

Contact: Jenny Ion DDI No. 01494 421599
App No : 13/05046/FUL App Type : FUL
Application for : Erection of 1 x 3 bed dwelling and detached garage with garden room/store under retaining the existing access from Grassy Lane
At Land Adjacent Formoso Kiln Lane Bourne End Buckinghamshire
Date Received : 10/01/13 Applicant : Mr & Mrs Robert Overall
Target date for decision: 07/03/13

1. Summary

- 1.1. Planning permission is sought for the erection of a single detached dwelling and detached garage located centrally within a substantial plot, taking vehicular access from Grassy Lane.
- 1.2. The application is a resubmission of an application originally refused in 2007, ref. 06/06815/FUL, and again in 2010, ref. 09/05885/FUL, subsequently dismissed on appeal. Both of the earlier applications involved changes to the surface of Grassy Lane and were refused on the grounds of the adverse impact on the character of the area due to the changes involved to Grassy Lane. The current application does not propose to make any improvements to Grassy Lane.
- 1.3. This application was previously considered at Planning Committee on 3rd July 2013 when the Committee agreed to defer determination to allow for the submission of a more detailed Construction Traffic Management Plan, for further ecological survey work to be carried out by the applicant, and for the Council to commission an independent review of the impact of the proposals on the sunken lane. These have all now been completed and this report has been updated accordingly.
- 1.4. The principle of residential development on this site is acceptable, as is the proposed scale and design of the buildings. No changes are proposed to Grassy Lane and the Highway Authority and Rights of Way Officer have accepted that upgrading to the lane is not necessary in relation to this level of development. It is therefore considered that the previous reason for refusing permission has been overcome and the application is recommended for permission.

2. The Application

- 2.1. Planning permission is sought for the erection of one three-bedroom detached dwelling and a detached garage.
- 2.2. The application site is a substantial area situated between Kiln Lane to the north and Grassy Lane to the south. It is set on sloping ground, with the land falling from east to west. To the east of the site, is a belt of trees, to the east of which is a public bridleway. The site is elevated above Kiln Lane, and there is a further belt of trees along this boundary. There is a further area of trees on the south side of the site, adjacent to Grassy Lane. The main area in the middle of the site is largely open, with some smaller areas of planting. There is a single point of vehicular access to the site from Grassy Lane, which is a bridleway. Close to this

access within the site are two former agricultural / stable buildings which are visible from the public right of way.

- 2.3. The proposed dwelling would be centrally located on the plot, with the proposed driveway passing it on the east side to reach the detached garage which would be positioned to the north of the house. Both the house and garage have been designed to take into account the slope of the site.
- 2.4. The house would appear single storey from the east, but would be two storey from the west, with the lower floor being cut into the slope and would consequently have a smaller floor area than the upper floor. It would have a projecting gabled wings to the east and west with large arched glazed openings, and substantial chimney stacks at the north and south ends. The house would be 14 metres wide, 9.7 metres deep and 9.2 metres high when viewed from the west and 6.3 metres high viewed from the east.
- 2.5. The proposed garage provides parking for two cars. It would also have a lower ground floor, giving the building a two-storey appearance from the west, to provide a store and garden room. The building would be 6.3 metres wide, have an overall depth of 7.4 metres and be 4.8 metres high from the east and 7.3 metres high from the west.
- 2.6. The proposed house would take vehicular access from Grassy Lane, which is an unmade track serving two existing houses and The Stables (where permission has been granted to replace the existing buildings with a new house), as well as the application site.
- 2.7. The site is located in the Hawks Hill / Harvest Hill area. The land to the east is designated as Green Space. The land on the north side of Kiln Lane is in the Green Belt and is an Area of Attractive Landscape.
- 2.8. Since the last application and subsequent appeal were determined, permission has been granted for the replacement of one of the existing dwellings off Grassy Lane, formerly known as Strathcona, now known as Harwin, ref. 11/06507/FUL and permission has also been granted for a new dwelling on the site of The Stables, ref, 12/06340/FUL. Prior to that permission was granted for two houses nearby (06/07520/FUL & 08/05226/FUL refer) on Harvest Hill, which back onto Grassy Lane, on the site previously known as Sappers Paddock.
- 2.9. There is a tree preservation order on that site, including trees along Grassy Lane, no. 1/2007. Also trees on the southern boundary of the application site have been protected by a Tree Preservation Order, no. 08/2008.
- 2.10. The application is accompanied by:
 - A supporting statement
 - Design and access statement
 - Landscape and Visual impact assessment
 - Arboricultural report (impact assessment and method statement)
 - Transport statement
 - A Phase 1 Habitat survey (Thomson Ecology)
 - Details of proposed foul drainage.

