



Report to Central Buckinghamshire Area Planning Committee

Application Number:	19/01305/APP
Proposal:	Erection of 5 no. detached dwellings with access from Sandy Lane, including parking and garaging, landscaping and all enabling and ancillary works.
Site Location:	Land West Of Sandy Lane, Long Crendon, Buckinghamshire
Applicant:	Mr Steve Kerry
Case Officer:	Helen Braine
Ward(s) affected:	Bernwood
Parish-Town Council:	Long Crendon Parish Council
Date valid application received:	04.04.2019
Statutory determination date:	30.05.2019
Recommendation	Approve subject to conditions

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application seeks full planning permission for the erection of 5 no. detached dwellings on land off Sandy Lane and formation of access. In summary it is considered that it would represent housing development within the Settlement Boundary and respect the character and appearance of the area, an appropriate level of parking is provided and there would be no detrimental highway impact. Furthermore it would not harm the amenities of neighbouring properties and provide a good standard of amenity for existing and proposed properties. It would accord with the policies set out in the Long Crendon Neighbourhood Plan, AVDLP and emerging VALP.
- 1.2 This application is being reported to the Central Buckinghamshire Area Planning Committee because the Cllr David Lyons has called the application to Committee; the reasons are set out in the appendix to this report.
- 1.3 Recommendation: It is therefore recommended that the application be **APPROVED** subject to the conditions listed at paragraph 8.1.

2.0 Description of Proposed Development

- 2.1 The site comprises an isosceles trapezoid shaped parcel of land about 0.29 hectares in size, located on the western edge of Long Crendon, within the Brill and

Winchenden Hills Area of Attractive Landscape. The site is about 0.4 miles from the village centre.

- 2.2 To the north of the site is Reddings Farm, a detached brick house accessed off Sandy Lane. The house is associated with the farm further north. The site is adjoined to the south by 42 Sandy Lane, another detached house which was a replacement dwelling granted consent in 2006. To the southeast, on the corner of Frogmore Lane and Sandy Lane, is a replacement dwelling (Bakers Green) which was constructed on the site of a former bungalow. The land to the west is generally open.
- 2.3 The site lies within an archaeological notification area.
- 2.4 The application seeks full planning permission for the erection of five detached dwellings with garaging, parking and amenity space. These would comprise 3 x 4 bed and 2 x 5 bedroom dwellings.
- 2.5 Plot 1 would be located to the south of the site with the remaining plots continuing in a slightly curved pattern towards the north and ending in Plot 5 adjacent Reddings Farm. The dwellings would be accessed via a new driveway off Sandy Lane which would end in a turning head in front of Plot 1. All the dwellings differ in design.
- 2.6 Plot 1 is a T-shaped, two storey property containing five bedrooms. It would be constructed of brick walls with black slate, tiled roofs. A detached double garage associated with the property will be sited in front, clad in black stained timber weather boarding with a matching slate roof.
- 2.7 Plot 2 is a smaller T-shaped, two storey property containing four bedrooms, an integral double garage and front/rear dormers. The ground-floor kitchen will be housed in a flat roofed rear 'infill' extension. It will have a mix of materials, comprising stone, brick and black stained timber weather boarding, and plain concrete tiles.
- 2.8 Plots 3 and 4 are two-storey, garage-linked 4-bedroom properties. Both are constructed from brick and black slate and would mirror each other internally. However, plot 3 differs by being gable-fronted and having the front elevation covered in render too.
- 2.9 Plot 5 is narrower than Plot 2 in width and would have an integral garage for one vehicle. However, likewise, it would be T-shaped, two-storey, have matching materials and contain 5 bedrooms. A family room on the ground floor would be provided within a flat roofed rear 'infill' extension.
- 2.10 In addition to the garaging, each dwelling will also have parking on-plot.
- 2.11 The application is accompanied by:

Received on 4.4.2019:

Location Plan (P.242.LP.01)

Topographical Survey (G 9056/4 Rev 1)

Received on 4.6.2019

Proposed Cross Section (P.242.CS.01)

Proposed Double Garage (P.242.DG.01)

Received on 18.9.2019:

Plot 2 Plans and Elevations (P.242.4B.DH.2040 Rev E)

Plot 5 Plans and Elevations (P.242.4B.DH.2098 Rev B)
Plot 1 Plans and Elevations (P.242.5B.DH.2325 Rev C)
Proposed Site Plan Colour (P.242.SP.01 Rev C)
Surface Materials Plan (P.242.SP.02 Rev B)
Proposed Materials (P.242.SP.03 Rev B)
Street Scene (P.242.SS.01 Rev A)
Plots 3 and 4 Plans and Elevations (P.242.4B.DH.1317 Rev B)

3.0 Relevant Planning History

3.1 None relevant.

4.0 Representations

4.1 The Long Crendon Parish Council have raised objections to this.

4.2 24 letters of objection have been received. The main issues relate to the principle of development, the form and extent development on the site, residential amenities, access, parking and highway impact, accessibility, landscape views, conflict with neighbourhood plan on affordable homes.

5.0 Policy Considerations and Evaluation

The overview report, appended to this report, sets out the background information to the policy framework when making a decision on this application.

