

**BUCKINGHAMSHIRE COUNCIL****Town and Country Planning Act 1990****22/04141/APP**

Mrs S Matthews  
Walsingham Planning  
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United Kingdom

Orion Land and Leisure Ltd  
180 Piccadilly  
London  
W1J 9ER

Subsequent to your application that was valid on the **10th January 2023** and in pursuance of their powers under the above mentioned Act and Orders, Buckinghamshire Council as Local Planning Authority **HEREBY PERMIT:-**

Development of 5 detached dwellings with access and associated works, including rebuilding limestone rubble wall on west side of Sandy Lane, and works to demolish and rebuild a replacement garage for No.65 Bicester Road.

**AT:-** Land Off Sandy Lane Long Crendon Buckinghamshire

Subject to the following conditions and reasons:-

- 1 The development hereby permitted shall begin 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 91 of the Town and Country Planning Act 1990.

- 2 The approved development shall be carried out in accordance with the following drawings/details:

Received on 08/02/2023:

- 21-J3643-402 rev A Plot 1 - Plans.
- 21-J3643-404 rev A Plot 2 - Plans.
- 21-J3643-407 rev A Plot 3 - Elevations.
- 21-J3643-406 rev A Plot 3 - Plans.
- 21-J3643-409 rev A Plot 4 - Elevations.
- 21-J3643-408 rev A Plot 4 - Plans.
- 21-J3643-410 rev A Plot 5 - Plans.

Received on 10/01/2023:

- 21-J3643-LP10 Location Plan.
- 21-J3643-401-1 Proposed coloured site plan.
- 21-J3643-403 Plot 1 - Elevations.
- 21-J3643-405 Plot 2 - Elevations.
- 21-J3643-411 Plot 5 - Elevations.
- 21-J3643-416 Proposed Street Scenes A-A & B-B.
- 21-J3643-417 Cycle Storage.
- 21-J3643-418 No 65 Garage Layout.

Received on 23/11/2023:

- 21-J3643-401 rev B Proposed site plan.

Reason: For the avoidance of doubt and to secure sustainable development in line with the objectives of the Development Plan.

- 3 No development shall take place above slab level until a Schedule of the external materials to be used in the construction of the development have been erected on site and submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details prior to the first occupation of the development.

Reason: To ensure that the development does not detract from the character and appearance of the area in accordance with Policies BE1, BE2 and NE4 of the Vale of Aylesbury Local Plan and Policies LC9 and LC10 of the Long Crendon neighbourhood Plan.

- 4 Prior to the commencement of any works on the stone wall (including demolition) a detailed method statement for the works shall be submitted to and approved in writing by the local planning authority. The method statement shall include the timing of the removal and reinstatement and measures to be taken to secure and protect the features against accidental loss or damage. Development shall thereafter be carried out in strict accordance with the approved method statement.

To safeguard the stone wall which is of local note and to ensure the longevity of the wall in accordance with Policy BE1 of the Vale of Aylesbury Local Plan and the NPPF.

- 5 Notwithstanding the approved details, no development shall take place above slab level until details of the proposed boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The details shall include a boundary treatment plan (at a minimum scale of 1:500) detailing the position of all proposed boundary treatment and annotated or accompanied by a schedule specifying the type, height, composition, appearance and installation method of boundary treatment throughout the site. The development shall be carried out in accordance with the approved details prior to the occupation of any part of the development and shall thereafter be retained in that form.

Reason: To provide adequate privacy, to protect the external character and appearance of the area and to minimise the effect of development on the area in accordance with Policies BE1, BE2 and NE4 of the Vale of Aylesbury Local Plan and Policies LC9 and LC10 of the Long Crendon neighbourhood Plan.