2.11. The following additional information has been submitted following the 3rd July Planning Committee.

- A revised draft Construction Phase Method Statement (Construction Traffic Management Plan)
- A Protected Species Report by Applied Ecology Ltd
- Survey of bridleway usage
- Letter responding to the appraisal by Mr Leay (on behalf of the Hawks Hill and Widmoor Residents Action Group (HHWRAG)) dated 12 September 2013,

3. Working with the applicant/agent

3.1. In accordance with paragraphs 186 and 187 of the NPPF Wycombe District Council (WDC) take a positive and proactive approach to development proposals focused on solutions. WDC work with the applicants/agents in a positive and proactive manner by

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions, and,
- by adhering to the requirements of the Planning & Sustainability Customer Charter

3.2. In this instance

- the applicant/agent was updated of any issues after the initial site visit,
- the applicant submitted additional information as requested,
- Following receipt of the additional information application was dealt with without delay.

4. Relevant Planning History

4.1. WR/439/49 - outline permission for erection of dwelling and smallholding (site included adjacent land to current application site)

4.2. WR/878/61 - appeal dismissed for three dwellings

4.3. WR/2031/66 - permission for caravan refused.

4.4. WR/1435/71 - outline application for 8 detached houses and garages refused.

4.5. WR/386/73 - outline application for estate road and 5 detached houses refused.

4.6. W/92/6701/FF - permission refused for detached dwelling and double garage.

4.7. 05/07708/FUL - application for three bedroom dwelling and garage withdrawn prior to determination.

4.8. 06/06815/FUL – application for a three bedroom dwelling and garage with access from Grassy Lane refused by Development Control Committee on the grounds that the extent and nature of the alterations to Grassy Lane and Harvest Hill, which involved laying plannings on

Grassy Lane, would adversely impact on the distinctive rural character and appearance of the lane and its immediate setting.

- 4.9. 09/05883/FUL – application for a three bedroom dwelling and garage with access from Kiln Lane refused under delegated powers on the grounds that the new access from Kiln Lane would result in a the removal of a substantial section of raised bank along Kiln Lane which would have an adverse visual impact on the enclosed and rural character of the sunken lane. Also that the application was not supported by an ecological survey and the applicant had therefore failed to demonstrate that the development would not harm the habitat of protected species. The ecological issues were addressed, however the proposal was dismissed at appeal on the basis of the adverse impact of the works on Kiln Lane.
- 4.10. 09/05885/FUL – application for a three bedroom dwelling and garage with access from Grassy Lane refused by Planning Committee. The proposal entailed widening Grassy Lane at five points to provide passing bays, and to improve the surface using a loose granular scalpings wearing course. The subsequent appeal was considered jointly with that for application 09/05883/FUL and was dismissed at appeal due to the adverse impact of the works on Grassy Lane.

5. Issues and Policy considerations

Principle, Location

Adopted Local Plan (ALP): C16

Core Strategy Development Planning Document (CSDPD): CS2, CS7

- 5.1. The site is located within the Hawks Hill / Harvest Hill area, for which there is a specific policy, C16, within the adopted Local Plan. The supporting text for the policy identifies the character of the area as being of a "*semi-rural nature, surrounded and dominated by open countryside which is in the Green Belt and Area of Attractive Landscape*". Areas of green space make an important contribution to the character of the area, some, but not all, of which are formally designated under Policy L3.
- 5.2. Policy C16 does allow for development within the Hawks Hill / Harvest Hill area, provided that it complies with the specific requirements of the policy. Development will not be permitted where it would introduce an urban character through its design, density, layout or location, or where it would necessitate highway improvements which would damage or destroy features which contribute to the landscape characteristics of the area. Development proposals should provide individually designed buildings, set in their own substantial grounds in an informal layout, commensurate with the semi-rural character of the area. Landscaping should be appropriate to the character of the area.
- 5.3. The local policy framework as it relates specifically to this site has not changed since the consideration of the last application for this site by the Planning Committee in 2010, or the determination of the subsequent appeal, although the Delivery and Site Allocations Plan was adopted in July 2013.
- 5.4. At that time it was accepted that Policy C16 does allow for limited infilling within the Hawks Hill / Harvest Hill area and that the general principle of erecting a single dwelling on this site was acceptable.

Whilst that application was refused, that refusal was based on the details of proposed access alterations, not the principle of development.

- 5.5. The main consideration in this case is therefore whether the previous reason for refusing development, namely the impact of the proposals on the rural character and appearance of Grassy Lane due to proposed alterations to it, has been overcome. This aspect will therefore be considered in the subsequent sections of this report.

