



AYLESBURY VALE DISTRICT COUNCIL Democratic Services

Please ask for: devcon@aylesburyvaledc.gov.uk;
Switchboard: 01296 585858
Text Relay Prefix your telephone number with 18001
12 February 2019

DEVELOPMENT MANAGEMENT COMMITTEE

A meeting of the **Development Management Committee** will be held at **1.00 pm on Friday 22 February 2019** in **The Oculus - Aylesbury Vale District Council**, when your attendance is requested.

Contact Officer for meeting arrangements: devcon@aylesburyvaledc.gov.uk;

Membership: Councillors: P Fealey (Chairman), A Bond (Vice-Chairman), J Brandis, M Collins, P Cooper, N Glover, R Khan, T Mills, S Morgan, M Rand, D Town and P Strachan (ex-Officio)

AGENDA

1. APOLOGIES

2. TEMPORARY CHANGES TO MEMBERSHIP

Any changes will be reported at the meeting.

3. MINUTES (Pages 3 - 4)

To approve as a correct record the Minutes of 31 January 2019 (Copy attached as an Appendix)

4. DECLARATION OF INTEREST

Members to declare any interests.

5. REPORT OF THE CORPORATE PLANNER

6. 18/04384/APP - PERRYFIELD, NEW ROAD, DINTON (Pages 5 - 12)

Erection of Stables

Case Officer: Janet Mullen

7. SITE VISIT ARRANGEMENTS

8. HUMAN RIGHTS ACT (Pages 13 - 14)

This page is intentionally left blank

Development Management Committee

31 JANUARY 2019

PRESENT: Councillor P Fealey (Chairman); Councillors A Bond (Vice-Chairman), J Brandis, P Cooper, R Khan, M Rand, D Town and P Strachan (In place of T Mills)

IN ATTENDANCE: Councillor L Monger

APOLOGIES: Councillors M Collins, N Glover and S Morgan

1. MINUTES

RESOLVED –

That the Minutes of the meetings held on 15 November 2018, 13 December 2018 and 10 January 2019 be approved as a correct record.

2. REPORT OF THE CORPORATE PLANNER

APPLICATIONS DETERMINED

RESOLVED –

That the applications submitted under the Town and Country Planning Act, 1990 (as amended) and the Town and Country Planning (Development Management Procedure) (England) Order, 2015 be determined as set out below.

NOTE: The standard planning conditions and reasons referred to are as set out in the publication “Aylesbury Vale District Council – Planning Conditions and Reasons” – dated 1 October 2007.

