward by the applicant and accepted by the Council that the conversion of the existing building to residential use (for approximately 20 units) would not need express planning permission, under the terms of Class J, Part 3, Schedule 2 of the GPDO (Amended 2013). Whilst there has been no application submitted to the Council to formally verify this, it remains a material consideration in this case.

1.3 With regard to the immediate vicinity of the site, planning permission was granted for an apartment building to replace an existing office building at the site immediately opposite, to the north-east (49 Station Road - ref: 14/01069/FUL, permitted 08.12.2014). Prior to the approval of this application, the Council issued a decision (ref: 13/01516/JNOT) confirming that the conversion of that existing office building into 14 1-bed flats would not require prior approval under the General Permitted Development Order Part 3 of Schedule 2 Class J.

1.4 Also of relevance is that permission exists, by virtue of the General Permitted Development Order Part 3 of Schedule 2 Class J, for the conversion of the building diagonally opposite to the north (nos. 45-47) into 14 1-bed flats (ref: 13/01513/JNOT). This permission has been implemented.

2.0 Principle Of Proposed Use

2.1 A key policy in the assessment of the change of use of the site is CP10 (Employment) and the accompanying Guidance Note. Implementation of Core Policy 10 (Employment). The site is not identified as a specific 'important' employment site in the guidance note, however it states (para 2.5) *"There is a general presumption that other (i.e. those not identified by the Council as 'important') employment sites (Use Class B) will also be retained in employment use (Use Class B). However, in limited circumstances, including where there is no reasonable prospect of a site being used for the permitted purpose, Core Policy 10 does allow for the site or premises to be reused or redeveloped for an alternative economic use (i.e. a use which provides employment opportunities, generates wealth or produces an economic output or product)."*

2.2 A footnote to Core Policy 10 explains that *"... in seeking to demonstrate that there is no reasonable prospect of a site being used for the permitted purpose, the applicant will need to have undertaken a prolonged period of unsuccessful marketing, using details approved by the District Council"*. Marketing evidence has not been provided in accordance with Council guidance.

2.3 Furthermore, Policy TC1 of the Local Plan advises that *'planning permission for the change of use or redevelopment of such sites will not be granted unless the proposal is considered to preserve the vitality or viability of the centre.... The redevelopment of such sites may be permitted provided that, inter-alia, the proposal is for retail development or leisure or entertainment uses or other uses appropriate to a town centre location or a mixed use development comprising housing and offices.'* The application is purely for a residential scheme.

2.4 The application is accompanied by a letter from a Commercial Property Consultant confirming that the building has been vacant for 4 years and marketed unsuccessfully for this time. Marketing methods include particulars and a sales board. The advice is that the building is not suitable for modern day office occupation needing extensive refurbishment. Whilst this letter does not meet the full requirements of Policy CP10 in forming a robust marketing report, it does go some way in showing that the current building is not fit for purpose and that it has been marketed for office use within the last 4 years without success.

2.5 However, whilst Policy CP10 sets out a presumption against the loss of employment generating uses within the District, and the marketing information provided does not conform to the recommendations of the guidance note, changes to the GPDO in 2013 mean that office buildings can now be converted into a residential use without the need for express planning permission, subject to certain criteria. Indeed, prior approval would not be required for the conversion of the existing building on site to a residential use. The applicant advises that there is potential to convert the existing premises to provide up to 20 apartments. Whilst it is understood that there is the need for extensive refurbishment

of the building, the majority of this work would be internal and therefore would form part of the change of use which does not require express planning permission. If this fall-back position were to be implemented then the employment generating floorspace which currently exists on site would be lost entirely. I consider this fall-back position to be a realistic prospect such that it carries significant weight in the assessment of this application. Furthermore, it is an important consideration that the government changes to the GPDO came into force after the adoption of the Council's policies (and guidance note) referred to above.

2.6 Other factors weighing in favour of a redevelopment of the site for residential use include the potential of achieving a building with superior design which could incorporate sustainable development opportunities and the opportunity to provide a contribution towards affordable housing (in the form of an overage payment).

2.7 To conclude, it is considered that the principle of a change of use of the site to residential is acceptable, given the realistic fall-back position and other benefits that surround the scheme. Notwithstanding that the applicant has gone some way in demonstrating that there is no demand for the existing building in its current use.

3.0 IMPACT ON LOCALITY

3.1 In terms of the scale of the development, the building would be 5 1/2 storeys tall on a similar footprint to the existing development, in an L-shape, albeit with a deeper floorplate. In terms of the height, the sixth floor would be stepped away from the boundaries of the site to reduce the impact. The proposed building would be taller than the existing, however it should be noted that the building immediately opposite (at No.49 Station) has permission to be replaced by a taller building.

