



## Report to East Area Planning Committee

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<b>Application Number:</b>	PL/20/4358/FA
<b>Proposal:</b>	Erection of two detached dwellings, one with integral garage and creation of new vehicular access
<b>Site Location:</b>	41 Watchet Lane, Holmer Green, Buckinghamshire, HP15 6UF
<b>Applicant:</b>	Mr Trevor Snoxell and Mr Mark Snoxell
<b>Case Officer:</b>	Emma Showan
<b>Ward(s) affected:</b>	Penn Wood & Old Amersham
<b>Parish-Town Council:</b>	Little Missenden Parish Council
<b>Date valid application received:</b>	21 December 2020
<b>Statutory determination date:</b>	12 March 2021
<b>Recommendation</b>	Conditional Permission

### 1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

1.1 This application proposes to subdivide the existing plot at No. 41 Watchet Lane and to erect two detached dwellings to the rear, in addition to the provision of a new vehicular access onto Watchet Lane. The application follows the submission and refusal of planning application references PL/19/3413/FA, PL/19/4419/FA and PL/20/0036/FA. Following a dismissed appeal, this application seeks to overcome the upheld reason for refusal. This related to the impact of the erection of a dwelling on Plot Two on the amenities of the adjacent neighbouring property at No. 43 Watchet Lane.

1.2 Councillor Waters called in the application for consideration by the Planning Committee, on the basis that the issues raised on the previous applications may not have been sufficiently addressed by the amended proposal under consideration.

1.3 The recommendation is to grant conditional permission.

### 2.0 Description of Proposed Development

2.1 This application relates to a site located in the built-up area of Holmer Green. It is located off Watchet Lane which is a residential through-road on the edge of the settlement. The road is characterised by ribbon development along both sides with a mixed range of property types and styles. Dwellings, particularly on the west side of

the highway, have long rear gardens that extend to share a boundary with the open Green Belt and countryside to the rear. Along the north-west side of the highway dwellings have particularly long gardens, and a considerable number of these gardens have been subdivided to enable residential development to the rear. This has led to the creation of a second frontage off Watchet Lane. The application site itself currently comprises the rear residential garden of No. 41 Watchet Lane, a single storey bungalow which has extant planning permission to be extended.

- 2.2 It is noted that similar planning applications, reference PL/19/3413/FA, PL/19/4419/FA and PL/20/0036/FA were refused permission. These proposals sought permission for the erection of two, two-storey detached dwellings with integral garages and the provision of a vehicular access to the rear of No. 41 Watchet Lane. These applications were refused permission and a subsequent appeal was dismissed. This latest application is a re-submission of the earlier proposals, and seeks to overcome the previous reasons for refusal.
- 2.3 This application proposes to subdivide the existing plot at No. 41 Watchet Lane and to erect two detached dwellings, in addition to the provision of a new vehicular access onto Watchet Lane.
- 2.4 Plot One would accommodate a two-storey detached dwelling with a maximum width of 9.5 metres, depth of 15 metres, and pitched roof height of 8.2 metres, with an eaves height of 5 metres. It would contain four bedrooms, an integral garage and a rear garden with an approximate depth of 13 metres.
- 2.5 Plot Two would accommodate a detached bungalow with a maximum width of 8.4 metres, depth of 13.8 metres and pitched roof height of 5.6 metres, with an eaves height of 2.5 metres. It would contain two bedrooms at ground floor level and a rear garden depth of approximately 12.5 metres.
- 2.6 A new access would be provided along the southern boundary of the site and onto Watchet Lane.
- 2.7 The application is accompanied by:
  - a) A Design & Access Statement
  - b) Tree Report

### **3.0 Relevant Planning History**

#### On site:

- 3.1 PL/20/0036/FA - Erection of 2 detached dwellings with integral garages and new vehicular access, refused permission and appeal dismissed. Only one reason for refusal upheld at appeal: The dwelling on Plot Two, by virtue of its height and siting to the rear of, and within close proximity to, the rear garden and dwelling at No. 43 Watchet Lane would appear both overbearing and intrusive when viewed from this property's rear amenity area.
- 3.2 PL/19/4419/FA - Erection of two detached dwellings with integral garages and provision of vehicular access, refused permission and appeal dismissed.

