

Item No. 9

APPLICATION NUMBER	CB/14/04852/FULL
LOCATION	Tree Tops, Heath Lane, Aspley Heath, Milton Keynes, MK17 8TN
PROPOSAL	Erection of detached two storey dwelling with access and garden.
PARISH	Aspley Heath
WARD	Aspley & Woburn
WARD COUNCILLORS	Cllr Wells
CASE OFFICER	Annabel Robinson
DATE REGISTERED	19 December 2014
EXPIRY DATE	13 February 2015
APPLICANT	Mr Inchbald
AGENT	AKT Planning+Architecture
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor Wells “ Over development of an existing site, and objects to a decision to approve as infill. Also highway safety grounds, parking on site inadequate space for four cars to turn on site/on Heath Lane.”
RECOMMENDED DECISION	Full Application - Granted

Summary of Recommendations

The planning application is recommended for approval, the design of the dwelling although stylistically different to the traditional vernacular would be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1, CS2, CS5, DM4, DM13, CS15. It would not have a significant impact upon the residential amenity of any adjacent properties, the significance or the setting of the Aspley Heath Conservation Area and would result in a new development suitable for the location. It is considered that the design is in accordance with the Central Bedfordshire Design Guide and the submitted Development Strategy and National Planning Policy Framework.

Recommendation

That Planning Permission be approved subject to the following;

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: To ensure that the proposed development is carried out in a manner that safeguards the historic character and appearance of the Conservation Area.

- 3 The dwelling shall not be occupied until a scheme has been submitted to the Local Planning Authority 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 43, DSCB)

- 4 **No development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping.
(Policies 43 and 58, DSCB)**

- 5 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.

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers A14-058-SLP001A, A14-058-PL500D, A14-058-PL100E, A14-058-PL300C, A14-058-PL200C, A14-058-PL600D; Design and Access Statement; Heritage Statement; Arboricultural Method Statement, 5339 FE TPP04, 5339 FE TL 03.

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

- 7 Prior to development, all protective fencing and ground protection, as stipulated on the Tree Protection Plan (Drawing No. 5339 FE TPP 04), shall be erected and positioned in strict accordance with this plan, and in full compliance with the specification set out in Section 5.3 and 5.5 of the Arboricultural Method Statement (Ref 5330FE AMS 01 rev E). The fencing and ground protection shall then remain securely in place throughout the entire course of development.

Reason: To establish a protective area and construction exclusion zone around the designated Root Protection Areas so as to prevent damage from excavation work, soil compaction, material storage, and machinery plant, so as to conserve the integrity of the rooting medium and rooting system of adjacent trees.

- 8 Both prior to and during development, all tree protection measures as outlined in the Arboricultural Method Statement, prepared by First Environment Limited (Ref 5330FE AMS 01 rev E), shall be fully implemented in strict accordance with this document.

Reason: To ensure the satisfactory implementation of tree protection measures in order to secure the health, stability and amenity value of adjacent trees.

- 9 Where limited manual excavation is being approved in designated Root Protection Areas, the methodology must be carried out in strict accordance with Section 5.4 of the Arboricultural Method Statement (Ref 5330FE AMS 01 rev E) and only in the positions shown on the Tree Protection Plan (Drawing No. 5339 FE TPP 04).

Reason: To ensure that no tree root damage is incurred throughout the course of those permitted operations being allowed within the designated Root Protection Areas, as shown on the Tree Protection Plan (Drawing No. 5339 FE TPP 04).

- 10 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.

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.

2. Arboricultural Supervision

Before development begins the Local Planning Authority will be advised of the name and contact details of the Supervising Arboriculturist, who will be appointed by the developer to carry out all direct arboricultural supervision throughout the course of development, and who will advise the Local Planning Authority of all arboricultural operations requiring supervision, as set out on the Arboricultural Method Statement (Ref 5330Fe AMS 01 rev E).

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. 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) (Amendment No. 2) Order 2012.

[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 advised of additional consultation responses received including:
 - a. 9 letters of objection and 1 email were received from objectors who were restating their original objections.
 - b. The Tree Officer confirmed that he had no objections to the revised Arboricultural Method Statement.
 - c. There were 4 new conditions dealing with the Trees (7,8,9 & 10) and 1 new informative for the applicant.]