



REFERENCE NO	PARISH/WARD	DATE RECEIVED
18/02080/APP	OAKLEY The Local Member(s) for this area is/are: - Councillor Michael Rand	25/06/18
DEMOLITION OF PART OF EXISTING DWELLING AND ERECTION OF DETACHED TWO-STOREY DWELLING WITH PARKING AND AMENITY SPACE. LAND AT 21A MANOR ROAD HP18 9QD MR & MRS J PEARCE  STREET ATLAS PAGE NO. 190		

**1. 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 sufficient supply of homes**
- **Building a strong, competitive economy**
- **Promoting healthy and safe communities**
- **Promoting sustainable transport**
- **Making effective use of land**
- **Achieving well-designed places**
- **Meeting the challenge of climate change and flooding**
- **Conserving and enhancing the natural environment**
- **Conserving and enhancing the historic environment**

**c) Impact on residential amenity**

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

**2. CONCLUSION AND RECOMMENDATION**

2.1 The application has been assessed in the context of the Development Plan and the core planning principles of the National Planning Policy Framework (NPPF) (2018). The

presumption in favour of sustainable development in decision-taking is set out in paragraph 11 of the NPPF which states that for decision-taking this means:

11 c) approving development proposals that accord with an up-to-date development plan without delay; or

11 d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. 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

ii. 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.

- 2.2 The development comprises a new dwelling on an existing residential plot within the general built up area of the village of Oakley. It is accepted that the development would make a contribution to the housing land supply whilst making effective use of land which is to be attributed limited weight in the planning balance, as it is tempered due to the scale of development that is proposed and in the context that the Authority can demonstrate a 5 years housing supply. There would also be economic benefits in terms of the construction of the development itself and those associated with the resultant increase in population on the site to which limited positive weight should be attached.
- 2.3 Compliance with some of the other core planning principles of the NPPF have been demonstrated in terms of design and impact on the wider landscape, heritage, biodiversity, impact upon trees, flood risk, transport, residential amenity and creating healthy and safe communities. However, these matters do not represent benefits to the wider area but demonstrate an absence of harm to which weight should be attributed neutrally.
- 2.4 There are relevant development plan policies which are consistent with the NPPF and it is considered that the proposal would accord with GP35, GP38, GP39 and GP40 and there are no material considerations that indicate a decision other than in accordance with the development plan.
- 2.5 Weighing all the relevant factors into the planning balance, and having regard to the NPPF as a whole, all relevant policies of the AVDLP and supplementary planning documents and guidance, in applying paragraph 11 of the NPPF, it is considered that the adverse impacts would not significantly and demonstrably outweigh the benefits of the proposal.
- 2.6 It is therefore 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 windows other than those shown on the approved drawing No. 2015046-A-P-03-11 shall be inserted in any elevation of the dwelling hereby approved without the prior express permission in writing of the Local Planning Authority.

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.

3. The window(s) at first floor level in the northeast and southwest elevations as shown on the approved drawing No. 2015046-A-P-03-11 shall not be glazed or reglazed other than with obscured glass to a minimum of level 3 and non opening unless the parts of the window that can be opened are more than 1.7m above internal floor level.

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.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification), no enlargement of any dwelling and no windows, roof alterations or dormer windows shall be erected/installed on the site which is the subject of this permission other than those expressly authorised by this permission.

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 enlargement of the dwelling or erection of a garage, windows having regard for the particular layout and design of the development, in accordance with policy GP8 and GP35 of Aylesbury Vale District Local Plan.

5. 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 policy GP35 of Aylesbury Vale District Local Plan and the National Planning Policy Framework.

6. The scheme for parking, garaging and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and to comply with the National Planning Policy Framework.

7. No development shall take place on the building(s) 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; proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; where relevant. For soft landscape works, these details shall include new trees and trees to be retained 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 GP9 and GP35 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 GP39 and GP35 of Aylesbury Vale District Local Plan and the National Planning Policy Framework.

