

Application Number: 16/01559/FUL  
Minor

**Erection of detached single storey two bedroom bungalow with hardstanding for 2 parking spaces to serve the proposed development and hardstanding with 4 spaces to serve the existing dwelling and amenity space and a shared access from Newport Road**

**AT The Chimney, 87 Newport Road, Woburn Sands**

**FOR Mr & Mrs R Franklin**

**Target:** 17th August 2016

**Extension of Time:** 21<sup>st</sup> November 2016

**Ward:** Danesborough And Walton

**Parish:** Woburn Sands Town Council

**Report Author/Case Officer:** Danika Hird

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## **1.0 INTRODUCTION**

*(A brief explanation of what the application is about)*

- 1.1 The main body of the report set out below draws together the core issues in relation to the application including policy and other key material considerations. This is supplemented by an appendix which brings together planning history, additional matters and summaries of consultees' responses and public representations. Full details of the application, including plans, supplementary documents, consultee responses and public representations are available on the Council's Public access system [www.milton-keynes.gov.uk/publicaccess](http://www.milton-keynes.gov.uk/publicaccess). All matters have been taken into account in writing this report and recommendation.
- 1.2 This application is referred to the Development Control Panel for determination due an objection received from Woburn Sands Town Council.

### **1.1 The Site**

The application site is a parcel of land currently associated with The Chimney, No.87 Newport Road which is a detached dwelling with a large set back from the highway of Newport Road. To the south-west of the application site, towards the front of the existing property, is a large grassed area forming a front garden with a high evergreen hedge and several mature trees to the front boundary of the site, adjacent to the footpath and roadway. In addition to the site's on-plot parking provisions. The site is accessed by a driveway which is shared with neighbouring properties No.87 and No.87a Newport Road, Woburn

Sands. Situated to the north of the application site is neighbouring property No.85 Newport Road, the boundary treatment between the application site and this neighbouring property consists of a high close-boarded timber fence and some mature planting. No.89 Newport Road is located to the south of the application site across the shared access, with the boundary being formed by a close-boarded timber fence. To the north-east of the application site, to the rear of the property is neighbouring property is The Snooker, No.87a Newport Road.

## 1.2 The Proposal

This application seeks planning permission for the erection of a detached, single storey dwelling to the front (south-west) of The Chimney, No.87 Newport Road, Woburn Sands. The new dwelling will comprise of a kitchen/ living room, a bathroom and two bedrooms, one being served by an en-suite. The private amenity space serving the new dwelling will be situated to the front of property, to the south-west. Four on-plot parking spaces are being shown to the north-east, front of the new dwelling with a further two on-plot parking spaces being provided for the new dwelling.

## 2.0 RELEVANT POLICIES

*(The most important policy considerations relating to this application)*

### 2.1 Local Policy

Core Strategy 2013

Policy CS 13: Ensuring High Quality, Well Designed Places”.

### 2.2 Milton Keynes Local Plan 2001-2011

D1: Impact of Proposals on Locality

D2: Requiring Good Design

D2A: Urban Design Aspects of New Development

H7: Housing on Unidentified Sites

T10: Traffic

T15: Parking Provision

### 2.3 Supplementary Planning Documents

New Residential Development Design Guide, 2012

Parking Standards, 2016

### 2.4 Neighbourhood Plan

Woburn Sands, 2014

*“Neighbourhood Plans*

*Once a Neighbourhood Plan has been agreed at a referendum and is made (brought into legal force) by the local planning authority, it becomes part of the local planning authority's development plan as an official development plan document which carries statutory weight. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. If a policy contained in the development plan for an area conflicts with another policy in a development plan, the conflict must be resolved by the decision maker in favour of the policy which is contained in the latest document to become part of the development plan.*

*Neighbourhood Plans therefore form part of the development plan for the relevant area. They will necessarily be in general conformity with the strategic policies contained in the development plan for the area. If they are the most recent document to become part of the development plan, they will attract statutory priority. Neighbourhood plan policies will also take precedence over non-strategic development plan policies where there is conflict. Under some circumstances emerging Neighbourhood Plans can also carry weight as a material planning consideration, as with any emerging development plan document."*

## **2.5 National Policy**

National Planning Policy Framework 2012

Section 7 – Requiring good design

Paragraph 14 – Presumption in Favour of Sustainable Development

Paragraph 17 – High Quality Design

Paragraph 49 – Housing Land Supply

Paragraph 64 – Impact on the Character and Appearance of the Area

## **3.0 MAIN ISSUES**

*(The issues which have the greatest bearing on the decision)*

- 3.1
  - Principle of the Development
  - Design of Buildings
  - Impact on Neighbouring Amenity
  - Impact on Parking Provisions

## **4.0 RECOMMENDATION**

*(The decision that officers recommend to the Committee)*

- 4.1 It is recommended that planning permission be granted subject to the conditions set out at section 6 of this report.

## 5.0 CONSIDERATIONS

*(An explanation of the main issues that have led to the officer Recommendation)*

### 5.1 Background

Prior to the submission of this current application, an application was submitted and approved on 17<sup>th</sup> March 2016 for the erection of a detached garage with a garden store and hardstanding. The detached garage was to be located in the same position as the proposed new dwelling, with the garage measuring 12 metres in width by approximately 6 metres in depth and with a ridge height of 4.8 metres. The measurements for the new dwelling would be the same as the previously approved garage dimensions.

