

CHILTERN DISTRICT COUNCIL

PLANNING COMMITTEE - 4th October 2018

INDEX TO APPLICATIONS ON MAIN LIST OF REPORT

Chalfont St Peter

CH/2018/0299/FA Ward: Austenwood Page No: 3
Proposal: Erection of an outbuilding (retrospective)
Recommendation: Conditional Permission

Austens, 11 The Greenway, Chalfont St Peter, Buckinghamshire, SL9 8LX

Chalfont St Giles

CH/2018/0475/FA Ward: Chalfont St Giles Page No: 6
Proposal: Conversion of barn to dwellinghouse
Recommendation: Conditional Permission

The Vache, Vache Lane, Chalfont St Giles, Buckinghamshire, HP8 4SD

Great Missenden

CH/2018/0714/FA Ward: Prestwood And Heath End Page No: 14
Proposal: Erection of new dwellinghouse with integral garage.
Recommendation: Conditional Permission

Land Adjacent (to North Of) Idaho Cottage, 36 Wycombe Road, Prestwood, Buckinghamshire, HP16 0PJ

Chartridge

PL/18/2012/FA Ward: Ballinger South Heath & Chartridge Page No: 24
Proposal: Conversion of barn into a single dwelling with integral garage
Recommendation: Conditional Permission

Former Turkey Barn, Chartridge Lane, Chartridge, Buckinghamshire,

Little Chalfont

PL/18/2046/FA Ward: Chalfont St Giles Page No: 32
Proposal: Replacement dwelling.
Recommendation: Conditional Permission

Salla Kee, Long Walk, Little Chalfont, Chalfont St Giles, Buckinghamshire, HP8 4AN

Little Chalfont

PL/18/2509/FA Ward: Little Chalfont Page No: 39
Proposal: Detached dwelling within curtilage with attached garage and creation of a new vehicular access.
Recommendation: Conditional Permission

Land Adjacent To Giles House and to Rear of Larkes Field, Doggetts Wood Lane, Little Chalfont, Buckinghamshire, HP8 4TH

Seer Green

PL/18/2713/PNR

Ward: Seer Green

Page No: 45

Proposal: Prior notification under Class M of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 - Change of use from shop (Use Class A1) to residential to form part of existing single dwelling (Use Class C3).

Recommendation: Prior Approval Given

Seer Green Post Office, 36 Chalfont Road, Seer Green, Buckinghamshire, HP9 2YG

Penn

PL/18/2774/FA

Ward: Penn And Coleshill

Page No: 51

Proposal: Redevelopment of site (plots 15 and 16) to provide three new dwellings with two detached garages and one carport, creation of two new vehicular accesses and laying of associated hardstanding

Recommendation: Defer - minded to approve subject to the prior completion of Legal Agreement.

Decision delegated to Head of Planning and Economic Development

Woodchester, Woodchester Park, Knotty Green, Buckinghamshire,

Amersham

PL/18/2794/FA

Ward: Amersham Town

Page No: 60

Proposal: Construction of new detached dwelling with new detached double garage

Recommendation: Conditional Permission

Plot 4 (15A Clare Park), Amersham, Buckinghamshire, HP7 9HW

REPORT OF THE HEAD OF PLANNING & ECONOMIC DEVELOPMENT

Main List of Applications 4th October 2018

CH/2018/0299/FA

Case Officer: Suleman Uddin
Date Received: 12.02.2018
Parish: Chalfont St Peter
App Type: Full Application
Proposal: Erection of an outbuilding (retrospective)
Location: Austens
11 The Greenway
Chalfont St Peter
Buckinghamshire
SL9 8LX
Applicant: Mrs Sarah Broom

Decide by Date: 19.07.2018
Ward: Austenwood

SITE CONSTRAINTS

Article 4 Direction
Conservation Area
Heathrow Safeguard (over 45m)
Mineral Consultation Area
Northolt Safeguard zone
On/within 250m rubbish tip
Townscape Character
Established Residential Area of Special Character

CALL IN

Councillor Wertheim has called this application to Planning Committee, on the grounds of its size, scale and prominence in the locality.

SITE LOCATION

The application site is located on The Greenway, within the developed area of Chalfont St. Peter, consisting of a detached dwellinghouse.

THE APPLICATION

The application seeks retrospective planning permission for an outbuilding which measures 4 metres in width, 4 metres in depth and 2.57 metres in height.

RELEVANT PLANNING HISTORY

CH/2015/2272/FA - Part two storey, part single storey side/rear extensions. Conditional Permission.

PARISH COUNCIL

No comment.

REPRESENTATIONS

2 letters of objection stating the following (summarised):

- Harm to amenity as it is clearly visible.
- Overbearing in appearance.
- Out of character with the locality.

CONSULTATIONS

None relevant.

POLICIES

National Planning Policy Framework

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4 and CS20.

The Chiltern Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011: Saved Policies GC1, GC3, H13, H14, H15, H17, H20, CA1, CA2, TR11 and TR16.

Residential Extension and Householder Development Supplementary Planning Document (SPD) - September 2013

Sustainable Construction and Renewable Energy SPD - Adopted 25 February 2015

The Chalfont St Peter Neighbourhood Plan 2013-2028

EVALUATION

Principle of development

1. The application site is located within Chalfont St Peter where development of this nature is acceptable in principle, subject to complying with the relevant Development Plan policies. Local Plan Policy H20 states that the Council will grant planning permission for ancillary residential buildings within the curtilage of existing dwelling houses, provided that the building will be modest in size and subordinate in scale to the existing dwelling house. Other relevant development plan policies should be complied with. The application site is also within a Conservation Area and therefore in accordance with Local Plan Policies CA1 and CA2, the character and appearance of the Conservation Area should be preserved for development to be acceptable.

Design/character & appearance

2. This application relates to an outbuilding which is currently in situ. Its form and style is a typical modern residential garden outbuilding. It has the general characteristics of a modern outbuilding which compliments the dwelling house and as such does not appear out of place in its surroundings. The proposed outbuilding is located within the rear garden, which benefits from screening provided by boundary fencing and hedging. Furthermore, the outbuilding is made from appropriate, non-intrusive timber materials and a design which is considered to preserve the character of the Conservation Area. Important views within or looking out of the Area are preserved. As such, there are no design objections raised in regards to the outbuilding and there is no conflict with the Council's Conservation Area policies.

Residential amenity

3. The outbuilding would be within close proximity to the rear boundary with neighbouring No.15 and to the rear of Deva. There is hedging and trees which provides some screening, but by virtue of the building's scale and positioning, it may be visible from No.15 during winter months. However, given the overall scale of

the outdoor amenity area at No.15 and Deva and the positioning of the outbuilding from the main property, it is not considered that the appearance of the building would appear unduly intrusive or overbearing. As such, no objection is raised in regards to loss of neighbour amenity.

Parking/Highway implications

4. The application would not have any parking/access/highway implications, having regard to the Council's standards.

Conclusions

5 Given the above, the development does not contrast with relevant planning policy. It is considered that a fair and reasonable balance would be struck between the interests of the community and the human rights of the individuals concerned in the event of planning permission being granted in this instance.

Working with the applicant

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

Chiltern District Council 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, Chiltern District Council has considered the details as submitted which were considered acceptable.

Human Rights

7. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Conditional Permission

Subject to the following conditions:-

- 1 AP01 Approved Plans

CH/2018/0475/FA

Case Officer: Emma Showan
Date Received: 14.03.2018
Parish: Chalfont St Giles
App Type: Full Application
Proposal: Conversion of barn to dwellinghouse
Location: The Vache
Vache Lane
Chalfont St Giles
Buckinghamshire
HP8 4SD
Decide by Date: 01.10.2018
Ward: Chalfont St Giles
Applicant: Vache Management Services Ltd

SITE CONSTRAINTS

Article 4 Direction
Area Special Advertising Control
Within Chilterns Area of Outstanding Natural Beauty
Archaeological site
Within Green Belt other than GB4 GB5

CALL IN

Councillor Patel has requested that this application be determined by the Planning Committee, regardless of the Officer's recommendation.

SITE LOCATION

This application relates to an agricultural building located in the open Green Belt and Chilterns Area of Outstanding Natural Beauty. The site is accessed off Vache Lane, a private road serving the grounds of The Vache, a mansion converted from formerly commercial use back to residential, and a number of additional modern dwellings and the parking areas serving these properties. The main mansion house on site is Grade II Listed and the proposed building to be converted is located away from this building and within close proximity of an existing garage court. It is a small barn of brick and timber frame, with timber cladding and a tiled roof.

THE APPLICATION

This application proposes the conversion of a barn to a dwellinghouse.

The dwelling would occupy the same footprint as the existing agricultural barn and would have a maximum width of 15.5 metres, depth of 5.2 metres and pitched roof height of 4.5 metres, with an eaves height of 2 metres. It would be single storey and would have two bedrooms and an attached store.

The adjacent storage building would also be converted for storage use by the occupiers of the dwellinghouse. This building would have a maximum width of 8 metres, depth of 5.4 metres and height of 3 metres, with an eaves height of 1.8 metres. The existing covered area linking the main barn to the storage barn would be demolished.

Access to the site would be taken from Vache Lane and the existing private road serving The Vache and the other buildings and residential dwellings located on the estate.

A Supporting Statement has also been submitted.

RELEVANT PLANNING HISTORY

CH/2002/1111/FA - Retention of swimming pool building incorporating extract ducts (amendment to planning permission 01/443/CH), conditional permission.

CH/2001/0607/FA - Detached double garage, conditional permission.

CH/2001/0443/FA - Detached swimming pool building (amendment to planning permission 00/641/CH), conditional permission.

CH/2000/1691/FA - Detached swimming pool building (amendment to planning permission 00/641/CH), conditional permission.

CH/1999/1176/FA - Change of use of land to residential garden, permitted.

CH/1998/0840/FA - Detached ancillary residential building (log cabin), conditional permission.

CH/1997/1143/FA - Change of use from residential college and training centre to dwelling (Use Class C3), conditional permission.

CH/1996/0782/FA - Demolition of car ports, erection of detached garages for residential use and provision of car parking areas ancillary to residential use (Variation to planning permission 95/1517/CH), conditional permission.

CH/1995/1517/FA - Demolition of car ports, erection of detached garages for residential use and provision of car parking areas ancillary to residential and office use (Variation to condition 13 of planning permission 94/0261/CH), conditional permission.

CH/1995/0928/FA - Change of use of main building and part of grounds to use as offices (Use Class B1(a)) and/or research and development facilities (Use Class B1(b) and closure of existing and formation of new access, conditional permission.

CH/1994/0261/FA - Demolition of ancillary residential and teaching block; alteration to west elevation of Listed Building; construction of 1.8 metre high brick wall; erection of 13 courtyard residential units, provision of additional car parking, alterations to existing accommodation, refused permission. Appeal allowed.

PARISH COUNCIL

The Parish Council object to this application. There are no existing plans shown and there is no mention of change of use from agricultural to residential.

REPRESENTATIONS

One letter received on behalf of the residents of Vache Mews which can be summarised as follows:

- Concern regarding the number of vehicles accessing the site which would result in a high level of noise and dirt and access to the drive and neighbours' garages being restricted
- Concern regarding wear and tear and damage to the drive [Officer Note: Not a matter material to the determination of the planning application]
- The developer should make good any damage to the drive and reimburse costs arising from cleaning the garages, garage area and cars [Officer Note: Not a matter material to the determination of the planning application]

- Ecological concerns

CONSULTATIONS

Buckinghamshire County Ecology Officer: I have reviewed the Preliminary Ecological Appraisal (July 2018) and Emergence and Activity Bat Survey (July 2018) produced by Green Shoots Ecology and am satisfied that the impact of the proposed development on protected species has been given due regard. Overall the habitats within the site have been found to be of relatively low ecological value.

Buckinghamshire County Highways Officer: 'The proposed development is the conversion of a barn to a dwellinghouse off Vache Lane, Chalfont St Giles. Vache Lane is a B Class road subject to a 30mph speed limit. Vache Lane benefits from a footway on the southern side but there is limited public transport provision in the vicinity of the site.

Without any information demonstrating otherwise I am working on the assumption that this change of use from an agricultural barn to a residential dwelling would result in an increase in vehicle movements to and from the site. Mindful of this, the access arrangements and adjoining highway network must be assessed in order to determine their adequacy in accommodating the vehicle movements associated with this proposal.

The existing access point from Vache Lane is proposed to be retained to serve the proposed dwelling. This existing access is in excess of 4.1m in width and can therefore accommodate two cars simultaneously passing one another. Any access point along this section of the road would also need to comply with the visibility requirements stated by Manual for Streets of 2.4m X 43m from both directions to the near side carriageway and this has been secured by way of condition below.

The three existing parking spaces are proposed to be retained within the site. I am satisfied that there is sufficient space within the site for the three parking spaces and a 6m manoeuvring area to ensure vehicles will not reverse down the private track onto the highway. However, I trust Chiltern District Council, as the Local Planning Authority, will comment further on the proposed parking provision.

Mindful of the above, the County Highway Authority has no highway objections.'

Building Control Officer: "With regards to the above fire brigade tender access would appear to be satisfactory, however for Building Regulation compliance confirmation will be required that the route accords with the details and dimensions set out in table 8 and diagram 24 of Approved Document B vol. 1."

POLICIES

National Planning Policy Framework, 2018.

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4, CS20, CS22, CS24, CS25 and CS26.

The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011. Saved Policies: GC1, GC3, GC4, GB2, GB11, GB30, LSQ1, H12, LB2, TR2, TR11 and TR16.

The Chiltern Buildings Design Guide, February 2010.

Affordable Housing Supplementary Planning Document (SPD) - Adopted 21 February 2012.

Sustainable Construction and Renewable Energy SPD - 25 February 2015.

EVALUATION

Principle of development

1. The site is within the open Green Belt where most development is inappropriate development and there is a general presumption against such development. Section 13 of the National Planning Policy Framework (NPPF) emphasises the importance of Green Belts and states that inappropriate development is, by definition, harmful to the Green belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

2. Paragraph 145 of the NPPF outlines some exceptions to this, including the re-use of buildings provided that the building is of permanent and substantial construction and provided the development preserves the openness of the Green Belt and does not conflict with the purposes of including within the Green Belt.

3. Meanwhile, Policy GB2 of the Development Plan permits the change of use of existing permanent and substantial buildings in the Green Belt, in accordance with the other relevant Development Plan policies. Policy GB11 specifically relates to the re-use of existing non-residential buildings in the Green Belt for residential purposes and states that this will be permitted where the building is of permanent and substantial construction, and has a form, bulk and general design in keeping with its surroundings. In addition, it should be clearly demonstrated to the Council by the applicant that the building was substantially completed at least 10 years before the date of the application; the building should not be in a derelict condition; the amount of new building work required to make the building suitable for residential use should involve such substantial alterations or new building work as to amount to major reconstruction or be tantamount to the construction of a new building, and; the Council must be satisfied that the proposed residential use would not have a materially greater impact than the existing use on the openness of the Green belt and the purposes of including within it.

4. Based on the above, it is necessary to consider whether the building to be converted is of permanent and substantial construction and whether the works required to facilitate the conversion would amount to the construction of a new building. A structural report has been submitted with the application, which provides an appraisal of the condition of the existing building. The report confirms that there is no evidence of any structural defect to the timber framing that would otherwise jeopardise its current condition or any future condition. It summarises that the 'main barn is extremely capable of conversion and, apart from improvement to the foundations and reinstatement of the brickwork in the south-west corner, no structural works are needed in order to undertake this. The only matters arising from my inspection are desirable, rather than essential, and would normally form part of any ongoing maintenance or renovation of the barn if it were to be kept in situ as is'. The main concern raised in the structural report is the inadequacy of the existing foundations but it is also confirmed that these can be improved upon by a number of different means whilst retaining the structure intact and in place, allowing the building to be converted. Therefore, based on the structural report, it is considered that the outbuilding is of permanent and substantial construction and its condition means that it can be converted to residential use without the need for extensive building works which would be tantamount to the construction of a new building.

5. In regards to the age of the building, previous planning applications for the site dating back to 1996 show the barn on the submitted plans so there is a record of its existence dating beyond 10 years. Accordingly, the proposal is considered to be acceptable in principle, provided it does not have a greater impact on the openness of the Green Belt or conflict with the purposes of including within it.