9. No development shall take place until details of the proposed slab levels of the building(s) 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(s) shall be constructed with the approved slab levels. Please also see note no. 6.

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 National Planning Policy Framework

#### Informatives:

1. 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.
2. 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 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 plans submitted with the application were deemed sufficient to determine the application.

### **3. INTRODUCTION**

- 3.1 The application needs to be determined by committee as the Oakley Parish Council has raised material planning objections and confirms that it wishes to speak at the Committee meeting. The Parish Council objected to the proposal on the grounds it would be overdevelopment of the site which would appear cluttered from the street and which has an awkward parking layout.
- 3.2 The proposal is not considered to be overdevelopment of the site as the resulting urban grain would be representative of what can be found elsewhere in the locality. Furthermore, there is currently a gap in the street scene which could benefit from a stronger street frontage. The Highways team have been consulted on the application and have raised no objection to the parking layout as proposed.

#### **4. SITE LOCATION AND DESCRIPTION**

- 4.1 The application site is located on Manor Road which runs through the rural village of Oakley. The village of Oakley is located to the south of Manor Farm itself. The properties located in the village vary in style but many properties are rural Georgian in style. The majority of the historic dwellings are traditionally narrow in terms of their depth with steep pitch roofs, plain clay tiles and plain or arched brick segmented heads above openings.
- 4.2 The dwelling at 21a Manor Road was granted permission in 2008 under permission reference 07/03389/APP and comprises a four bedroom two storey house. This was following a planning permission granted in 1991 to change the use from agricultural land to residential use.
- 4.3 Full planning permission is sought for a new four bed two storey dwelling on the southern part of the residential plot at 21a Manor Road where part of the driveway and garden are currently located. This part of the site also accommodates a shed. There is some, limited planting along the southern boundary and some small trees which are not considered significant. The rear boundary of 21a Manor Road comprises a close board fence where there is an empty field beyond.
- 4.4 The property to the south of 21a Manor Road is Salix. Salix is the closest residential property to the proposed new dwelling. Salix is a detached dwelling with an attached single storey double garage which is attached to an electricity substation. This reads as one building when viewed from the street. Salix has been extended to the rear (single story) to provide an additional room (00/01904/APP & 11/02111/APP) which is described as a conservatory on the plans but has a solid roof. This element of Salix is located close to the boundary with 21a Manor Road and will therefore be located close to the proposed new dwelling at no. 21a Manor Road. Along the boundary in the rear garden at Salix is a greenhouse and two sheds.
- 4.5 The western side of Manor Road comprises mostly detached housing. Opposite Salix is a detached cottage. To the north of 21a Manor Road is a pair of semi detached houses.

#### **5. PROPOSAL**

- 5.1 Full planning permission is sought for a new four bedroom two storey dwelling on the southern part of the residential plot which comprises 21a Manor Road. This part of the site currently accommodates part of the drive, a shed and garden area.
- 5.2 Demolition of a single storey element on the southern end of 21a forms part of the application. This would allow for adequate off street car parking for 21a Manor Road and the proposed new dwelling.
- 5.3 Internally, the proposed dwelling would provide four bedrooms with two main habitable areas on the ground floor. The northwestern elevation would front Manor Road and would accommodate a bay window at ground floor level and two first floor windows which would each serve a bedroom. The southeastern elevation would accommodate four glass doors on the ground floor facing the rear garden and would have two sets of double doors with Juliet balconies on the first floor each serving a bedroom. The front door would be located on the northeastern elevation which also accommodates one window at first floor level to serve a bathroom. The southwestern elevation would accommodate a rear door on the ground floor and one window on the first floor which would serve the second upstairs bathroom.
- 5.4 The new dwelling would provide three off street car parking spaces to the northeast which will be located between the proposed dwelling and number 21a. The existing dwelling at no. 21a would retain three off street car parking spaces and also has a garage located to the north of the property. The garden at no. 21a Manor Road is to be subdivided between the two properties with 21a (being the larger house) retaining most of the garden. The conifers and close board fence which fronts the property on Manor Road are to be retained.