- 6 Notwithstanding the approved drawings, no development shall take place above slab level until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include existing trees and/or hedgerows to be retained and/or removed accurately shown with root protection areas; schedules of plants noting species, plant supply sizes and proposed densities; written specifications (including cultivation and other operations associated with tree, plant and grass establishment; and the implementation programme. The hard landscape shall include the footpath between No.63 and No.65 Bicester Road.

Development shall be carried out in accordance with the approved details. If within a period of two years from the date of the planting of any tree or shrub, that tree or shrub, or any tree and shrub planted in replacement for it, is removed, uprooted or destroyed, dies, becomes severely damaged or diseased, shall be replaced in the next planting season with trees and shrubs of equivalent size, species and quantity. All hard and soft landscape works shall be carried out prior to the occupation of the building(s) or the completion of the development whichever is the sooner or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: To protect and safeguarding the character of the area and to minimise the effect of development on the area in accordance with BE1, BE2 and NE4 of the Vale of Aylesbury Local Plan and Policies LC9 and LC10 of the Long Crendon neighbourhood Plan.

- 7 The development hereby permitted shall be carried out in accordance with the 'Tree Protection Measures and Preliminary Method Statement for Development Works', and Recommendations listed within the Arboricultural and Planning Integration Report dated 20th December 2022 ref: GHA/DS/122560:22a, produced by GHA Trees. This includes tree protection measures being erected/installed at the appropriate time and remain in situ undisturbed during the course of all site clearance/construction works.

Reason: To protect the appearance and character of the area and to minimise the effect of development on existing and retained trees in accordance with Policies BE2 and NE8 of the Vale of Aylesbury Local Plan.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no new windows or rooflights, other than those shown on the plans hereby approved, shall be inserted at any time at first floor level or above in any of the side elevations of the dwellings hereby permitted without the prior written approval of the Local Planning Authority.

Reason: To prevent harm being caused to the amenity of the area and on the amenity of adjoining residential occupiers in accordance with Policy BE3 of the Vale of Aylesbury Local Plan.

- 9 The development hereby permitted shall not be occupied until the access off Sandy Lane has been sited and laid out in general accordance with the approved plans and constructed in accordance with Buckinghamshire Council's guidance note, 'Commercial Vehicular Access within Highway Limits'.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the development in accordance with Policy T5 of the Vale of Aylesbury Local Plan and the NPPF.

- 10 The development hereby permitted shall not be occupied until minimum vehicular visibility splays of 2.4m by 43m have been provided in either direction of the proposed access, and the area contained within the splays shall be kept free of any obstruction between 0.6m and 2.0m above ground level and maintained thereafter.

Reason: To provide adequate visibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access in accordance with Policy T5 of the Vale of Aylesbury Local Plan and the NPPF.

- 11 The development hereby permitted shall not be occupied until confirmation/evidence, to show the relevant highway improvement works have been fully implemented, has been submitted to and approved in writing by the Local Planning Authority. For clarity and the avoidance of doubt, the scheme of off-site highway works should include widening the Sandy Lane carriageway, the introduction of a formal give-way priority arrangement, and new footways along Sandy Lane as shown in-principle on the approved drawings.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway, and to improve highways and pedestrian safety in accordance with Policy T5 of the Vale of Aylesbury Local Plan and the NPPF.

- 12 No other part of the development shall be occupied, until the pedestrian footpath between the development and the existing pedestrian network along Bicester Road has been sited and laid out in general accordance with the approved plans, and constructed to include a hard bound surface. The pedestrian footpath shall be implemented prior to occupation and shall thereafter be retained.

Reason: In order to provide pedestrian access in perpetuity for new residents and the wider community from the development to the existing pedestrian network along Bicester Road, with onward connections to Long Crendon School and other village amenities; and to meet active travel objectives outlined in LTP 4, Policy S1 [h], BE3, T5 and T7 of the Vale of Aylesbury Local Plan and the NPPF.

- 13 The scheme for parking, garaging, and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park, and turn clear of the highway to minimise danger, obstruction, and inconvenience to users of the adjoining highway in accordance with Policies T5, T6 and T7 of the Vale of Aylesbury Local Plan and the NPPF.

