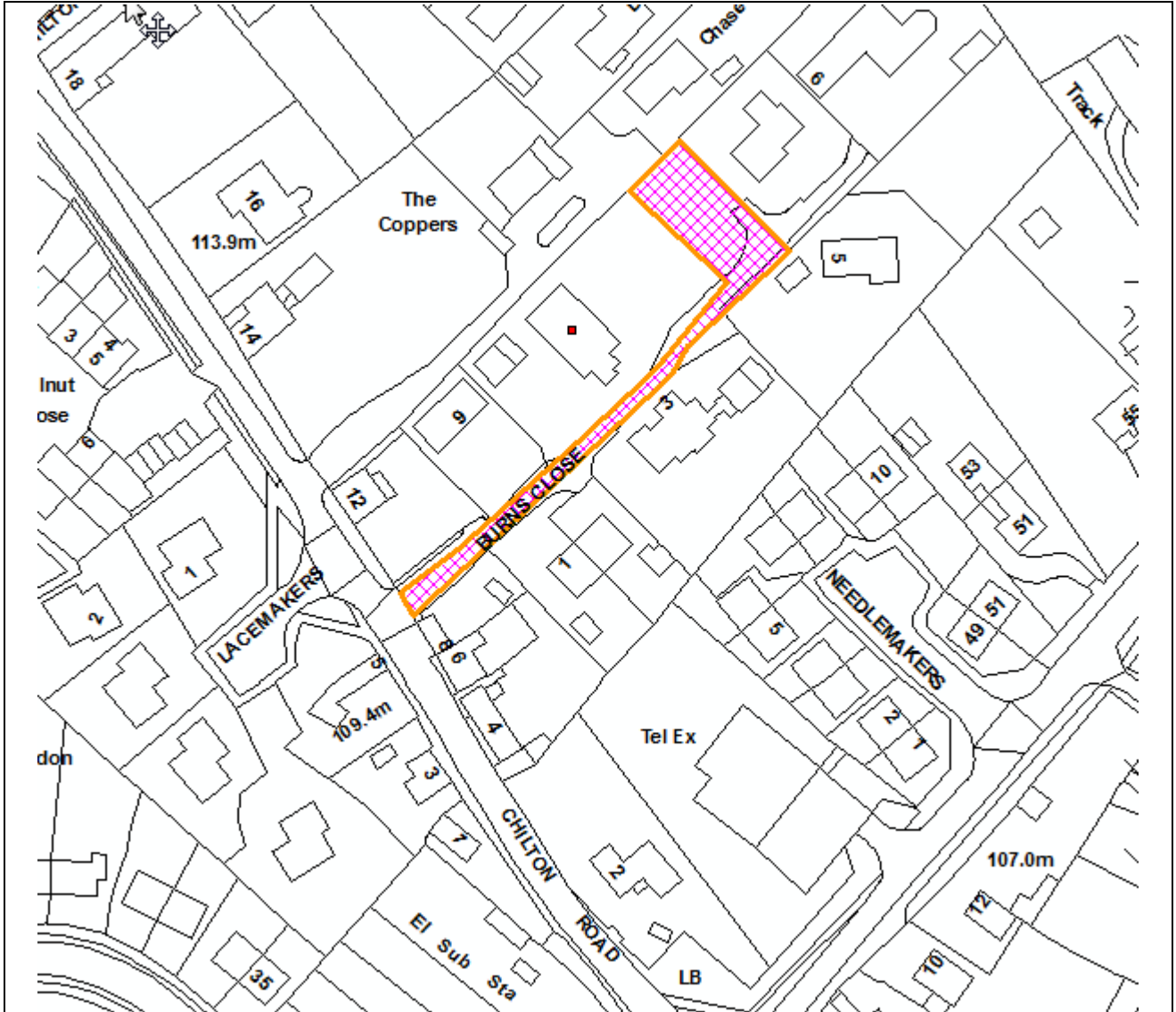


18/01453/APP



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| REFERENCE NO | PARISH/WARD | DATE RECEIVED |
|---|--|---------------|
| 18/01453/APP | LONG CRENDON | 15/05/18 |
| ERECTION OF DWELLING LAND ADJ TO 8 BURNS CLOSE P18 9BX | The Local Member for this area is: - Councillor Mike Hawkett | |
| MR & MRS GOBLE | | |
| STREET ATLAS PAGE NO. 125 | | |

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 in accordance with the Long Crendon Neighbourhood Plan (LCNP) and the Aylesbury Vale District Local Plan.

b) Material Planning considerations:

- Sustainability and access to services
- Impact on the character and appearance of the area
- Impact on landscape/trees
- Impact on residential amenity
- Highways and parking