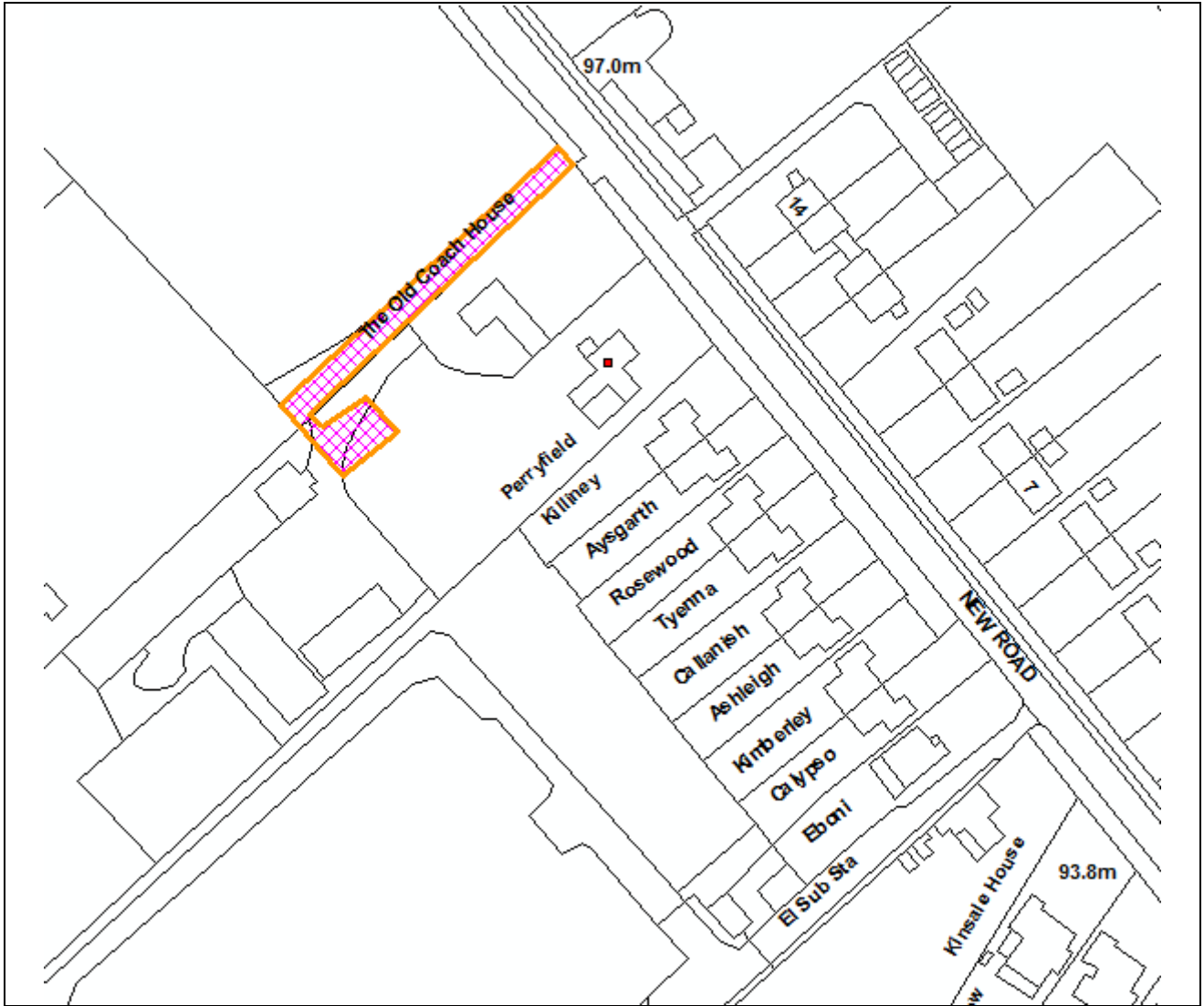
3. 18/02462/APP - STOKE VILLA, 26 STATION ROAD, WINSLOW

RESOLVED –

That the application be **Approved** as per officer report.

This page is intentionally left blank

18/04384/APP	
--------------	--



© Crown Copyright and database right 2019. Ordnance Survey 100019797

REFERENCE NO	PARISH/WARD	DATE RECEIVED
18/04384/APP	DINTON FORD AND UPTON	17/12/18
ERECTION OF STABLES PERRYFIELD NEW ROAD HP17 8UT MR JOHN KING	The Local Member(s) for this area is/are: - Councillor Brian Foster Councillor Mrs J Brandis	
STREET ATLAS PAGE NO.113		

1.0 The Key Issues in determining this application are:-

- a) The Principle of the development
- b) The impact on the character and appearance of the street scene and the area in general.
- c) The impact on the amenities of neighbours.
- d) The impact on parking & highway safety.

The recommendation is that permission be **GRANTED**

1.0 Conclusion and recommendation

1.1 The proposal has been evaluated against the Development Plan and the NPPF and is considered to acceptable in terms of the impact on the character and appearance of the street scene and the wider locality in general. There would be no detrimental impact upon the residential amenity of the nearby dwellings and there are no highway concerns. The proposal is therefore in accordance with policies GP8, GP35, GP77 and GP78 of the AVDLP and the advice contained in the NPPF.

1.2 It is therefore recommended that the application be **APPROVED** subject to the following conditions

1. STC5
Reason:RE03
2. US07
Reason:RE11
3. No floodlighting or other form of external lighting shall be installed or erected without the express consent of the Local Planning Authority.
Reason: In the interests of the amenity of the area and the amenity of neighbouring

properties and to accord with policy GP8 and GP35 of the AVDLP.

