



REFERENCE NO	PARISH/WARD	DATE RECEIVED
17/03604/APP	LITTLE HORWOOD	14/09/17
ERECTION OF TWO MAISONETTES LAND ADJOINING 22 MURSLEY ROAD MK17 0PE MR TOM DOYLE	The Local Member for this area is: Councillor Sir Beville D Stanier Bt	
STREET ATLAS PAGE NO. 55		

1.0 The Key Issues in determining this application are:

- a) The planning policy position and the approach to be taken in the determination of the application.
- b) Whether the proposal would constitute a sustainable form of development having regard to:
 - Delivering a wide choice of high quality homes
 - Building a strong competitive economy
 - Promoting sustainable transport
 - Promoting healthy communities
 - Conserving and enhancing the historic environment
 - Conserving and enhancing the natural environment
 - Meeting the challenge of climate change and flooding
 - Good design
- c) Impact on residential amenity
- d) Other matters

The recommendation is that permission be APPROVED

CONCLUSIONS

The application has been considered in the light of the Development Plan and NPPF guidance. The report has assessed the application against the core planning principles of the NPPF and it has been considered whether the proposal represents a sustainable form of development. Paragraph 14 of the NPPF requires that where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole or specific policies in the NPPF indicate development should be restricted..

It is acknowledged that the development would make a contribution to the District's housing land supply which is a significant benefit in the planning balance, however such benefit is tempered to a limited weight by the small scale contribution that 2 dwelling units would make to the overall housing supply within the District.

There would also be economic benefits in terms of the construction of the development itself, and those associated with the resultant increase in population, which would be a benefit of the scheme, although again the level of weight attached to this positive factor would be limited as it is tempered given the small scale of the proposed development in terms of the number of dwellings proposed.

Little Horwood it identified as a smaller settlement although, for the reasons outlined in the evaluation below, the site is considered sufficiently locationally sustainable to support the addition of 2 new dwellings such that this matter should be afforded neutral weight in the overall planning balance. Also, subject to appropriate conditions, there would not be any adverse harm to residential amenity and the amenities of the future occupants of the flats would be satisfactory, again a factor that is afforded neutral weight in the overall balance. The proposal would not harm the character and appearance of the existing street scene or the locality in general which is a matter to be afforded neutral weight in the planning balance. The proposal would not increase flood risk, thus this factor weighs neutrally in the overall planning balance.

Furthermore, It is recognised that adequate parking could be provided within the site and that the existing access could be safely altered. The existing property would gain off-street parking provision where it currently has none and this is afforded limited positive weight in the overall planning balance.

Weighing all the above factors into the overall planning balance, and having regard to the NPPF as a whole, along with all relevant policies of the Development Plan, it is considered that the benefits of the scheme would outweigh any identified harm such that the proposal would represent sustainable development and is therefore supported.

It is recommended that the application be APPROVED subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 No development shall take place above damp proof course until samples of the materials proposed to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials unless otherwise agreed in writing by the Local Planning Authority. Reason: To ensure a satisfactory appearance to the development and to comply with policy GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 3 No windows other than those shown on the approved drawing shall be inserted into the eastern and/or western side elevations of the property without the prior express permission in writing of the Local Planning Authority. Reason: To preserve the amenities of the occupants of the adjacent dwelling and to comply with policy GP8 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 4 No part of the development shall begin until the existing means of access has been altered in accordance with the approved drawing and constructed in accordance with Buckinghamshire County Council's guide note "Private Vehicular Access Within Highway Limits" 2001. Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to comply with the National Planning Policy Framework.
- 5 No development shall take place on the building hereby permitted until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. For hard landscape works, these details shall include; means of enclosure; hard surfacing materials; where relevant. For soft landscape works, these details shall include any new trees showing their species, spread and maturity, planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. These works shall be carried out as approved prior to the first occupation of the development so far as hard landscaping is concerned and for soft landscaping, within the first planting season following the first occupation of the

development or the completion of the development whichever is the sooner. Reason: To ensure a satisfactory appearance to the development and to comply with policy GP38 of Aylesbury Vale District Local Plan and the National Planning Policy Framework.