Long Crendon Neighbourhood Development Plan (made on 5 October 2017): Policies LC1 (Long Crendon Settlement Boundary), LC3 (New Homes off Sandy Lane), LC4 (housing for Older People), LC9 (General Design principles).

Aylesbury Vale District Local Plan (AVDLP 2004): RA13 (Development within settlements listed in Appendix 4) and RA14 (Development at the edge of Appendix 4 settlements)

Emerging Vale of Aylesbury District Local Plan (VALP): S1 (Sustainable development for Aylesbury Vale) carries *considerable weight*; S2 (Spatial strategy for growth), S3 (Settlement hierarchy and cohesive development), D3 (Proposals for non-allocated sites at strategic settlements, larger villages and medium villages, all attract *moderate weight*).

Principle and Location of Development

5.1 Policy LC1 (Long Crendon Settlement Boundary) of the LCNP defines the extent of the settlement boundary for Long Crendon and allocates specific sites for housing allocations to deliver 82 new dwellings during the Plan period. This will be achieved by the development of the sites allocated in Policies LC2 and LC3, and by other appropriate developments which satisfy the policies of the Plan.

5.2 Under Policy LC3, the application site is one of two sites along Sandy Lane allocated in the Neighbourhood Plan for new housing. Proposals for development on the site will be supported, provided it comprises approximately 5 homes; has full regard to the special interest, character and appearance of the setting of the Long Crendon Conservation Areas in terms of the height, plot width and orientation of the new

buildings; is accessed from Sandy Lane only; meets the car parking standards within the site boundary; provide a landscape buffer across the western boundary of the site, and includes an archaeological investigation.

- 5.3 Therefore, the proposed development of 5 dwellings on this site, is acceptable in principle. However, this proposal has to be assessed against other policies in the development plan and material considerations.
- 5.4 The proposal would contribute to housing land supply which would be a significant benefit, tempered by the scale of the development and its limited contribution. It is considered that there would also be economic benefits in terms of the construction of the five dwellings themselves as well as the resultant increase in population which would contribute to the local economy. This is a benefit of the proposal, although the weight to be afforded to such benefit is tempered to limited weight, again due to the scale of the proposal.

Housing type and mix

LCNP LC4 Policy LC4 states proposal should have regard to the need for homes suited to older households by way of their type, configuration and detailed design. LC9 seeks applications to set out how it has considered housing mix.

Emerging policy H6a Housing Mix (attracts *moderate weight*)

- 5.5 The proposal would involve the erection of five, 4-5 bedroomed, detached dwellings. The objectives of the LCNP at section 6.2 indicates local housing needs should be met, particularly by providing smaller houses for those wanting to stay in the village, and for first time buyers, and providing affordable homes to local people.
- 5.6 Policy LC3 does not include criteria relating to mix for this allocation. LC4 of the Neighbourhood Plan requires that development should have regard to the need for homes for older households. In line with policy LC9 the applicant has provided the following explanation of the mix proposed:
 - Two fairly recent planning permissions for major development have delivered a large proportion of 2 and 3 bedroom homes in Long Crendon, including Land at Madges Farm and Land off Wainwrights providing a total of 60 dwellings in the village across of range of house sizes and tenures. These will deliver the vast majority of Long Crendon's housing need, with the Long Crendon Neighbourhood Plan housing allocations, such as the application site, providing smaller sites that can be brought forward in the shorter term. Further 2 and 3 bed developments have been provided at 2 sites on Westfield Road.
 - Very few 5-bedroom dwellings have been delivered in Long Crendon since the beginning of the Neighbourhood Plan period (2013). In fact, only 3 new 5-bedroom houses have been delivered.
 - The applicant considers that the delivery of 4 and 5 bedroom dwellings therefore responds to the findings of the HEDNA which identifies a high level of need for 4 bedroom market homes and a smaller need for 5 bedroom homes of which very few have been delivered over the past 7 years.
 - In terms of the size and types of the proposed homes are unlikely to appeal to older household wishing to downsize, in addition to the relative distance to

village amenities and services compared to more suitable areas of the village. In addition, the size of the site and its context is not suited to the provision of apartments and the site allocation criteria does not specifically require the provision of bungalows or accommodation with restricted occupancy for the elderly. The size and layout of the proposed dwellings is such that they include sizeable ground floor accommodation and would be capable of adaption to meet the needs of older households if required.

- 5.7 In terms of the character of the area, the application site is on the edge of the village, where a tapering into the countryside would be necessary to the character and appearance of the area. A lower site coverage and density as proposed would allow more opportunities for larger plots and gardens, and thus extra soft landscaping. This would provide a more sensitive and gentle transition from the urban area to the rural fringe.
- 5.8 The density proposed is calculated to be 17 dwellings per hectare (this is considered to be a low) and although the plots are smaller, the proposed dwellings would be of a comparable scale to neighbours and gaps would be maintained between the buildings. Consequently, it is considered the proposal would be an efficient use of land given the specific site constraints. Smaller properties would likely appear incongruous and at odds with the surrounding area.
- 5.9 In conclusion, the proposal would not have an adverse effect on the character and appearance of the application site. In terms of the mix, the LCNP policies do not require all development to include housing development for older people or small units, regard has been paid to the overall mix of housing already being delivered in Long Crendon, and it is considered that the proposed housing mix is appropriate on this site both in terms of the size but also in terms of the characteristics of the area thereby adhering to Policies LC3, LC4 and LC9 of the Neighbourhood Plan, and the provisions of the NPPF. The following sections of the report will therefore address whether the proposal achieves well designed places, in accordance with the NPPF, but in general it is considered the site can accommodate the amount of development proposed. This factor is afforded neutral weight.