4. The stables hereby permitted shall not be used for any business or commercial use.
Reason: For the avoidance of doubt and to safeguard the rural character of the area and 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. The development hereby permitted shall not be occupied until a scheme for parking and manoeuvring in accordance with the Local Planning Authority's SPG1 – Parking Guidelines has been submitted to and approved in writing by the Local Planning Authority. The approved scheme 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 purposes.
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.
6. The development hereby permitted shall not be used or occupied for any purposes other than as ancillary to the residential use of the adjacent on site barn conversion that was granted permission under planning reference 18/01483/COUAR dated 6th July 2018.
Reason: For the avoidance of doubt and in the interests of amenity and to comply with policy GP8 of the AVDLP and the National Planning Policy Framework.
7. The existing stables shall be removed within one month of the new stables hereby permitted being brought into use.
Reason: In the interests of the amenity of the area and to avoid intensification on the site in accordance with GP35 of the AVDLP and to comply with the National Planning Policy Framework.

Informatives:

1. It is contrary to Section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system.
2. 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.
3. No vehicles associated with building operations on the development 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.
4. In accordance with paragraphs 38 and 39 of the National Planning Policy Framework, Aylesbury Vale District Council (AVDC) takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. AVDC works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and 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 application was considered to be acceptable as submitted and no further assistance was required.

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.
- 2.2 The Parish Council have objected on size, siting and access grounds but it is considered that the new stables represents a reduction of size of the building reducing the stables by one stable over that which it replaces and therefore would not have any further impact that the existing situation on site. The proposed stable building is sited in an appropriate location utilising the existing landscaping on the site to assist in mitigation. In relation to the access, given that the proposal would remain for personal use only and would not result in any intensification in the access arrangements such that no objections are raised by the highways engineer.

3.0 SITE LOCATION AND DESCRIPTION

- 3.1 The application site comprises Perryfield and its extensive grounds to the rear located on the south west side of New Road within the main built up area of Dinton. To the north west is The Old Coach House and to the south east is Killiney, both detached dwelling.
- 3.2 To the rear of the main dwelling is a large 40m deep garden and beyond that a 140m paddock area containing an agricultural building and a stable. Permission has already been granted to convert the agricultural building into one dwelling and for the removal of the stable. The removal of the stable has not been secured by a planning condition but the amenity space for the new dwelling is shown to be located where the stables are currently sited.
- 3.3 The property has two accesses off New Road, one to the front of the main dwelling and a second access that runs between The Old Coach House and 1 Donnington Row, which is a new build dwelling, leading to the paddock area.
- 3.4 To the south east side of the paddock area is agricultural land and to the north west is open land which is under the ownership of the applicant with the dwelling fronting Oxford Road further to the north west of this land facing away from the site. Opposite on the other side of the road and more dwellings.

4.0 PROPOSAL

- 4.1 This application seeks full planning permission for the erection of a new stable block further to the west of the current stable block. The owners of Perryfield are to move into the new barn conversion and in order to continue to keep horses on the site, are seeking consent to erect an alternative replacement stable block. Information has been provided with the application shows that the stables is required to for private use only to allow the occupiers to continue keeping horse at the site.
- 4.2 The existing stable block has a floor area measuring 9m by 22m with a height on 5m and the proposed new stables would be of a reduced size measuring 9m by 18m with a height of 2.83m to the eaves and 4.35m to the ridge.
- 4.3 Materials would comprise a steel frame with dark green profiled sheet steel walls and weather grey fibre cement sheeting on the roof.
- 4.4 The building would be located on land that currently comprises a vegetable garden.

5.0 RELEVANT PLANNING HISTORY

00/02224/APP - Agricultural building - Approved

00/02378/APP - Single storey side extension – Approved.

01/00331/AGN - Construction of new agricultural access road – Approved.

98/02406/APP - Conversion and extension of outbuildings to form dwelling – Refused.

04/02749/APP - Single storey side extension to form annexe – Approved

07/00839/APP - Erection of building for use as stables and creation of ménage – Approved.

09/02085/APP - Front porch and single storey rear extension – Approved.

18/00112/COUAR - Determination as to whether prior approval is required in respect of transport & highway impact, noise, contamination risk, flooding and locational considerations for the conversion of an agricultural building into one dwelling (Class Q(a)) and in relation to design and external appearance of the building (Class Q(b)) – Refused.

18/01483/COUAR - Determination as to whether prior approval is required in respect of transport & highway impact, noise, contamination risk, flooding and locational considerations for the conversion of an agricultural building into one dwelling (Class Q(a)) and in relation to design and external appearance of the building (Class Q(b)) – Approved.