- 3.3 PL/19/3413/FA - Erection of two detached dwellings with integral garages and provision of vehicular access, refused permission.
- 3.4 CH/1990/1689/OA - Demolition of No. 41 Watchet Lane, construction of access road and four detached houses and garages, refused permission.

Along Watchet Lane:

- 3.5 PL/18/2797/FA - Redevelopment of site to provide two detached dwellings with integral garages, a pair of semi-detached dwellings and a single detached dwelling with carport and construction of revised vehicular access; to rear of Nos. 67-69 Watcher Lane, conditional permission.
- 3.6 CH/2018/0566/FA - Construction of two detached dwellings to rear of Nos. 59-61 Watchet Lane, new vehicular access and associated hardstanding, conditional permission.
- 3.7 CH/2017/1752/FA - Removal of garage extension to 70 Watchet Lane, erection of two detached dwellings with integral garages on land rear of 68 and 70 Watchet Lane, served by widened vehicular access, conditional permission.
- 3.8 CH/2017/1429/FA - Removal of garage extension to existing dwelling, construction of three detached dwellings to rear of Nos. 53-57 Watchet Lane, new vehicular access and associated hardstanding, conditional permission.
- 3.9 CH/2017/0218/FA - Removal of garage extension to existing dwelling, development of site to rear of Nos. 59-61 Watchet Lane to include two linked detached dwellings with integral garage, construction of new vehicular access and associated hardstanding, conditional permission.
- 3.10 CH/2016/1116/FA - Demolition of No. 47 Watchet Lane to provide new access to land at rear of No. 45 and No. 49 and the erection of three buildings providing five dwellings, conditional permission.

#### **4.0 Summary of Representations**

- 4.1 No comments received by Parish Council at time of drafting report.
- 4.2 Eight letters of objection received.

#### **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.
- 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),

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))

- 5.1 The site is located within the built up area of Holmer Green where in accordance with Policy H3, proposals for new dwellings are acceptable in principle subject to there being no conflict with any other Local Plan policy. Proposals should be compatible with the character of those areas by respecting the general density, scale, siting, height and character of buildings in the locality of the application site, and the presence of trees, shrubs, lawns and verges.
- 5.2 In addition, the spatial strategy for Chiltern District, in accordance with Policies CS1 and CS2 of the Core Strategy, is to focus development on land within existing settlements outside the Green Belt and Area of Outstanding Natural Beauty (AONB). Limited development will take place in villages including Holmer Green.
- 5.3 The application has been submitted in response to three similar planning applications, references PL/20/0036/FA, PL/19/4419/FA and PL/19/3413/FA, which were all refused permission. The previous proposals sought permission for the erection of two, two-storey detached dwellings with integral garages and the provision of a vehicular access to the rear of No. 41 Watchet Lane.
- 5.4 For reference, the two reasons for refusal on the previous applications were:
  - Although the proposed dwellings would be of a comparable height to others in the locality, the two dwellings would be sited to the rear of a low rise bungalow which is single storey and which comprises a modestly pitched gable roof. Therefore, it is considered that the erection of two, two storey dwellings with bulky flank elevations that would be sited to the rear of the modest bungalow would appear awkward and unexpected in this location. In addition, the two dwellings would be set forward of the line of dwellings approved to the rear so that they would introduce a third line of intermediary development on this side of Watchet Lane. The two dwellings would be sited entirely forward of the properties to the rear, thus emphasising their isolated position in between two clear rows of development and emphasising the uncharacteristic and awkward relationship they would have with adjacent existing dwellings and linear character of the area. The proposal is therefore contrary to Policies CS4 and CS20 of the Core Strategy for Chiltern District (Adopted November 2011), Policies GC1 and H3 of The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011 and the National Planning Policy Framework, as well as conflicting with Policy DP8 of the Draft Chiltern Local Plan 2036.
  - The proposed dwellings, by virtue of their height and siting to the rear of, and within close proximity to, the rear entertaining/amenity area at No. 39a and rear elevation and garden at No. 43 Watchet Lane would appear both overbearing and intrusive when viewed from these properties' patio/decking and rear amenity areas. As such,

the proposal would adversely affect the amenities of these neighbouring dwellings and would be contrary to Policy GC3 of The Chiltern Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011.

