



Report to East Buckinghamshire Area Planning Committee

Application Number:	PL/19/4402/FA
Proposal:	Four new dwellings, garages and single storey rear extension to No.108 with associated works, including; demolition works to No.108, provision of vehicular access, parking, turning areas and landscaping
Site Location:	Land to the rear of 104-110 Chartridge Lane Chesham Buckinghamshire HP5 2RG
Applicant:	Dr Nick Lewis
Case Officer:	Melanie Beech
Ward affected:	Chiltern Ridges
Town Council:	Chesham
Valid date:	19 December 2019
Determination date:	31 July 2020
Recommendation:	Conditional Permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application proposes four new dwellings to be located to the rear of nos. 104 – 110 Chartridge Lane, as well as works to no. 108 Chartridge Lane and a new access road. The proposed development provides much needed housing in a sustainable location on land which is outside the Green Belt and Area of Outstanding Natural Beauty (AONB). The design and layout of the proposed houses are not considered to harm the character of the area or amenities of neighbouring properties. There is adequate parking and amenity space within the development, and in consultation with the Highway Authority, the additional vehicular movements can safely be accommodated into the local highway network.

- 1.2 Cllr Bacon has requested that this application be determined by the Area Committee if the officer's recommendation is to approve. His main areas of concern relate to short back gardens of the new houses and the possible effect on the equestrian business in the field below.
- 1.3 The officer recommendation is to grant conditional permission for this application.

2.0 Description of Proposed Development

- 2.1 The application site is located on the South-western side of Chartridge Lane within the built up area of Chesham. It currently consists of two detached dwellings (nos. 106 and 108 Chartridge Lane) and the rear gardens of nos. 104 – 110 Chartridge Lane.
- 2.2 To either side of the site are residential gardens, and to the rear of the site are open fields which are within the Green Belt and Area of Outstanding Natural Beauty (AONB). The site itself is not within any designated areas.
- 2.3 The application seeks planning permission for four two-storey detached dwellings to be located to the rear of nos. 104 – 110 Chartridge Lane, as well as part demolition and proposed single storey rear extension to no. 108 Chartridge Lane. The proposed development includes a new access road between nos. 106 and 108, measuring 4.8m wide and parking/garages for the new dwellings.
- 2.4 Each new dwelling includes a lounge, dining room, kitchen and entrance hall on the ground floor, and four bedrooms on the first floor. They are 12m deep by 9m wide and have a cat slide roof with a maximum height of 7.4m. All are provided with two external car parking spaces plus a garage.
- 2.5 The works to no. 108 Chartridge Lane include demolition of the existing garage and kitchen, to make way for the new access road, and construction of a new flat roof single storey rear extension to provide a new kitchen. This extends 4m beyond the rear wall of the existing dining room and 1.8m beyond the rear wall of the existing lounge. It has a width of 4.6m and height of 2.7m and includes a roof lantern.
- 2.6 The proposed development also includes landscaping, and a bin storage area at the front of the site.
- 2.7 The application is accompanied by:
 - a) A Planning Statement
 - b) A Design and Access Statement
 - c) A Tree Report
 - d) Drainage Information
- 2.8 Amended plans were received on 21st May 2020 which removed two additional dwellings located between the existing dwellings on Chartridge Lane and those now proposed. Further amended/additional plans were received on 26th May 2020 for clarification purposes (one plan per new dwelling was requested).

3.0 Relevant Planning History

3.1 Relevant planning history for the site:

104 Chartridge Lane:

CH/1979/1109/FA – Conditional Permission 19th July 1979 – Proposed kitchen, garage and workshop and extension to ground floor

CH/1991/0241/FA – Conditional Permission 2nd April 1991 - Alterations, first floor and single storey rear extensions.

106 Chartridge Lane:

CH/1984/0914/FA – Conditional Permission 22nd June 1984 - Construction of front and side dormer window.

