



Report to Buckinghamshire Council – (Central Team) Planning Committee

Application Number:	22/01415/APP
Proposal:	Householder application for single storey rear extension incorporating a roof light
Site location:	Byeways , The Green, Chearsley, Buckinghamshire, HP18 0DJ
Applicant:	Mr N Brown
Case Officer:	Mr Naim Poptani
Ward affected:	BERNWOOD
Parish-Town Council:	CHEARSLEY
Valid date:	19 April 2022
Determination date:	14 June 2022
Recommendation:	Planning permission be granted subject to conditions.

1.0 Summary & Reason for Planning Committee Consideration

- 1.1 This application seeks Householder planning permission for the erection of a single storey rear extension. The extension would be sited to the rear of the existing lounge and would have a depth of approx. 4m.
- 1.2 The application site is located within the residential area of Chearsley and also within the designated Chearsley Conservation Area and the Brill-Winchendon Hills AAL.
- 1.3 This application has been considered with regards to the adopted Development Plan and it is concluded that the development is acceptable in terms of its impact on the wider area, the historic environment, residential amenity and parking and would comply with the Policies BE1, BE2, BE3, NE4 and T6 of VALP and the NPPF 2021.
- 1.4 The application is referred to the Planning Committee because the applicant (Mr N Brown) is an elected member of Buckinghamshire Council and in accordance with the Council's Scheme of Delegation, planning applications submitted by Councillors must be determined at the relevant Area Planning Committee to ensure openness and transparency.
- 1.5 Overall, having regard to the Development Plan and the NPPF, the application is recommended for conditional approval.

2.0 Description of Proposed Development

- 2.1 The application site is located between The Green and Crendon Road in the residential area of Chearsley and comprises of a two storey semi-detached dwelling.
- 2.2 To the east, south and west are residential dwellings. To the north and running parallel with the northern boundary is an access road connecting The Green with Crendon Road and beyond that, an area of open space. The application site is situated at a lower ground level than Bee Cottage to the rear.
- 2.3 The site also lies within the designated Chearsley Conservation Area and Brill-Winchendon Hills Area of Attractive Landscape (AAL).
- 2.4 This application seeks planning permission for the erection of a single storey rear extension with rooflight.
- 2.5 The extension would be located to the rear of the existing lounge area and would measure approx. 3.7m in width, 4m in depth and 3m in height (excluding roof light).
- 2.6 The application is accompanied by an ecology and trees checklist.

3.0 Relevant Planning History

Reference: 15/00548/APP

Development: Removal of existing lean-to rear conservatory. Erection of part single, part two storey side and rear extensions; roof reconfiguration to existing two storey rear projection; new window to front elevation; entrance porch canopy and erection of log store to rear.

Decision: HHA Decision Date: 22 April 2015

Reference: 15/01177/ATC

Development: One Prunus tree to be felled.

Decision: ATC2 Decision Date: 26 May 2015

Reference: 15/02425/APP

Development: Erection of part single, part two storey side and rear extensions; roof reconfiguration to existing two storey rear projection; new window to front elevation; entrance porch canopy and erection of log store to rear (Amendment to Planning Permission 15/00548/APP)

Decision: HHA Decision Date: 7 September 2015

Reference: 16/00492/APP

Development: Alterations to existing garden outbuilding including increase in building depth, width and ridge height, enlargement and new window openings, canopy roof over entrance door and velux window to rear roof slope.

Decision: HHA Decision Date: 10 April 2016

Reference: 16/02757/APP

Development: Demolition of existing outbuilding and erection of replacement outbuilding (part retrospective)

Decision: HHA Decision Date: 19 September 2016

Reference: 15/A2425/NON

Development: Non Material Amendment sought on planning permission ref 15/02425/APP relating to installation of a rooflight.

Decision: NON1 Decision Date: 1 December 2016

Reference: 18/00222/HPDE

Development: The erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.5m, for which the maximum height would be 5m, and for which the height of the eaves would be 3.5m.

Decision: WDN Decision Date: 7 March 2018

4.0 Consultation responses and representations

Councillor Comments

No comments received at the time this report was written.

Parish/Town Council Comments (Verbatim)

Chearsley Parish Council (CPC) have reviewed the application and carried out a site visit.

- The proposed extension is to the rear of the property and single storey. As such it would have a minimal impact on Bees Cottage, the property next door) and would only affect the adjoining property (prospect cottage) which is also subject to an application for an extension and to that extent, both applications should perhaps be considered together.
- The rear garden of the property is already small in proportion to the size of the property and the area would be further reduced by the extension. However, this is a matter of personal choice and CPC does not consider that the extension would affect the integrity of the existing building.
- The choice of materials is considered satisfactory

Taking all the above into account, Chearsley Parish Council has NO OBJECTIONS to the application

Nic Brown, Chairman of CPC declared an interest and has not been involved in the review process.

