



Report to East Area Planning Committee

Application Number:	PL/21/2507/FA
Proposal:	Demolition of existing dwelling and outbuildings and erection of 2 dwellings with vehicular access, landscaping and rear patios with raised terraces.
Site location:	Elizabeth Cottage, 6 Grimsdells Lane, Amersham, Buckinghamshire, HP6 6HE
Applicant:	Mr Andy and Mrs Gillian McNaughton
Case Officer:	Charenjit Braich
Ward affected:	Amersham and Chesham Bois
Parish-Town Council:	Amersham
Valid date:	8 July 2021
Determination date:	14 January 2022
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application seeks permission for the demolition of the existing dwelling and outbuildings and the erection of 2 detached two-storey dwellings with vehicular access, landscaping and rear patios with raised terraces.
- 1.2 The application has been called to the Planning Committee by Councillor Walsh, if the Officers' recommendation is for approval.
- 1.3 Cllr Walsh has concerns regarding the loss of amenity to neighbouring properties due to the bulk of the proposed development including the depth and the removal of trees.
- 1.4 The recommendation for the proposal is conditional permission.

2.0 Description of Proposed Development

- 2.1 The application seeks permission for the demolition of the existing dwelling and outbuildings and erection of 2 identical detached two-storey dwellings with vehicular access, landscaping and rear patios with raised terraces.
- 2.2 Each dwelling is 7.64m wide and has a maximum height of 8.7m with eaves height of 4.9m. Plot 1 is sited 1.5m from the side boundary to the west with Bearstead and 1m from the side boundary with Plot 2. Plot 2 is sited 1m from the side boundary to the west with Plot 1 and 1.5m from the side boundary

with no 8 Grimsdells Lane. The existing driveway entrance will be retained to provide access to Plot 2 and a new driveway access is proposed to Plot 1.

- 2.3 The new dwellings are sited side by side and the front of the new houses are in-line with the front elevation of Bearstead. The dwellings are two storeys in height, with accommodation in the roofspace at a third level, using only roof lights; no dormers are proposed.
- 2.4 The application is accompanied by:
 - a) *Preliminary bat roost assessment and follow up surveys*
 - b) *Design and Access Statement*
 - c) *Tree survey*
- 2.5 It should be noted that the proposal has been amended during the course of the application, where the roof pitch has been lowered to 40 degrees, resulting in a ridge height reduction of 300mm down to 8.7m and the side dormer windows have been omitted, due to concerns raised by officers.

3.0 Relevant Planning History

- 3.1 None

4.0 Policy Considerations and Evaluation

Development Plan:

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

Other material considerations:

- National Planning Policy Framework (NPPF), 2021.
- National Design Guidance, October 2019.
- Building for a Healthy Life, 2020.
- Affordable Housing Supplementary Planning Document (SPD) - Adopted 21 February 2012
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- Buckinghamshire Parking Standards SPD, 2015 (Adopted 2021).

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)

- 4.1 Section 11 of the NPPF encourages local planning authorities to make the effective use of land. Paragraph 117 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting needs for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

- 4.2 Paragraph 122 of the NPPF highlights that planning decisions should support development which makes the efficient use of land, taking into account: housing need, local market conditions, availability and capacity of infrastructure, maintaining the area's prevailing character and securing well-designed places.
- 4.3 The site is located within the built up area of Amersham wherein Local Plan Policy H3 states that proposals for new dwellings are acceptable in principle, provided the proposed development is compatible with the character of the area by respecting the general density, scale, siting, height and character of buildings in the locality and the presence of trees, shrubs, lawns and verges and the size, and the design and external appearance of the dwellings should be compatible with the area.

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)

TR12 (Relaxation of parking standards throughout the district)

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

TR15 (Design of parking areas throughout the district)

Buckinghamshire Countywide Parking Guidance, 2015.

