

REPORT OF THE HEAD OF PLANNING & ECONOMIC DEVELOPMENT

Main List of Applications 7th November 2019

PL/19/1159/FA

Case Officer: Melanie Beech
Date Received: 03.04.2019
Parish: Little Missenden
App Type: Full Application
Proposal: Demolition of existing outbuilding and erection of detached dwelling with associated landscaping and formation of vision splays on existing vehicle access
Location: Klee House
Deep Mill Lane
Little Kingshill
Great Missenden
Buckinghamshire
HP16 0DJ
Applicant: Mr D Hurley

Date Received:	03.04.2019	Decide by Date:	07.11.2019
Parish:	Little Missenden	Ward:	Little Missenden

SITE CONSTRAINTS

Article 4 Direction
Adjacent to C Road
Adjacent to Unclassified Road
Area of Special Control of Advertisements
Within Chilterns Area of Outstanding Natural Beauty (AONB)
Biodiversity Opportunity Areas
Critical Drainage Area
Within Green Belt other than GB4 GB5
North South Line

CALL IN

Councillor Varley has requested that this application be determined by the Planning Committee if the officer recommendation is to approve.

SITE LOCATION

The application site is located on the northern side of Deep Mill Lane, which is situated to the east of the village of Little Kingshill. It is within the open Green Belt and the Chilterns Area of Outstanding Natural Beauty. It slopes downwards from the road.

The site consists of a large building which is currently used for the storage of gardening equipment, in connection with Klee House situated to the south-east.

THE APPLICATION

The application seeks planning permission to demolish the existing building and replace it with a single dwelling measuring 23m wide by 8.1m deep. It is single storey with a height ranging from 3.5m on the northern side to 5.1m on the southern side, given the change in land levels.

The property includes a study, lounge, kitchen and 2 bedrooms. The proposed materials include knapped flint cladding with a coloured zinc seamed roof and aluminium glazed windows.

RELEVANT PLANNING HISTORY

CH/2017/1886/EU - Application for a Certificate of Lawfulness for an existing use relating to the use of land as residential garden and as part of the residential curtilage of Klee House and for existing operational development comprising the erection of an outbuilding on the land - Certificate granted.

CH/2018/0284/FA - Conversion of outbuilding to dwellinghouse and provision of vision splays on existing vehicle access - Conditional Permission.

PARISH COUNCIL

Little Missenden Parish Council object to the application because the previous application was for a barn conversion, this application is to demolish and rebuild. The planning officer's previous decision was against demolition. The site is within the AONB.

Great Missenden Parish Council object to the application on the grounds that the change of use is inappropriate.

REPRESENTATIONS

None received at time of writing report.

CONSULTATIONS

Highway Authority

No objection subject to conditions to require visibility splays and parking within the site.

Ecology Officer

No objection subject to condition to require ecological enhancements.

Tree Officer

"Overall the proposal does not appear to involve any significant tree loss within the application site when compared with the approved application. However the loss of the line of ash and larch trees and any increase in the size of the required visibility splays would affect the character of the area, and if allowed, should be mitigated by new planting."

Waste Management

"Waste services note the proposal of the replacement dwelling at Deep Mill Lane, Little Kingshill. Waste will not object on the condition that the residents present their refuse & recycling containers at the property boundary adjacent to Deep Mill Lane in accordance with Council policies. Crews will not access the long drive."

Building Control

"Firm level/ramped access will need to be provided from the parking area to a level threshold on the entrance door. There are relaxations for extremely sloping sites but it is not clear from the plans provided if this is the case."

POLICIES

National Planning Policy Framework (NPPF), February 2019.

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4, CS20, CS22, CS24, CS25, CS26.

The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011. Saved Policies: GC1, GC3, GB2, LSQ1, H12, TR2, TR11, TR15, TR16.

Sustainable Construction and Renewable Energy Supplementary Planning Document (SPD) - Adopted 25 February 2015

EVALUATION

Principle of Development

1. The site is within the open Green Belt where most development is inappropriate and there is a general presumption against such development. Chapter 13 of the National Planning Policy Framework (NPPF) emphasises the importance of Green Belts and states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

2. Paragraphs 145 and 146 of the NPPF outline some exceptions to this, including the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. In this case, the existing building is used for residential storage, which means that it is ancillary to the main house. It is also noted that a Certificate of Lawfulness was granted in December 2017 which confirmed that the land surrounding the building is also used for purposes ancillary to the residential occupation of Klee House (CH/2017/1886/EU).

