



REFERENCE NO	PARISH/WARD	DATE RECEIVED
19/01147/APP	Buckingham The Local Member(s) for this area is/are: -	28/03/19
INFILL OF FRONT DISPLAY WINDOW AND SIDE OPENING, INSERTION OF ROOFLIGHTS AND WINDOW REPLACEMENT PLUS ALTERATIONS TO INTERNAL WALLS THE COACH HOUSE WHARF HOUSE MK181TD MR ALWAYS	Councillor S Cole Councillor T Mills	
STREET ATLAS PAGE NO. 41		

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

- a) Impact on appearance and character of the host building, street scene and wider area**
- b) Impact on amenity of host building and surrounding properties**

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

**Conclusion and recommendation**

- 1.1 The proposal is considered to be of scale and form that respects the appearance of the existing building. The proposed proportions and materials to be used in relation to the fenestration alterations and additions would respect the existing characteristics of the host property and surrounding area. In addition it is considered that the proposal would not appear overly prominent within the street-scene or locality in general. The proposal would not have a detrimental impact upon the amenity of surrounding properties, nor on

future occupiers of the host building. Thus, the proposals are considered to comply with saved Policies GP8 and GP35 of the AVDLP and the NPPF.

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

**CONDITIONS:**

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

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The materials to be used in the development shall be as specified on the submitted application form. Please also see note on the back of this notice.

Reason: To ensure a satisfactory appearance to the development and to comply with policy GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

3. The windows at ground floor and first floor level in the south-western flank elevation of the application property hereby permitted shall not be glazed or re-glazed other than with obscured glass to a minimum of level 3 and non opening unless the parts of the window that can be opened are more than 1.7m above internal floor level. The windows shall be retained as such thereafter.

Reason: Reason: To preserve the amenities of the occupants of the adjacent dwelling and to comply with Policy GP8 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework

**INFORMATIVES**

1. 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.

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.

## **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, the application was considered to be acceptable as submitted and no further assistance was required.

## **2.0 INTRODUCTION**

- 2.1 Buckingham Town Council have raised objections to the proposal and wish to speak at Planning Committee. The objection to the proposal relates to the loss of light to the application building due to the elevational changes. The Town Council have also raised concerns over the loss of light to this building as it was intended to be an office building.
- 2.2 In response to the Town Council's comments the planning department consider that the works proposed would not have an unacceptable impact upon the amenity of the application building and would instead enhance the visual appearance and amenity to the building. It should also be noted that the application does not include a proposed change of use from the existing storage use to offices and thus, this cannot be considered within the scope of this report.

## **3.0 SITE LOCATION AND DESCRIPTION**

- 3.1 The application site relates to a detached two storey commercial property which fronts the public highway fronting the public highway, Stratford Road. The building is a two storey property whilst the other buildings within the immediate vicinity vary in height and typology. The application building includes gable features to the front and rear elevations with pitched roof included to both flank elevations. The existing materials

include red facing brick, tiles, timber casement windows and a traditional timber style shopfront to the northern elevation.

- 3.2 Whilst the site fronts Stratford Road, it is not publically accessible by either pedestrian or vehicle to the north of the south. The host property is located within the commercial estate of Wharf House Yard and can be accessed from the south and west of the property with an area of hardstanding for parking immediately adjacent to the west elevation. The application property is currently vacant however it was previously in use as a storage facility for a plant hire company.
- 3.3 The application building s located within the commercial development of Wharf House Yard, with commercial properties directly to the south, Buckingham BP Petrol station directly to the east and mixed use building to the west (residential/commercial). The host property is set-back from Stratford Road, with residential properties located to the northern side of Stratford Road.
- 3.4 The application site is not located within a Conservation Area, nor is the application building Listed.

#### **4.0 PROPOSAL**

- 4.1 The application seeks full planning permission for the alterations to the existing fenestration, insertion of additional fenestration and elevation changes.
- 4.2 The existing shopfront to the northern elevation is proposed to be removed. It is to be replaced by two timber casement windows to the match the existing windows to the property and contrasting red stock brickwork.
- 4.3 To the south-western elevation of the host property, it is proposed to remove the existing roller shutter and to replace with timber casement window to match existing and with brickwork to match existing. It is also proposed to insert two timber casement windows to the first floor western flank elevation and two conservation roof-lights to the western roof-slope.
- 4.4 It should be noted that no alterations are proposed to the eastern or southern flank of the host property.

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

- 5.1 18/01744/APP - Change of use and conversion and extension to form 4 dwelling including and associated bin store – Application Withdrawn

## 6.0 PARISH/TOWN COUNCIL COMMENTS

6.1 Buckingham Town Council have objected to this application.

6.2 The original objection comments from Buckingham Town Council on 17.04.19 are as follows:

*“Members’ response was agreed before the application had been advertised in the neighbourhood. If, after the statutory notices have been posted, neighbours make comment and possibly raise valid planning reasons not obvious to Members viewing from the public domain, they reserve the right to amend their response*

*Members felt that piecemeal development of the Yard should be postponed until a design proposal for the whole Yard was drafted and agreed. This was the last sizeable area close to the town centre and thus had commercial, economic and social importance. A large workshop had been vacant for some time.*

*The proposal to lose the shop window facing on to the main road was therefore felt to be both premature and detrimental to the street scene. Members had no objections to the internal improvements which would allow two businesses to operate independently from the same building, but would prefer a comprehensive plan for the Yard complying with BNDP Policy EE2 and would resist any change of use from employment.”*

6.3 Following the agent’s response to the original Town Council comments, further comments were received from the Town Council on 31.07.19. These comments are as follows:

*“Members noted the applicant’s response to their previous comments, which had not included any reference to pedestrian access, but would still prefer a comprehensive plan for the Yard complying with BNDP Policy EE2. They reiterated that they would resist any change of use from employment.”*

6.4 As the proposal did not include a change of use Officers queried the comments with the Town Council and the following comments were received from the Town Council on 01.11.19:

*“Members agreed to drop the reference to a design scheme for the whole Yard, but maintained their opposition to the changes to the building on the grounds of lack of natural light to what were to be office premises.”*

## **7.0 CONSULTATION RESPONSES**

7.1 BCC Archaeology Officer – No objection as the nature of the proposed works is such that they are not likely to significantly harm the archaeological significance of the asset(s).