- 4.4 Grimsdells Lane is an unclassified road which is subject to a 30mph speed limit. The road benefits from parking restrictions in the form of double yellow lines on both sides of the carriageway. This application seeks permission for the demolition of the existing dwelling and erection of 2 detached dwellings with new vehicular access. When considering trip generation, based on a net increase of 1(no) dwelling, the overall development has the potential to generate an additional 4-6 daily vehicular movements (two-way) into the local highway network. The Highways Officer is satisfied that this can safely be accommodated. The existing access is to be retained to serve one dwelling and an additional access is proposed from Grimsdells Lane to serve the second dwelling. As a new access is to be created, it must be assessed to ensure it is safe and suitable. In line with current guidance contained within Manual for Streets, visibility splays of 2.4m x 43m are required, commensurate with a 30mph speed limit. The applicant has demonstrated on the submitted plans that this level of visibility can be achieved within the extent of the highway. The proposed access is to measure approximately 3.8m wide, which the Highways Officer confirms is suitable to serve the site.
- 4.5 In accordance with the Buckinghamshire Countywide Parking Guidance, 3 vehicular parking spaces should be provided per dwelling. Having assessed the submitted plans, it is considered that a sufficient level of parking has been proposed and vehicles are able to manoeuvre within the site of Plot 1. The

turning area for Plot 2 appears more tight, however, taking into consideration that this arrangement is common within the vicinity of the site and given the unclassified nature of Grimsdells Lane, the Highways Officer does not consider this to be a significant issue in itself and an appeal could not reasonably be defended on this issue. Mindful of the above, there are no objections raised in this regard.

Raising the quality of place making and design

Core Strategy Policies:

CS4 (Ensuring that the development is sustainable)

CS20 (Design and environmental quality)

CS32 (Green infrastructure)

Local Plan Saved Policies:

GC1 (Design of development)

GC4 (Landscaping)

GC14 (Access for disabled people to developments used by the public)

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

H18 (Dormer windows on dwellings)

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

- 4.6 The 2017 Townscape Character Assessment designates this site as a Green Suburban Road, which is characterised by predominately large detached dwellings with plots typically being regular in width and pattern. Houses are set behind medium to large front gardens with simple building forms. The landscape character is green and leafy with mature landscape and hedgerows. Threats to this character comes from new dwellings having hard landscaped frontages and hard boundary treatments with buildings that are spaced close together therefore, not allowing for sufficient space for planting and thus reducing the landscape character.
- 4.7 The application site is located off Grimsdells Lane with residential development on either side. The existing site accommodates a detached dwelling which is sheltered and screened from the street scene. The proposal is to demolish this and erect 2 detached dwellings. Plot sizes along Grimsdells Avenue vary in size and form. The plot associated with No.6 has a greater width than neighbouring dwellings and can therefore accommodate two dwellings. Given their detached nature and resultant spacing, each resultant dwelling is narrow in form, with a width of 7.76m and spreads deeper into the plot with a maximum depth at ground floor of 17m and first floor of 12m. Though the depth will increase, the bulk of the buildings at the rear would mainly be mainly single storey, with only the roofs visible over the proposed boundary fencing, so no concerns regarding the depth are raised.
- 4.8 As mentioned above this part of Grimsdells Lane has varied plot and house types, where narrow dwellings are present, in particular the site of 10 Grimsdells Lane, which has been previously subdivided into two plots in a very

similar approach to that which is proposed in this application. The plots on that nearby site are very similar to those currently proposed, and No. 10 is more visible, being on a corner plot with Parkfield Avenue. With this in mind, it is considered that the resultant plots and dwelling widths would reflect the prevailing character of the surrounding area.

- 4.9 The overall form and style of the dwelling is simple but with architectural design interest incorporated in the form of traditional features such as bay windows and chimneys, with varying roof forms. They would be constructed using a mix of traditional materials, such as Bucks Multi Facing Brick, off-white render and roofing slates, all of which can be seen in the immediate area. This building form is considered to be coherent with what currently exists in the immediate vicinity and therefore there is a level of architectural homogeneity maintained given that whilst there is a general cohesiveness of scale in the area, the detailed design of dwellings varies considerably.
- 4.10 It is acknowledged that the proposed dwellings would sit approximately 2m higher than the adjoining neighbours, however it should be noted that the proposed dwelling height is consistent with the majority of dwellings along Grimsdells Lane. In addition, it is considered that the low eaves height, which match the eaves of the neighbouring property Bearstead, the hipped roof design and 14m setback from the street frontage, would not result in the dwellings being over dominant with the streetscape. Indeed some variety in rooflines creates interest along a street and, importantly in this case, it is the eaves height that creates the impression of height when viewed from eye level on the street. As the eaves will reflect the neighbouring properties, no objections are raised regarding the heights and scale.
- 4.11 Landscaping is, where possible, maintained to the principal elevation and therefore the strong landscape character which is a key feature of the Green Suburban Road character typology is retained. Additionally, the siting of the dwelling within the plot remains consistent with the prevailing building line of Grimsdells Lane.
- 4.12 Some neighbours have referred to the site falling within an Area of Established Residential Area of Special Character (ERASC). It should be noted that while the rear of site adjoins an ERASC, the actual site does not fall within the ERASC.
- 4.13 From the above assessment, the proposed dwellings are considered to be acceptable in terms of their overall design, form and scale and are considered to continue the characteristic features of the Green Suburban Road character typology; furthermore they are not considered to negatively affect the character of the wider locality and are therefore considered acceptable having regard to Local Plan Policies GC1 and H3 and Core Strategy Policy CS20.

