

Item No. 11

SCHEDULE A

APPLICATION NUMBER CB/10/04204/FULL
LOCATION The Old Thatch, Woburn Lane, Aspley Guise,
Milton Keynes, MK17 8JR
PROPOSAL Full: Demolition of existing dwelling and erection
of new dwelling and detached garage.
PARISH Aspley Guise
WARD Woburn & Harlington
WARD COUNCILLORS Cllr Fiona Chapman & Cllr Budge Wells
CASE OFFICER Sarah Fortune
DATE REGISTERED 12 November 2010
EXPIRY DATE 07 January 2011
APPLICANT Mr & Mrs Dance
AGENT Sidey Design Architecture
REASON FOR Called in by Councillor
COMMITTEE TO
DETERMINE

RECOMMENDED
DECISION Full Application - Refused

Delegated Decision – See Minute No. DM/10/177

That the Director of Sustainable Communities be given delegated authority to approve the application subject to the conditions set out below:-

1. The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

2. Details of materials to be used for the external finishes including bricks, tiles and rainwater goods of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to complement nearby existing buildings and the visual amenities of the locality.

3. Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- Proposed finished levels or contours;
- Materials to be used for any hard surfacing;

- Proposed and existing functional services above and below ground level;
- Planting plans, including schedule of size, species, positions, density and times of planting. These planting plans shall include details of additional planting of trees within and around the boundary of the site.
- Cultivation details including operations required to establish new planting;
- Details of existing trees and hedgerows on the site, indicating those to be retained – including the retention of the early mature Oak – which lies approximately 14 metres to the north east of T11 (Blue Cedar) – and the method of their protection during development works.

The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

4. All tree planting shall be carried out within six months of commencement of the development hereby approved between the months of October to March. Details of soil preparation, planting and maintenance will be required. Watering needs to take place specifically during dry periods. It is advisable to incorporate a trickle irrigation system into the planting. Once the new trees have been planted they will be incorporated into the existing Tree Preservation Order on the site. Notwithstanding the Tree Preservation Order on trees at the site any trees or plants which within a period of 5 years of 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 give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

5. No tree removal shall be undertaken during the bird nesting season i.e. not between early March and late October.

Reason: Nesting birds are protected by the Wildlife and Countryside Act 1981 and also The Countryside and Rights of Way Act 2000 which creates the offence of reckless disturbance.

6. **Prior to the commencement of development a scheme setting out measures for protecting all trees, shrubs and other natural features during construction work shall be submitted to and approved in writing by the Local Planning Authority. No work shall commence on site until all trees, shrubs and features to be protected are fenced with 2.3 high weldmesh fencing securely mounted on standard scaffolding poles driven firmly in the ground in accordance with BS 5837:2005;**
 - **for trees and shrubs the fencing shall follow a line 1.0m outside the furthest extent of the crown spread, unless otherwise**

- agreed in writing by the Local Planning Authority;
- For upright growing trees at a radius from the trunk not less than 6.0m, or two thirds of the height of the tree whichever is the greater;
- For other natural features along a line to be approved in writing by the Local Planning Authority.

Such fencing shall be maintained during the course of the works on the site. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area.

Reason: To safeguard the existing trees on the site in the interests of visual amenity.

7. **Prior to the commencement of development details of all service lines, water, sewage, and drainage routes shall be indicated on a plan to be approved in writing by the Local Planning Authority. Only the approved details shall be implemented.**

Reason: To safeguard root protection areas in the interest of the visual amenities of the site and the area generally.

8. **Prior to commencement of development a plan shall be submitted which indicates a designated area for the parking of construction vehicles as well as area(s) for the storage of construction material. These areas shall be sited away from any root protection areas and there shall be no material spillage flowing or soaking into these root protection areas. Only the approved details shall be implemented.**

Reason: To safeguard existing trees on the site in the interest of the visual amenities of the site and the area generally.

9. 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 other external alterations – including the construction of any new openings – shall be carried out without the prior approval of this authority by way of a planning permission.

Reason: To safeguard the character and appearance of the completed development in the interest of the visual amenities of the site and of the area generally and to protect the amenities of occupiers of neighbouring properties.

10. The existing house on the site, known as 'The Old Thatch', and indicated on drawing number 10-074-02/A shall be fully demolished and the land reinstated (in accordance with details to be approved under the landscaping scheme for the whole site) – prior to first occupation of the house hereby approved.

Reason: In order to safeguard the character of the locality and to preserve the openness of The Green Belt.

11. **Prior to the commencement of development a survey of the site shall be undertaken to ascertain as to whether there are any bats roosting on the site and whether badger sets, great crested newts, water voles and protected birds (including but not limited to owls and kingfishers) exist on the site. If any of the above species are found to exist the details of measures to be undertaken to safeguard these protected species then habitat protection measures shall be submitted to and approved in writing by the Local Planning Authority. The habitat protection measures shall be implemented to the satisfaction of the Local Planning Authority and in accordance with a timetable agreed in writing by the Local Planning Authority.**

Reason: To enable proper consideration of the impact of the development on the contribution of nature conservation interests to the amenity of the area.

12. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan numbers CBC1, 10/074/04, 10/07/074/05A, 10/074/06/B.

Reason: For the avoidance of doubt.

Note to Applicant

1. The applicant is advised that substantial planting is required to compensate for the removal of the Blue Cedar to enhance the site well into the future.

Trees required are:-

T1 – Quercus frainetto. Container grown with a girth of 20/25 cm.

T2 – Castanea sativa. Container grown with a girth of 20/25 cm.

T3 – Sequoiadendron giganteum Wellingtonia. Container grown with a height of 3.5 metres.

T4 – Cedrus atlantica Glauca. Container grown with a height of 3.5 metres.

To be planted as indicated on Drawing number 10-074-02.

T1 indicated as Oak or similar.

T2 indicated as Sycamore or similar.

T3 indicated a [pine or similar.

T4 to replace T11 as indicated.

Planting positions to be finalised in consultation with tree officer.

[Notes:-

1. Prior to consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of consultation received as set out in the Late Sheet attached to these Minutes.]