### 5.2 Principle of Development

In respect of strategic housing land supply within the Authority, Paragraph 49 of the National Planning Policy Framework states that:

‘Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.’

5.3 In this regard, it has been accepted by the Council that it is unable to meet this requirement and for this reason the Council must rely upon the provisions of Paragraph 14 of the National Planning Policy Framework to consider the submitted application. This states that:

“... at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development... Where the development plan is absent, silent or relevant policies are out-of-date, the Council must grant permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.”

5.4 The starting point for the determination of this application is the fact that Authority does not have a 5 year housing land supply, and the proposed development would contribute towards meeting the identified shortfall. An assessment must therefore be made as to whether the proposal can be considered to be sustainable development in terms of the economic, social and environmental roles as set out in the National Planning Policy Framework.

5.5 The application site is located within the built-up area of Newport Road in Woburn Sands. Environmental, the proposed development is within an established housing area. As such, the new dwelling will be located within

close proximity to nearby services, reducing the need to travel. In terms of social issues, the development would provide an additional dwelling to meet a currently identified need. In terms of economic issues, the construction activities associated with the development could potentially generate employment opportunities in the short term and in the longer term potentially support the local economy and services. As a result, the proposed location development is to be sustainable.

5.6 Overall, having weighed these matters, it is considered that the development would meet the definition of sustainable development and would comply with the provisions of paragraph 14 of the National Planning Policy Framework as the adverse impacts of the development would not significantly and demonstrably outweigh the benefits. The reasons for this conclusion are set out in more detail in the remainder of the key issues in this report.

5.7 In addition to this, in accordance Policy WS6 of the Woburn Sands Neighbourhood Plan, 2014 states *“the housing developments in Parklands and on the Greens’ site are expected to meet the needs for large scale housing development in Woburn Sands during the plan period. Addition housing in the plan area will therefore be limited to small scale infilling between existing properties or redevelopment of existing properties”*, this application is for an infill dwelling.

#### 5.8 Design of Buildings

Saved Policies D2 and D2A of the Milton Keynes Local Plan 2001-2011 and Core Strategy Policy CS13 seek to ensure that all new buildings are high quality, well designed and relate well to the surrounding area and that proposals should reinforce townscape character. The objective of saved Policy D2 of the Milton Keynes Local Plan 2001 – 2011 is to ensure that all new buildings are well designed and relate well to the surrounding area. It states:

*“Development proposals for buildings will be refused unless they:*

- i) Are in scale with other buildings in the immediate vicinity in terms of their height and massing, except where a greater scale is necessary to reflect the development’s function and importance*
- ii) Relate well to and enhance the surrounding environment”*
- iv) Allows for visual interest through the careful use of detailing, where this is appropriate to the character of the area*
- v) Include landscaping and boundary treatments that integrate with those of the surrounding area*

Policy WS1 of the Woburn Sands Neighbourhood Plan, 2014 states *“All developments in the town (including any extensions to individual properties)*

*will be expected to comply with the following design principles:*

- *Developments within the Plan Area should respect the existing distinct vernacular character of the settlement*
- *Any development which takes place within the Conservation Area or affects its setting is required to apply the guidelines set out in the Woburn Sands Conservation Area Review*
- *The detailed design appearance of housing should contribute to the character of the area*
- *Landscaping plays an important role in determining the acceptability of any new development. Detailed landscaping plans will be required for all major developments”*

5.9 The existing high level front boundary treatment, consisting of mature trees and shrubbery will obscure the proposed development from the public realm. The local area is mainly characterised by detached dwellings with varying heights, designs and styles and the appearance of the dwelling is not considered to be out of keeping with the character and appearance of the local area. The proposed dwelling will sit comfortably within the plot to ensure that the development would not result in an overdevelopment of the site.

Given the proposed new dwelling is to be located on the same footprint as the previously approved garage (ref: 15/03192/FUL) and is of the same scale, the principle of a structure and its scale in this location has already been established through the granting of this previous application.

The proposed scheme would accord with saved Policies D2 (i), (ii), (iv) and D2A of the Milton Keynes Local Plan 2001-2011, Policy WS1 from the Woburn Sands Neighbourhood Plan, 2014 and Core Strategy Policy CS13.

#### 5.10 Impact on neighbouring amenity

Saved policy D1 (iii) of the Milton Keynes Local Plan 2001 – 2011 states: “Planning permission will be refused for development that would be harmful and result in unacceptable visual intrusion, loss of privacy, sunlight and daylight”.

There are three main neighbouring properties which would be affected by the proposed development No. 85, 87 & 89 Newport Road, Woburn Sands.

The front elevation of the host dwelling (No.87 Newport Road) which has a number of openings serving habitable rooms will face onto the front elevation of the proposed new dwelling. The Council has no guidelines in regard to front elevation to front elevation spacing and separation distances. The spacing and separation distance between the front elevations of the host dwelling and new dwelling would be 11 metres which is deemed to be acceptable. Located to the front of the host dwelling is a set of double doors which extend out onto a patio area, given this serves a habitable room and would be considered to be a primary window. To preserve the amenity to this neighbouring property the windows on the front elevation of the new dwelling should be obscurely glazed. It is considered to be reasonable given the

windows on the front elevation of the new dwelling serve a bathroom and form a secondary opening to the kitchen/ living room.