Design of development and impact on the character of the area

Adopted Local Plan (ALP) G3, G7, G8, G10, G11, G26, C16, Appendix 1;
Core Strategy Development Planning Document (CSDPD) CS17, CS19;

- 5.6. The proposed house is of an individual design which, subject to the use of appropriate materials, would create an attractive dwelling which would be in keeping with the mixture of age, size and style of dwellings in the Hawks Hill / Harvest Hill area. The buildings would be located centrally within the plot, retaining substantial grounds around them, and would largely be screened from public vantage points by the existing trees around the periphery of the site. A Landscape and Visual Impact Assessment has also been submitted with the application.
- 5.7. It is considered that the proposed buildings meet the requirements of Policy C16 in that they are individually designed buildings within substantial grounds, with an informal layout which is in keeping with the semi-rural nature of their surroundings. As such the dwelling and garage and associated driveway within the site would not adversely affect the character or appearance of the surrounding area, nor would it introduce an urban character into the area.
- 5.8. The Council's Landscape Officer does not object to the impact of the proposed buildings, and, whilst it has been suggested that the amount of driveway could be reduced and the stable and agricultural building should be removed, it is considered that, as this has not been sought previously it would not be reasonable to insist on this approach now.
- 5.9. Neither the 2006 or 2009 applications were refused on the ground of the design, scale or positioning of the house and garage buildings, those elements of the scheme having been held to have an acceptable impact. It is considered reasonable to impose conditions relating to materials, surfacing materials and landscaping to ensure that the development has a satisfactory appearance.
- 5.10. The existing access to the site is via Grassy Lane. Grassy Lane is an unmade track, which is also a bridleway, which provides vehicular access to two residential properties, The Stables (with an extant permission for residential development) and the application site. The lane has two distinct sections, the first from the junction with Harvest Hill to the sharp bend before the access to the appeal site (just past the access to The Stables). This is unmade, varying in width, but with evidence that stone has been added to the natural soil surface on some sections.
- 5.11. The second section of Grassy Lane has the appearance of a sunken lane, with a concave base and banks either side overhung by trees. This section undergoes a further distinct change in character once past the existing gateway into the application site, as it narrows further, becoming more enclosed, and impassable by vehicular traffic.

- 5.12. Both of the previous applications proposed alterations to the surface of Grassy Lane, and the later application also involved widening it slightly at a number of points in order to provide passing bays. Some further work to the junction with Harvest Hill was also proposed to improve the vision splay, mainly cutting back vegetation and alterations to the roadside bank.
- 5.13. Policy C16 states that development would not be permitted where it would necessitate highway improvements which would damage or destroy features which contribute to the landscape characteristics of the area. It was on this point that the previous applications were refused, the Planning Committee overturning the officer recommendation to approve the applications in both cases. In the case of the later application the subsequent appeal was also dismissed, due to the impact of the proposed alterations to the lane which were considered harmful to the character of the lane and its contribution to the landscape character of the area.
- 5.14. To overcome the previous reasons for refusal the application does not now include any proposals for alterations to Grassy Lane.
- 5.15. The applicant has submitted a Transport Statement with their application which assesses the potential traffic generations for the existing site, which could be used for stabling horses in the existing stable building, and/or for keeping livestock. As part of this assessment the advice of a specialist in rural estate management, farm business management and rural planning was sought, to advise on the potential use of the site for agricultural and/or equestrian purposes, and the likely amount of visits that would be associated with such a use.
- 5.16. The Transport Statement suggests that the site could generate approximately 14 to 16 movements per day if used for grazing/keeping livestock and keeping horses. This would be likely to involve 4 x 4 vehicles and trailers to move feed and bedding on to the site, and to transport animals to and from the site. Using the TRICS trip rate database the Transport Statement estimates that the proposed residential development would generate on average 6 movements per day. As such there is a potential for the proposed use to generate less traffic movements than the lawful use of the site, and there is no justification for requiring alterations to the bridleway.
- 5.17. It should also be noted that a letter of support has been received from a former owner of the land, whose family owned the site from 1954 to 2000. This gives details of the previous usage, including pig farming and keeping of horses, access to the site by cars, horse boxes, tractors and hay delivery lorries, and of periodic maintenance of the lane by repairing it with either stone, crushed rubble or road plantings.
- 5.18. The applicant has also drawn attention to the recent permission for the redevelopment of The Stables, on the opposite side of Grassy Lane, where the Council accepted that, as the development would not result in a net increase in trips to the site, no alterations to Grassy Lane would be required.
- 5.19. The County Highway Authority's Development Management Engineer has reviewed the applicant's Transport Assessment and is satisfied that the proposal will not increase the usage of Grassy Lane. The Highway Authority has further clarified their original comments since the July

Planning Committee. They note that the amount of vehicular movements suggested in the Transport Statement are at the higher end of the spectrum for an agricultural use, however they maintain their view that the proposal would not result in a net increase in vehicle trips to the site. A highway objection could not therefore be sustained and there are no grounds to require the applicant to carry out highway improvement works.