- 5.5 The latest application (PL/20/0036/FA) was dismissed at appeal, but only one of the Council's reasons for refusal was upheld at appeal. This related to the impact of the proposed dwelling on Plot Two which was considered, by virtue of its height and siting to the rear of and close proximity to the rear garden and dwelling at No. 43 Watchet Lane to be both overbearing and intrusive when viewed from this neighbour property's rear amenity area.
- 5.6 The latest application is a re-submission of the earlier proposals, and seeks to overcome the previous reason for refusal. The scheme continues to propose the erection of two dwellings to the rear of No. 41 Watchet Lane, however the dwelling proposed for Plot Two has been reduced in size and scale so that it would now be a single storey bungalow. The proposed dwelling on Plot One would remain two-storey in height and would be comparable to the siting, scale and appearance of the dwelling proposed on this plot under the previous application (PL/20/0036/FA). The access arrangements would be identical to those proposed under the previous applications also.
- 5.7 The current application hopes that the amendments to the dwelling proposed on Plot Two would be sufficient to overcome the previous reason for refusal set out under application PL/20/0036/FA and upheld at appeal. All other relevant Development Plan policies should also be complied with.

### **Raising the quality of place making and design**

Core Strategy Policies:

CS4 (Ensuring that the development is sustainable)

CS20 (Design and environmental quality)

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)

- 5.8 The application site itself is characterised by a single storey bungalow to the front of the site with a large rear garden. Planning permission has been granted for the extension of this bungalow to allow for the creation of a larger, two storey dwelling. It is proposed to subdivide the rear garden to allow for the introduction of two detached dwellings to the rear, in connection with the creation of a new access drive onto Watchet Lane. Unlike with the previous applications, this proposal seeks to erect a two-storey detached dwelling alongside a single storey bungalow, as opposed to the previous schemes which all proposed the erection of two, two-storey detached dwellings.
- 5.9 It is noted that the Council previously raised concern that the erection of two dwellings in this location would be harmful to the character of the area. The Council's previous reason for refusal objected to the proposed heights of the dwellings which were considered to result in the dwellings appearing prominent and intrusive when viewed

from the street scene, in addition to the siting of the dwellings which would have introduced a third line of development, emphasising the uncharacteristic and awkward relationship the proposal would have with existing adjacent dwellings.