## **6. RELEVANT PLANNING HISTORY**

90/01888/APP - Change of use of agricultural land to garden - Approved

90/01889/AOP - Site for dwelling - approved

07/03389/APP - Erection of detached two storey dwelling. - Approved

14/02846/APP - Insertion of rooflights in front and rear elevations (Part retrospective) –  
Householder approval

## **7. PARISH/TOWN COUNCIL COMMENTS**

- 7.1 The proposals are overdevelopment of the site which will look cluttered from the street and the parking provision for the two dwellings looks inadequate/impractical.

## **8. CONSULTATION RESPONSES**

8.1 AVDC Highway Engineer – no objections subject to conditions

8.2 AVDC Ecologist – no objection

8.3 Buckingham and River Ouzel Drainage Board – no comment

8.4 Buckinghamshire County Archaeological Service - no objection

## **9. REPRESENTATIONS**

- 9.1 One letter of objection was received from a local resident objecting to the location of site notice.

The site notice was posted at the northernmost end of 21a Manor road on the post of the road sign on Manor road.

## **10. EVALUATION**

### **a) The planning policy position and the approach to be taken in the determination of the application.**

- 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). In this case Oakley does not have a 'made' neighbourhood plan.
- 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 NPPF (July 2018) and the Planning Practice Guidance 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, PPG and other material considerations. Determination of the application needs to consider whether the proposals constitute sustainable development having regard to Development Plan policy and the NPPF as a whole.
- The Development Plan
- 10.4 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. There is no made or emerging Neighbourhood Plan in place for Oakley.

10.5 A number of saved policies of 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. Those AVDLP policies of relevance are considered to be GP8, GP24, GP35 GP38, GP39, GP40 and GP45. They all seek to ensure that development meets the three objectives of sustainable development and are otherwise consistent with the NPPF.

**b) Whether the proposal would constitute a sustainable form of development.**

***Sustainable location***

10.6 The Government's view of what 'sustainable development' means in practice is to be found in paragraphs 7 to 211 of the NPPF, taken as a whole. The NPPF seeks a presumption in favour of sustainable development for both plan-making and decision-making.

10.7 It is only if a development is sustainable when assessed against the NPPF as a whole that it would benefit from the presumption in paragraph 11 of the NPPF. This 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 sets out how the considerations should be weighed in the overall planning balance.

10.8 Paragraph 11 of the NPPF says that for decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. 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

ii. 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.

10.9 Paragraph 78 of the NPPF states that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality in rural communities. For example where there are groups of smaller settlements development in one village may support services in a village nearby. Paragraph 79 of the NPPF says that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

10.10 In terms of its broader location, the site lies within the village of Oakley and the proposed dwelling would be located on Manor road in between no. 21a Manor road and the adjacent residential property known as Salix. The proposed dwelling would therefore be located within the existing built up area of the village of Oakley and, although it is bound to the rear by fields is not considered to be an isolated property in open countryside.

10.11 AVDLP identifies Oakley as an "Appendix 4" settlement to which policies RA.13 and RA.14 would apply, indicating that limited infilling or rounding off would be appropriate, these policies however are now out of date as set out above in the Overview Report and can only be given very limited weight.

10.12 Oakley is identified in the Settlement Hierarchy Assessment (September 2017) as a 'Smaller Village', which has an average population of 1,007 and has met at least four of the key sustainability criteria. The site is therefore considered to be an appropriate location small scale infill housing development and therefore accords with the principles of AVDLP policies RA13 and RA14.



- 10.13 To conclude, the proposal would provide a new dwelling within the existing built up area of a 'smaller village' without having any negative impact on the wider locality which should be afforded limited positive weight in the planning balance.
- 10.14 The proposal will need to be considered not only in terms of its impact on the localised site and surroundings but also in terms of the wider capacity of the village to accept further population growth, having regard to its impact on the infrastructure and local services. These issues are considered in more detail under the headings below.