Transport matters and parking

LCNP Policy LC3 (New Homes off Sandy Lane), LC9 (General Design Principles)

AVDLP GP24 (Car parking guidelines), SPG1: Parking Guidelines.

Both emerging VALP policies T5 (Delivering transport in new development) and T6 (Vehicle parking), Appendix B (Parking Standards) attract *moderate weight*.

- 5.10 Sandy Lane is a C class road, which, at the site front, is subject to a 30mph speed limit. Sandy Lane varies in width, and to the north of the site highway officers have expressed some concerns the carriageway is not wide enough to accommodate simultaneous two-way vehicle flow. To the south of the site Frogmore Lane also suffers from restricted width and would also not be able to accommodate two-way vehicle flow. The increase in vehicle movements associated with this proposal would increase the conflict between opposing vehicles at these narrow points.
- 5.11 Highway officers acknowledge that there is only a small footway provision adjacent to the Bicester Road junction, beyond this point there is no continuous footway

connecting the site to Long Crendon Village and local bus stops. In order to access the local facilities or public transport links pedestrians would have to walk within the narrow carriageway in some sections of highway with no pedestrian refuge and restricted forward visibility. This arrangement would also be likely to discourage others from even walking at all; therefore, the site would be reliant on the use of the private car for the majority of trips to and from the site. However, this is an allocated site in the neighbourhood plan for a development of 5 dwellings and these matters would have been taken into account at that stage.

- 5.12 In respect of parking provision, the Council considers there will be adequate off-street parking provision for all the proposed dwellings in accordance with the council's maximum standards, and there is sufficient space for turning and manoeuvring. Whilst there is some concern in representations over the number of spaces, the proposal accords with policy and no additional spaces could reasonably be required. As such, this proposal would comply with policy GP24 of the AVDLP, Policy T6 of VALP and the NPPF in this regard.
- 5.13 Highway officers have requested conditions securing the access, parking and turning areas in order to minimise danger, obstruction and inconvenience to users of the highway and of the development, which can be imposed. This matter is attributed neutral weight.

Raising the quality of place making and design

LCNP Policy LC3 (New Homes off Sandy Lane), LC9 (General Design Principles)

AVDLP 'saved' Policies GP.35 (Design of new development proposals), GP.38 (Landscaping of new development proposals) and RA8 (Development in Areas of Attractive Landscape and Local Landscape Areas)

Emerging VALP policy BE2 (Design of new development) and NE4 (Landscape character and locally important landscape) both carry *moderate weight*.

Design Guide: New Houses in Town and Villages

- 5.14 Policy LC9 of the LCNP requires that scale, density, height, landscape design, layout and materials have understood and reflected the character and scale of the surrounding buildings and of distinctive local landscape features. This reflects GP35 of AVDLP and BE2 of VALP.
- 5.15 The predominant character and appearance of the local area is verdant and rural with well-spaced properties in good sized plots.
- 5.16 The proposed dwellings vary considerably in their individual design characters and appearance, however, by reason of their general alignment set back from the frontage, detached form and relatively consistent plot coverage and size, the development would have a spacious and harmonious appearance. Furthermore, considering the nature and appearance of nearby development, particularly the material palette, it is considered the development as a whole would be compatible with its surroundings. It is considered that the proposal would not constitute overdevelopment.
- 5.17 Timber weather boarding is also proposed to be used in different ways on each plot. The applicant's submissions indicate they intend to stain the cladding black. It is

noted that there are other examples of the use of timber cladding and weatherboarding in the local area, including the property north along Sandy Lane known as Briar's Cottage. However, the LPA are considered the colour proposed would be more conspicuous than a natural timber finish. Therefore, in order to ensure the proposed development completely harmonises with its neighbours, a condition shall be imposed requiring details and samples are submitted to and approved in writing by the Council prior to their installation.

5.18 Overall, it is considered the proposal would have an acceptable impact on the visual amenities of the site, its setting and the surrounding area in accordance with policy LC9 of the LCNP, policy GP35 of the AVDLP, policy BE2 of VALP, New Houses in Town and Villages Design Guide, and the advice contained in the NPPF. It is therefore considered that in assessment of good design, the proposals should be accorded neutral weight in the planning balance.

5.19 *Landscape and Visual Impact*

LCNP Policy LC3(New Homes off Sandy Lane), LC9 (General Design Principles)

AVDLP Policies GP.35 (Design of new development proposals) and GP.38 (Landscaping of new development proposals). RA8 (Development in Areas of Attractive Landscape and Local Landscape Areas)

Emerging VALP policies NE4 (Landscape character and locally important landscape) and NE8 (Trees, hedgerows and woodlands) attract *moderate weight*.