- 5.20. The additional comments also note that the type of vehicles associated with agricultural use, such as tractors, 4 x 4's with trailers, trucks) would have the propensity to cause more damage in terms of their tyre size and axle weight than the considerably lighter impact caused by cars associated with a residential dwelling. At worst it would result in a nil-detriment situation.
- 5.21. Your Officers note also that there is currently stabling for two horses on the site and that these have been used as such in the past. If, as has happened in the past, as noted in third party representations, two horses were kept at the site, with separate owners, it is reasonable that each would visit the site twice a day to check their horses, generating a minimum of 8 vehicular movements. This is comparable to the level of trips generated by a 3 bedroom dwelling.
- 5.22. As well as Highway Development Control the application was also the subject of consultation with the County Rights of Way section at Bucks County Council. The initial comments received from the Strategic Access Officer were that, if permission was granted the lane would need to be strengthened. This comment was based on the supposition that the proposal would add extra traffic to the unmade bridleway.
- 5.23. The Strategic Access Officer was asked to clarify this position, given the contents of the Transport Assessment and the comments from Highways Development Control, that there would not be an increase in vehicular movements on the bridleway. He has subsequently amended his comments, which state that, if the Council is satisfied with the position set out in the Transport Statement in comparing previous and future use of the site, then the development can proceed without resurfacing the lane. Given that the County Highway Authority has advised that there would not be a net increase in vehicular movements it is considered that there is no justification to require upgrading of the surface of Grassy Lane.
- 5.24. Third parties have suggested that the lane is not suited to use by ordinary cars due to its unmade surface, which is alleged to be bare earth with no sub base, and which would become rutted as a result of use by construction and domestic traffic. This is refuted by the applicant, who points out that the objectors have not dug a range of trial holes on the section where vehicles drive, or plotted them on a plan. Whilst a photograph has been submitted purporting to show the surface, the photographs submitted appear to show that this was an area beyond the site entrance. It is also contended that the winter photos submitted by the objectors do not show significant rutting, merely multiple tyre tracks in a superficial skimming of mud, with no sign of penetration into the base below.
- 5.25. The applicant also refutes the inference in the objectors' comments that the "sloping" nature of the lane is problematic. The applicant considers the approach to the site to be a gentle incline which is too gentle to

create a credible risk of skidding, or slipping, which is suggested by objectors.

- 5.26. The lane, as far as The Stables, has been accepted as being suitable for domestic traffic, the section most at issue is the length of the lane between The Stables entrance, and the application site entrance. Whilst this section is narrower and less well maintained than the upper section of the lane, it is nevertheless passable by vehicular traffic, including ordinary cars. Representations from a former owner of the land indicate that it was in the past accessed by ordinary cars, as well as 4 wheel drive vehicles. There would, therefore, be an adequate means of access to the site for residential traffic.
- 5.27. Whilst the proposal does not propose physical changes to the lane itself, it is nevertheless necessary to consider whether the development would have an adverse impact on the character of the lane.
- 5.28. The Council's Landscape Officer raised concerns that the construction phase could have an impact on the lane, principally through the use of the lane by heavy vehicles which could impact upon the lane by turning up the surface, eroding banks or impacting upon vegetation, but concluded that the development itself would not have an adverse impact on the character of the lane. There is some criticism of the Landscape and Visual Impact Assessment for not having recognised the sensitivity of the lane and the impact of construction as an issue, however the Landscape Officer is of the opinion that the concerns about the impact of construction traffic could be overcome through a Construction Management Plan.
- 5.29. The Planning Committee on 3rd July deferred the application to allow an independent assessment of the landscape impacts of the development, with particular reference to the impact on the character of the lane, to be undertaken. The Council commissioned Jon Etchells Consulting, who represented the Council at the previous Public Inquiry, to carry out this review. A copy of his report is appended.
- 5.30. The report considers in particular whether future traffic associated with residential use is likely to lead to future pressure for improvement works to the lane, which would be damaging to its distinctive rural character and its setting, and whether construction traffic could be appropriately mitigated by means of a Construction Traffic Management Plan (CTMP), without likely permanent damage to the character of Grassy Lane.
- 5.31. With regard to the first issue, Mr Etchells notes that it was possible to drive an ordinary car down the lane to the site entrance, although the current position of the gate makes turning difficult when it is closed. The report concludes that, whilst it is not possible to make a categorical statement that there would not be future pressure for improvements to the lane, and it is more likely that such pressure would arise if there were to be a dwelling on the site than under current circumstances, the site can be accessed by an ordinary car at present and on balance it is unlikely that there would be pressure for alterations to the surfacing of the lane which would be of such a magnitude and nature that they would significantly harm the character of the lane or have a significantly urbanising impact.