### ***Delivering a sufficient supply of homes***

- 10.15 Local planning authorities are charged with delivering a wide choice 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. In supporting the Government's objective of significantly boosting the supply of homes, paragraph 61 of the NPPF states that within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes. Key to the consideration of this point is the use of local housing needs assessment targets and the Council's ability or otherwise to demonstrate a 5 year supply of housing land.
- 10.16 Based on the findings of the HEDNA, the housing land supply document shows we have a 11.7 year supply this year (compared with 9 years previously). Work is ongoing towards revising this calculation in accordance with the new NPPF and early indications are that the council still maintains over 5 years supply. The overview report sets out clarification and background information on the HEDNA position, the new Housing Delivery Test to apply in November 2018 and the approach to not include any element of unmet need.
- 10.17 In respect of affordable housing the scheme does not meet the thresholds for securing such provision on site as outlined in AVDLP policy GP.2 which refers to the provision of 25 dwellings or more or a site area of 1 ha or more.
- 10.18 Whilst there is no reason that the site could not be delivered within the next five year period making a contribution to housing land supply which is a public benefit to which positive weight should be given, owing to the small scale of development proposed such a contribution is limited; also the Council can demonstrate a 11.7 years housing land supply such the level of positive weight to be attributed to housing in this case is considered limited in the overall planning balance.

### ***Building a strong, competitive economy***

- 10.19 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. Paragraph 80 of the NPPF states that planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 10.20 It is considered that there would be minor economic benefits of the scheme which would include creation of temporary construction jobs as well as creating of demand for local suppliers of goods and services from the small increase in the population brought about by the development that would contribute to economic growth. It is therefore considered that the economic benefits of the scheme whilst significant, due to the scale of the proposed development only attract limited weight in the overall planning balance.

### ***Promoting healthy and safe communities***

- 10.21 The NPPF seeks to achieve healthy, inclusive and safe places and promote social interaction and safe and accessible development and support healthy life-styles. This should include the provision of a 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, and designation of local spaces.
- 10.22 Policies GP.86-88 and GP.94 of the Local Plan seek to ensure that appropriate community facilities are provided arising from a proposal (e.g. school places, public open space, leisure facilities, etc.) and financial contributions would be required to meet the needs of the development. In this instance, the provision of a single dwelling would not require contributions to be made in respect of the above facility provision.
- 10.23 Oakley has several meeting places including a public house, church and village hall. Consequently, there would be potential opportunities for the future occupiers of the new dwellings to interact with the local community. As such, this proposal would not conflict with the overall aims of paragraph 91 of the NPPF, and such existing provisions would not require further enhancement as a result of the development, acknowledging its small scale and low level of impact. It is therefore considered that the proposals would comply with AVDLP policies GP.86-88 and GP.94 and the NPPF. This matter should be afforded neutral weight.

### ***Promoting sustainable transport***

- 10.24 In line with the NPPF, it is necessary to consider whether new development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Paragraph 108 of the NPPF requires that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be taken up, safe and suitable access to the site can be achieved and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 109 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.
- 10.25 The development will be served by a shared access/egress with no. 21a Manor Road which was previously found to be acceptable (07/03389/APP). AVDC highway officers have been consulted on the application and have raised no objection to the proposed development in relation to the proposed access arrangements.
- 10.26 Policy GP24 of AVDLP requires that new development accords with published parking guidelines. SPG1 "Parking Guidelines" at Appendix 1 sets out the appropriate maximum parking requirement for various types of development. The submitted site layout plan (drawing no. 2015046-A-P-03-10) shows 6 dedicated off-street car parking spaces for both the existing dwelling at no. 21a and the proposed new dwelling.
- 10.27 The Council's SPG states that dwellings comprising of 4 bedrooms or more should accommodate 3 off-street parking spaces. The proposal therefore accords with the minimum standards set out in the SPD in relation to both properties. The total parking provision is considered to be acceptable when assessed against AVDLP Policy GP.24 and this factor should be afforded neutral weight in the overall planning balance.