Green Belt

6. The size of the barn and adjacent storage building will not increase and therefore the conversion will not in and of itself affect the openness of the Green Belt. The access to the buildings will largely remain as

existing although it will be extended to reach the buildings on site. As the driveway extension would be relatively modest and as permeable hardstanding can be erected under Permitted Development, it is not considered that the driveway would have a detrimental impact on the openness of the Green Belt. No specific reference is given to the boundary treatments on site, although it is noted that much of the site is already bounded by fencing. It is also noted that fencing could also be erected under Permitted Development Rights and therefore no objection is made in this respect. Although the curtilage of the dwelling would include an amenity area which would have some impact on the openness of the Green Belt, the garden area proposed is modest, and it is considered that the harm would be minimal. Therefore, the proposal does not represent inappropriate development in the Green Belt and is acceptable in principle.

Design/character & appearance

7. The site is within the Chilterns Area of Outstanding Natural Beauty (AONB) where, in accordance with Local Plan Policy LSQ1, and Policy CS22 of the Core Strategy, development must conserve or enhance the natural beauty of the landscape. Paragraph 115 of the NPPF also states that great weight should be given to conserving AONBs, which have the highest status of protection in relation to landscape and scenic beauty.

8. The Chilterns Buildings Design Guide states that if a barn conversion is to be successful, the building's appearance should not be radically altered and prominent roof lights should be avoided. In this case, the barn roof would remain largely as existing and the barn in general would retain its simple, agricultural form. Its relationship with the opposite storage building would remain as existing. A modest amount of glazing is proposed at the east elevation of the main house and no rooflights are proposed in the roofslopes of either building. As such the amount of openings proposed is not considered to be excessive. Overall, the alterations are not considered to overly domesticate the barn and the changes proposed would be sympathetic to the character of the original building and the landscape quality of the AONB.

Residential amenity

9. The barn and outbuilding are located on The Vache estate which comprises the main mansion house, a number of additional residential dwellings and the garage bays and ancillary outbuildings serving these properties. The proposed residential dwelling would be sited to the rear of the existing garage block and away from neighbouring properties. The objections relating to the production of noise and dust through the new vehicle movements are noted but are not considered to amount to a significant harmful impact to residential amenity. As such, given its siting, it is not considered that the proposal would have a detrimental impact on the amenities of any neighbouring properties.

10. With regard to the amenities of future occupiers of the outbuilding, it will provide adequate light, space and outlook and sufficient outdoor space will be provided, particularly given the location of the site within the Green Belt and adjacent to open fields. An adequate area for refuse bins is also provided.

Parking/Highway implications

11. In accordance with Development Plan Policy TR16, two car parking spaces are required for the proposed dwelling. The plans indicate that these can be accommodated on the driveway area to the front of the site. As such, the proposal would comply with the Local Planning Authority's parking standards and no objections are raised in this respect.

12. The dwelling will use the existing access serving the Vache Estate and a new driveway is proposed from the dwelling to link up to this private estate road. Given that this private estate road already serves in excess of 15 residential dwellings, in addition to the existing barn, it is not considered that the change of use would lead to an intensification of the access to such an extent that the additional vehicle movements could not be supported by the local highway network. In addition, the Highways Authority has raised no objection to the proposal.

Ecology

13. The County Ecology Advisor has assessed the application and raised no objections, subject to the inclusion of a condition requiring appropriate mitigation and site enhancements.

Affordable housing

14. For proposals under 5 dwellings, Policy CS8 of the Core Strategy requires a financial contribution towards off-site affordable housing to be made. However, there are now specific circumstances set out in the NPPG (National Planning Practice Guidance) where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale development, including developments of 10 units or less, which have a gross floor space of less than 1,000sqm.

Working with the applicant

15. In accordance with Section 4 of the National Planning Policy Framework, the Planning Authority, 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.

The Planning Authority 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, Chiltern District Council has considered the details as submitted which were considered acceptable.

Human Rights

16. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Conditional Permission

Subject to the following conditions:-

1. C108A General Time Limit
2. Prior to the occupation of the development hereby permitted, the parking area s shall be implemented and 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, in accordance with policies TR2, TR3, TR11 and TR16 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).
3. The curtilage shall not be altered from that shown on the plans hereby approved, at any time.
Reason: In order to maintain the character of the locality, AONB and openness of the Green Belt, in accordance with policies GC1, LSQ1 and GB2 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011.
4. Prior to occupation, full details of the means of enclosure to be erected as part of the development shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To safeguard, as far as possible, the visual amenities of the locality and the amenities of the adjoining properties and approved dwellings.

5. 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 openings, other than those expressly authorised by this permission, shall be inserted or constructed at any time in the building.

Reason: To retain the barn like appearance of the building, to conserve the rural character of the locality and the landscape value of the AONB, in accordance with policies GC1 and LSQ1 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policies CS20 and CS22 of the Core Strategy for Chiltern District (Adopted November 2011).

6. Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Classes A - H of Part 1 of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site unless planning permission is first granted by the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider whether any future proposals will maintain the openness of the Green Belt and the scenic rural character of the Chilterns AONB and general character of the locality, in accordance with policies GC1, LSQ1 and GB2 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policies CS20 and CS22 of the Core Strategy for Chiltern District (Adopted November 2011) and the provisions of the NPPF.

7. Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Class A of Part 2 of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site unless planning permission is first granted by the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider whether any future proposals will maintain the openness of the Green Belt and the scenic rural character of the Chilterns AONB and general character of the locality, in accordance with policies GC1, LSQ1 and GB2 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policies CS20 and CS22 of the Core Strategy for Chiltern District (Adopted November 2011) and the provisions of the NPPF.

8. C431 Materials to Match Existing Dev

9. Prior to the commencement of development, details of ecological mitigation and enhancements shall be submitted to and approved in writing by the Local Planning Authority. Mitigation measures will be detailed to protect species including bats, breeding birds, badgers, reptiles and great crested newt should they colonise the site prior to construction and include details of a lighting scheme to prevent disturbance to bats and other wildlife. The enhancements scheme will include details of native landscape planting of benefit to wildlife and provision of artificial roost features, including bird and bat boxes.

Reason: In the interests of improving biodiversity in accordance with NPPF and policy CS24 of the Chiltern District Core Strategy and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

10. AP01 Approved Plans

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. 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.

CH/2018/0714/FA

Case Officer: Lucy Wenzel
Date Received: 19.04.2018 Decide by Date: 14.06.2018
Parish: Great Missenden Ward: Prestwood And Heath End
App Type: Full Application
Proposal: Erection of new dwellinghouse with integral garage.
Location: Land Adjacent (to North Of) Idaho Cottage
36 Wycombe Road
Prestwood
Buckinghamshire
HP16 0PJ
Applicant: Mr David Breckenridge

SITE CONSTRAINTS

Article 4 Direction
Adjacent to A and B Road
Area Special Advertising Control
Within Chilterns Area of Outstanding Natural Beauty
Within Green Belt other than GB4 GB5
A and B Roads
Within 500m of Site of Importance for Nature Conservation NC1
Townscape Character
Established Residential Area of Special Character

COMMITTEE CALL IN

Councillor Gladwin has requested that this application be determined by the Planning Committee if the Officer's recommendation is to approve it.

SITE LOCATION

The application site is located on the western side of Wycombe Road in Prestwood. The existing property is a two storey dwelling set well back from the road frontage within a spacious plot. Most of the site (including the existing and proposed dwelling) is within an Established Residential Area of Special Character. The rear of the site and the rest of the garden beyond the application site are within the open Green Belt. The whole site is within the Chilterns Area of Outstanding Natural Beauty (AONB).

THE APPLICATION

The application seeks permission for the erection of a new dwellinghouse with integrated garage. The dwelling measures 11.2 metres in width with a maximum depth of 25.2 metres. The two storey central section measures to a height of 6.5 metres and eaves 4.4 metres. The single storey projecting gable measures to a height of 4.8 metres with eaves measuring 2.4 metres. The dwelling will be constructed from timber cladding and red stock brick with plain clay tiles. The ground floor will accommodate an open plan kitchen, dining room and family area, a utility room, tv room, lounge, toilet and integrated garage. The first floor accommodates a master bedroom with en suite, another bedroom with en suite and two further bedrooms with a separate bathroom.

A Pond Survey, Design and Access Statement, Arboricultural Report and Preliminary Ecological Assessment were submitted along with the application.

RELEVANT PLANNING HISTORY

CH/1992/0557/OA - Two detached houses and garages, closure of existing and construction of new vehicular access to serve proposed dwellings and Idaho Cottage, refused permission.

CH/2015/1304/OA - Erection of one detached dwelling, retention of existing dwelling (outline application for access and layout), conditional permission.

PARISH COUNCIL

The committee oppose this proposed development on the following grounds:-

- The loss of an important ecological habitat for a variety of species but in particular the Great Crested Newt and the Grass Snake.
- That the tree report is inadequate with no survey of some substantial trees but simple estimates of measurements. It fails to address what long term protection there would be for these trees the roots of which fall within an area scheduled for excavation. The District Council's Tree Officer indicates that these trees would dominate the building leading to possible future concerns over safety, debris and light. In addition in order to meet highways requirements it would appear to be necessary for a substantial mature ash tree to be felled.
- The proposed development would be out of character. The layout and density is out of keeping with adjoining and nearby properties which have average plot sizes of in excess of an acre whereas this development would be on a plot under half that size.
- The proposed development would be overbearing due both to the size the proposed new house and the fact that it would be within 7 metres of the adjoining property and would overlook the neighbouring property.
- Although the adjoining property is not a listed building it appears to have potential to be listed and has been described by the Historic Buildings Officer as "undoubtedly of some special heritage interest". As such the impact of the proposed development on that heritage asset should be considered.
- The proposed development would impact on the public visual amenity created by the existing historic building fronted by an open area and large pond. Set within the Chilterns Area of Outstanding Natural Beauty.

REPRESENTATIONS

43 letters of objection have been received which have been summarised below:

- The proposed development would block the view to the cottage.
- The development will prevent the movement of Great Crested Newts from the pond in front to countryside to the west.
- Reptiles such as grass snake will also be affected.
- The proposed house is set 40 metres from the original pond, meaning that there is a high impact to the Great Crested Newts.
- A wide range of species are present on site including Great Crested Newts, Grass Snakes, Pipistrelle Bats, Song Thrushes and Yellowhammers.
- The development would detrimentally affect existing trees on site.
- The proposed spacing is not in accordance with that prevailing in the area.
- The proposal would have a negative impact on the historical heritage asset.
- The development would negatively effect of number of amenities including increased noise during construction, the privacy of Idaho Cottage.
- There will be road safety issues occurring from the intensified use of the access track.
- There is concern with the increased number of vehicles entering Wycombe Road from the single entrance.
- The development would set a precedent for further similar planning applications in the area.
- The proposed dwelling is out of keeping with the area.
- There is other land in the village which could be used.
- An inappropriate design for the village.

CONSULTATIONS

Chiltern and South Bucks Joint Building Control Service

The drawings are a little sketchy with regard to the access drive but it appears to meet the minimum 3.7m width between kerbs and it will need to be designed to support 12.5 tonnes. Any gates will require a minimum clear width of 3.1m. The hammer head adjacent the garages appears too small as given the length of drive from the road, turning facilities in accordance with Approved Document B5 will also be required. This will require a minimum length of 16.8m, currently appears around 12m.

Buckinghamshire County Council Highway Authority

Wycombe Road is classified as the A4128 and in this location is subject to a speed restriction of 30mph. The application seeks planning permission to erect a new dwellinghouse. In terms of trip generation, I would expect the proposed dwelling to generate between 4-6 daily vehicular movements (two-way). I am satisfied that these additional vehicle movements can be accommodated within the local highway network.

As the existing access onto Wycombe Road is to be intensified, it is imperative to ensure that the access is safe and suitable to accommodate additional traffic movements. In accordance with guidance contained within Manual for Streets, visibility splays of 2.4m x 43m are required in both directions commensurate with a speed limit of 30mph. Having reviewed the submitted plans, I am satisfied that these visibility splays are achievable in both directions from Wycombe Road. Furthermore, the submitted plans propose to widen the existing access to 4.8m. This would enable two vehicles to pass simultaneously alongside pedestrians and cyclists.

In terms of parking provision, three parking spaces are proposed to serve the dwelling. I trust the Local Planning Authority will comment on the adequacy of parking provision provided. However, I can confirm that there is sufficient space within the site for vehicles to turn and egress in a forward gear.

Mindful of the above, I have no objection to the proposals subject to conditions.

Chiltern District Tree Officer

The application includes an Arboricultural and Planning Integration Report and a Tree Protection Plan.

There is a mixed hawthorn and holly hedge about 1.8-2.0m in height across the application site more or less in line with the rear of Idaho Cottage. Most of this would be lost apart from a small section by Idaho Cottage. There is also a group of mixed conifers up to about 8m in height in the area beside Idaho Cottage G14. The front part of this group, including a cypress about 8m in height and a yew about 6m in height, is shown for retention but the rear part including two cypresses about 6m in height, a yew about 5m in height and a slightly more distant Irish yew about 6m in height would be lost. None of these is individually important but as a group they do separate the main part of the site from Idaho Cottage.

There is another group of mixed conifers to the north closer to the boundary of the site and all of these would be removed for the proposed house. These include a cedar and a cypress about 15m in height that are both poor specimens and various smaller cypresses. None of these is considered important.

The northern boundary of Idaho Cottage appears to have originally consisted of a mainly holly hedge with various standard trees, particularly large horse chestnuts and ashes growing out of it. More recently a Lawson cypress hedge has been planted beside this on the Idaho Cottage side in the rear half of the front garden with some individual western red cedars planted further forward adjacent to the hedge. The cypresses have been trimmed on the side as a hedge with the rear section about 6m in height and the front section topped at a height of about 3m. The western red cedars have been shaped as individual trees about 3m in height outside the line of the holly hedge. The exact line of the boundary is not clear in this vicinity but the conifers appear to have been planted on the Idaho Cottage side.

There are three large horse chestnuts about 20m in height adjacent to the proposed house T10-T12. These would be about 8-9m from the proposed house and at this distance there should be little root damage although the trees would dominate the building leading to possible concerns from future residents about safety, debris and light.

There is an existing old gravelled track branching off from the main access to Idaho Cottage close to this northern boundary. The first part of this would be used as the access for the proposed house but a new drive further away from the boundary would be constructed closer to the house. The first part would pass by an old

cherry T9 about 8m in height and a younger cedar T8 about 15m in height. I understand that there would be little work to the drive in this vicinity apart from a top dressing with gravel which would not involve any excavation or root damage. There is a large old ash about 20m in height in the hedgerow near the point where the new area of drive starts. Part of the work for this would be within the root protection area of the tree but would be further away from the tree than the existing drive and should only affect a small proportion of the root protection area. In addition there is a line of significant old stem damage on the trunk near the base of the ash so the tree may not have a long-term future.

The front part of the access would use the same drive as Idaho Cottage. CH/2015/1304/OA for an additional house at the front required visibility splays of 2.4m x 43m so it is likely that the requirements for this application would be similar. This would require the loss of the front boundary hedge of Idaho Cottage which is a mixed hedge of mainly holly, hawthorn and rose that is about a metre in height. This could easily be adequately replaced by a higher hedge set behind the visibility splay.

In conclusion I have no objections to the application provided there is adequate protection for the retained trees and hedges. The largest most important trees on the northern boundary may be outside the application site but this is not totally clear.

Chiltern and South Bucks District Historic Buildings Officer

Idaho Cottage is a Building of local interest, but its setting has to some extent been compromised by the construction of the large house in the front garden. This proposal, as amended is very similar to the pre-app on which I commented previously; it is a very simple design in the style of a barn conversion. Subject to the use of appropriate materials and detailing, eg natural slates, dark/ black stained weatherboarding and windows/doors, simple verges and eaves etc, the proposed new house is considered acceptable from the heritage setting aspect.

Ecological Officer

I have reviewed the Preliminary Ecological Appraisal produced by GS Ecology (June 2018) and am satisfied that the presence of protected species has been sufficiently assessed. If minded to approve, the development must be undertaken in accordance with the recommendations of the Preliminary Ecological Appraisal, including obtaining a European Protected Species Mitigation Licence from Natural England and provision of mitigation measures to protect great crested newts.