The recommendation is that permission be **GRANTED** subject to conditions

2.0 CONCLUSION AND RECOMMENDATION

2.1 The application has been evaluated against the extant Development Plan and the NPPF and the report has assessed the application against the planning principles of the NPPF and whether the proposals deliver sustainable development. Paragraph 11 of the NPPF requires that where there are no relevant development plan policies, or the policies which are the most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any

adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole. In this case the Long Crendon Neighbourhood Development Plan (LCDP), which was made on 5.10.2017, and as such full weight must be afforded to this document for proposed developments that fall within the parish boundary as it forms part of the development plan. In this case the proposal falls within the settlement boundary and the relevant policy is LC1 which states:

2.2 'Proposals for development within the boundary will be supported provided that they accord with the design and development management policies of the development plan and other policies of the neighbourhood plan.'

2.3 As such, Paragraph 11 of the NPPF is not triggered and a weighted balance assessment is not required. Notwithstanding this, the proposed development would still need to accord with adopted plan policy and be acceptable with regard to all other material planning considerations. In this instance, the proposed development is considered to accord with Policy LC1 of the LCDP as well as Policy LC9 (General Design Principles) as the proposed design, height, massing and proposed materials are all acceptable, off-street parking would be provided and there would be no adverse impact on neighbouring residential amenity nor the character and appearance of the immediate and wider area.

2.4 In this instance, the principle of development is considered acceptable, the proposed dwelling is considered as infill within the settlement limits of a 'larger village' and is within the settlement boundary as defined by the LCDP. Upon assessing the development against all other material planning considerations including adopted policy within the Local Plan and LCDP relating to design, appearance, landscape impact etc. as well as parking, turning, highway safety and the impact of the development on the private residential amenity of both neighbouring occupiers and future occupiers, the development is considered to accord with planning policy as well as no harms of an unacceptable nature occurring that would warrant refusal would take place.

2.5 Given the above assessment, it is recommended that the application be **GRANTED** 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 The development hereby permitted shall only be carried out in accordance with drawing no's D1719.1E, D1719.2C and D1719/3 submitted under cover of agents email dated 5 July 2018 received by the Local Planning Authority on the same date.

Reason: For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority and to comply with the National Planning Policy Framework.

- 3 No development shall take place on the building(s) hereby permitted until samples/details 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. Please also see note no. 5.

Reason: To ensure a satisfactory appearance to the development and to comply with policies GP35 and GP53 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no enlargement of any dwelling nor the erection of any garage shall be carried out within the curtilage of the dwelling the subject of this permission and no buildings, structures or means of enclosure shall be erected on the site which is the subject of this permission other than those hereby approved.

Reason: In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for extensions or garages having regard for the particular layout and design of the development in accordance with policy GP8, GP35, and GP53 of the Aylesbury Vale District Local Plan, and the guidance set out in the NPPF.

- 5 The two windows serving bathrooms at first floor level in the rear (north west) elevation hereby permitted shall not be glazed or re-glazed other than with obscured glass to a minimum of level 3.

Reason: To preserve the amenities of the occupants of the adjacent dwellings and to comply with GP8 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

- 6 No windows other than those shown on the approved drawing no. D1719.1E shall be inserted in the building hereby permitted.

Reason: To preserve the amenities of the occupants of the adjacent dwelling and to comply with Aylesbury Vale District Local Plan policy GP8, GP9 and advice in the National Planning Policy Framework.

- 7 Prior to occupation of the development, space shall be laid out within the site for parking and manoeuvring, in accordance with the approved plans. This area shall be permanently maintained for this purpose and must not encroach on the turning head as approved under application ref. 10/02261/APP.

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.

7. Prior to the first occupation of the dwelling 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 and hard surfacing materials. For soft landscape works, these details shall include identification of all trees to be retained showing their species, spread and maturity, planting plans and schedules of plants, noting species, plant sizes and proposed numbers/densities. These works shall be carried out in accordance with the approved details 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 GP35, GP38, GP39 and GP40 of Aylesbury Vale District Local Plan and the National Planning Policy Framework.

8. 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: To ensure a satisfactory appearance to the development and to comply with policy RE14, GP38, GP39, GP40 of Aylesbury Vale District Local Plan and the National Planning Policy Framework.

9. Full and final details of tree protection measures in accordance with BS5837:2012, including:
 - details, including dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site

- a tree protection plan (TPP) showing the location and type of tree protection measures
- appropriate working processes in the vicinity of trees
- details of an auditable system of site monitoring

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 National Planning Policy Framework. Details must be approved prior to the commencement of the development to ensure the development.

10. The hard surfaced parking area hereby permitted shall be made of porous materials, or provision shall be made to direct run-off water 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 advice in the National Planning Policy Framework.