108 Chartridge Lane:

CH/2011/0091/FA – Conditional Permission 14th March 2011 - Single storey front extension and replacement roof over existing single storey side projection.

110 Chartridge Lane:

CH/1996/0835/FA – Conditional Permission 22nd August 1996 - Alterations and change of use of dwelling house to residential home for the elderly.

CH/1997/1034/FA – Conditional Permission 28th August 1997 - Variation to condition 3 of planning permission 96/0835/CH in order to permit residential accommodation and care for up to 10 people in need of care

CH/1999/0028/FA – Conditional Permission 18th February 1999 – Rear conservatory

CH/2010/0491/FA – Conditional Permission 16th June 2010 – Retention of detached outbuilding

CH/2010/1102/FA – Conditional Permission 17th September 2010 - Variation to condition no. 3 of planning permission CH/1996/0835/FA in order to permit residential accommodation and care for up to 11 people in need of care, and single storey front extension

CH/2017/0900/FA – Conditional Permission 21st July 2017 - Replacement of outbuilding (retrospective)

PL/18/3540/FA – Conditional Permission 1st July 2019 - Construction of single storey building for use in conjunction with nursing home.

4.0 Summary of Representations

- 4.1 A summary of consultation responses and representations made on the application can be viewed in Appendix A.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2019
- National Design Guidance, October 2019
- Core Strategy for Chiltern District - Adopted November 2011
- Chiltern District Local Plan adopted 1 September 1997 (including alterations adopted 29 May 2001), consolidated September 2007 and November 2011
- Draft Chiltern and South Bucks Local Plan 2036
- Affordable Housing Supplementary Planning Document (SPD) - Adopted 21 February 2012
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule

Principle and Location of Development

➤ Core Strategy Policies:

CS1 (The spatial strategy),

CS2 (Amount and distribution of residential development 2006-2026)

➤ Local Plan Saved Policies:

H3 (Provision of new dwellings in the built-up areas excluded from the Green Belt (other than in accordance with Policies H2, H4 & H7)),

The site is located within the built up area of Chesham where in accordance with Local Plan Policy H3, proposals for new dwellings are acceptable in principle subject to there being no conflict with any other Local Plan policy. In addition, the spatial strategy for Chiltern District, in accordance with Policies CS1 and CS2 of the Core Strategy, is to focus development on land within existing settlements and in particular to the built up areas of the main settlements which includes Chesham.

- 5.1 It is noted that the Council cannot currently demonstrate a 5-Year Housing Land Supply and in accordance with paragraph 11 of the NPPF, this means that planning permission for housing should be granted unless the policies in the NPPF that protect areas or assets of particular importance (such as the Green Belt or AONB) provide a clear reason for refusing the development, or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the framework as a whole.

- 5.2 Furthermore, Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and

healthy living conditions. Paragraph 122 goes on to say that planning decisions should support development that makes efficient use of land, taking into account the availability of land suitable for accommodating housing, and the desirability of maintaining an area's prevailing character and setting

Raising the quality of place making and design

Core Strategy Policies:

CS4 (Ensuring that the development is sustainable)

CS20 (Design and environmental quality)

CS22 (Chilterns Area of Outstanding Natural Beauty)

Local Plan Saved Policies:

GC1 (Design of development throughout the district)

GC4 (Landscaping throughout the district)

H11 (Distance between flank elevation(s) of a proposed multi-storey dwelling and boundary of dwelling's curtilage throughout the district)

H13 (Extensions to dwellings in the built-up areas excluded from the Green Belt and in Policy GB4 and GB5 areas in the Green Belt - general policy)

H15 (Design and siting of extensions throughout the district)

H16 (Distance between multi-storey or upper floor side and/or rear extensions and boundary of dwelling curtilage throughout the district)

H17 (Distance between single storey side extensions and boundary of dwelling curtilage throughout the district)

H20 (Ancillary residential buildings (domestic garages, workshops, etc.) in the built-up areas excluded from the Green Belt)