3.2 Given that the site is bordered by two roads and two car parks and on the outskirts of a town centre location. I consider that there should be no objection in principle to a larger-scale development at this site. The dwellings opposite on Marsham Lane are set back from the road and on lower ground level and therefore are not prominent within the street scene such that the proposed development would not be viewed in the same context as these domestic scaled properties. Other buildings along Station Road are 4 storeys high, some taller than Marsham House. As such, I do not consider that the increased height of the building would be inappropriate in this setting.

3.3 There is no objection to the proposed contemporary style of building, which is considered appropriate in this town centre location. The proposed development is considered far enough away from the Centenary Conservation Area so as to have a negligible impact on its setting, indeed there have been no objections raised by the Conservation and Design Officer. It is noted that within the list of proposed materials to be used, a reddish brick colour is to be used to respect the context of Gerrards Cross. This is welcomed.

4.0 Neighbour Impact

4.1 Given that the site is relatively self-contained and does not share boundaries with any neighbouring dwellings, the impact from the scale of the building would be limited. The Marsham Lane elevation would face the neighbouring dwellinghouse on the opposite side of Marsham Lane and be positioned approximately 20m away from their front elevations. Whilst the application building would be on higher ground level than these neighbouring properties, given that they are separated by a road lined by mature vegetation and that their private gardens would be in excess of 30m away from the application building, no objections are raised to the proposal on grounds of overdominance to neighbouring residents.

4.2 For the same reasons, I consider overlooking from windows and balconies to these closest neighbouring residents would be minimal. It is noted that balconies are only proposed on levels 1-4 and would therefore not be positioned any higher than any windows on the existing building, Marsham House, which directly face the neighbouring dwellings on Marsham Lane. Whilst level 5 contains windows, it does not contain any balconies or terraces.

4.3 An objection has been received from a neighbouring resident on Oak End Way, who is concerned about loss of privacy. Whilst the building would be taller than the existing, this neighbouring resident lives more than 60m from the application site and therefore any overlooking from the upper floor of the new apartment building would be minimal.

5.0 Parking/Access/Highway Implications

5.1 The Council's Residential Car Parking Standards Interim Guidance advises on one space per 1-bed dwelling and 2 spaces per 2-bed dwelling, but that the actual level of provision made in connection with each proposal will depend on a number of factors including, but not limited to, the expected levels of car ownership, the type of development and the location of the site.

5.2 The proposal is for 50 apartments (30 1-bed and 20 2-bed) and 58 parking spaces are proposed, resulting in 1.16 spaces per unit (or 1 space for 42 units and 2 spaces for 8 of the units). Whilst the interim guidance on residential car parking standards advise 2 spaces per 2-bed dwelling, given the site's sustainable location within a Town Centre, there is no objection from the District Planning Authority or the Highways Authority to this proposed provision.

5.3 Comments from Transport for Buckinghamshire confirm that the proposal is acceptable subject to certain recommendations and conditions. One recommendation is a financial contribution towards cycle infrastructure improvements and bus stop displays. This latter request is awaiting comments from the applicants at the time of drafting this report.

6.0 Trees/Landscaping

6.1 The only trees of any merit lie just outside the boundary of the site and within the adjacent Tesco car park. Both the Arboriculturist and the Landscape Officer have requested a full landscaping scheme via condition.

7.0 Affordable Housing

7.1 Policy CP3 advises that all new housing developments of this scale granted permission will be subject to affordable housing requirements. This policy requirement is supported by the recently adopted SPD on Affordable Housing. The requirement is that 40% of all dwellings should be affordable and that this should normally be provided on site.

7.2 The application has been accompanied by a viability appraisal that concludes that there would be a deficit even without an affordable housing contribution and therefore no commuted sum is proposed. The DVS have undertaken an independent assessment of the viability appraisal and confirmed that in this case an affordable housing contribution would not be appropriate.

7.3 Given the above, the issue of whether any affordable housing should be provided on or off site is irrelevant.

7.4 Additionally however, the Council's Affordable Housing SPD makes provision for an overage clause in cases where a developer demonstrates that a scheme is not currently viable based on Policy CP3 and the Council determines that a reduced or zero contribution rate for affordable housing is appropriate. If a profit of over 20% GDV is achieved by the

development, the overage clause will normally require the surplus to be recouped by the Council up to the remaining balance of the affordable housing contribution at the housing target rate applicable at the time of the application (paragraph 8.12 of the SPD). The applicant is willing to include the relevant overage clause in the section 106 and therefore there is no objection to the proposal in this respect. The section 106 is yet to be finalised and therefore the recommendation is made subject to the submission of a satisfactory legal agreement.

8.0 Other Issues:

8.1 Policy CP12 of the Core Strategy advises that applications for development of 10 units or more need to secure at least 10% of their energy from decentralised and renewable or low-carbon sources unless it is demonstrated that it is not viable or feasible. The application has been accompanied by an energy statement which advises that the proposal could incorporate a number of technologies which would meet this policy requirement and that such details could be provided as part of a condition.