3. In determining this application, an assessment must be made as to whether or not the existing use (ancillary residential storage) would be the same as the proposed use (residential dwelling). In this regard, it is useful to consider a relevant appeal decision at a site in Coleshill, where the Inspector considered that the replacement of a number of domestic outbuildings with a single residential dwelling would not be inappropriate development (CH/2016/0320/OA). This approach was also used in approving a planning application in December 2018 in Ashley Green to replace existing outbuildings with a detached dwelling (PL/18/2770/FA).

4. Based on the above appeal and subsequent approach taken by the Council, the principle of replacing the existing building with a new dwelling on this site is accepted, provided the new dwelling is not materially larger than the existing building, and provided that the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

5. There is no definition within the Chiltern District Development Plan or within the NPPF of what is considered to be "materially larger". Therefore, each case must be assessed on its own merits. In this case, the depth of the existing building would be increased by 1.7m and the width would be increased by 3.9m. Although this results in a 50% increase in floorspace and a 26.7% increase in volume, the shape and form of the building would be retained and the height would not increase. The siting of the proposed dwelling would

also overlap with the footprint of the existing building. Based on this, the overall scale of the proposed dwelling is such that it would not appear materially larger than the existing building and it would not have a greater impact on the openness of the Green Belt.

6. It is noted that a retaining wall, tarmac driveway and gravel/paving area are proposed around the new dwelling. Although these will affect the openness of the Green Belt to a degree, they are not significantly more intrusive than the existing areas of hardstanding or that which has been approved under planning permission CH/2018/0284/FA to convert the building to a dwelling.

7. Based on the above assessment, the proposed development is not considered to be inappropriate development in the Green Belt and is acceptable in principle.

Design/character & appearance

8. The site is situated within the AONB where, in accordance with Paragraph 172 of the NPPF great weight should be given to conserving and enhancing landscape and scenic beauty. Policy CS22 of the Core Strategy for Chiltern District states that proposals must protect the setting of the AONB and safeguard views into and out of the area; and Policy LSQ1 of the Local Plan provides criteria for assessing development within the AONB. The Chilterns Buildings Design Guide also provides some useful advice.

9. The proposed building has a relatively modern design with a Y shaped roof form which the applicant has described as reflecting the mono-pitch of the existing building and complementing Klee House which won a Chilterns Buildings Design Award in 2004. The proposed dwelling is only one room deep which is typical of the AONB. The proposed materials are knapped flint (also typical of the AONB), black stone cladding, and a zinc seamed roof. Images of these materials are shown in the Planning Statement submitted with the application. Although not typical of the AONB, the zinc roofing is considered to reflect the modern design of the new dwelling and of Klee House without being too prominent within the landscape. Zinc roofs have been approved on other new dwellings in the AONB, such as at Braid Wood Cottage in Asheridge (CH/2016/1844/FA).

10. Overall, the design of the new dwelling is considered to sit well within the rural landscape of the area and no objections are raised in this regard.

Residential amenity

11. Local Plan Policy GC3 refers to the protection of amenities throughout the district. It states that the Council will seek to achieve good standards of amenity for the future occupiers of that development and to protect the amenities enjoyed by the occupants of existing adjoining and neighbouring properties.

12. The only residential property within the vicinity is Klee House and given the distance to that property (approximately 29m), the proposed development is not considered to adversely affect the amenities of this property. It is also noted that the existing building already has permission to be converted a new dwelling under reference CH/2018/0284/FA and the current proposal creates no additional impact on neighbouring properties than that permission.

13. With regard to the future occupiers of the new dwelling, there is sufficient outlook and garden space in accordance with Policies GC3 and H12 of the Adopted Local Plan.

Parking/Highway implications

14. The proposed development uses an existing access from Deep Mill Lane. In consultation with the Highway Authority, no objections are made to this arrangement, subject to the provision of visibility splays. Drawing no. PLA 5:04 shows the proposed visibility splays, which have already been approved as part of the

previous application. Subject to a condition that these are provided, the development is not considered to have an adverse impact on highway safety or the highway network.

15. With regard to parking, Policy TR16 of the Local Plan recommends that 3 car parking spaces are provided for dwellings with a gross floor area in excess of 120sqm. These have been provided within the site with adequate manoeuvring space to use them.

Trees and landscaping

16. In consultation with the Council's tree officer, overall the proposal does not appear to involve any significant tree loss within the application site in comparison to the approved application. As such, no objections are raised to the current proposal in this regard.

17. It is noted that the proposed development appears to result in the loss of a line of ash and larch trees situated to the south-west of the building, to be replaced with new tree planting. However, as these lie outside the application site, the felling of these trees would not be covered by the planning permission and a separate felling license would be required from the Forestry Commission. Furthermore, the new tree planting shown on the plans cannot be conditioned under this planning permission as it falls outside the application site and is not within the applicant's control. However, the new planting is not considered necessary to make the development acceptable.