5.3 The area is residential in nature, and characterised by detached dwellings located at the front of long, narrow plots. The proposed dwellings would be situated in shorter plots but this does not necessarily mean that they would harm the character and appearance of the area. They would be viewed from Chartridge Lane to the east and from Pednor Valley to the west. They are located no further back than other development on this side of Chartridge Lane, including The Chiltern Hills Academy, and properties on Little Court and Westridge Close. The dwellings have been designed to have a relatively low ridge and eaves height, and the cat slide roofs will help to maintain views from Chartridge Lane across to the AONB and Green Belt beyond. Furthermore, the new access road is akin to other access roads taken from Chartridge Lane and therefore it is not considered that this element is harmful to the character of the area.

5.4 There is sufficient space between and around the new dwellings so that they do not appear cramped, but in order to retain this spacious character, it is recommended that a condition be imposed to restrict Permitted Development. In addition, conditions are recommended to require full details of materials, landscaping and boundary treatments.

Amenity of existing and future residents

Local Plan Saved Policies:

GC3 (Protection of amenities throughout the district)

H12 (Private residential garden areas throughout the district)

H13 (Extensions to dwellings in the built-up areas excluded from the Green Belt and in Policy GB4 and GB5 areas in the Green Belt - general policy)

H14 (Safeguarding the amenities of neighbours in relation to extensions throughout the district)

- 5.5 The proposed dwellings are at least 45m from any of the existing properties along Chartridge Lane, which is sufficient to ensure that they do not appear overbearing or cause a loss of privacy. There are no first floor windows in any of the side elevations, and given the low eaves it would not be feasible to insert any either. Furthermore, it is not considered that the roof lights would cause any overlooking. As such, it is not considered necessary to impose any conditions relating to additional windows or obscure glazing.
- 5.6 With regard to the amenity of future occupiers of the development, each dwelling has a private rear garden measuring at least 120sqm in area. They are between 8m and 10m deep. Members will be aware that Policy H12 of the Local Plan requires each new house to have a private garden area which is adequate for and appropriate to the size, design and amount of living accommodation proposed. It suggests a "general expected standard" of a garden depth of at least 15m except in certain circumstances. One of these circumstances is "where adequate private amenity space exists within the application site or where the rear site boundary abuts a public bridleway or footpath, an open field, open countryside, a recreation or playing field". In this case, the rear boundary does abut an open field and it is considered that the amount of private garden space is adequate for the amount of accommodation proposed.
- 5.7 Some local concern has been raised with regard to the impact that the proposed development may have on the welfare of the horses occupying the land to the rear of the site, and the associated equestrian business. Little information has been provided regarding this business, but given the scale of the development proposed and the conditions to require details of landscaping and boundary treatments, it is not considered that this could be sustained as a reason for refusal.

Transport matters and parking

Core Strategy Policies:

CS25 (Dealing with the impact of new development on the transport network)

CS26 (Requirements of new development)

Local Plan Saved Policies:

TR2 (Highway aspects of planning applications throughout the district)
TR3 (Access and road layout throughout the district)
TR11 (Provision of off-street parking for developments throughout the district)
TR15 (Design of parking areas throughout the district)
TR16 (Parking and manoeuvring standards throughout the district)

- 5.8 It is noted that many of the comments from local residents raise concern over the additional traffic that will be generated by the development, particularly given the amount of housing that has been built along Chartridge Lane over recent years. They also raise concern over the access point causing danger to pedestrians and other highway users, and consider there to be insufficient parking spaces within the proposed development.
- 5.9 In this regard, the comments from the Highway Authority are a material consideration in the assessment of the application. They assessed the original plans (which proposed 6 dwellings) and concluded that the additional vehicular movements could safely be accommodated into the local highway network. As such, it must be concluded that a reduced scheme (of 4 dwellings) can also be safely accommodated into the highway network. The Highway Authority have also assessed the acceptability of the access and raise no objections.
- 5.10 With regard to parking, the Council's standard is three spaces for dwellings with a gross floor area in excess of 120sqm. These have been provided and the Highway Authority have confirmed that there is sufficient space for vehicles to park, manoeuvre and egress in a forward gear. In order to ensure that the garages are retained for parking, a condition is recommended.
- 5.11 Based on the sustainable location of the site close to Chesham Town Centre, and the comments from the Highway Authority, it is not considered that a reason for refusal relating to parking or highway matters could be sustained.

