

PLANNING COMMITTEE - 6 September 2018

REPORT OF THE OFFICERS

Background papers, if any, will be specified at the end of each item.

AGENDA ITEM No. 5

5 DEFERRED APPLICATIONS

5.1 CH/2018/0243/FA (Case Officer: Lucy Wenzel)

DEMOLITION OF EXISTING SINGLE GARAGE AND ERECTION OF A PAIR OF 3-BED SEMI-DETACHED DWELLINGS, TOGETHER WITH ASSOCIATED ACCESS, PARKING, LANDSCAPING, BIN AND CYCLE STORAGE

Land at The Green Man Public House, 2 High Street, Prestwood, HP16 9EB

Matter for consideration

- 5.2 Planning application CH/2018/0243/FA was considered by Members at the Planning Committee of 12th July 2018. (Committee Report is attached as **Appendix FP.02**). The recommendation of the Officers was that the development be approved, however Members considered that not enough had been done by the applicant since a previous refusal and dismissed appeal (ref. CH/2017/0838/FA) to overcome the previous concerns raised by the Appeal Inspector in relation to the impact on trees within the site.
- 5.3 Officers have since negotiated a revised layout with the agent for the application. This shows the proposed pair of semi-detached dwellings moved slightly further back on the site which has provided increased separation from the retained trees sited to the front of the plot (namely the larger sycamore and ash which were stated by the Appeal Inspector to make a significant contribution to the verdant character of the area). The set back of the proposed dwellings within the plot does shift the alignment of the principal elevation with the northern neighbouring dwellings but this is not considered to alter the prevailing character of the area, as the buildings would still be broadly in line.
- 5.4 As aforementioned, the revised layout creates more space for soft landscaping to the front of the site and the improved distance between the existing group of trees and the proposed dwellings further prevents their potential loss. The District Tree Officer has been re-consulted on the revised layout and states that
- “The proposed semi-detached houses have been moved back on the site so that the front elevation is now behind that of the adjacent property. This along with the earlier movement of the building, would significantly improve the relationship of the proposed building with the group of sycamores and ash in front of the proposed building and therefore reduce the likely pressure for future tree work.”
- The significant reduction in the potential effects to the group of sycamore and ash to the front of the site are welcomed and are considered to address the previous concerns raised by both the Appeal Inspector and Committee Members.
- 5.6 The revised layout means that there will be a slightly greater projection of built form to the rear of Rosebury to the north. However, the proposed dwellings do not encroach upon the 45 degree vision line and the staggered rear elevation further prevents the dwellings from

resulting in a reduction in light or visual dominance when viewed from the rear amenity space. The scheme is not materially different in design from the previous applications and as such no flank elevation windows are proposed thus the siting of the dwellings is not considered to give rise to harm to the amenities of neighbouring properties.

Conclusion

- 5.7 It is considered that the amended layout addresses the previous concerns regarding the trees and that no other adverse implications arise.

Recommendation

Conditional permission, subject to the following conditions:

1. The development to which this permission relates must be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92 (1) of the Town and Country Planning Act 1990, as amended.

2. Before any construction work commences, details of the materials to be used for the external construction of the development hereby permitted, including the surface materials for the pedestrian access, shall be made available to and approved in writing by the Local Planning Authority. The development shall only be carried out in the approved materials.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality, in accordance with Policies GC1, LSQ1 and H3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and Policy CS20 and CS22 of the Core Strategy for Chiltern District (Adopted November 2011).

3. Prior to the commencement of any works on site, detailed plans showing the existing ground levels and the proposed slab and finished floor levels of the dwelling hereby permitted shall be made available to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed datum point located outside the application site. Thereafter the development shall not be constructed other than as approved in relation to the fixed datum point.

Reason: To protect, as far as is possible, the character of the locality, in accordance with Policies GC1 and H3 of The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011 and Policy CS20 of The Core Strategy for Chiltern District, Adopted November 2011.