- 5.10 However, the Council's assessment was not upheld at appeal. As part of appeal decision, the Inspector stated that the design of the proposal would generally conform with the style and arrangement of local development. The proposed height and mass would complement the scale and general height of existing neighbouring dwellings and the layout would provide rear gardens and parking areas that would be in character with local plot sizes. The Inspector also stated that the proposed dwellings would not over dominate the frontage bungalow or be overt in views of the site from the surrounding street scene. He then concluded that: 'the proposed development would not result in the creation of a third tier of development. Rather, it would follow the rear boundary line and be set in sufficiently to accommodate the rear gardens. Consequently, the proposal would contribute to the existing linear form of development. This would be in accordance with the general arrangement and layout of local development. Accordingly, the proposed development would complement the character and appearance of the site and its surroundings.'
- 5.11 As this current application proposes the siting of two dwellings in the same location and same arrangement as was submitted previously, and based on the comments of the Appeal Inspector, it is considered that no objections can be raised with regards to the impact of the proposal on the character of the area. The dwelling on Plot One would be comparable in terms of its proportions, design and siting to the dwelling proposed in this location under the previous application, whilst the dwelling on Plot Two would be sited in the same location as on the previous submission, albeit this dwelling would be reduced in scale to now be a single storey bungalow. The bungalow would reflect the character of the dwelling on Plot One and its reduced height is not considered to be detrimental to the character of the area. There is a mixed range of properties in the locality, and therefore the inclusion of a bungalow on this site is considered to be acceptable.
- 5.12 It is noted that third party representations have stated that a bungalow in this location would be unusual, as dwellings are predominantly two storeys and all of the dwellings that have been erected to the rear of properties fronting Watchet Lane are two storeys. However, the bungalow would not be visible from the public highway and its siting to the rear is such that it would not therefore be prominent in local views. It is therefore considered that the inclusion of both a two-storey dwelling and a bungalow on this site would not be harmful to the character of the area. It has already been stated that there is a mix of property types and appearances along Watchet Lane and in the vicinity of the site.
- 5.13 To conclude, based on the similarities between this application and the previous scheme and the comments of the Appeal Inspector, it is considered that the proposal would not be of an acceptable appearance and siting, and would not be harmful to the character of the area.

### **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)

- 5.14 The proposed dwellings would be located to the rear of No. 41, with in excess of 30 metres separating the proposed dwellings from the existing dwelling at No. 41. This is considered to be sufficient to ensure that the proposed dwellings are not detrimental to the amenities of the occupiers of No. 41. No objections were previously raised with regards to the impact of two dwellings in this location on the amenities of No. 41.
- 5.15 Concerns were previously raised with regards to the impact of the proposal on the amenities of both No. 39a and No. 43. The impacts of this latest scheme on the amenities of both adjacent neighbours will be discussed in turn.
- 5.16 The dwelling on Plot One would be two-storey detached. It would be sited approximately 2.2 metres away from the shared boundary with No. 39a. It was previously considered by the Council that the erection of a two storey dwelling on this plot would not be harmful to the amenities of the main dwelling at No.39a, however concerns were raised that the close proximity to the boundary and size of the proposed dwelling would be harmful to the entertainment area, including a summerhouse and hot tub, located to the rear garden at No. 39a. This reason for refusal was upheld under Appeal A (in relation to PL/19/4419/FA), but not under Appeal B (PL/20/0036/FA). Under Appeal B, the Inspector concluded that: 'the dwelling for plot 1 would be smaller in comparison to plot 1 of appeal A. It would have a reduced roof mass and a corresponding reduction in overall scale. As found above, the Beech and Sorbus would be unlikely to be retained due to the proximity of the dwelling. Nevertheless, without this additional screening the proposal would not significantly affect the outlook to occupiers of the neighbouring dwelling due to its reduced scale. This would therefore create an acceptable relationship with the adjacent neighbouring garden. As such, the impact on the outlook to occupiers of No 39a would be limited.'
- 5.17 The dwelling on Plot One is comparable to the dwelling assessed by the Appeal Inspector in relation to Appeal B. It would be of the same proportions, same siting, and would have the same relationship with the amenity area of No. 39a. As the Appeal Inspector considered that this relationship would be acceptable, no new objections can now be raised as part of this application, and the impact of the proposal on the amenities of No. 39a is considered acceptable.
- 5.18 Meanwhile, the dwelling on Plot Two has been amended and reduced in scale so that it is now a single storey bungalow. Concerns were previously raised that the erection of a two-storey dwelling on this plot would be overbearing and intrusive, and harmful to the amenities of No. 43. The Appeal Inspector agreed with the assessment made by the Council with regards to the relationship between the proposed dwelling on Plot One and No. 43 under both Appeals A and B. In the appeal decision, it was stated that: 'The proposed dwelling for plot 2 would be a relatively short distance from the rear windows and immediate rear garden of No 43. Furthermore, the existing boundary hedge would provide only limited screening of the proposal. The outlook from No 43 includes its long rear garden and open views over neighbouring gardens and the countryside beyond. This presents a wide and spacious setting around the rear of the dwelling. The proposal would be located within this open setting. It would have only a modest separation distance from the rear windows of No 43. Due to its proximity and dominance the proposal would be an invasive and prominent addition to the outlook.'

