

Contact: Sarah White DDI No. 01494 421517 (part time)

App No : 18/05741/FUL App Type : FUL

Application for : Conversion of existing house into 1 x 3 bed and 1 x 2 bed flats, construction of front porch, insertion of side window and widening of parking area to front to create additional parking

At 1 Hillary Close, High Wycombe, Buckinghamshire, HP13 7RP

Date Received : 25/05/18 Applicant : Mr Mohammad Arif

Target date for decision: 20/07/18

## 1. **Summary**

- 1.1. The proposal would be considered to provide a satisfactory living environment for the future occupiers, and to safeguard the privacy and amenity of the neighbouring properties. Furthermore the proposal would not be considered to have a detrimental impact upon the character and appearance of the area or the safety and convenience of users of the adjoining highway.
- 1.2. The proposal complies with the relevant Development Plan policies and is therefore recommended for approval subject to conditions.

## 2. **The Application**

- 2.1. Full planning permission is sought for the conversion of existing house into 1 x 3 bed and 1 x 2-bed flats.
- 2.2. The proposed conversion works involve the construction of a front porch, the insertion of ground floor window within the western flank elevation, stepped access between the parking area and the front porch, and the widening of dropped kerb and parking area to front to create additional on-site parking. Each flat would utilise a separate entrance with one flat being located on the ground floor and the other flat occupying the first floor.
- 2.3. The agent has submitted an additional plan showing the layout of the existing roof space and loft hatch access.
- 2.4. The application related to a two storey semi-detached dwelling finished in brick under a hipped tiled roof. The property has been previously extended by means of a part two storey/part single storey rear extension, rear canopy roof, and a single storey side extension.
- 2.5. The property currently benefits from a dropped kerb and on-site parking for two vehicles. The property occupies a roughly triangular shaped plot located within the established residential area of Hillary Road, in close proximity to the junction of Hillary Road and Hillary Close. Ground levels slope up towards the northwest.
- 2.6. The application is accompanied by a Design and Access Statement.
- 2.7. This application was previously considered at the Planning Committee meeting on 12<sup>th</sup> December 2018, at which time members resolved to defer the application for officers to negotiate amendments to the design and layout of the proposed accommodation.
- 2.8. Following negotiations between officers and the applicant's agent, the application has been subsequently amended through the submission drawing numbers 1185/01C, 1185/02B, 1185/03D, 1185/04, 1185/05, 1185/06F, WDC1 and WDC1.1 (Bin store), WDC2 and WDC2.1 (Cycle store).
- 2.9. Summary of amendments:

- internal layout of first floor flat amended; bedrooms now above ground floor bedrooms, living spaces above ground floor above living spaces, reduced from 3-bed to 2-bed, size of kitchen/living area increased,
- alteration to front window of ground floor front bedroom adjacent entrance porch,
- separate private amenity areas provided,
- bin and bike store detail provided, and,
- minor change to parking layout.

### **3. Working with the applicant/agent**

- 3.1. In accordance with paragraph 38 of the NPPF2 Wycombe District Council (WDC) approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 3.2. WDC work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application. In this instance the applicant/agent was updated of any issues after the initial site visit and provided the opportunity to submit amended plans to address the issues raised.
- 3.3. The agent responded by submitting amended plans, which were found to be acceptable, and the application was recommended for approval in accordance with the Council's delegated procedures.
- 3.4. Following concerns raised by the Planning Committee, additional amendments were sought by the case officer to overcome the issues raised by members. The agent responded by submitting amended plans, which were found to be acceptable. The application is recommended for approval.

### **Relevant Planning History**

- 3.5. 10/07602/FUL – Householder application for construction of single storey and first floor side extensions and new front porch – Approved but not implemented
- 3.6. 10/05941/FUL - Householder application for first floor side extension and front porch – Approved but not implemented
- 3.7. 06/07728/FUL – Construction of front porch (retrospective) – Refused. The front porch was considered to visually unbalance the proportions of the original pair of properties. The mass and bulk of the porch was considered to dominate the property harming the character and appearance of the property and the street scene. The appeal was dismissed and the porch removed.
- 3.8. 04/07607/FUL – Construction of single storey side, part single storey, part two storey rear extensions - Approved
- 3.9. 04/05017/FUL - Construction of single storey side, part single storey part two storey rear extensions incorporating new garage - Approved

### **4. Issues and Policy considerations**

#### **Principle and Location**

Residential Design Guidance Supplementary Planning Document;  
New Local Plan: Policies CP1, CP3, CP9, DM20, DM35;

- 4.1. The application site is located within an existing residential area. Given this policy context residential intensification is considered acceptable in principle, providing the development complies with the Development Framework and other material planning considerations.