6.0 PARISH/TOWN COUNCIL COMMENTS

6.1 The Parish Council have objected to the proposed on the following grounds:

- The Design and Access Statement read in conjunction with the outline plans do not correlate.
- The stables are not drawn in any detail and give no indication of the maximum number of horses to be housed.
- The height of the building seems excessive for stables suggesting it would be a barn.
- The siting is outside the curtilage of the village
- Access onto New Road is narrow and would be tight for horse boxes in an area now busy with several exits.

7.0 CONSULTATION RESPONSES

Highways

7.1 Bucks County Council Highway Officer have commented on the proposal noting that there would be no new or altered vehicular access proposed to and from the highway including pedestrian access and although no additional parking spaces have been provided, the plans indicate that the driveway would be extended to the new stable block.

7.2 It is also noted that when permission was granted for the 4 new dwelling on appeal on the adjacent site now forming 1-4 Donnington Row, there were no highway safety issues and the current access for the applicant site is approximately 25m south east of the access to the dwellings.

7.3 Overall, given the reduction in the number of stable bays and the stables remaining in the applicants own private use, there are no objections subject to a condition that the scheme for parking and manoeuvring be laid out prior to occupation.

Environmental Health

7.4 No objection subject to the use of the stable being tied to the occupation of the recently permitted residential barn conversion.

Buckingham & River Internal Ouzel Drainage Board

7.5 No objections

8.0 REPRESENTATIONS

- 8.1 One letter has been received from the occupiers of Rosewood which is located next door but one to the south east of Perryfields who have no objection to the stables in principle but have concerns that;
- the plans lack details not showing how high the stable would be
 - no details of any light pollution
 - Where the access would be as this part of New Road is becoming crowded and busy due to the current development
 - Loss of amenity and noise should the stable either become a commercial business or the focus of another application for more residential units.
- 8.2 A letter from the occupiers of Hare Folly which is located on the main Oxford Road to the north west has also been received and they have objected on similar grounds, these being;
- That the location plan and site plan are not sufficiently detailed and labelled to show the relation of the proposed development to the adjacent properties.
 - The height of the proposed structure is not shown on the site plan and only an approximate height has been provided in the accompanying documents
 - The details of the construction materials for the proposed development are not labelled on any drawings
 - The grey fibre cement sheeting roof is not considered to be in keeping with the character and appearance of the local area and would impact on views from the adjacent properties.

9.0 EVALUATION

Principle of the development

- 9.1 The AVDLP is generally supportive of the principle of equestrian development in the countryside subject to there being no fundamental objections in respect of the provisions of the relevant policies in the Development Plan. Policies GP77 and GP78 specifically deal with equestrian development. Policy GP77 requires that in considering horse related development, particular regard is had to the impact upon the surrounding area and the open nature and rural character of the land, the impact on the viability of farm units and high quality agricultural land, access and parking arrangements, impact from noise and smell and access to bridleways. Policy GP78 states that stables should ideally be sited adjacent to existing development or natural features such as trees and established hedgerows. The building should be of a sympathetic design and constructed of materials appropriate to the locality.
- 9.2 Also relevant is Policy GP35 which requires that amongst other things new development respect and complement the physical characteristics of the site and surroundings; the natural qualities and features of the area; the building tradition, ordering, form and materials of the locality; and the effect on important public views and skylines.
- 9.3 Policy GP8 requires that new development proposals should not unreasonably harm any aspect of the amenity of nearby residents when considered against the benefits arising from the proposal.
- 9.4 Having regard to policies GP77 and GP78, it is considered that the principle of stabling on the site is acceptable. These policy matters are addressed in detail in the following section of the report.

The impact on the character and appearance of the street scene and the area in general.

- 9.5 The new stable block would not be visible within the street scene as the building would be 115m south west of the highway and be located behind The Old Coach House. The site is also well screened by hedges and trees both to the sides and rear further obscuring any possible views from the public realm.
- 9.6 The site is not in any area of constraint or landscape designation and the application represents the relocation of a stable building with a reduced footprint and roof height of 5m to the west of an existing stable with no intensification of use and no expected increase in traffic movement.
- 9.7 The building would be located 85m from the host dwelling, Perryfield, having no impact on the character of the dwelling and although it is accepted that the building would be in close proximity to the new dwelling that is to be created in the barn conversion, the proposed new location would relocate the stables 5m away from the new dwelling.
- 9.8 The stable block would be of a modest height and constructed of traditional materials and is considered to be acceptable in terms of scale and design and siting and in accordance with policies requirements. Overall it is considered that the proposal is acceptable in terms of the impact on the rural character of the area in accordance with Policy GP35, GP77 and GP78 of the AVDLP and the advice in the NPPF.

