

Land Adjacent to Formoso, Kiln Lane, Bourne End

Proposed New Dwelling
Planning Application 13/05046/FUL

LANDSCAPE IMPACT REVIEW

September 2013

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1. INTRODUCTION

1.1 General

- 1.1.1 This report has been prepared for Wycombe District Council (WDC) by Jon Etchells Consulting (JEC) to advise on certain aspects of the planning application for a new dwelling on a site adjacent to the existing dwelling of 'Formoso', Kiln Lane, Bourne End.
- 1.1.2 Jon Etchells has carried out this review, and is familiar with the site and surrounding area, having represented WDC at a Public Inquiry into an appeal against refusal of the previous application for a dwelling on this site in 2010.
- 1.1.3 Following the dismissal of that appeal, a revised application has been submitted for essentially the same dwelling, with access from Grassy Lane but without the previous proposals for widening and resurfacing of the lane (see section 3 below).

1.2 Scope and Structure of Review

- 1.2.1 The reasons for refusal of the 2010 application, both by WDC and as upheld by the Inspector for the Public Inquiry in his report dated 25 November 2010, related to the effects of the proposals on the character of Grassy Lane. The current application proposes no works to the lane, but WDC are concerned that, despite the absence of proposed alterations, there may be incidental or consequential effects on the appearance and character of the lane as a result of either or both of construction traffic during development of the site and/or future residential traffic after occupation of the dwelling.
- 1.2.2 WDC have therefore asked Jon Etchells to carry out a review of the likely landscape impacts associated with the proposals, and in particular to advise on the following (text extracted from the brief provided to JEC by WDC):

'Due to the unmade nature of Grassy Lane, and particularly the muddy surface and incline of the section between the access to the property known as The Stables and the application site, Members were concerned whether the development proposal provides a satisfactory and convenient means of vehicular access to the site to serve the future occupiers of the proposed dwelling. In particular they wish reassurance, or otherwise, that:

- a) *The future traffic associated with the residential use of the site, due to the muddy surface and incline, would not lead to such future pressure for improvement works to Grassy Lane that could adversely impact on the distinctive rural character of this part of the lane and its immediate setting and would have an urbanising impact, and,*
- b) *That the construction traffic could be appropriately mitigated by means of a Construction Management Plan without likely permanent damage to the character of Grassy Lane.'*

1.2.3 As the main issues are summarised in the above extract, and as the landscape and visual effects of the proposed dwelling itself are not considered by WDC to be a potential reason for refusal, this review has concentrated on the likely temporary and/or permanent effects of the proposals on the appearance and character of Grassy Lane. An overall assessment of the likely landscape and visual effects of the development as a whole, including consideration of wider landscape character, has not been undertaken, as it is understood that is not a matter of concern to WDC.

1.2.4 Section 2 of this review summarises the background to the current application in terms of the proposals as they were in 2010 and the reasons why they were refused at that time. Section 3 then describes the current application, and notes the differences between it and the 2010 application, as well as any changes which may have taken place elsewhere along the lane in the interim. Section 4 then sets out an analysis of the main issues, with conclusions.

2. BACKGROUND

2.1 General

2.1.1 The site has an extensive planning history, but for the purposes of this report reference will be made only to the previous proposals considered at the Public Inquiry in 2010.

2.1.2 The site is located to the east of Bourne End, and to the south east of the main part of the smaller settlement of Cores End. It is bounded by Kiln Lane to the north, a public footpath (with an area of open space beyond) to the east, the unsurfaced track of Grassy Lane to the south and an area of woodland to the west.

2.2 The 2009/2010 Proposals

2.2.1 Two planning applications were submitted: the first, with access from Kiln Lane, was submitted in May 2009, and was refused in July 2009. The second, with access from Grassy Lane, was submitted in May 2009, with the only significant change being that the access was proposed to be from Grassy Lane rather than Kiln Lane. This proposal is summarised below, so that it can be compared with the current application.

2.2.2 The proposal with access from Grassy Lane was for one house with a detached garage, roughly in the centre of the site. The proposals involved a range of changes to Grassy Lane, and around 150m of the lane would have been affected, from its junction with Harvest Hill to the site access point. The proposed works to Grassy Lane were, in summary:

- Surfacing of the entire 150m length of the lane between Harvest Hill and the site with stone scalpings (a material produced from crushed stone (commonly limestone), with a maximum particle size of around 40mm and a significant proportion of fines in the form of a clay binding, such that it will bind over time to produce a firm surface).
- Widening at certain points along the lane to provide passing places or wider sections (as at the entrance off Harvest Hill).