- 5.11 In regard to the impact on neighbouring property No.85 Newport Road, there is an existing, obscurely glazed window located on the first floor of this neighbouring property's side elevation facing the proposed development. The impact to this window would be minimal given the positioning of this window and the proposed development being of a single storey only. The boundary between this neighbouring property and the application site is predominately a 1.8 metre, close-boarded timber fence which will shield a large proportion of the proposed development.
- 5.12 Neighbouring property No.89 Newport Road is to be located across the shared access from the proposed development. The boundary treatment of this neighbouring property which sits adjacent to the shared boundary is formed by a sloping close-boarded timber fence. Like the host dwelling and proposed new dwelling, No.89 Newport Road is also a bungalow. There is an existing obscurely glazed window on the side elevation of No.89 Newport Road facing the application site. Due to the positioning of the proposed new dwelling, this window will not be affected as a result of the proposed development. The new dwelling will be visible above the existing boundary treatment. This however will be minor with largely the roof being visible which is not considered to be harmful.
- 5.13 Overall, the proposed development will not have an unacceptable impact on neighbouring amenity in regard to visual intrusion, loss of privacy, sunlight and daylight. The proposed development would comply with saved policy D1 (iii) of Milton Keynes Local Plan 2001 – 2011 and Section 7 of the National Planning Policy Framework 2012.
- 5.14 Impact on Parking Provisions/Access

Saved Policy T15 of the Milton Keynes Local Plan 2001-2011 relates to ensuring development proposals meet vehicle parking requirements as laid out in the Parking Standards Supplementary Planning Document 2016 (SPD). The policy states:

*“Development proposals should meet the following vehicle parking requirements: ii) On-site parking should not be reduced below the maximum standard if it would be likely to result in off-site parking causing problems that cannot be resolved by on-street parking controls.”*

- 5.15 The application site is located within Zone 3 of the Appendix A: Maps of Parking Standards Zones in the Milton Keynes Parking Standards, 2016 Supplementary Planning Document. For a dwelling with two or more bedrooms in Zone 3 there is a requirement for two on-plot parking spaces to be provided. This requirement has been met with two on-plot parking spaces being provided for the new dwelling and four on-plot parking spaces being

provided for the existing dwelling. To ensure this requirement is retained it is recommended a condition is imposed on any planning permission requiring the parking area to be retained in perpetuity.

In regard to the access, a single track or private road can typically serve up to a maximum of five dwellings. The proposed dwelling seeks to share this existing access with the host dwelling No.87 Newport Road and No. 87a Newport Road. As a result of the proposed development, three properties will be sharing this access which is considered to be acceptable.

Overall it is considered that there would be no adverse impact on parking provisions and the sites access. The proposed development would accord with saved policy T15 of the Milton Keynes Local Plan 2001-2011 and the Parking Standards, 2016 Supplementary Planning Document.

#### 5.16 Landscaping

Saved policy D2 (v) of the Milton Keynes Local Plan 2001-2011 states *“Development proposals for buildings will be refused unless they... include landscaping and boundary treatment that integrate with those of the surrounding area”*.

Within the application site there is an Oak Tree which is protected by a Tree Preservation Order. Concerns have been raised by the Arboricultural Officer in regard to future occupants possibly wanting to remove this Oak Tree at a later date. With all planning applications, an assessment has to be carried out on the merits of the case and what is being proposed. This application does not propose to remove this protected Oak Tree and an assessment is based on the development's impact to this tree. Given no concerns have been raised by the Arboricultural in regard to the development having an immediate impact on the health of this tree, providing a condition is imposed on any planning permission, requiring a tree survey and protective fencing. It is considered that the proposed development would not have a harmful impact on this protected Oak Tree. Due to the proximity of this protected Oak Tree it is also recommended that a condition is imposed if planning permission were to be granted, removing the property's Permitted Development Rights to allow the Council to oversee any future development and to ensure any future development does not encroach upon this tree, causing harm.

Another key section of landscaping within the application site is the front boundary which plays a significant role in obscuring the proposed development from the public realm to ensure the development is not highly visible. It is recommended that if planning permission is granted that this front boundary is retained in perpetuity.

#### Conclusion

The proposed development is considered to adhere to the provision of the local and national planning policies.

## 6.0 CONDITIONS

*(The conditions that need to be imposed on any planning permission for this development to ensure that the development is satisfactory. To meet legal requirements all conditions must be Necessary, Relevant, Enforceable, Precise and Reasonable )*

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 51 of the Planning and Compulsory Purchase Act 2004. (D11)

2. The external materials to be used in the development shall be in accordance with samples to be submitted to and approved in writing by the Local Planning Authority before any work is commenced.(M03)

Reason: To ensure that the development does not detract from the appearance of the locality.

3. No part of the development hereby permitted shall be occupied until the parking areas shown on the approved plans has been laid out and surfaced in accordance with drawing number J241 P101. Thereafter the parking area shall only be used for the parking of vehicles in connection with the development the subject of this permission.

Reason: To ensure adequate on-plot parking provisions in accordance with the provisions of saved Policy T15 of the Milton Keynes Local Plan 2001-2011 and the Parking Standards, 2016, Supplementary Planning Document

4. No building or other site works likely to cause nuisance to adjoining occupiers shall be carried out before 8.00 am or after 6pm Mondays to Fridays, nor before 8am or after 1pm on Saturdays, or at any time on Sundays or Bank Holidays.(S04)

Reason: To limit the detrimental effect on adjoining occupiers by reason of noise and disturbance and to accord with saved policy D1 (iv) of the Milton Keynes Local Plan 2001-2011.

