

Item No. 7**SCHEDULE A**

APPLICATION NUMBER	CB/11/04330/FULL
LOCATION	34 The Mount, Aspley Guise, Milton Keynes, MK17 8EA
PROPOSAL	Proposed new dwelling to existing 3 sided development with access to Local Authority adopted road, in a cluster development arrangement adjacent to an existing dwelling.
PARISH	Aspley Guise
WARD	Aspley & Woburn
WARD COUNCILLORS	Cllr Wells
CASE OFFICER	Sarah Fortune
DATE REGISTERED	22 December 2011
EXPIRY DATE	16 February 2012
APPLICANT	Mr & Mrs Banks
AGENT	ADC PRACTICE LIMITED
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor B Wells. This application is an infill plot and the distance between the existing house is more than adequate
RECOMMENDED DECISION	Full Application - Refused

Recommendation

That Planning Permission be refused.

- 1 The erection of the proposed house will lead to conflict with the canopy of the Protected trees on the site. This will lead to ongoing requests to prune these trees by future occupiers of the house. In order to alleviate any nuisance further pruning of the trees will be required and this will result in works extending beyond that required on sound arboricultural grounds leading to a reduction the natural appearance and amenity value of these protected trees. This will be in conflict with Policy DM14 of the Core Strategy and Development Management Planning Document dated 2009 which states that trees, woodland and hedgerows in the district will be protected by requiring developers to retain and protect such features which are in close proximity to building works
- 2 The site has extremely tight constraints regarding the close proximity of the proposed house to trees. There is a need for construction access, contractors parking, working spaces and access for equipment such as the rigs to sink piles, space for plant and material storage and the mixing of cement and concrete. The application fails to provide evidence that the development will have the necessary space to implement all of the construction operations which are required in order to carry out the construction of the house without incurring damage to Protected Trees. It is also unlikely that a workable methodology is attainable for a suitable "no-dig" parking area under the crown of tree 3001 which is in recognition of the characteristic difference in surrounding ground levels and the need to

provide the necessary clearance from the trunk of this tree in order to comply with current good practice as set out in Arboricultural Practice Note APN 12 "Through the trees to Development". Consequently the proposal would likely result in the loss of trees protected by a Tree Preservation Order harmful to the character of the area and in conflict with Policy DM14 of the Core Strategy and Development Management Planning Document dated 2009 which states that trees, woodland and hedgerows in the district will be protected by requiring developers to retain and protect such features which are in close proximity to building works.

NOTES

(1) In advance of the consideration of the application the Committee were advised of additional consultation/publicity responses from the Highways Officer who recommended various conditions to be attached.

In addition the committee were advised of additional comments from the Case Officer relating to the location of the house.

(2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.