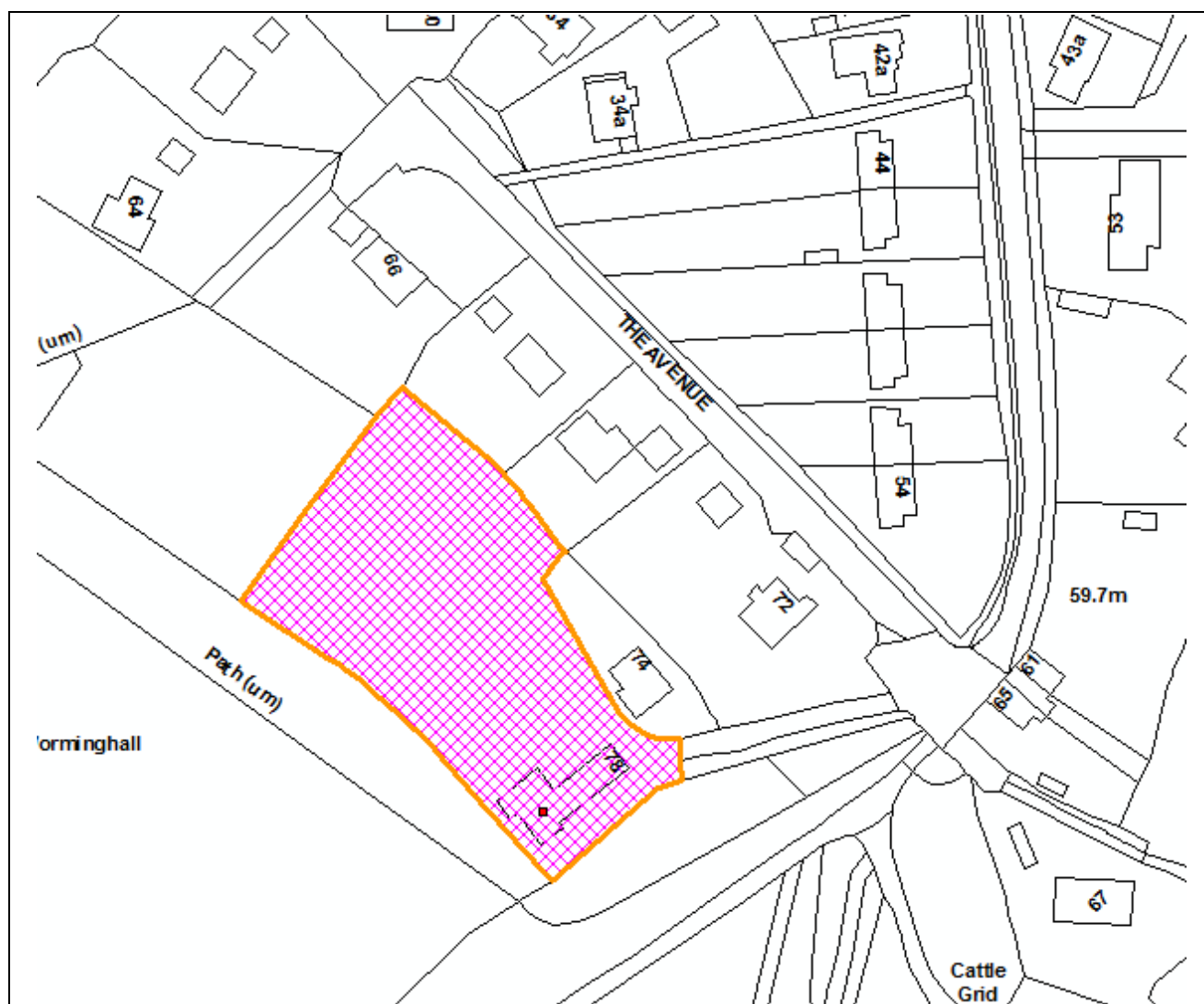


19/00694/APP



© Crown Copyright and database right 2019. Ordnance Survey 100019797

REFERENCE NO	PARISH/WARD	DATE RECEIVED
19/00694/APP	WORMINGHALL The Local Member(s) for this area is/are: -  Councillor Michael Rand	25/02/19
<p>DEMOLITION OF EXISTING ATTACHED GARAGE, LEAN-TO AND ORANGERY STRUCTURES. ERECTION OF SINGLE STOREY SIDE EXTENSION AND FIRST FLOOR SIDE EXTENSION TO REPLACE DORMER. REFURBISHMENT OF THE EXISTING BUILDING, INCLUDING NEW WINDOWS, FENESTRATION CHANGES AND THE REMOVAL OF CHIMNEY.</p> <p>78 THE AVENUE, WORMINGHALL BUCKINGHAMSHIRE HP18 9LE</p> <p>MR &amp; MRS C STANSFIELD</p> <p>STREET ATLAS PAGE NO. 123</p>		

#### 1.0 The Key Issues in determining this application are:-

- a) Impact on appearance and character of the dwelling-house, street scene and wider area
- b) Impact on non-designated heritage assets and the setting of listed buildings.
- c) Impact on residential amenity
- d) Flood Risk
- e) Impact on highways & parking

The recommendation is that permission be **GRANTED subject to conditions**

#### 1.1 CONCLUSION

- 1.2 The proposed extensions would represent subservient additions which would respect the form of the existing dwelling. Whilst the single storey side extension represents a modern and contrasting addition to the existing property by virtue of its design and use of materials it is considered that the siting of this addition would not cause significant harm to the character and appearance of the building to warrant the refusal of this application. The extensions by way of their scale, height and massing would reflect the existing street-scene and therefore the proposal is considered to accord with policies RC1 and CH1 of the Worminghall Neighbourhood Plan, policies GP8, GP9, GP24 and

GP35 of AVDLP. Additionally, the proposal would satisfy the Council's Parking Guidelines SPG and the Residential Extensions Design Guide and the advice within the NPPF.

- 1.3 It is therefore recommended that the application be **APPROVED** subject to the following conditions:

1. STC5 – Standard time condition
2. US05 – Materials as approved
3. AMP1 - The development hereby permitted shall only be carried out in accordance with drawing No.s 1808\_GA\_01\_B , 1808\_GA\_02\_B, 1808\_GA\_10\_B, 1808\_GA\_11\_B received by the Local Planning Authority on Tuesday 28<sup>th</sup> May 2019.