- 5.32. The report notes that the existing surface provides adequate access for an ordinary car. If conditions in winter were found to be muddy with some shallow rutting of the lane surface it should be possible to provide low key appropriate improvements, such as scraping off the mud and rolling stone into the surface, which would provide a usable surface for all users of the lane without significantly altering its character.
- 5.33. The second issue the report considers is whether construction traffic can be mitigated by way of a Construction Traffic Management Plan without likely permanent damage to the character of Grassy Lane. Mr Etchells notes in his report that, since the appeal in 2010 there has been a degree of change to the lane, principally as a result of tree works and a flattening of the lane surface, which appear to be a result of vehicular movements associated with the maintenance of the site.
- 5.34. The report suggests amendments to the proposed condition requiring a Construction Traffic Management Plan. It is suggested that the initial stages of construction should take place between July and September, when, on average, ground conditions would be drier, and the likelihood of rutting of the lane would be less. A clear statement that vehicle sizes should be limited could be included. Imposing a limit on vehicle size / weight is not seen as reasonable in the event that a larger vehicle is necessary for a specific task. It is recommended that the requirement to rectify damage is clarified to ensure the lane is restored to its current state and appearance.
- 5.35. The report concludes that, whilst it is not possible to make a categorical statement that mitigation of construction traffic would prevent any and all damage to the lane, and any passage of heavy vehicles is likely to have some effect, it would be possible for any damage to be repaired and for the lane to be reinstated to its former condition. It should therefore be possible, by means of an appropriately worded condition, and application and enforcement of an approved CTMP, to provide for construction access without permanent, significant damage to the character of Grassy Lane.
- 5.36. On both issues Mr Etchells makes it clear that his conclusions apply to the scale of development proposed only. Proposals for a larger dwelling, or more dwellings, would lead to greater likelihood of damage to the lane and demands for improvements to it.
- 5.37. The applicant provided a draft Construction Traffic Management Plan (CTMP) prior to the 3rd July Planning Committee to indicate how the development would be carried out, to establish possible protection and mitigation measures. This draft plan was the subject of consultation with both the Landscape Officer and the County Highway Authority and County Rights of Way Officer.
- 5.38. It was quite general, but included measures such as protection of root structures of protected trees around the entrance to the site and along the lane where necessary, the retention of the majority of excavated material on site to reduce movements off site, the potential for use of suitably sized delivery vehicles, accommodation of site operative's vehicles within the site, restricted hours of operation, with deliveries timed outside peak periods, and details of the type of equipment which would be required to execute the development.

- 5.39. The applicant has subsequently submitted a "Construction Phase Method Statement" (in effect a revised CTMP), to take into account the comments and observation made in Mr Etchells report. This statement has been designed to inform contractors tendering for the works – a full CTMP cannot be compiled until a contractor has been appointed.
- 5.40. The statement includes details about the types of vehicles which will be required and the likely number of deliveries, details of site set up, including relocating the entrance gate further back from the lane, access and parking on-site for contractors, materials storage, tree protection, sequence of operations, timescale, site operation and security.
- 5.41. It is proposed to carry out a condition survey of the lane at least 4 weeks prior to commencement of construction. It is also proposed to provide temporary protection to the surface of the lane on the lower section. This would either take the form of a light geotextile to cover the surface, with 2 layers of 120mm blinded and compacted hardcore, or a metal track road. These would be removed upon completion of the development. Both the County Highway Authority and the Strategic Access Officer have been consulted on the revised draft CTMP. They have not raised any objections to the proposals.
- 5.42. It is considered that, in the light of Mr Etchells comments and the revised draft CTMP put forward by the applicant, it would be possible to incorporate sufficient measures to protect the lane during construction. It should be noted that the need for construction access has not been an obstacle to granting permission for redevelopment of other sites along Grassy Lane (Strathcona, now known as Harwin, and The Stables), where a condition requiring approval of a construction traffic management plan was imposed in each case.
- 5.43. Your officers are therefore satisfied that this issue can be satisfactorily dealt with by condition. It would be appropriate to stipulate in the condition that the CTMP should include measures for protecting the lane and adjacent trees, making contractors aware that the lane is also used by pedestrians, riders and cyclists, and for carrying out a condition survey prior to commencement and rectifying any damage prior to occupation of the dwelling, for limiting the size of delivery vehicles and to restrict the initial ground works to July to September (unless otherwise first agreed by the Local Planning Authority owing to prevailing dry conditions). As the impact of construction traffic can be mitigated by the imposition of an appropriately worded condition it does not constitute grounds for the refusal of the application.
- 5.44. Third parties have raised concerns about the potential impact on the safety and enjoyment of pedestrian and equestrian users of the bridleway, particularly during construction. The applicant has submitted a survey of usage of the bridleway in support of the application. Use of the bridleway past the site entrance was assessed between the 9th and 23rd August 2013 and 30th August and 6th September 2013.
- 5.45. During this period prevailing weather conditions were good. In the first period an average of 5.3 people per day were observed using the bridleway. Throughout the whole of the first period there were 3 incidences of horse riders using the bridleway involving five people on horseback. During the second period an average of 3.8 people per day

were observed and there were 5 incidences of horse riders using the bridleway, involving a total of 8 horses.

- 5.46. The survey information suggests a relatively low level of use of the bridleway, when weather conditions were favourable. The County Strategic Access Officer has not raised any objections to the proposals with regard to the impact on the safety and enjoyment of the right of way by pedestrians or equestrians. It is recommended that the CTMP should include measures to inform delivery drivers that the track is a bridleway and priority should be given to walkers, cyclists and horse riders.