7.2 Buckingham and River Ouzel Drainage Board – No Comment

7.3 SUDS – No comments

7.4 Environment Agency – No comment

## **8.0 REPRESENTATIONS**

8.1 None received.

## **9.0 EVALUATION**

### ***a) Impact on appearance and character of the dwellinghouse, street scene and wider area***

9.1 Policy GP.35 requires that developments respect and complement the physical characteristics of the site and its surroundings, the building tradition of the locality, and the scale and context of the setting, the natural qualities and features of the area and effect of the development on important public views and skylines.

9.2 The NPPF at paragraph 8 states that one of the overarching principles of the planning system is a social objective, including fostering a well-designed and safe built environment. NPPF paragraph 124 highlights that 'achieving well designed places' is central to the purpose of the planning system and to achieving sustainable development.

9.3 The Buckingham Neighbourhood Plan (October 2015) does not have any policies which are applicable to this proposed development type.

- 9.4 The proposed development would see the removal of the traditional style shop front to the north of the existing property and it is to be replaced with traditional timber casement windows
- 9.5 The proposed development would be visible in the street scene to the north of the application site on Stratford Road and from the west of the application site in the commercial estate of Wharf House Yard.
- 9.6 Whilst the removal of a shopfront may be regrettable in many instances, with regard to this application it would see an improvement to the buildings aesthetic. The application building is currently vacant and the shopfront does not make a visually positive contribution to the street-scene in its current condition. It should be noted that the application building is located outside of the Buckingham town centre shopping area. The shopfront to the north of the application building is not publically accessible from Stratford Road and the building is accessed from within the commercial estate of Wharf House Yard. Thus, the proposed shopfront is not a typical characteristic within the street-scene and its loss would not create a negative impact as may occur on a parade of commercial units. The proposed replacement window and brickwork to the north of the building would respect the host property, would be appropriately proportioned and would improve the visuals to this elevation.
- 9.7 In relation to the western elevation of the host property; this side of the property is located within Wharf House Yard and there is hardstanding to the west of this elevation which allows for car parking to the host property. It is considered that the removal of the existing roller shutters and insertion of three casement windows and brickwork to match existing would not have a detrimental impact upon the host property. This would create some visual interest to what is currently quite a bare elevation. To the immediate west of this elevation are residential properties and it is considered that the proposed alterations to the western elevation would respect the surrounding characteristics.
- 9.8 The proposal is considered to be of scale and form that respects the appearance of the existing building. The proposed proportions and materials to be used in relation the fenestration alterations and additions would be respect the existing characteristics of the host property and surrounding area. In addition it is considered that the proposal would not appear overly prominent within the street-scene or locality in general. Thus, the proposals are considered to comply with saved Policies GP8 and GP35 of the AVDLP and the NPPF.



## **b) Impact on amenity of host building and surrounding properties**

- 9.1 Policy GP8 of the AVDLP states that planning permission will not be granted where the proposed development would unreasonably harm any aspect of the amenity of nearby residents when considered against the benefits arising from the proposal.
- 9.2 Paragraph 127(f) of the NPPF states that planning decisions should ensure that developments create safe, inclusive and accessible places with a high standards of amenity for existing and future users.
- 9.3 The proposal would see the removal of the existing shopfront and replacement with two casement windows. Given that there is currently clear glazed fenestration at the ground floor level of the northern elevation this alteration would constitute a continuation of the existing outlook to the property and thus, there are no concerns over potential impacts upon properties to the north of the site
- 9.4 In relation to the proposed insertion of fenestration, in the form of three casement windows, to the western elevation, it should be noted that these windows are to be sited approx. 11m away from the closest windows to the front elevation of residential properties to the west. Given the proximity of these windows to the residential properties to the west, a condition is to be included to ensure that these windows are to be obscure glazed and fixed shut below 1.7m to protect the privacy of occupiers of neighbouring residents.
- 9.5 Due to the position of the proposed roof-lights, there are no concerns over their potential impacts in relation to overlooking.
- 9.6 In relation to concerns raised by the Town Council “on the grounds of lack of natural light to what were to be office premises” it should be noted that the application can only be assessed on the basis of what has been submitted to the Local Planning Authority. The application site is a vacant unit which was previously in use as a storage facility for a plant hire company. The proposal does not include any change of use from the existing use class as storage; it is not proposed to change the use of the premises to offices. Notwithstanding this, the alterations would be acceptable with regard to the amount of light the host property would receive. Whilst the loss of the shopfront would see a reduction in the amount of clear glazed fenestration to the northern elevation, the insertion of two well proportioned windows would be an adequate replacement. It should

also be noted that as this elevation is north facing it does not receive any direct sunlight. The proposal would also see the insertion of three windows and two roof-lights to the western elevation and roof-slope of the host property, where there is currently only roller shutters. Whilst, these windows are to be conditioned to be obscure-glazed they would enable significantly more natural light to enter the premises than the current arrangements. Thus, there are no concerns over natural light being provided to the host property.

- 9.7 No neighbouring properties, nor the host property, will be unduly affected as a result of this proposed development and the proposal would accord with policies GP8 and GP9 of AVDLP.

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