Ecology

18. An Ecological Appraisal has been submitted with the application which confirms that there was no physical evidence of bats and that the building does not provide a suitable roosting environment for bats. Therefore, in consultation with the Ecology Officer, no objections are raised to the application in terms of ecology, subject to a condition requiring a scheme of ecological enhancements to be submitted, approved and implemented.

Conclusions

19. Based on the above assessment, the proposal is considered to comply with the Development Plan policies and is therefore recommended for approval, subject to conditions.

Working with the applicant

20. In accordance with Section 4 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal.

Chiltern District Council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service
- updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

Human Rights

21. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Conditional Permission

Subject to the following conditions:-

- 1 C108A General Time Limit

2 The exterior of the development hereby approved, including the hardsurfacing areas, shall only be constructed in the materials specified on the plans hereby approved and detailed in the Planning Statement submitted with the application, or in materials which shall previously have been approved in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality or the AONB.

3 The development shall only be carried out in accordance with the proposed ground and finished floor levels shown on the approved plans.

Reason: To protect, as far as is possible, the character of the locality, in accordance with Policies GC1 and GB30 of The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011 and Policy CS20 of The Core Strategy for Chiltern District, Adopted November 2011.

4 Prior to the occupation of the development hereby approved, the visibility splays shown on drawing no. PLA 5:04 shall be provided and thereafter kept clear from any obstruction between 0.6m and 2.0m above ground level.

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.

5 Prior to occupation of the development hereby approved, space shall be laid out within the site for the parking for cars in accordance with the approved plans. This area shall be permanently maintained for this 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.

6 Prior to the occupation of the development hereby approved, a scheme of ecological enhancements shall be submitted to and approved by the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme will include details of landscape planting of known benefit to wildlife and provision of artificial roost features, including bird and bat boxes. Any fencing/new boundaries shall include holes to enable the safe passage of Hedgehog. The approved scheme shall be implemented prior to the occupation of the development hereby approved.

Reason: In the interests of improving biodiversity in accordance with NPPF and Core Strategy Policy 24: Biodiversity of the Chiltern District Core Strategy and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

7 Prior to the occupation of the development hereby approved, the boundary treatments shown on drawing no. PL 5:02 shall be erected/constructed and thereafter retained in situ, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the residential curtilage is properly demarcated and to ensure that the approved boundary treatments are not replaced with a more solid means of enclosure, in order to maintain the openness of the Green Belt.

8 Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Classes A - F of Part 1 of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site unless planning permission is first granted by the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider whether any future proposals will maintain the openness of the Green Belt and the scenic rural character of the Chilterns AONB and general character of the locality.

9 Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Class A of Part 2 of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site unless planning permission is first granted by the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider whether any future proposals will maintain the openness of the Green Belt and the scenic rural character of the Chilterns AONB and general character of the locality.

10 AP01 Approved Plans

INFORMATIVES

1 INFORMATIVE: The applicant is advised that firm level/ramped access will need to be provided from the parking area to a level threshold on the entrance door. There are relaxations for extremely sloping sites but it is not clear from the plans provided if this is the case. Please contact the Council's Building Control department for more information on 01895 837541 or buildingcontrol@chilternandsouthbucks.gov.uk

2 INFORMATIVE: The applicant is advised that the development appears to result in the loss of a line of ash and larch trees situated to the south-west of the building. However, as these lie outside the application site, the felling of these trees would not be covered by the planning permission and a separate felling license would be required from the Forestry Commission.

3 INFORMATIVE: The applicant is advised that all wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended). Removal of any building or vegetation shall be undertaken outside of the bird nesting season (March to August inclusive). If this is not possible, then a suitability qualified ecologist shall check the areas concerned immediately prior to the commencement of clearance works to ensure no nesting or nest-building birds are present. If any nesting activity is confirmed, no clearance will be permitted within the area until the birds have fledged and the nest is considered inactive.

PL/19/2806/FA

Case Officer: Murtaza Poptani
Date Received: 13.08.2019
Parish: Great Missenden
App Type: Full Application
Proposal: Two storey/front side extension and changes to windows and doors to front and rear elevation
Location: Ashlawn
Copes Road
Great Kingshill
Buckinghamshire
HP15 6JE
Applicant: Mr Stuart McMurdo

Decide by Date: 24.10.2019
Ward: Prestwood And Heath End

SITE CONSTRAINTS

Article 4 Direction
Adjacent to C Road
Within Chilterns Area of Outstanding Natural Beauty (AONB)
North South Line
Townscape Character

CALL IN

Councillor Gladwin has requested that this application is brought to the Planning Committee for determination. He refers to concerns regarding overdevelopment, although it is not explained what harm arises from this.