5. Full details of the proposed finished floor, eaves and ridge level of all buildings and the finished ground levels in relation to existing surrounding ground levels and finished floor, eaves and ridge height of neighbouring properties shall be submitted to and approved by the Local Planning Authority prior to the development commencing. Development shall be undertaken in accordance with the approved levels.

Reason: To ensure that development is carried out at suitable levels.

6. The landscaping scheme shown on drawing number J241 P101 shall

be carried out within twelve months of commencement of development. Any trees or shrubs removed, dying, severely damaged or diseased within two years of planting shall be replaced in the next planting season with trees or shrubs of such size and species as may be agreed by the Local Planning Authority.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area

7. Prior to commencement of works the details of a brick for nesting birds and its location shall be submitted and approved by Local Planning Authority. The approved scheme shall be implemented prior to first use of the dwelling.

Reason: To enhance the natural and local environment by minimising impacts on biodiversity and advice contained within paragraph 109 of the National Planning Policy Framework.

8. The existing hedgerow to the south-west boundary of the site shall be retained in perpetuity.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area to accord with saved policy D2 (v) of the Milton Keynes Local Plan 2001-2011.

9. The windows located on the front elevation (north-east) of the new dwelling shall be obscurely glazed to a level of obscurity of level 3 within the Pilkington range of Textured Glass or equivalent and be non-opening. It shall not be altered to clear glazing or opening without the prior approval, in writing of the Local Planning Authority.

Reason: To preserve the amenity and privacy of the adjoining residential occupiers and to accord with saved policy D1 (iii) of the Milton Keynes Local Plan 2001-2011.

10. Prior to commencement on site all existing trees, woodlands and hedges to be retained are to be protected according to the provisions of BS 5837: 2012 'Trees in relation to design, demolition and construction - Recommendations' All protective measures especially the fencing and ground protection must be put in place first, prior to any other work commencing on site (this includes vegetation clearance, ground-works, vehicle movements, machinery / materials delivery etc.) The fencing shall be of the same specification as that depicted in figure 2, page 20 and ground protection as specified in 6.2.3.1 - 6.2.3.5 pages 21/22 in BS 5837: 2012.

Signs informing of the purpose of the fencing and warning of the penalties against destruction or damage to the trees and their root zones shall be installed at minimum intervals of 10 metres and a minimum of two signs per separate stretch of fencing.

Once erected and before any other works commence the local authority tree officer shall be notified so the fencing can be inspected and approved.

The Root Protection Area (RPA) within the protective fencing must be kept

free of all construction, construction plant, machinery, personnel, digging and scraping, service runs, water-logging, changes in level, building materials and all other operations, personnel, structures, tools, storage and materials, for the duration of the construction phase.

The developer shall submit details of the proposed layout and general arrangements of the site in relation to the trees to be retained. In particular details of storage areas including what substances will be stored and where, locations of car parking, welfare facilities, cement plant, fuel storage and where discharge, filling and mixing of substances will take place. The details should include site levels to enable risks posed to trees to be quantified. The RPA will be amended as the arboriculture officer feels appropriate after taking account of the details submitted.

No fire shall be lit such that it is closer than 20 metres to any tree or that flames would come within 5 metres of any part of any tree.

Earthworks, level changes, service runs, foundations and all other works involving excavation should not be located within the root protection areas.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area to accord with saved policy D1 (v) of the Milton Keynes Local Plan 2001-2011.

11. Prior to commencement on site the submission of a tree survey and report, an arboricultural impact statement, a tree protection plan and an arboricultural method statement all in accordance with BS 5837:2012 will be made, following which pertinent amendments should be made to the proposed layout and levels in light of the arboricultural findings, in order that the best existing trees are viably retained within the development for the long term.