In accordance with Core Strategy Policy CS24: Biodiversity of the Chiltern District Core Strategy, the biodiversity resources within Chiltern District will be conserved and enhanced. Details of biodiversity enhancements should therefore be provided to ensure a net gain in biodiversity, along with details of the proposed pond and provision of bat and bird boxes.

Recommendation: No objection; if minded to approve please attach conditions.

POLICIES

National Planning Policy Framework (NPPF), July 2018

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4, CS20, CS22, CS24 CS25, CS26.

The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011. Saved Policies: GC1, GC3, GC4, LSQ1, H4, H11, H12, TR11, TR16.

EVALUATION

Principle of Development

1. The application site is located within the built-up area of Prestwood where proposals for new dwellings will be acceptable in principle subject to there being no conflict with any other policy in the Local

Plan. Proposals should be compatible with the character of the area by respecting the general density, scale, siting, height and character of buildings in the locality and the presence of trees, shrubs, lawns and verges.

2. The site is also located within an Established Area of Special Character in Prestwood where, in accordance with Development Plan Policy H4, proposals for replacement dwellings are acceptable in principle, provided the proposed development is compatible with existing plot sizes, the position of the dwelling within its plots and spacing between dwellings is in accordance with the prevailing character in the vicinity of the site, the form of development should be maintained and the size, design and external appearance of the dwelling should be compatible with existing dwellings.

3. Finally, the site is set within the Chilterns Area of Outstanding Natural Beauty (AONB) and so any development should conserve and, where considered appropriate, enhance the special landscape character and high scenic quality of the area.

Design/Character and Appearance

4. An outline application was submitted in 2015 (reference CH/2015/1304/OA) for the erection of 2 detached dwellings on land to the front and north of Idaho Cottage. During the process of this application, the proposed dwelling sited to the north was removed and outline permission for the access and layout was subsequently granted for the dwelling sited to the front of the plot. Comments were made with regards to the proposed dwelling to the north of the site being out of character with that prevailing along Wycombe Road, the dwelling being sited in too close proximity to the flank elevations of Idaho Cottage and was considered by the Historic Buildings Officer to harm the existing relationship of Idaho Cottage.

5. The current application seeks permission for the erection of a new detached dwelling to the north of Idaho Cottage. Following on from the previous dwelling proposed a number of significant changes have been proposed under this current scheme. The siting of the dwelling within the proposed plot has been shifted further to the north to increase the distance between dwellings and improve the flank-to-flank relationship. The original proposed dwelling was sited 4 metres from the flank elevation of Idaho Cottage but this has been increased to 9 metres at the smallest point, increasing to 13.5 metres from the projecting gable. Correspondingly, the proposed dwelling sited to the north under the 2015 outline application was set approximately 13 metres back from the rear elevation of Idaho Cottage but this has been significantly reduced under the proposed scheme to approximately 5.5 metres. Within the context of the site, the proposed dwelling is appropriately positioned and does not appear cramped or confined within the plot.

6. In further assessing the proposed siting of the dwelling, consideration needs to be made to the Established Residential Area of Special Character. Directly to the south and north are Idaho Cottage and Idaho Farm retrospectively, in which the proposed dwelling will directly follow the set building line. Along this stretch of Wycombe Road, there are two established building lines with one set to the front of plots and the other to the rear and as aforementioned, the proposed dwelling correlates to the rearward set line.

7. The overall design of the dwelling is considered to respect of the prevailing character and appearance of Wycombe Road. The main dwelling structure runs north to south across the plot with a single storey projecting gable positioned on the principal elevation and extending eastwards. The material choices of timber cladding and red stock brick are common within the rural environment of the Chiltern District and provide an appearance of a rural barn. Whilst being sited within an ERASC, there is not one dominant character or design type of dwelling but given that the proposed dwelling is of a simple rural structure it is compatible with both direct neighbouring dwellings and those further along Wycombe Road. Likewise, the form of the dwelling being detached maintains this character feature and the height of the proposed dwelling correlates to the general height of dwellings in the vicinity of the site.

8. The site is set well back from the highway and with the existing plot of Idaho Cottage being sheltered; the construction of an additional dwelling will pose minimal visual change to the street. Existing boundary treatments around the site will be predominately retained with hedging already in situ between Idaho Cottage and the proposed plot for the new dwelling forming a natural boundary line. As well as those existing boundary treatments remaining in-situ, those features on site such as trees, open grassed areas and bushes will be retained. Whilst the site is located in the AONB, it is not considered that the erection of a new dwelling on site would negatively harm the high scenic quality of the area and the special landscape character will not be impinged.

9. The outline approval of a dwelling sited to the front of Idaho Cottage has impinged upon existing character levels and although there is a greater distance proposed from this dwelling to that currently proposed, it is considered that both the street scene and plot character has been compromised. The Historic Buildings Officer has also stated that the proposal is acceptable from a heritage setting perspective.

Residential Amenity Impacts

10. To the south of the proposed dwelling sits Idaho Cottage which has a long rectangular form running north to south across the plot. The northern elevation faces the proposed dwelling and has a minimum level of openings. It is however noted that there are two small scaled projecting dormer windows in this northern flank. A distance of approximately 9 metres separates this flank elevation to the southern flank of the proposed dwelling and with no proposed windows in this elevation there is limited potential for a reduction in privacy levels. As a whole, the southern flank of the proposed dwelling has a limited number of openings as it is acknowledged that this elevation faces Idaho Cottage. It is further accepted that the proposed dwelling will be visible from Idaho Cottage but given the flank to flank relationship the amenity space related to Idaho Cottage will not be detrimentally impacted to a significant degree.

11. To the north of the dwelling is Idaho Farm which is set in alignment with Idaho Cottage. The northern flank elevation of the proposed dwelling sits in close proximity to the boundary line which is shared with Idaho Farm. Due to the design of the dwelling there is only a small portion which would be built at two storeys height thus reducing the potential for overlooking to neighbouring properties. Although it is acknowledged that there are two first floor windows in the northern flank facing Idaho Farm, these are small scale and set at a satisfactory distance from the flank elevation of Idaho Farm to minimise any potential for overlooking or a reduction in privacy.

12. The proposed rear amenity space is of a smaller scale to both direct neighbouring dwellings to the north and south measuring to an approximate minimum depth of 28 metres. Although there is a disparity, those dwellings positioned to the east of the proposed dwelling have considerably smaller plot sizes to which that proposed reflects. Those dwelling sited to the east also falls within the ERASC and so the plot size of the proposed dwelling should correlate to the shape of existing plots within the vicinity of the site that fall within the ERASC. As previously stated, as there is a large variance of plot size and also shape within the direct vicinity to the plot that proposed is considered acceptable. Correspondingly, the level of rear amenity space is suitable for the scale of the proposed dwelling and provides adequate amenity space for future residents.

Parking and Highways

13. It is proposed to utilise the existing access point onto Wycombe Road that currently serves Idaho Cottage as there is an existing driveway leading westwards to the proposed plot. Due to the construction of an additional dwelling on site, this access point will be intensified but the Highways Officer has considered this acceptable due to the increase in access width proposed and the ability to achieve the required visibility splays.

Ecology

14. Taking note of the Ecological Officer's comments, it is concluded that the protected species on site have been sufficiently assessed with appropriate mitigation and enhancement strategies proposed. The Ecologist raises no objection subject to conditions ensuring the protection and enhancement strategies are implemented prior to the commencement of development.

Trees

15. The comments from the Tree Officer are noted and no objection is raised to the application in this regard, subject to conditions ensuring that those trees shown on the Tree Protection Plan be retained and the development permitted be implemented in accordance with the submitted Arboricultural Planning and Integration Report.

Landscaping

16. It is proposed to construct a pond to the front of the dwelling along with tree planting along the western rear boundary and the south eastern boundary. A high level of existing mature tree and hedging on site will be maintained which acts as a natural buffer around the plot and ensures existing landscaping character of the site is preserved. The pond will enhance the ecological value of the site and will aid the protection of the protected special found.

Working with the applicant

17. In accordance with Section 4 of the National Planning Policy Framework, the Planning Authority, 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.

Local Planning Authority 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, Chiltern District Council has considered the details as submitted which were considered acceptable.

Human Rights

18. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Conditional Permission

Subject to the following conditions:-

1 C108A General Time Limit

2 Before any construction work commences above ground level, named types, or samples of the facing materials and roofing materials to be used for the external construction of the development hereby permitted shall be made available to and approved in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality.

3 The development hereby approved shall be implemented in accordance with the tree and hedge protection measures described in the Arboricultural Planning and Integration Report dated 9th April 2018 Ref: GHA/DS/13360:18 and the Tree Protection Plan dated April 2018 by GHA Trees Arboricultural Consultancy. This shall include the use of tree protection fencing and ground protection measures in accordance with these documents.

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.

4 No Category B tree shown to be retained on the Tree Protection Plan dated April 2018 by GHA Trees 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.

5 The development shall be undertaken in accordance with the recommendations provided within the Preliminary Ecological Appraisal produced by GS Ecology (June 2018). No works of site clearance, demolition or construction shall take place until a Great Crested Newt European Protected Species Mitigation Licence has been granted by Natural England. A copy of the licence is to be provided to the Local Planning Authority.

Reason: To comply with the requirements of The Conservation of Habitats and Species Regulations 2017 and to protect species of conservation concern.

6 Prior to the commencement of the development, details of the proposed pond as well as built in biodiversity enhancement measures including at least 2x bird nesting and 1x bat roosting devices shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the approved dwellings and retained as such thereafter.

Reason: In the interests of improving biodiversity in accordance with NPPF and policy 24 of the Chiltern District Core Strategy and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

7 Prior to the commencement of any works on site, detailed plans, including cross section as appropriate, showing the existing ground levels and the proposed slab and finished floor levels of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed datum point normally 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 and the amenities of neighbouring properties.

8 No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme a landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development in accordance with the indicative landscape proposal plan BWR-757.

Reason: In order to conserve and enhance the character of the locality and limit overlooking and the impact of the proposal on neighbouring amenities.

9 Prior to the occupation of the development the modified access to Wycombe Road shall be designed in accordance with the approved plans. The access shall be constructed in accordance with Buckinghamshire County Council's Guidance note, "Commercial Vehicular Access Within Highway Limits" 2013.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

10 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.

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no windows other than those expressly authorised by this permission, shall be inserted or constructed at any time at first floor level or above in the flank elevations of the dwellings hereby approved.

Reason: To safeguard the amenities of the adjoining properties and approved dwellings.

12 Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Classes A - E; of Part 1; of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site unless planning permission is first granted by the Local Planning Authority. Reason: In order to protect the amenities of 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.

13 AP01 Approved Plans

INFORMATIVES

1 The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Development Management at the following address for information or apply online via Buckinghamshire County Council's website at www.buckscc.gov.uk/services/transport-and-roads/highways-development-management/apply-online/section-184-licence/

Highways Development Management
6th Floor, County Hall
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
Telephone 0845 230 2882

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 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.

PL/18/2012/FA

Case Officer: Lucy Wenzel
Date Received: 25.05.2018
Parish: Chartridge

Decide by Date: 01.10.2018
Ward: Ballinger South Heath And Chartridge

App Type: Full Application
Proposal: Conversion of barn into a single dwelling with integral garage
Location: Former Turkey Barn
Chartridge Lane
Chartridge
Buckinghamshire

Applicant: Matthews (2018 Developments) Ltd.

SITE CONSTRAINTS

Article 4 Direction
Adjacent to C Road
Area Special Advertising Control
Within Chilterns Area of Outstanding Natural Beauty (AONB)
Within Green Belt other than GB4 GB5

CALL IN

Councillor Jones has requested that this application be determined by the Planning Committee, regardless of the Officer's recommendation.

The given reason is that on one hand there is considerable local support for the redevelopment of this substantial building which has been an eyesore for many years. On the other hand, there is also significant local concern about the height of the long wooden fence that is proposed/existing.

SITE LOCATION

This application relates to an agricultural building located in the open Green Belt and Chilterns Area of Outstanding Natural Beauty. The site is accessed off Chartridge Lane and an existing access track leading into the site and adjacent site housing Grange Farm Barn. The barn is sited to the southernmost rear of the plot with a large level of amenity space to the front. The barn itself is a 2-storey steel framed structure with curved steel roof trusses and steel supports with bricks between.

The proposed conversion would house one residential dwelling with an open plan kitchen, family room and dining room, utility, snug, office, drawing room, w/c, garden store and garage at ground floor level with four double bedrooms on the first floor of which two are en-suite with two separate bathrooms.

THE APPLICATION

This application proposes the conversion of a barn into a single dwelling with integral garage.

External alterations include the removal and erection of openings across the northern, southern and western elevations. On the northern elevation two new first floor windows will be inserted along with a ground floor door. On the southern elevation, two first floor and one ground floor window will be inserted and on the western elevation the existing ground floor openings will be replaced by new double doors.

Access to the site would be taken from Chartridge Lane which is an existing access point to the site and the adjacent plot known as Grange Farm Barn. A new access track will be erected from this point to the barn.

A Structural Report was undertaken by Chess Structural Consultants was completed in April 2018 and has been submitted with the application.

A Planning Statement has also been submitted the application.

RELEVANT PLANNING HISTORY

CH/2015/1396/FA - Conversion of two existing barns to provide two dwellings and conversion of a third existing barn to provide covered parking with associated hardstanding and landscaping, conditional permission.

The third barn relates to this current application but was never implemented.

PARISH COUNCIL

Chartridge Parish Council neither object nor support the Planning Application. The Parish Council recommends that the following conditions are included if the application is approved:

- Because of prominent hillside location in the AONB, a condition limiting the direction, luminance and timing of any external lighting.
- The proposed development is in a quiet rural village location, any work involving noise-making electrical or mechanical machinery should not take place on Sundays, Bank Holidays or Saturday afternoons.

REPRESENTATIONS

Two letters of objection have been received which are summarised below:

- The site is in the Green Belt and AONB. I accept that the reuse of the building itself would not have an impact on openness. However, the proposed boundary treatment, together with associated domestic paraphernalia including comings and goings, will result in a loss of openness.
- Conditions should be imposed to control the external lighting within the application site.
- Concerns with the height of the existing fence and gates on site which was permitted under CH/2015/1396/FA as this doesn't comply with the permitted scheme.

In relation to this last point of concern, the fencing and gates have been reduced to the approved heights.

One letter of support has been received which is summarised below:

- The barn is an eyesore in the countryside and should be utilised.
- The design in the proposed conversion of the Dutch Barn maintains its original form and character.

CONSULTATIONS

Building Control - Firefighting access

I have no objections or other comments to make.

Chiltern District Tree Officer

The application uses the existing gated access to Barn 01, which is now known as Grange Farm Barn. The application appears to involve no changes to this access or to the line of trees along the boundary with Chartridge Lane. There is a new close-boarded fence about 1.8m in height along this boundary passing through this tree belt, which includes horse chestnut trees about 10m in height.

The proposed conversion, access drive and parking would not require any tree loss.

The Proposed Site Plan shows some landscaping in front of the barn and what appears to be hedging along the western boundary with the other barns.

I have no objections to this application.

Buckinghamshire County Council Highways Authority

The property is situated along Chartridge Lane which is a Class C road with a 30 mph speed limit in the vicinity of the site. The site benefits from pedestrian footway and public transport links in the form of buses to Chesham town.

The proposal seeks planning consent for the conversion of an existing barn into a single dwelling with an integral garage. The site would retain the existing access which benefits from vehicle access gates that are an appropriate distance of 6m from the carriageway edge.

As stated above, the existing access would be utilised. This said the access would need to be upgraded in accordance with the Buckinghamshire County Council standards for a private access which can be secured by way of condition. I am satisfied that the access is of adequate width to serve the proposed development with safety and convenience.

In accordance with current guidance contained within Manual for Streets, the required visibility splays are 2.4m x 43m in both directions to the nearside carriageway edge. I am satisfied that adequate visibility splays can be achieved which can be secured by condition.

Whilst I trust that you will determine whether the parking provision proposed is adequate, I can confirm that there is adequate space within the site for vehicles to turn and egress in a forward gear when the site is at full capacity.