### ***Making effective use of land***

- 10.28 Section 11 of the NPPF requires that planning policies and decisions should promote an effective use of land while safeguarding and improving the environment and ensuring safe and healthy living conditions, maintaining the prevailing character and setting, promoting regeneration and securing well designed, attractive and healthy places.

- 10.29 Paragraph 122 of the NPPF relating to achieving appropriate densities states that in supporting development that makes efficient use of land, it should taking into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it, local market conditions and viability, the availability and capacity of infrastructure and services, the desirability of maintaining an area's prevailing character and setting and the importance of securing well-designed, attractive and healthy places.
- 10.30 Although residential gardens are excluded from the definition of previously developed land in Annex 2 of the NPPF, it does not specifically exclude the redevelopment of domestic gardens. Such proposals however will need to accord with the planning principles of the NPPF to secure good design and take account of the different character of different areas.
- 10.31 The following sections of the report will address whether the proposals achieve well designed places, in accordance with the NPPF, but it is considered that the proposals are not overly dense and represent similar densities of neighbouring properties and, subject to the design quality, would therefore make an effective use of land and this aspect is afforded neutral weight in the planning balance.

### ***Achieving well designed places***

- 10.32 Paragraph 124 of the NPPF 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.
- 10.33 Paragraph 127 of the NPPF says that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space); and create places that are safe inclusive and accessible, with a high standard of amenity.
- 10.34 Paragraph 130 of the NPPF says that permission should be refused for developments exhibiting poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides.
- 10.35 Policy GP.35 of the AVDLP requires development to 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. Policy GP.45 is also relevant and says that any new development is required to provide a safe and secure environment for future occupiers of the site.
- 10.36 Although the site comprises part of the existing garden of number 21a Manor Road and is orientated so that the proposed front door faces northeast (towards number 21a), the proposed dwelling and the associated vehicular access is not expected to negatively impact on the Manor Road streetscape. When viewed in the wider street context the existing gap currently looks at odds with the street and lacks a strong street frontage. The new dwelling would be located roughly in line with adjacent properties thereby enhancing the edge to the built form along this part of Manor road. The proposed use of brick is considered acceptable and in harmony with the surrounding buildings and wider locality.

- 10.37 Given the varied design and form of houses in this part of Manor Road, the design, scale and appearance of the proposed dwelling is considered broadly consistent with the setting. Thus, the proposed dwelling is considered to preserve the character and appearance of the area and as such, accords with Policy GP35 of the AVDLP and the core planning principles of the NPPF which seeks to secure good design and take account of the different characters of different areas and this aspect is afforded neutral weight in the planning balance.

***Meeting the challenge of climate change and flooding***

- 10.38 Paragraph 163 of the NPPF sets out the requirement for 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. The site is located within Flood Zone 1 which is defined as an area with minimal risk of flooding. It is not considered that the proposed development would materially increase or exacerbate flood risk on the site nor in the wider locality. Therefore, the proposed development would not be at risk of flooding and is considered in accordance with the NPPF. This matter should therefore be afforded neutral weight in the planning balance.

***Conserving and enhancing the natural environment***

Landscape impact

- 10.39 Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment. Consistent with this is policy GP35 of AVDLP 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; and the effect on important public views and skylines respect landscape and local character. No negative impact on the wider landscape is expected to occur as a result of the proposed development. Neutral weight should be attached to this matter in the overall balance.

Trees and hedgerows

- 10.40 Policies GP39 and GP40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value. In this regard, there are no significant trees or hedgerows which form part of the site. The landscaping proposals are considered acceptable and accord with GP.38, GP.39 and GP40 and relevant NPPF advice and this factor should therefore be afforded neutral weight in the planning balance.

Biodiversity

- 10.41 Paragraph 170 of the NPPF requires new development to minimise impacts on biodiversity and where possible to provide net gains in biodiversity. The proposal involves the development of part of the existing garden of No 21a. The AVDC Ecologist has stated that there is not a reasonable likelihood of protected species being affected by this development and has raised no objection to the application. Thus overall, the proposal would not have an adverse impact on biodiversity and it would therefore accord with Circular 06/2005 and the Framework in this respect. Neutral weight should be attached to this matter in the overall balance.