Representations

No comments received at the time this report was written.

5.0 Policy Considerations and Evaluation

5.1 The Development Plan

Vale of Aylesbury Local Plan (VALP), adopted 15th September 2021 (carries full weight)

- Policy BE1 Heritage assets
- Policy BE2 Design of new development
- Policy BE3 Protection of the amenity of residents
- Policy NE4 Landscape character and local important landscape
- Policy T6 Vehicle Parking

Neighbourhood Plan

There is no 'made' neighbourhood plan for Chearsley.

Design Advice Leaflets & Guidance Notes:

Residential Extensions

Conservation Area Appraisal

5.2 National Policy

National Planning Policy Framework (NPPF) 2021

Main issues:

Principle

Character and appearance

Impact on heritage assets

Residential amenity

Parking and highway implications

Other matters

Principle

- 5.3 Within this locality the principle of extensions to a property is acceptable in principle subject to complying with relevant Local Plan Policies.

Character and Appearance

- 5.4 Policy BE2 of VALP indicated that development proposals shall respond appropriately to the site and surrounding, as well as the character, architecture, and natural qualities of the area. It also highlighted that development should allow for visual interest.
- 5.5 Similar to the above, Policy NE4 seeks to ensure development recognises the individual character and distinctiveness of particular landscape character areas, their sensitive to change and contribution to a sense of place.
- 5.6 The proposed single storey rear extension would reflect the flat roof design of the existing two storey rear extension and therefore it would be of an appropriate size and design including materials and would represent a subordinate addition which would satisfactorily integrate with the appearance of the host dwelling.

5.7 In terms of the possible harm to the character and appearance of the area and Area of Attractive Landscape (AAL), the proposal would be separated from the adjoining road and public views by the adjoining semi, Prospect Cottage, and together with its siting at a lower level relative to the adjacent Crendon Road the extension would not appear visually prominent and would not have a negative impact on the street scene and the setting of the AAL.

The proposal is considered to accord with Policies BE2 of the Vale Of Aylesbury Local Plan and the NPPF 2021.

Impact on heritage assets

5.8 Policy BE1 of VALP highlighted that proposals for development shall contribute to heritage values and the impact must be assessed in proportion to the significance of the heritage asset.

5.9 As aforementioned, the application site lies within the designed Chearsley Conservation Area. The proposal is of an appropriate size and design and would be constructed from appropriate materials. It would represent a subservient form of development and therefore it is therefore considered to satisfactorily integrate with the appearance of the host dwelling thus preserving the character and appearance of the Chearsley Conservation Area.

5.10 The proposal complies with Policy BE1 of the Vale of Aylesbury Local Plan.

Residential amenity

5.11 Policy BE3 of the VALP seek to ensure that development proposals do not cause an adverse impact on residential amenity.

5.12 The proposed extension would project off the existing lounge and the new openings would provide a similar outlook as the existing openings in this elevation of the property. It is not considered that the proposal would lead to any adverse impact on privacy to the neighbouring occupiers.

5.13 Turning to the possible loss of light and overshadowing, the extension would project 4 m beyond the rear wall of the adjoining cottage Prospect Cottage and would accord with the limitation for rear extensions to semi-detached dwellings as indicated on Page 10 of the Councils Residential Extensions Design Guide. In addition, the extension would be single storey and would be sited at a lower ground level than Bees Cottage which is orientated perpendicular to the rear. It is therefore not considered that the proposal would adversely impact the amenity of neighbouring properties in terms of loss of light or overshadowing.

5.14 In addition to the above, it is considered that the extension, by virtue of its scale and siting, would not appear overbearing and intrusive when viewing from outside the site.

5.15 The proposal is considered to accord with Policy BE3 of the Vale of Aylesbury Local Plan.

Highway and parking implications

- 5.16 Policy T6 emphasised the need to ensure all development provide an appropriate level of car parking, in accordance with the standards set out in the VALP.
- 5.17 As a result of the extension, there will be no change to the number of bedrooms within the host dwelling and as such, there is not a requirement to provide additional parking on site.
- 5.18 It is considered that the proposal would not affect the existing car parking layout and parking provision.

Other matters

- 5.19 The site lies in an Amber Impact Zone for Great Crested Newts. Therefore, an informative is added advising the applicant of the procedure that should be followed if a Great Crested Newt is encountered during the works. This is standard practice for such applications in Amber Impact Zones.
- 5.20 In terms of risk from flooding, the site lies within floor zone 1 and according to the Environmental Agency, has a low probability of flooding from rivers and the sea. The site does not lie within a critical drainage area and as such, the proposal is considered to have no adverse impact on flooding.