11. No development shall take place until details of the proposed slab levels of the dwelling 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 a fixed datum point. The building shall be constructed with the approved slab level.

Reason: For the avoidance of doubt to ensure a satisfactory form of development and to accord with Aylesbury Vale District Local Plan policies GP8 and GP35 and advice in the National Planning Policy Framework.

12. Prior to any above ground works taking place, details of biodiversity enhancement of 1 integrated bat tube to be incorporated into the building shall have been submitted to, and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved integrated bat and swift enhancement scheme, which shall have been installed prior to the first occupation of the development and retained thereafter in perpetuity.

Reason: In line with recognised good practice and governmental policy on biodiversity and sustainability (National Planning Policy Framework 2012 & NERC 2006), all practical opportunities should be taken to harmonise the built development with the needs of wildlife and in the interests of improving the biodiversity of Aylesbury Vale in accordance with NPPF and

Informatives:

1. 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.
2. No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 38 and 39 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 In this case, the agent was informed of the issues arising from the proposal and given the opportunity to submit amendments/additional information in order to address those issues prior to determination. The agent responded by submitting amended plans/additional information which were found to be acceptable so the application has been approved.

3.0 INTRODUCTION

- 3.1 The application needs to be determined by committee as the parish council has raised material planning objections and has requested to speak at the committee meeting.

4.0 SITE LOCATION AND DESCRIPTION

- 4.1 The application relates to a plot of land of about 0.03 hectares in size located on the west side of Burns Close, a private cul-de-sac off of Chilton Road in Long Crendon.
- 4.2 The site forms part of the garden of No.8 Burns Close, and sits between No.8 to the south west and no.7 to the north east, both of which are modern detached dwellings.
- 4.3 To the north west of the site there are two further detached dwellings, The Coppers and Chase End, which along with a third house are served by a shared driveway from Chilton

Road. To the south east is No.5 Burns Close, a detached bungalow. This has an extant planning permission to be demolished and replaced with two dwellings.

- 4.4 Along the front of the plot there is a 1.8m high timber fence and hedging. There is also a fence and vegetation along the rear boundary of the site, backing onto The Coppers and Chase End. There are a number of trees within the garden of No. 8, including a large Walnut close to the designated site boundary. Most of the site is currently lawned with shrubbery, but the eastern corner outside of the fence has hardstanding. The site is generally flat, although Burns Close gently rises from south to north.
- 4.5 The site is outside of the Long Crendon Conservation Area, the boundary of which is about 40m away.

5.0 PROPOSAL

- 5.1 The application seeks full planning permission for the erection of a two storey detached dwelling, the first floor partly contained within the roof space and lit by dormered windows. The dwelling would have a sitting room, study, kitchen, hall and shower room at ground floor level and three bedrooms, one with an en-suite shower room, and a bathroom at first floor level.
- 5.2 It would measure about 12.2m in width (including chimney breast) by 6.5m in depth, with a gable projection at the rear that would further extend the depth by 1.7m to 8.2m with 1.1m front porch. It would have an eaves height of about 3.6m and a total height to the ridge of approximately 7.5m.
- 5.3 The dwelling would have two ground floor windows and an entrance door with an open porch to the front. There would be two dormer windows and a rooflight at first floor level. Each dormer would have a pitched roof with gables to the front. At the rear, there would be three ground floor windows. At first floor level there would be two dormer windows and a high level window on the gable end rear projection.
- 5.4 There would be a door on the north east facing side elevation at ground floor level but no windows but there would be a rooflight at first floor level to serve bedroom 2. There would be no doors or windows on the south west facing side elevation but there would be a chimney breast. The total height of the chimney would be about 8.6m.
- 5.5 The dwelling would be constructed of brick, rendered with clay tiles and timber fenestration.

6.0 RELEVANT PLANNING HISTORY

- 6.1 10/02261/APP - Erection of two detached dwellings and associated garages and access. – Approved

7.0 PARISH/TOWN COUNCIL COMMENTS

- 7.1 Long Crendon Parish Council's initial response was to object to the application on the grounds that the proposed access arrangements are insufficient, impact on neighbours amenity, overdevelopment of the plot and dangerous access onto Chilton Road. The Parish Council did not ask to speak at committee.
- 7.2 Long Crendon Parish Council's was re-consulted following amended plans. They maintained their initial comments but added that they will attend any planning committee if held in respect of this application.