8.2 The Education Officer from Bucks County Council has advised that the proposed development would be subject to a contribution towards education provision. The applicant has confirmed that this will be paid, and will be incorporated into the Section 106 agreement.

8.3 The Environmental Health Officer has suggested a number of conditions to ensure that the development is carried out in a manner to ensure that the amenities of neighbouring occupiers are not harmed. It is considered reasonable and necessary to attach conditions restricting the hours of construction and deliveries to the site and for a construction method statement to be submitted. A detailed noise assessment report is also required to protect the new occupiers from noise from the adjacent railway line.

8.4 Whilst there has been an objection from national rail due to the fact that the application site includes land within national rail's ownership. Planning permission cannot be withheld for this reason. Issues of land ownership are dealt with outside the planning remit.

8.5 The Waste and Recycling Officer requires further details regarding bin storage. This will be requested via a condition.

CONCLUSION

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 if planning permission were to be granted in this instance.

RECOMMENDATION

Full Planning Permission

SUBJECT TO: i) THE SUBMISSION OF A SATISFACTORY LEGAL AGREEMENT WITH THE RELEVANT OVERAGE CLAUSE AND A COMMITMENT TO PAY THE REQUISTE CONTRIBUTION TOWARDS EDUCATION PROVISION, AND ii) FINAL VIEWS FROM TRANSPORT FOR BUCKINGHAMSHIRE CONCERNING FINANCIAL CONTRIBUTIONS TOWARDS CYCLE INFRASTRUCTURE AND HIGHWAY IMPROVEMENTS.

Conditions & Reasons:

1. NS01 Standard Time Limit - Full Application
 2. NMS09A Development To Accord With Application Drawings
 3. NM01 Schedule or Sample of Materials
 4. NM02 Surface Materials
 5. NT01 Landscaping Scheme to be Submitted
 6. NT02 First Planting Season
 7. ND16 Details of Levels -building - properties
 8. NH20 Comm Access Constructed Prior To Occupation Full
 9. NH33 Closure of Existing Access (Full) -one - G2872(05)202 Rev A
10. The scheme for parking, cycle 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. (NH46)

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. (Policy TR7 of the South Bucks District Local Plan (adopted March 1999) refers.).

11. Prior to the commencement of the development hereby permitted, full details of the bin storage collection areas shall be submitted to and approved by the District Planning Authority in writing. Such areas as may be approved shall be completed prior to the occupation of the development and thereafter maintained for use as bin storage areas.

Reason: To protect the residential amenities of the locality. (Policies H9 and EP3 of the South Bucks District Local Plan (adopted March 1999) refer.).

12. Construction activities and deliveries to the site during the construction phase shall not take place outside 07.30 hours to 19.00 hours Mondays to Fridays and 08.00 hours to 13.00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: To protect the amenities of adjoining occupiers (Policy EP3 of the South Bucks Local Plan (adopted March 1999) refers).

13. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the District Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Thereafter, the works shall be carried out in accordance with the approved details.

Reason: To protect the amenities of adjoining occupiers. (Policy EP3 of the South Bucks Local Plan (adopted March 1999) refers)

14. Notwithstanding any details already submitted and before commencement of the development hereby permitted a statement detailing how the proposed development will secure up to 10% of its energy from decentralised and renewable or low-carbon sources shall be submitted to and approved in writing by the District Planning Authority. The development shall thereafter be carried out entirely in accordance with the approved details.

Reason: In order to contribute towards meeting national targets for reducing CO2 emissions. (Core Policy 12 of the South Bucks Core Strategy (adopted February 2011) refers.)

15. **NT08 Walls & Fencing details - building**

Informatives:-

1. **IN02 Details Required Pursuant to Conditions - 3, 4, 5, 7, 11, 13, 14 and 15**
2. The applicant and contractors should be aware that all bats and any structures used by them are protected by law, and that works likely to disturb bats or their resting places (even if undertaken at a time of year when the bats are absent) require a licence from Natural England. Should a bat be encountered during development, work should cease immediately and advice should be sought from Natural England (tel. Batline 0845 1300228). Bats should preferably not be handled (and not without gloves) but should be left in place, gently covered, until advice is obtained. Particular care and vigilance should be taken when roof tiles or slates are removed (remove by hand and check underside for bats before stacking, particularly the ones over the gable ends and ridge tiles.) Fascias, barge boards and external cladding may also provide roost opportunities for bats and should be disturbed with care. As a further precaution, undertaking roof work during the months of March to May, or September to November will avoid the main hibernation and breeding seasons when bats are most sensitive to disturbance.
3. The landscaping scheme as requested by condition 5 should show preference for the planting of native species of local provenance. Planting of flowering and berry-bearing plants is recommended in order to provide a food source for invertebrates, birds and small mammals.
4. **IH17 Highway Authority Licence Required**
5. **IH11 Surface Water Drainage**
6. **IH23 Mud on the Highway**
7. **IH04 No Obstruction Of Public Highway**
8. **IH24 Obstruction of the Highway**
9. Attention is drawn to the contents of the attached letter dated 28th November 2014 issued by the Affinity Water. (IN04)
10. Attention is drawn to the contents of the attached email dated 3rd December 2014 issued by Thames Valley Police. (IN04)
11. Attention is drawn to the contents of the attached email dated 7th January 2015 issued by the Network Rail. (IN04)
12. **IN35 Considerate Constructor**