This would be exacerbated due to the scale and depth of the proposed dwelling. The effect of this would be to compromise the occupant's enjoyment of the host dwelling. This would therefore have a demonstrably harmful impact on the living conditions of occupiers of No 43.' Both Appeal A and Appeal B were dismissed, on the basis of harm to the amenities of No. 43.

- 5.19 In order to overcome the previous reason for refusal relating to the harm to the amenities of No. 43, the scale of the proposed dwelling has been reduced so that it is now proposed to erect a single storey dwelling in place of the previously proposed two-storey dwelling. The proposed dwelling would be single storey, with the entirety of the living accommodation being provided at ground floor level. There would be no dormers and no habitable space within the roof space. The dwelling would have a height of 5.6 metres, with an eaves height of 2.5, and the roof would be hipped away from the flank boundaries. Rooflights are proposed, however their height and angle of insertion is such that they are not considered to be intrusive into the neighbouring property/garden. Overall, given the single storey nature of the proposed dwelling and the siting of windows, it is considered that the amended dwelling would not be intrusive and therefore harmful to the amenities of No. 43 in this respect. A condition preventing the insertion of future dormer windows would prevent future intrusion to No. 43.
- 5.20 In terms of being overbearing, the concerns raised by third parties regarding the height of the dwelling are noted, and although it is acknowledged that the proposed bungalow would be visible from No. 43, views would be onto the roof slopes of the proposed dwelling. This is not considered to be harmful in-of-itself. In addition, it is considered that the hipped nature of the roof would result in the bulk of the dwelling being angled away from the boundary and garden of No. 43. The eaves height of the proposed dwelling itself is relatively low, at 2.5 metres. This low eaves height combined with the hipped nature of the roof means that the proposal is not considered to be overbearing when viewed from No. 43. Specifically, the reduction in size of the dwelling would mean that it no longer appears as an invasive and prominent addition to the outlook from No. 43, as the modest height of the bungalow would maintain a greater sense of openness on site. It is therefore considered that the erection of a bungalow on Plot 2 would be a satisfactory resolution to the concerns raised by the Appeal Inspector and would overcome the previous harm.
- 5.21 Local Plan Policy H12 relates to proposed garden sizes and states that each new house should have a private garden area adequate for and appropriate to the size, design and amount of living accommodation proposed. The general standard expected will be a minimum rear garden depth of about 15 metres unless the average garden lengths in the vicinity are significantly more or less. With regard to the application site, the dwelling at No. 41 would retain a garden with an approximate depth of 16 metres. Meanwhile, the two proposed gardens to the rear would have a minimum rear garden depth of 10 metres, and a maximum garden depth of 13 metres. Although this would result in garden depths which are below the recommendation set out in Policy H12, it is considered that adequate garden space would be provided in connection with the amount of living accommodation proposed and the arrangement would further be mitigated by the access to open countryside to the rear of the site. The previous applications considered the amount of garden area to be provided acceptable, and the

Appeal Inspector too noted that the layouts would provide rear gardens that would be in character with local plots. No objections are therefore raised with respect of the proposed garden sizes.

- 5.22 The site plan indicates that bin storage would be provided within the curtilage of the dwellings with an additional bin collection point also being provided at the end of the access drive, adjacent to Watchet Lane. The Council's Waste Officer has confirmed that this arrangement would be satisfactory.