8.0 CONSULTATION RESPONSES

- 8.1 AVDC Heritage officer made no objection to the application.
- 8.2 Buckinghamshire County Council Sustainable Drainage Systems commented that this application does not require site specific technical advice.
- 8.3 Buckinghamshire County Council Highways Officer has no highway objections subject to condition/informatives. Re-consultation was carried out on the basis of amended layout plan. Further revised comments were submitted and no objection was made.
- 8.4 AVDC Landscape Architect commented that more information is required before a conclusion can be drawn in terms of landscape impact. Re-consultation carried out and commented on further information received. The Landscape Officer concluded that the proposals are acceptable from the landscape perspective subject to conditions.
- 8.5 AVDC Tree Officer initially commented that further arboricultural information is required before determination of this application.
- Further comments received on 14.8.2018 following supporting arboricultural report and commented that there are no impacts to trees and no objection to this proposal subject to condition.
- 8.6 AVDC Biodiversity Officer commented that there is not a reasonable likelihood of protected species being impacted by the proposals and therefore no supporting ecological information is required and recommended conditional approval.

9.0 REPRESENTATIONS

9.1 10 representations have been received from three nearby residents, all objecting to the application. The material reasons given are summarised as follows:

Design and amenity:

- The proposed dwelling is too large for its site, giving rise to a 'shoe-horned' appearance, and too close to No. 7, the location dictated by the protected tree on the site.
- The lack of space of boundaries is further reduced by the projecting chimney on one side.
- Although it is claimed that the dwelling would be in scale with its neighbour (No. 7), the ridge line would be more than 500mm above that of No. 7.
- The re-siting of the dwelling further forward increases its prominence.
- The dwelling would be too close to the boundary with No.7 and would severely restrict its amenities in terms of overlooking and loss of sunlight reaching its garden.

Highways matters:

- Burns Close is narrow, unlit, in poor repair and has no pedestrian walkway.
- Egress from Burns Close is extremely dangerous. Encouraging more traffic to use this junction is courting greater danger to road users. Vehicles on Chilton Road often travel at very high speeds when overtaking parked vehicles.
- The footway on Chilton Road is only 800mm wide, and pedestrians are affected by the drag from fast moving cars and commercial vehicles.
- Access to the nearest bus stops is impeded by the need to negotiate the very wide Chilton Road/Chearsley Road junction.
- The access onto Chiltern Close was widened on the basis that two additional dwellings would be built, but since then four more dwellings have been permitted. This is too much for the single track road to cope with.
- One of the conditions for permission 10/02261/APP was for a Turning Head to be constructed at the boundary of the two properties, but this has not been fully implemented. A fence has been erected on the curb line itself with a gate which is dangerous.

- The plans for 10/02261/APP label the turning head as being suitable for emergency and other vehicles and it would be comforting to know that an ambulance could turn effectively if necessary.
- Burns Close is in a state of disrepair caused by extra traffic using the road over the past 5 years.
- *In response to Highway Officer comments dated 29.5.2018, an objector has made the following comments:*
 - Despite the 30mph speed limit vehicles often tear past in both directions at very high speeds.
 - Footway on the SE side opposite Burns close only accommodates single file pedestrians including school children.
 - To reach the nearest bus stop, it is necessary to negotiate a wide entrance splay at junction of Chilton Road with Cheersley Road where visibility is hazardous.
 - By approving previous applications, the Highway Authority have compounded the dangerous situation for drivers and pedestrian trying to negotiate Burns Close.
 - Question was asked if the Highway Officer has taken into account the two outstanding developments approvals yet to be carried out in Burns Close when she states that no further intensification would be supported by the Highway Authority.
 - Junction Entry - Because of the substandard nature of the splay, vehicles need to be directly opposite the entry to Burns Close before visibility into the lane is possible.
 - It is likely that the Turning Head would be used by construction traffic during building and left in a state of disrepair. The proposed parking area abuts the Turning Head, affecting usage of the Turning Head.
 - Vehicles backing out onto the lane will create more hazard and inconvenience particularly for all surrounding properties.
 - Vehicles using the Turning Head would inconvenience other residents.

Harm to Trees

- The Tree report cuts and pastes material from previous reports for same applicants and there are some discrepancies between the two reports in dimensions of trees.

10.0 EVALUATION

a) The planning policy position and the approach to be taken in the determination of the application in accordance with the Long Crendon Neighbourhood Plan (LCNP) and the Aylesbury Vale District Local Plan.

- 10.1 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.
- 10.2 The starting point for decision making is the development plan, i.e. the adopted Aylesbury Vale District Local Plan (and any 'made' Neighbourhood Plans as applicable).
- 10.3 S38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) 2018 and the Planning Practice Guidance (PPG) are both important material considerations in planning decisions. Neither change the statutory status of the development plan as the starting point for decision making but policies of the development plan need to be considered and applied in terms of their degree of consistency with the NPPF. In this respect, Long Crendon Parish has a 'made' Neighbourhood Plan which is a constituent part of the development plan.