- Some regrading work would have been required to achieve the widened sections and passing places, and in addition there would have needed to be minor regrading along most of the length affected, as the drawing submitted with the application showed the new surface as being achieved by adding 100mm of scalplings to the existing surface, with a timber edging to retain it, and the addition of new soil to grade back to existing levels to either side.

2.2.3 The proposal with access from Grassy Lane was refused in April 2010 for one reason, as set out below.

'1. In the opinion of the Local Planning Authority, the proposed development, by reason of the extent and nature of the necessary alterations to Grassy Lane and its junction with Harvest Hill in order to provide suitable means of access to the site, would adversely impact upon the distinctive rural character and appearance of the lane and its immediate setting.

The regrading of the banks, provision of passing bays resulting in a loss of vegetation, and proposed finishing materials which would have a hard and stable appearance at odds with the current unmade lane would have an unacceptable urbanising impact that conflicts with Policies G3 (General Design Policy) and C16 (Hawks Hill/Harvest Hill) of the Adopted Wycombe District Local Plan to 2011 (as saved, extended and partially replaced) and Policy CS19 of the (Raising the Quality of Place-Shaping and Design) of the Wycombe Development Framework Core Strategy DPD.'

2.3 The 2010 Inquiry

2.3.1 An appeal was made against both refusals, and the Inquiry into these proposals commenced on 6 July 2010, and was then adjourned until October 2010. The evidence presented by Jon Etchells to the Inquiry included the following assessment of what the effects on the character of Grassy Lane would be:

'the entire length of the lane between Harvest Hill and the site would change in character to some extent, and the section between the sharp left hand bend and the site would change in character completely. This section would lose its presently enclosed, intimate, sunken lane character and would become something more like a surfaced drive leading to a new house.'

2.3.2 The Inspector dismissed both appeals in a decision notice dated 25 November 2010. On the proposal with access from Grassy Lane (which is directly comparable with the current application) he observed that the character of the lane changed at the sharp bend

adjacent to 'The Stables', with the second section of the lane leading downhill to the site having 'the appearance of a sunken lane'. In his decision he stated:

'The application of the surfacing to Grassy Lane would change its nature, particularly on the second section. The appearance of the base of the lane would change in its texture, colour and shape. The lane is used by walkers and horse riders and is a valuable unspoilt rural amenity. I acknowledge that over time the changes brought about by the proposed development would soften due, amongst other things, to leaf fall. Notwithstanding this however, I consider that the change would be harmful to the character of the lane, a character that contributes to the landscape characteristics of the area.'

3. THE CURRENT APPLICATION

3.1 General

3.1.1 Application 13/05046/FUL was made in January 2013, and was considered at the WDC Planning Committee on 3 July 2013, with an officers' recommendation for approval. Members were concerned about effects on Grassy Lane, and a decision was deferred in order to allow for a further review of these effects - this report has been commissioned in order to assist with that further consideration.

3.2 The 2013 Proposals

3.2.1 The 2013 proposals are for the same development as was proposed in 2009/10, but with no works proposed to Grassy Lane. The Highway Authority has agreed that no works are required, as the existing lawful use of the site could, in theory, lead to a greater level of traffic movements than would result from the proposed development of one dwelling.

3.2.2 The application is accompanied by various supporting documents, including the following:

- A Transport Statement by Abington Consulting Engineers. This notes in terms of construction traffic (in section 5.3.1) that '*Grassy Lane is not wide enough to accommodate conventional construction traffic that would be associated with housing construction*', and also that '*materials can be delivered on a pick-up truck if deemed necessary*', with larger items such as roof trusses being put together on site.
- A Construction Phase Method Statement - this document is quite short and also somewhat general, but that is perhaps to be expected at this stage, and could be amplified as part of a condition. The document notes that parking and storage of materials could be within the site, that delivery vehicles would be limited in size to those which can turn within the site, that no excavated material will be removed from the site and that smaller sized concrete mixer trucks are available.

- An Arboricultural Report by David Clarke, which notes that no significant works to trees are envisaged and that existing tree canopies are generally at least 6m above the surface of the lane.
- A Landscape and Visual Impact Assessment report, also by David Clarke. This is largely concerned with the potential effects of the new dwelling, and does not address potential effects on the lane during construction. It does consider potential visual effects for users of the lane resulting from increased vehicle movements to the new dwelling, but considers those effects to be negligible. The report states in section 5.6.1 that '*Grassy Lane is a surfaced track from its junction with Harvest Hill at least to the access point to the application site.*' This is clearly not the case - the lane is unsurfaced, and its surface layer is compacted earth/stone only.

