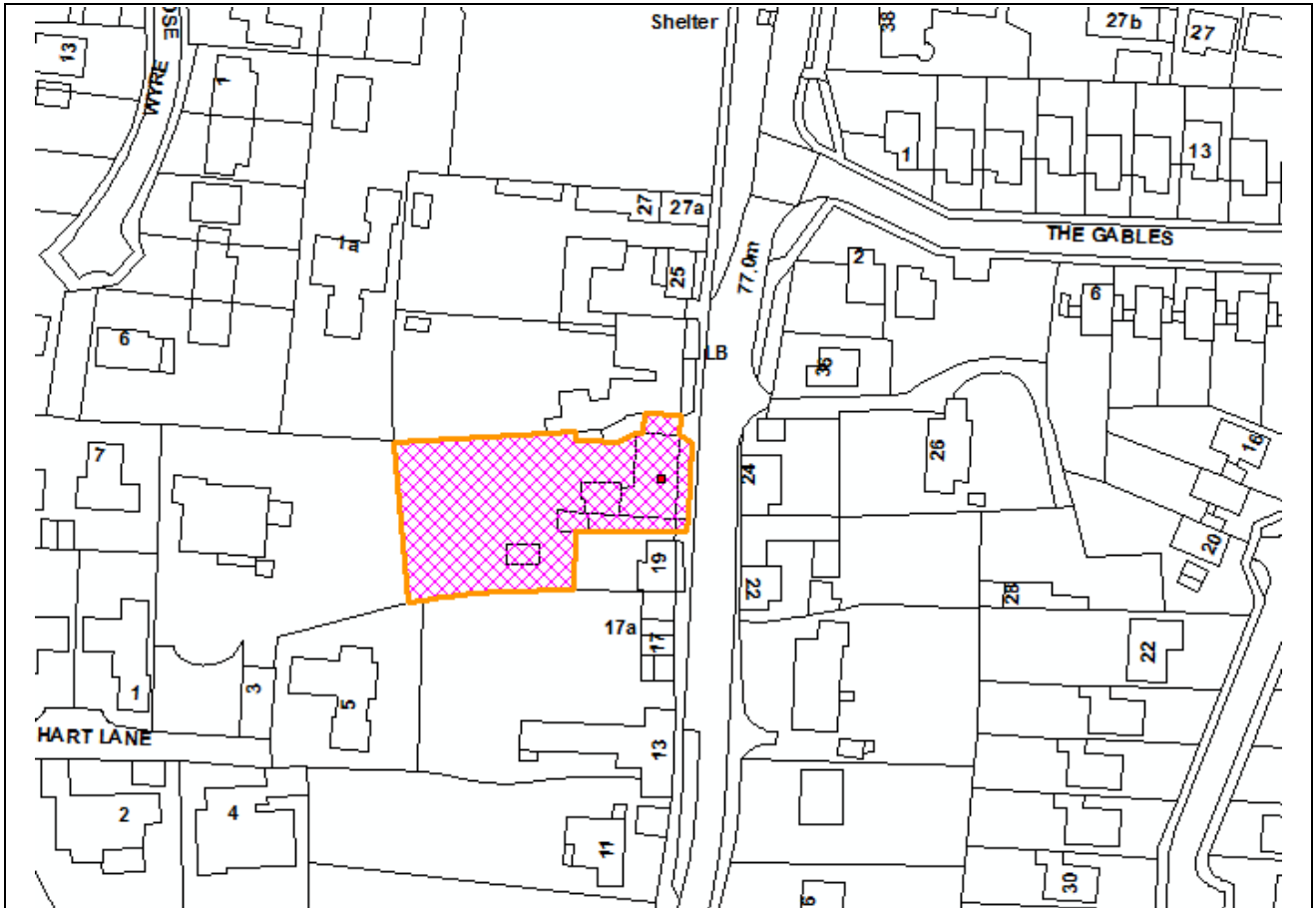


19/03076/APP



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REFERENCE NO	PARISH/WARD	DATE RECEIVED
19/03076/APP	HADDENHAM The Local Member(s) for this area are: -	20/08/19
INTERNAL REARRANGEMENTS AND CHANGES TO CEILING, WINDOWS, WALLS AND DOORWAYS. PART DEMOLITION OF EXISTING SINGLE STOREY REAR EXTENSION, DEMOLITION OF EXISTING GARAGE AND OUTBUILDING. REMOVAL OF LINTEL, AND SMALL WALL ABOVE OVER GATEWAY. PART TWO STOREY PART SINGLE STOREY REAR EXTENSION. ERECTION OF NEW DETACHED GARAGE. CHANGE FENESTRATION AND REMOVE TILE HANGING TO PREVIOUS EXTENSION AND RE-RENDER THE PREVIOUS EXTENSION.	Councillor David Lyons Councillor Brian Foster Councillor Mrs J Brandis	
21 CHURCHWAY HP17 8AB MRS LUCY DOWSON		
STREET ATLAS PAGE NO. 127		

1.0 The Key Issues in determining this application are:-

- a) Impact on appearance and character of the dwellinghouse, street scene and wider area
- b) Impact on the setting of the conservation area and listed building
- c) Impact on residential amenity
- d) Impact on trees
- e) Impact on highways & parking

The recommendation is that permission be **DEFERRED AND DELEGATED** , subject to the receipt of amended plans to address the manoeuvrability of vehicles around the site and subject to those condition as considered necessary by officers

1.0 Conclusion

- 1.1 The proposal is considered to accord with the relevant policies of the Development Plan, the emerging VALP and the NPPF, with the extension, garage and the internal and external changes to the existing dwelling respecting the character and appearance of the dwelling and the local area. The proposal would not result in unreasonable harm to neighbouring amenity or harm the heritage assets and their setting. Appropriate mitigation has been secured and the impact minimised to trees, the proposal would not result in

danger to highways users with appropriate parking provision on site. Therefore it is recommended that the application is deferred and delegated subject to the receipt of amended plans to address the manoeuvrability of vehicles around the site and subsequently approved with the following conditions:-

2.0 INTRODUCTION

2.1 The application needs to be determined by committee as the parish council has raised material planning objections and indicated that they will speak at the meeting.

2.2 The Parish have objected to the application on the following grounds:

1. The combined 20th century and proposed extensions are disproportionately larger than the original 19th century building resulting in harm to the listed building.