The Development Plan

Neighbourhood Plan

- 10.4 NPPF paragraphs 29 and 30 state: Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.
- 10.5 Where a Neighbourhood Plan is not in place, decisions for housing developments should be taken in accordance with paragraph 11 of the NPPF, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

10.6 The application site lies within the Settlement Boundary of Long Crendon as designated by the Long Crendon Neighbourhood Plan (LCNP). Policy LC1 (Long Crendon Settlement Boundary) states that “Proposals for development within the boundary will be supported, provided they accord with the design and development management policies of the development plan and other policies of the Neighbourhood Plan”.

Other relevant policies include

10.7 LC4, which states that “All proposals for housing development inside the Long Crendon Settlement Boundary should have regard to the need for homes suited to older households by way of their type, configuration and detailed design” and

10.8 LC9, which covers general design principles. This includes the following:

“The Neighbourhood Plan will support development proposals, provided:

(i) Their scale, density, height, massing, landscape design, layout and materials, including alterations to existing buildings, have understood and reflected the character and scale of the surrounding buildings and of distinctive local landscape features”.

10.9 Other criteria deal with landscaping, parking provision, energy efficiency and impact on the historic environment.

Aylesbury Vale District Local Plan (AVDLP), Emerging policy position in Vale of Aylesbury District Local Plan (draft VALP) and Housing Supply

10.10 The policy position and current housing land supply figures are addressed with the overview report that is to be read in conjunction with this Committee Report. What is of relevance however is that given the status and relevance of the Neighbourhood Plan, a weighted balance approach is not appropriate in this instance.

10.11 A number of saved policies within the AVDLP are considered to be consistent with the NPPF and therefore up to date so full weight should be given to them. Consideration therefore needs to be given to whether the proposal is in accordance with or contrary to these policies. They all seek to ensure that development meets the three dimensions of sustainable development. These policies can be relied upon provided that they are consistent with NPPF guidance. These include AVDLP policies GP8, GP24, GP35, and GP38-GP40. Issues relevant to the consideration of the proposal in the light of this and other applicable policies are addressed in more detail below.

10.12 It is considered that policy GP35 is consistent with the policies of NPPF, and this approach has been supported at appeal, for example the Secretary of State’s recent appeal decision

at Glebe Farm, Winslow (ref 13/01672/AOP) and also by the Secretary of State and Inspector in considering the schemes subject to the conjoined Inquiry (Hampden Fields/Fleet Marston and Weedon Hill North).

Material Planning Considerations

Sustainability and access to services

- 10.13 Long Crendon is categorised by the Council's Settlement Hierarchy (2017) as a 'larger village'. These are typically settlements with a population of between about 600 and 2,000 and have 6-7 of the key criteria considered necessary for a sustainable settlement. Long Crendon is well connected to a large service centre, has good employment and key services, but an infrequent bus service. The site is within the built-up area of the settlement and therefore the principle of small-scale development of new dwellings in this location is considered to be acceptable subject to an appropriate design/layout. Policy LC1 of the LCNP also supports proposals for housing development within the Settlement Boundary, providing they accord with design policies and other policies of the LCNP.
- 10.14 Therefore, in broad sustainability terms, the provision of one new dwelling in this location which falls within the built-up area of the village is considered acceptable. However, this proposal still has to be assessed against all other material considerations. Policy LC4 states proposal should have regard to the need for homes suited to older households by way of their type, configuration and detailed design. The proposal is a relatively small dwelling on a relatively small site in a good location to access village facilities and would be well suited to occupation by the older generation. Therefore this would comply with both LC1 and LC4 of LCNP.

Impact on the character and appearance of the area

- 10.15 Policy LC9 of the LCNP states that development proposals will be supported, provided that their scale, density, massing, height, layout and materials reflect the character and scale of the surrounding buildings and landscape.
- 10.16 The NPPF in section 12 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 10.17 Policy GP35 of the AVDLP states that the design of new development should respect and complement the physical characteristics of the site and the 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.