- 6 Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the Local Planning Authority. Reason: In the interests of the visual amenities of the locality and to comply with policy GP38 of the Aylesbury Vale District Local Plan and the NPPF

No development shall take place until details of the proposed slab levels of the building in relation to the existing and proposed levels of the site and the surrounding land have been submitted to and approved in writing by the Local Planning Authority with reference to fixed datum point. The building shall then be constructed with the approved slab levels. Reason: For the avoidance of doubt and to ensure a satisfactory form of development and to comply with policy GP8 and GP35 of the Aylesbury Vale District Local Plan and the NPPF. Details are required prior to commencement of development to ensure that the development will be constructed to a satisfactory height.

- 7 No development on the building shall commence until details of the proposed means of disposal of foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved scheme of drainage. Reason: In order to ensure that the development is adequately drained in accordance with the National Planning Policy Framework. Details are required prior to commencement of development to ensure that the method of drainage is suitable for the land where the development is located.
- 8 The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose. Reason: To ensure that adequate provision for off-street parking is retained and to comply with policy GP24 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 9 The hard surface hereby permitted shall be made of porous materials, or provision shall be made to direct run-off water from the from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. Reason: In order to reduce the risk of flooding and to accord with the National Planning Policy Framework.

Informatives

- 1 The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the appropriate Water Authority may be necessary.
- 2 The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Development Management at the following address for information:-

Development Management
6th Floor, County Hall
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
Telephone 0845 2302882

- 3 It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.
- 4 No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal.

AVDC works with applicants/agents in a positive and proactive manner by;

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

In this case, the applicant/agent sought pre-application advice and the submitted scheme satisfactorily addresses the issues raised. It is therefore considered to be acceptable as submitted and no further assistance was required so it has therefore been approved.

2.0 INTRODUCTION

2.1 The application needs to be determined by Committee as the Parish Council has raised material planning objections and confirms that it will speak at the Committee meeting.

3.0 SITE LOCATION AND DESCRIPTION

3.1 The application site comprises a semi-detached two storey property located on the southern side of Mursley Road within a ribbon setting of residential properties.

3.2 There is a large garden area to the rear and RHS (east) of the dwelling and open countryside beyond the rear garden boundary.

3.3 To the LHS (west) is the attached semi and adjoining the RHS boundary of the site is a detached building which accommodates 4 flats.

3.4 The front garden area of No.22 is gravelled and there is an existing dropped kerb on to the public highway, although due to the frontage hedging there is currently only pedestrian access into the site, and parking is currently on-street.

4.0 PROPOSAL

4.1 The proposal is for the erection of a detached building, to the east of No. 22, to create two maisonettes.

4.2 The proposal would be a 2 storey detached building with a gable end at the front. A pitched roof is proposed which would have a ridge height of 7.4m and an eaves height of 4.9m.

4.3 Although stepped back at the entrance door, on the eastern elevation, the proposal would have a depth of 12.7m and a width of 6.6m. No side facing windows are proposed.

4.4 Each maisonette would contain a bathroom, a living room/kitchen area and a bedroom.

4.5 Red bricks are proposed for the walls and concrete tiles for the roof, along with white upvc windows & doors.

5.0 RELEVANT PLANNING HISTORY

- 15/00516/APP- Two storey side and single storey rear extension – Approved but not implemented.
- 16/03843/APP - Erection of a detached block to provide one maisonette and two flats – Withdrawn following design advice by officers.
- Pre-application advice offered support in principle for development subject to residential amenities, visual impact, car parking and access.

6.0 PARISH/TOWN COUNCIL COMMENTS

- 6.1 “Little Horwood Parish Council objects to this application for the same reasons appertaining to the previous application 16/03843/APP i.e. the available plot is small for the size of the planned development. Additionally, the PC would like to know how the applicant plans to overcome the height difference between the plot and the road in order to ensure the feasibility of an already cramped parking plan.”

7.0 CONSULTATION RESPONSES

- 7.1 Highways: Note that the existing access (dropped kerb) is to be altered and raise no objection subject to highways condition.

8.0 REPRESENTATIONS

- 6.2 1 objection has been received which raises the following material issues:

- There is not enough space for 6 vehicles which will lead to traffic problems on Mursley Road
- The area allocated for the maisonettes seems inadequate and will obstruct the adjacent property

- 6.3 The applicant has responded with the following comments:

- Cars have been parking safely on the road since the property (No. 22) was built,
- There is already planning permission approved for a two storey side extension in this location. The footprint of that build is the same as the newly submitted plans for the current proposal.