5.20 The site lies within the Brill-Winchendon Hills AAL. The landscape within the AAL is described as a distinctive, coherent and intact landscape of high scenic quality provided by open rural hills and undulations and a strong settlement pattern of small nucleated villages on hilltops and dispersed isolated farms. The landscape is noted as important as it provides a strong setting to the many villages and Conservation Areas, such as Long Crendon.

5.21 Policy RA8 requires that development proposals in these areas should respect their landscape character and that development that adversely affects this character will not be permitted, unless appropriate mitigation measures can be secured.

5.22 The site lies within Landscape Character Area (LCA) 9.8 Chilton Ridge, which is part of the Landscape Character Type 9 (LCT) (Aylesbury Vale Landscape Character Assessment) Low Hills and Ridges. The Chilton Ridge is a small ridge on the southwest side of the district immediately north of Thame and the A418. This is a predominantly pastoral landscape, with visually prominent areas of arable farming. Settlement is concentrated along the ridge top with the large village of Long Crendon on the wider southern part of the ridge.

5.23 The application site is located on the edge of the village, inside the Long Crendon settlement boundary. It comprises an agricultural field but there is limited visibility of it from the village. Particular scrutiny is, however, required of the views available from the adjacent road, dwellings, and surrounding agricultural land.

5.24 Due to the proximity to the highway, the introduction of a housing development on this site will inevitably change the rural views along Sandy Lane which contribute to the setting of Long Crendon. However, this is an allocated site in the LCNP and the effect would be a local effect and the dwellings would not be unduly visible in the wider landscape. Furthermore, the site will generally be seen within the context of

the existing neighbours. There is a landscape treatment indicated on the plans and to aid integration of the development into the landscape, and to secure a landscape buffer along the west boundary in line with LCNP policy LC3, a full landscaping scheme can be secured by condition.

5.25 Accordingly, Officers do not consider the proposal would result in unacceptable levels of harm to the character and appearance of the surrounding area including the landscape. As such, no conflict is found with policies LC3 and LC9 of the Long Crendon Neighbourhood Plan, policies GP35, GP38 and RA8 of the AVDLP, policies BE2 and NE4 of VALP and advice in the NPPF. This factor should therefore be afforded neutral weight in the planning balance.

5.26 Agricultural land

5.27 The surrounding landscape is predominantly agricultural in appearance including open fields, hedging and trees. This would result in the permanent loss of about 2,900sq.m of agricultural land. However, the loss of this agricultural land was considered to be acceptable when the site allocation was made in the Neighbourhood Plan. For this reason, this factor is attributed neutral weight.

5.28 Trees and hedgerows

LCNP Policy LC9 (General Design Principles)

AVDLP GP39 (Existing trees and hedgerows) and GP40 (Retention of existing trees and hedgerows)

Emerging AVDLP NE8 (Trees, hedgerows and woodlands) (*moderate weight*)

5.29 The trees and majority of the hedgerow will be retained as part of the development proposals. However, the provision of replacement planting as part of the landscaping scheme would mitigate if there is any loss. Over time, as the planting matures, it should sufficiently soften the development and ensure its bulk and massing is not harmfully apparent. Therefore when looked at in the round, the proposal would not conflict with policy LCNP policy LC9, AVDLP policies GP35, GP39 and GP30, NE8 of VALP and the advice in the NPPF. This factor should therefore be afforded neutral weight.

5.30 Biodiversity

LCNP Policy 14 (green Infrastructure and biodiversity)

Emerging VALP NE1 (Biodiversity and geodiversity) (*moderate weight*)

5.31 Policy LC14 of the LNCP states that developments must deliver no net loss to biodiversity and wherever possible a net gain. This is reflected in VALP policy NE1.

5.32 Officers are satisfied that through the implementation of a landscaping scheme, secured by condition, there could be an increase in trees and habitat creation. It is likely that, overall, the scheme would result in some limited net gains in biodiversity, in accordance with LC14 of the LCNP, emerging VALP policy NE1 and relevant NPPF advice and as such should be accorded neutral weight..

Historic environment

LCNP Policies LC3 (New Homes off Sandy Lane), LC9 (General Design Principles) and LC10 Design in the Conservation Area and their setting)

AVDLP policy GP53 (New development in and adjacent to Conservation Areas), GP59 (Preservation of archaeological remains)

Emerging VALP policies BE1 (Heritage Assets) (*moderate weight*)

- 5.33 LC3 requires that full regard is paid to the special interest, character, appearance and setting of the conservation area. LC10 of the LCNP seeks that development in the conservation area or their locality is supported where due consideration is given to design principles. Planning applications in the conservation areas should be sympathetic to surrounding buildings, enhance the historic character and appearance of the conservation area, explain the design approach and the design of development should reflect the style of existing buildings and the character of the street landscape in terms of materials, be of a scale, size, colour and proportions to complement the character of traditional buildings with material to complement.
- 5.34 Due to the distances involved (about 163m shortest) between the proposal and Long Crendon's Conservation Areas, it is considered it would cause no harm to the significance of these heritage assets.
- 5.35 The site lies within an Archaeological Notification Area. LCNP policy LC3 requires provision for an archaeological investigation.
- 5.36 The Council Archaeologist advised the proposed development may affect undesignated archaeological remains. This is because the HER shows records of the Viatores Route 173A-D (possible Roman road between Ermine Street and Dorchester-on-Thames, Saxon and Late Bronze Age-to-Roman pits and ditches, and evidence of early Roman metalworking. However, the application is accompanied by a desk-based assessment (DBA) produced by Albion Archaeology.
- 5.37 The DBA states:

4.2 Direct Impacts on Potential Heritage Assets on the PDA

...The potential for heritage assets to be present on the PDA has been assessed as varying from negligible to low, depending on the date of the remains. The significance of any potential archaeological remains ranges from negligible to moderate, depending on their exact nature. The significance of any impact upon potential heritage assets (before mitigation), therefore, ranges from insignificant to moderately significant.

If required by the LPA, any direct impact of the development on potential buried archaeological remains could be mitigated by measures to investigate and record the presence/absence, nature and significance of the potential buried archaeological remains. This could be achieved by a programme of archaeological works (secured by condition) prior to or during development.

- 5.38 On this basis, it is recommended that in the first instance, an archaeological evaluation is undertaken, with further works if necessary. The Archaeologist added that if planning permission is granted for this development then it is likely to harm a heritage asset's significance so a condition should be applied to require the developer to secure appropriate investigation, recording, publication and archiving of the results.
- 5.39 As such, the proposal accords with guidance contained within the NPPF, policies LC3 and LC9 of the LCNP, saved policies GP53 and GP59 of the AVDLP and BE1 of VALP. It

is concluded that the impact should be accorded neutral weight in the planning balance.

Flooding and drainage

LCNP Policy LC9 (General Design Principles)

Emerging VALP policy I4 (Flooding) (*moderate weight*)

- 5.40 The Environment Agency flood maps shows that the application site is situated within the Flood Zone 1 and being an undeveloped site of 0.29ha it is likely to be at low risk of flooding from all sources. It is not therefore necessary to apply the Sequential Test to the proposal or for an FRA. Nevertheless, to ensure flood risk is not increased elsewhere from the outset, a scheme for both foul and surface water drainage shall be conditioned preventing use until an approved scheme is brought into first use.
- 5.41 For the reasons above, Officers find no conflict with policy LC9 of the LCNP, policy I4 of the emerging VALP and the NPPF. This factor should therefore be afforded neutral weight.

Impact on residential amenities

GP.8 (Protection of the amenity of residents) and GP.95 (Unneighbourly uses).

Emerging VALP policy BE3 (Protection of the amenity of residents) carries *considerable weight*.

- 5.42 Two detached properties abut the application site to the north, Reddings Farm, and to the south, 42 Sandy Lane. In terms of Reddings Farm, there would be a distance of about 7m between this neighbour and the proposed dwelling on Plot 5 (side to side). The proposed dwelling is set forward of the farm and there would be a 1.8m close boarded fence along the common boundary, with the potential for additional planting to provide further screening. Whilst plot 5 is set forward relative to Redding Farm, it is considered that there is adequate separation between the buildings to ensure no undue impact upon daylight and outlook or privacy for Reddings Farm.
- 5.43 42 Sandy Lane, to the south, is positioned about 8.6m back from the boundary with Plot 1, and the nearest part of Plot 1 would be 1.1m back from the boundary. However, this nearest part is the detached double garage. There would be a total distance of about 12.2m between the dwellings. Side windows are proposed at both first floor and ground floor facing towards No 42. However, given the distances, and the proposed boundary treatment, it is considered that there would be no unacceptable amenity impacts on this neighbour.
- 5.44 Finally, to the southeast there is Bakers Green. Given the parking to the front of the proposed units, the road itself and the existing screening to the west of Bakers Green, Officers do not considered that there would be an adverse impact on the occupiers' living conditions as a result of the proposals.
- 5.45 Whilst there have been concerns raised regarding noise there will inevitably be some noise and disturbance during construction, however this would be a temporary effect. Any unreasonable affect could be dealt with under separate legislation by environmental health. Accordingly, it is concluded that the proposal would not harm

the living conditions of the neighbouring occupiers and as such, the development does not conflict with policies policy GP8 of AVDLP, policy BE3 of the emerging VALP and the NPPF. This factor should therefore be afforded neutral weight.

Building sustainability

LC9 (General Design Principles)

Emerging Policy C3 (Renewable Energy) of VALP attracts *moderate weight*.

5.46 The proposed dwellings have been designed and will be constructed to include measures to increase the energy saving performance and efficiency of the units. These measures include increasing the thermal efficiency of the superstructure above the requirement in building regulations; fitting energy efficient appliances; reduced water consumption through product selection of eco-flow sanitary and brasswear; and increasing the efficiency of heating source equipment such as the incorporation of weather compensators and designing the building internals to allow for reduced temperature flow. This would accord with policy LC9 of the LCNP.

Broadband

LC9 (General Design Principles)

5.47 The applicant has confirmed that they would install the highest speed broadband possible, this is dependent on the existing infrastructure within the area. Post-planning they would request quotes from broadband providers to inform us of the availability in the area and whether it is possible to install superfast broadband at this development. If not, standard broadband will be installed. This would accord with policy LC9 of the LCNP.