- 1.4 Reasons:

1. RE03 – To comply with Town and Country Planning Act and Section 51 of Planning and Compulsory Purchase Act.
2. RE11 - Satisfactory appearance, and to accord with policy RC1 of WNP.
3. RE39

1.5 **WORKING WITH THE APPLICANT/AGENT**

In accordance with paragraphs 38 and 39 of the National Planning Policy Framework, Aylesbury Vale District Council (AVDC) takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. AVDC works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions. In this case, amended plans were received and considered to be acceptable.

## 2.0 INTRODUCTION

- 2.1 The application needs to be determined by committee as the parish council has raised a material planning objections to the materials used in the development namely the metal roof in the extension and have indicated that they wish to speak at Committee.

The choice of grey metal roofing is not found on the existing dwelling. However it is considered that this element of the development is designed to be more contemporary in appearance which the roofing material contributes towards. The difference in roofing materials shows a clear evolution of the building's history, providing a visual break in the built form due to the ridge height being set down and therefore it is considered that the grey metal roofing is acceptable.

## 3.0 SITE LOCATION AND DESCRIPTION

- 3.1 The site is located to the south-east of Worminghall village at the end of the Avenue. The dwelling itself is part two-storey and part single storey. It is an L shaped building,

with the main section having a cat-slide roof element, multiple chimneys and a gabled end. It is finished in a red brick, with a section of cement rendered finish in the gable end elevation and a red roof tile. The front projection is set at a lower height than the main dwelling, finished with a hipped end to the roof and has a small dormer to the south-east roof slope. There are a number of window and door openings around the building, and it also has a small extension in the form of a lean-to structure on the south-east elevation and a small orangery on the south-west rear elevation. There is also a detached garage on site.

