



Report to East Area Planning Committee - Deferred Application

Application Number:	PL/20/4358/FA
Proposal:	Erection of two detached dwellings, one with integral garage and creation of new vehicular access
Site Location:	41 Watchet Lane, Holmer Green, Buckinghamshire, HP15 6UF
Applicant:	Mr Trevor Snoxell and Mr Mark Snoxell
Case Officer:	Emma Showan
Ward(s) affected:	Penn Wood & Old Amersham
Parish-Town Council:	Little Missenden Parish Council
Date valid application received:	21 December 2020
Statutory determination date:	8 April 2021
Recommendation	Conditional permission

1.0 Matters for consideration

- 1.1 Members will recall that this application was heard by Planning Committee at the meeting held on the 9 March 2020. It was resolved to defer the application to allow for further negotiations with the Agent. Specifically concerns were raised with regards to:
 - The planting and landscaping on site
 - Whether the access was sufficient to accommodate a fire fighting appliance
 - Requirement for a larger bin/waste storage area
 - An inadequate turning circle on site
 - Concerns regarding visibility splays
 - Further information regarding boundary treatments between properties and along the access
- 1.2 Amended plans and additional information has been submitted (dated 20th March 2021) and has been considered by Planning Officers, and are considered to overcome the concerns raised.
- 1.3 A summary of the proposed additional information/amended plans is provided below:
 - A highways report providing tracking diagrams showing a fire fighting appliance turning on site; a delivery vehicle turning on site; cars from Plot 1 turning whilst the second place is occupied; and cars from Plot 2 parking in the turning head whilst allowing the second car parked closest to the house to turn and exit the site in a forward gear.

- It is confirmed that the access road is only 3.7 metres across a small area, part is 4.1 metres which allows two cars to pass, and the turning head and entrance to the site is 4.8 metres wide, in accordance with the recommendations of Manual for Streets. These dimensions are shown on the site plans.
- It is shown that Plot 1 has parking for three vehicles in addition to a garage parking space, so there is over provision in terms of the Council's parking standards.
- Lighting bollards have been provided along the access boundary with No. 39A.
- Infill planting to hedges to be a mix of holly, hawthorn and blackthorn.
- Close board fence to rear of Plot 1/boundary with No. 39A is omitted and existing chain link fence to be retained.
- Further details of tree planting have been provided.
- Infill planting along boundary with No. 43.
- Waste and recycling store to be provided at site entrance.
- Visibility splays of 2.4 x 43 metres to be provided (to standard)

2.0 Evaluation

Principle of development

- 2.1 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.
- 2.2 A number of applications have been submitted for the re-development of this site, proposing the retention of the existing dwelling fronting Watchet Lane and the subdivision of the remainder of the site to erect two new detached dwellings in the rear garden area. The current application has been submitted in response to three similar applications which were all refused planning permission. The previous application was taken to appeal where it was dismissed for a single reason for refusal; it was considered that the dwelling on Plot Two would be harmful to the amenities of the existing neighbouring property at No. 39 Watchet Lane. The principle of development however was established and remains acceptable under this current application.
- 2.3 Members should be aware that as the Appeal Inspector only raised one issue, namely the impact on the amenity of a neighbouring property, that is the single issue to overcome with this application. Matters relating to the principle of development, access, refuse storage, parking and amenity of other neighbours were all in effect determined at the previous appeal, where the Inspector raised no objections. To raise wholly new concerns now would be regarded as unreasonable in the event of another appeal.

Raising the quality of place making and design

- 2.4 As part of the previous 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 raised no objection to the erection of two, two-storey dwellings in this location.

- 2.5 This current scheme proposes the erection of a two storey detached dwelling and a bungalow. The arrangement of dwellings is as was considered acceptable by the previous Planning Inspector, whilst the erection of a bungalow would not be visible from the public highway and its siting to the rear is such that it would not be prominent in local views. The reduced scale of the proposal would mean that the development has a reduced impact on the character of the area, whilst, the mix of property types and appearances in the locality means that the proposed dwellings would not be out of character with the locality.
- 2.6 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 be of an acceptable appearance and siting, and would not be harmful to the character of the area.

Amenity of existing and future residents

- 2.7 The Appeal Inspector considered that the erection of a dwelling on Plot 1 would not be harmful to the amenities of No. 39a. The current application proposes that the Dwelling on Plot 1 would be comparable to the dwelling assessed by the Appeal Inspector. It would be 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 be raised now.
- 2.8 Meanwhile, concerns had been raised by the Planning Inspector with respect to the impact of the Dwelling on Plot Two on the amenities of No. 43. It was considered that the proposed two storey dwelling, due to its proximity and dominance, would be an invasive and prominent addition to the outlook from No. 43. In order to overcome this reason for refusal, the proposed dwelling has been reduced in scale so that it would now be a single storey bungalow with no first floor living accommodation. This would reduce the scale and prominence of the proposed dwelling and mean that it no longer appears dominant, overbearing or intrusive to the amenities of No. 43.
- 2.9 In order to ensure that the LPA can control the impact of future development on site and its impact on neighbouring amenities, conditions recommending the removal of Permitted Development rights relating to the insertion of new first floor windows, dormers and erection of loft and roof extensions is considered necessary. Members raised concern about this condition at the last meeting, but it complies with all the tests for conditions and Government guidance is very clear that a development must not be refused if a condition can overcome any harm.
- 2.10 Due to the proximity of the proposed dwellings to existing residential development, further details have been provided of the boundary treatments to ensure that an appropriate means of boundary screening is provided. An amended site plan shows additional infill planting to the existing hedges, which will be a mix of holly, hawthorn and blackthorn. Following concerns of Members in regards to the erection of a close boarded fence to the rear of Plot One/boundary with 39A, this has been omitted and the existing chain link fence will be retained. The additional planting to improve boundary screening can be subject to a condition requiring that it is provided. The hedge is a mix of native planting, but with thorny plants to aid security.