6.0 Weighing and balancing of issues / Overall assessment

- 6.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 6.2 The proposed built development falls within the Long Crendon settlement boundary and as an allocation for housing development under policy LC3. In this regard, the application site is considered to be a suitable location for new residential development.
- 6.3 In terms of the benefits of the scheme, the development would make a contribution to the housing land supply which is a significant benefit to be attributed limited weight, as it is tempered due to the scale of the development that is proposed. There would be economic benefits in terms of the construction of the development itself and those associated with the resultant increase in population on the site to which limited positive weight should be attached.

- 6.4 The proposal would not have an adverse impact on sustainable transport, highway safety or capacity and adequate parking is provided, nor would there be any adverse impact on biodiversity, trees, landscape, design, historic environment, residential amenity and flood risk. However, these matters do not represent benefits to the wider area but demonstrate an absence of harm to which weight should be attributed neutrally.
- 6.5 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
 - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
 - c. Any other material considerations
- 6.6 As set out above it is considered that the proposed development would accord with the development plan policies, and there are no material planning considerations of such weight as to indicate that the development should be determined other than in accordance with the development plan.

7.0 Working with the applicant / agent

- 7.1 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 7.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 7.3 In this instance, discussions have taken place with the applicant/agent who responded by submitting amended plans to overcome Officers concerns which were found to be acceptable and approval is recommended.

8.0 Recommendation

- 8.1 That permission be GRANTED, subject to the following conditions:
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(1) of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding the details of the stain colour to the timber cladding shown on drawings nos. P.242.SP.03 Rev B and P.242.SS.01 Rev A, no development shall take place above damp proof course until samples/details of the timber boarding proposed to be used on the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

Reason: To ensure a satisfactory appearance to the development and to comply with policies LC3 and LC9 of the Long Crendon Neighbourhood Plan; policy GP35 of the Aylesbury Vale District Local Plan (Adopted) January 2004; policy BE2 of the emerging Vale of Aylesbury Local Plan; and the National Planning Policy Framework 2019.

3. No development shall take place, until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work (which may take place over a number of phases) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. The development shall only be implemented in accordance with the approved scheme.

Reason: To record or safeguard any archaeological evidence that may be present at the site and to comply with policies LC3 and LC9 of the Long Crendon Neighbourhood Plan; policy GP53 of the Aylesbury Vale District Local Plan (Adopted) January 2004; policy BE1 of the emerging Vale of Aylesbury Local Plan; and the National Planning Policy Framework 2019.

4. No site clearance works or development shall take place until there has been submitted to the Local Planning Authority for their approval a tree protection plan showing the type, height and position of protective fencing to be erected around each tree or hedge to be retained Unless otherwise agreed in writing by the Local Planning Authority this shall comprise a barrier complying with Figure 2 of BRITISH STANDARD 5837:2012 positioned at the edge, or outside the Root Protection Area shown on the tree protection plan. The development shall thereafter only be carried out in accordance with the approved tree protection plan. The area surrounding each tree/hedge within the approved protective fencing shall remain undisturbed during the course of the works, and in particular in these areas:

- There shall be no changes in ground levels;
- No materials or plant shall be stored;
- No buildings or temporary buildings shall be erected or stationed unless these are elements of the agree tree protection plan;
- No materials or waste shall be burnt nor within 20 metres of any retained tree; and
- No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

Reason: In order to minimise damage to the trees during building operations and to comply with policy GP38 of the Aylesbury Vale District Local Plan and to accord with the National Planning Policy Framework. Details must be approved prior to the commencement of development to ensure the development is undertaken in a way which ensures a satisfactory standard of tree care and protection.

5. Prior to commencement of the relevant works, full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. For hard landscape works, these details shall include; proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; where relevant. For soft landscape works, these details shall include new trees and trees to be retained showing their species, spread and maturity, planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. These works shall be carried out as approved prior to the first occupation of the development so far as hard landscaping is concerned and for soft landscaping, within the first planting season following the first occupation of the development or the completion of the development whichever is the sooner.

Reason: To ensure a satisfactory appearance to the development and to comply with policies LC3 and LC9 of the Long Crendon Neighbourhood Plan; policies GP35, GP38 and RA8 of the Aylesbury Vale District Local Plan; policy BE2 and NE4 of the emerging Vale of Aylesbury Local Plan; and the National Planning Policy Framework 2019.

6. Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and to comply with policies LC3 and LC9 of the Long Crendon Neighbourhood Plan; policies GP35, GP38 and RA8 of Aylesbury Vale District Local Plan; policy BE2 and NE4 of the emerging Vale of Aylesbury Local Plan; and the National Planning Policy Framework 2019.

7. No development shall take place until details of the proposed slab levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land have been submitted to and approved in writing by the Local Planning Authority, with reference to fixed datum point. The building(s) shall be constructed with the approved slab levels.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development and to comply with policy GP8 and GP35 of the Aylesbury Vale District Local Plan, policy BE2 of the emerging VALP, and the National Planning Policy Framework.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement of any dwelling nor the erection of any garage shall be carried out within the curtilage of any dwelling the subject of this permission, no windows, dormer windows, no buildings, structures or means of enclosure shall be erected on the site which is the subject of this permission other than those expressly authorised by this permission.