SITE LOCATION

The application site accommodates a detached two storey dwelling situated on the northern side of Copes Road and is set within a large near rectangular shaped curtilage. The site is situated within a built up area of Great Kingshill and is also situated within the Chilterns Area of Outstanding Natural Beauty (AONB).

THE APPLICATION

The application proposes the erection of a two storey/front side extension and changes to windows and doors to front and rear elevation. The proposed extension would measure a maximum of 11.3 metres in depth, 6.5 metres in width and 8.3 metres in height.

RELEVANT PLANNING HISTORY

None in connection with this application.

PARISH COUNCIL

"The Parish Council opposes this application on the grounds that the proposed development would be overbearing particularly for the neighbouring property to the left of the property."

REPRESENTATIONS

No comments received at the time of writing this report.

CONSULTATIONS

Wycombe District Council - We have no objections to the proposals as stated on 20 September 2019.

POLICIES

National Planning Policy Framework.

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4, CS20 and CS22.

The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011: Saved Policies GC1, GC3, H13, H14, H15, H16, LSQ1, TR11 and TR16.

Residential Extension and Householder Development Supplementary Planning Document (SPD) - September 2013.

Sustainable Construction and Renewable Energy SPD - Adopted 25 February 2015.

Draft Chiltern and South Bucks Local Plan 2036.

EVALUATION

Principle of development

1. The application site is located within the built up area of Great Kingshill wherein residential extensions are acceptable in principle subject to complying with the relevant Development Plan Policies. The application site is also located within the Chilterns Area of Outstanding Natural Beauty (AONB) where development should conserve and, where considered appropriate and practicable, enhance the special landscape character and high scenic quality of the area.

Design/character & appearance

2. The adopted Residential Extensions and Householder Development SPD states that extensions should give due consideration to the impact of a development on the street scene by ensuring that the design properly integrates with the existing building. The application property is situated within a row of detached dwellings to the northern side of Copes Road, is set back from the highway boundary and is characterised with a centrally pitched hipped roof with a two storey hipped roof projection to the front elevation. The surrounding buildings differ in scale and appearance and this variety contributes to the character of the area. The proposed two storey front/side extension would remove the catslide roof to the side of the property and would replace it with a hipped roof to match that on the other side of the property. It would project to the same depth as the existing two storey front projection and the forward projecting element would be set down below the ridge of the main roof resulting in a near symmetrical front facade. The remainder of the side extension would be erected in line with the rear elevation and to the same height as the main roof, characterised with a matching centrally pitched hipped roof. It would therefore integrate satisfactorily with the existing dwelling. In terms of its impact on the street scene, the dwelling would be wider at first floor and roof level than at present. It would retain a minimum gap of 1.1 metres to the western side boundary, increasing to 1.3 metres towards the rear. This would obviously close off some of the space between the host dwelling and the neighbouring building at Pinecroft. However, there are other dwellings in this row with very similar close spacing, notably Keekin Penn and Apple Tree Cottage (the second and third properties along to the west). As such, the reduced spacing at first floor level would not be out of character with this row. Given the above, it is considered that the extension would be in keeping with the existing dwelling and would not have an adverse impact on the character of the locality and the wider landscape within the AONB. No objections are therefore raised with regard to Local Plan Policies GC1, H13, H14, H15, H16 and Core Strategy Policies CS20 and CS22.

Residential amenity

3. Policy GC2 states that the design and layout of proposed buildings and extensions to existing buildings enables adjoining land or buildings to be protected from significant loss of sunlight and that sufficient sunlight and daylight reaches into, between and around proposed buildings and extensions to existing buildings. The proposed extension would have a flank to flank relationship with the adjacent dwelling to the west at Pinecroft and would have a modest rearward projection. In accordance with BRE Report guidance, a 45 degree line was drawn from the mid-point of the closest rear facing window of the adjacent neighbouring property towards the proposed two storey side/rear extension and it would not be intersected. Given the identified sufficient separation distance from the extension coupled with the hipped roof design, this is considered acceptable and would it not appear overbearing or visually intrusive when viewed from the neighbouring property. No first floor flank windows have been proposed and there would therefore be no overlooking or significant loss of privacy. No objections are therefore raised with regards to Policies GC3, H13(i) and H14.

Parking/Highway implications

4. Off road parking for in excess of 3 cars is available to the front driveway, which complies with the Council's parking standards. No objections are therefore raised with regards to Policies TR11 and TR16.

Conclusions

5. For the aforementioned reasons, the application is recommended for approval.

Working with the applicant

6. Chiltern District Council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service,
- 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, Chiltern District Council determined the application based on the submitted plans which were considered acceptable.