Residential Amenity

Adopted Local Plan (ALP) G3, G8, H19, Appendix 1;
Core Strategy Development Planning Document (CSDPD) CS19

- 5.47. The nearest dwellings to the site are to the west of the site. The proposed dwelling would be set centrally on its plot and would be located over 40 metres from the western boundary of the site. The proposals would not therefore result in loss of light to those properties to the west.
- 5.48. Whilst the new dwelling would have windows facing its neighbours and would also be in a relatively elevated position, given the degree of separation it is considered that the proposals would not result in an unacceptable loss of privacy. The proposals would result in vehicular activity along Grassy Lane, however the daily number of movements associated with one dwelling would not be so significant as to result in an unacceptable degree of noise and disturbance to neighbouring properties.

Parking, Access and Servicing

Adopted Local Plan (ALP) T2, Appendix 9;
Core Strategy Development Planning Document (CSDPD) CS1, CS20;

- 5.49. The development would provide covered parking for two cars and driveway parking for at least two more cars. This would meet the Council's standards for parking in the area.
- 5.50. Vehicular access to the site is via Grassy Lane which is an unmade track of restricted width and which currently has reduced visibility at its junction with Harvest Hill. However, as the proposal would not result in a net increase in vehicular movements compared to the lawful use of the site the Highway Authority raise no objections to the proposal.

Ecology

CSDPD: CS17 (Environmental Assets)
DSADPD: DM14 (Biodiversity in Development)

- 5.51. Prior to the submission of this application the applicant carried out a Phase I habitat survey. This updated the survey previously carried out in 2008. Whilst the revised survey suggested further survey work should be carried out in relation to presence / absence of reptiles, a full survey was carried out in 2010 which showed that there were no protected reptiles present at that time.

- 5.52. The Phase I survey submitted with this application identified a number of ponds within 500 metres of the site and recommended that a survey for Great Crested Newts should be carried out. It was initially proposed that this could be dealt with by way of a condition, however, in response to comments made by third parties it was considered that a more precautionary approach would be more appropriate and that the survey work should be completed prior to the determination of the planning application.
- 5.53. The recommendation to 3rd July Planning Committee was therefore amended such that, if the Committee had been minded to grant planning permission, delegated authority be given to the Head of Planning & Sustainability to determine the application in consultation with the Chairman of Planning Committee and local members, on receipt of an appropriate great crested newt Habitat Suitability Assessment of the ponds and a reptile survey. The applicant has therefore commissioned a Protected Species Report.
- 5.54. Further surveys for reptiles have been carried out between 9th August and 6th September 2013. Forty five refuge sheets were laid out across the site and were inspected on 3 separate occasions. No reptiles were seen on or under any of the refugia during the survey, or on land between the refugia. The revised ecological report concludes that reptiles continue not to occupy the site. The Council's Natural Environment Officer is satisfied with the additional survey work which has been carried out in respect of reptiles and with the conclusions of the report.
- 5.55. The Protected Species Report identified two ponds within 500m of the site and one within 540m of the site. All are more than 400m from the proposed construction working area. Consent to survey the ponds was sought from the land owner but was not forthcoming. The report has therefore carried out a development related risk assessment for great crested newt based on Natural England guidance.
- 5.56. This assessment assumes that great crested newts are present in the ponds. If this were the case the conclusion of the assessment is that it is extremely unlikely that great crested newts would be utilising the terrestrial habitats within the site for shelter, given the distance from the ponds. Newts migrating between ponds are unlikely to cross the site as the three ponds are all to the east behind partial barriers to newt dispersal in the form of minor roads and housing.
- 5.57. As the risk assessment concludes that it is highly unlikely that the development would result in an offence to Great Crested Newts being committed the ecological report concludes that it is not reasonable or necessary to have to conduct further survey or assessment of the ponds, as, irrespective of whether they support Great Crested Newts, the likelihood of Great Crested Newts being significantly adversely impacted by the development is so negligible that it can be discounted entirely.
- 5.58. Ecological surveys are generally considered to be valid for up to 2 years. It is therefore considered appropriate to impose a condition to require further ecological survey work to be undertaken if the permission is not implemented within 2 years of the grant of consent. This should take the form of an updated Phase I habitat survey,

together with any further surveys which are recommended as a result of that preliminary survey work.

5.59. Other Relevant Matters

It is proposed that, due to the location of the site it would not be connected to the public sewer and would instead be provided with a septic tank on site, the details of which have been provided. The relevant consultees have not raised any objections to this proposal and it is therefore considered that adequate provision can be made on site for foul drainage.

Building Sustainability

CSDPD: CS1 (Sustainable Development), CS18 (Waste, Natural Resources and Pollution)

DSADPD: DM18 (Carbon Reduction and Water Efficiency)

Living within our Limits SPD

5.60. Planning policy DM18 requires at least a 15% reduction in carbon emissions on site through the use on renewable or low carbon sources and although the supporting application documents suggest that the scheme would not meet this standard it is considered that there would be scope within the development for additional measures to reach the 15% requirement.