3. 2 In terms of the surroundings, It has a right of ways WOR/2/3 and WOR/13/1 to the south and west boundaries, with open fields beyond. The site is bordered by a low hedgerow and a brook along the south-east boundary. The ground level raises in a gradual slope from the brook on the south-east boundary towards the north-west. Just over 80 metres due south is St Peter and St Paul's Church, a Grade II\* listed building to the north and north-west. There is a large curtilage and additional land within ownership to the north, and north-west, which adjoins the rear gardens of dwellings on another branch of The Avenue to the north. The closest dwelling in this direction on The Avenue is over 35 metres from the host, other than No. 74 to the North-east, which is the most immediate neighbour using the same access track.

#### **4.0 PROPOSAL**

- 4.1 The proposal involves the demolition of a section of the existing incorporated garage, the lean-to and orangery structures and the erection of single storey side extension and first floor front extension to replace the 1/12 storey wing section. It would also include the refurbishment of the existing building, including new windows, fenestration changes and the removal of chimney.
- 4.2 The first floor extension would measure 7.5 in length and 5 metres in width and would give the section a total height of approximately 6.3 metres. The partial demolition of the hipped end with the garage would mean the wing is 2.6 metres shorter in length. There would be two windows in each elevation at first floor and a window in the gable end. The materials of this section would be clay tiled roof, brick and timber framed windows which would match the materials used in the rest of the main dwelling.
- 4.3 The new side extension would measure 9 metres in length and 6.065 metres in width. In height it would measure 5.7 metres to the ridge, 2.3 metres in height to the bottom of the front cat slide and 2.5 metres to the eaves at the rear. This section would be constructed from brick to match the existing dwelling and finished in a dark grey metal roof. It would have a window and large glass sliding doors in the front elevation, three windows and three roof lights close to the ridge in the rear elevation. The windows and doors of this section would be dark grey and metal framed.
- 4.4 Other fenestration changes to the existing dwelling are a new ground floor window under the first floor extension at the south-east elevation and new French doors in place of the lean-to extension and a window above, a new window and door in the rear elevation of the existing dwelling and a roof light in the internal roof slope of the main dwelling north-west facing.

#### **5.0 RELEVANT PLANNING HISTORY**

- 5.1 99/01757/APP - Demolition of existing garage and erection of new double garage – Approved

## **6.0 PARISH/TOWN COUNCIL COMMENTS**

- 6.1 Worminghall Parish Council discussed this application at their meeting on the 4th April 19. The Council objected to this planning application on the grounds that the building materials on the plan are not in keeping with the building style within the village. If the materials list were to be amended to a style more in keeping it would gain the support of the Parish Council. If this application goes to committee then the PC would like to speak on the matter.
- 6.2 Following communication with the applicant and that the applicant was not prepared to amend the materials, at the Parish Council meeting on 9<sup>th</sup> May the application was discussed again and it was decided they did not agree that the roof materials were in keeping with the appearance of the village. Therefore their original comments stand without revision.

## **7.0 CONSULTATION RESPONSES**

- 7.1 Bucks County Archaeological Services – The nature of the proposed works is such that they are not likely to significantly harm the archaeological significance of the asset(s). We therefore have no objection to the proposed development and do not consider it necessary to apply a condition to safeguard archaeological interest.
- 7.2 Buckingham & River Ouzel Drainage Board – no comments
- 7.3 Heritage Officer (informal) – Advised that the dwelling should be considered a Non-designated Heritage Asset.