Amenity of existing and future residents

Local Plan Saved Policies:

GC3 (Protection of amenities)

GC7 (Noise-generating developments)

GC8 (Residential and other noise sensitive development in areas of high noise level)

H12 (Private residential garden areas)

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)

4.14 In regards to residential amenity, the increase in ridge height and overall scale will increase the visibility of the dwellings when viewing them from adjacent neighbouring plots. However, the siting of the dwellings within the plot maintains the separation distances and the staggered flank and rear elevations break up the massing. The property which is most impacted is the corner plot to the East. However, this is angled slightly away from the development site and although the closest new dwelling would be visible, given the separation distance, away from the main habitable windows, it is not considered that it would appear overbearing to such a degree that would warrant a refusal. One first floor flank elevation window is proposed in each flank, however these serve bathrooms therefore, should planning permission be forthcoming, these windows will be conditioned to be obscurely glazed to prevent any concerns arising in relation to impacts upon privacy. Further conditions could be used to ensure no further flank first floor windows are inserted in the future.

4.15 Given the nature of the proposal there is already an established relationship with neighbours and the increase in scale is not considered to diminish existing levels of amenity. Light levels and views from rear elevation windows are not considered to be significantly impacted by the development and consideration has been given as to minimising potential impacts that could arise. Therefore, having regard for the above, the proposal is not considered to be detrimental to existing neighbouring amenities and as such complies with Local Plan Policies GC3 and H14.

4.16 With regards to the private amenity space serving the proposed dwellings, the subdivided residential gardens would have depths of 25m, providing a sizeable area of amenity space. Given this, when assessing the private amenity space serving each dwelling, the level proposed is appropriate for and adequate to the scale of the dwelling, and comparable to other gardens in the area. Therefore, the development complies with Local Plan Policy H12.

4.17 In relation to bin storage, provision is made on site for the storage of bins for each individual dwelling, providing protection and adequate storage space. Both dwelling would be served by roadside collections, as at present.

Ecology and Landscape issues

CS24 (Biodiversity)

Local Plan Saved Policies:

GC1 (Design of development)

NC1 (Nature Conservation)

4.18 An amended Preliminary Roost Assessment Survey report (Arbtech, 26/11/2021) and an amended Bat Emergence and Re-entrance Surveys report (Arbtech, 10/11/2021) were submitted with the proposal. The building

proposed for demolition has been assessed as having 'high' suitability for roosting bats. Whilst it is concluded that a European Protected Species Mitigation Licence is not required to carry out the work, owing to the likelihood of protected species being present on site, the ecology officer would recommend that a combined construction method statement and ecological enhancements scheme is secured via a pre-commencement condition. This should include reasonable avoidance measures for all protected and notable species that can be found on site during works, measures to protect trees to be retained, and details of biodiversity enhancements so this development can result in a biodiversity gain in line with NPPF. Subject to this condition, therefore no objections in this regard.

- 4.19 In relation to the biodiversity net gain, whilst it is noted that some trees, mainly to the East boundary, are to be felled, several of these are non-native species, therefore they do not score highly in terms of biodiversity habitat. Greater biodiversity habitat scores can be achieved through the creation of habitat units and hedgerow units. A hedgerow between the newly subdivided gardens, linked to existing hedges and wildlife corridors, and the planting of native fruit trees which are rich in biodiversity value, can create a net gain in biodiversity, despite the proposed tree felling. This can all be secured by condition as they are achievable in that respect.
- 4.20 A tree report has been prepared by Artemis Tree Services in relation to BS 5837: 2012 Trees in relation to design, demolition and construction. It recorded details of twenty-four trees and three tree groups, details of hedges and substantial shrubs. The report states that 3 trees from the front boundary and 2 from the side boundary will be removed; none of these trees are protected by way of a TPO. Given the tree coverage on site, the loss of 5 unprotected trees could not warrant a refusal of the proposal, however as a number of a trees are being removed to facilitate the proposed layout, new planting is recommended, as above. A condition is recommended to ensure that the landscaping planting is sought and achieved, in order to protect the character of the area and also to protect biodiversity.