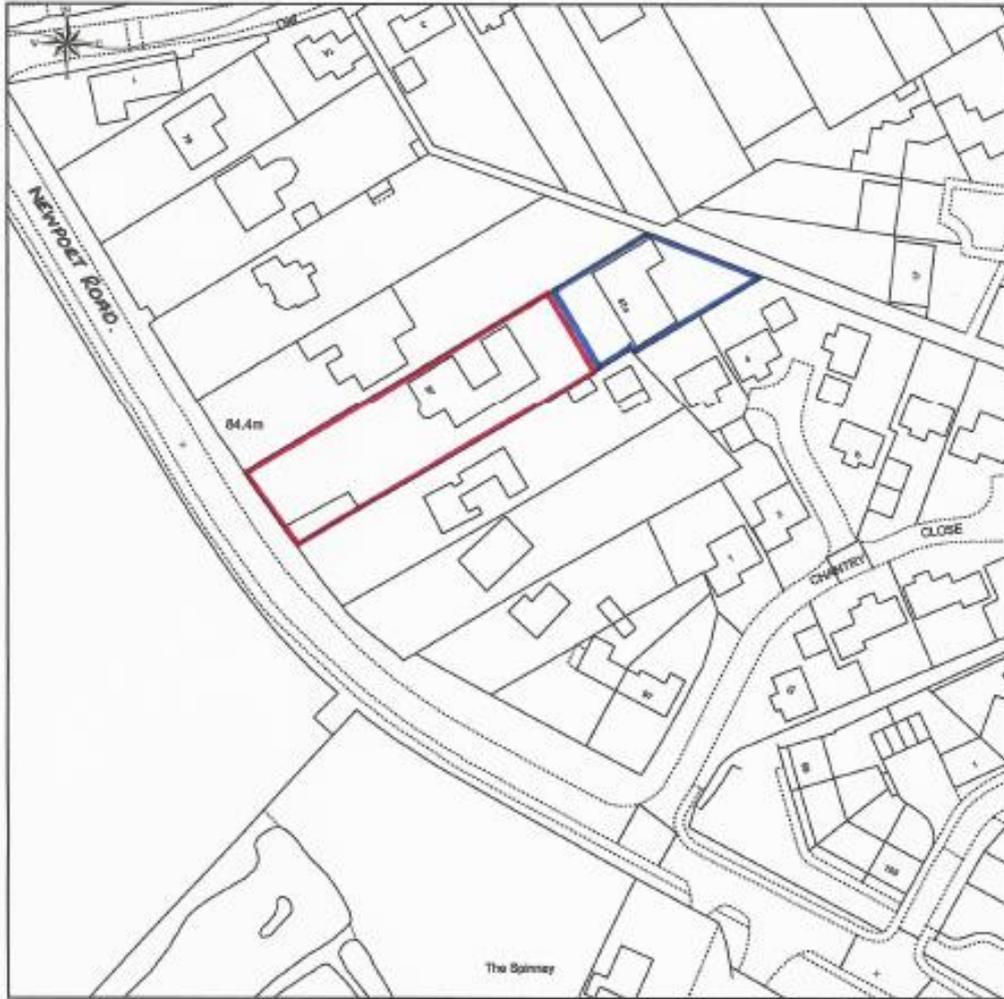
The documents shall include a scale plan accurately marking the position of all the retained trees and hedges, the extent of the root protection areas, the BS 5837: 2012 tree protection fencing along the root protection area margin, any areas to be covered in BS 5837: 2012 ground protection, construction details for the BS 5837: 2012 fencing and ground protection and sufficient detail of hard & soft landscaping works, service and drainage runs and proposed & existing spot levels in sufficient numbers and at appropriate spacing's to enable the impact of the development on the tree root zones to be assessed.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area to accord with saved policy D1 (v) of the Milton Keynes Local Plan 2001-2011.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order)(England) 2015 or any Statutory Instrument revoking or amending or re-enacting that Order, the following provisions part I of Schedule 2 of the said Order shall not apply to any dwelling to which this permission relates and planning permission shall be required for the forms of development described:

Classes A, B, C, D, E, F;

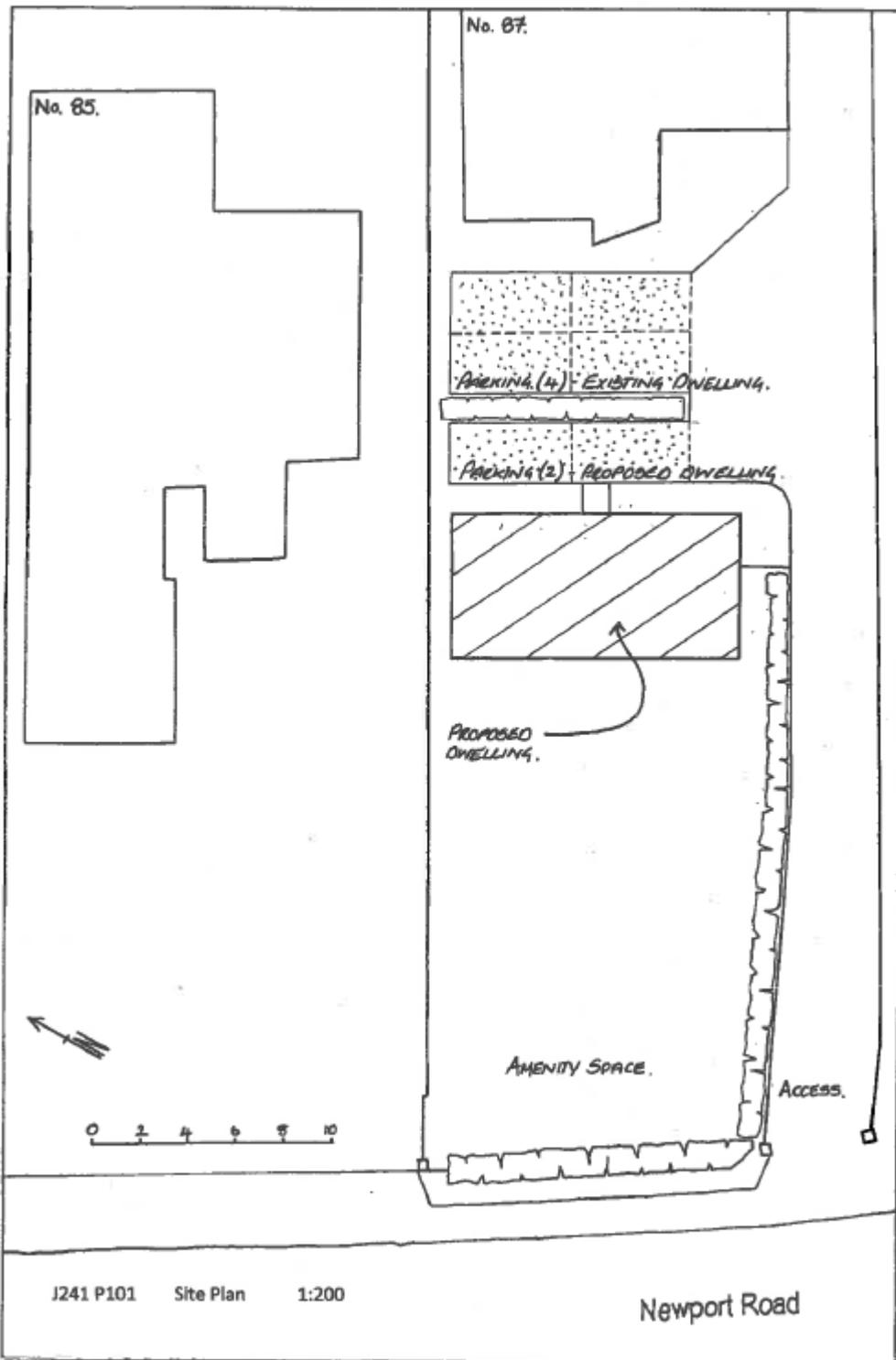
Reason: Due to the constrained nature of the site and to preserve the amenity and privacy of the adjoining residential occupiers, the Local Planning Authority wishes to control future alterations in the interests of the amenity of surrounding neighbouring properties and the character of the area and to accord with saved policy D1 & D2 of the Milton Keynes Local Plan 2001-2011.