- 6.4 Vale of Aylesbury Housing Trust comment that:

- There is a strip of land between the front boundary of this property and the highway over which vehicular access will be required to enter the site. This strip of land is within the title of VAHT and no request from the homeowner has been received yet for VAHT to consider granting vehicular access across this particular strip of land.

7.0 EVALUATION

The planning policy position and the approach to be taken in the determination of the application

- 7.1 Members are referred to the Overview Report before them in respect of providing the background information to the policy framework when coming to a decision on this application. The determination of the application should be considered in the context of paragraph 14 of the NPPF whereby there is a presumption in favour of granting planning permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits if it is demonstrated that the development represents sustainable development. The main issues for determining this application are set out in sequence below.

Neighbourhood Plan

- 7.2 Although the submitted application makes reference to a neighbourhood plan and policies within it, there is currently no made Neighbourhood Plan for Little Horwood, nor has any Neighbourhood Area been identified as yet.

Whether the proposals would constitute a sustainable form of development

- 7.3 The following sections of the report will consider the individual requirements of sustainable development as derived from the NPPF and an assessment made of the benefits together with any harm that would arise from the failure to meet these objectives and how the considerations should be weighed in the overall planning balance.
- 7.4 In terms of its broader location, Little Horwood is identified in the AVDLP as an Appendix 4 settlement implying that it is considered to be appropriate to allow “limited small-scale development” at the settlement. The Settlement Hierarchy (September 2017) identified Little Horwood as a smaller village. Small villages typically have a population of between 200- 700 and have between 2-5 of the key criteria. It is considered that these settlements are not sufficiently sustainable to accommodate further significant development because of the limited or no services or facilities. However a small level of development is unlikely to lead to any environmental harm as there is already built form and will contribute towards providing locally needed homes for families to remain in the same communities and contribute to vitality. The Settlement Hierarchy (2017) sets out that Little Horwood has a small population (434) but is fairly well connected to the large service centre of Winslow, less than 3 miles away. Although there is no primary school and only an infrequent bus service, the village does have good employment opportunities and a reasonable provision of other key services, a recreation ground, a village hall and a public house, which would be accessible to this development and connected by a footway along the Mursley Road. Therefore, in broad sustainability terms, the provision of 2 new maisonettes in this location is considered acceptable in this case. However, this proposal still has to be assessed against all other material considerations and the outcomes fed into the overall planning balance.

Delivering a wide choice of high quality homes

- 7.5 Local planning authorities are charged with delivering a wide choice of high quality homes and to boost significantly the supply of housing by identifying sites for development, maintaining a supply of deliverable sites and to generally consider housing applications in the context of the presumption in favour of sustainable development (paragraphs 47-49).
- 7.6 The proposal would create 2 new dwellings and there is no reason that the site could not be delivered within the next five year period, as such making a positive contribution towards housing land supply which is a significant benefit of the scheme, although given the small number of dwellings proposed such benefit is attributed a level of limited positive weight in the overall planning balance.
- 7.7 As a scheme for only 2 dwellings the proposal would fall below the AVDLP threshold for securing affordable housing on site as outlined in policy GP2 which refers to the provision of 25 dwellings or more or a site area of 1 ha or more.

Building a strong competitive economy

- 7.8 The Government is committed to securing and supporting sustainable economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development and encourages new housing in rural areas where it will enhance or maintain the vitality of rural communities.
- 7.9 In this regard, there would be economic benefits of the proposal in terms of the construction of the development itself and the resultant increase in population contributing to the local economy. However, due to the small number of dwellings proposed it is considered that the economic benefits of the scheme would only attract limited weight in the overall planning balance.

