

## Item No. 12

APPLICATION NUMBER	CB/18/01210/FULL
LOCATION	The Quarry House, San Remo Road, Aspley Guise, Milton Keynes, MK17 8JY
PROPOSAL	Replacement of existing tarmacadam tennis court with new dwelling.
PARISH	Aspley Guise
WARD	Aspley & Woburn
WARD COUNCILLORS	Cllr Wells
CASE OFFICER	Stuart Kemp
DATE REGISTERED	26 March 2018
EXPIRY DATE	21 May 2018
APPLICANT	Mr & Mrs Seamarks
AGENT	Paul Seamarks Architecture
REASON FOR COMMITTEE TO DETERMINE	Call in - Cllr Wells 1) The re-submission follows a material change in circumstances of the case arising from a recently allowed appeal for a similar development PIN Ref: APP/P0240/W/17/3185864 "backland development confirmed as an acceptable form of infill development". Refusal of previous application CB/17/05028 is shown to be inconsistent in the light of this decision. It is in the wider public interest that this application be discussed at DMC.
RECOMMENDED DECISION	Full Application - Recommended for Refusal

### Recommendation:

That Planning Permission be **APPROVED** subject to the following conditions:

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, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: To control the appearance of the building in the interests of the visual amenities of the locality.  
(Section 7, NPPF)**

**3 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.  
(Sections 7 & 11, NPPF)**

**4 Prior to development a scheme shall be submitted for approval 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 use hereby permitted is commenced / before the building(s) is/are occupied] and be thereafter retained.**

**Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.  
(Section 7, NPPF)**

**5 No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

**Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.  
(Section 7, NPPF)**

**6 Prior to development, both the operations to remove the tennis court surface, as situated over the designated Root Protection Areas of adjacent trees, and the decompaction treatment of the soil medium underneath, shall comply in strict accordance with the requirements set out in Section 8.5 of the "Tree Survey Report" as prepared by Venners Arboriculture, dated October 2017.**

**REASON:**

**To prevent root damage caused by the demolition of the tennis court surface, within the Root Protection Areas of retained trees, and to improve the rooting medium previously covered by this surface, in order to aid future root development and tree health.**

7 No building shall be occupied until the junction of the proposed vehicular access within the highway has been constructed in accordance with the approved details shown on drawing number 1601-P10.

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

(Section 4, NPPF)

8 The development shall not be occupied or brought into use until the parking scheme shown on Drawing No.1601-P10 has been completed. The scheme shall thereafter be retained for this purpose.

Reason: To ensure provision for car parking clear of the highway.

(Section 4, NPPF)

9 Notwithstanding the provisions of Part 1, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions to the building(s) hereby permitted shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the external appearance of the building/s in the interests of the amenities of the area.

(Section 7, NPPF)

10 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 2015 (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.

(Section 7, NPPF)

11 Following the removal of the tennis court surfacing, but prior to construction, all tree protection fencing shall be erected in strict accordance with Appendix 4 "Tree Protection Plan", and Section 8.6 "Tree Protection Detail" of the supporting document "Tree Survey Report" as prepared by Venners Arboriculture, dated October 2017. The fencing shall then remain securely in position throughout the entire course of development.

## REASON

To ensure that a satisfactory standard of tree protection is maintained throughout the entire course of development activity, in order to maintain the health, stability and amenity value of retained trees.

12 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1601-SU01, 1601-L02, 1601-P10, 1601-P11, 1601-P12, 1601-P13, 1601-P14, 1601-P15, 1601-P16, 1601-P17, 1601-P18,

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