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0m 20m 40m 60m 80m 100m

Scale: 1:1250, paper size: A4



No. 85.

No. 87.

PARKING (4) - EXISTING DWELLING.

PARKING (2) - PROPOSED DWELLING.

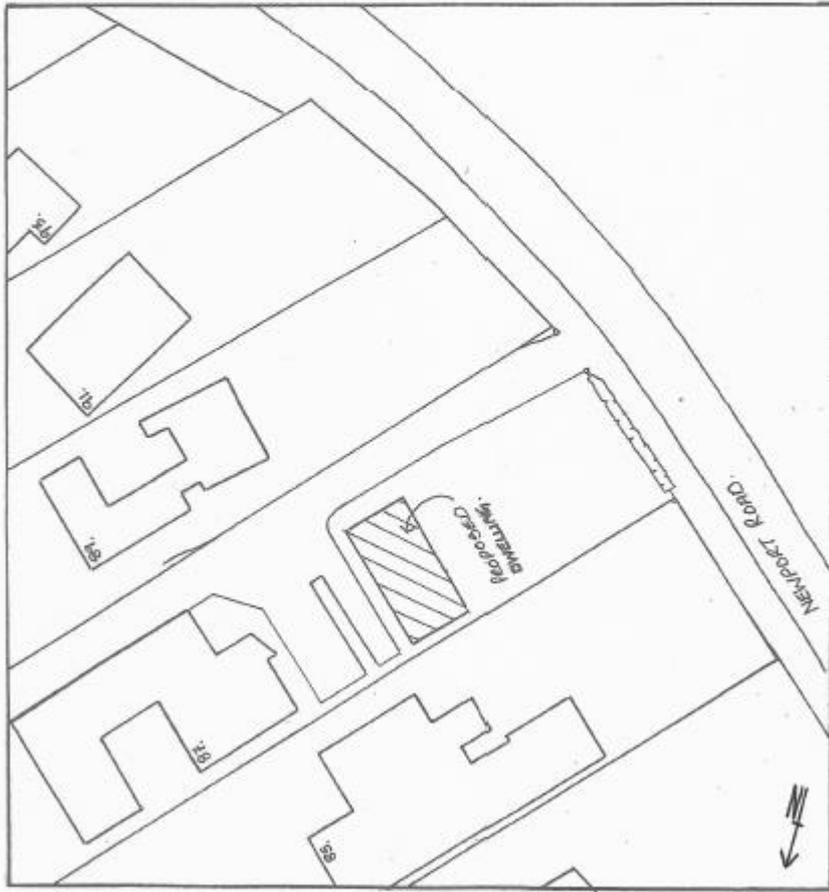
PROPOSED DWELLING.

AMENITY SPACE.