Promote sustainable transport

- 7.10 It is necessary to consider whether the proposed development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised and that safe and suitable access can be achieved, taking account of the policies in the Framework. Development should only be refused on highway grounds where the residual cumulative impacts of development are severe.
- 7.11 It is acknowledged that Little Horwood is a small sized village, however, as set out above there is a recreation ground, a village hall and a public house, within the village a which would be accessible to this development and connected by a footway along the Mursley Road. The site is therefore considered reasonably located in terms of accessibility and is considered to be sufficiently locationally sustainable to support an infill proposal of this small scale. This matter weighs neutrally in the overall planning balance.
- 7.12 An existing dropped kerb access would be altered to provide access into the frontage of the site and the highways engineer has confirmed that, subject to condition, the proposed development would provide safe and accessible access to the site for all people and therefore accord with paragraph 32 of the Framework.
- 7.13 In terms of parking, policy GP24 of the AVDLP requires that new development accords with the adopted parking guidelines that set out appropriate maximum parking requirement for various types of development.
- 7.14 This proposal would create 2 new one bedroomed dwellings which would attract a maximum parking requirement of three off-street parking spaces (one space per dwelling plus one shared visitor's space for every 2 dwellings). The proposed layout plan details the provision of 6 spaces within the frontage of the site; this would provide the maximum requirement of 3 spaces for the proposed maisonettes, along with 3 car parking spaces to serve the existing dwelling.
- 7.15 There is a dropped curb to the front of the existing dwelling, although given the existence of an established boundary hedge along the majority of the site frontage it is not currently possible to use the front garden for the parking of vehicles. The vehicles associated with No. 22, therefore are currently parked on the public highway to the front of the site.
- 7.16 The submitted parking layout plan details the provision of 6 off-street car parking spaces (3 to serve the proposed dwellings and 3 to serve the existing dwelling). The provision of off-street parking to serve the existing dwelling would represent a limited positive benefit of the scheme in that the existing on-street parking associated with No. 22 would be removed from the public highway. It is noted however that the existing dwelling (No. 22), is a 3 bedroomed property and as such, in order to comply with the Council's parking guidelines, would only require a maximum provision of 2 car parking spaces. The proposal therefore details an overprovision of off-street parking by one space. Mindful of this an amended parking layout plan has been requested which will reduce the quantum of off-street car parking spaces by one, thus helping to improve the manoeuvrability within the site whilst remaining compliant with the Council's adopted parking standards.
- 7.17 Overall, the proposal would comply with policy GP24 of the AVDLP and the guidance set out in the NPPF in relation to access and parking, and would provide off-street parking for the existing dwelling where there is currently only on-street provision. Thus limited positive weight should be attributed to this matter in the planning balance.

Conserving and enhancing the natural environment

- 7.18 Regard must be had to how the development proposed contributes to the natural and local environment through protecting and enhancing valued landscapes and geological interests, minimising impacts on biodiversity and providing net gains where possible and preventing any adverse effects of pollution, as required by the NPPF.
- 7.19 The assessment of the impact of the development on the natural environment requires consideration to be given to issues relating to agricultural land, landscape, biodiversity,

green infrastructure provision, noise, air quality and contamination. Regard must be had to how the development proposed contributes to the natural and local environment through protecting and enhancing valued landscapes and geological interests, minimising impacts on biodiversity and providing net gains where possible and preventing any adverse effects of pollution, as required by the NPPF.

7.20 Policy GP35 of AVDLP requires new development to respect and complement the physical characteristics of the site and surroundings; the building tradition, ordering, form and materials of the locality; the historic scale and context of the setting; the natural qualities and features of the area; and the effect on important public views and skylines. This policy is considered to be consistent with the NPPF.

7.21 This policy is also reinforced by the Council's adopted supplementary planning guidance in the form of the New Houses in Towns and Villages Design Guide which encourages new development to recognise and respect landscape and local character.

Landscape

7.22 In this case the site is located as an in-fill plot within an existing ribbon of residential development in the context of the built-up area of the village, where having regard for recent modern infills the character and spacing of the dwellings is a close-knit pattern of development in this immediate location. The impact of the layout and external appearance of the proposed building is assessed in the 'good design' section below, and it is considered that the proposed building in landscape terms would respond to its close knit village context and not result in any wider landscape impacts.

7.23 This aspect of the proposal is afforded neutral weight in the overall planning balance.

Biodiversity

7.24 Paragraph 109 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity where possible. There is no evidence of protected species being present on the site. It is therefore considered the proposal would have an acceptable impact on protected species and their habitats and would therefore comply with the relevant NPPF advice.

7.25 This factor should therefore be afforded neutral weight in the overall planning balance.

Trees and Hedgerows

7.26 Policies GP39 and GP40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value.

7.27 Policy GP38 of the AVDLP states that applications for new development schemes should include landscaping proposals designed to help buildings fit in with and complement their surroundings, and conserve existing natural features of value as far as possible.