Human Rights

7. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Conditional Permission

Subject to the following conditions:-

- 1 C108A General Time Limit
- 2 C431 Materials to Match Existing Dev
- 3 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 windows/rooflights shall be inserted or constructed at any time at first floor level or above in the flank elevation or roofslope of the extension hereby permitted.
Reason: To protect the amenities and privacy of the neighbouring property.
- 4 AP01 Approved Plans

PL/19/3230/FA

Case Officer: Emma Showan
Date Received: 18.09.2019 Decide by Date: 20.11.2019
Parish: Great Missenden Ward: Prestwood And Heath End
App Type: Full Application
Proposal: Demolition of bungalow and erection of 2 semi-detached two storey dwellings and 1 detached single storey dwelling, formation of vehicle access, parking and landscaping
Location: 33 Wycombe Road
Prestwood
Great Missenden
Buckinghamshire
HP16 0NZ
Applicant: Mr Greg Wilkes

SITE CONSTRAINTS

Article 4 Direction
Adjacent to A and B Road
Within Chilterns Area of Outstanding Natural Beauty (AONB)
North South Line
A and B Roads
Within 500m of Site of Importance for Nature Conservation NC1
Townscape Character

CALL IN

Councillor Gladwin has requested that this application is determined by the Planning Committee if the Officers' recommendation is for approval.

SITE LOCATION

The application site is located on the eastern side of Wycombe Road in the built-up area of Prestwood. The existing property is a bungalow set among a row of dwellings of a variety of scales, including two storey houses. The properties to the south along Sixty Acres Road are also two storey dwellings.

THE APPLICATION

This application proposes the demolition of the existing bungalow and erection of two semi-detached dwellings and one single storey detached dwelling with associated parking and a new vehicular access.

The proposed two storey semi-detached dwellings would have a frontage and access onto Wycombe Road. They would replace the existing bungalow on site and would have a combined maximum width of 12 metres, depth of 14 metres and pitched roof height of 8.6 metres, with an eaves height of 5 metres. The dwellings would each accommodate three bedrooms.

The proposed single storey dwelling would be sited to the rear of the proposed dwelling facing Wycombe Road. It would have a maximum width of 14.3 metres, depth of 8.2 metres and pitched roof height of 5.2 metres, with an eaves height of 2.3 metres. It would accommodate three bedrooms.

Both parties would share an access onto Wycombe Road and would be served by surface parking.

The application follows on from:

1. Full application, reference PL/19/2181/FA, for the demolition of existing bungalow and erection of one two storey detached dwelling and one single storey detached dwelling with associated parking and new vehicular access. This application received conditional permission in September 2019.
2. Outline application, reference CH/2017/1118/OA, for the proposed demolition of the existing bungalow and erection of one two storey detached dwelling and one single storey detached dwelling. The application was made in outline, with only access and layout for consideration. This application received conditional permission.

RELEVANT PLANNING HISTORY

PL/19/2181/FA - Demolition of existing bungalow. Erection of one two storey detached dwelling and one single storey detached dwelling with associated parking and new vehicular access, conditional permission.

CH/2017/1118/OA - Demolition of the existing bungalow and erection of one two storey detached dwelling and one single storey detached dwelling, served by a new access, conditional permission.

CH/2016/1150/OA - Demolition of existing bungalow and erection of a two storey detached dwelling and two detached chalet bungalows, served by new access, refused permission.

PARISH COUNCIL

'The council opposes this application on the grounds that it set out in its letter of 13 August in relation to the previous application PL/19/2181/FA which was subsequently granted and allowed for 2 properties on this site namely:-

- a) This development would be overdevelopment of the site and the layout and density is out of keeping with the locality
- b) The plans incorporate the removal of some trees and no mention is made of any replacement trees. Any trees removed should be replaced.
- c) The Council has concerns as to the adequacy of the access from the highway and whether this meets the required safety standards.
- d) The Council has concerns as to the adequacy of the parking provision bearing in mind the size of the proposed dwellings and the lack of alternative parking provision in the locality.

The current plan to add an additional dwelling on the site leads to:-

- e) Further overdevelopment of the site with the layout and density being out of keeping with the locality.
- f) A reduction in the amount of amenity space provided for each of the proposed dwellings to that appears to be below the required amounts.
- g) An increase in traffic generation from the site.'

REPRESENTATIONS

Two letters of objection received which can be summarised as follows:

- Plans are non-compliant with local policies
- The semi-detached design is cluttered and out of keeping with local character
- New house is larger than the existing house to be demolished
- Scale is out of keeping
- No dedicated cycle storage
- Loss of privacy
- Suggested removal of permitted development rights
- Increase in traffic
- Increase in density

CONSULTATIONS

Building Control Officer: 'Access for the fire service will need to be provided to within 45m of all areas inside the new dwellings. It appears that the 45m cannot be reached from the main road on the rear plot, therefore the access drive will need to comply with Part B5 of the Building Regulations so that a fire appliance can access within 45m of any point inside the dwelling. It will need to be minimum 3.7m between kerbs and 3.1m between gate posts designed to take the weight of a pump appliance. If longer than 20m it will need turning facilities to comply with Part B5.'