- 14 Prior to the first occupation of the development hereby permitted, at least one electric vehicle charging point per dwelling shall be installed and thereafter be retained as approved.

Reason: To ensure adequate provision is made for electric vehicles and to accord with the NPPF and policies T6 and T8 of the Vale of Aylesbury Local Plan and the NPPF.

- 15 Prior to the first occupation of the development hereby permitted, the secure cycle parking as shown on the approved plans shall be fully implemented for each dwelling and shall not thereafter be used for any other purpose.

Reason: To provide safe and suitable cycle parking to encourage sustainable travel to and from the development in accordance with Policy T6 of the Vale of Aylesbury Local Plan.

- 16 Prior to the commencement of any development works on the site (including site clearance), a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved CTMP shall be adhered to throughout the construction period.

The CTMP shall include the following details:

- Construction traffic routing.
- Construction access details.
- Delivery hours outside of highway network peak periods.
- The parking of vehicles of site personnel, operatives, and visitors off the highway.
- Loading and unloading of plant and materials and storage of plant and materials used in constructing the development off the highway.
- The erection and maintenance of security hoarding.
- Wheel-washing facilities.
- Prior to development a condition survey of the highway and a commitment to rectify and repair shall be provided.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway during the construction of the development in accordance with Policies T5, T6 and T7 of the Vale of Aylesbury Local Plan and the NPPF.

- 17 Prior to commencement a survey of the highway shall be submitted to and approved in writing together with an undertaking that damage because of the development shall be repaired at cost to the developer. Within 3 months of the final property being occupied, a post development condition survey of the highway shall be submitted and approved in writing together highlighting necessary repairs.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway during the construction of the development in accordance with Policies T5, T6 and T7 of the Vale of Aylesbury Local Plan and the NPPF.

- 18 Prior to the commencement of development hereby approved, a detailed Archaeology Written Scheme of Investigation (WSI) shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place until the approved WSI works have been completed strictly in accordance with the approved details.

Reason: To ensure the appropriate recording of any archaeological remains affected by the development in accordance with Policy BE1 of the Vale of Aylesbury Local Plan and the NPPF.

- 19 Within 3 months of the completion of the WSI works two copies of the final report are to be provided to the Council's Historic Environment Record and confirmation of the submission shall be provided to the Local Planning Authority in writing.

Reason: To ensure a record of the site is maintained and correctly archived in accordance with Policy BE1 of the Vale of Aylesbury Local plan and the NPPF.

- 20 The development hereby permitted shall be implemented in accordance with the agreed mitigation plan (Precautionary Working Method Statement, Herpetofauna, 65 Bicester Road, AAe Environment Limited, March 2023, Report Ref: 213260). No variation to the agreed plan shall be made unless agreed in writing with the local planning authority before such change is made.

Reason: To protect and where possible enhance local biodiversity, protected species and other ecology in accordance with Policy NE1 of the Vale of Aylesbury Local Plan and the NPPF.

- 21 No development (including demolition) shall take place on site until a detailed badger report has been submitted to and approved in writing by the Local Planning Authority. The report shall include survey(s) of the site and surrounding, mitigation measures and if applicable, evidence of the relevant licence obtained. The development shall therefore be carried out in strict accordance with the approved details.

Reason: To protect and where possible enhance local biodiversity, protected species and other ecology in accordance with Policy NE1 of the Vale of Aylesbury Local Plan and the NPPF.

- 22 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities.
  - b) Identification of "biodiversity protection zones". i.e the ancient woodland and local wildlife site.
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.

- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To ensure that development is undertaken in a manner which ensures important wildlife is not adversely impacted in accordance with Policy NE1 of the Vale of Aylesbury Local Plan and the NPPF.