7.28 Landscaping details have not been submitted with this proposal however, the proposed alterations to the frontage of the site would result in the loss of some of the existing boundary hedging and further details of the proposed planting/soft and hard landscaping scheme could be conditioned so that full details are to be provided and approved by the Council prior to the commencement of work.

7.29 This factor should therefore be afforded neutral weight in the planning balance.

Conserving and enhancing the historic environment

7.30 Development proposals should sustain and enhance the significance of heritage assets and the positive contribution that conservation of assets can make to sustainable communities as well as the need to make a positive contribution to local character and distinctiveness.

7.31 The site is not located within a conservation area, nor would the proposal affect the setting of any designated or non-designated heritage assets. This matter would therefore factor neutrally within the overall planning balance.

Promoting healthy communities.

- 7.32 In facilitating social interaction and creating healthy, inclusive communities the proposals should aim to achieve places which enable communities to integrate and come together, including through mixed use developments and strong neighbourhood centres and active streets; safe and accessible environments and developments.
- 7.33 This should include the provision of sufficient choice of school places, access to high quality open spaces and opportunities for sport and recreation and the protection and enhancement of public rights of way.
- 7.34 The NPPF seeks to promote healthy communities by facilitating social interaction and creating healthy, inclusive communities. This includes the provision of active street frontages, strong neighbourhood centres, safe and accessible developments and should include the provision of sufficient choice of school places, access to high quality open spaces with opportunities for sport and recreation.
- 7.35 Policies GP86-88 and GP94 seek to ensure that appropriate community facilities are provided arising from a proposal (e.g. school places, public open space, leisure facilities, etc.) and, where necessary, require financial contributions to meet the needs of the development. Tariff-style s106 contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm.
- 7.36 In this case the proposed development would not exceed the threshold of 10 dwellings, or 1000m² floorspace and as such financial contributions towards Leisure and education can not be sought. The development would also be below the Council's affordable housing threshold.
- 7.37 It is considered that the development has had adequate regard to promoting healthy communities and that this matter should be afforded neutral weight in the planning balance.

Good Design

- 7.38 The Framework states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Development should function well and add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development and provide for an appropriate mix of uses, respond to local character and history, create safe and accessible environments which are visually attractive.
- 7.39 In paragraph 60 the Framework states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
- 7.40 Policy GP35 is also relevant and which requires new development to respect and complement the physical characteristics of the site and surroundings; the building tradition, ordering, form and materials of the locality, the historic scale and context of the setting; the natural qualities and features of the area; the effect on important public views and skylines.
- 7.41 This policy is also reinforced by the Council's adopted supplementary planning guidance in the form of the New Houses in Towns and Villages Design Guide which encourages new development to recognise and respect local character.
- 7.42 *Layout* - The proposed building would be sited 1m away from the side elevation of the dwelling (No. 22) to the west, and 1m away from the side elevation of the flats to the east which have been erected on the adjacent former garage site. It is noted that this relationship would be rather tight, however, given the closeness of the existing neighbouring development to the west of the former garage site (Nos. 20 and 20A in particular) it is considered that it would be difficult, in this case, to argue that the proposal would be out of character within that spacing. Regard should also be given to the planning

history of the adjacent properties, in that No. 20A was granted consent in 2004 and the flats on the former garage site were approved more recently in 2014.