5.0 Weighing and balancing of issues / Overall Assessment

- 5.1 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.
- 5.2 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.
- 5.3 As set out above it is considered that the proposed development would accord with the relevant Development Plan policies.
- 5.4 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.

6.0 Working with the applicant / agent

- 6.1 In accordance with paragraph 38 of the NPPF (2021) the Council approaches 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.
- 6.2 The Council works 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.
- 6.3 In this instance, the applicant/agent:
- was provided with pre-application advice,
 - was updated of several issues after the initial site visit,
 - was provided the opportunity to submit amendments to the scheme to address the concerns raised,
 - the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

7.0 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 commences, named types, or samples of the facing materials and roofing materials to be used for the external construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality.

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 amenities of neighbouring properties.

4. Prior to the commencement of any development a combined construction method statement and ecological enhancements scheme shall have been submitted to, and approved in writing by the Local Planning Authority. This to include details of protection measures for trees to be retained, reasonable avoidance measures for protected and notable species (bats, nesting birds, amphibians and hedgehog) and biodiversity features for bats, nesting birds, hedgehog and bees. The development shall proceed in accordance with the approved biodiversity features, which shall have been installed prior to the first occupation of the development and retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of improving biodiversity in accordance with NPPF and Core Strategy Policy CS24: Biodiversity, and to ensure the survival of trees to be retained and of protected and notable species protected by legislation that may otherwise be affected by the development.

5. Prior to the occupation of the development the new access to Grimsdells Lane shall be designed in accordance with the approved plans. The access shall be constructed in accordance with; 'Buckinghamshire Council's Guidance note, "Private Vehicular Access within Highway Limits" 2013.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development

6. Prior to occupation of the development, space shall be laid out within the site for parking for cars, loading and manoeuvring, in accordance with the approved plans. This area shall be permanently maintained for this purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

7. The development hereby approved shall be implemented in accordance with the tree and hedge protection measures described in the Tree Survey Report by Lee Davies, Artemis Tree Services Ltd 3rd June and Tree Removal and Retention Plan numbered ATS-TRP-20379 received 22 Jun 2021. 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.

8. The first floor windows located in the flank elevations of both dwellings shall only be glazed with obscured glass and shall be non-opening up to a height of 1.7 metres above the floor of the room in which the window is installed. No alterations to the size or glazing of the windows shall take place thereafter.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property in accordance with Local Plan Policy GC3 and H14 of The Chiltern Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order, with or without modification), no windows/rooflights/dormer windows or openings other than those expressly authorised by this permission shall be inserted or constructed at any time at first floor level or above in the dwellings hereby permitted.

Reason: To protect the amenities and privacy of the adjoining properties.

10. 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-E inclusive of Part 1 of Schedule 2 to the said Order shall be erected within the application site unless planning permission is first granted by the Local Planning Authority.

Reason: To protect the character and appearance of the surrounding area and the amenity of neighbouring properties, as per 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)

11. Any new hard surfacing within the site must be made of porous material or provision must be made to direct run-off from the hard surface to a permeable or porous area or surface within the curtilage of the development.

Reason: To prevent reduce the risk of surface water flooding within the locality.

12. Notwithstanding any indications illustrated on drawings already submitted, prior to the commencement of the development hereby permitted, details of a scheme of landscaping which shall include indications of all existing trees, shrubs and hedgerows on the site and details, including crown spreads, of those to be retained and also details of new trees to be planted shall be submitted to and approved in writing by the Local Planning Authority. None of the trees, shrubs or hedgerows shown for retention shall be removed or felled, lopped or topped within a period of five years from the date of this permission, without the prior written permission of the Local Planning Authority. (NT01)

Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity of the Area and locality in general.