LIST OF APPROVED PLANS

Plan number/name	Date received by District Planning Authority
G2872 (05) 102	20.11.2014
G2872 (05) 100	20.11.2014
G2872 (05) 103	20.11.2014
19047/1	20.11.2014
19047/2	20.11.2014
G2872 (05) 200	20.11.2014
G2872 (05) 201	20.11.2014
G2872 (05) 202	20.11.2014
G2872 (05) 203 Rev B	14.01.2015
G2872 (05) 204	20.11.2014
G2872 (05) 205	20.11.2014
G2872 (05) 206	20.11.2014
G2872 (05) 207	20.11.2014
G2872 (05) 208 Rev B	14.01.2015

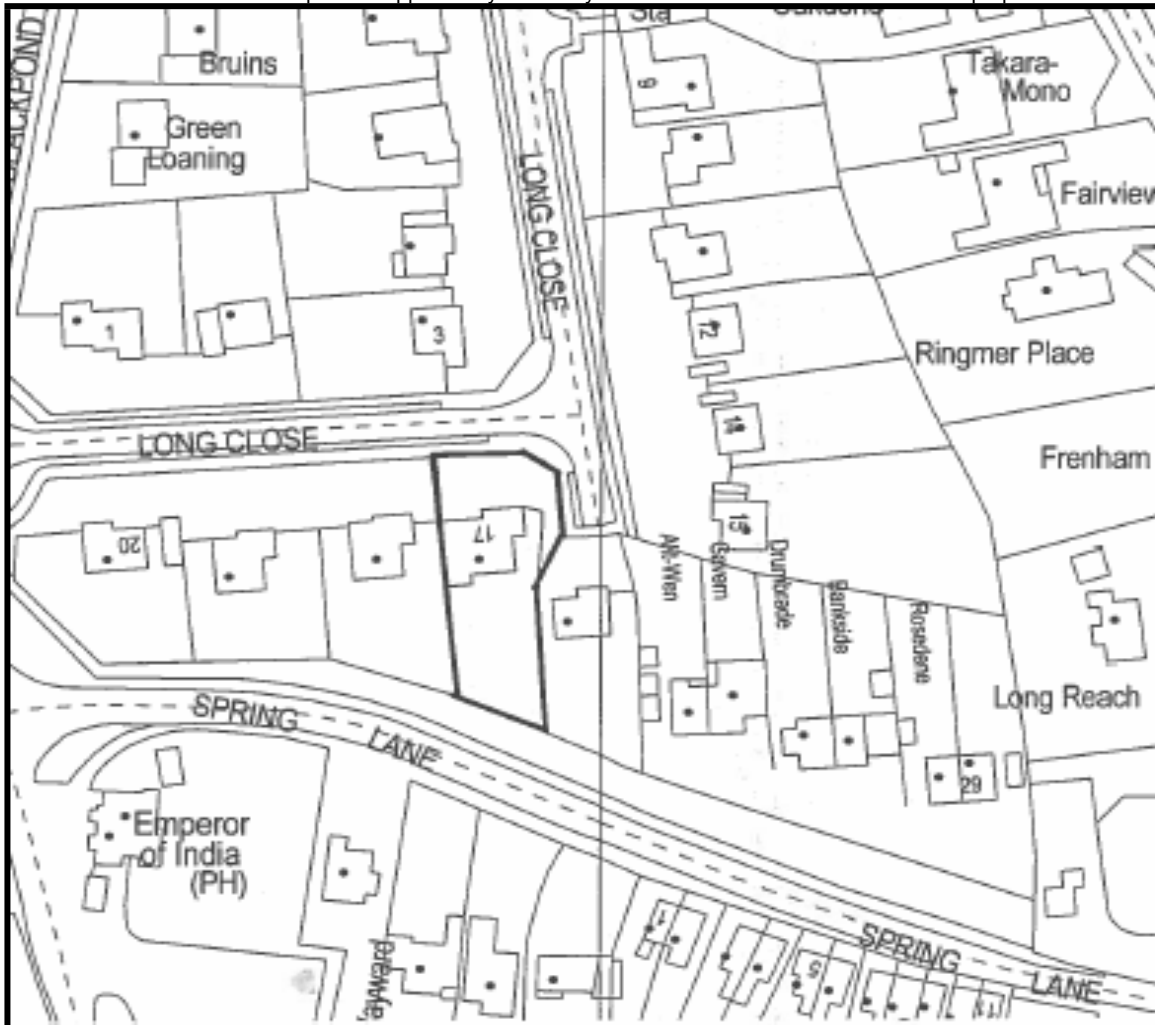
South Bucks District Council
Planning Committee