### **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)

TR14 (Retention of existing areas of off-street vehicle parking throughout the district)

TR15 (Design of parking areas throughout the district)

TR16 (Parking and manoeuvring standards throughout the district)

- 5.23 It is proposed to provide two parking spaces to be laid out on an area of hardstanding to the front of Dwelling One with a third space to be provided within the integral single garage. Dwelling Two would have two parking spaces provided on the hardstanding area to the front. This is in line with the parking standards set out in Local Planning Policy TR16.
- 5.24 In terms of the access arrangements, it is proposed to create a new access onto Watchet Lane that would run along the southern boundary of the site and in between the properties at No. 41 and No. 39a. The comments of the Building Control Officer are noted in regards to the access and the Highways Authority has assessed this aspect of the proposal, also having regard to the third party comments raising concerns about the safety of the exit onto Watchet Lane. The Highways Authority have subsequently confirmed that the additional traffic can be safely accommodated onto the highway and adequate visibility splays can be achieved. In addition, the Highways Authority has confirmed that they are satisfied that the proposed access width is sufficient for the proposed development. They consider that the access arrangements are satisfactory to serve the proposed development. No objections are therefore raised in regards to the proposed access or parking arrangements.

### **Affordable Housing and Housing Mix**

Core Strategy Policies:

CS8 (Affordable housing policy)

- 5.25 For proposals under 5 dwellings, Policy CS8 of the Core Strategy requires a financial contribution towards off-site affordable housing to be made. However, there are now specific circumstances set out in the NPPG (National Planning Practice Guidance) where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale development, including developments of the size proposed within this application. This carries more

weight than Policy CS8, as it is more recent, so an affordable housing contribution cannot be sought in this instance.

## **6.0 Weighing and balancing of issues / Overall Assessment**

- 6.1 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
- 6.2 As set out above it is considered that the proposed development would accord with the development plan policies and provisions of the NPPF. It is considered that the proposed development has overcome the previous reasons for refusal and no harm has been identified that would warrant a refusal of this proposal.
- 6.3 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.
- 6.4 The recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

## **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.

## **8.0 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 slab level commences, full details of the materials to be used for the external construction of the development hereby permitted, including the facing materials, roofing materials and surface materials for the road and parking 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, 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).
3. Prior to the commencement of any works on site, detailed plans, including cross sections as appropriate, showing the existing ground levels and the proposed slab and finished floor levels of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed datum point normally located outside the application site. Thereafter the development shall not be constructed other than as approved in relation to the fixed datum point.

Reason: To protect, as far as is possible, the character of the locality and the residential 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).
4. No other part of the development shall begin until the modified access onto Watchet Lane has been laid out in accordance with the approved plans and visibility splays have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.

Reason: in order to minimise danger, obstruction and inconvenience to users of the highway and of the development, and to provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access, 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. 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 those areas shall not thereafter be used for any purpose other than 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).

6. No development 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 policy CS20 and CS24 of the Core Strategy for Chiltern District (Adopted November 2011).

7. All planting, seeding or turfing comprised in the landscaping scheme approved under condition 6 of this permission 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, hedges 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 policy CS20 and CS24 of the Core Strategy for Chiltern District (Adopted November 2011).

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

Reason: To protect the amenities and privacy of the adjoining properties and approved dwellings, in accordance with policy GC3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011.

9. Before the first occupation of the dwellings hereby approved, the first floor windows in the flank elevations shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason: To protect the amenities and privacy of the neighbouring properties, in accordance with policy GC3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011.

10. Prior to occupation of the residential units hereby approved, the bin and recycling store shown on plan reference AMENDED 20 PLWL SP50B - INCLUDING WASTE shall be erected in accordance with the details shown on this plan.

Reason: To ensure that adequate waste and recycling storage is provided to serve the amenities of future occupiers of the development in accordance with policy GC3 of the

Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011.

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

**List of approved plans:**

<b><u>Received</u></b>	<b><u>Plan Reference</u></b>
8 Jan 2021	AMENDED 19 PLWL SL1A - 19 PLWL SL1
21 Dec 2020	PLOT 1 - 20 PLWL P01A
21 Dec 2020	PLOT 2 20 PLWL P02A
23 Dec 2020	TPP - REV A - DEC 2020
8 Jan 2021	AMENDED 20 PLWL SP50B - INCLUDING WASTE

**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.

## **APPENDIX A: Consultation Responses and Representations**

### Councillor Comments

Councillor Waters: I would like to call in the application for decision by the Planning Committee if the Officer recommendation is for approval. Concerns that the planning issues raised on previous applications and appeals on this site may not have been fully covered by the current application.