- 2.11 An enlarged bin store has been shown to be provided on the amended site plan, alongside the entrance to the site. This is considered to be acceptable to meet the needs of future occupiers of the development.

Transport matters and parking

- 2.12 The Planning Committee raised concerns at the last meeting with respect of the access arrangements. The Applicant has since provided a Highways report with tracking diagrams which show a firefighting appliance turning on site; a delivery vehicle turning on site; cars from Plot 1 turning whilst the second place is occupied; cars from Plot 2 parking in the turning head whilst allowing the second car parked closest to the house to turn and exit the site in a forward gear. Measurements for the vehicular access have also been provided, which show that the majority of the road is 4.8 metres wide (in accordance with the guidance of Manual for Streets), with only a small pinch point of 3.7 metres. It is noted that 3.7 metres is a common traffic calming feature whilst the width of the access as a whole is sufficient to allow two cars to pass. This additional information is considered sufficient to overcome the concerns raised, and ensure that adequate access and turning on site is provided for both future occupiers, delivery vehicles and firefighting appliances.
- 2.13 At the previous meeting, Members stated that a fire fighting appliance was 3.7 metres wide and queried how the access was suitable. This is not the case. A fire-fighting appliance is 2.3 metres wide and the Manual for Streets contains information from the Association of Chief Fire Officers (AoCFO). The AoCFO confirms that an access width of 2.75 metres is perfectly accessible for a fire-fighting appliance. The access in this case exceeds that notably for its entire length.
- 2.14 The proposed development provides parking for future occupiers of the development in accordance with the requirements of Local Plan Policy TR16. Four spaces are provided for Dwelling One – which exceeds the Council’s standards, and it has been shown from the tracking diagrams that vehicles can also park in the turning head and there would still be adequate space on site for vehicles to turn and leave the site in a forward gear.
- 2.15 The amended site plan shows that visibility splays of 2.4 x 43 metres can be provided at the vehicular entrance with Watchet Lane. This is to standard and is considered to be acceptable.

Landscaping

- 2.16 The Applicant has submitted an amended site plan which shows additional infill planting to hedges (to comprise a mix of holly, hawthorn and blackthorn), in addition to new tree planting on the boundaries with No. 39a and No. 43. The species of the trees have been shown. It is considered that the tree planting is sufficient and will provide an additional level of screening between the proposed dwellings and the existing neighbouring properties. A condition requiring that the development is erected in accordance with the details shown on this plan is recommended.
- 2.17 At the previous Committee meeting, Councillors also stated that trees in the garden such as the oak on the boundary with No. 43 should be topped and crown reduced. This can be secured by condition, requesting that the Applicant submits a plan for approval showing all existing trees on the land, with details of those to be retained, those to be topped or reduced and those to be felled clearly being specified.

Conclusion

2.18 Following the discussion and concerns raised at the last Planning Committee meeting, the Applicant has submitted additional information in relation to highways and vehicular tracking movements on site, as well as amended plans showing the proposed landscaping, tree/hedge planting and bin and waste/recycling storage to serve the future occupiers. Even though none of these issues were identified by the previous Appeal Inspector as problematic, and technically no new concerns in these regards can now be reasonably introduced, the Applicant has worked with Officers to promptly provide a raft of new information to help Members. It is considered that the concerns raised have been sufficiently overcome and that the development can be approved, subject to conditions, ensuring that it has an acceptable impact on the character of the area, neighbouring amenities, and highway/parking implications. The Applicant has agreed to the pre-commencement conditions. Given the above, the proposed development is recommended for conditional permission.

3.0 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).

The development shall take place in accordance with landscaping details shown on plan reference 20 PLWL SP50D submitted to the Local Planning Authority on 20th March 2021.

Reason: In order to maintain, as far as possible, the character of the locality 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).

6. 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 of the Core Strategy for Chiltern District (Adopted November 2011).

7. Prior to occupation of the development hereby permitted, a scheme shall be submitted and to and approved in writing by the Local Planning Authority showing all existing trees on the land, with details of those to be retained, those to be topped or reduced and those to be felled clearly being specified. The development shall be implemented in accordance with the approved details.

Reason: In order to maintain, as far as possible, the character of the locality to ensure a good quality of amenity for future occupiers of the dwellings hereby permitted and adjacent

neighbouring properties, 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 of the Core Strategy for Chiltern District (Adopted November 2011).

8. Prior to the occupation of the development, a scheme of ecological enhancements shall be submitted to and approved by the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme will include details of landscape planting of known benefit to wildlife and provision of artificial roost features, including bird and bat boxes. Any new fencing will include holes to allow safe passage of hedgehog.
Reason: In the interests of improving biodiversity in accordance with NPPF and Core Strategy Policy 24: Biodiversity of the Chiltern District Core Strategy and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.
9. Notwithstanding the provisions of Article 3(1) 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 - C inclusive 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 maintain the openness of the Green Belt and the scenic rural character of the Chilterns AONB and general character of the locality.
10. 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.
11. 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.
12. Prior to occupation of the residential units hereby approved, the bin and recycling store shown on plan reference 20 PLWL SP50D (submitted to the Local Planning Authority on 20th March 2021) 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.
13. This permission relates to the details shown on the approved plans as listed below:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
20 Mar 2021	20 PLWL SP50D
20 Mar 2021	20 PLWL SP51B
21 Dec 2020	PLOT 1 - 20 PLWL P01A
21 Dec 2020	PLOT 2 20 PLWL P02A
08 Jan 2021	AMENDED 19 PLWL SL1A

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.