6.0 Overall Assessment

- 6.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 6.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
 - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
 - c. Any other material considerations
- 6.3 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- 6.4 As set out above it is considered that the proposed development would accord with development plan policies BE1, BE2, BE3, NE4 and T6 of the Vale of Aylesbury Local Plan.
- 6.5 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent].

7.0 Working with the applicant / agent

- 7.1 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 7.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 7.3 In this instance the application was acceptable as submitted and no further assistance was required.

8.0 Recommendation

- 8.1 Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that planning permission be **GRANTED** subject to appropriate conditions, to include the following:

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, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the details contained in the planning application hereby approved and plan numbers; Location Plan, Existing Floor Plans & Elevations [LPS-2138-100] & Site Plan, Proposed Floor Plans & Elevations [LPS2138-101] received by the local planning authority on 16th April 2022 and in accordance with any other conditions imposed by this planning permission.

Reason: To ensure that the development is carried out in accordance with the details considered by the Local Planning Authority.

3. The materials to be used for the external surfaces, including the walls and roofs, windows and doors shall be of the same colour, type and texture as those used in the existing building.

Reason: To ensure a satisfactory appearance to the development and to comply with policy BE1 & BE2 of the Vale of Aylesbury Local Plan and the National Planning Policy Framework 2021.

Informative(s):

Great Crested Newts (European Protected Species)

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 EPS mitigation licence from Natural England or the district licence distributed by Buckinghamshire Council. If a great crested newt is encountered during development, works must cease and advice should be sought from a suitably qualified ecologist.

Appendix A: Consultation Responses and Representations

Appendix B: Site Location plan

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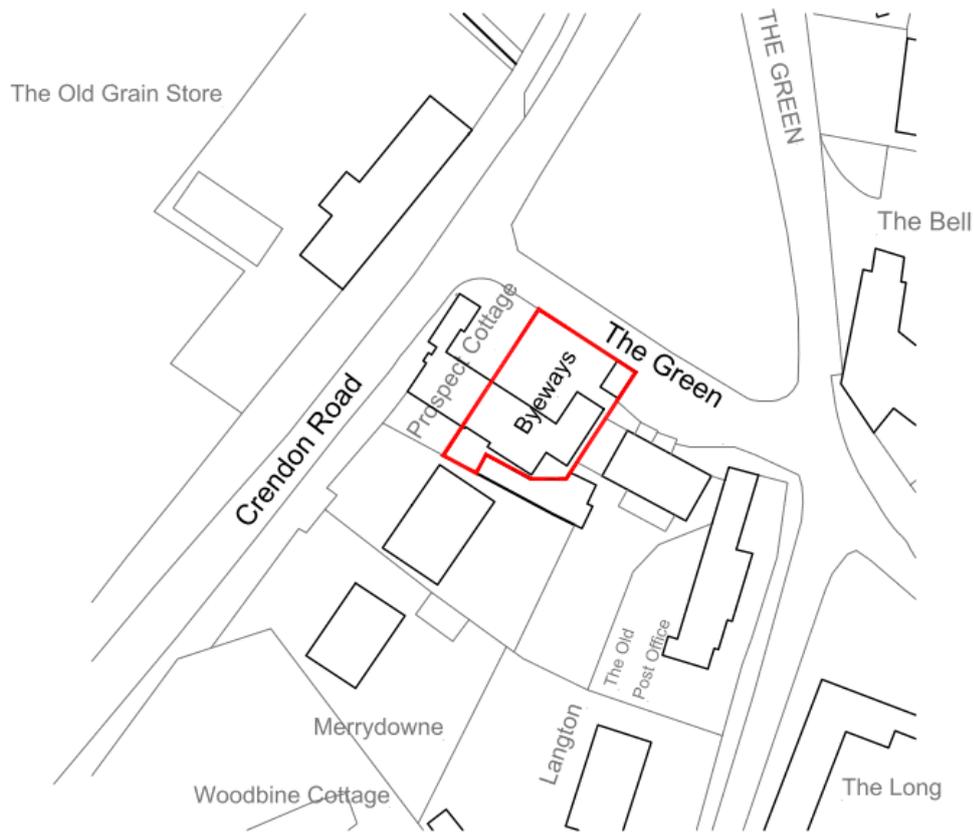
Consultation Responses (Summarise)

None consulted.

Representations

No comments received at the time this report was written.

APPENDIX B: Site Location Plan



North



Do not scale – this map is indicative only

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