3.3 Other Changes Since 2010

3.3.1 There are two recent planning permissions/developments which will affect the existing character of the lane to some degree:

- The former dwelling of Strathcona is being replaced with a new 5 bedroom house, and construction is under way at the moment. Construction traffic to this site appears to have caused some rutting at the entrance to the lane off Harvest Hill (see photograph 1 below).



1. View of the surface of Grassy Lane at the junction with Harvest Hill.



2. Construction traffic at the Strachcona site, looking to the site from Grassy Lane.

- Planning permission has been granted for a new dwelling at The Stables - this will introduce a more residential, developed character to the lane as far as the sharp bend before the site, and will also (due to the presence of an adjoining dwelling) affect the character of the section of lane between The Stables and the site.

3.3.2 In comparison with site visits made in connection with the Inquiry in 2010, it would also appear that some other changes have taken place, as set out below, though some of these may in part be due to the fact that the site was visited in late July 2013, during a spell of warm, dry weather:

- Some clearance of small trees and overhanging vegetation has taken place along the sloping section of the lane between The Stables and the site. This has lifted the canopy heights above this section of the lane, to the extent where it now appears that construction traffic (unless consisting of very large vehicles) could pass beneath the canopies without damaging them. Some of these works were the subject of an application to carry out works to protected trees (12/07227/TPO) which involved removing lower stems and lifting canopies to 6m above ground.



3. Recent tree works on the bank adjacent to The Stables.



4. Recent tree works adjacent to the site - the site access gate is between the trees on the right of the lane.

- Two trees at the site entrance have been removed - see photographs 5 and 6 below.



5. Photograph from the evidence of Jon Etchells to the 2010 Inquiry, taken in June 2010. Note the three trees to the left of the site entrance.



6. Photograph taken in July 2013 showing that only the central tree of the former group of three remains.

- This section of the lane also seems to have a somewhat firmer surface, and to have less of a curved, concave profile to its base than in 2010 (see photographs 7 to 9 below) - this could be due to recent vehicle traffic, and the firmness of the surface could simply be due to lack of rainfall - photograph 15 in the David Clarke LVIA (which appears to have been taken in the autumn of 2012) shows a layer of mud on the surface of the track. In addition, photographs provided as part of a submission by Martin Leay Associates on behalf of the Hawks Hill and Widmoor Residents Action Group show that in February 2013 the surface of the lane at the entrance to the site was muddy with some shallow ruts.



7. Photograph from the evidence of Jon Etchells to the 2010 Inquiry, taken in September 2010. The site entrance is to the right of the group of three trees (with the central one in sunlight) just to right of centre of the view.



8. A similar view in July 2013 - the lane appears to have a flatter, firmer base, but the section beyond the site access retains its concave base.



9. View looking up the lane, with the site on the left and The Stables on the right - again the lane appears to have a firm, relatively flat base.

4. ANALYSIS

4.1 The Issues

- 4.1.1 Given the above discussion, it would appear that the issues of concern are quite narrow, both in terms of their subject matter and also geographically.
- 4.1.2 As the only reason for refusal for the 2009/10 proposal was to do with the (then) proposed alterations to Grassy Lane, and given that no alterations are now proposed, it follows that that reason for refusal cannot apply, and that the application should therefore be approved, if it is reasonable to assume that there would not be significant alterations to the character of the lane (either intended or incidental) as a result of either construction traffic or a need/desire to improve the lane to make it easier for access by traffic to the completed development. This accords with the two matters on which WDC Members have sought further advice, as set out in Section 1 above.
- 4.1.3 In terms of geographical extent, it would appear reasonable to assume that this issue applies principally to the short section of the lane between The Stables and the site access, as it did not prevent granting of permission for a new dwelling on the site of The Stables, and as the character of the section of lane beyond the Stables is more rural (though, as noted above, the extent to which this is the case has reduced since 2010).

4.2 Analysis of the Issues

- 4.2.1 Taking the two issues (construction traffic and future residential access) in turn, the following points are relevant:

Can construction traffic be appropriately mitigated by means of a Construction Management Plan without likely permanent damage to the character of Grassy Lane?