Environmental issues

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)
CS20 (Design and environmental quality)
CS24 (Biodiversity)

Local Plan Saved Policies:

GC4 (Landscaping throughout the district)
GC9 (Prevention of pollution throughout the district)

- 5.12 Some of the comments received in relation to this application have raised concern over the potential light and noise pollution caused by the development. It is noted that there is a large amount of glazing on the rear elevations of the dwellings which may be visible from Pednor Valley and the AONB. However, it is argued that this development would be no more intrusive in terms of light

pollution than the existing developments along Chartridge Lane. Furthermore, it is likely that occupiers of the new dwellings would close their curtains at night which would mitigate the impacts of light pollution.

- 5.13 In terms of noise, it is understood that the concern relates to noise pollution both during construction and subsequently from the increased activity at the site. In this regard, developers will be encouraged to sign up to the “Considerate Contractors Scheme”, and a condition is recommended to require a Construction Traffic Management Plan (CTMP) to include operating hours. As for potential noise pollution once the development is complete and occupied, the scale of development is not considered to be so vast that this would significantly harm the amenities of neighbouring properties.
- 5.14 As previously stated, the site is currently occupied by residential garden land and, in consultation with the Council’s Environmental Protection team, the most recent use of the site is unlikely to give rise to anything more than diffuse anthropogenic contamination. However, the development will increase the number of receptors that could be exposed to contaminants of concern that may be present in the underlying soils and therefore a conditions are recommended to require a scheme to deal with any risks associated with contaminated land.
- 5.15 As with any residential development, it is important to ensure that sufficient storage space is provided for waste and recycling bins, and that waste collection is safe and convenient. In this regard, each dwelling has their own bin storage, and there is a holding area at the front of the access drive where bins can be stored on collection day. The Council’s waste team have confirmed that the collection point is agreeable and that waste collection lorries will not enter the site. In order to ensure that the bin stores are of an adequate size and appropriate design, a condition is recommended to require full details to be provided.
- 5.16 An Arboricultural Impact Assessment with tree survey was submitted with the application which has been reviewed by the Council’s Tree Officer. It is noted that some trees were removed prior to the submission of the application, which is regrettable. However, the Tree Officer has confirmed that the proposed development would not result in the loss of any important trees and therefore no objections are raised in this regard. It is however recommended that a condition be imposed to ensure that the retained trees are protected and that a landscaping scheme is submitted.

Flooding and drainage

Core Strategy Policy:

CS4 (Ensuring that development is sustainable)

Local Plan Saved Policy:

GC10 (Protection from flooding in the areas as defined on the Proposals Map and

throughout the district)

5.17 The application site is not located within flood zones 2 or 3, or within any designated Area of Critical Drainage. The Lead Local Flood Authority (LLFA) have confirmed that the site lies within an area of very low risk of surface water flooding. However, they requested further information relating to surface water management in the form of a comprehensive Drainage Strategy and accompanying Drainage Statement. Additional information was submitted by the applicant which was reviewed by the LLFA. The LLFA have advised the applicant to demonstrate a viable method of surface water disposal, based on site specific infiltration rate testing. Although the LLFA have requested this information to be provided prior to determination of the application, it is considered by the planning officer and Area Team Leader that a planning condition would suffice in this instance. This is because the site is not within any designated flood zone or critical drainage area, and the level of detail required must be proportionate to the scale of development proposed. The Council has not insisted on this level of detail at other sites of this scale and must be consistent in its approach. A planning condition would meet the tests set out in the NPPG of being necessary, relevant, enforceable, precise and reasonable. It would also give certainty that the development would not be able to proceed until a surface water drainage scheme had been agreed.