Date of Meeting: 11 March 2015

Parish: Farnham Royal

Reference No:	15/00088/CLUED	Cert of Lawfulness - Existing
Proposal:	Application for Certificate of Lawfulness for Existing: Side boundary wall.	
Location:	17 Long Close, Farnham Royal, Buckinghamshire, SL2 3EJ,	
Applicant:	Mr Baldev Dhillon	
Date Valid Appl Recd:	13th January 2015	
Recommendation:	PER	

LOCATION PLAN – This plan is supplied only to identify the location of the site and for no other purpose whatsoever.



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South Bucks District Council
Licence Number LA 100025874

SCALE : NOT TO SCALE

THE PROPOSAL:

The application seeks a Certificate of Lawfulness for an existing development comprising a brick wall approximately 1.8 metre in height that is situated along the site's eastern boundary. The applicant contends that this wall was substantially completed more than 4 years before the date of this application (since 9th May 2009 to be precise) and has submitted a number of documents and statements in support of this claim, which comprise:

- A site plan drawing showing the location of the boundary wall;
- A letter from T. C. Collins stating that he believes the boundary wall has been in place since the construction of the extension;
- Written correspondence from the applicant, re-affirming that the boundary wall was erected in 2009;
- An email from S. Tilbey stating that the boundary wall was erected to replace fencing that was in a poor condition;
- A location plan;
- Colour photos of the development;
- Estate agent sales particulars including a photograph of the application property in 2004;
- A letter from Mr. A. E. Rowden stating that the wall replaced a damaged fence around 8 years ago;
- A letter from the occupants of number 12 Long Close stating that the wall was erected after the garage in 2009; and
- A builders invoice.

THIS APPLICATION IS BEING REPORTED TO THE PLANNING COMMITTEE BECAUSE THE APPLICANT IS A SERVING MEMBER OF THE COUNCIL.

LOCATION & DESCRIPTION OF SITE:

The application site comprises a detached chalet bungalow located on the southern side of Long Close. The site lies within the Developed Area of Farnham Royal as designated in the South Bucks District Local Plan.

RELEVANT PLANNING HISTORY:

08/00938/FUL: Single storey side extension incorporating garage - Permitted and implemented.

REPRESENTATIONS AND CONSULTATIONS:

PARISH COUNCIL COMMENTS:

No comments received at time of drafting report. However, Farnham Royal Parish Council do not generally comment on applications made by local councillors.

CORRESPONDENCE:

One letter of representation received from 'Christmas Tree Lodge' number 16 Long Close, Farnham Royal, objecting to the wall and stating the following points (summarised):

- The construction of the wall has been very poor and in my opinion against accepted building standards;

- A drain has been concreted over. The drain is on the public footpath and has been damaged as a result of the construction;
- The public footpath has been damaged as concrete has spilt onto the footpath causing damage;
- The wall and its fixings have exceeded any boundary line and overlapped onto the public footpath;
- It is excessively high.

SPECIALIST ADVICE:

Legal Section:

The evidence supports the claim that the wall has been in place for at least 4 years.

Ward Councillors:

No representations received to date.

1.0 ASSESSMENT:

1.1 The determination of such an application is based on whether the applicant has demonstrated that, on the balance of probabilities, the development shown on the submitted plans was substantially completed more than 4 years before the date of this application, i.e. no later than 13th January 2011. If we, as a Local Authority, have no evidence to the contrary and the applicant's evidence is sufficiently clear and unambiguous then a certificate should be granted.

1.2 The applicant has stated that after planning permission 08/00938/FUL was constructed, boundary fencing that was attached to it had become dilapidated and so the wall, the subject of this application, was subsequently erected in March/April 2009 to replace it. This has been corroborated by the occupants of number 12 Long Close who have submitted a letter stating that as far as they can recall, the wall was constructed after the garage extension was erected in early 2009. The applicant has also provided a builders receipt for the wall confirming payment was made for the wall in May 2009. Therefore, it is apparent that the development has been in situ for more than 4 years before the date of this current application and it would be unfounded and unreasonable to contend that the wall was not erected more than 4 years ago.