4. Prior to the occupation of the development minimum vehicular visibility splays of 43m from 2.4m back from the edge of the carriageway from both sides of the existing access onto Broombar Lane shall be provided in accordance with the approved plans and the visibility splays shall be kept clear from any obstruction between 0.6m and 2.0m above ground level.

Reason: To provide adequate visibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

5. Prior to occupation of the development, space shall be laid out within the site for parking for cars, loading and manoeuvring, in accordance with the approved plans. This area shall be permanently maintained for this 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.

6. Prior to the first occupation of the development, the access shall be designed and constructed in accordance with the approved plans.

Reason: To minimise danger and inconvenience to highway users; in accordance with Policy TR2 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and Policies CS25 and CS26 of the Core Strategy for Chiltern District (Adopted November 2011).

7. Prior to the occupation of the dwellings hereby permitted, the boundary treatments shown on the approved plans shall be installed and shall thereafter retained in situ.

Reason: To protect the amenities and privacy of the adjoining properties, in accordance with policy GC3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no windows or roof lights other than those shown on the approved plans, shall be inserted or constructed at any time at first floor level or above in either flank elevation of the roof or of the dwellings hereby permitted.

Reason: To protect the amenities and privacy of the adjoining properties, in accordance with policy GC3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011.

9. The development hereby approved shall be implemented in accordance with the tree and hedge protection measures described in the Arboricultural Implications Assessment and Method Statement Ref 181008 - AIA 2 dated 27 July 2018 by Ecourban Ltd Arboricultural Consultancy and the revised Tree Protection Plan ECO 4 submitted on 27 July 2018. This shall include the use of tree protection fencing, ground protection measures and no-dig construction in accordance with these documents. In addition no-dig construction shall be used for the pedestrian access path to the dwelling H1.

Reason: To ensure that the existing established trees and hedgerows in and around the site that are to be retained, including their roots, do not suffer significant damage during building operations, in accordance with Policy GC4 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011.

10. No tree or hedge shown to be retained on the revised Tree Protection Plan ECO 4 submitted on 27 July 2018 by Ecourban Ltd Arboricultural Consultancy shall be removed, uprooted, destroyed or pruned for a period of five years from the date of implementation of the development hereby approved without the prior approval in writing of the Local Planning Authority. If any retained tree or hedge is removed, uprooted or destroyed, or dies during that period, another tree or hedge shall be planted of such size and species as shall be agreed in writing by the Local Planning Authority. Furthermore, the existing soil levels within the root protection areas of the retained trees and hedges shall not be altered.

Reason: To ensure the retention of the existing established trees and hedgerows within the site that are in sound condition and of good amenity and wildlife value, in accordance with Policy GC4 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations

adopted 29 May 2001) Consolidated September 2007 and November 2011.

11. This permission relates to the details shown on the approved plans.

AGENDA ITEM No. 6

6 ITEMS FOR NOTING

6.1 NEW PLANNING AND ENFORCEMENT APPEALS

CH/2017/1607/FA - Single storey rear extension, single storey front and side extension, front/side/rear loft extension including the removal of chimney, fenestration alterations, 19 Oakington Avenue, **Little Chalfont**

CH/2017/2013/FA – Erection of five new dwellings, 28-32 Oval Way, **Chalfont St Peter**

CH/2018/0104/FA – Part two storey, part first floor extension, Rawdhah Academy (Former Mencap Buildings), Park Road, **Chesham**

CH/2018/0138/FA - Part two storey part single storey front, side and rear extension, replacement roof, conversion of garage to habitable accommodation, external insulation to rendered areas, Kirkwall, 8 Highlands Lane, **Chalfont St Peter**

CH/2018/0301/FA – Detached outbuilding, Pennington, Ashwells Way, **Chalfont St Giles**

CH/2018/0354/FA - Hip to gable roof extension incorporating front and rear dormers and rooflight to facilitate loft conversion, 15 Tylers Hill Road, **Chesham**

CH/2018/0507/FA – Part single/part two storey side extension, 1 Coat Wicks, **Seer Green**

CH/2018/0560/FA – Detached single garage with basement store, Halvorsen, Chiltern Road, **Chesham Bois**