Mindful of the above, the Highway Authority has no objections to this application, subject to conditions.

Ecology Advisor

Recommendation: No objection. If minded to approve, please include the following conditions.

Comments I have reviewed the ecological assessment undertaken by Catherine Bickmore Associates Ltd and am satisfied that the impact of the proposed development on protected species has been given due regard. Overall the habitats within the site have been found to be of relatively low ecological value, however given the historic presence of bats and barn owl, safeguards are required to ensure no protected species are harmed as a result of the proposals. The recommended conditions are in respect of protected species and site enhancements.

POLICIES

National Planning Policy Framework (NPPF), July 2018

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4, CS20, CS22, CS24, CS25 and CS26.

The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011. Saved Policies: GC1, GC3, GC4, GB2, GB11, GB30, LSQ1, H12, LB2, TR2, TR11 and TR16.

The Chiltern Buildings Design Guide, February 2010.

Affordable Housing Supplementary Planning Document (SPD) - Adopted 21 February 2012.

Sustainable Construction and Renewable Energy SPD - 25 February 2015.

EVALUATION

Principle of development

1. The site is within the open Green Belt where most development is inappropriate development and there is a general presumption against such development. Chapter 13 of the National Planning Policy Framework (NPPF) emphasises the importance of Green Belts and states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

2. Paragraph 146 of the NPPF outlines some exceptions to this, including the re-use of buildings provided that the building is of permanent and substantial construction and provided the development preserves the openness of the Green Belt and does not conflict with the purposes of being included within the Green Belt.

3. Meanwhile, Policy GB2 of the Development Plan permits the change of use of existing permanent and substantial buildings in the Green Belt, in accordance with the other relevant Development Plan policies.

Policy GB11 specifically relates to the re-use of existing non-residential buildings in the Green Belt for residential purposes and states that this will be permitted where the building is of permanent and substantial construction, and has a form, bulk and general design in keeping with its surroundings. In addition, it should be clearly demonstrated to the Council by the applicant that the building was substantially completed at least 10 years before the date of the application; the building should not be in a derelict condition; the amount of new building work required to make the building suitable for residential use should involve such substantial alterations or new building work as to amount to major reconstruction or be tantamount to the construction of a new building, and; the Council must be satisfied that the proposed residential use would not have a materially greater impact than the existing use on the openness of the Green Belt and the purposes of including within it.

4. Based on the above, it is necessary to consider whether the building to be converted is of permanent and substantial construction and whether the works required to facilitate the conversion would amount to the construction of a new building. A structural report has been submitted with the application, which provides an appraisal of the condition of the existing building. The report confirms that the 'building appears to be in good overall condition considering the age and apparent lack of maintenance that has occurred and its exposure to the weather conditions. There are no significant cracks suggesting the foundations to be of concern. The steel frame is fundamentally sound, as are the external walls.' The Report also concludes that 'none of the defects raises any serious cause for concern but is considered to be indicative of reasonable wear and tear in a building of this age and type. With the recommended repairs and limited upgrading carried out and good ongoing maintenance, this building should give good service and is viable for conversion to residential usage.' The main concern raised is the list of recommendations for the limited strengthening of the barn which includes additional joists to be introduced and gable frame replacement due to corrosion. However, as aforementioned, it is also confirmed that none of the recommended limited strengthening raises any serious cause for concern and the conversion to residential use can be undertaken without requiring a fundamental reconfiguration of the structural frame. Those recommendations relate to internal structures to which are not main components of the barn structure thus do not involve substantial levels of building work. Therefore, based on the structural report, it is considered that the outbuilding is of permanent and substantial construction and its condition means that it can be converted to residential use without the need for extensive building works which would be tantamount to the construction of a new building.

5. In regards to the age of the building, the construction of the barn is considered to be mid-20th century with its construction believed to be interwar. The building itself has been vacant for at least 25 years. A previous planning application submitted in 2015 (reference CH/2015/1396/FA) concluded that the barns existence on site dated beyond 10 years. Accordingly, the proposal is considered to be acceptable in principle, provided it does not have a greater impact on the openness of the Green Belt or conflict with the purposes of including within it.

Green Belt

6. The size of the barn will not increase and therefore the conversion will not in of itself affect the openness of the Green Belt. The access to the building will be taken off an existing access serving Grange Farm Barn with the construction of a spur off this to reach the barn on site. Although the driveway extension will extend from the north to the south of the site as permeable hardstanding can be erected under Permitted Development, it is not considered that the driveway would have a detrimental impact on the openness of the Green Belt. No specific reference is given to the boundary treatments on site, although it is noted that much of the site is already bounded by a mixture of hedging and fencing. It is also noted that fencing could also be erected under Permitted Development Rights and therefore no objection is made in this respect. Although the curtilage of the proposed dwelling would need to have an intimate relationship with the building and include an amenity area which would have some impact on the openness of the Green Belt, the area proposed is sited between the barn and Chartridge Lane and as such would be relatively contained with the barn forming a

barrier between the open Green Belt and amenity space which would most likely contain domestic paraphernalia. As such, it is considered that the harm, if any, would be minimal and therefore the proposal does not represent inappropriate development in the Green Belt and is acceptable in principle.

Design/character & appearance

7. The site is within the Chilterns Area of Outstanding Natural Beauty (AONB) where, in accordance with Local Plan Policy LSQ1, and Policy CS22 of the Core Strategy, development must conserve or enhance the natural beauty of the landscape. Paragraph 172 of the NPPF also states that great weight should be given to conserving AONBs, which have the highest status of protection in relation to landscape and scenic beauty.

8. The Chilterns Buildings Design Guide states that if a barn conversion is to be successful, the building's appearance should not be radically altered and prominent roof lights should be avoided. In this case, the barn roof would be replaced but would remain as existing and the barn in general would retain its simple, agricultural form. A limited number of additional openings are proposed on the northern, southern and western elevations but as the barn already has a number of openings the further additions are not considered to be excessive. Overall, the alterations are not considered to further domesticate the barn as it already has a degree of domestication. Therefore the changes proposed would be sympathetic to the character of the original building and the landscape quality of the AONB.

Residential amenity

9. The barn is located to the east of a development of two residential barn conversions, with one barn conversion used for the parking of vehicles and associated amenity space. The Turkey Barn is adjacent to 'Barn 03' but as this is used as a parking facility there is negligible concern. 'Barn 02' runs parallel to the proposed boundary forming the curtilage of the Turkey Barn but as the barns sit perpendicular to one another with a distance of more than 18 metres between them, it is not considered that the proposed conversion of the Turkey Barn would have a detrimental impact on the amenities of any neighbouring properties.

10. With regard to the amenities of future occupiers of the outbuilding, it would provide adequate light, space and outlook and sufficient outdoor space, particularly so given the location of the site within the Green Belt and adjacent to open fields. An adequate area for refuse bins would also be provided internally.

Parking/Highway implications

11. In accordance with Development Plan Policy TR16, three car parking spaces are required for the proposed dwelling. The plans indicate that these can be accommodated on the driveway area to the east of the site and internally within the garage. As such, the proposal would comply with the Local Planning Authority's parking standards and no objections are raised in this respect.

12. The dwelling will use the existing access serving the adjacent barn development and a new spur is proposed from this access to provide the driveway to the barn. Given that the access point onto Chartridge Lane is existing and is already being utilised by two residential barns, it is not considered that the conversion of the Turkey Barn would lead to an intensification of the access to such an extent that the additional vehicle movements could not be supported by the local highway network. In addition, the Highways Authority have raised no objection to the proposal.

Trees and Landscaping

13. The District Tree Officer has assessed the application and concluded that the proposed conversion, access drive and parking would not require any tree loss and therefore there no objection was raised.

Ecology

14. The County Ecology Advisor has assessed the application and raised no objection. The site has been found to have relatively low ecological value but as there has been historical presence of bats and barn owls, safeguarding conditions are proposed.

Affordable housing

15. For proposals under 5 dwellings, Policy CS8 of the Core Strategy requires a financial contribution towards off-site affordable housing to be made. However, there are now specific circumstances set out in the NPPF (National Planning Policy Framework) where contributions for affordable housing and tariff style planning obligations (Section 106 planning obligations) should not be sought from small scale development, including housing developments of 10 units or less. The scheme is for less than 10 units therefore affordable housing is not required.

Working with the applicant

16. In accordance with Section 4 of the National Planning Policy Framework, the Planning Authority, 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.

The Local Planning Authority 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, Chiltern District Council has considered the details as submitted which were considered acceptable.

Human Rights

17. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Conditional Permission

Subject to the following conditions:-

1 C108A General Time Limit

2 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 openings, other than those expressly authorised by this permission, shall be inserted or constructed at any time in the building.

Reason: To retain the character and appearance of the Turkey barn, to conserve the rural character of the locality and the landscape value of the AONB, in accordance with policies GC1 and LSQ1 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policies CS20 and CS22 of the Core Strategy for Chiltern District (Adopted November 2011).

3 Prior to the commencement of development, full details of the proposed boundary treatments for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall then be erected/constructed prior to the occupation of the dwellings hereby permitted and thereafter retained in situ, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the residential curtilage is properly demarcated and to ensure that the boundary fencing is not replaced with a more solid means of enclosure, in order to maintain the openness of the Green Belt.

4 The curtilage of the site the subject of this application shall be demarcated by the boundary treatments agreed under Condition No. 2 of this permission prior to the occupation of the dwellings hereby permitted and this curtilage shall not be altered from that shown on the plans hereby approved, at any time.

Reason: In order to maintain the openness of the Green Belt and the scenic rural character of the Chilterns AONB.

5 The development shall be undertaken in accordance with the recommendations provided within the Ecological Appraisal (Catherine Bickmore Associates, 2018). The report provides details of required measures to avoid harm to protected species including, but not limited to, bats, great crested newt, reptiles and birds. An ecological walkover of the site shall be undertaken prior to the commencement of works by a suitably qualified ecologist to confirm the likely absence of protected species and the results submitted to and agreed in writing by the LPA.

Reason: In the interests of improving biodiversity in accordance with NPPF and policy CS24 of the Chiltern District Core Strategy, and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

6 Prior to the commencement of development, details of ecological enhancements shall be submitted to and approved by the Local Planning Authority. The scheme for mitigation and enhancement shall include but not be limited to:

- the retention of the willow clump in the eastern part of the site which should be rejuvenated by coppice management;
- fallen dead wood and brash should be established in the form of two log piles under the trees to provide habitat for BAP species such as common toad and hedgehog as habitat enhancement;
- the provision of a small pond adjacent to the willows to benefit wildlife;
- installation of 2 No. bird and 2 No. bat boxes on the barn consisting of bird/bat bricks/tubes integrated into the fabric of the building; and
- retained trees, to provide roost features for crevice roosting bats such as pipistrelle, and nesting opportunities for birds such as starling, song thrush and house sparrow.

Reason: In the interests of improving biodiversity in accordance with NPPF and policy CS24 of the Chiltern District Core Strategy and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

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

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

8 Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Classes A - H of Part 1 of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site unless planning permission is first granted by the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider whether any future proposals will maintain the openness of the Green Belt and the scenic rural character of the Chilterns AONB and general character of the locality, in accordance with policies GC1, LSQ1 and GB2 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policies CS20 and CS22 of the Core Strategy for Chiltern District (Adopted November 2011) and the provisions of the NPPF.

9 Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Class A of Part 2 of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site unless planning permission is first granted by the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider whether any future proposals will maintain the openness of the Green Belt and the scenic rural character of the Chilterns AONB and general character of the locality, in accordance with policies GC1, LSQ1 and GB2 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policies CS20 and CS22 of the Core Strategy for Chiltern District (Adopted November 2011) and the provisions of the NPPF.

10 AP01 Approved Plans

PL/18/2046/FA

Case Officer: Tiana Phillips-Maynard
Date Received: 29.05.2018
Parish: Little Chalfont
App Type: Full Application
Proposal: Replacement dwelling.
Location: Salla Kee
Long Walk
Little Chalfont
Chalfont St Giles
Buckinghamshire
HP8 4AN
Applicant: Mr & Mrs Williams

Decide by Date: 04.10.2018
Ward: Chalfont St Giles

SITE CONSTRAINTS

Article 4 Direction
Area Special Advertising Control
Within Chilterns Area of Outstanding Natural Beauty (AONB)
Within Green Belt other than GB4 GB5
North South Line
GB settlement GB4,6,12,23,H7,13,19

CALL IN

Councillor Phillips has requested that this application is determined by the Planning Committee, if the officer's recommendation is for approval.

SITE LOCATION

The application site accommodates a detached two storey brick dwelling with hipped roof and single storey side garage, on the southern side of Long Walk. The deep curtilage is interspersed with established vegetation, particularly to the front garden. Long Walk is characterised by a semi-rural location and a row of dwellings to the southern side of the road, set within generally spacious curtilages and established vegetation. The dwellings are of varying styles and sizes however they predominantly appear as brick and clay tile buildings.

THE APPLICATION

The application seeks planning permission for a replacement dwelling. Specifically, for the demolition of the existing dwelling and erection of two storey dwelling with attached car port forward of the building line. The dwelling would measure 16.8m in width, 13.9m in depth, with a pitched roof to a height of 8.3m. The carport would measure 6.4m in width and 5.4m in depth, with a flat roof to a height of 2.8m. A twin access driveway is proposed, resulting in an additional vehicular access to Long Walk. The plans show an outbuilding (summer house) in the rear garden. This has been confirmed as permitted development under CH/2018/0637/SA and therefore does not require express planning permission and is omitted from this application.

A Planning & Design and Access Statement, and Arboricultural Impact Assessment report was provided with the original plans.

[Officer note: Amended plans were requested and received with the intention of better integrating with the streetscene. The original scheme was a low pitched hipped zinc roof with otherwise similar appearance to the amended scheme. The amended plans were re-advertised. An additional 'existing floor plan' was submitted as the plan did not match the scale].

RELEVANT PLANNING HISTORY

CH/2018/0637/SA - Application for a Certificate of Lawfulness for a proposed: Two storey side and single storey rear extensions, detached outbuilding and loft conversion to habitable accommodation incorporating rear dormer. Granted.

CH/2018/0896/PNE - Notification of proposed single storey rear extension; depth extending from the original rear wall of 8 metres, a maximum height of 2.95 metres and a maximum eaves height of 2.95 metres. Prior notification not required.

823/52 - House and garage. Conditional Permission. Implemented. Officer note: This is the assumed original permission, as detailed records were not available. It is noted there is another permission which dates to 1955 and was for a bungalow.

PARISH COUNCIL

Objection to original and amended scheme.

Amended scheme comments, received 13.9.18 - Little Chalfont Parish Council considered the recently revised application for this property and agreed to support the objections made to this application from neighbouring properties. In summary, although aspects of the proposed design features have been amended and are more acceptable, the Parish Council continues to object to this application on the grounds of its adverse impact on the amenities of the neighbours (intrusive, overlooking and overbearing) and considers that the siting of the proposed, significantly enlarged main dwelling and the proposed summer house would be inappropriate in view of the property's location in the Green Belt and bordering the Chilterns AONB.

REPRESENTATIONS

Nine letters of objection were received (two of which were for the amended scheme). The objections are summarised as follows:

- Design out of character and incongruous

[Officer note: The scheme was amended to reflect local vernacular by matching the roof pitch of the area and including gable features. It is noted objections remain on amended scheme].

- Zinc roof will stand out and not blend in with street

[Officer note: Amended plans omitted the zinc roof in favour for slate roof]

- Unsympathetic design by virtue of position, style, materials and built form

- Rear balcony would invade privacy to neighbouring private amenity areas

- Car port not subservient and changes building line and character of road

[Officer note: The scheme was amended to push the dwelling back meaning the front carport maintains the existing front building line].

- Light pollution from south windows into AONB

- Proposal beyond allowed green belt increase

- First floor side window looking into Argentia's lounge and dining

- Right of light issues to lounge, dining and overshadowing rear amenity of Argentia

- Impact on access to light to Argentia

2 representations were made in regard to the revised scheme, reiterating comments above, deeming the revised scheme unacceptable.

CONSULTATIONS

District Tree Officer

No objection subject to tree protections measures in the Arboricultural Impact Assessment and Method Statement are carried out.

Ecology

Formal advice pending.