1.3 The central issue under the current application for a Certificate is whether the wall has been in place for at least 4 years and there is no evidence to suggest that it has not. No contrary information has been found by the Council to suggest that the wall was not substantially completed more than four years ago and, consequently, on the balance of probabilities it is considered that the development would now be lawful.

1.4 Whilst the comments from the neighbour are noted, the merits, or otherwise of the development do not fall to be considered. The only issue for consideration is whether, or not, the wall is lawful.

CONCLUSION:

Taking the above observations into account, 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 a Certificate of Lawfulness being granted in this instance.

RECOMMENDATION:

GRANT Lawful Development Certificate

The SOUTH BUCKS DISTRICT COUNCIL HEREBY CERTIFIES that on 13th January 2015 the development identified by a red line on the attached plan comprising:

A brick side boundary wall

WAS LAWFUL within the meaning of Section 191(4) of the Town and Country Planning Act (as amended) for the following reason:

1. The District Planning Authority is satisfied, on the basis of the information available and on the balance of probabilities, that the development described above with its location shown on the attached plan was substantially completed more than four years before the date of this application. As such, the brick side boundary wall is rendered lawful in accordance with the provisions of Section 191(4) of the Town and Country Planning Act 1990 (as amended).

LIST OF APPROVED PLANS

Plan number/name	Date received by District Planning Authority
PL/ASB/2A2	13.01.2015

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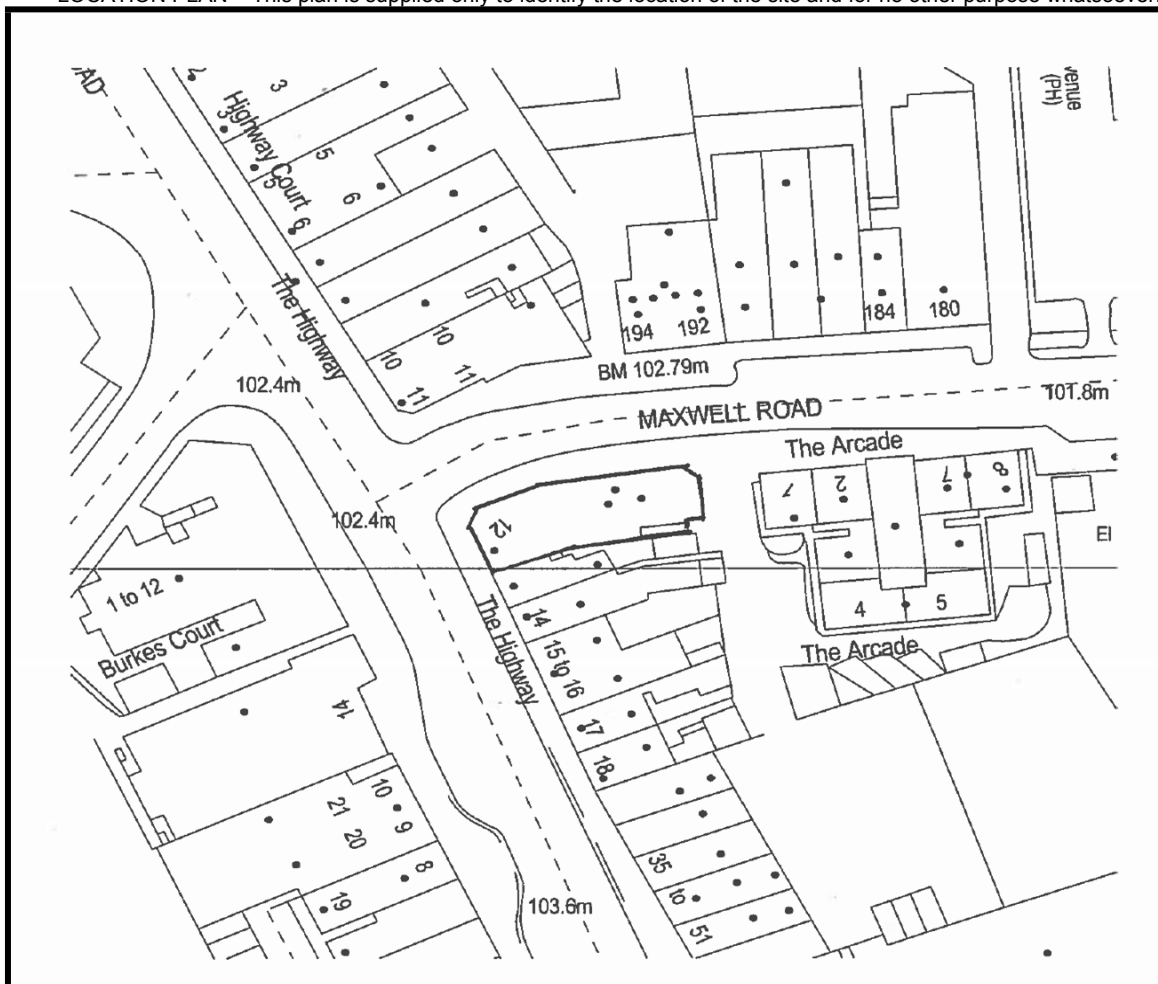
**South Bucks District Council
Planning Committee**