## **8.0 REPRESENTATIONS**

- 8.1 None received

## **9.0 EVALUATION**

- 9.1 Worminghall has a 'made' neighbourhood plan which forms part of the Development Plan together with the AVDLP. At this time, the policies in the neighbourhood plan should be attributed full weight. The policies of relevance within the Worminghall Neighbourhood Plan (WNP) are as follows:

### *Policy RC1: Rural Character*

*The rural character of the village and its surroundings should be respected through new development by ensuring that*

- *new buildings and extensions to existing buildings reflect and enhance the street scene, by way of their scale, height and massing.*
- *the resulting form and layout of development is appropriate to the surroundings;*
- *boundary treatment and landscaping schemes should be carefully designed so as to prevent undue urbanisation of the location;*
- *proposals should seek to conserve and enhance mature vegetation.*
- *development proposals must provide appropriate green infrastructure which aims to result in a net gain in biodiversity, species richness and/or abundance and provides or enhances connectivity between green spaces.*

### *Policy CH1: Heritage*

*All new development should preserve and where possible, enhance Worminghall's listed buildings and their settings. Applications will explain how the design of proposals might affect the historic character and appearance of the area, including any features of archaeological importance or undesignated heritage assets, and how proposals have sought to retain or enhance positive features of the area.*

*Views of particular importance as defined on the Policies map should be preserved and not be obstructed by new development. Construction materials and finishes should reflect the surrounding area and the character and heritage of the immediate environment.*

*Modern replacement and/or new build materials should visually compliment the immediate environment.*

### *Policy TT1: Parking and Traffic*

*All development should provide adequate off-street car parking to meet the standards set out in the adopted Local Plan and any subsequent updates. Until the emerging Plan is adopted, there should be 1 parking space within the plot for 1 bedroom homes, at least 2 spaces for 2 or 3 bedroom homes, and at least 3 spaces for 4 bedroom homes.*

- 9.2 Impact on appearance and character of the dwelling-house, street scene and wider area**
- 9.3 In addition to policy RC1 of the WNP, GP35 of AVDLP seeks that the design of new proposals respects the physical characteristics of the site and surrounding area. Policy GP. 9 states that and Proposals for extensions to dwellings will be permitted where they protect character of outlook, access to natural light and privacy for people who live nearby and respect the appearance of the dwelling and its setting and other buildings in the locality.
- 9.4 The Residential Extensions Design Guide requires that extensions should be designed to respect and complement the character of the existing building and to ensure that extensions do not destroy the composition and architectural integrity of the existing building nor overwhelm, dominate or detract from it. The Design Guide also advises that a new ridge line which is set lower than that of the original is preferred in order to provide a design break between the existing dwelling and the new extension. Once an extension begins to match or exceed the size of the original building then the architectural integrity of the original structure becomes lost.
- 9.5 The dwelling is of mid 19th Century; potentially it could have been part of an historic dispersed village core. The dwelling is located in a large plot with suitable boundary treatment. The extension work, although substantial is not considered to be overdevelopment due to the size of the residential curtilage. In terms of the design of the proposal, due to the orientation of the dwelling, the first floor extension is the only part which will be directly visible from the highway, the extension would be set 0.5 metres below the ridge height of the main dwelling and will be constructed out of materials to match the existing building. To further mitigate the impact of this element of the scheme, as a result of the proposed development, the existing wing will be reduced in length by 2.6m, where the first floor extension is to be located. It is therefore considered that this

section of the extension work would appear as a subservient addition to the property and would respect the character and appearance of the existing dwelling.