POLICIES

National Planning Policy Framework 2018

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4, CS20, CS22.

The Chiltern Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011: Saved Policies GC1, GC3, GC4, GB2, GB6, LSQ1, H11, H12, TR11, TR16.

Residential extension and householder development Supplementary Planning Document (SPD) - September 2013

Sustainable Construction and Renewable Energy SPD - Adopted 25 February 2015

Chilterns Building Design Guide

EVALUATION

Principle of development

1. The application is located within an established Row of Dwellings within the Green Belt wherein accordance with Local Plan Policy GB6, the rebuilding or replacing of dwellings is acceptable provided they are sited in a similar location to the original and comply with Local Plan Policies GC1 and GC4. Paragraph 145(e) of the NPPF allows limited infilling in villages and as such Policy GB6 is in conformity with the NPPF.
2. The rear of the application site (outside residential curtilage) is also located within the Chilterns Area of Outstanding Natural Beauty (AONB) where development should conserve and, where considered appropriate and practicable, enhance the special landscape character and high scenic quality of the area.

Design/character & appearance

3. Long Walk is characterised by a variety of large detached dwellings that vary between two storey and chalet style dwellings of varying architectural appearance. Ridge heights for two storey dwellings are approximately 8 metres, and front buildings lines range between 12 and 18 metres, averaging between 15-16 metres from the highway. It is noted that Salla Kee and neighbouring Farleigh are the most forward sited dwellings with a 12 metre setback. The dwellings along Long Walk commonly contain large footprints with distances to side boundaries ranging between 1 and 2 metres. The existing dwelling at Salla Kee is an exception to the built form of the streetscene, by virtue of its forward siting, small footprint and generous side setbacks.
4. Whilst the proposed dwelling is large compared to the existing dwelling at Salla Kee (which is notably smaller than dwellings along Long Walk), it would integrate with the existing pattern of development and would not appear significantly higher than the established two storey ridge levels. The dwelling maintains the existing front building line with a similar siting to existing, in accordance with Local Plan Policy GB6. The proposed dwelling still affords larger than average side setbacks with 2.2 metre gap to the east and 3.6 metre gap to the west. The proposed dwelling is of a contemporary design and would incorporate gable roof

elements and roof pitch to integrate with the streetscene. The proposed materials are yet to be confirmed, but can be subject to a condition. It is considered that brick features with timber and render would not appear alien in the streetscene, and appropriate materials may be secured via condition. By virtue of the similar positioning, size and bulk to other dwellings in the vicinity, the proposed dwelling is considered to integrate satisfactorily within the streetscene and for reasons detailed above, would not have a detrimental impact on the character of the area, complying with Local Plan Policies GC1 and GB6.

5. With regards to size, objections from third parties have noted the house would be materially larger than existing and contrary to Green Belt policy. The site is within an established Row of Dwellings and not the open Green Belt, and as such, Local Plan Policy GB6 applies, which assesses qualitative rather than quantitative elements. It is noted that paragraph 145(e) of the NPPF allows limited infilling in villages under policies set out in a local plan and as the site is within a Row of Dwellings and not the open Green Belt, it is considered Policy GB6 is in conformity with the NPPF. There is no requirement under Policy GB6 for a dwelling to not be materially larger than existing.

6. Nonetheless, a brief quantitative assessment was undertaken given the objections received. The current dwelling has a footprint of 118sqm, and total floor space of 191sqm. A recently issued Certificate of Lawfulness would permit a further 117sqm. Another recently issued Certificate of Lawfulness for a larger extension permits 80sqm. It is noted that only one of these two could be implemented to prevent breaching the limitations of the General Permitted Development Order. When considering the existing floor space and approved floor space under permitted development, the maximum floor space is 308sqm. The proposed floor space is 373sqm, excluding garage and outbuildings. This represents a 21% increase above existing floor space with permitted development allowance. However as noted, Rows of Dwellings within the Green Belt are considered under Local Plan Policy GB6 which is concerned with siting and design and not the material increase. In this sense, the proposed dwelling would reflect the large dwelling sizes and footprints within Long Walk and would not be out of character.

7. The representations received objected to the proposed design and size of dwelling. It is noted Long Walk has a variety of dwelling styles including replacement dwellings, such as Charlecote (being four dwellings to the east, under construction). Charlecote is of a contemporary design that incorporates the design features of the locality, reflecting the design approach for the proposed dwelling at Salla Kee.

8. Furthermore, the NPPF states that where design accords with expectations of policies, design should not be used by the decision maker as a valid reason to object to development (paragraph 130). It is considered that by virtue of incorporating gable features, maintaining front building line and reflecting the bulk and scale of the dwellings within the vicinity, the dwelling accords with policy expectations, and therefore meets the NPPF in this regard.

9. In conclusion, by virtue of the similar positioning, size and bulk to other dwellings in the vicinity, the proposed dwelling is considered to integrate satisfactorily within the streetscene and for reasons above, would not have a detrimental impact on the character of the area, complying with Local Plan Policies GC1 and GB6.

Residential amenity

10. The proposed dwelling minimises flank windows to prevent overlooking to neighbouring properties. The dwelling maintains generous setbacks of 2.2m and 3.6m to flank boundaries to minimise intrusiveness and allows adequate light between buildings. The depth of garden meets the minimum 15m depth requirement as set out in Local Plan Policy H12.

11. The rear balcony is enclosed on the flanks to prevent overlooking, the balcony would therefore only have views to the rear and would not have any greater impact than rear windows. To ensure the privacy of neighbours is maintained, a condition would be imposed to maintain the flank walls of the balcony remain opaque. The size of the balcony would also only afford incidental leisure activities which ensure noise would be kept to a minimum.

12. An objection was concerned with access to light to Argentia, with provided sun diagrams. However, when assessed against 45 degree sight lines and with consideration of the orientation of the site (being north-south orientation) there would be minimal impact on Argentia, and any such impact would only affect the flank elevation. Given these reasons, and the setback of 2.2m to the flank boundary, it is considered there would be no adverse implications having regard to access to light.

Parking/Highway implications

13. In accordance with Council's parking standards, three spaces are to be provided. The proposal includes two spaces within the carport as well as forecourt area. Therefore there are no implications having regard to Council's parking standards.

AONB

14. Objections were received in regard to impact on the AONB. The rear of the application site (outside residential curtilage) is located within the Chilterns Area of Outstanding Natural Beauty (AONB), falling outside the residential curtilage. However, it is considered that by virtue of the similar siting, the architectural vernacular and integration within the wider streetscene, it is considered the proposal would conserve the scenic quality of the AONB.

Ecology

15. Advice regarding ecology has not been received to date. However, it is understood that this is likely to be received well before Committee and as such will be verbally reported to the Planning Committee.

Conclusions

16. The development has been assessed against the Development Plan and is considered acceptable, subject to conditions.

Working with the applicant

17. In accordance with section 4 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.

Chiltern District Council 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, Chiltern District Council has considered the details as submitted which were considered acceptable.

Human Rights

18. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Conditional Permission

Subject to the following conditions:-

1 C108A General Time Limit

2 Before any construction work commences, named types, or samples of the facing materials and roofing materials to be used for the external construction of the development and driveway surfacing hereby permitted shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality.

3 The carport hereby permitted shall be reserved for the parking of vehicles and shall not be fully enclosed or converted into habitable accommodation unless approved in writing by the Local Planning Authority.

Reason: To ensure the appropriate provision is made for the parking of vehicles clear of all carriageways and to maintain the character of the area.

4 The development hereby approved shall be implemented in accordance with the tree and hedge protection measures described in the Arboricultural Impact Assessment and Method Statement Ref TH 1694 dated 27th June 2018 by Trevor Heaps Arboricultural Consultancy Ltd. including and the Demolition Plan in Appendix 10 and the Tree Protection Plan in Appendix 11 of the report. This shall include the use of tree protection fencing, ground protection measures and no-dig construction in accordance with these documents.

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.

5 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/dormer windows other than those expressly authorised by this permission, or as subsequently agreed in writing by the local planning authority, shall be inserted or constructed at any time at first floor level or above in the flank elevations of the dwelling hereby permitted.

Reason: To protect the amenities and privacy of the adjoining properties.

6 Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Classes A or B of Part 1 of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site unless planning permission is first granted by the Local Planning Authority.

Reason: The dwelling is within the Green Belt and adjoins the Chilterns Area of Outstanding Natural Beauty and consequently the Local Planning Authority would wish to properly consider whether any future proposals would accord with National and Local Policies that seek to protect the openness of the Green Belt and preserve the Special Landscape character of the AONB.

7 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, openings or gaps are permitted on the flank walls of the rear balcony hereby permitted, unless such openings are at least 1.7 metres above finished floor level of the balcony.

Reason: To protect the amenities and privacy of the adjoining property.

8 AP01 Approved Plans

INFORMATIVES

1 The area of hardstanding hereby permitted shall either be constructed of porous materials, or alternatively provision shall be made for run-off water from the hard surface to drain to an area within the curtilage of the dwellinghouse.

Reason: To prevent the risk of increased flooding and pollution of watercourses.

2 Due to the close proximity of the site to existing residential properties, the applicants' attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicles parking at the site or making deliveries, and general disruption caused by the works.

By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and complaints from local residents and further information on how to participate can be found at www.ccscheme.org.uk.

3 It is an offence under S151 of the Highways Act 1980 (as amended) for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

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

5 You are advised that consent under the Building Regulations may be required for the proposed development and the Building Control Unit at the Council should be contacted in this regard.

PL/18/2509/FA

Case Officer: Vicki Burdett
Date Received: 29.06.2018 Decide by Date: 05.10.2018
Parish: Little Chalfont Ward: Little Chalfont
App Type: Full Application
Proposal: Detached dwelling within curtilage with attached garage and creation of a new vehicular access.
Location: Land Adjacent to Giles House and to Rear of Larkes Field
Doggetts Wood Lane
Little Chalfont
Buckinghamshire
HP8 4TH
Applicant: Lois Gastoneaux Ltd

SITE CONSTRAINTS

Article 4 Direction
North South Line
Townscape Character
Established Residential Area of Special Character

CALL IN

Councillor Phillips has requested that this application be determined by the Planning Committee if recommending approval.

SITE LOCATION

The application site is located on the north eastern side of Doggetts Wood Lane in Little Chalfont and currently forms part of the gardens of the existing dwellings at Giles House and Larkesfield. The proposal would subdivide the south eastern part of these gardens to create one new residential plot. The site is located within an Established Residential Area of Special Character.

THE APPLICATION

The application proposes the erection of a detached dwelling with attached garage and creation of a new vehicular access.

The site has planning permission already for a new dwelling (CH/2016/0549/FA and CH/2016/0734/FA) and this application follows on from a previous refusal; CH/2018/0075/FA which was determined previously via the Planning Committee.

The proposed detached dwelling would be constructed approx. 18m from the front boundary, 5.53m from the south-east flank elevation (adjoining 'Wynchwood') and 5.1m from the north-west flank elevation (adjoining 'Giles House'). The dwelling would have a width of 15m (17.6m including the single storey side extension at the north western flank) depth of 14m (not including the single storey rear extension) and height of approx. 9m incorporating a crown roof with two front gables and one rear gable.

The proposed detached dwelling would also incorporate an attached garage to the front of the dwelling. The proposed attached garage would be located approx. 2.6m from the front elevation of the proposed dwelling

via a link extension. The garage would have a width of 6m, depth of 5.7m and height of 4.4m incorporating a crown roof. The proposed link extension would have a maximum height of 3.2m with a hipped roof.

Following on from the previous refusal (CH/2018/0075/FA) the main alterations are as follows:

- Overall width reduced by 0.5m
- Single storey side link extension to the garage has been reduced by 3.75m
- Garage has been moved closer to the house reducing the link by 0.6m
- Removal of stone parapets at the front elevation
- Re-design of roof to incorporate hipped and gable features
- Re-design of front porch canopy
- Stone window surrounds removed
- Alterations to front dormers
- External stair has been removed
- Basement door to the lightwell changed to a window

RELEVANT PLANNING HISTORY

CH/2018/0075/FA - Refused - Detached dwelling within curtilage with attached garage and creation of a new vehicular access (amendment to approved planning CH/2016/0549/FA). Reasons for Refusal;

1. The site falls within an Established Residential Area of Special Character and the Chiltern and South Bucks Townscape Character Study (November 2017) refers to Doggetts Wood Lane as a high quality example of the "Woodland Roads" and "Green Suburban Roads" character typologies, with a small area of high quality "Open Plan Suburban", and is particularly well preserved and maintained. The proposed dwelling would, due to its overall width, sprawling single storey elements, projecting front linked garage and its design, with Georgian appearance, parapet roof, and uncharacteristic front dormer windows, appear overly prominent in the street scene. It would not be reflective of the general appearance and scale of other dwellings in this area and, as a result, would appear out of character, adversely affecting the character and appearance of the locality. As such, the proposal is contrary to Policies GC1 and H4 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).

2. The proximity of the external rear staircase and entrance/openings for the entertainments room and cinema to the boundary with the neighbouring property, Giles House, are likely to result in disturbance to this adjacent property. This would be detrimental to the amenity of occupiers of this neighbouring property, contrary to Policy GC3 of The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011.

CH/2016/0734/FA - Conditional Permission - Detached single dwelling with detached garage and new access

CH/2016/0549/FA - Conditional Permission - Detached dwelling within curtilage and new access

CH/2007/0107/FA - Conditional Permission - Single storey rear extension

CH/2006/2117/FA - Withdrawn - Single storey rear extension

CH/2006/0179/FA - Unconditional Permission - Retention of wrought iron entrance gates and piers

CH/2003/0399/FA - Conditional Permission - Two storey and first floor side/rear extensions and detached double garage

CH/1987/0990/SA - PN - Use of one room of dwellinghouse as a part time dental surgery

PARISH COUNCIL

Little Chalfont Parish Council made the following comments (29th August 2018):

'The Parish Council continues to believe the proposal would be an overdevelopment of a relatively small site and would be out of keeping with the area. It would also have an adverse impact on the amenity of neighbours'.

REPRESENTATIONS

Three letters of objection have been received raising the following concerns:

- Dormer windows at the front are contrary to the street scene
- Request that the frosted glass at the front dormers are conditioned
- Revised application does not fully consider the earlier refusal on the point of a sprawling single storey element
- First floor and basement parts of the development at the rear significantly extend beyond the building line with Giles House and into an area behind the garden of Larksfield
- Negative amenity impacts on neighbouring properties
- Visible projecting flank wall adversely affects the enjoyment of the garden at Larksfield

CONSULTATIONS

Chiltern District Tree Officer

No alterations have been made to the landscaping details, as such the previous comments provided by the Tree Officer (under application CH/2018/0075/FA) still stand:

'The application proposes a house in the former garden to the side of Giles House with the plot including part of the rear garden of Larksfield. The remaining curtilage of Giles House has now been separated from the plot by a close-boarded fence and a new conifer hedge. The application proposes a new access onto Doggetts Wood Lane. The amended plans for this current application show this moved closer to the access to Giles House and with a curved drive. This would pass through a mixed hedge about 3.5m in height and a conifer hedge about 2m in height just behind involving the loss of sections of both. There is also a line of saplings about 3m in height just within the plot and some of these would be lost. The house is in a similar position to that approved under CH/2016/0549/FA but it is now larger and includes an attached garage. It is shown with an area of lawn and would not require any direct tree loss. The conifer hedging along the boundary with Wynchwood, which is about 6m in height, is shown to be removed and replaced by a laurel hedge. Some young conifer hedging and various shrubs within the former garden of Giles House have been removed since the last application. A large Norway spruce beside the access to Giles House would be just outside the plot. The proposed rear garden would require the loss of the conifer hedge between the two existing rear gardens which is just over 2m in height. The existing trees in the rear garden of Larksfield are shown to be retained. These include a birch about 18m in height that would be outside the plot and a smaller birch about 10m in height. I have no objections to the application provided there is adequate protection for the retained trees and hedges'.

Buckinghamshire County Council Highways Authority

Raised no objections to the previous application (CH/2018/0075/FA).

POLICIES

National Planning Policy Framework

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4, CS20, CS25 and CS26.

The Chiltern Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011: Saved Policies - GC1, GC2, GC3, GC4, H4, H11, H12, H16, H17, H18, H20, TR2, TR11 and TR16.