- 23 Notwithstanding the submitted details, no work shall commence above slab level until a scheme for biodiversity enhancement, such as the additional planting, incorporation of permanent bat roosting feature(s), hedgehog homes and nesting opportunities for birds, shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall include an implementation programme and in combination with condition 6, the biodiversity enhancements shall provide at least 0.42 hedgerow units and 0.19 habitat units. The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme.

Reason: To secure a degree of biodiversity net gain on site and to ensure appropriate protection and enhancement of biodiversity, to make appropriate provision for natural habitat within the approved development and to provide a reliable process for implementation and aftercare in accordance with Policy NE1 of VALP and the NPPF.

- 24 No works on site shall commence (including site clearance) until a surface water drainage scheme for the site, based on the Proposed Surface and Foul Water Drainage Strategy (drawing no. OLL-LONGCRENDON.23/20, rev. P6, 13 September 2023, Mayer Brown) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- o Limit flows from the site to 2.0l/s
- o Drainage layout detailing the connectivity between the dwelling(s) and the drainage component(s), showing pipe numbers, gradients and sizes, complete together with storage volumes of all SuDS component(s).
- o Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding.
- o Construction details of all SuDS and drainage components.
- o Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction.

Reason: To ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Policy I4 of the Vale of Aylesbury Local Plan and the NPPF.

- 25 Prior to the installation of any external lighting associated with the development hereby permitted details shall be submitted in writing to and approved by the Local Planning Authority. Details shall include exact location of the lighting, illuminance level and the method of operation. For clarity, this excludes domestic lighting within private rear gardens. No other lighting shall thereafter be installed without the written agreement of the Local Planning Authority.

Reason: To protect the amenities of all occupiers, the character of the area and biodiversity in accordance with Policies BE1, BE2, BE3 and NE1 of the Vale of Aylesbury Local Plan.

- 26 The dwelling(s) hereby approved shall be constructed to meet as a minimum the higher standard of 110 litres per person per day using the fittings approach as set out in the 'Housing: optional technical standards' guidance and prescribed by Regulation 36(2)(b) of the Building Regulations 2010.

Reason: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised; to mitigate the impacts of climate change; in the interests of sustainability; and to use natural resources prudently, and in accordance with Policy C3 of the Vale of Aylesbury Local Plan (adopted September 2021) and guidance contained in the NPPF (2021).

- 27 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no development covered by Classes A, B, C and E of Part 1 of Schedule 2 to that Order shall be carried out without the specific grant of planning permission from the Local Planning Authority.

Reason: To protect as far as possible, the character of the adjacent Conservation Area and the amenities and privacy of nearby properties in accordance with Policies BE2 and BE3 of the Vale of Aylesbury Local Plan

#### Informative(s)

1. The applicant is advised that highway works will need to be constructed under a Section 184 / 278 of the Highways Act legal agreement. This agreement must be obtained from the Highway Authority before any highway works are carried out on any footway, carriageway, verge, or any land forming part of the highway. Please contact Highways Development Management via [highwaysdm@buckinghamshire.gov.uk](mailto:highwaysdm@buckinghamshire.gov.uk)
2. It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.
3. No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.
4. Protection of great crested newts and their breeding/resting places  
The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to: deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstructing access to a resting or sheltering place. Planning consent for a development does not provide a defence against prosecution under these acts. Ponds, other water bodies and vegetation, such as grassland, scrub and woodland, and also brownfield sites, may support great crested newts. Where proposed activities might result in one or more of the above offences, it is possible to apply for a derogation licence from Natural England or opt into Buckinghamshire Council's District Licence. If a great crested newt is encountered during works, all works must cease until advice has been sought from Natural England, as failure to do so could result in prosecutable offences being committed.
5. Protection of breeding birds during construction (as per D.3.2.2 of BS42020:2013 Biodiversity - Code of practice for planning and development)  
The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. [Buildings, trees, scrub and other vegetation]

are likely to contain nesting birds between 1st March and 31st August inclusive. [Buildings, trees, scrub and other vegetation] are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present

**Your attention is drawn to the notes on the back of this form.**

A handwritten signature in black ink, appearing to read 'EO', with a stylized flourish at the end.