### Parish/Town Council Comments

None received at time of drafting report.

### Consultation Responses

**Building Control Officer:** 'Access for the fire service will need to be provided to within 45m of all areas inside the new dwellings. The access drive will need to comply with Part B5 of the Building Regulations so that a fire appliance can access within 45m of any point inside the dwellings. It will need to be minimum 3.7m between kerbs, 3.1m between gate posts and designed to take the weight of a pump appliance. It will need turning facilities to comply with Part B5.'

**Highways Officer:** 'Watchet Lane is a 'C' class road subject to a speed restriction of 30mph. Proposals seeks planning consent for the erection of two dwellings to the rear of No. 41 with associated vehicular access.

I note that this application follows application PL/20/0036/FA, which, in a response dated the 27th January 2020, the Highway Authority had no objection to subject to conditions. This current application does not materially differ from that of this application and therefore I would like to reiterate comments made as part of that application.

'When considering trip generation, I would expect a dwelling in this location to generate between 6-8 daily vehicular movements, two-way. Therefore, the overall development has the potential to generate an additional 12-16 daily vehicular movements (two-way) into the local highway network which I am satisfied can be safely accommodated. The proposed new access will need to be assessed in order to determine its suitability to accommodate these vehicle movements.

In accordance with guidance contained within Manual for Streets, visibility splays of 2.4m x 43m are required in both directions from the proposed access commensurate with a speed limit of 30 mph. I am satisfied that these splays are achievable entirely within the publicly maintained highway from the proposed access point.

The application proposes 3 parking spaces for each of the proposed dwellings. The parking standards specify that each parking space should be a minimum of 2.4m x 4.8m wide. Whilst I trust that the Local Planning Authority will consider the level of parking proposed, I can confirm that these spaces are of adequate dimensions and would allow for vehicles to park, turn and leave the site in a forward gear.

Having reviewed the submitted plans, the proposed access will measure 4.8m in width for the initial 10 meters before narrowing to between 3.8 and 4.2 meters wide. I am satisfied these dimensions are sufficient for this development.

With regards to refuse collection, Manual for Streets guidance states that residents should not be required to carry waste more than 30m to the storage point, and waste collection vehicles should be able to get to within 25m of the storage point. The proposed site plan does not accord with these requirements, and residents will therefore have to carry their waste bins in excess of this distance to enable roadside collection from Watchet Lane. Whilst this is not ideal, as the access road will not be adopted by the Highway Authority, I am not in a position to justify this as a reason for refusal of the application.'