Sustainable Construction and Renewable Energy Supplementary Planning Document - Adopted 25 February 2015

EVALUATION

Principle of development

1. The application site is located in Doggetts Wood Lane, close to the junction with Cokes Lane. The site currently forms part of the garden areas of Giles House and Larksfield. The plots on this part of Doggetts Wood Lane and the surrounding ERASC are generally rectangular in shape, comprising relatively large, detached houses.

Design/character & appearance

2. In regards to the reasons for refusal under planning application CH/2018/0075/FA, the main issues relate to the appearance of the dwelling from the street scene and specifically referred to the overall width of the dwelling, sprawling single storey elements, projecting front linked garage, Georgian appearance, parapet roof and uncharacteristic front dormers. This latest application is considered to satisfy the first reason of refusal relating to design by reducing the width of the dwelling by 0.5m, reducing the depth of the link extension and moving the attached garage closer to the house, the removal of the parapet roof at the front elevation and replacement with two front gables and alteration to the front dormers to be small with hipped roofs.

3. The proposed design alterations would allow the dwelling to be less 'Georgian' style and to appear less prominent in the street scene of Doggetts Wood Lane. As such, it is considered that the latest design amendments would satisfy the first reason for refusal under application CH/2018/0075/FA and the proposed dwelling would comply with Local Plan Policies GC1, H4, H11, H16, H17, H18, H20 and Core Strategy Policy CS20.

Residential amenity

4. Local Plan Policy GC3 refers to the protection of amenities throughout the district. In considering proposals for development throughout the District, the Council will seek to achieve good standards of amenity for the future occupiers of that development and to protect the amenities enjoyed by the occupants of existing adjoining and neighbouring properties. Where amenities are impaired to a significant degree, planning permission will be refused.

5. The second reason for refusal under CH/2018/0075/FA related to the close proximity of the external rear staircase and entrance/openings for the entertainments room and cinema to the boundary with the neighbouring property, Giles House which is likely to result in disturbance and detrimental impact to their amenities. Following the revised scheme, the external staircase has been removed but retained at the other side. Furthermore, there is no longer any entrances to the basement from the north-west flank elevation adjoining Giles House and the other entrance at the south-east flank elevation is retained which was not considered detrimental to the amenities of Wynchwood under CH/2018/0075/FA.

6. As such, it is considered that the removal of the external staircase and entrance at the north-west flank elevation next to Giles House would satisfy the second reason for refusal under application CH/2018/0075/FA and the proposed dwelling would comply with Local Plan Policies GC2 and GC3.

Parking/Highway implications

7. The parking standard for the new dwelling is three spaces. The proposed garage and driveway would be able to accommodate at least three vehicles within the site. The Highway Authority has also raised no objections to the proposal with regard to highway safety. As such, the proposed scheme complies with Local Plan Policies TR11 and TR16.

Conclusions

8. To conclude, the revised scheme is considered to overcome the previous reasons for refusal and is recommended for approval.

Working with the applicant

9. In accordance with section 4 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.

Chiltern District Council 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, Chiltern District Council has considered the details as submitted which were considered acceptable.

Human Rights

10. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Conditional Permission

Subject to the following conditions:-

1. C108A General Time Limit

2. C433 Materials General Details

3. No development shall take place until a Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall clearly show the trees and hedges to be retained and those to be removed, along with the positions of tree protection fencing. Before any other site works commence on the development hereby permitted this tree protection fencing shall be erected around all the trees and hedges to be retained in accordance with both this plan and British Standard 5837:2012. The fencing shall then be retained in these positions until the development is completed. During this period no construction work shall take place, no materials whatsoever shall be stored, no fires shall be started, no excavation shall take place and there shall be no change in ground levels within these enclosed area.

Reason: To ensure that the retained trees and hedges on the site are safeguarded during building operations and to maintain the character of the area.

4. No tree or hedge shown to be retained on the plans hereby approved 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. Any distribution of soil within the site or its removal from the site shall take place prior to any building works hereby permitted commencing above ground level. The submitted details shall also include details of the likely number of traffic movements associated with the removal of any soil from the site. The development shall then be implemented in accordance with the approved details.

Reason: To ensure that the development is not detrimental to the character of the locality or the amenities of any neighbouring dwelling.

5. Prior to the commencement of development, full details of the method of disposal of the excavated soil, including any distribution of soil within the site or its removal from the site, resulting from the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Any distribution of soil within the site or its removal from the site shall take place prior to any building works hereby permitted commencing above ground level. The submitted details shall also include details of the likely number of traffic movements associated with the removal of any soil from the site. The development shall then be implemented in accordance with the approved details.

Reason: To ensure that the development is not detrimental to the character of the locality or the amenities of any neighbouring dwelling.

6. Prior to the initial occupation of the dwelling hereby permitted, the scheme for access, parking, manoeuvring and garaging shall be laid out in accordance with the plans hereby approved and that area shall not thereafter be used for any other purpose. The hard surface for this area shall either be made of porous materials, or alternatively 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. The parking and turning 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 minimise flooding and pollution.

7. Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Classes A to B of Part 1 of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site unless planning permission is first granted by the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider whether any future proposals will constitute overdevelopment of the site or will in any other way be detrimental to the character of the locality.

8. Before the first occupation of the dwelling hereby permitted the windows at first floor level in the side flank elevations shall be fitted with obscured glazing and any part of the windows that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter unless agreed in writing by the Local Planning Authority.

Reason: To protect the amenities and privacy of the adjoining property.

9. 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/dormer windows other than those expressly authorised by this permission, or as subsequently agreed in writing by the local planning authority, shall be inserted or constructed at any time at first floor level or above in the flank elevations of the dwelling hereby permitted.

Reason: To protect the amenities and privacy of the adjoining property.

10. Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no part of the roof of the single storey rear extension hereby permitted shall be used as a balcony or roof terrace, nor shall any access be formed thereto.

Reason: To safeguard the amenities of the occupiers of the adjoining properties.

11. AP01 Approved Plans

PL/18/2713/PNR

Case Officer: Emma Showan
Date Received: **06.07.2018** Decide by Date: **01.10.2018**
Parish: **Seer Green** Ward: **Seer Green**
App Type: Prior Notification Retail/Sui-generis
Proposal: **Prior notification under Class M of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 - Change of use from shop (Use Class A1) to residential to form part of existing single dwelling (Use Class C3).**
Location: **Seer Green Post Office
36 Chalfont Road
Seer Green
Buckinghamshire
HP9 2YG**
Applicant: **Mrs S Patel**

SITE CONSTRAINTS

Article 4 Direction
Asset of Community Value
Adjacent to C Road
Adjacent to Unclassified Road
Adjacent Listed Buildings
Mineral Consultation Area
North South Line
Townscape Character
Established Residential Area of Special Character

DESCRIPTION OF DEVELOPMENT

Prior notification under Class M of Part 3, Schedule 2 of the Town and County Planning (General Permitted Development) (England) Order 2015 - change of use from shop (Use Class A1) to residential to form part of existing single dwelling (Use Class C3).

The application relates to a mixed use premises comprising of a post office (Use Class A1) and a residential dwelling (Use Class C3). The site is located within the built-up area of Seer Green, along the main road through the village. It is sited within a row of residential dwellings, across the road from the Holy Trinity Church.

PREVIOUS PLANNING HISTORY

CH/2017/1985/FA - Change of use from a mixed use comprising a post office (Use Class A1) and dwelling (Use Class C3) to one residential dwelling (Use Class C3). Refused permission as the applicant failed to provide evidence that the retail premises is commercially unviable.

CH/2001/1720/FA - Single storey side/rear extension, conditional permission.

CH/1984/0760/FA - Construction of loft to form two bedrooms for residential use, refused permission.

CH/1981/2007/FA - Erection of a single storey shop extension, porch and loft conversion including construction of dormer windows.

PUBLICITY

Site notice posted 26th July 2018.

OFFICER CHECK

1. Building last used for one of the uses referred to in Class M(a) on 20th March 2013 - Yes
2. Permission to use the building for a use falling within Class A1 (shops) or Class A2 (financial and professional services) of the Schedule of the Use Classes Order has been granted only by this Part - No
3. The cumulative floor space of the existing building changing use under Class M exceeds 120 square metres - No
4. The development (together with any previous development under Class M) would result in more than 150 square metres of floor space in the building having changed use under Class M - No
5. The development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point - No
6. The development consists of demolition (other than partial demolition which is reasonably necessary to convert the building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order) - No
7. The building is on Article 2(3) land, in a site of special scientific interest; in a safety hazard area; in a military explosives storage area; a listed building; or a scheduled monument - No

CONSULTATION RESPONSES

Parish Council

Full objection is available to view on the Council's website. To summarise: The Parish Council firmly believes it is critically important to retain this A1 premises which is considered to be a community asset located in the centre of the village and therefore wishes to object to this planning application.

Buckinghamshire County Council Highways Authority

'I can confirm that the development proposed would be unlikely to result in a material increase in traffic generation or a material change in the character of the traffic associated with the site.

Therefore, the Highway Authority has no objections to this application, and in this instance has no conditions to suggest be included on any planning consent that you may grant.'

Chiltern District Council Estates Officer

None received at time of drafting report.

Environmental Health Officer

'The proposed development involves the change of use from a shop to residential to form part of an existing dwelling.

The Council's historical maps do not indicate that the site has had a previous potentially contaminative use. There have been buildings on site since 1960-1976. The Post Office appears to have been located on site since this period.

There is an existing garden to the rear; presumably this belongs to the existing dwelling. It is unlikely that the development will involve any ground works.

No objection subject to the inclusion of a contaminated land condition.'

PUBLICITY RESPONSES

106 letters of objection and one petition containing 99 signatures received and summarised below:

- Post office is important in the community/community value
- Hub of village
- Vital service for residents and local businesses
- Loneliness of elderly who used to frequent the post office
- Closure of facilities has an adverse impact on residents in small villages
- Lack of resources in village
- Business is still viable
- Valued local facility
- The Post Office has affirmed their commitment to a functioning Post Office in Seer Green
- Contrary to Chiltern District Local Plan
- Support for the post office as a community asset
- No serious attempt to market the premises - overpriced and minimal online presence
- Closure of post office has been an inconvenience
- Not necessary for business to close
- Seer Green village plan states that the Parish Council will encourage support for village retail and business activities
- Scope for someone else to run the post office
- Change of use would be irreversible
- To go to another post office would require travelling by car which increases emissions
- Applicant has a conflict of interest
- It has not been proven beyond all reasonable doubt that the business is not viable
- Loss of purpose built commercial unit
- No alternative locations for the post office
- Using another post office requires cost of petrol and parking
- Lack of consideration for the community
- Need to wait for outcome of Community Asset Listing
- Insufficient provision of A1/A2 Class of shops and services
- Visual impact of converting the shopfront
- Village life being eroded
- Opportunity for a community project in this location
- Undemocratic
- Nothing has changed since the previous refusal

7 letters of support summarised below:

- Preserving the post office is unrealistic
- Unfair on a couple who have served the village for years and who now wish to retire
- There are other suitable properties to be run as post office
- Premise is unviable
- Refusal of the application would delay the inevitable
- Seer Green has another parade of shops which provide the services the post office did
- Most people don't use the post office
- Post office is located on a dangerously congested bend and it is likely that new commercial premises in this location would be refused on highways grounds
- The Baptist Church Community Centre is being considered as an alternative venue to run limited Post Office counter services
- The size of the commercial space would be undesirable for other businesses
- There are three other post office outlets within 3 miles of Seer Green
- A dwelling would be more in keeping with the road and reduce the parking on a busy junction

- Other alternatives such as hiring a mini bus to make the trip to Jordans to support the Village Store/post office here

EVALUATION

1. Transport and highways impacts of the development

The County Highways Officer has assessed the impact of the proposed development in terms of the impact on the highway network, including net additional traffic generation, access arrangements and parking provision. They are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. As such, Prior Approval is not required for this element.

2. Contamination risks in relation to the building

The Council's Environmental Health Officer has assessed the impact of the proposed development in terms of the contamination risks in relation to the building. It is considered that there is no indication that the site has had a previous potentially contaminative use and so Prior Approval is not required for this element, although a condition requiring the reporting of unexpected contamination is considered necessary, should contamination be found when carrying out the approved development.

3. Flooding risks in relation to the building

The site lies outside the Environment Agency Flood Zones 2 and 3 and, as such, no objection is raised with regard to flooding risks in relation to the building. Therefore, Prior Approval is not required for this element.

4. Impact of the change of use on adequate provision of services of the sort that may be provided by a building falling within Class A1 or Class A2 where there is a reasonable prospect of the building being used to provide such services or where the building is located in a key shopping area

It is noted that the site is not located within a key shopping area. In addition, it is noted that this consideration only relates to the impact of the provision of A1 (shops) uses or A2 (financial and professional services) uses. A post office is not a use in and of itself but rather falls within the A1 Use category which includes other shops, irrespective of what goods they are selling. The assessment cannot therefore take into account the impact of the loss of the post office, but instead, will take into account the loss of a retail unit in this location.

To support the application, the Applicant has marketed the property for 3 months and has provided financial statements to support the claim that the current business is no longer viable. The post office has also been closed since November 2017. It is therefore necessary to ascertain whether there is a reasonable prospect of the building being used to provide A1 or A2 services. The footprint of the existing A1 unit is approximately 40 square metres and there is no designated parking. Meanwhile, parking to the front is restricted by way of yellow lines and parking restrictions. Furthermore, the shop/post office use is not self-contained, with some shared facilities with the residential use and the residential areas cannot be used or disposed of separately from the shop/post office area. These factors limit the desirability of the premises for an alternative commercial use.

It is also noted that there are a number of convenience stores located within walking distance of the application site and there are three filling stations with retail shops located within a 2-3 mile radius of the site also. As the post office is not a use class in itself, the application must be assessed as a retail A1 unit in relation to the other A1 uses provided in the area.

Nonetheless, there have been numerous letters in support of re-opening the premises as a post office or other A1 retail use, although no viable proposition for taking on the post office has come forward. Consideration is therefore given to an appeal decision made against the decision of the London Borough of Wandsworth against a refusal to grant approval required under Class M of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. In his decision, the Inspector

stated: '...it is clear that the current business that is operated from No 161 is valued by the local community and considered important in meeting their day to day needs. However, Class M requires me [the Inspector] not to assess the loss of a use or particular business but whether, if a retail unit is lost this would have an undesirable impact on the adequate provision of services within an area.' He goes on to say: 'I am aware of the concerns raised by the Council and a number of third parties that for some users, particularly children, the elderly or those with mobility issues that the distance to alternative facilities would be significant. However, I consider that given the limited increase in distance that some people would need to travel to alternative shops the provision of shops within the area would remain adequate albeit they would be reduced.' It is therefore concluded that even with the loss of the A1 retail use, the provision of services would remain adequate and so the appeal is successful.

Taking into account the above appeal decision, it is acknowledged that the post office has been of value to the local community and there is extensive local support for its continued operation. However, the post office is not a use class and so the application must be assessed as the loss of an A1 use. In this respect, it is acknowledged that there is an existing parade of shops within close reach of the application site and this includes two A1 uses and there are also three filling stations within close proximity of the site which also offer convenience goods. It is also noted that the post office business ceased trading at the end of 2017 and no other business has since operated on the site. On this basis, it is considered that if the retail unit were no longer to operate, then an adequate provision of shops providing a variety of services in the local area would still be maintained and the community's ability to meet their day to day needs, in accordance with the requirements of Paragraph 70 of the National Planning Policy Framework, would be retained.

Attempts have been made to list the unit as a 'Community Asset' and in this respect the comments of the Council's solicitor are noted. It is stated that having regard to all the circumstances of the case, the possibility of re-establishing a community use that would further the social wellbeing or social interests of the local community in the former shop/office at a time in the next five years is not realistic. In addition, given the constraints of the site and the close relationship between the retail and residential uses on site, it is stated that the prospect of the owners sharing occupation with either a commercial or community organisation operating a community use from the ground floor shop/storage area does not appear to be practicable and therefore is not considered to be realistic. Therefore the site has not been successfully listed as a Community Asset and so retains its permitted development rights.