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

LIST OF APPROVED PLANS

<u>Plan Reference</u>	<u>Date received by Local Planning Authority</u>
0356.35	29.09.2021
0356.32	29.09.2021
0356.37	29.09.2021
0356.34	29.09.2021
0356.33	29.09.2021
0356.36	29.09.2021
0356.01	27.07.2021
0356.01	22.06.2021

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. All wild birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Consequently you should take adequate precautions to ensure that any tree work does not cause any disturbance to birds and their nests particularly during the normal nesting season of March to August. Similarly all bats and their roosting sites are protected by the same legislation so precautions should also be taken to avoid carrying out activities which might harm or disturb bats or their roosts.

3. The applicant is advised that a licence 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 period of 28 days must be allowed for the issuing of the licence, please contact the Area Manager at the following address for information or apply online via Buckinghamshire County Council's website at <https://www.buckscc.gov.uk/services/transport-and-roads/licencesand-permits/apply-for-a-dropped-ker>

Transport for Buckinghamshire (Streetworks)
10th Floor, New County Offices
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
01296 382416

4. It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

5. No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Councillor Liz Walsh:

Received 06/08/2021: I request that this application be called in to the Planning Committee if officers are minded to approve it.

Received 09/11/2021: I confirm my request for this planning application to be determined by the planning committee. The ground for this request includes (but is not limited to) the following concern. Loss of amenity to neighbouring properties due to the excessive bulk of the proposed development - including depth - and the removal of healthy trees.

Parish/Town Council Comments

Members recommended refusal on the following basis;

- The proposed ridge height of both new dwellings would be higher than neighbouring properties.
- The application would set a precedent for three storey houses in the area.
- The first-floor balcony on Plot 1 would overlook onto property 4A.
- The section of Grimsdells Lane is narrow and very close to Shortway. There were concerns that
- adding two driveways at this point could be hazardous.
- Members also felt there was excessive loss of established trees.

Consultation Responses

Highways received 19 Jul 2021:

Grimsdells Lane is an unclassified road which is subject to a 30mph speed limit. The road benefits from parking restrictions in the form of double yellow lines on both sides of the carriageway. This application seeks permission for the demolition of the existing dwelling and erection of 2 detached dwellings with new vehicular access.

When considering trip generation, based on a net increase of 1(no) dwelling, the overall development has the potential to generate an additional 4-6 daily vehicular movements (two-way) into the local highway network which I am satisfied can safely be accommodated.

The existing access is to be retained to serve one dwelling and an additional access is proposed from Grimsdells Lane to serve the second dwelling. As a new access is to be created, it must be assessed to ensure it is safe and suitable. In line with current guidance contained within Manual for Streets, visibility splays of 2.4m x 43m are required, commensurate with a 30mph speed limit. The applicant has demonstrated on the submitted plans that this level of visibility can be achieved within the extent of the highway. The proposed access is to measure approximately 3.8m which I can confirm is suitable to serve the site

In accordance with the Buckinghamshire Countywide Parking Guidance, 3 vehicular parking spaces should be provided per dwelling. Having assessed the submitted plans, I am satisfied that a sufficient level of parking has been proposed and vehicles are able to manoeuvre within the site of Plot 1. The turning area for Plot 2 appears tight and may therefore result in vehicles reversing out onto Grimsdells Lane. However, taking into consideration that this arrangement is common within the vicinity of the site and given the unclassified nature of Grimsdells Lane, I do not consider this to be a significant issue in itself.

Mindful of the above, I have no objection to the proposed development, subject to the following conditions being included on any planning consent you may grant:

Condition 1: Prior to the occupation of the development the new access to Grimsdells Lane shall be designed in accordance with the approved plans. The access shall be constructed in accordance with; 'Buckinghamshire County Council's Guidance note, "Private Vehicular Access within Highway Limits" 2013.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

Condition 2: Prior to occupation of the development space shall be laid out within the site for parking for cars, loading and manoeuvring, in accordance with the approved plans. This area shall be permanently maintained for this purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

Informatives:

- The applicant is advised that a licence 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 period of 28 days must be allowed for the issuing of the licence, please contact the Area Manager at the following address for information or apply online via Buckinghamshire County Council's website at <https://www.buckscc.gov.uk/services/transport-and-roads/licencesand-permits/apply-for-a-dropped-ker>

Transport for Buckinghamshire (Streetworks)
10th Floor, New County Offices
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
01296 382416

- It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

- No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

Highways received 08 Oct 2021 :

Thank you for your re-consultation on the above proposals regarding the amended plans submitted. Having assessed these, I consider the amendments do not make a material difference in highway terms and I therefore have no further comments to make. My comments and conditions as previously stated within my response dated 19th July 2021 still stand.