2. The design is in contravention of AVDCs design guide for residential extensions with various gables, ridges, pitches and roof styles discordant and unsympathetic and not subservient to the old building.
3. The extension will cause harm to the setting of the adjoining listed buildings.
4. The potential loss of light to and overlooking of both number 19 and 23. In particular, number 23s kitchen window is likely to be affected due to proximity to the extension, which is only around 13m..
5. The extension will be dominant when viewed from number 19 which is a smaller building and on a small plot.

2.3 The Council considers that the rear extensions follows the existing L-shaped pattern of development and is considered appropriate in relation to the listed buildings, with the main element extending from the rear of the modern side extension the ridge height stepping down resulting in the extension appearing suitably subservient. The contemporary flat roof glazed extension would extend from the rear of the original building, which would be a light weight structure and allow views through to the original building, as seen in other examples of modern extensions to listed buildings. Due to the distance from neighbouring dwellings it is not considered that the proposal would result in unacceptable harm to neighbouring amenity, the removal of the north facing first floor window and the conditioning of non-opening and obscure glazing of the south facing window have helped to achieve this.

3.0 SITE LOCATION AND DESCRIPTION

3.1 The site is located on Churchway in Haddenham village. It is semi-detached Grade II Listed Building, the original building constructed in early 19th century. It is of a stone construction with a slate roof. There are later more modern additions to the southern side and rear of the dwelling and a lintel beam and tile coping above the access at the south of the site.

4.0 PROPOSAL

4.1 The proposal involves removal of the lintel and small wall over the south-side access and changes to the fenestration including replacing the windows on the rear elevation. There would also be a new roof light on the front section of the side extension and the removal of the tile hanging to the previous extension and re-rendering of it. Part demolition of the existing single storey rear extension, demolition of existing garage and outbuilding. Part two storey part single storey rear extension and the erection of new detached garage.

4.2 Amended plans have been received which reduced the ridge height of the first floor rear extension, and omitted some details such as the north facing balcony of the extension and indicated the south facing window at first floor in the existing extension as obscure glazed.