Date of Meeting: 11 March 2015

Town Council: Beaconsfield

Reference No:	15/00105/FUL	Full Application
Proposal:	Conversion of part first/second floors to form 6 x 1 bedroom studio units. Extension to roof incorporating front and side dormers.	
Location:	Revital Health And Beauty, 12 The Highway, Station Road, Beaconsfield, Buckinghamshire	
Applicant:	Mr R Vora	
Agent:	Mr R Patel	
Date Valid Appl Recd:	19th January 2015	
Recommendation:	PER	

LOCATION PLAN – This plan is supplied only to identify the location of the site and for no other purpose whatsoever.



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South Bucks District Council
Licence Number LA 100025874

SCALE : NOT TO SCALE

THE PROPOSAL:

This application proposes the conversion of part the first and second floors to form 6 x 1 bedroom studio units, along with an extension to the roof incorporating front and side dormers.

This current application is a re-submission of the previously approved scheme, 14/00486/FUL, and physically, is identical to that approved scheme.

The only difference with this current application is that it is not proposing to provide any form of financial contribution towards affordable housing. The previously approved scheme did secure a financial contribution via a legal agreement.

The applicant has re-submitted this scheme without a contribution towards affordable housing on the basis of the recent changes in Government guidance relating to when contributions towards affordable housing should be sought.

THIS APPLICATION IS BEING REPORTED TO THE PLANNING COMMITTEE BECAUSE IT IS CONSIDERED THAT THE PROVISIONS OF THE NATIONAL PLANNING PRACTICE GUIDANCE, WHEN TAKING INTO ACCOUNT ALL OTHER RELEVANT MATERIAL CONSIDERATIONS, OUTWEIGHS THE DEVELOPMENT PLAN CORE STRATEGY 3 ON AFFORDABLE HOUSING.

LOCATION & DESCRIPTION OF SITE:

The application relates to the first floor office accommodation at 12 The Highway which lies at the junction of Maxwell Road and Station Road in the developed area of Beaconsfield New Town. The ground floor consists of a retail operation, and the premises lie within a primary shopping frontage.

RELEVANT PLANNING HISTORY:

- | | |
|---------------|--|
| SBD/1373/87: | Change of use from ancillary offices to 2 Independent office suites. Refused. Allowed at appeal. |
| S94/0237/FF: | Change of use of first floor from ancillary retail use to office use. Conditional Permission. |
| S/97/0662/FF: | Change of use of first floor from storage to health and beauty salon and complementary medicine consultancy. Conditional Permission. |
| 99/01119/FUL: | Change of use of part of first floor from health and beauty salon and complementary medicine consultancy to office. Conditional Permission. |
| 07/01575/FUL: | Extension to roof to provide 3x2 bed and 1x1bed flats at first and second floor level. Refused. Appeal Dismissed. |
| 09/01333/FUL: | Part change of use of first floor to provide two self contained flats. Refused. Appeal Dismissed. |
| 11/01219/FUL: | Conversion of part first floor office space to form 3 x 1 bed studio units. Refused. Allowed at appeal. |
| 12/01313/FUL: | Conversion of part first/second floors to form 6 x 1 bedroom studio units plus extension to roof incorporating front and side dormers. Refused. Dismissed at appeal. |

14/00486/FUL: Conversion of part first/second floors to form 6 x 1 bedroom studio units plus extension to roof incorporating front and side dormers. Conditional Permission.

REPRESENTATIONS AND CONSULTATIONS:

TOWN COUNCIL COMMENTS:

No objections.

CORRESPONDENCE:

None received to date.

SPECIALIST ADVICE:

Building Control:

No objections.

Transport for Bucks:

No objections.

SBDC waste:

Concerns over the size of the bin store.

ISSUES & POLICY CONSIDERATIONS:

RELEVANT POLICY:

National Policy:

National Planning Policy (NPPF)

National Planning Policy Guidance (NPPG)

Development Plan:-

South Bucks District Local Plan (adopted March 1999) saved policies TC1, EP3, EP5, H9, TR5 and TR7.

South Bucks Local Development Framework Core Strategy (adopted February 2011):-
Core Strategy policies CP1, CP2, CP3, CP8 and CP10.