5.61. This matter could be adequately secured by a planning condition seeking submission of full details of the carbon reduction scheme. Equally so, the water efficiency standard set out within policy DM18 could also be secured by a planning condition.

Infrastructure and Developer Contributions

Adopted Local Plan (ALP): G19, G23;

Core Strategy Development Planning Document (CSDPD): CS20, CS21;

Developer Contribution Supplementary Planning Document (DCSPD)

CIL Charging schedule.

5.62. The development is CIL liable. There are not any other infrastructure implications associated with the application which would not otherwise be addressed by CIL.

Conclusion

5.63. The proposed dwelling is considered to be of satisfactory design and the layout, retains a sense of spaciousness around the dwelling, retaining mature vegetation, and as such would be in keeping with the character and appearance of the locality. The scheme does not propose any physical alterations to Grassy Lane, overcoming the previous reason for refusing development on this site, and it is considered that, subject to a suitable Construction Traffic Management Plan being put in place, the development would not have an adverse impact on the character or appearance of Grassy Lane. The application is therefore recommended for approval.

Recommendation: Application Permitted

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason.
To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
- 2 Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of the materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority before any development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.
Reason.
To secure a satisfactory external appearance.
- 3 Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of all surfacing materials shall be submitted to and approved in writing by the Local Planning Authority before any development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.
Reason.
To secure a satisfactory appearance.
- 4 Drawings of the site identifying the following shall be submitted to and approved in writing by the Local Planning Authority before any development takes place;
 - (a) Existing ground levels on site (spot heights) including a datum point that is located off site. Levels should be Above Ordnance Datum (AOD).
 - (b) The level of the road outside the site. (AOD).
 - (c) The proposed levels on site following completion of the development (for each existing height a proposed height should be identified).
 - (d) The location and type of any retaining structures needed to support ground level changes.
 - (e) The Finished Floor Level for every building that is proposed.
 - (f) Cross sections within the site taken up to the site boundaries. The information supplied should clearly identify if land levels are being raised or lowered.
 - (g) In the case of residential development, sections showing the level of the proposed garden(s) and retaining structures.The development shall be carried out only in accordance with the approved details.
Reason.
To ensure that the work is carried out at suitable levels in relation to adjoining properties and highways.
- 5 No development shall take place before a fully detailed landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority.
The scheme shall include the retention of important trees and shrubs and the provision for;

- native planting to reflect the rural context of the application site;
- structural planting of a scale and size relative to the development to soften the appearance of the development and to provide a high quality environment
- details of the proposed means of enclosure

The development shall be implemented in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason:

In the interests of amenity and to ensure a satisfactory standard of landscaping.

- 6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees, plants or areas of turfing or seeding which, within a period of 3 years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation. Any means of enclosure approved as part of the landscaping scheme shall be erected prior to the occupation of the development.

Reason:

In the interests of amenity and to ensure a satisfactory standard of landscaping.

- 7 With the exception of any planting specifically shown to be removed in the landscaping scheme, no trees, shrub or hedge shall be lopped, topped, felled or removed without the prior approval of the Local Planning Authority. If during construction of the development, or within a period of three years of its completion, any such tree, shrub, hedge dies or becomes damaged, destroyed, diseased or dangerous, it shall be replaced during the following planting season by another healthy, tree, shrub or hedge as the case may be of a similar size and species, unless otherwise approved in writing by the Local Planning Authority. Thereafter any such replacement planting shall be maintained or further replaced as necessary for three years after replacement.

Reason:

To ensure the satisfactory retention of existing trees, shrubs and hedges and in the interests of visual amenity.

- 8 Protective fencing and/or other protective measures shall be erected around each tree and hedge to be retained in accordance with a scheme which must first be submitted to and approved in writing by the Local Planning Authority (i.e. an Arboricultural Method Statement and Tree Protection Plan to British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations) before any site clearance works or development commence, and before any machinery or equipment has been allowed on site.

The scheme shall show the type, height and position of protective fencing to be erected around each tree(s) or hedge to be retained. Unless otherwise agreed in writing by the Local Planning Authority this shall be in accordance with clause 6.2 "Barriers and ground protection" of the British Standard 5837:2012.

The area surrounding each tree/hedge within the approved protective fencing shall remain undisturbed during the course of the works, and in these areas:

1. there shall be no changes in ground levels,
2. no materials or plant shall be stored,
3. no buildings or temporary buildings shall be erected or stationed,
4. no materials or waste shall be burnt; and,
5. no drain runs, trenches or other excavation shall be dug or otherwise created,

without the prior written approval of the Local Planning Authority.

Reason:

To ensure trees and hedges to be retained are adequately protected from damage during the execution of the works hereby permitted, in the interests of visual amenity.

