

Item No. 10

APPLICATION NUMBER	CB/16/02903/FULL
LOCATION	Land adjoining 12 Silverbirches Lane, Aspley Heath, Milton Keynes, MK17 8TL
PROPOSAL	Removal of timber single garage, construction of new house and garage in place of approved proposal reference CB/15/00915/FULL
PARISH	Aspley Heath
WARD	Aspley & Woburn
WARD COUNCILLORS	Cllr Wells
CASE OFFICER	Dee Walker
DATE REGISTERED	06 July 2016
EXPIRY DATE	31 August 2016
APPLICANT	Mr & Mrs McQuillan
AGENT	Derek Walker Associates
REASON FOR COMMITTEE TO DETERMINE	Ward Councillor call in on grounds of loss of amenity to no. 5 Silverbirches Lane

RECOMMENDED DECISION	Full Application - Granted
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Recommendation:

That Planning Permission be APPROVED subject to the following conditions:

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall take place until the following details are submitted to and approved in writing by the Local Planning Authority and shall be carried out in full accordance with such approved details:**
 - **Samples of materials to be used in the external finishes of the development hereby approved.**
 - **Drawings of all new proposed doors and window to a scale of 1:10 or 1:20, together with a specification of the materials and finishes. Details provided should clearly show a section of the glazing bars, frame mouldings, door panels, the depth of the reveal and arch and sill details.**

Reason: These details are required prior to commencement to ensure that the proposed development is carried out in a manner that safeguards the historic character and appearance of the Conservation Area.

(Policies DM3, DM13 CSDMP)

- 3 **No development shall take place until full construction details of the reinforced concrete ring beam and mini pile foundation, as being proposed to construct the garage under "Arboricultural Implications" of the Tree Protection Plan prepared by Lisa Camps (Ref Drawing No. MMX 120/3), have been submitted to and approved in writing by the Local Planning Authority.**

Reason: To demonstrate that prior to construction the foundations being constructed within the Root Protection Area of Sycamore tree T1 will avoid root damage and root asphyxiation, so as to ensure that the integrity, function and health of its root system is prevented from damage.

(Policies DM3, DM13 CSDMP)

- 4 The dwelling shall not be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

(Policy DM3, CSDMP)

- 5 No occupation of the dwelling house shall take place until a detailed landscape planting plan shall be submitted to the Local Planning Authority for approval, which shall incorporate all planting proposals outlined in the "New Planting and Biodiversity Enhancements" of the "Arboricultural Implications", which forms part of the Tree Protection Plan prepared by Lisa Camps (Drawing No. MMX 120/3) The planting plan shall refer to planting sizes, planting species and planting density of trees, shrubs and hedges, and stipulate an appropriate maintenance schedule for a period of 5 years from the date of initial planting. The planting scheme shall be fully implemented within the 1st planting season following the occupation of the dwelling house.

Reason: To ensure a satisfactory standard of landscape planting, after care and establishment to ensure that new landscaping is successful in integrating the dwelling into the setting of the Aspley Heath Conservation Area.

(Policies DM3, DM13 CSDMP)

- 6 All tree protection measures shall be fully implemented prior to the commencement of any demolition and any building works, and carried out in strict accordance with the "Arboricultural Method Statement for Tree Protection", that forms part of the Tree Protection Plan prepared by Lisa Camps (Ref Drawing No. MMX 120/3).

Reason: To ensure a satisfactory standard of tree protection is maintained throughout all development works.
(Policy DM3, DM13 CSDMP)

- 7 Demolition practices must be carried out in strict compliance with the works specification and methodology referred to under "Arboricultural Implications" of the Tree Protection Plan prepared by Lisa Camps (Ref Drawing No. MMX 120/3).

Reason: To prevent root damage to Sycamore tree T1 that may arise from poor working practices during demolition work.
(Policy DM3, DM13 CSDMP)

- 8 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no extensions or alterations shall be carried out to the development hereby permitted without the prior approval by way of a planning consent from the Local Planning Authority and only the approved details shall be implemented.

Reason: To protect the amenities of occupiers of neighbouring properties.
(Policy DM3, CSDMP)

- 9 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no buildings or other structures shall be erected or constructed within the curtilage of the property without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the development in the interests of the visual amenity of the area.
(Policy DM3, CSDMP)

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PR-01, PR-02, PR-03, SP-03, SP-05, LOC-01, MMX120/1A, MMX120/3.

Reason: To identify the approved plan/s and to avoid doubt.

INFORMATIVE NOTES TO APPLICANT

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were informed of the following information which was contained in the Late Sheet:
 - a. The Reason for Committee to Determine has been added above.
 - b. The Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 – Part 5, Article 35 has been amended to include an additional first sentence.]