Affordable Housing and Housing Mix

➤ Core Strategy Policies:

CS8 (Affordable housing policy)

5.18 The National Planning Practice Guidance (NPPG) states that there are specific circumstances where contributions for affordable housing and tariff style planning obligations should not be sought, including from small scale and self-build development, such as developments of 10 units or less, or which have a gross floorspace of less than 1,000sqm. As the proposed development falls below these thresholds and the NPPG carries greater weight than the Core Strategy, no objections are raised to the scheme without a contribution to affordable housing.

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 Paragraph 11 of the NPPF states that planning decisions should apply a presumption in favour of sustainable development. Sustainable development has three overarching objectives; economic, social and environmental. In this case, the development provides an economic benefit in creating jobs in the

construction industry and a social benefit in providing four homes in a location which is close to services and facilities. In terms of the environmental objective, it is preferable to build homes on land that is outside protected areas such as the Green Belt or AONB, and also in locations such as this which are close to services and therefore not so reliant on the private car.

- 6.3 The above assessment demonstrates that the development complies with the relevant Development Plan policies and is therefore recommended for approval, subject to conditions.
- 6.4 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent].

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, the agent was made aware of concerns with the proposed development and was invited to submit amended plans and additional information. Based on these amendments, the application is recommended for conditional permission. The application will be considered at the East Area Planning Committee where the applicant/agent will be given the opportunity to speak.

Recommendation: Conditional Permission

Subject to the following conditions:-

1. The development to which this permission relates must be begun before the expiration of three years from the date of this permission.
Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 (1) of the Town & Country Planning Act 1990, as amended.
2. Before any construction work above ground commences, details of the materials to be used for the external construction of the development hereby permitted, including the surface materials for the new access road, parking and turning areas, shall be

submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in the approved materials.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality or create flooding issues, in accordance with Policies GC1, GC10 and H3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and Policy CS20 of the Core Strategy for Chiltern District (Adopted November 2011).

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

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

4. No development shall take place, including works of demolition, until a Construction Traffic Management Plan (CTMP) has been submitted to and approved by the Local Planning Authority, in conjunction with the Highway Authority. The CTMP shall include details of:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- operating hours
- wheel washing facilities

The approved plan shall be adhered to throughout the construction period.

Reason: In the interests of highway safety, convenience of highway users and to protect the amenities of residents, in accordance with Policies TR2 and TR3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011 and Policies CS25 and CS26 of The Core Strategy for Chiltern District, Adopted November 2011.

5. Prior to the occupation of the development hereby permitted, the access onto Chartridge Lane shall be laid out in accordance with the approved plans.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway, in accordance with Policies TR2 and TR3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011 and Policies CS25 and CS26 of The Core Strategy for Chiltern District, Adopted November 2011.

6. Within one month of the new access being brought into use, all other existing access points not incorporated in the development hereby permitted shall be stopped up by

raising the existing dropped kerb and reinstating the footway and highway boundary to the same line, level and detail as the adjoining footway and highway boundary.
Reason: To limit the number of access points along the site boundary for the safety and convenience of the highway user, in accordance with Policies TR2 and TR3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011 and Policies CS25 and CS26 of The Core Strategy for Chiltern District, Adopted November 2011.

7. The scheme for parking and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and those areas shall not thereafter be used for any other purpose. For the avoidance of doubt, this includes the garages which must not be converted to any other use than for the parking of vehicles.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway, in accordance with Policies TR2, TR3, TR11 and TR16 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011 and Policies CS25 and CS26 of The Core Strategy for Chiltern District, Adopted November 2011.

8. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

i) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters,

property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. The above must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

10. Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 1, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 1.