Highways Officer: I am satisfied that the amended plans submitted show the access to measure 4.8m in width which would allow for simultaneous two-way vehicular and pedestrian movements. Mindful of the above, I have no objection to the proposed development.

Waste Management: 'Waste services note the proposal for 3 dwellings at 33 Wycombe. We are satisfied with the bin storage/collection point listed in the plan. As this storage point is adjacent to the road the residents can either receive a communal collection or have their own bins. Crews will not access any other part of the site. All collections to take place in accordance with council policies.'

POLICIES

National Planning Policy Framework.

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4, CS20, CS22, CS25 and CS26.

The Chiltern Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2011) Consolidated September 2007 & November 2011. Saved Policies: GC1, GC3, GC4, GC10, LSQ1, H3, H11, H12, TR11 and TR16.

Sustainable Construction and Renewable Energy Supplementary Planning Document (SPD) - Adopted 25 February 2015.

EVALUATION

Principle of development

1. The application site is within the built-up area of Prestwood where new dwellings are acceptable in principle, subject to complying with the relevant Development Plan Policies. In particular, and in accordance with Development Plan Policy H3, proposals should be compatible with the character of the area by respecting the general density, scale, siting, height and character of buildings in the locality. The site is also within the Chilterns Area of Outstanding Natural Beauty (AONB) where development should conserve and, where possible, enhance the natural beauty of the landscape.

2. It is noted that this application follows on from planning permission PL/19/2181/FA, for the demolition of the existing bungalow and erection of one two-storey detached dwelling and one single-storey detached dwelling with associated parking and a new vehicular access. This application received conditional permission in September 2019. This latest application proposes to amend this permission by way of subdividing the two storey dwelling approved at the front of the plot to create two semi-detached dwellings. The resulting building would be marginally narrower, shallower and lower in height than the detached dwelling previously approved but would have an almost identical siting and external appearance, albeit with two entrances as opposed to one. The bungalow to the rear would remain largely as approved and the relationship between the two properties and their arrangement on site too would remain as approved. Therefore, the main consideration with this application is to determine whether the subdivision of the approved two storey detached dwelling would have a detrimental impact on the design/character of the area; neighbouring amenities and parking/highway arrangements.

3. Members are advised that it is important to note that there are no policies governing the type of house that is acceptable in a built up area so to simply object because semi-detached houses are proposed rather than a detached house would be highly unreasonable and could well result in an award of costs against the Council at appeal, as there are no policies that would support such a refusal. The unreasonableness of such an approach is highlighted in a recent appeal decision for application CH/2018/0825/FA at 11 Woodlands Drive, Knotty Green, which was a Committee overturn, where Members refused the development due to semi-detached houses being out of character. The Appeal Inspector noted that there were no other semi-detached houses in that area, but that no harm arose from that proposal for a pair of semis that resembled a large detached house. The same conclusion has to be made for the current proposal, and in fact the area surrounding 33 Wycombe Road is notably more varied than the area around Woodlands Drive, including various areas of terraces and semi-detached properties. As such there cannot be any planning objection in principle to a proposal for semi-detached houses.

Design/character & appearance

4. This part of Prestwood is characterised by a mixture of dwellings, ranging from two storey detached properties to bungalows, and contains a number of cul-de-sacs and access roads which result in a settlement pattern that contains many dwellings set to the rear of others, including terraces and semi-detached houses. In particular, dwellings along Clare Road and Graeme Avenue can occasionally be seen in views between dwellings along Wycombe Road. Under application CH/2017/1118/OA, the principle of development on this site was accepted, and this was re-enforced with the approval of a two storey detached dwelling to the front and a bungalow to the rear under application PL/19/2181/FA. The arrangement within this application would remain as approved under PL/19/2181/FA and so no new objections could be raised in this respect.

5. In terms of the appearance of the building at the front of the site, it would be almost identical to the building previously approved. The main difference is that it would be split to accommodate a pair of semi-detached houses rather than being one detached house. As discussed above, it is not possible to object to this in principle. The proposed building would have an additional rearward projection, which would not notably affect the overall scale or appearance of the building compared to the previously approved scheme. The scale and traditional façade would be in keeping with the varied character of dwelling within the locality and so the building would integrate with its neighbours in terms of its appearance. It would be sited the same distance away from the side boundaries and would retain front and rear building lines in accordance with the neighbours to the north and south, and they would be the same as the previously approved building in this location. It is noted that this latest, amended scheme, proposes to subdivide the building to create two semi-detached dwellings. In the street scene, the building would appear almost identical to the detached dwelling that was previously approved, with the addition of a second entrance. Its overall proportions and architectural appearance would remain the same, thus ensuring that the proposed dwelling continues to integrate with the local street scene.