- 9 A detailed layout of drainage, utilities and any other services which have been designed so as to avoid conflict with retained trees, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development on the site. The installation of any such services shall be in accordance with guidelines set out in British Standard B.S. 5837:2012 'Trees in Relation to Design, Demolition and Construction' and the National Joint Utilities Group (Guidelines for the Planning Installation and Maintenance of Utility Apparatus in Proximity to Trees) Volume 4.

Reason:

To ensure that the trees to be retained are not damaged, in the interests of visual amenity.

- 10 The development shall take place in accordance with the arboricultural method statement (AMS) and tree protection plan submitted as part of the planning application, and any permitted works Construction Exclusion Zone and other works which are specified in the AMS will take place under the supervision of a retained arboricultural specialist. A single page report and photographic record showing the supervised works will be submitted to the Local Planning Authority within 7 days of each supervised event which will result in a certificate being issued by the planning authority upon completion

Reason

To ensure that the retained trees, shrubs and hedgerows are not damaged during the construction process and in the long term interests of local amenity value.

- 11 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.

- 12 No part of the development shall take place until a detailed Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include details of:
- the proposed method of delivering materials and plant to the site
 - the size of construction delivery vehicles, which should be of the minimum size necessary, including details as to how the applicant will ensure that this requirement is complied with
 - the provision for site operatives, visitors and construction vehicles loading, off-loading and parking
 - provision for storage of materials
 - measures to protect the lane and adjacent trees from construction traffic
 - measures to ensure contractors are aware that the lane is also used by pedestrians, riders and cyclists
 - measures to carry out a condition survey prior to the commencement of development and to rectify any damage which occurs prior to occupation of the dwelling, so that the surface of the lane is returned to its condition and appearance prior to the commencement of development.

provision for the initial stages of construction work, including earthworks, regrading, excavation and construction of foundations to take place between July and September, unless otherwise first agreed in writing with the Local Planning Authority due to prevailing dry weather conditions.

Reason

To ensure the proper management of construction traffic in view of the nature of the access to the site and in order to protect the special character and appearance of Grassy Lane.

- 13 If work on the development does not commence within 2 years of the date of this consent, before development commences a further Extended Phase 1 Habitat Survey of the site, together with any further surveys recommended by the Phase 1 Survey, shall be carried out to update the information on the species/habitats and the impact of development upon them. The further survey report together with a proposed mitigation/compensation/enhancement strategy (as appropriate) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall only take place in accordance with the approved details including any agreed mitigation/compensation/enhancement measures.

Reason:

To comply with the requirements of The Conservation of Habitats and Species Regulations 2010, and the Wildlife and Countryside Act 1981 (as amended).

- 14 A scheme for the mitigation of the impact of the development on ecology and for enhancing the quality of the development for ecology, including a timetable for implementing the measures contained in the scheme, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development on the site. The scheme should be in line with the recommendations set out in Section 7 of the Thomson Ecology Desk Study and Phase 1 Habitat Survey, December 2012. The approved measures shall be implemented in accordance with the approved timetable and shall thereafter be retained.

Reason:

In the interests of the future ecological potential of the site.

- 15 No other part of the development shall begin until the existing gate across the entrance to the site from Grassy Lane has been removed. Thereafter, notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking or re-enacting that Order) no vehicular entrance gates shall be erected along the site frontage within 5 metres of the boundary of the site with Grassy Lane.

Reason

To enable vehicles to draw off clear of the bridleway for the safety and convenience of the bridleway users.

- 16 A carbon reduction and water efficiency scheme shall be submitted to and approved in writing by the Local Planning Authority before any development takes place, comprising:

1. A scheme for delivering a 15% reduction in carbon emissions on site through the use of decentralised renewable and/or low carbon sources. The scheme shall include a statement from an accredited SAP assessor, carrying out the Design Stage SAP Assessment for Building Regulations, demonstrating compliance with policy DM18 Carbon Reduction and Water Efficiency.
2. Measures to achieve a water efficiency standard of 105 litres per head per day.

The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development, unless otherwise first agreed in writing by the Local Planning Authority.

Reason.

In the interests of carbon reduction and water efficiency as required by policy CS18 of the Adopted Core Strategy and policy DM18 of the Adopted Delivery and Site Allocations Plan.

INFORMATIVE(S)

- 1 You are advised that the development lies within 250 metres of a known landfill site and you may wish to satisfy yourself that the details of the construction of the proposals take the necessary account of the possibility of landfill gas from that source. If your proposal requires Building Regulation Consent this issue will be dealt with by the Building Control Division when a formal submission is made. However, this may require you to engage the services of a consultant with expertise in these matters.
- 2 In accordance with paragraphs 186 and 187 of the NPPF Wycombe District Council (WDC) take a positive and proactive approach to development proposals focused on solutions. WDC work with the applicants/agents in a positive and proactive manner by;
 - offering a pre-application advice service,
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions, and,
 - by adhering to the requirements of the Planning & Sustainability Customer Charter.