5.0 RELEVANT PLANNING HISTORY

None

6.0 PARISH/TOWN COUNCIL COMMENTS

6.1 The Parish Council OPPOSES this application for the following reasons:

1. The combined 20th century and proposed extensions are disproportionately larger than the original 19th century building resulting in harm to the listed building.
2. The design is in contravention of AVDCs design guide for residential extensions with various gables, ridges, pitches and roof styles discordant and unsympathetic and not subservient to the old building.
3. The extension will cause harm to the setting of the adjoining listed buildings.
4. The potential loss of light to and overlooking of both number 19 and 23. In particular, number 23s kitchen window is likely to be affected due to proximity to the extension, which is only around 13m..
5. The extension will be dominant when viewed from number 19 which is a smaller building and on a small plot.
6. The proposed balcony is in contravention of AVDC Design Guide to resist such balconies and overlooks number 23.

6.2 Following amendments to the scheme the parish council submitted the following revised comments:

The Parish Council is pleased to note that the balcony has been removed on the amended plans but maintains its previous objections to other aspects of the application. If the application goes to committee the Parish Council would like to send a representative

7.0 CONSULTATION RESPONSES

7.1 Buckingham & River Ouzel Drainage Board – no comments

7.2 AVDC Highways Officer - Since it appears that the existing access is to be used then I have no further comments to make in this instance.

7.3 Heritage Officer – The proposals would preserve architectural and historic interest of the listed building and therefore complies with sections 16 of the Act, the proposals would preserve the character and appearance of the conservation area and therefore complies with section 72 of the Act. The proposal would cause no harm to the significance of the heritage asset.

7.4 Tree Officer - No objection subject to condition, the arboricultural impacts of the proposal are considered to present negligible residual harm, subject to the proposed mitigation measures. Consequently the suggested conditions should be attached to any planning approval.

8.0 REPRESENTATIONS

8.1 Councillor Judy Brandis - I know the parish council has objected to this. I would like it to come to committee if the officers are minded to approve it. The planning reasons are: the massing is complex and may compromise the original C19 small cottage; possible loss of light and overshadowing of the only window in the kitchen of the neighbour; possible overlooking and loss of privacy from the proposed bedroom 5 into the kitchen of neighbour; possible loss of privacy over the garden of the neighbour from the French doors of the rear reception room.

- 8.2 A further 7 representations have been received from four individuals objecting on the following grounds:
- Increase in footprint
 - Harm to the listed buildings and Conservation Area
 - Overbearing to neighbouring properties, loss of light, overshadowing and loss of privacy
 - Out of character and complexed incongruous additions in comparison to the original dwelling
 - Inappropriate materials used
 - Oversized extension and garage proposed, concerns with the use of the garage
 - Noise from new driveway
- 8.3 One representation has been received supporting the application stating that the works would improve the appearance of the dwelling and that there are similar garages and extensions in the area.

9.0 EVALUATION

- 9.1 The overview report appended to this report sets out the background information to the policy framework when making a decision on this application.
- 9.2 The application site is covered by the made Haddenham Neighbourhood Plan (HNP). However as a result of a High Court order dated 7th March 2016, Chapter 6 of the Haddenham Neighbourhood Plan has been quashed and cannot be given material weight in planning decisions. Therefore the only relevant policy for the proposal is Policy TGA1: Car and cycle Parking standards.

Emerging policy position in Vale of Aylesbury District Local Plan:

- 9.3 The overview report sets out the current position with regards to VALP. A number of policies within the VALP following the main modification consultation which started on the 5th November 2019, are now afforded some weight in the decision making process. Consideration therefore needs to be given to whether the proposal is in accordance with or contrary to these policies. Those of particular relevance are:

T6: Vehicle Parking (moderate weight),

BE1: Heritage Assets (moderate weight)

BE2: Design of New Development (moderate weight)

BE3: Protection of Amenity (considerable weight)

NE8: Trees, hedgerows and woodlands (moderate weight)

Policy BE3 has been the subject of objections and the Inspector has not requested main modifications so can be regarded as resolved and this policy can be given considerable weight. Where the remainder of these policies have been the subject of objections and the Inspector requested main modifications, he has confirmed that he is satisfied they remedy the objection so these can be given moderate weight.