6. To reiterate the appeal scheme referred to above, it must be noted that an appeal decision dated 24th September 2019 for the replacement of a detached dwelling with a pair of semi-detached dwellings elsewhere in the District (11 Woodlands Drive, Knotty Green) was allowed. Within the appeal decision the Inspector stated that: 'The proposal would result in a more intensive form of development on the site, that would have a different appearance to neighbouring properties, but bearing in mind the wide range of building styles in the immediate area, the proposal would not result in a cramped or contrived form of development, and it would be compatible with the street scene.' The same approach must be taken at the current application site, particularly given the wider range of properties in this locality compared to Woodlands Drive, and, importantly, given the fact that planning permission has already been granted on this site for two buildings of an almost identical appearance.

7. Regarding the property to the rear, this would be very similar to that already approved in this location and therefore it would be unreasonable to come to a different conclusion. It would be a single storey bungalow with a low eaves and ridge height. Given its siting, it would not be prominent in the street scene and it would not dominate views of the surroundings. It would be modestly proportioned, retaining adequate spacing around the dwelling. No objections are raised in regards to its simple form and design.

8. Overall, the scheme would be almost identical with the approved scheme and there would be no planning related harm to the character of the area or the wider AONB landscape given the location of the site in the built-up area.

Residential amenity

9. As with the approved scheme, the dwellings proposed to the front of the site would have a front and rear elevation in line with those of the neighbouring property to the north and would maintain sufficient spacing so as not to appear overbearing. In regards to the windows proposed in the side elevation, it is proposed that these be obscurely glazed and this can be secured by way of a condition to ensure that there is no detrimental impact on the adjacent neighbouring properties.

10. In terms of the impact of the dwelling to the rear, this property would be almost identical to the previously approved planning permission. It would be of a low height and modest proportions and it would be sited away from neighbouring dwellings. It is not considered that this dwelling would have a detrimental impact on any neighbouring amenities.

11. The rear gardens for the front and rear dwellings measure approximately 15 metres and 11 metres respectively and this was considered acceptable under the earlier planning permission, reference PL/19/2181/FA. The garden depths are comparable to those of other properties in the vicinity and are also compliant with the requirements of Local Plan Policy H12 which sets out that the general standard expected will be a minimum rear garden depth of about 15 metres. The 15 metre standard would be provided for both of the semi-detached dwellings whilst the 11 metre garden at the bungalow to the rear is the same as previously approved. For these reasons, it is not possible to raise a new objection to garden depths, as that would be highly unreasonable, particularly as the gardens for the semi-detached properties comply with Local Plan policy H12.

12. Adequate provision for waste and recycling storage has been shown to be provided at the front of the site, as was the case with the approved scheme. This is considered to be an acceptable arrangement.

Parking/highway implications

13. The Highways Officer previously raised concern in regards to the highways aspects of the proposal. This has been overcome via the submission of amended plans which show the access amended to mirror that of the scheme approved under the earlier application (PL/19/2181/FA). As the amended highways access reflects that of the scheme approved earlier this year, which had no objection from the Highways Authority, it is considered that the new access would provide the requisite visibility splays and so no objections are raised in regards to the access arrangements serving the proposal.

14. In terms of the parking provision, Local Plan Policy TR16 recommends the provision of three parking spaces where the floor area of a dwelling exceeds 120 square metres and two spaces where the floor area of the dwelling is below 120 square metres. In this instance, it is proposed to provide three parking spaces per semi-detached dwelling and two spaces for the dwelling to the rear. These would be arranged so that four parking spaces would be provided forwards of the semi-detached dwellings and two spaces would be to the rear to accommodate additional vehicles. The two spaces for the bungalow would be located either side of this dwelling. Accordingly, adequate parking would be provided for the development proposed, in accordance

with the Council's parking standards. It is important to note that the amount of hardstanding proposed on the site is very similar to the previously approved scheme.

Ecology

15. The Council's Ecology Advisor reviewed the submitted bat surveys and assessed the impact of the development on protected species under the previous application, determined in September 2019. As the surveys are still valid and as the nature of the proposal is still comparable to the approved scheme, it is concluded that the potential presence of protected habitats and species has been given due regard and no objections are raised, subject to conditions.