Other material considerations:-

Residential Design Guide SPD

Affordable Housing SPD

Guidance Note: Marketing Requirements in Relation to Core Policy 10 (Employment)

Guidance on Planning Obligations for Education Provision (Bucks CC)

Interim Guidance on Residential Parking Standards

Townscape Character Study 2014

1.0 KEY POLICY ASSESSMENT:

1.1 The NPPF was published on the 27th March 2012 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. With regard to this specific application, it is considered that most of the relevant local policies, as highlighted above, are in accordance with the NPPF, and as such, it is considered that they should be afforded significant weight and that it is considered appropriate to still assess this current application against the relevant local policies set out above, apart from CP3 which no longer accords with the latest government guidance.

2.0 AFFORDABLE HOUSING

2.1 CP3 of the Core Strategy sets out the affordable housing requirements. It requires that schemes of 5 or more units must provide 40% of the proposed units as affordable housing. If this cannot be achieved, then it would be for the applicant to demonstrate and justify this, providing a viability assessment setting out what they consider to be a more appropriate amount or justifying zero provision.

2.2 In the previous application, whilst it was demonstrated that it was not viable for the scheme to provide a 40% provision, a smaller financial contribution was secured by way of a legal agreement.

2.3 However recent changes to the NPPG (published on 28th November 2014) advise that developments of 10 or less dwellings, or 5 or below in designated rural areas, and in both cases where the maximum combined floorspace created is less than 1,000sqm, should not be required to make an affordable housing contribution or have tariff style planning obligations imposed. The gross external floor space of this scheme is less than 1000 sq.m. As such, these changes to Government guidance need to be considered as part of the assessment of this application and the appropriate weight needs to be attached.

2.4 In this case it is considered that whilst the Council has a significant affordable housing need, the evidence supporting this and general housing market developments ability to deliver affordable housing, is dated. As such, it is considered that the NPPG should be accorded more weight in the decision making process and therefore override the normal application of policy CP3. Therefore, it is now considered that there is no affordable housing requirement for this specific proposal.

3.0 RETAIL AND EMPLOYMENT:

3.1 It has already been accepted that the loss of the existing small amount of employment floorspace, and the introduction of residential units in this locality is appropriate and acceptable. It is considered that this is still the case, and there have been no material changes in policy to alter this view.

4.0 VISUAL IMPACT/IMPACT ON LOCALITY:

4.1 The scheme does not physically differ in any way from that which has already been considered acceptable and granted planning permission.

4.2 It is acknowledged that since the previous application, the Council has adopted the Townscape Character Study 2014, which now forms a material consideration in the assessment of current application. However, it is not considered that the proposed development would prejudice the characteristics of the locality, as set out in this

document, and given that there has been no material change in the circumstances of the site or the immediately adjoining sites, it is considered that the proposed development is still appropriately designed, and would not adversely impact upon the character and appearance of the site or the locality in general.

5.0 NEIGHBOUR IMPACT:

5.1 Given that the scheme is identical to that already approved, it is considered that the current application would again not lead to any unacceptable impacts on the amenities of adjoining properties.

6.0 PARKING/ACCESS/HIGHWAY IMPLICATIONS:

6.1 The application does not differ from the approved scheme in terms of its impact on the highway, or its level of parking provision. As such, it is considered that the proposal remains acceptable from these points of view.

7.0 TREES/LANDSCAPING:

7.1 There are no trees or landscaping issues.

8.0 OTHER ISSUES:

8.1 A bin store would be created at ground floor level to provide refuse storage, as per the approved scheme. The SBDC waste officer has suggested that the proposed bin store may not be large enough to cater for the number and size of bins that would be needed by the new properties. Notwithstanding the fact that there is an extant permission which involves a bin store of the size being proposed, it would appear that there is scope to enlarge the proposed bin store. It is considered that such details can be obtained by way of condition.

8.2 Bucks County Council confirmed previously that the scheme did not need to provide a contribution towards education. Given this previous view and the fact that there is an extant permission without any such contribution, it is considered that there is still no requirement to provide such a contribution.

CONCLUSION:

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.

RECOMMENDATION:

Full Planning Permission

Conditions & Reasons:

1. NS01 Standard Time Limit - Full Application
2. NMS09A Development To Accord With Application Drawings
3. NM03 Matching Materials

4. The first floor kitchen window serving unit No.1, as shown on drawing no. TH12-5002, in the southern elevation of the development hereby permitted shall be fitted and permanently maintained with obscure glass up to a height of 1.6m above the finished floor level.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

5. Prior to any works commencing, details of an enlarged and adequately sized bin store shall be submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is served by an adequate refuse storage facility. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers).

Informatives:-

1. IN35 Considerate Constructor
2. IN02 Details Required Pursuant to Conditions - 5

LIST OF APPROVED PLANS

Plan number/name	Date received by District Planning Authority
TH12-5001	23.01.2015
TH12-5002	23.01.2015
Location Plan	23.01.2015

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27 February 2015

Head of Sustainable Development