Impact on appearance and character of the dwellinghouse, street scene and wider area

- 9.4 AVDLP GP9 indicates that proposed extensions should accord with SPG advice, and should respect the appearance of the original dwelling and show respect for the

setting of the dwelling and other buildings in the area. AVDLP GP35 requires that development respects and complements 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 the effect of the development on important public views and skylines. The NPPF sets out guiding principles including that authorities should always seek to secure high quality design.

- 9.5 The removal of the lintel above the access, the replacement of the rear elevation windows and the other repositioning and new window openings, as well as the roof light at the front of the existing modern extension are not considered harmful to the character and appearance of the dwelling or the streetscene. The windows would be like for like replacements and new windows would be timber sash and aluminium on the modern extension, the roof light would be concealed from the streetscene by the parapet detail. The changes to the modern side extension in particular such as the rendering, removal of the hanging tiles and the reconfiguration of the windows are considered to improve the appearance of the dwelling appearing more in keeping.
- 9.6 The proposed rear/side extension would increase the depth at first floor of approximately 3 metres from the previous extension and would have two single storey elements below. The first single storey section would extend with a dual pitched roof into the space currently occupied by the linked outbuildings, but at a slightly reduced depth. The second glazed flat roof section would sit alongside to the north attached to the original building. The simple design of the gabled roofs accords with the design guide and is consistent with the existing L-shaped pattern of the dwelling, with the ridge height stepping down resulting in the extension appearing suitably subservient. It is therefore not considered to overwhelm the existing dwelling, or appear unduly prominent given its location at the rear of the property and would not have an adverse affect on the streetscene. The materials used are considered appropriate, with render approving the overall aesthetic and slate to match the existing roof. The contemporary styled glazed section is considered acceptable to the rear of the dwelling also and it is not considered that it would cause harm to the character and appearance of the dwelling.
- 9.7 The rear garage replacing the demolished garage in a new position would be constructed out of plain tiles and timber cladding, it would have an appropriate pitched roof and appear subservient to the dwelling located in an appropriate position in the plot, it would not be seen in views of the streetscene and is considered to preserve the character and appearance of the dwelling. Details of the new surfacing of the driveway will be secured via condition to ensure it is appropriate in this location.
- 9.8 In summary the proposal is considered to be of a scale and design that respects the character and appearance of the existing dwelling and does not overwhelm it. In addition is considered that the proposal would not appear overly prominent within the streetscene or the locality in general. The proposals are therefore considered to comply with GP9 & GP35 of the AVDLP, policy BE2 of the emerging VALP, the Council's Design Guide Residential Extensions and the NPPF.

Impact on the setting of the conservation area and listed building

- 9.9 The Dwelling is Grade II Listed as is No. 19 to the south and No. 23 to the north. The site also lies within Haddenham Conservation Area. The external changes to fenestration of the original dwelling, including window replacements and new openings are considered appropriate and would not harm the listed building, the setting of the listed buildings or the setting of the conservation area. Likewise the changes to the existing modern side and rear extension are considered to improve its appearance and be more in keeping. The rear extensions follows the existing L-shaped pattern of development and are considered appropriate in relation to the listed building, with the main element extending from the rear of the modern side extension. The contemporary flat roof glazed extension would extend

from the rear of the original building, which would be a light weight structure and allow views through to the original building, as seen in other examples of modern extensions to listed buildings. The roof light located on the front of the existing side extension would be obscured from the streetscene by the raised parapet at the front of the building and so is considered acceptable in this instance. Acceptable materials would be used and the proposal is supported by the Heritage Officer.

- 9.10 Special attention has been paid to the statutory test of preserving or enhancing the character or appearance of the conservation area under section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and to the statutory test of preserving the setting of the listed building under section 66 of the Planning (Listed Building and Conservation Areas) Act 1990, which are accepted as a higher duty. It has been concluded that the development would preserve the character and appearance of the conservation area and that the setting of the listed building would be preserved and so the proposal accords with section 66 & 72 of the Act. In addition, no harm would be caused to the significance of the heritage asset, and as such the proposal accords with policy GP.53 of AVDLP, policy BE1 of the emerging VALP and the guidance contained within the NPPF.