Ecology, Received 20/12/2021:

Summary: No objection, subject to conditions Owing to the likelihood of protected species being present on site I would recommend that a combined construction method statement and ecological enhancements scheme is secured via a condition. This should include reasonable avoidance measures for all protected and notable species that can be found on site during works, measures to protect trees to be retained, and details of biodiversity enhancements so this development can result in a biodiversity gain in line with NPPF.

Discussion:

An amended Preliminary Roost Assessment Survey report (Arbtech, 26/11/2021) and an amended Bat Emergence and Re-entrance Surveys report (Arbtech, 10/11/2021) were submitted following our comments on 05/11/2021.

The proposals involve the demolition of a dwelling and outbuildings, the removal of several trees and the erection of two dwellings and new access.

There is a reasonable likelihood of the presence of protected species (bats and nesting birds in particular) and therefore the proposals are likely to have a negative impact upon biodiversity if unmitigated.

I reviewed the amended information relating to survey dates and times in the reports and the additional information about the preliminary ground level roost assessment of trees within the site and no further information is required.

Four trees were found to have potential to support roosting bats. These included a beech, containing a small cavity at the base of the trunk and a compression fork at around 2m in height where a crevice suitable for roosting bats may be present, and three trees covered in ivy (which may provide or obscure roost features), a stone pine, a golden Lawson cypress and a spruce. Of these four trees having bat potential the stone pine is subject to felling. The remaining trees that are to be removed were found to have negligible potential to support roosting bats as they were lacking suitable features.

Our previous comments in relation to a combined construction method statement and ecological enhancements scheme to be secured via a condition to any approval granted to this application remain the same.

A precautionary approach should be taken and the works to be supervised by a bat licensed ecologist. The buildings within the site should be checked for roosting bats immediately prior to works commencing and the removal of all suitable bat roosting features (e.g. missing tiles, weatherboarding etc.) to be supervised by the bat licensed ecologist. These measures along with measures required in relation to bats and tree felling and any proposed bat roosting features as an enhancement in the new buildings and trees should be addressed in the combined construction method statement and ecological enhancements scheme.

Additional measures to safeguard other protected and notable species (nesting birds, amphibians and hedgehog) during demolition/construction works and tree removal should be included along with biodiversity enhancements. In addition, protection measures for all trees to be retained should be included.

Any external lighting should be addressed in the statement and designed in a way so no lighting is directed to trees to be retained and on any of the proposed bat and bird boxes. Biodiversity Enhancements In line with recognised good practice and government policy on biodiversity and sustainability, all practical opportunities should be taken to harmonise the built development with the needs of wildlife. As several trees are to be removed it is appropriate for the following provisions for wildlife to be built into the development:
Bats: A total of 2 bat boxes integrated into the buildings on a southerly aspect/orientation (south, south-west and south-east). Example specifications include the Habibat Bat Box shown below or Schwegler 1FR/2FR Bat Tube. Boxes should be located a minimum of 2 metres, but ideally 5-7 metres above ground, in a position near the eaves or gable apex. Placement should avoid windows, doors and wall climbing plants.

A total of 2 bat boxes attached to a retained mature tree on a southerly aspect/orientation (south, south-west and south-east). Example specifications include Schwegler 1FF or 2FN bat box. Boxes should be located a minimum of 2 metres, but ideally 5-7 metres above ground.

Birds: A total of 2 bird boxes integrated into the building on a northerly aspect/orientation (north, north-east and north-west). Example specification includes the Schwegler Brick Box Type 24, Woodstone Sparrow Nest Box or an equivalent suitable for tits, sparrows or starlings. The boxes should be located between two to four metres high, ideally at the gable apex or at eaves. The box can be installed flush with the outside wall and can be rendered or covered so that only the entrance hole is visible.

Hedgehogs: Boundaries and barriers within and surrounding the development, including fencing, railing and gates need to be made permeable to hedgehogs through the provision of 'Hedgehog Highways'. Hedgehog holes can be created by 13x13cm holes at ground level within fences, or by leaving a sufficient gap beneath gates and/or leaving brick spaces at the base of brick walls. Alternatively, hedgehog friendly gravel boards are suitable (as shown

below sourced by Kebur Garden Materials and Jacksons Fencing). To ensure holes are kept open 'Hedgehog Highway' signage should be provided (as shown below sourced by Peoples Trust for Endangered Species and/or the British Hedgehog Preservation Society) and secured above the holes.