- 10.18 The proposed dwelling would be sited on land within the built-up part of Long Crendon. Dwellings, both built and permitted, along Burns Close are varied in scale, design and materials. This application proposes a conventional design, brick and tile, one and a half storeys, with two front dormers cut into the front eaves.
- 10.19 As the dwelling would be located about 80m from the junction of Burns Close with Chilton Road, and set back on its plot, it would not be generally visible in distant public street views.
- 10.20 The application site has a width of between 14 and 15m and a depth of about 28m. The proposed dwelling would have a width of about 11.5m, with a maximum depth of just over 8m. The gap between the side elevation of the new dwelling and the boundary with No.7 would be about 1m. The gap between the new dwelling and the boundary with No.8 to the south west would be about 1m. The distance between the rear projection and the boundary with The Coppers would be about 5.5m. As originally submitted, the proposed dwelling would have been close to the rear of the plot, leaving a very small rear garden and concerns were also raised with regard to impact on the amenity of The Coppers and on tree roots. As a result, the applicant submitted revised plans which now position the house more centrally on the plot and further away from the rear boundary. This would ensure that there is a small area of amenity space at the rear as well as at the front of the dwelling.
- 10.21 The front garden and the gap between the neighbouring dwellings of 6.7m and 20m respectively would help ensure that a sense of openness is maintained. Furthermore, the drawings indicate that the existing boundary fence, located close to the carriageway, would be removed, enhancing the openness of the site. The dwelling is shown to have a total height to the ridge of about 7.5m, which is lower than No.8, which has a total height (excluding chimney) of about 8.3m and slightly lower than No.7, which is about 7.6m in height. The new dwelling would have a built footprint of about 72 sq. m., which is considerably smaller than No.7 (approximately 108 sq.m) and No.8 (about 170 sq.m). As such, it would not appear a disproportionately large dwelling in comparison to neighbouring dwellings.
- 10.22 With regard to the design of the proposed dwelling, this would be traditional in nature, with lowered eaves above ground floor window level and modest sized dormer windows with a small rooflight on the front roofslope. The rear gable end projection would be set down below the height of the main roof, ensuring that it remains subordinate. The proposed materials would be appropriate in this setting. It is therefore not considered that the

modest and traditional cottage-style dwelling as proposed would cause harm to the character of the area nor be intrusive in appearance. Being adequately separated from the site boundaries and from neighbouring dwellings, the proposal would not result in the appearance of overdevelopment.

- 10.23 In conclusion, the proposed dwelling would not result in an unacceptable adverse impact to the character and appearance of the area and its established pattern of development, and would accord with policy LC9 of the LCNP and GP35 of the AVDLP and NPPF guidance.

Impact on landscape/trees

- 10.24 Policy LC9 of the LCNP supports proposals where the landscape design reflects the character of the surrounding buildings and of distinctive landscape features, and schemes that include the planting of trees and hedges and provision of grassed lawns to the front and/or rear.
- 10.25 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. It 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. Policies GP39 and GP40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value.
- 10.26 The proposed dwelling would be situated on former garden land at the side of No.8 where there are several trees, none of which are protected. Following initial comments from the Tree Officer regarding a lack of information on impacts to these trees, the applicant commissioned and submitted a Tree Survey Report. This concluded that the existing trees would not be a constraint to the proposed development (based on the revised scheme), but suggested some mitigation measures.
- 10.27 The Tree Officer concluded that the supporting arboricultural report identified three trees within a distance that would be affected by the proposed development. One of the trees has some minor encroachment into the root protected area. However, it is suggested that this is to such a small extent that no special mitigation is required and there are no other impacts to trees.
- 10.28 Further to the findings and advice above, the report states that there is scope for new planting to help screen and soften the impact of the new dwelling and to enhance the

ecological value of the site. It is appropriate to include a condition to require details of landscaping to be submitted prior to commencement of the development to ensure that these enhancements take place, thus ensuring the development accords with Policy LC9 of the LCNP and Policy GP38 of the AVDLP. The revised site plan shows that existing boundary treatments along the rear boundary would be retained and that new boundary native species hedging would be planted along the new boundary with No.8 and at the front of the dwelling up to the parking area. The proposal would include the planting of new hedges and grassed lawns to the rear and front, in accordance with policy LC9 of the LCNP.

10.29 The AVDC Landscape Architect commented on the revised Design and Access Statement and the Tree Report and concluded that the proposals are acceptable from the landscape perspective, provided that in practice it is possible to construct the house in such close proximity to the root protection areas and it is noted that the position of the house has been adjusted to take the root protection areas into account. It is therefore concluded that subject to conditions, the impact of the development in terms of landscape and trees would be acceptable.

10.30 The site is within the AAL but set within the built up area of the village. The proposal would have no adverse impact on the wider landscape of the area.

10.31 It is concluded that subject to a landscaping condition, the proposal would comply with Policy LC9 of the LCNP, Policies GP35, GP40 and RA8 of the AVDLP and advice in the NPPF.

Biodiversity

10.32 Paragraph 170 of the NPPF requires new development to minimise impacts on and provide net gains in biodiversity.

10.33 The Council's Ecologist confirms that there is not a reasonable likelihood of protected species being impacted by the proposals. He recommends that provision of 1 bat roosting tube on the south east facing gable apex as high as possible on the proposed new dwelling. These features will then be secured by a condition if this application is approved and ensure the development complies with the NPPF.