10.0 Impact on residential amenity

- 10.1 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.
- 10.2 In terms of privacy amended plans have been received to omit the north facing first floor window of the rear extension. The extension would provide views to the rear of the property at a greater depth, and therefore to an extent there would be indirect views towards the properties at either side. The extension will push views further away from the dwellings towards the rear gardens and it is not considered to be materially different to the existing rear views that would justify a refusal on these grounds. In regards to No. 19 to the south the dwellings are approximately 4 metres apart and the extension would be approximately 6 metres from this neighbour at the closest point. Due to this distance, with the extension located to the north-east of the dwelling, it is not considered that there would be any harm in terms of amenity to this neighbour. There would be two roof lights proposed in the roof slope of the south flank one at ground floor and one at first floor, which would be above head height. The only new window proposed is in the south flank of the existing modern extension which would be obscure glazed and can be secured as such via a planning condition.
- 10.3 No. 23 to the north is at a slightly higher ground level than the host dwelling, and has a similar layout to the host with a wing extension to the western rear of the dwelling. No. 23 is approximately 9.4 metres from the location of the proposed first floor rear extension at its closest point due to a slightly tapered boundary. There are no habitable windows that would be adversely affected by the proposal at this point and from this distance in terms of sunlight or daylight and it is not considered that there would be a sense of overbearing created from the proposal. Concerns have been raised in regards to the neighbouring south facing ground floor kitchen window on this elevation, this is set-in to the elevation and at a further distance to the proposal due to this of approximately 13 metres from the proposed extension. Due to the tapered boundary, that the window is set-in and the courtyard that it lies within, there is a limited amount of natural light to this window in the daytime. However, due to the considerable distance it is not considered that the proposal would have an unacceptable adverse affect in terms of neighbouring amenity that would justify a refusal of planning permission in this instance and it is considered that there would not be an

unacceptable material worsening in terms of amenity in comparison to the existing arrangement.

- 10.4 Despite the boundary wall a section of the proposed garage would be visible above the boundary, however the proposed garage would have a dual pitched roof and be single storey, due to the proposed distance from No. 19 of over 11 metres away to the west and a greater distance to No. 17A further south, it is not considered to have an adverse affect on neighbouring amenity.
- 10.5 The dwelling known as Bakers Keep is located to the eastern rear of the dwelling approximately 48 metres away from the proposal and so there is no adverse affect in terms of amenity to this neighbour.
- 10.6 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, policy BE3 of the emerging VALP and NPPF.

11.0 Impact on Trees

- 11.1 Policy GP.39 of AVDLP seeks to protect existing trees and hedgerows. Following previous informal comments additional information has been provided which clarifies that two trees are to be removed to facilitate the proposed development. The drawing proposed plans Ref: CWEH/04H has also been submitted showing indicative locations of proposed replacement trees, the drawing also shows an apple tree whose RPA abuts the new area of hardstanding/retaining wall. Given that the existing garage structure is within the RPA of the tree, the proposals can be considered to offer an improved root environment, however the demolition and construction will need to be carefully undertaken, and the tree appropriately protected, to avoid harm. Details of this can be provided via condition. The two trees to be removed are intended for replacement, and it is considered there is sufficient scope for this. Full details can be secured via condition. Therefore the proposal accords with policy GP.39 of the AVDLP, policy NE8 of the emerging VALP and the NPPF.

12.0 Impact on highways & parking

- 12.1 The existing access would be retained with the removal of the lintel improving the usability. The existing garage is proposed to be demolished and a new garage constructed further into the site with an extended driveway, therefore a tracking plan to show the achievability of vehicle movements around the site has been provided. The submitted plan fails to demonstrate feasible vehicle movements within the site as confirmed by the Highways Officer, therefore it has been advised that the applicant submit amended plans to address this issue of manoeuvrability around the site and as such that the application is deferred and delegated to address this matter. The proposal would reduce the number of bedrooms from six to five. From the plans it can be seen that three parking spaces can be provided on site, the standards are for an optimal level of parking and it is considered that the proposal is therefore acceptable and the application should not be refused on this basis.
- 12.2 Therefore the proposal is considered to accord with policy T6 of HNP, GP.24 of AVDLP, TGA1 of the emerging VALP, the NPPF and the Council's SPG Parking Guidelines.

Case Officer: Mr Adam Thomas

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