## **Raising the quality of place making and design**

New Local Plan: Policies CP9, DM35

Residential Design Guidance

- 4.2. This application seeks to convert an existing 4-bed dwelling to form one 2-bed and one 3-bedflats. The external alterations consist of the construction of a new front porch, the insertion of ground floor window within the western flank elevation, and alterations to the front window within the existing single storey side projection.
- 4.3. Within the site frontage excavation works would take place, alongside alterations to the kerb line, to enlarge the existing frontage parking area. As a result the frontage would be entirely hard surfaced. It was noted during the application site visit that the frontage of the neighbouring property No. 3 Hillary Close has already been turned over to hardstanding for parking, albeit with a smaller crossover and the retention of a small front boundary wall.
- 4.4. To the rear of the site the garden area is shown to be divided to provide two separate private amenity areas. Enclosed bin storage would be located toward the eastern boundary within the site frontage, with enclosed cycle storage located within the private amenity areas. The information submitted with regards to the location and external appearance of the bin and cycle stores is considered to be acceptable, and would not be considered to detract from the character and appearance of the area.
- 4.5. The inclusion of fixed obscure glazing within the front elevation of a dwelling limits the building's connection with the street scene and should normally be avoided. In this instance, however, the window to be obscurely glazed is located within a single storey side projection, and not within the main building. As such the implications are far less significant. Officers therefore raise no objections to this aspect of the proposal.
- 4.6. Whilst the proposal would increase the number of residents within the building, the impact of the proposal upon the overall character and appearance of the residential area would be considered relatively minimal.

## **Amenity of existing and future residents**

New Local Plan (Submission Version): DM33, DM35

Residential Design Guidance

### Neighbouring Properties

- 4.7. The site is bounded by No. 87 Hillary Road to the west, a parking area associated with the Highcrest Academy School to the north, and the adjoining semi-detached property No. 3 Hillary Close to the east.
- 4.8. The proposed external alterations to the building itself consist of; a new front porch and the insertion of ground floor window within the western flank elevation. Though the demolition of the canopy roof at the rear of the property has not been specifically identified, as the application details make no reference to the retention of this structure and its location is not shown on the proposed plans, it is assumed that this structure is to be removed.
- 4.9. With regards to the impact upon No. 87 Hillary Road the proposed ground floor window would be located adjacent an existing window, facing an existing boundary fence. Having regards to the position of the window and the height of the adjacent fence the proposed window would not be considered to raise any significant issues in terms of overlooking.
- 4.10. As the proposal would utilise the existing amenity area to provide the necessary amenity for the occupiers of the new units, this aspect of the proposal would not be considered to raise any particular concerns with regards to neighbouring amenity.
- 4.11. Whilst officers are mindful that roof lights have already been inserted within the roof space, the floor plans indicate that this area is used for storage. In any event the roof lights are existing and any views from those roof lights would be directed toward the

rearmost section of the garden. Should the roof space be converted to create an additional bedroom at some time in the future, the use of the loft space as habitable floor area in connection with the first floor flat would be no different from the use of the loft space as habitable floor area in connection with the use of the property as a single dwelling.

- 4.12. The proposed conversion of the dwelling to form two flats would not be considered to result in any significant change in the relationship between the application property and the adjacent dwellings in terms of light, outlook and privacy. As such the impact upon the residential amenities of these properties is considered acceptable.

#### Future Occupiers

- 4.13. Each flat would utilise a separate entrance with one flat being located on the ground floor and the other flat occupying the first floor. The proposed development would be considered to provide a good standard of habitable accommodation for the new occupiers in terms of layout, light, outlook and privacy.
- 4.14. The layout of the first floor flat has been amended and the number of bedrooms reduced to; increase the size of the kitchen/dining area, and to reduce the potential for noise transference in relation to the ground floor flat by placing bedrooms above bedrooms and living spaces above living spaces.
- 4.15. Members previously raised concerns with regards to a potential loss of privacy for the occupants of the ground floor flat, as a result of the position of the first floor access adjacent the ground floor bedroom window.
- 4.16. The applicant has sought to overcome this issue by reducing the size of the bedroom window, thereby increasing the distance from the window to the doorway, and making the lower portion of the window fixed shut and obscurely glazed.
- 4.17. The upper section of the window would be clear glazed and openable. Given the existence of a second window within the flank elevation of this bedroom, it is considered that a sufficient level of light and outlook would be achieved. Therefore whilst such an arrangement is not ideal, officers do not consider there would be sufficient ground for a refusal on this basis.
- 4.18. The existing rear garden area is of a sufficient size to be divided to create separate amenity areas for each flat. Enclosed bin storage would be provided within the site frontage, in easy access of both flats, while separate enclosed cycle storage would be provided within the new private amenity areas.
- 4.19. Having regards to the above it is considered that the proposal would provide an acceptable standard living environment for the occupiers of the new units, with an acceptable level of conveniently located parking, without having a detrimental impact upon the residential amenities of the neighbouring properties.