Bees: 2 bee bricks integrated into the development, either built into a wall or building (as shown below sourced by Green&Blue). Bricks should be positioned at a minimum height of 1m, with no vegetation obstructing the holes, on a southerly aspect/orientation (south, south-east and southwest).

Legislation, Policy and Guidance Biodiversity Net Gain Paragraph 118a of the National Planning Policy Framework (NPPF) states: "Planning policies and decisions should: a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside" Paragraph 170d of the NPPF requires that: "Planning policies and decisions should contribute to and enhance the natural and local environment by ... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressure". Paragraph 175d of the NPPF states that: "When determining planning applications, local planning authorities should apply the following principles...development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity."

Condition Restrictions on commencement of development until specific protection measures are agreed and biodiversity outcomes are achieved Prior to the commencement of any development a combined construction method statement and ecological enhancements scheme shall have been submitted to, and approved in writing by the Local 5 of 5 Planning Authority. This to include details of protection measures for trees to be retained, reasonable avoidance measures for protected and notable species (bats, nesting birds, amphibians and hedgehog) and biodiversity features for bats, nesting birds, hedgehog and bees. The development shall proceed in accordance with the approved biodiversity features, which shall have been installed prior to the first occupation of the development and retained thereafter unless otherwise agreed in writing by the local planning authority. Reason: In the interests of improving biodiversity in accordance with NPPF and Core Policy 9: Natural Environment of the South Buckinghamshire Core Strategy and to ensure the survival of trees to be retained and of protected and notable species protected by legislation that may otherwise be affected by the development.

Representations

10 letters have been received from residents throughout the assessment of the application. A brief summary of all the material planning related comments received are provided below:

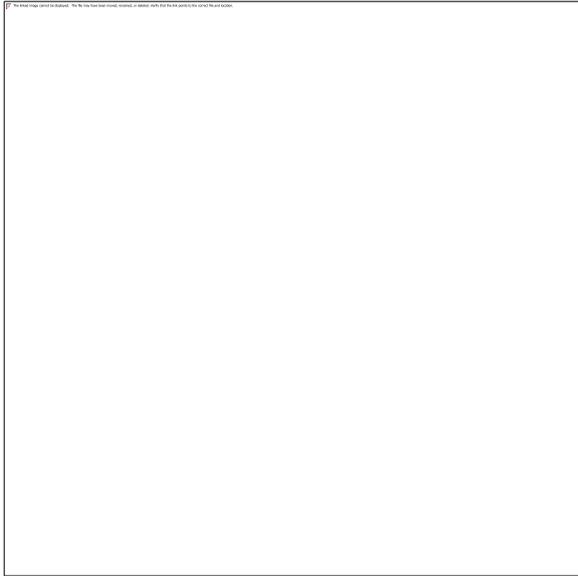
Character and Appearance:

- Impact on prevailing character, as it is out of character with the area.
- Impact on the Established Residential Areas of Special Character which adjoins the site to the rear.
- The scale of the proposed development is excessive for what would become narrow plots. The bulk and extent of the proposed buildings are out of character with the streetscape and their siting is at variance with adjoining properties.
- The ridge is much higher than that of the adjacent dwellings. It does not conform with the height of the adjoining buildings. The house of a similar height to the proposal is set further away from its neighbours and has a much more generous plot width. The frontages present as 2 and 3 storeys. The houses in the immediate vicinity are lower and a mix of 1 and 2 storey.
- Depth, height, width too large.
- The scale of these proposed buildings is out of all proportion to the neighbouring properties
- 3 floors is out of character with the area.
- The plot is not large enough to support two properties of this type

Amenities:

- The dwellings could create overshadowing to existing dwellings.
- Overlooking.
- The proposed house on Plot 2 is too close to our shared boundary, too high and extends too far into the plot. It is not commensurate with the character, relationship and siting of our existing home. It will have an overbearing appearance, significantly reducing direct sunlight into our garden and reducing daylight into habitable rooms.
- Mature trees in good condition are being removed including one on the boundary.
- I would like these trees to be retained as they would provide a degree of shielding from the proposed development.
- Furthermore, tree T13 is shown on the Tree Removal and Retention Plan as straddling the boundary with 8 Grimsdells Lane. If this is the case, can the tree be removed without the consent of the owner of the adjacent property, or has this already been obtained?

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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