Affordable housing

16. The proposal involves a net increase of one dwelling on this site. For proposals under 5 dwellings, Policy CS8 of the Core Strategy requires a financial contribution towards off-site affordable housing to be made. However, there are specific circumstances set out in the NPPG (National Planning Practice Guidance) where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development, including developments of 10 units or less, which have a gross floorspace of less than 1,000sqm. In the AONB, as a designated rural area, this Council applies a lower threshold of five dwellings, which is one of the provisions of the guidance in the NPPG. However, the current proposal is for a net increase of one dwelling which would not reasonably have a floor area greater than 1,000sqm, therefore based on the recently amended guidance, which carries more weight than Policy CS8, no objections are raised to the current application without an affordable housing contribution.

Conclusion

17. The proposal is almost identical to the previous planning permission to erect a detached dwelling and a bungalow on the site. The scale and appearance of the two buildings proposed is almost the same as the previous approval and the main difference is that the front building is now proposed to be a pair of semi-detached dwellings. There are no planning policies to object to this in principle and this is highlighted by the appeal decision referenced above. The only possible planning-related objections would be that if the development created specific adverse issues such as the need for more parking or hardstanding, or if insufficient garden space was provided. As stated above, the amount of hardstanding shown on the plans is almost the same as that previously approved for the two dwellings, so there is no harm in that respect. In addition, the rear gardens of the semi-detached properties are 15 metres in depth, thus complying with Local Plan policies. In conclusion, the proposal is not significantly different to the approved scheme and there is no planning harm arising from the proposal. Consequently the application is recommended for approval.

Working with the applicant

18. In accordance with Chapter 4 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal.

Chiltern District Council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service,
- 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, Chiltern District Council has considered the details as submitted which were considered acceptable.

Human Rights

19. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Conditional Permission

Subject to the following conditions:-

1 C108A General Time Limit

2 Before any construction work above ground level commences, details of the facing materials and roofing materials to be used for the external construction of the dwellings hereby permitted and any hard landscaping within the site shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out in accordance with these details.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality.

3 Prior to the commencement of any works on site, detailed plans, including cross section as appropriate, showing the existing ground levels and the proposed slab and finished floor levels of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed datum point normally located outside the application site. Thereafter the development shall not be constructed other than as approved in relation to the fixed datum point.

Reason: To protect, as far as is possible, the character of the locality and the amenities of neighbouring properties.

4 Before any construction work commences, full details of the means of enclosure to be retained or erected as part of the development including those between the individual gardens of the approved dwellings and on the boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. The boundaries shall then be erected and maintained in accordance with the plans approved by the Local Planning Authority.

Reason: To safeguard, as far as possible, the visual amenities of the locality and the amenities of the adjoining properties and approved dwellings.

5 This permission is granted on condition that none of the trees or hedges on the site, other than those shown to be removed on the plans hereby approved, shall be felled, topped, lopped or uprooted, unless subsequently agreed in writing by the Local Planning Authority, for a period of five years from the date of implementation of this permission. Furthermore, the existing soil levels around the boles of the trees so retained shall not be altered.

Reason: In order to maintain, as far as possible, the character of the locality, in accordance with policies GC1, GC4 and H3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policy CS20 of the Core Strategy for Chiltern District (Adopted November 2011).

6 Prior to the occupation of the development the new access to Wycombe Road shall be designed in accordance with the approved plans. The access shall be constructed in accordance with Buckinghamshire County Council's Guidance note, "Commercial Vehicular Access within Highway Limits" 2013.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

7 Prior to the occupation of the development or within one month of the new access being brought into use, the existing access points onto Wycombe Road shall be permanently closed and stopped up in accordance with the approved plans. For the avoidance of doubt the applicants will be required to enter into a S184 Agreement with the Highway Authority in order to comply with the requirements of this condition.

Reason: In order to minimize danger, obstruction and inconvenience to users of the highway and of the development.

8 Prior to occupation of the development, space shall be laid out within the site for parking for cars, loading and manoeuvring in accordance with the approved plans. This area shall be permanently maintained for this purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimize danger, obstruction and inconvenience to users of the adjoining highway.

9 No other part of the development shall begin until the visibility splays shown on the approved drawings have been provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

10 The development shall be undertaken in accordance with the precautionary measures in respect of bats provided within Section 6 of the Dusk Activity Survey and Mitigation and Compensation Report produced by Syntegra Consulting (August 2019).

Reason: To comply with the requirements of The Conservation of Habitats and Species Regulations 2017 and to protect species of conservation concern.

11 Prior to the commencement of development, a scheme of ecological enhancements shall be submitted to and approved by the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme will include details of landscape planting of known benefit to wildlife and provision of artificial roost features, including bird and bat boxes. Any new fencing will include holes to allow safe passage of Hedgehog.

Reason: In the interests of improving biodiversity in accordance with NPPF and Core Strategy Policy 24: Biodiversity of the Chiltern District Core Strategy and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

12 AP01 Approved Plans

The End