- 9.6 In terms of the side extension to the opposing side of the dwelling, it would be set 1.1 metres lower than the main ridge height of the dwelling and is set in 1.4 metres from the front of the dwelling. This element of the scheme has been designed with a cat-slide roof which matches the roof form of the existing dwelling where the extension connects, complying with the advice contained in the residential design guide. The western elevation of the property is highly visible within the public realm, particularly when viewed from the adjacent public right of ways WOR/2/3 and WOR/13/1, which are situated within an area of public open space.
- 9.7 This aspect of the proposal is considered to be large when viewed in context of the existing building, with its proportions, fenestration details and choice of materials being at odds with the character and appearance of the building, in particular the western elevation. Amendments have been received in respect of the fenestration details, by adding a further window to the western (rear) elevation in order to achieve a greater balance to the extension. Furthermore, the majority of the materials are to match the existing building with only the choice of grey metal roofing not being found on the existing dwelling. This element of the development is designed to be more contemporary in appearance which the roofing material contributes towards. The difference in roofing materials shows a clear evolution of the building's history, providing a visual break in the built form due to the ridge height being set down. This allows the development to appear as a subservient extension to the main dwelling, rather than a competing addition. Furthermore, the side extension is considered to respect the existing building line and form of the property and therefore despite its contemporary design; the differing appearance between this element of the scheme and the main dwelling is therefore considered, in this instance, not to result in significant adverse harm to the character and appearance of the building that would justify a refusal on these grounds.
- 9.8 It is considered that the refurbishment and alterations to the fenestration throughout the dwelling would also not harm the character and appearance of the dwelling and matching materials to the existing would be used.
- 9.9 The proposed extensions would represent subservient additions which would respect the form of the existing dwelling. Whilst the single storey side extension represents a modern and contrasting addition to the existing property by virtue of its design and use of materials it is considered that the siting of this addition would not cause significant harm to the character and appearance of the building to warrant the refusal of this application. The extensions by way of their scale, height and massing would reflect the existing streetscene and therefore the proposal is considered to accord with policies RC1 of WNP, policies GP9 & GP35 of the AVDLP, the Council's Design Guide Residential Extensions and the NPPF.

## **10.0 Impact on non-designated heritage assets and the setting of listed buildings.**

- 10.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local authorities to pay special regard to the desirability of preserving the Listed Building, its setting and any features of special architectural or historic interest in which it possesses.
- 10.2 The NPPF recognises the effect of an application on the significance of a heritage asset is a material planning consideration. Paragraph 193 states that there should be great weight given to the conservation of designated heritage assets; the more

important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset, or development within its setting. Any harm or loss should require clear and convincing justification.

10. 3 Furthermore, paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
10. 4 The site is not a listed building nor does it fall within a conservation area. However there are a number of listed buildings within the vicinity of the site. Located approximately 80 metres to the south of the dwelling is St Peter and St Paul's Church which is a Grade II\* Listed Building and Court Farm, which is a Grade II Listed Building located 115 metres to the south-west adjacent to the church. The host dwelling itself is also considered to be a Non-designated Heritage Asset.
- 10.5 Policy CH1 of WNP amongst other matters, states that all new development should preserve and where possible, enhance Worminghall's listed buildings and their settings. Applications will explain how the design of proposals might affect the historic character and appearance of the area, including any features of archaeological importance or undesignated heritage assets, and how proposals have sought to retain or enhance positive features of the area.
10. 6 As outlined above, the proposed extensions would represent subservient additions which would respect the form of the existing dwelling. Whilst it is acknowledged that the single storey side extension represents a contemporary addition to the existing property, for the reasons outlined above this addition in particular is considered not to cause significant harm to the character and appearance of this non-designated heritage asset. As a result of the proposed development, a number of existing additions to the property are to be removed. The removal of the lean-to and orangery structures are considered to represent an improvement to the overall character and appearance of the building. With regard to the impact on the setting of nearby listed buildings, these are located some distance away and due to the application sites relationship with these buildings, the extensions would not disrupt any of the key views of these listed buildings nor their open setting.
10. 7 Given the policy requirements of CH1 of the WNP, Officers sought a statement from the applicant/ agent as how the design of the proposals might affect the historic character and appearance of the area, including any features of archaeological importance or undesignated heritage assets, and how proposals have sought to retain or enhance positive features of the area. In accordance with this request, a statement was submitted to accompany this application, demonstrating compliance with this policy which was considered to be acceptable.
10. 8 Overall, as required by paragraph 197 of the NPPF, a balanced judgement has been made with regard to impact the proposed extensions works have on the host dwelling, a non-designated asset. Furthermore, it is considered that the proposed works would have a neutral impact on the setting of nearby listed buildings. Consequently, there is no requirement to offset the impact of the proposals against any public benefit. Weight has been applied to the consideration of this application and the impact it would have on any designated heritage assets. As such it is considered that the local authority has discharged their statutory duty to pay special regard to the preservation of the setting of listing buildings as required by section 66 of the Planning (Listed Buildings and