**Eric Owens**  
**Service Director Planning and Environment**  
On behalf of the Council  
28th March 2024



## **1. APPEALS**

If you are aggrieved by the decision of your Local Planning Authority to grant permission for the proposed development subject to conditions, then you can appeal to the Secretary of State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990. If you want to appeal, you must do so within 6 months of the date of this Notice, using a form which you can get from the Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN . You can also lodge an appeal via the internet at <https://www.gov.uk/planning-inspectorate>

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission without the conditions they imposed, having regard to statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

If either the local planning authority or the Secretary of State grants permission to develop land subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.

## **2. BUILDING REGULATIONS**

This Approval under the Town and Country Planning Act DOES NOT operate as a consent under the provisions of the Building regulations. A further application may be required under this legislation. You are advised to seek advice from the Council's Building Control section on this matter, by emailing [buildingcontrol.av@buckinghamshire.gov.uk](mailto:buildingcontrol.av@buckinghamshire.gov.uk)

## **3. PROTECTED SPECIES**

Certain wild plants and animals are protected under UK and European legislation. Approval under that legislation is required if protected habitats or species are affected by development. If you discover protected species proceeding with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England. Further details are contained in our leaflet 'Biodiversity and the Planning process'.

## **4. SUSTAINABILITY**

We support the principles of sustainable design and construction, including: carbon management (energy efficiency and micro generation) as a central theme in design, build and use; the re-use of materials in construction projects; the sustainable management of water through water conservation (rainwater harvesting and water reuse) and the use of sustainable drainage systems (SUDS). We have published a Sustainable Construction Advisory Guide to help those involved in new build gain a better understanding and encourage the use of sustainable construction techniques in new developments. We will also provide basic guidance for interested parties on request. Further information can be found at CIRIA's SUDS website [www.ciria.org/suds/icop.htm](http://www.ciria.org/suds/icop.htm) and the Building Research Establishment website [www.bre.co.uk](http://www.bre.co.uk)

## **5. MATERIALS**

Please note that we cannot accept samples of materials at our offices. You should submit a Discharge of Conditions application (see note 6 below) with the materials fully specified, and then the case officer will make arrangements to view samples on site as required. Application forms are available on our web site (see link below).

## **6. DISCHARGE OF CONDITION(S)**

A fee is payable for applications seeking confirmation that a) information submitted satisfies the requirements of a condition (including planning permission that has been granted on appeal) and b) a condition has been discharged.

For our current fees please visit our website [www.aylesburyvaldc.gov.uk/section/application-guidance](http://www.aylesburyvaldc.gov.uk/section/application-guidance) Please note that any number of conditions can be included on a single request but, if separate applications are made for each condition, a fee is required for each: i.e. if 4 separate application are made to discharge 4 conditions, total fees payable will be 4 x application fee.

You should submit a formal application using the standard 1APP form accompanied by the appropriate information, details or drawings. Applications can be made online via [www.planningportal.co.uk](http://www.planningportal.co.uk) or you can download from our website at [www.aylesburyvaledc.gov.uk/section/apply](http://www.aylesburyvaledc.gov.uk/section/apply)

## **7. STANDING ADVICE FOR DEVELOPMENT SITES WHERE THERE IS NO KNOWN HISTORICAL CONTAMINATION**

If during development works contamination is encountered which has not been previously identified please contact the Environmental Health department immediately at [environmentalhealth@buckinghamshire.gov.uk](mailto:environmentalhealth@buckinghamshire.gov.uk) Works must cease on site until an appropriate remediation scheme is submitted to and agreed in writing by the local planning authority.

Failure to remediate site contamination during development could result in serious long-term health impacts to future users of the development.