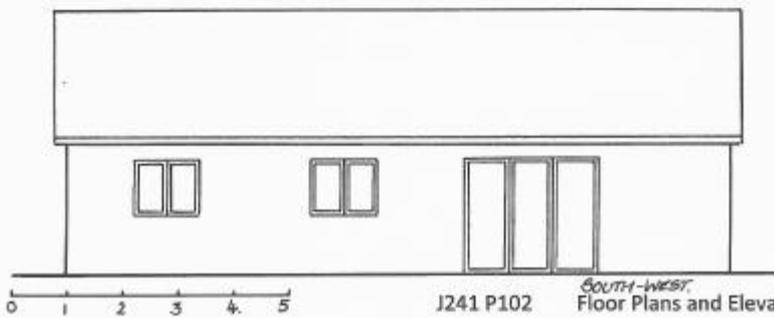
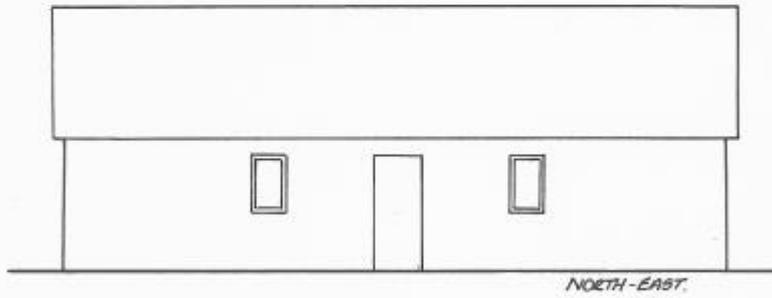
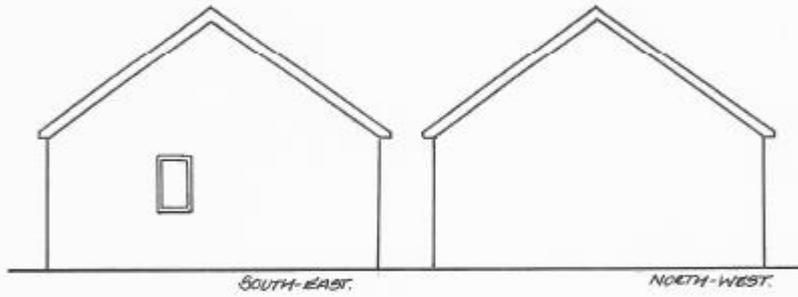
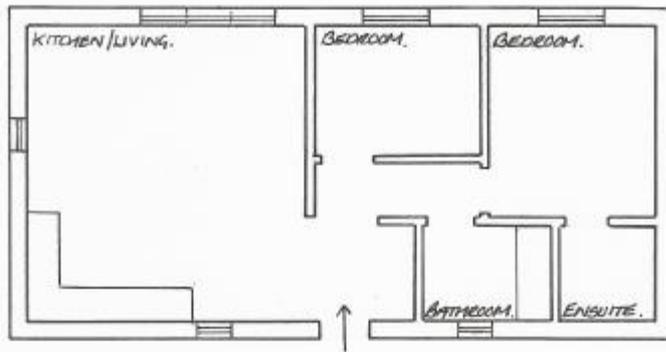
Access.

J241 P101 Site Plan 1:200

Newport Road



J241 P103 Site Block Plan 1:500



## **Appendix to 16/01559/FUL**

### **A1.0 RELEVANT PLANNING HISTORY**

*(A brief outline of previous planning decisions affecting the site – this may not include every planning application relating to this site, only those that have a bearing on this particular case)*

#### **A1.1 01/01023/FUL**

Change of use of existing annexe to granny annexe  
WITHDRAWN 13.08.2001

#### **09/01085/TPO**

Tree preservation order consent to remove deadwood and raise crown of one oak tree.

APPLICATION RETURNED 21.09.2009

#### **11/02708/FUL**

Conversion of outbuilding to dwelling  
PERMITTED 11.05.2012

#### **15/03192/FUL**

Erection of detached garage with garden store and hardstanding  
PERMITTED 17.03.2016

### **A2.0 ADDITIONAL MATTERS**

*(Matters which were also considered in producing the Recommendation)*

#### **A2.1 None**

### **A3.0 CONSULTATIONS AND REPRESENTATIONS**

*(Who has been consulted on the application and the responses received. The following are a brief description of the comments made. The full comments can be read via the Council's web site)*

#### **Comments**

#### **Officer Response**

#### **A3.1 Countryside Officer**

*NPPF (2012) Paragraph 109 states that "The planning system should contribute to and enhance the natural and local environment by" . . . "minimising impacts on biodiversity and providing net gains in biodiversity where possible." . . .*

*NPPF (2012) Paragraph 118 states "When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following". . . (list including) "opportunities to incorporate biodiversity in and around developments should be encouraged"*

It is appropriate for provision for wildlife to be built into the development. The new building presents an opportunity to build in, (not on) a bird brick into the building. Therefore one nesting brick aimed at providing a nest site for small bird species such as Blue or Great tit should be sited in the wall of the new building in an appropriate location.

- The type of bird nesting brick along with its location will need to be submitted to the Planning Authority for approval.

Noted, it is recommended that condition 7, outlined in section 6.0 of this report is imposed if planning permission were to be approved.

### A3.2 **Landscape Architect**

Noted and discussed in paragraph 5.16

There is an Oak tree with a TPO located in the front garden of the existing property in close proximity to the proposals which is not shown on the plan. This tree is part of an important line of trees along the street. A tree survey is needed and the proposals plan overlaid on the survey. It is not possible to ascertain at this stage if the existing trees and importantly the TPO Oak will be affected by the proposal. Without this basic information I would object on the basis of lack of information.

In line with the local plan objective of policy D2A a planning application submission would be expected to include accurate information relating to trees and planting on the site. A development proposal will need to include:

- A tree survey plan and schedule, arboricultural impact assessment and arboricultural method statement all in accordance with BS 5837:2012 accurately surveying and plotting to a standard scale all trees and hedges affected by the development
- The tree survey plan should show the extent of the root protection areas, the tree protection fencing along the root protection area margin. It should also include sufficient detail of hard and soft landscaping works, service and drainage runs and proposed and existing spot levels in sufficient numbers and at appropriate spacing's to enable the impact of the development on the tree root zones to be assessed. Layout and levels of the external works should be adjusted as necessary to accommodate the root protection areas without root damage.

This application should be referred to the Arboricultural Officers and their comments received prior to determination.