10.34 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.

Impact on residential amenity

- 10.35 Paragraph 127 of the NPPF seeks to ensure that developments create places with a high standard of amenity for all existing and future occupants. Policy GP8 of AVDLP seeks to protect the residential amenity of nearby residents. The Long Crendon Neighbourhood Plan does not provide any general policies relevant to residential amenity and so the proposal is assessed against GP8 of the AVDLP.
- 10.36 The proposed dwelling would be located about 1m from the boundary with No.7. However, No.7 is set back about 5m from its boundary and so there would be a separation distance of about 6m in total between the properties. This neighbour has expressed concerns over the impact of the proposed dwelling on their amenity, including overlooking and loss of sunlight into his garden. Whilst the dwelling would be relatively close to the shared boundary, there would be no windows on the main side elevation and the door would be solid and have no glass panes. Whilst there would be a small rooflight on the side of the rear gable end projection facing towards this neighbour's garden, this would be 8m away from the boundary and would be about 13m from the neighbouring dwelling. The plans show that that the existing boundary treatment along the boundary between the site and No. 7 would be retained. As such, there would be no material overlooking or loss of privacy. Whilst there may be some increased shadowing into this neighbour's rear garden at certain hours of the day, it is not considered that this would have an unreasonable negative impact on this neighbour's living conditions.
- 10.37 The distance between the proposed new dwelling and No.8 would be about 20m, as No.8 is set back some distance away from the proposed boundary. There would be no doors or windows on the side elevation of the proposed dwelling facing this neighbour. Also, the drawings show a new hedge to be planted along the shared boundary. Due to the greater separation distance between these dwellings, it is not considered that there would be any significant loss of amenity from overlooking or loss of privacy to this neighbour.
- 10.38 Both The Coppers and Chase End to the rear of the plot are set back from their boundaries with the application site (10m and 7m respectively) and the existing fence along the boundaries would be retained. The rear boundary of the site backs onto a shared access area serving the two dwellings. Neither neighbour has objected to the proposal. Notwithstanding this, the amended plans have re-sited the proposed dwelling further from the rear boundary and the first floor window on the rear gable end projection has been changed to a high level window. Both of the first floor windows facing towards these neighbours would serve bathrooms and would be conditioned to be obscure glazed. The distance between the proposed dwelling and The Coppers would be about 17m and the distance to Chase End would be about 15m. Given these distances and the other factors

above, it is not considered that there would be an unacceptable impact on these neighbours. No other neighbours would be materially affected.

- 10.39 In summary, given the positioning of the proposed extensions and their relationship relative to the neighbouring properties in terms of scale, position of windows and orientation it is not considered that the proposals would have an unacceptable adverse impact upon the neighbouring amenity. Therefore the proposal accords with GP8 of AVDLP and guidance in the NPPF.

Highways and parking

- 10.40 Paragraph 108 of the NPPF states that decisions should take into account whether safe and suitable access to the site can be achieved for all users. The new dwelling would be served by the existing access point from Chiltern Road.
- 10.41 Several local residents have objected to this application on the grounds that Burns Close is a narrow, private road with no lighting or pedestrian walkway and that it is in poor condition. Concerns have been raised that entering Chiltern Road from Burns Close is already dangerous, and that encouraging greater traffic use would exacerbate this situation.
- 10.42 However, the Buckinghamshire County Council Highway Officer has highlighted that similar proposals along Burns Close have been approved in recent years with no highways objection. The officer has stated that the existing access point is wide enough to serve the proposed development, and adds that although the visibility from Burns Close to the south is substandard, given the relatively low speeds, the nature of Chilton Road and the historic precedent, a highways objection would be unlikely to be sustained at Appeal. As such, subject to conditions, BCC Highways has no objections, although the officer adds that any further intensification of the Burns Close/Chiltern Road junction could not be supported.
- 10.43 Revised comments were received from Highways Authority with further clarifications following an objection from a neighbour. Officers sought clarification from the Highways Authority to ensure that a full and robust assessment was undertaken, further technical advice was received following a further site from the Highways Authority (which is reflected in the consultations response above). As Burns Close is a private road, the Highway Authority can only assess the impact of the proposed development on the Public Highway. The Highway Officer pointed out also that Chilton Road is a wide, residential road which is an environment recognised to foster low vehicle speeds. Speeds below the stated speed limit of 30mph were also evidenced in the 2010 application (ref. 10/02261/APP) at 12 Chilton Road. Chilton Road is therefore a low speed, rural road and there is evidence that

vehicles travel below the stipulated speed limit. This has also been observed on site visits undertaken by the Highway Authority.