***Conserving and enhancing the historic environment***

- 10.42 The NPPF recognises the effect of an application on the significance of a heritage asset as a material planning consideration. Paragraph 193 states that there should be great

weight given to the conservation of designated heritage assets; the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset, or development within its setting. Any harm or loss should require clear and convincing justification. Paragraph 189 extends this provision to non-designated heritage assets with an archaeological interest. Policy GP.53 of AVDLP requires new developments in and adjacent to conservation areas to preserve and enhance the character and appearance of the Conservation Areas.

- 10.43 The application does not lie within or near a Conservation Area and the site area does not include any listed buildings or buildings or any significant architectural merit.
- 10.44 The nearest listed building is the Chandos Arms pub which is Grade II listed but is considered too far away to be impacted in any way by the proposed development.
- 10.45 Consequently, the proposal is considered to be in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the guidance within the National Planning Policy Framework in terms of the need to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations, the proposals also being in accordance with paragraph 190 and 192 of that same document and AVDLP policy GP53. Neutral weight should be attached to this matter in the overall balance.

***(c) Impact on residential amenity***

- 10.46 Policy GP8 of AVDLP seeks to protect the residential amenity of nearby residents whilst paragraph 127 of the NPPF seeks to ensure that planning policies and decisions create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 10.47 The nearest residential dwelling to the proposed new dwelling is Salix which is located to the southwest of 21a Manor Road. Although the proposed dwelling would be sited quite close to the boundary to the rear of Salix, it should be noted that the existing electricity sub station which is attached to Salix will provide a degree of separation. Furthermore the electricity sub station is joined to Salix at the attached single storey double garage, thus providing further separation from the main part of the original house when viewed from the street. It should however be noted that Salix has been extended at the rear of double garage and comprises residential accommodation which is described on the plans as a conservatory (though has a solid roof).
- 10.48 The south west elevation of the proposed dwelling would accommodate one door and one first floor window. The window would serve the WC on the upper floor and would be secured by condition to be obscure-glazed. No overlooking or perceived overlooking to Salix could therefore occur from doors or openings in this elevation. Windows and doors at first floor level in the southeastern elevation may have slight views of the end of the rear garden of Salix but this is not expected to have a detrimental impact on the amenity enjoyed by the residents of Salix in regards to overlooking or perceived overlooking and on the general enjoyment of their garden as the aspect is slightly different and the proposed dwelling is set back slightly. Similarly the northeastern elevation accommodates the front door and one window at first floor level. This upper floor window also serves a bathroom and would be secured by condition to be obscure-glazed. No overlooking of the existing property at number 21a Manor Road is therefore expected to occur though, again there may be views of the rear part of the garden.
- 10.49 The area fronting the proposed dwelling at 21a Manor Road would mostly comprise driveway with some soft landscaping. This is as existing and is not expected to have any detrimental impact on Salix, particularly given the location of the electricity sub station at this location. No impact on the semidetached properties to the north of 21a is expected to occur as they are located approx. 30m away and are on the other side of 21a Manor Road.

- 10.50 Given the above, it appears that the development could be implemented, subject to planning conditions and that residential amenity to both no. 21a Manor Road and Salix and also the proposed new dwelling development would not result in adverse harm. In order to protect residential amenity in the future, a condition removing permitted development rights for extensions and roof alterations at the proposed dwelling is proposed on any permission.
- 10.51 In relation to the living conditions of potential future occupiers of the new dwelling, the room sizes would appear reasonable and the level of private amenity space is adequate whilst not compromising that of 21a Manor Road. The scheme proposed would provide good levels of light and outlook and would also benefit from private gardens.
- 10.52 Overall it is considered that the proposal would have the capacity to provide an acceptable level of residential amenity for existing and future occupiers in accordance with Policy GP8 of the AVDLP and the NPPF, and this is attributed neutral weight in the planning balance.

Case Officer: Faye Mesgian