Given the above, it is concluded that the provision of services within the area whilst reduced would remain adequate and given the constraints of the site and close relationship between the commercial and residential uses on site, it would not be realistic or practicable for a commercial or community use to be run independently from the residential use on site. Therefore it is considered acceptable for the building to change to a use falling within Class C3 (dwellinghouses).

5. Impact of the design or external appearance of the building

The proposed alterations required to convert the premises rely predominantly on internal alterations. The only external changes proposed are the replacement of the existing shop windows and door with a single window and new front door. One metre high railings are also proposed along the front boundary. Given the modest scope of the alterations, these are not considered to materially alter the appearance of the property and no extensions are required. Furthermore, the erection of railings can take place under Permitted Development. It is also noted that the site is located within a stretch of residential dwellings of varying character and appearances. As such, it is considered that Prior Approval is not required for this element.

CONCLUSION

In accordance with the provisions of Class M of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, no objection is raised in regards to transport and

highways impacts; contamination risks; flooding risks; the desirability for the building to change to a use falling within Class C3; and the design or external appearance of the building, and so Prior Approval is not required in these respects. A condition requiring the remediation of contamination should it be discovered is considered necessary, but no details are required to be submitted to the Local Planning Authority prior to the commencement of development.

RECOMMENDATION: Prior Approval Given

Subject to the following conditions:-

1 In accordance with the provisions of Class M of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, no objection is raised in regards to transport and highways impacts; contamination risks; flooding risks; the desirability for the building to change to a use falling within Class C3; and the design or external appearance of the building, and so Prior Approval is not required in these respects. A condition requiring the remediation of contamination should it be discovered is considered necessary, but no details are required to be submitted to the Local Planning Authority prior to the commencement of development.

2 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must then be undertaken and, where remediation is necessary, a remediation scheme shall be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

PL/18/2774/FA

Case Officer: Lucy Wenzel
Date Received: 20.07.2018
Parish: Penn
App Type: Full Application
Proposal: **Redevelopment of site (plots 15 and 16) to provide three new dwellings with two detached garages and one carport, creation of two new vehicular accesses and laying of associated hardstanding**
Location: **Woodchester
Woodchester Park
Knotty Green
Buckinghamshire**
Applicant: **Zafiro Homes**

SITE CONSTRAINTS

Article 4 Direction
Adjacent to Unclassified Road
North South Line
Tree Preservation Order
Tree Preservation Order (A/G/W)
Townscape Character

COMMITTEE CALL IN

The application has been called to Committee by Councillor Waters should the recommendation be for approval.

SITE LOCATION

The site is located to the north of Knotty Green along Woodchester Park. The site has been subject to a number of planning applications for the accommodation of new dwellings on site. Within the site surroundings the dominant dwelling type is that of large detached properties sited within spacious plots with a mixed character type.

THE APPLICATION

The application seeks planning permission for the redevelopment of the site (plots 15 and 16) to provide three new dwellings with two detached garages and one carport, creation of two new vehicular accesses and laying of associated hardstanding.

Plot 1 would consist of a detached two storey dwelling with accommodation within the roofspace. The property would contain 5 bedrooms spread over the first and second floor. It would have a maximum width of 12.8 metres, depth of 16.5 metres and gable fronted hipped roof height of 10.1 metres and an eaves height of 5.4 metres.

Plot 2 would consist of a detached two storey dwelling with accommodation within the roofspace. The property would contain 5 bedrooms spread over the first and second floor. It would have a maximum width of 13.5 metres, depth of 16.5 metres and gable fronted hipped roof height of 10.2 metres and an eaves height of 5.3 metres.

Plot 3 would consist of a detached two storey dwelling with accommodation within the roofspace. The property would contain 5 bedrooms spread over the first and second floor. It has a maximum width of 11.5

metres, depth of 16.5 metres and gable fronted hipped roof height of 10.2 metres with an eaves height of 5.5 metres.

The two double detached garages will serve plot 1 and 2. They will have a maximum width of 6.3 metres, depth of 6.5 metres and pitched roof height of 5 metres.

The carport will serve plot 3. It will have a maximum width of 6 metres, depth of 6 metres and pitched roof height of 4.9 metres.

The access would be taken from Woodchester Park.

A Planning Statement and Arboricultural and Planning Integration Report have been submitted with this application.

RELEVANT PLANNING HISTORY

CH/2011/1283/SA. Application for a Certificate of Lawfulness for a proposed operation relating to the erection of three detached dwellings and garages (Plots 14, 15 and 16) as approved under application reference CH/1989/1316/OA and CH/1989/2497/DE. Certificate granted.

CH/2012/0782/FA. Demolition of existing dwelling and erection of five detached dwellings and garages, refused permission.

CH/2012/1807/FA. The application proposes the demolition of the existing dwelling and the erection of five detached dwellings and garages, refused permission. Subsequent Appeal Dismissed.

Due to the scale, orientation and proximity to side boundary Plot 17 would overwhelm and dominate the outlook from the rear garden and impair living conditions at No.4 Latimer Way to a significant degree.

Due to the depth, height and proximity to side boundary Plot 18 would have an overbearing effect on the occupiers of Hawthorn House when in the rear garden and rear conservatory and impair living conditions of these neighbours to a significant degree.

CH/2013/1906/FA. Redevelopment of site to provide three dwellings and one detached garage, creation of two new vehicular accesses and laying of associated hardstanding, conditional permission.

CH/2016/0914/FA - Redevelopment of site to provide two dwellings and one detached garage, creation of two new vehicular accesses and laying of associated hardstanding (amendment to Plots 15 and 16 of planning permission CH/2013/1906/FA), conditional permission subject to a legal agreement.

CH/2018/0122/FA - Redevelopment of site to provide two new dwellings and one detached garage, creation of two new vehicle accesses and laying of associated hardstanding (amendment to planning permission CH/2016/0914/FA), conditional permission subject to a legal agreement.

PARISH COUNCIL

No comment.

REPRESENTATIONS

Six letters of objection have been received which have been summarised below:

- A great deal of mature greenery/screening/trees has been cut down on the site.
- This application seems to represent the increasingly usual tight infilling which does not fit with the existing nature and style of Woodchester.
- Planting should be used to ensure rightful privacy is not destroyed.
- Considerations of housing density, tree removal and an increase in disruption caused during an extended length of redevelopment are all of concern.

- The development will cause serious harm to our own residential amenity in terms of privacy, quality of life and outlook.
- The proposed constructions are too high, too close, too obtrusive and too dense.
- The dwellings are sited too close to the rear boundary of the site.
- The level of openings in the rear elevation is too high.
- The garden depths proposed will increase the sense of enclosure which does not correlate with the rural setting.

CONSULTATIONS

Chiltern and South Bucks Building Control - Fire Fighting Access

Having studied the documentation online I am able to confirm that the proposed design appears satisfactory with regard to the requirements for Fire Brigade Access. Disabled access and facilities appear adequate.

Chiltern District Tree Officer

Tree Preservation Order No 5 of 2012 protects a group of three pines and a sycamore, and a group of four pines and a maple on the front boundary of the application site, as well as a horse chestnut beside Latimer Way. The application includes a further revision of the Arboricultural and Planning Integration Report.

Most of the trees within the site have been cleared since planning permission CH/2016/0914/FA was approved including the line of golden cypresses G2, for which the proposals were not clear in that application. However most of the larger trees around the boundaries remain and there is now hoarding along the front boundary. There has been some re-grading of the ground levels to remove the bank at the edge of the old tennis court on Plot 16 and there are now piles of soil and rubble over this tennis court area.

Since CH/2018/0122/FA was granted permission earlier this year the new access for Plot 16 has been constructed and there has been some further tree removal on the site. Two beech trees shown for retention under the previous applications have been removed recently. These are T5 beech and the beech tree in G7 that was within the site, using the numbers from the earlier tree survey. Both were useful amenity trees that also provided screening from Hawthorn House. In addition the laurel on the rear boundary of Plot 16 has been removed leaving only a few poor cypresses.

This felling took place before the revised Arboricultural and Planning Integration Report was prepared as these trees have been omitted from the survey and plans and the tree numbers in the survey have been revised to reflect their loss.

In addition the Leyland cypress to the north of the recently-constructed access for Plot 16 has been removed. This was G14/T14 under the previous survey and is T12 in the current survey. Under CH/2018/0122/FA this tree was shown for removal on the Site Plan but for retention on the Tree Protection Plan. The current proposals show the same confusion with the tree removed on the Proposed Site Plan but retained on the revised Tree Protection Plan. The tree report also proposes the removal of G3 and T4 suggesting that the report was revised without a further visit to the site.

The current application proposes three houses on Plots 15 and 16 rather than the two houses previously approved. Plot 1 would use the new access proposed under CH/2018/0122/FA whereas Plots 2 & 3 would both use the recently-constructed access for Plot 16.

No additional trees are shown for removal but trees at the rear of the site have recently been removed and the re-grading of the levels close to the front boundary trees is likely to have caused some root damage. One of the TPO Scots pines on this boundary has recently died, perhaps related to root damage and another tree is showing signs of decline. The Tree Preservation Order would require that this should be replaced.

The proposals show double garages for Plots 1 & 2 within the root protection areas of the TPO trees and there is a general statement in section 6.7 of the revised Arboricultural and Planning Integration Report that these would use "specialised foundations to minimise root disturbance". The revised Arboricultural and Planning Integration Report and the Tree Protection Plan also show no-dig construction and ground protection measures in these areas to reduce future root damage but it is likely that some damage has already occurred.

Overall I have concerns about the increasing tree loss on the site and the increasing stress on the retained trees but theoretically the current proposal should have little additional impact on the remaining trees if all the precautions listed in the tree report are followed. Consequently I would not object to the application provided there is adequate protection for the retained trees including appropriate foundations and levels for the garages. There should also be suitable replacement planting for the trees removed on the rear boundary.

An amended site plan has been received following the concerns over the removal of the rear boundary treatments. The site plan shows the addition of trees along this rear boundary line.

Buckinghamshire County Council Highways Authority

I note that the Highway Authority has provided previous comments for this site, most recently for application no. CH/2018/0122/FA, which in a response dated 27th February 2018, the Highway Authority had no objection subject to conditions.

This application differs from the previous application because the proposals include the redevelopment of the site to provide three dwellings instead of two on Plots 15 and 16.

In terms of trip generation, I would expect the proposed dwelling to generate between 4-6 daily vehicular movements (two-way). Therefore, overall the three dwellings have the potential to generate in the region of 18 daily vehicular movements (two-way). I am satisfied that these vehicular movements can be accommodated within the local highway network.

The three dwellings would be served by two access points. In accordance with guidance contained within Manual for Streets, visibility splays of 2.4m x 43m are required in both directions commensurate with a speed limit of 30mph. I am satisfied that sufficient visibility splays can be achieved from both access points within land owned by the applicant or within the extent of the publicly maintained highway.

Mindful of the above, I have no objection to the proposals subject to conditions.

POLICIES

National Planning Policy Framework (NPPF), July 2018

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4, CS8, CS20, CS24, CS25, CS26, CS31 and CS32.

The Chiltern Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011: Saved Policies GC1, GC3, GC4, H3, H11, H12, H18, TR2, TR3, TR11, TR16 and TW3.

Sustainable Construction and Renewable Energy Supplementary Planning Document (SPD) - Adopted 25 February 2015

EVALUATION

Principle of Development

1. The site is located within the built up area of Knotty Green where, in accordance with Local Plan Policy H3 of the Adopted Chiltern District Local Plan, proposals for new dwellings are acceptable in principle, provided there is no conflict with any other policy in the Development Plan, and providing that the proposed development is compatible with the character of those areas by respecting the general density, scale, siting, height and character of buildings in the locality and the presence of trees, shrubs, lawns and verges.

2. In addition, Core Strategy Policy CS20 also states that the Council will require that new development within the District is of a high standard of design which reflects and respects the character of the surrounding area and those features which contribute to local distinctiveness.

3. All other relevant Development Plan Policies should be complied with.

Design/character & appearance

4. The application site currently comprises a vacant plot of land along Woodchester Park which has been subject to a number of previous planning applications. The wider site has been granted numerous planning permissions for the erection of four detached dwellings and a detached building comprising four apartments. The application site was originally granted permission for the erection of two substantial sized detached dwellings in 2013 (reference CH/2013/1906/FA) with two subsequent applications being submitted in 2016 and 2018 (reference CH/2016/0914/FA and CH/2018/0122/FA) for amendments.

5. The current proposed scheme seeks permission for the erection of three detached dwellings covering a similar width of built form across the site as the permitted two dwellings but there will be an increase in built form across the central depth of the site due to three plots being proposed. Taking into account the plot size, whilst these are reduced from the original approved planning application for the erection of two dwellings, they correspond well to plots 14A and 14B which have been granted permission to the north of the application site and to the wider surrounding area. The style, design and spread of development within the plots will reflect the design and appearance of Plots 14A and 14B and those surrounding dwellings and so will not interrupt the already established and permitted street pattern. The proposed dwellings will have frontages which face onto the highway with detached garages sited in front of the prevailing building line. The garages remain set back from the highway and consequently are not considered to be detrimental to the character of the street scene.

6. The design of the dwellings has been carefully considered to integrate well with Plots 14A and 14B. Living accommodation in the proposed dwellings is set over three levels and is partly achieved through the inclusion of rear dormers that allow for habitable accommodation in the roofspace. The appearance would be of two storey properties with further accommodation in the roofspace and the presence of a third floor would not be easily discernible from the front elevation. Plots 1 and 2 are proposed to have two rear dormers with plot 3 having one on the rear. The dormers would be small scaled and are not considered to dominate their respective roof slopes. Furthermore, the proposed dwellings would be of a similar height to others along Woodchester Park and when viewed in comparison to plots 15 and 16 which were originally granted permission on the application site. The proposal is in-keeping with the prevailing development type in the area, with the dwellings being detached and their design and proportions being considered compatible with the character of the existing dwellings in the vicinity.

Neighbouring Amenity

7. The site slopes from north west to north east so the proposed dwellings would appear of a larger scale when viewed from the rear amenity space of the rear neighbouring dwellings; Hawthorn House and Tinkersfield. Whilst acknowledging this, the two previous permitted dwellings had similar ridge heights thus although there is an increase in dwelling numbers the overall scale in terms of height remains the same and no previous objections were raised with regards to neighbouring amenity impacts.

8. With three dwellings currently being proposed concern has been raised to the increase in depth of development across the central section of the site as a result of the additional dwelling on plot 2. On the previous permitted applications, either dwelling tapered in scale towards the middle of the site in order to minimise impacts to the rear neighbouring dwellings. In contrast to this, the erection of the dwelling in plot 2 has reduced the distance and as such impinged upon the rear-to-rear relationship with Hawthorn House. The erection of a dwelling in plot 2 has decreased the distance to the rear boundary line by 8 metres at its minimum. However the bulk of this increase is at ground floor level with the minimum distance between the rear elevations of Hawthorn House and the proposed dwellings of 29 metres. This distance is considered to be substantial and does reduce the potential for overlooking and encroachment upon privacy both in terms of

the rear elevation windows and the rear amenity space of Hawthorn House. Given the layout of the site the dormer windows would face towards the rear amenity space and rear elevation of Hawthorn House and Tinkersfield which due to the fall of the land are set below that of the proposed plots 1, 2 and 3. However as aforementioned, the rear-to-rear elevation distance is measured as a minimum of 29 metres, therefore it is considered that this separation is acceptable. Substantial screening has also been proposed along the rear boundary line of the site and this will aid in reducing a loss of amenity. Given the siting and separation between the proposed dwellings and the rear neighbouring properties, it is considered that the resultant relationship is acceptable.

9. The proposed rear amenity space varies for each of the proposed plots measuring to a minimum distance of 8 metres for plots 1 and 2 and 12 metres for Plot 3. The gardens of all plots increase to between 14 to 16 metres in depth with this variation occurring from the L shaped rear elevation design. In comparison to other dwellings in the surrounding development, plot 14B has a varying garden depth of between 10 metres to 15.5 metres and so those proposed on plots 1, 2 and 3 are compatible. Within the wider surroundings along Woodchester Park there is variation in rear amenity space and so those proposed are considered acceptable. Correspondingly, the level of rear amenity space is suitable for the scale of the proposed dwellings and they provide adequate amenity space for future residents.