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

11. No works (other than demolition) shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- o Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority should be given to above ground SuDS components
- Existing and proposed discharge rates and volumes
- Ground investigations including:
- Infiltration in accordance with BRE365

- Subject to infiltration being inviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the drainage hierarchy as outlined in paragraph 080 of the Planning Practice Guidance.
- Drainage layout detailing the connectivity between the dwelling(s) and the drainage component(s), showing pipe numbers, gradients and sizes, complete together with storage volumes of all SuDS component(s)
- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- Construction details of all SuDS and drainage components
- Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction

Reason: The reason for this pre-construction condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 163 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

12. Prior to the occupation of the development a whole-life maintenance plan for the site must be submitted to and approved in writing by the Local Planning Authority. The plan shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SuDS component), with details of who is to be responsible for carrying out the maintenance. The plan shall also include as-built drawings and/or photographic evidence of the drainage scheme carried out by a suitably qualified person. The plan shall subsequently be implemented in accordance with the approved details.

Reason: The reason for this prior occupation condition is to ensure that arrangements have been arranged and agreed for the long term maintenance of the drainage system as required under Paragraph 165 of the NPPF.

13. The development hereby approved shall be implemented in accordance with the tree and hedge protection measures described in the Arboricultural Impact Assessment report dated 16/12/2019 Ref: 101 443 and those shown on the Tree Protection Plan dated 12/16/2019 in Appendix 2 of the document by Arbol Euro Consulting. This shall include the use of tree protection fencing and no-dig construction in accordance with these documents.

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

14. No development above ground level shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping at a scale of not less than 1:500 which shall include indications of all existing trees and hedgerows on the land, with details of those to be retained, those to be felled being clearly

specified, and full details of those to be planted. This shall include full details of the locations, size and species of all trees, hedgerows and shrubs to be planted, removed and retained and should include the installation of bat and/or bird bricks and/or boxes.

Reason: In order to maintain, as far as possible, the character of the locality and to ensure biodiversity enhancements and to ensure a good quality of amenity for future occupiers of the dwellings hereby permitted, in accordance with policies GC1, GC4 and H3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policies CS20 and CS24 of the Core Strategy for Chiltern District (Adopted November 2011).

15. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 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 gives written consent to any variation.

Reason: In order to maintain, as far as possible, the character of the locality and to ensure biodiversity enhancements and to ensure a good quality of amenity for future occupiers of the dwellings hereby permitted, in accordance with policies GC1, GC4 and H3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policies CS20 and CS24 of the Core Strategy for Chiltern District (Adopted November 2011).

16. Prior to the occupation of the development hereby permitted, full details of the proposed boundary treatments for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall then be erected/constructed prior to the occupation of the dwellings hereby permitted.

Reason: To protect, as far as possible, the character of the locality and the amenities of the adjoining properties and approved dwellings, in accordance with policies GC1, GC3 and H3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policy CS20 of the Core Strategy for Chiltern District (Adopted November 2011).

17. Prior to the occupation of the development hereby permitted, full details of the proposed bin storage shall be submitted to and approved by the Local Planning Authority. The bin store shall then be implemented in accordance with the approved details and thereafter permanently retained for bin storage.

Reason: To ensure that the development respects the character of the area, does not appear cluttered with bins and to ensure that there is adequate bin storage for future occupiers of the development, in accordance with policies GC1, GC3 and H3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policy CS20 of the Core Strategy for Chiltern District (Adopted November 2011).

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

Reason: In order that the Local Planning Authority can properly consider whether any future proposals will be detrimental to the character of the locality or the amenities of neighbouring properties, in accordance with policies GC1, GC3 and H3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policy CS20 of the Core Strategy for Chiltern District (Adopted November 2011).