#### **Transport matters and parking**

New Local Plan: DM33

Buckinghamshire Countywide Parking Guidance

- 4.20. The application site is located within Residential Zone A wherein each property with up to 3 bedrooms/6 habitable rooms would be expected to provide 2 on-site parking spaces, with each space a minimum of 2.8 metres in width by 5 metres in length.
- 4.21. The application has been amended to demonstrate the provision of 4 on-site parking spaces measuring 2.8 metres in width by 5 metres in length, with pedestrian footpath a minimum of 1 metre in width to provide unhindered foot access to the flats, in accordance with the Highway Authority's initial comments.
- 4.22. With regards to cycle parking the proposed development would be expected to provide safe and secure covered storage for a total of 4 bicycles. Drawing no. 1185/06F indicated the provision of two enclosed cycle stores, one within each private amenity area. The proposal would therefore be considered to provide sufficient cycle storage.

- 4.23. Any access point along this section of the road would need to comply with the visibility requirements stated by Manual for Streets and the County Highway Authority have confirmed that this can be secured by way of condition.
- 4.24. The proposed development would provide a sufficient level of on-site parking in accordance with the Buckinghamshire Countywide Parking guidance, and would not be considered to have a detrimental impact upon the safety and convenience of users of the adjacent highway, or the associated footway.
- 4.25. Whilst officers are mindful that roof lights have already been inserted within the roof space, having consulted the Buckinghamshire Countywide Parking Guidance officers can confirm that, should the roof space be converted to create an additional bedroom, the parking requirement would remain unchanged.

### **Flooding and drainage**

DSA: DM17;

New Local Plan: DM39

DETR Circular 03/99

- 4.26. The site is not located within the flood plain or within an area identified as being at risk of surface water flooding. The Buckinghamshire County Council SuDS team has no comments on this planning application due to the scale of the development which predominantly relates to changes to the internal configuration of the building.
- 4.27. The proposed dwellings would be served by mains drainage which is the preferred method for foul sewage removal. Thames Water monitor the Council's weekly list of applications and comment as they deem necessary. No objections have been received from Thames Water in relation to the current proposal therefore the Council has no objections in respect of this aspect of the proposal.

### **Building sustainability**

DSA: DM18;

New Local Plan: Policies DM41

- 4.28. Following the Adoption of the Delivery and Site Allocations Plan (July 2013) and in particular policy DM18 (Carbon Reduction and Water Efficiency) it would have previously been necessary to impose a condition to secure the required 15% reduction in carbon emissions as well as reducing future demand for water associated with the proposed dwelling. However, this was superseded in October 2016 by ministerial policy to transfer the issue to Building Regulations. It is therefore only considered necessary to condition water efficiency.

### **Weighing and balancing of issues – overall assessment**

- 4.29. This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 4.30. In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a) Provision of the development plan insofar as they are material
  - b) Any local finance considerations, so far as they are material to the application (in this case, CIL)
  - c) Any other material considerations
- 4.31. As set out above it is considered that the proposed development would accord with the relevant of development plan policies.

## Recommendation: Application Permitted

- 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 of the Town and Country Planning Act 1990 (As amended).
- 2 The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers 1185/01C, 1185/02B, 1185/03D, 1185/04, 1185/05, 1185/06F, WDC1 and WDC1.1 (Bin store), WDC2 and WDC2.1 (Cycle store) unless the Local Planning Authority otherwise first agrees in writing.  
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.
- 3 The materials to be used for the external surfaces, including walls, roofs, doors and windows and the surfacing materials for the extended parking area, shall be of the same colour, type and texture as those used in the existing building and parking area, unless specified within the application details or otherwise first agreed in writing by the Local Planning Authority.  
Reason: To secure a satisfactory external appearance.
- 4 The bin and cycle storage facilities and the private amenities areas hereby approved shall be provided and made available to the occupiers, in accordance with the approved details, before the development that they relate to is first occupied and thereafter the facilities shall be permanently retained.  
Reason: In the interests of the amenities of the occupiers and adjoining residents.
- 5 The development, hereby permitted, shall be designed and constructed to meet a water efficiency standard of 110 litres per head per day.  
Reason: In the interests of water efficiency as required by Policy DM18 of the Adopted Delivery and Site Allocations Plan (July 2013).
- 6 No other part of the development shall begin until the new means of access has been altered in accordance with the approved drawing and constructed in accordance with Buckinghamshire County Council's guide note "Private 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 The scheme for parking indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.  
Reason: To enable vehicles to draw off and park of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

### INFORMATIVE(S)

- 1 In accordance with paragraph 38 of the NPPF2 Wycombe District Council (WDC) approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. WDC work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application. In this instance the applicant/agent was updated of any issues after the initial site visit and provided the opportunity to submit amended plans to address the issues raised. The agent responded by submitting amended plans, which were found to be acceptable, and the application was recommended for approval in accordance with the Council's delegated procedures.

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- 2 It is contrary to section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system.
- 3 The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A period of 28 days must be allowed for the issuing of the licence, please contact Transport for Buckinghamshire at the following address for information.  
  
Transport for Buckinghamshire (Streetworks)  
10th Floor, New County Offices  
Walton Street, Aylesbury,  
Buckinghamshire  
HP20 1UY  
01296 382416
- 4 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.
- 5 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.