- 10.44 The Highway Officer commented that the access from Burns Close to Chilton Road is of sufficient width to serve one additional dwelling. Buckinghamshire County Council standards state that an access must be at least 4.8m to ensure simultaneous two way vehicle flow and an access width of 5.5m is required to ensure safe pedestrian/vehicle flow in the absence of a footway and after visiting the site, it is noted that the access is 5.7m and therefore suitable to serve the proposed development.
- 10.45 With regards to visibility, the Highway Authority uses the Sight Stopping Distance (SSD) formula stated in paragraph 10.1.4 of Manual for Streets (Mfs). The sight stopping distance for 30mph roads tends to be an x distance of 2.4m and a y distance of 43m. After visiting the site, the Highway Officer confirms that this is achievable to the north but the visibility splay to the south falls slightly below this recommended distance.
- 10.46 However, it is recognised that the SSD formula and measurements are not fixed and there are circumstances where the x distance can be reduced. Additionally, every development and associated access must be assessed on a case by case basis and considered in relation to the local context. Paragraph 10.5.8 in MfS2 states that a 'minimum x distance of 2m may be considered in some slow-speed situations when flows on the minor arm are low. Burns Close is the minor arm of the Burns Close/Chilton Road junction and with all committed development, will serve a total of 12 dwellings. The low vehicle flows of Burns Close combined with the slow speed, residential nature of Chilton Road provides justification to measure visibility from 2m back.
- 10.47 The y distance must also be considered. Paragraph 10.5.3 in MfS 2 states 'the y distance represents the distance that a driver who is about to exit from the minor arm can see to the left and the right along the main alignment. For simplicity it has previously been measured along the nearside kerb line of the main arm, although vehicles will normally be travelling at a distance from the kerb line.' In the case of this development, due to the nature of Chilton Road, with its wide carriageway and low vehicle flow, it is appropriate to measure visibility 1m into the carriageway. The Highway Officer, measured on site the visibility which is in excess of 2m x 43m, when measuring the y distance 1m into the carriageway and therefore visibility in line with guidance stated in MfS is achievable. Consequently, the Highway Authority could not sustain an objection on visibility.
- 10.48 The Highway Officer has also undertaken a TRICS® assessment for the proposed residential use and would expect one dwelling to generate in the region of 5.7 vehicular movements per day (two-way). Burns Close currently serves nine dwellings and has

committed development for an additional three dwellings, resulting in a total of 12 dwellings. Vehicle movements associated with 12 dwellings totals approximately 68.4 vehicle movements (two way). The creation of one additional dwelling would therefore not be a material increase in vehicle movements through the Burns Close/Chilton Road access.

- 10.49 Policy LC9 within the Neighbourhood Plan requires provision for off street parking in accordance with adopted standards. Policy GP24 of the AVDLP requires that new development accords with published parking guidelines. SPG1 "Parking Guidelines" at Appendix 1 identifies the required maximum parking standards for developments. As it would have three bedrooms, this proposal would result in a requirement of two spaces, with at least one within the curtilage of the dwelling. The plans show that there would be two spaces provided in front of the dwelling. BCC Highways have confirmed that there would be sufficient space within the site to accommodate two parking spaces.
- 10.50 Some neighbours have stated that the approved scheme 10/02261/APP has not provided a turning head as required by condition 11. From the site visit, it was observed that this turning head does not appear to have been fully provided to date, and that a fence has been built on the curb line, restricting space available for manoeuvring. However, this matter is outside the scope of this determination. It is noted, though, that the plans for this application do show the turning head, and the parking provision shown does not intrude into the turning head. In addition, the drawings show the fence to be removed, increasing the space available for turning.
- 10.51 As stated above, Burns Close is a private road and therefore a shortfall in parking is unlikely to be a highway safety concern. However, it is noted that two parking spaces of 2.4m x 4.8m have been shown within the site, in line with AVDC Parking Guidance. It is also noted that application ref. 10/02261/APP secured the provision of a turning head for large vehicles travelling along Burns Close. Condition 1 below ensures that this turning head is maintained and the proposed parking spaces must not encroach on this area.
- 10.52 Paragraph 109 of the newly revised National Planning Policy Framework states that: 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. The Highway Officer is not in a position to demonstrate that the proposed development would have an unacceptable impact on highway safety, and therefore would be unable to defend such a decision should the application be taken to appeal. Mindful of the above, the County Highway Authority has no highway objections subject to condition/informatives.

10.53 The development is therefore considered to comply with policy LC9 of the LCNP, policy GP24 of AVDC Local Plan and NPPF guidance, regarding highway safety and parking.

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