- 7.43 Furthermore, in 2015 (following the approval of the neighbouring flats) a two storey side extension to the east of No. 22 was granted planning permission and remains an extant permission (until the 14 April 2018) which could be implemented and a material consideration in the determination of this application. Whilst that extension would not be implemented if the current proposal were to be approved it does set a precedent accepting the principle of two storey built development within the gap between No. 22 and the flats.
- 7.44 Mindful of the above, it is considered that although tight the proposal would not appear out of keeping with the character and spacing of the immediate setting, such that would warrant the refusal of planning permission having particular regard to the local circumstances.
- 7.45 The proposed layout shows 6 parking spaces to be provided within the frontage of the site which would appear rather tight and could result in a frontage with very little soft landscaping opportunities and it is unlikely that the existing frontage hedge would survive, thus having a negative impact upon the practicality of the parking layout and the visual character of the street scene. As set out in the transport and parking section above, an amended plan has been requested which will reduce the proposed over-provision of parking spaces within the site and in turn create greater opportunities for the provision and maintenance of satisfactory planting within the site and along the frontage. The submission and approval of a detailed hard and soft landscaping scheme can be controlled by an appropriate condition. It is considered that a visually acceptable scheme could be achieved in accordance with policies GP35, GP38 and GP40 of the AVDLP, the design guidance on New Houses in Towns and Villages and NPPF guidance.
- 7.46 *External appearance* - The proposal would involve the erection of a detached building in the side garden of No. 22. The proposed design would be a two storey detached building with a main west to east ridge line and a subservient front facing gable end projection. This gable end feature would be similar to that at the front of No. 22. The proposed ridgeline would be no higher than that of the adjacent dwellings and the proposal would relate well to the scale of the neighbouring development and the street scene in general.
- 7.47 It is noted that there are various styles and designs of buildings within the locality. However, the proposal would have an acceptable impact upon its setting and would sit well alongside the neighbouring buildings in terms of form, design and character. It is considered that the proposed building would not appear unduly out of keeping with the street scene and would result in an acceptable scheme that would be visually appropriate to the context of the site and nearby built development, in accordance with policy GP35 of the AVDLP, the design guidance on New Houses in Towns and Villages and NPPF guidance.
- 7.48 The proposed materials would reflect those used at other existing properties, and it is considered that the form and design of the proposal would relate well to the building tradition, ordering and form of the locality, and proposed external features would respond to local character or reflect the identity of local surroundings, in accordance with policy GP35 of the AVDLP, the advice set out in the Council's design guide, and the guidance set out in the NPPF.
- 7.49 Overall, it is considered that the development would respect its setting in terms of good design, and would not have a significant adverse impact upon the wider streetscene, or the character and appearance of the locality in general, in accordance with policy GP35 of AVDLP, the Council's Design Guide, and the NPPF's aims of achieving good design.
- 7.50 This factor is afforded neutral weight in the overall planning balance.

Meeting the challenge of climate change

- 7.51 The NPPF at Section 10, "Meeting the challenge of climate change, flooding and coastal change" advises at paragraph 103 that planning authorities should require planning

applications for development in areas at risk of flooding to include a site-specific flood risk assessment to ensure that flood risk is not increased elsewhere, and to ensure that the development is appropriately flood resilient, including safe access and escape routes where required, and that any residual risk can be safely managed. Development should also give priority to the use of sustainable drainage systems.

- 7.52 The site is not within an area identified as being at risk of flooding and surface water drainage is not considered to be an issue, subject to the imposition of a condition to require the submission of details of the foul and surface water drainage for the site.
- 7.53 This factor is assigned a neutral weight in the overall planning balance.

Impact on residential amenity

- 7.54 Policy GP8 of the AVDLP states that planning permission will not be granted where the proposed development would unreasonably harm any aspect of the amenity of nearby residents when considered against the benefits arising from the proposal. Where planning permission is granted, the Council will use conditions or planning obligations to ensure that any potential adverse impacts are eliminated or appropriately controlled. The Framework seeks to ensure that a good standard of amenity for all existing and future occupants of land and buildings.
- 7.55 The application site comprises part of the residential garden of No.22. The proposed building would be set in 1m from the side elevation of No. 22 to the West and would be sited 1m away from the building to the east. Adequate amenity space would be retained to serve the existing property. No side facing windows are proposed in the new building and this can be controlled by means of a restrictive condition to ensure no adverse impact upon privacy. The proposed pitched roof would slope up and away from the neighbouring properties thus reducing any potential overbearing or overshadowing impact.
- 7.56 The proposed building would be set back on the eastern side so that it would only be marginally forward of the front elevation of the neighbouring flats. Neither would it be significantly forward of the front elevation of No. 22 to the west.
- 7.57 The proposed building would project out further to the north than the rear elevations of the neighbouring properties, however the proposed building would respect the 45 degree lines from the centre of the nearest habitable room windows on the rear elevations of those neighbouring properties.
- 7.58 As such, the proposal would respect the residential amenities of the neighbouring dwellings in accordance with policy GP8 of the Aylesbury Vale District Local Plan, the Council's design guidance, and the NPPF and the amenities of the future occupants of the proposal would comply with the NPPF. This factor is afforded neutral weight in the overall planning balance.

Other Matters

- 7.59 A comment has been raised by VAHT that the proposed access to this site would be taken over a strip of land which is not owned by the applicant, however, this is a civil matter and not a material planning concern.