The impact on the amenities of neighbours.

- 9.9 The stable would be located over 22m from the barn that is to be converted into the new dwelling. This distance is considered appropriate to provide an acceptable separation between the dwelling and the stables. A condition has been included to limit the use of the stable to the occupiers of the new dwelling to protect the amenity of future users of the dwelling.
- 9.10 The new building would be located 80m away from the rear boundary of The Old Coach House and 70m from the rear boundary of 1 Donnington Row. Given the generous separation, the hedge screening that is to be retained and taking into account the existing stables being capable of housing a larger number of horses, it is not considered that the new stable block would further exacerbate the situation in regards to views, noise or smell.
- 9.11 Objections have been received that the location plan does not show where the stable block would be in relation to the adjacent properties but these distances can be measured from location plan which is to scale and the location of the stable on the land can be ascertained from plan ref No.1858_p/010 plan which clearly shows the stables to be located to the north western edge of the side
- 9.12 Local resident have also noted that although the plans show the floor measurement, the plans have not been annotated with the height of the building. However, the height can be measure on submitted plan No.1858_p/01 which is drawn accurately to scale and the Design & Access Statement confirms that the new building would be 1m lower in height than the existing stable building.
- 9.13 The materials are shown on the application form and accompanying D&A and indicated to be traditional and appropriate for the nature of building proposed and overall, it is considered that the proposal would accord with GP8 of the AVDLP and the NPPF.

The impact on parking & highway safety.

- 9.14 There would be no alterations to the existing parking arrangements which already serves the larger stable block. Although it is noted that there has been an increase in traffic

movements in this part of New Road with the erection of the four new dwellings to the north west, it is not considered that the relocation of the stables would intensify the existing situation. Overall, given the reduction in the number of stable bays in the replacement building, the removal of the original stable building and given that the stables are proposed for the applicants own private use, there would be no intensification in the access arrangements as a result of this application.

- 9.15 In relation to the parking provision, it is noted that there is sufficient space within the application site to accommodate the required parking and manoeuvring space to serve the development sought. However, the application submission does not denote the parking provision on the submitted block plan and as such it is necessary to impose a condition to require the submission of full details and thereafter secure the provision in perpetuity in line with policy GP24 of the AVDLP.
- 9.16 Highways Officers have no objection to the access and considers the proposal acceptable in highway terms provided further details of parking and manoeuvring are provided and this has been secured by condition and therefore the proposal accords with GP24 of AVDLP and the NPPF.

Case Officer: Janet Mullen

Telephone No:01296 585422

THE FOLLOWING ADDITIONAL ISSUES HAVE BEEN TAKEN INTO ACCOUNT IN PREPARING THE REPORTS ON THIS AGENDA

DETERMINATION OF PLANNING APPLICATIONS

The Council is required in all cases where the Development Plan is relevant, to determine planning applications in accordance with policies in the Development Plan unless material considerations indicate otherwise.

HUMAN RIGHTS ACT 1998

The determination of the applications which are the subject of these reports is considered to involve the following human rights:-

1. Article 8: Right to respect for private and family life; and
2. Article 1 of the First Protocol: Protection of Property

The evaluation section of each report considers in detail the competing rights and interests involved in the application. Having had regard to those matters in the light of the Convention rights referred to above, it is considered that the recommendations in the reports are in accordance with the law, proportionate and balances the needs of the Applicant with the protection of the rights and freedoms of others in the public interest.

SECTION 17 CRIME AND DISORDER ACT 1998

In reaching the recommendations set out in each report, due regard has been given to the duty imposed upon the Council under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in its area.

EQUALITY ACT 2010

In dealing with planning applications on this agenda and in reaching the recommendations set out in each report, proper consideration has been given to the duty imposed on the Council under the Equality Act 2010 to have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by that Act; to advance equality of opportunity and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Act are a person's age, sex, gender assignment, sexual orientation, disability, marriage or civil partnership, pregnancy or maternity, race, religion or belief.

This page is intentionally left blank