Reason: In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for enlargement of the dwelling or erection of a garage, windows, buildings, structures or means of enclosure having regard for the particular layout and design of the development, in accordance with policy LC3 and LC9 of the Long Crendon Neighbourhood Plan; policies GP8 and GP35 of the Aylesbury Vale District Local Plan; policies BE2 and BE3 of the emerging Vale of Aylesbury Local Plan; and the National Planning Policy Framework 2019.

9. No development hereby permitted shall commence until a Construction Management Plan in respect of that phase shall have been submitted to and approved in writing by the Local Planning Authority. Construction of each phase of the development shall not be carried out otherwise than in accordance with each approved Construction Management Plan to which it relates. Each Construction Management Plan shall include the following matters:
 - a) parking and turning for vehicles of site personnel, operatives and visitors;
 - b) loading and unloading of plant and materials
 - c) piling techniques if necessary;
 - d) storage of plant and materials;
 - e) programme of works (including measures for traffic management and operating hours);
 - f) provision of boundary hoarding and lighting;
 - g) protection of important trees, hedgerows and other natural features;
 - h) details of proposed means of dust suppression and noise mitigation;
 - i) details of measures to prevent mud from vehicles leaving the site during construction.
 - j) details of the storage of spoil or other excavated or deposited material on the site, including the height of such storage above either natural ground level or the approved ground level.

Reason: To minimise danger and inconvenience to highway users and to safeguard the amenities of neighbouring residential amenity and to comply with policies GP8 and GP95 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework. Details must be approved prior to the commencement of development to mitigate nuisance and potential damage which could occur in connection with development.

10. 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 and to comply with policy LC3 and LC9 of the Long Crendon Neighbourhood Plan; policy GP24 of the Aylesbury Vale District Local Plan; policy T6 of the emerging Vale of Aylesbury Local Plan; and the National Planning Policy Framework 2019.

11. Prior to the occupation of the development, minimum vehicular visibility splays of 43m from 2.4m back from the edge of the carriageway from both sides of the new access shall be provided in accordance with the approved plans, and the visibility splays shall be kept clear from any obstruction between 0.6m and 2.0m above ground levels. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

Reason: To provide adequate visibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access and to comply with policy LC3 of the Long Crendon Neighbourhood Plan; policy T5 of the emerging Vale of Aylesbury Local Plan; the National Planning Policy Framework 2019.

12. Prior to the occupation of the development, the new access shall be sited and laid out 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 and to comply with policy LC3 of the Long Crendon Neighbourhood Plan; policy T5 of the emerging Vale of Aylesbury Local Plan; the National Planning Policy Framework 2019.

13. Prior to commencement of the relevant works, details of the proposed means of disposal of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved scheme of drainage.

Reason: In order to ensure that the development is adequately drained and to comply with policy LC9 of the Long Crendon Neighbourhood Plan; policy I4 of the emerging Vale of Aylesbury Local Plan; and the National Planning Policy Framework 2019.

14. The development shall be implemented in accordance with the recommendations, mitigation and enhancement measures detailed in the Windrush Ecology report March

2019 and such on going measures shall be carried out in accordance with the approved report, thereafter, following practical completion of the development.

Reason: To comply with the requirements of the National Planning Policy Framework and the Conservation of Habitats and Species Regulations 2010, and the Wildlife and Countryside Act 1981 (as amended).

15. Notwithstanding the details of the stain colour to the timber cladding shown on drawings nos. P.242.SP.03 Rev B and P.242.SS.01 Rev A, this decision relates only to the plans identified below:

Received on 4.4.2019:

Location Plan (P.242.LP.01)

Topographical Survey (G 9056/4 Rev 1)

Received on 4.6.2019

Proposed Cross Section (P.242.CS.01)

Proposed Double Garage (P.242.DG.01)

Received on 18.9.2019:

Plot 2 Plans and Elevations (P.242.4B.DH.2040 Rev E)

Plot 5 Plans and Elevations (P.242.4B.DH.2098 Rev B)

Plot 1 Plans and Elevations (P.242.5B.DH.2325 Rev C)

Proposed Site Plan Colour (P.242.SP.01 Rev C)

Surface Materials Plan (P.242.SP.02 Rev B)

Proposed Materials (P.242.SP.03 Rev B)

Street Scene (P.242.SS.01 Rev A)

Plots 3 and 4 Plans and Elevations (P.242.4B.DH.1317 Rev B)

Reason: For the avoidance of doubt and to ensure a satisfactory appearance to the development and to comply with policies LC3 and LC9 of the Long Crendon Neighbourhood Plan; policy GP35 of Aylesbury Vale District Local Plan; policy BE2 of the emerging Vale of Aylesbury Local Plan; and the National Planning Policy Framework 2019.

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:-

Development Management

6th Floor, County Hall

Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
Telephone: 01296 382416
Email: dm@buckscc.gov.uk

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.