19. This permission relates to the details shown on the approved plans as listed below:

<u>Received</u>	<u>Plan Reference</u>
21 May 2020	TL-4328-19-2A
19 Dec 2019	TL-4328-19-3
26 May 2020	TL-4328-19-4B Plot 1
26 May 2020	TL-4328-19-4B Plot 4
26 May 2020	TL-4328-19-5B Plot 2
26 May 2020	TL-4328-19-5B Plot 3
21 May 2020	TL-4328-19-7A

INFORMATIVE(S)

1. The Council is the Charging Authority for the Community Infrastructure Levy (CIL). CIL is a charge on development; it is tariff-based and enables local authorities to raise funds to pay for infrastructure.
If you have received a CIL Liability Notice, this Notice will set out the further requirements that need to be complied with.
If you have not received a CIL Liability Notice, the development may still be liable for CIL. Before development is commenced, for further information please refer to the following website <https://www.chiltern.gov.uk/CIL-implementation> or contact 01494 732792 for more information.
2. Due to the proximity of the site to existing residential properties, the applicants' attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicles parking at the site or making deliveries, and general disruption caused by the works.

By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and

complaints from local residents. Further information on how to participate can be found at www.ccscheme.org.uk.

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

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

Telephone 01296 382416

APPENDIX A: Consultation Responses and Representations

PL/19/4402/FA

Councillor Comments

Councillor Bacon has requested that this application be determined by the Area Planning Committee if the Officer's recommendation is to approve. His main areas of concern relate to short back gardens of the new houses and the possible effect on the equestrian business in the field below.

Town Council Comments

"The Committee recommends REFUSAL of this application on the grounds of inadequate access, poor vision splays and traffic concerns; being infill development; size and bulk and being overdevelopment within the area."

Consultation Responses

Building Control and Fire Fighting Access:

"I have no objections to this development"

Tree Officer:

"Although I regret the tree removal prior to the submission of the proposal, no further important trees would be lost so I have no objections to the application provided there is adequate protection for the retained trees."

Strategic Environment Team:

Recommends conditions relating to contaminated land.

Waste Development Team:

The collection point is agreeable with the Waste Team, subject to the Council's requirements, but it must be large enough to accommodate the standard suite of containers. The waste collection lorry will not enter the site and will not reverse down the length of the access road to make collections.

Highway Authority:

Confirm that the additional vehicular movements can safely be accommodated into the local highway network, that adequate visibility splays are achievable, and that there is sufficient room within the site to park, manoeuvre and egress the site in a forward gear. Therefore no objection subject to conditions.

Lead Local Flood Authority (LLFA):

"The LLFA objects to the proposed development due to insufficient information regarding the proposed surface water drainage scheme." However, if the Local Planning Authority is minded to approve the application, conditions are recommended to provide a surface water drainage scheme and a whole life maintenance plan.

Representations

18 representations have been made on the application which are summarised below:

- Inadequate/dangerous access
- increased traffic causing danger to highway users
- Impact on air quality from increased traffic
- Inadequate parking
- Cumulative impact of development in Chartridge Lane, changing the character of the whole area and adding to traffic problems
- Impact on adjacent AONB and Green Belt
- High density, proposed layout and new access road are not in keeping with the area
- Danger of setting a precedent for future tandem development
- Car dominated views for the new houses
- Landscaping would take years to mature
- Landscaping on the rear boundary would cast a shadow on the new rear gardens
- Drainage issues
- Insufficient garden sizes
- Suggest restricting conservatories and conversion of garages, and conditions relating to windows to protect privacy
- Light and noise pollution
- Loss of privacy to existing homes
- Impact on wildlife, including horses on the adjacent land
- Impact on trees, including a eucalyptus in the rear garden of 112 Chartridge Lane
- Disturbance during construction.
- Inaccuracies on plans and inadequate neighbour consultation.

APPENDIX B: Site Location Plan PL/19/4402/FA



Do not scale – this map is indicative only

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationary Office © Crown Copyright 2012. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Buckinghamshire Council, PSMA Licence Number 100023578