CH/2018/0594/FA – Erection of five new dwellings, 28-32 Oval Way, **Chalfont St Peter**

CH/2018/0709/FA - Two storey side extension, first floor front and side extension and new tiled roof to conservatory, Greenleaves, 8 Beech Tree Road, **Holmer Green**

6.2 APPEAL DECISIONS

CH/2017/0464/FA - Demolition of retail showroom and flat to facilitate construction two blocks containing ten flats with associated parking and landscaping, Woodley and Hart, 3-5 Station Road, **Amersham**

Officer Recommendation: Refuse Permission

Committee Decision: Refuse Permission

Appeal Decision: Appeal Dismissed (20.07.2018)

CH/2017/1826/FA – Vehicular access and hard standing for two cars, 78 Gladstone Road, **Chesham**

Officer Recommendation: Refuse Permission

Appeal Decision: Appeal Allowed (18.07.2018)

CH/2017/1956/FA – Erection of a detached garage (retrospective), 2 Leachcroft, **Chalfont St Peter**

Officer Recommendation: Refuse Permission with further action

Committee Decision: Refuse Permission

Appeal Decision: Appeal Dismissed (18.07.2018)

CH/2018/0083/FA - Demolition of garage and conservatory, erection of part single/part two storey side rear extension, hipped to gabled roof extensions with front and rear rooflights and rear dormer window to facilitate habitable accommodation in roofspace, Kingswood, 6 Batchelors Way, **Amersham**

Officer Recommendation: Refuse Permission

Appeal Decision: Appeal Allowed (18.07.2018)

CH/2018/0382/FA – Single and two storey front and rear extensions, 2 Green Lane, **Amersham**

Officer Recommendation: Refuse Permission

Appeal Decision: Appeal Dismissed (02.08.2018)

6.3 **CONSENT NOT NEEDED**

CH/2018/0738/HB - Construction of a garage, carport and log store. Installation of a fuel tank, earth works to enable widening of driveway and construction of a retaining wall, Rignalls, Mapridge Green Lane, **Great Missenden**

6.4 **WITHDRAWN APPLICATIONS**

CH/2018/0890/FA - Insertion of 3 velux windows and extraction ducts with additional screening, further to planning permission CH/2010/0396/DE (retrospective), Royal Standard of England Public House, Brindle Lane, **Forty Green**

PL/18/2182/FA - Part single storey/part two storey side/rear, first floor front/side and single storey side porch, Oakhurst, Chiltern Road, **Ballinger**

PL/18/2277/FA – Single storey side extension, Ponds Conservatory, Rawlings Lane, **Seer Green**

PL/18/2338/SA - Application for a Certificate of Lawfulness for a proposed off street parking spaces, dropped kerb, timber decking to entrance and soil retain with brick wall, 54 Broadlands Avenue, **Chesham**

PL/18/2651/NMA - Non-Material amendment to planning permission CH/2017/0694/FA to allow: To add a wall within Unit 2 providing additional unit. Additional door and curtain walling to serve additional unit, Fairview Industrial Estate, Raans Road, **Amersham**

6.5 **INFORMATION REGARDING PLANNING APPLICATIONS TO BE DETERMINED**

Appended for your consideration are lists of applications submitted under the Town and Country Planning Act, 1990, and the Planning [Listed Buildings and Conservation Areas] Act, 1990, together with a recommendation from the Head of Planning Services. The forms, plans, supporting documents and letters of representation relating to each application are available for inspection on Public Access on the Councils Website.

Background papers for each of these planning applications, unless otherwise stated, are the application form and related letters, statements and drawings, notices, papers, consultations,

and any written representations and comments received.

Reports may be updated at the meeting if appropriate, for example, where responses from consultees or further letters of representation are received.

7 REPORTS ON MAIN LIST OF APPLICATIONS

AGENDA ITEM No. 7

8 EXCLUSION OF THE PUBLIC

AGENDA ITEM No. 8

That under Section 100(A)(4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting of the following item(s) of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act