Appendix A: Consultation Responses and Representations

Appendix B: Site Location plan

APPENDIX A: Consultation Responses and Representations

Councillor Comments – Cllr David Lyon (dated 08.06.2020)

“I believe the application would benefit from consideration by the planning committee and wish to call it in.

Some minor changes are apparent in the revised plans submitted but no fundamental change from the applicant to the approach to the site and it’s constraints.

Although the proposed quantum of houses is within the guidance of the Adopted Neighbourhood Plan the application is overdeveloping the site as the 5 proposed dwellings are still excessively large still tightly packed, overly dense and look cramped on the site plans.

Whilst provision for parking at the site falls within AVDC policy it will proved to be inadequate for 5 large house with resultant on-street parking causing nuisance and highway danger. Sandy Lane is subject to significant use by very large agricultural vehicles.

Smaller properties would have been preferable as Long Crendon is already over-supplied with larger ‘Family homes’.

*The application is not in keeping with section 6.2 of the neighbourhood plan viz *Meet local housing needs, particularly by providing more smaller houses for those wanting to stay in the village, and for first time buyers. *Provide affordable homes for local people. Affordable in the sense in which it was written is taken to mean less expensive rather than the government definition relating to shared ownership and social rented etc.*

The absence of footways on Sandy Lane and Frogmore Lane leads to conditions of danger to pedestrians walks to or from the application site to village amenities.

The application fails to make adequate provision to allow accessibility to the site by non-car modes of travel.”

Parish/Town Council Comments – Long Crendon Parish Council (dated 18.12.2019)

“The Parish Council again considered this matter in Committee on 16 December 2019.

The Parish Council wishes to repeat its comments from July 2019 and the amendments submitted.

Long Crendon Parish Council objects to this application.

There appears to be some tinkering with the revised plans submitted but no fundamental change from the applicant to the approach to the site and it’s constraints.

Although the proposed quantum of houses is within the guidance of the Adopted Neighbourhood Plan the Parish Council is of the opinion that the applicant is overdeveloping the site as the 5 proposed dwellings are still excessively large still tightly packed, overly dense and look cramped on the site plans.

Whilst provision for parking at the site falls within AVDC policy the Council is very concerned that it will proved to be inadequate for 5 large house with resultant on-street parking causing nuisance and highway danger. Sandy Lane is subject to significant use by very large agricultural vehicles.

Smaller properties would have been preferable as Long Crendon is already over-supplied with larger 'Family homes'.

*The application is not in keeping with section 6.2 of the neighbourhood plan viz *Meet local housing needs, particularly by providing more smaller houses for those wanting to stay in the village, and for first time buyers. *Provide affordable homes for local people. Affordable in the sense in which it was written is taken to mean less expensive rather than the government definition relating to shared ownership and social rented etc.*

The absence of footways on Sandy Lane and Frogmore Lane leads to conditions of danger to pedestrians walking to or from the application site to village amenities.

The application fails to make adequate provision to allow accessibility to the site by non-car modes of travel.

If the LPA is minded to approve this application then the Parish Council requests a specific condition covering a Construction Management Plan similar to the one imposed (and mostly ignored) on the same applicant's development site at Wainwrights. We refer to the Construction Management Plan (P.202.CTM.01) dated 13 April 2018 and the Section 106 Agreement & Bond dated 21 December 2016 relating to planning permissions 15/03650/AOP and 17/01488/ADP and associated correspondence between Rectory Homes and AVDC. The Parish Council receives daily complaints about this developer and wishes no repeat on Sandy Lane.

If this application is determined by AVDC Committee the PC request to attend and speak."

Representations

24 comments have been received objecting to the proposal:

- Allocating housing development along existing village boundaries is not appropriate; land lay outside the settlement area of the village before the Neighbourhood Plan was 'made'.
- Access arrangements along lane/cumulative effects arising from existing or approved development will cause highway safety issues
- No pedestrian links
- Car dependant
- Loss of privacy; distances from window-to-window fail to meet AVDC Design Guide Minimum Space Standards
- Loss of light and overshadowing
- Overdevelopment
- Detrimental impact on biodiversity
- Loss of farmland
- Give rise to noise
- Proposed ridge heights should respect existing neighbours
- Will interrupt open long views

- Contrary to key provision of the Neighbourhood Plan to meet local housing needs, particularly more smaller homes and affordable housing

Consultation Responses

County Archaeological Service: Application supported by a desk-based assessment by Albion Archaeology. No objection subject to a condition securing appropriate investigation, recording, publication and archiving of the archaeological work.

BCC Transportation: Principle of development has effectively been accepted due to its allocation within the Long Crendon Neighbourhood Plan, but from a highway perspective the site is considered unsustainable and it is not considered that safe and suitable access for all users can be achieved. Should permission be granted, conditions should be imposed securing the access, parking provision, manoeuvring space and adequate visibility splays. 3no. informatives are also recommended.

Tree Officer: No comment

SUDS: No comment

BCC Education: No comment

Landscape Officer: No comment

Clinical Commissioning Group: No comment

NHS: No comment

CPDA: No objection subject to a condition securing the inclusion of 'Secure by Design' principles and/or standards within the development.

Buckingham and River Ouzel Drainage Board: No comment.

APPENDIX B: Site Location Plan