Parking/Highways implications

10. The two access points proposed under application CH/2018/0122/FA are also proposed to serve the three dwellings. Taking note of the Highways comments, it is considered that the access points can achieve the required visibility splays and the highway can satisfactorily accommodate the increase in vehicular movements. Plots 1 and 2 are proposed to have double garages sited with plot 3 having a double carport. With the dwellings measuring at over 120 square metres in footprint, three parking spaces are required to meet the parking standard in Policy TR16. With two spaces per dwelling being able to be accommodated within the garages/car port, the hardstanding sited to the front of all three dwellings can house the additional spaces required. Therefore there are no concerns raised.

Trees

11. The Tree Officer has stated that concerns are raised regarding the increasing tree loss on the site and the increasing stress on the retained trees. Overall however, there is no objection in principle subject to adequate protection being implemented for the retained trees and suitable replacement planting for the trees removed along the rear boundary. Conditions on the planning permission will ensure that no harm comes to the existing trees on site and that the trees as shown on the site plan are planted along the rear boundary edge.

Affordable Housing

12. As the proposal seeks planning permission for the erection of three dwellings on site and as the application site forms part of a larger site in Woodchester Park, the combination of site areas measures at over 0.5 hectares. As such, in line with the NPPF the applicant must enter into a unilateral undertaking to pay a total of £75,000 towards off-site affordable housing for this proposal based on a contribution of £25,000 per plot.

Working with the applicant

13. In accordance with Section 4 of the National Planning Policy Framework, the Planning Authority, 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.

The local planning authority 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, Chiltern District Council has considered the details as submitted which were considered acceptable.

Human Rights

14. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Defer-minded to approve subject to the prior completion of Legal Agreement. Decision delegated to Head of Planning and Economic Development

Subject to the following conditions:-

1 C108A General Time Limit

2 Before any construction work commences above ground level, named types, or samples of the facing materials and roofing materials to be used for the external construction of the development hereby permitted shall be made available to and approved in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality.

3 The development hereby approved shall be implemented in accordance with the tree and hedge protection measures described in the Arboricultural and Planning Integration Report dated 18th July 2018 Ref: GHA/DS/888:18 and the Tree Protection Plan Rev H dated July 2018 by GHA Trees Arboricultural Consultancy. This shall include the erection of tree protection fencing in accordance with the Tree Protection Plan, the use of no-dig construction and ground protection measures as proposed in the report and the use of specialised foundations for the garages to minimise root disturbance.

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.

4 No tree or hedge shown to be retained on the Tree Protection Plan Rev H dated July 18 by GHA Trees 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.

5 Before any construction work commences, full details of the means of enclosure to be retained and erected along all external boundaries of the site and between the individual gardens of the approved dwellings shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure along the external boundaries of the site shall be constructed, erected or planted prior to the commencement of any other construction work on the site and the approved means of enclosure between

the individual gardens shall be erected prior to the occupation of that dwelling and shall be maintained as such thereafter.

Reason: To safeguard the visual amenities of the locality and the privacy of the adjoining properties.

6 Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) no development falling within Classes A to B of Part 1 of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site, unless planning permission is first granted by the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider whether any future proposals will constitute overdevelopment of the site or will in any other way be detrimental to the character of the locality or the amenities of neighbouring properties.

7 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 windows/rooflights/dormer windows or openings other than those expressly authorised by this permission shall be inserted or constructed at any time at first floor level or above in the three dwellings hereby permitted.

Reason: To protect the amenities and privacy of the adjoining properties.

8 No other part of the development shall begin until the new means of access to serve Plots 14, 15 and 16 have been sited and laid out in accordance with the approved drawing.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

9 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.

10 AP01 Approved Plans

INFORMATIVES

1 The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A period of 28 days must be allowed for the issuing of the licence, please contact the Area Manager at the following address for information or apply online via Buckinghamshire County Council's website at

<https://www.buckscc.gov.uk/services/transport-and-roads/licences-and-permits/apply-for-a-dropped-kerb/>

Transport for Buckinghamshire (Streetworks)
10th Floor, New County Offices
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
01296 382416

2 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.

3 It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

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

PL/18/2794/FA

Case Officer: Emma Showan
Date Received: 23.07.2018 Decide by Date: 21.09.2018
Parish: Amersham Ward: Amersham Town
App Type: Full Application
Proposal: Construction of new detached dwelling with new detached double garage
Location: Plot 4 (15A Clare Park)
Amersham
Buckinghamshire
HP7 9HW
Applicant: Norland Homes

SITE CONSTRAINTS

Article 4 Direction
Critical Drainage Area
North South Line
Townscape Character
Thames Groundwater Protection Zone GC9

CALL IN

Councillor Phillips has requested that this application be determined by the Planning Committee if the Officer's recommendation is for approval.

SITE LOCATION

The application site is located along Clare Park, a residential cul-de-sac in the built-up area of Amersham. Clare Park is characterised by two storey, detached residential dwellings with forward facing garages. The properties are of similar proportions and have a similar character. They are also set back from the highway with wide open frontages which gives the area a spacious character.

THE APPLICATION

This application proposes the construction of a new detached dwelling with new detached double garage.

The proposed dwelling would have a maximum width of 10.8 metres, depth 13.6 metres and pitched roof height of 8.7 metres, with an eaves height of 5.5 metres.

It would be served by a detached double garage with a maximum width of 6.1 metres, depth of 6.7 metres and pitched roof height of 4.9 metres, with an eaves height of 2.4 metres. The garage would be sited to the rear of the dwelling and would be served by an access onto Clare Park.

RELEVANT PLANNING HISTORY

CH/2010/0546/VRC - Variation of Condition 6 of planning permission CH/2009/1668/FA to allow the erection of a 1.8 metre close boarded fence surrounding only part of the application site before commencement of development, conditional permission.

CH/2009/1668/FA - Four detached dwellings; three with detached double garages and one with an attached garage, all served by a new access onto Clare Park, conditional permission. Permission implemented in part; 3 of the 4 dwellings have been erected.

CH/2007/1716/OA - Outline planning permission for four detached dwellings; three with detached double garages and one with an attached garage, all served by a new access onto Clare Park. Refused permission on grounds that the width of plot 3 is substantially narrower than any other plot within Clare Park and would not be in keeping with the spacious layout of the properties within Clare Park. As such, the proposal would not be compatible with the character of Clare Park and would have a detrimental impact on the character, appearance and layout of the street scene. Appeal dismissed.

CH/2007/0079/OA - Outline planning permission for four detached dwellings; three with detached double garages and one with an attached garage, all served by a new access onto Clare Park. Refused permission on grounds that Plot 2 would appear visually intrusive and overbearing to the occupants of Rosewood.

TOWN COUNCIL

Recommend refusal - Members have some concern about the height of the proposed dwelling in relation to the neighbouring properties.

REPRESENTATIONS

Eight letters of objection received which can be summarised as follows:

- Changes to the levels compared with the previously approved scheme will lead to an overbearing dwelling
- The ground level of the site has been raised since the previous application
- Concern regarding fence boundaries (no other properties have front fences as is proposed here) and loss of trees
- Changed location (dwelling will be further forward than previous dwelling) will be overbearing to No. 15
- Loss of light
- Intrusive, oppressive and dominating structure which would impact on amenity and light to No. 16
- This application would not comply with the sight line and levels requested as part of planning application

CH/2009/1668/FA

CONSULTATIONS

Buckinghamshire County Highways Authority

I note the Highway Authority has provided previous comments for this site, most recently for application no. CH/2013/1863/OA, which in a response dated 13th January 2014; the Highway Authority had no objection subject to conditions.

The property is situated off a private drive at the end of the cul-de-sac, Clare Park. The proposal seeks planning consent for the construction of a new detached dwelling with a detached double garage.

The proposed development has been considered by the County Highway Authority who has undertaken an assessment in terms of the impact on the highway network including net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The Highway Authority has no objections to this application.

Building Control Officer

No comment.

POLICIES

National Planning Policy Framework (NPPF), 2018.

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4 and CS20.

The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011. Saved Policies: GC1, GC3, H3, H11, H12, TR2, TR3, TR11 and TR16.

Affordable Housing Supplementary Planning Document (SPD) - Adopted 21 February 2012.

Sustainable Construction and Renewable Energy SPD - Adopted 25 February 2015.

EVALUATION

Principle of development

1. The site is located within the built-up area of Amersham where, in accordance with Local Plan Policy H3, proposals for new dwellings are acceptable in principle, subject to there being no conflict with any other Local Plan policy. Proposals should be compatible with the character of those areas by respecting the general density, scale, siting, height and character of buildings in the locality of the application site, and the presence of trees, shrubs, lawns and verges.
2. In addition, the spatial strategy for Chiltern District, in accordance with Policies CS1 and CS2 of the Core Strategy, is to focus development on land within existing settlements outside of the Green Belt and Area of Outstanding Natural Beauty.
3. It is also noted that this application follows on from planning permission CH/2009/1668/FA for four detached dwellings; three with detached double garages and one with an attached garage, all served by a new access onto Clare Park which received conditional permission. This application relates to one of the four units proposed within the 2009 application. The other three units have already been erected but Plot 4 has remained free from development. The proposed dwelling is comparable with the previously approved dwelling on Plot 4 in terms of its proportions and siting but a modest single storey rear extension has been added as part of this proposal.

Design/character & appearance

4. This application proposes the erection of a two storey detached dwelling. The dwelling would be comparable to the dwelling as approved as part of CH/2009/1668/FA in terms of its appearance and proportions, but a minor single storey rear infill extension is proposed. Fenestration alterations are also proposed but no additional windows are included as part of this application. The garage would remain set back from the dwelling with the access being taken to the east flank of the proposed property. In terms of the siting of the dwelling, it is noted that the proposed dwelling would be stepped forward of No. 15, but this would be marginal and it would be stepped back from the front elevation of No. 16. This would help the proposal to integrate with the street scene with properties along this row all being stepped back to varying degrees from the highway. The proposed dwelling would also retain adequate distance between its flank walls and the boundaries so as not to appear overly cramped or at odds with the local pattern of development. It is noted that there have been a number of objections received raising concern that that the amended siting since the previous application would be contrary to the sight line plans previously approved however it is not considered that the siting would be detrimental to the streetscene as the proposed dwelling would still be sited neatly between the front elevations No. 16 and No. 15. In addition, concerns regarding the proposed levels are noted, however these concerns can be dealt with by way of condition to ensure that any dwelling erected on site would not exceed the height of its neighbours to such a degree that there would be a detrimental impact on the street scene. Finally, it has also been stated that the proposed erection of fencing at the front elevation would be detrimental to the character of the area where other properties have open frontages. However, the section of fencing proposed to be erected would only be for a short section of 3 metres which is extremely modest and it would be set back from the highway so that an area of grass verge would still separate the fencing from the highway. This is considered to be acceptable and the open character

of the area would be sufficiently retained. It is also noted that fencing can usually be erected under Permitted Development rights.

5. Overall it is considered that the erection of a dwelling in this location would be acceptable and the proposed design/proportions of the dwelling would integrate with the character of the area and the existing pattern of development along Clare Park. The concerns raised by neighbours are noted, but where required, these can be dealt with by way of condition.

6. In terms of the concerns raised by the Town Council, the proposed dwelling would have a comparable ridge height to the previously approved dwelling and a lower eaves height. The previously approved dwelling had a height of 8.5 metres which compares to the dwelling proposed within this application which has a height of 8.7 metres and eaves height of 5.5 metres. The difference of 0.2 metres to the overall ridge height is considered to be minimal and therefore is acceptable. A condition requiring the submission of a levels plan will also ensure that the dwelling would not appear unduly prominent in the streetscene alongside its neighbours.

Residential amenity

7. Planning permission has already been granted for a dwelling on this site and no issues were previously raised with regards to neighbouring amenity. In this instance, the proposed dwelling would be comparable in terms of its proportions to the previously approved dwelling. Although neighbours have raised concern that the dwelling would be sited further forward than previously agreed, the movement forward is marginal and the dwelling would still be set slightly back from the front elevation of No. 16 and only 1 metre further forward than No. 15. Given that 3.3 metres would separate the two properties, this relationship is considered to be acceptable. Meanwhile, to the rear, although the property would extend to the rear beyond No. 16 by 2 metres, 4 metres would separate the two properties and the proposed dwelling would not project to the rear beyond the rear elevation of No. 15 also. The garage serving the proposed dwelling would also be broadly in line with the siting of the other garages serving the neighbouring properties. Although neighbours have raised concern that amended land levels would lead to the erection of a dwelling that is overbearing and dominant, a condition requiring the submission of a levels plan prior to the erection of the dwelling would ensure that the property has an acceptable relationship to its neighbours. It is also considered that adequate separation would be retained to prevent the proposal from appearing overbearing. Lastly, a condition requiring that the first floor flank bathroom windows are to be opaque glazed would prevent intrusion into either adjacent neighbouring property.

8. In terms of private amenity space for the proposed dwelling, Development Plan Policy H12 states that the general standard expected will be a minimum rear garden depth of about 15 metres, unless the rear garden lengths in the vicinity are significantly less. In this instance, the proposed garden lengths will be approximately 12 metres which is below the 15 metre recommendation. However, it is noted that the other properties within the row have comparable garden depths and no objections were previously raised as part of the 2009 application so no objection is raised in regards to the proposed garden size.

9. Adequate bin storage can also be accommodated within the curtilage of the dwelling and the site benefits from existing waste collection routes.

Parking/Highway implications

10. The dwelling would exceed 120 square metres and so, in accordance with the provisions of Development Plan Policy TR16, three car parking spaces would be required. The site plan indicates that adequate space for in excess of 3 vehicles can be provided within the proposed double garage and along the driveway and so no objections are raised in this respect.

11. The application has been considered by the County Highway Authority who has undertaken an assessment in terms of the impact on the highway network including net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. No objections are therefore raised in this respect.

Sustainability and access

12. Core Strategy Policy CS4 sets out sustainable development principles for new development and in this respect it is noted that the site is within a sustainable location in the built-up area of Amersham which benefits from bus routes, a train route, local amenities and existing waste collection routes. As such, no objections are raised in respect of Core Strategy Policy CS4.

Affordable housing

13. For proposals under 5 dwellings, Policy CS8 of the Core Strategy requires a financial contribution towards off-site affordable housing to be made. However, there are now specific circumstances set out in the NPPG (National Planning Practice Guidance) where contributions for affordable housing and tariff style planning obligations (Section 106 planning obligations) should not be sought from small scale development and so no affordable housing is required in this instance.

Working with the applicant

14. In accordance with Section 4 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.

Chiltern District Council 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, Chiltern District Council has considered the details as submitted which were considered acceptable.

Human Rights

15. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Conditional Permission

Subject to the following conditions:-

1 C108A General Time Limit

2 Before any construction work commences, named types and details of the facing materials and roofing materials to be used for the external construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality.

3 Prior to the commencement of any works on site, detailed plans, including cross sections as appropriate, showing the existing ground levels and the proposed slab and finished floor levels of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed datum point normally 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.

4 Prior to the commencement of development hereby approved, the 1.8 metre close boarded fences surrounding the application site shall be erected in accordance with details shown on drawing no. 18 CPH SL01 received by the Local Planning Authority on 23rd July 2018 and shall be maintained as such thereafter.

Reason: To protect the amenities and privacy of the approved dwelling.

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 The first floor windows in the flank elevations of the dwelling hereby approved shall not be glazed other than with obscured glass, at any time.

Reason: To protect the amenities and privacy of the adjoining properties.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be inserted or constructed at any time at first floor level or above in the flank elevations of the dwelling hereby permitted.

Reason: To protect the amenities and privacy of the adjoining properties.

8 AP01 Approved Plans

INFORMATIVES

1 Due to the close proximity of the site to existing residential properties, the applicants' attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicles parking at the site or making deliveries, and general disruption caused by the works.

By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and complaints from local residents and further information on how to participate can be found at www.ccscheme.org.uk. (SIN35)

2 You are advised that consent under the Building Regulations may be required for the proposed development and the Building Control Unit at the Council should be contacted in this regard. (SIN41)

3 It is an offence under S151 of the Highways Act 1980 (as amended) 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. (SIH23)

4 No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980 (as amended). (SIH24)

The End