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

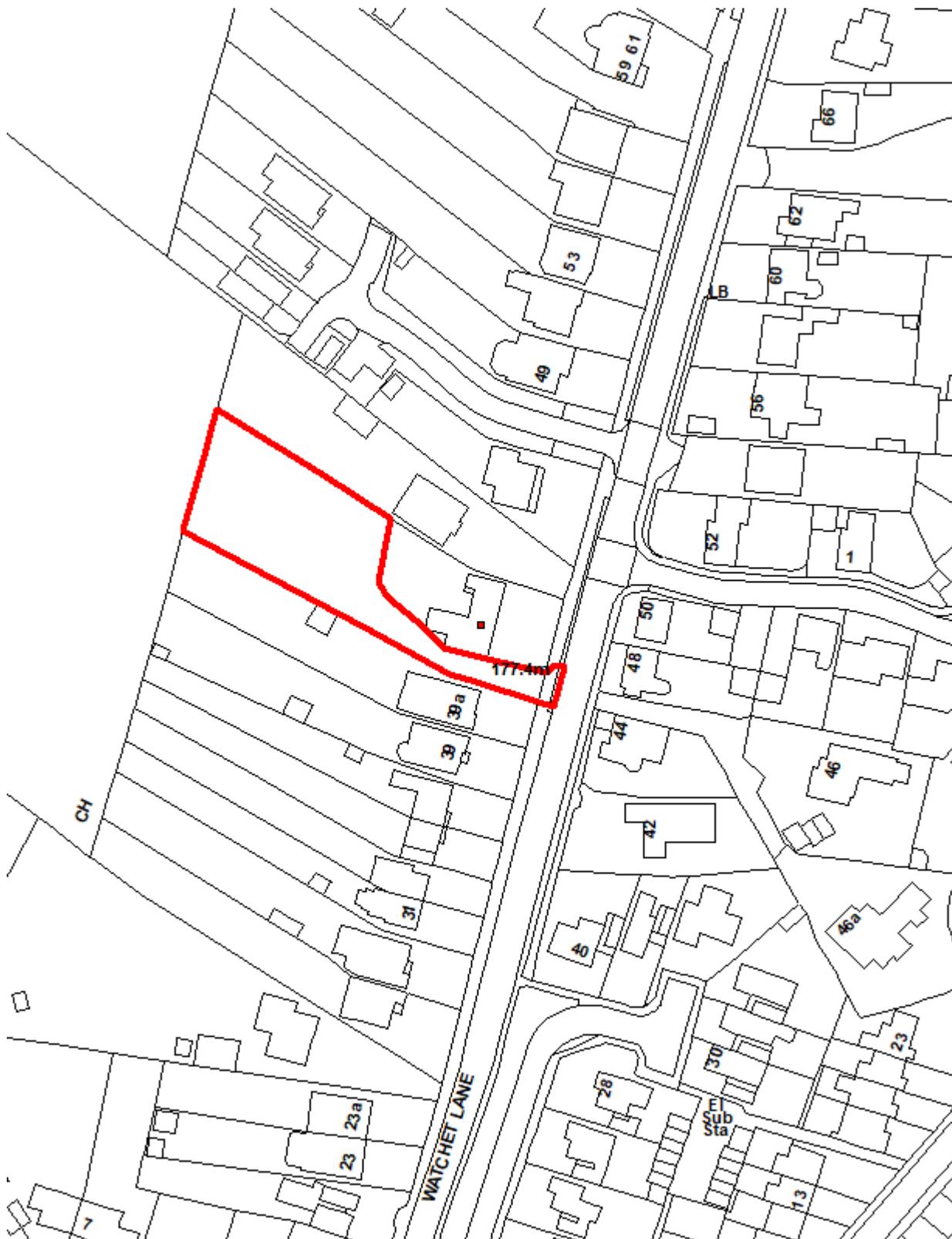
**Waste Officer:** 'Waste Services note the proposal for two dwellings at 41 Watchet Lane. We are satisfied with the Waste Strategy and the bin collection point highlighted in the plan. Collection teams will not access the long drive under any circumstances. All collections to take place in accordance with Council policies.'

### Representations

Eight comments have been received objecting to the proposal:

- Harmful impact on amenities of both adjacent neighbouring properties
- Unsympathetic to surroundings
- Out of character and layout of area
- Would create a second line of housing
- Devaluation of house prices
- Loss of outlook
- Increase in noise
- Bungalow would still have a negative impact on the outlook and amenity of No. 43
- Overbearing and intrusive to No. 39a
- Excess height of bungalow
- Security and safety concerns regarding inadequate access
- Existing hedges will impede on visibility splays
- Access in close proximity to other existing accesses
- Danger to pedestrians
- Concern regarding access by emergency service vehicles
- Inadequate and unsuitable parking arrangements
- Concern regarding maintenance of flank boundaries
- Piecemeal backyard development
- Future development pressure
- Disagreement with previous appeal decision
- No useful housing gain
- Failure to comply with planning policy

**APPENDIX B: Site Location Plan**



Do not scale – this map is indicative only

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