- A. Suggested Condition 12 in the WDC Committee report states that:

'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*
- *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.'*

- B.** It should also be noted that the Transport Statement by Abington Consulting Engineers accepts that Grassy Lane is *'not wide enough to accommodate conventional construction traffic that would be associated with housing construction'*, and also that *'materials can be delivered on a pick-up truck if deemed necessary'*.
- C.** In addition, the applicants have indicated in their Construction Phase Method Statement that delivery vehicles could be limited in size.
- D.** The canopy heights of the trees along the section of the lane between The Stables and the site appear to be greater than in 2010, meaning that damage to trees alongside the lane as a result of construction traffic is now less likely.
- E.** In addition to the width and surface of the lane, a further constraint on construction access is created by the tight turn necessary to enter the site between the existing trees to either side of the existing gate - this would further limit the size of vehicles which are able to access the site.
- F.** It would help to limit potential adverse effects in the event of approval of the application if the following were to form part of the Construction Traffic Management Plan, in addition to those points listed under suggested Condition 12:
- Provision for the initial stages of construction work, including earthworks, regrading, excavation and construction of foundations, to take place in the period July to September, when (on average) there would be less likelihood of wet ground conditions and potential consequent rutting of the lane.

- A clear statement that vehicle sizes should be strictly limited - this could be approached by placing a limit on vehicle size/weight at this stage, but it may be that this would be unreasonable if (for example) one essential component of the works required a larger vehicle, so it is suggested that the requirement for vehicle sizes to be minimised is made explicit, with the onus then on the applicant to state in detail how that will be complied with.
- Clarification that 'damage' to the lane in the context of the last bullet point of suggested Condition 12 means damage to the existing character and could include (for example) patching the surface with rolled stone or areas of concrete - any such surfacing should be removed, to return the surface of the lane to its current state and appearance.

4.2.2 It is not possible to make a categorical statement that mitigation of construction traffic in this way would prevent any and all damage to the lane, and any passage of heavy vehicles along the lane is likely to have some effects upon it. However, it would be possible for any damage to be repaired and for the lane to be reinstated to its former condition, and on balance it is considered that it should be possible, by means of an appropriately worded condition and application and enforcement of the approved Construction Traffic Management Plan, to provide for construction access without likely permanent, significant damage to the character of Grassy Lane.

4.2.3 This conclusion would apply to the scale of development proposed only. The proposed dwelling is of a relatively modest size, and any proposals for a larger dwelling, or more than one dwelling, would lead to significantly greater demands for construction access in terms of both numbers and sizes of vehicles, and the likelihood of significant damage to the lane would be greater.

Would the future traffic associated with residential use of the site lead to future pressure for improvement works to Grassy Lane which could adversely affect the distinctive rural character of this part of the lane, leading to an urbanising impact?

G. As discussed above, the character of the lane between The Stables and the site appears to have changed to some extent since 2010, with some removal of vegetation and a less pronounced concave profile to its base. The rural character is likely to be further diminished once the permitted dwelling at The Stables is completed.

H. In July 2013 it was found to be possible to drive an ordinary car (i.e. not 4 wheel drive or with any form of off-road capability) down to the site entrance with no difficulties whatsoever. However, this was during dry weather in the summer. What was found to be more of a problem was turning round at the site entrance, so it is suggested that, if approval is granted for the dwelling, a condition could be attached to that approval to set the entrance gate back into the site by 5m or so, to allow any vehicles arriving at the dwelling and finding the gate closed to turn around.

4.2.4 As was the case in considering construction traffic, it is again not possible to make a categorical statement that there would not be future pressure for improvement works to the lane, as that would depend to some extent on the personal preferences (and types of vehicles used by) the occupants of the dwelling. It is probably more likely that there would be pressure for improvements if there were to be a dwelling on the site than under the circumstances as they are at the moment.

4.2.5 However, it is possible to access the site at the moment by an ordinary car (though that was only tested in the summer), and on balance it is thought 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.

4.2.6 The surface of the lane as it currently stands (see photographs 4, 8 and 9) appears to provide adequate access for an ordinary car. If conditions in the winter were found to be muddy with some shallow rutting of the surface of the lane (as some photographs taken in the winter indicate), it should be possible to provide low key, appropriate improvements by scraping off the mud and rolling stone into the surface, thereby providing a more usable surface for all users of the lane without significantly affecting its character.

4.2.7 As for consideration of construction traffic, this conclusion would apply to the scale of development proposed only - any proposals for more than one dwelling would be more likely to lead to demands for improvements to the lane.