Conservation Areas) Act 1990. The proposed development is considered to comply with policy CH1 of the WNP, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the advice within the NPPF.

#### **10.9 Impact on residential amenity**

- 11.0 AVDLP policy GP8 notes that planning permission will not normally be granted where the proposed development would unreasonably harm any aspect of the amenity of nearby residents, unless the benefits of the proposal outweigh any harm to amenity.
- 11.1 The first floor and side extensions are located within the existing L-shaped building line, due to the large plot and its setting on the edge of the settlement the extensions would not appear visually intrusive, overshadow or restrict light to any neighbouring dwellings.
- 11.2 In terms of overlooking and impact upon privacy, the new and altered openings to the dwelling would largely provide similar outlook when compared to the existing arrangement. With regard to the impact on the residential amenity, the main potential impact would be the siting of a window in the flank elevation of the first floor side extension which would allow views towards neighbouring property No.74 The Avenue. Whilst this is noted, due to the relationship between this window and the neighbouring property, the views obtained from this window would largely be of the access track and the area to the front of this neighbouring dwelling. As such, this is considered not to be harmful as these views can largely be achieved from the public realm. There are also no first floor windows in the gable end of the neighbour closest to the host dwelling. It is therefore considered that there would be no unacceptable adverse impact upon neighbouring amenities from the development.
- 11.3 In summary, given the positioning of the proposal and its relationship relative to the neighbouring properties in terms of scale, position of windows and orientation it is considered that the proposal would not have an unacceptable adverse impact upon the neighbouring amenity. Therefore the proposal accords with GP.8 of AVDLP and NPPF.

#### **11.4 Flood Risk**

- 11.5 The application site is located within Flood Zone 1. The Environment Agency Maps do show the application site to be susceptible to surface water flooding however there is not considered to be any increase in vulnerability as a result of the proposed development. In addition, located to the south-east boundary of the site is a brook. As a result of the proposed development, the only additional floor space to be created is in the form of a side extension which is to be located on the opposite side of the dwelling away from the brook, on higher ground. Given the size of the site and the flood risk, in accordance with footnote 50 of the NPPF; a flood risk assessment is not required.

#### **11.6 Impact on highways & parking**

- 11.7 GP.24 states that proposal should accord with the Council's parking guidelines. SPG 1 "Parking Guidelines" at Appendix 1 sets out the appropriate maximum parking requirement for various types of development.

Policy TT1 of WNP and AVDC's parking guidelines state that for a dwelling with four beds or more, three spaces should be provided within the curtilage of the dwelling.

- 11.8 The existing currently comprises of four or more bedrooms. As a result of the proposed development, the submitted plans show a guest bedroom on the ground floor with at least a further four bedrooms being shown at first floor. In accordance with SPG 1

"Parking Guidelines", three on-plot parking spaces are required for dwellings with four or more bedrooms. As such, the number of on-plot parking spaces required for the property would remain the same as the existing arrangement. The existing garage will be retained, in addition a large forecourt is shown to the front of the property, providing at least three on-plot parking spaces. Whilst available space within the site for parking would exceed the Council's maximum guidelines, it is considered that this would not be a reason to warrant the refusal of the application as this is largely the site's existing arrangement. For this reason, it is considered not necessary to apply a parking condition in this instance.

11. 9 Therefore the proposal is considered to accord with policy TT1 of WNP and policy GP.24 of AVDLP and NPPF and the Council's SPG Parking Guidelines.

Case Officer: Mr Adam Thomas