This application should be referred to Urban Design for comments on the proposed building style and also the frontage setback which would appear to be located closer to Newport Road and the TPO's trees than the majority of other properties along this section of the street, more context should be shown on the plans provided to clarify this.

A3.3	<b>Archaeologist</b>	Noted
	Raised no comments	
A3.4	<b>Cranfield Airport</b>	Noted
	No comments received.	
A3.5	<b>Environmental Health Manager</b>	Noted
	Raised no comments	
A3.6	<b>Landscape Services Manager – Trees</b>	Noted and discussed in paragraph 5.16
	I understand that permission was previously given for a garage on the same foot print but we cannot find any record of a consultation on that application. I have spoken to Bob who says that while he was happy to waive the need to survey the trees that are to be removed to accommodate the building, his requirements still stood for	

the remaining trees to be retained particularly the Oak tree. Notwithstanding this I comment as follows;

The development is based on a previous application for a garage with the same footprint, but now proposes a residential dwelling. This brings living space closer to the TPO protected Oak tree and will thus place more pressure on the tree due to the potential for perceived and actual negative effects of the tree upon the residential living space and the reduced garden area. There is a likelihood that applications to reduce the or remove the Oak tree may be submitted by residents of the new dwelling for reasons such as shading, root activity, domination the property by the Oak, etc. If a refused planning permission were appealed, a planning inspector may find for the appellant on the basis that if the council had truly valued the tree it would not have allowed development to take place so close.

There is also the likelihood, particularly as it is such a small dwelling, that new owners of the property may in future want to extend it bringing living space even closer to the Oak further reducing the viability of the tree/building juxtaposition and increasing the threat to the tree. For this reason I request that permitted development rights are removed from this location.

The foundations of the development should take full account of the proximity of the trees in accordance with NHBC Chapter 4.2

If permission is given to this development, I echo Bob Widd's previous comments and require that a tree survey is carried out and tree protection fencing be erected all in accordance with BS 5837: 2012.

Suggested conditions;

1. Prior to commencement on site all existing trees, woodlands and hedges to be retained are to be protected according to the provisions of BS 5837: 2012 'Trees in relation to design, demolition and construction - Recommendations' All protective measures especially the fencing and ground protection must be put in place first, prior to any other work commencing on site (this includes vegetation clearance, ground-works, vehicle movements, machinery / materials delivery etc.) The fencing shall be of the same specification as that depicted in figure 2, page 20 and ground protection as specified in 6.2.3.1 - 6.2.3.5 pages 21/22 in BS 5837: 2012.

Signs informing of the purpose of the fencing and warning of the penalties against destruction or damage to the trees and their root zones shall be installed at minimum intervals of 10 metres and a minimum of two signs per separate stretch of fencing.

Once erected and before any other works commence the local authority tree officer shall be notified so the fencing can be inspected and approved.

The Root Protection Area (RPA) within the protective fencing must be kept free of all construction, construction plant, machinery, personnel, digging and scraping, service runs, water-logging, changes in level, building materials and all other operations, personnel, structures, tools, storage and materials, for the duration of the construction phase.

The developer shall submit details of the proposed layout and general arrangements of the site in relation to the trees to be retained. In particular details of storage areas

including what substances will be stored and where, locations of car parking, welfare facilities, cement plant, fuel storage and where discharge, filling and mixing of substances will take place. The details should include site levels to enable risks posed to trees to be quantified. The RPA will be amended as the arboriculture officer feels appropriate after taking account of the details submitted.

No fire shall be lit such that it is closer than 20 metres to any tree or that flames would come within 5 metres of any part of any tree.

Earthworks, level changes, service runs, foundations and all other works involving excavation should not be located within the root protection areas.

2. Prior to commencement on site the submission of a tree survey and report, an arboricultural impact statement, a tree protection plan and an arboricultural method statement all in accordance with BS 5837:2012 will be made, following which pertinent amendments should be made to the proposed layout and levels in light of the arboricultural findings, in order that the best existing trees are viably retained within the development for the long term.

The documents shall include a scale plan accurately marking the position of all the retained trees and hedges, the extent of the root protection areas, the BS 5837: 2012 tree protection fencing along the root protection area margin, any areas to be covered in BS 5837: 2012 ground protection, construction details for the BS 5837: 2012 fencing and ground protection and sufficient detail of hard & soft landscaping works, service and drainage runs and proposed & existing spot levels in sufficient numbers and at appropriate spacing's to enable the impact of the

development on the tree root zones to be assessed.

**A3.7 Parish - Woburn Sands**

Noted and discussed in paragraph 5.8 to 5.16

Woburn Sands Town Council strongly object to this application, it would appear there are already two dwellings sharing this site and now the permission recently granted for a garage is being changed to another dwelling. You will recall that the Town Council's earlier comment on the recent application was that it looked remarkably like another bungalow and now it seems this is exactly what was initially intended. Three dwellings off the same shared access onto a very busy road is unacceptable and overdevelopment of the site.

**A3.8 Ward - Danesborough And Walton - Cllr D Hopkins**

Noted

No comments received.

**A3.9 Ward - Danesborough And Walton - Cllr Bramall**

Noted

No comments received.

**A3.10 Ward - Danesborough And Walton - Cllr V Hopkins**

Noted

No comments received.

**A3.11 Local Residents**

Noted

The occupiers of the following properties were notified of the application:

The Snooker 87A, 85 & 89 Newport Road Woburn Sands  
Milton Keynes

No **Third Party** representations were received.