



West Buckinghamshire Area Planning Committee agenda

Date: Wednesday 21 December 2022

Time: 6.30 pm

Venue: High Wycombe Council Chamber, Queen Victoria Road, High Wycombe, HP11 1BB

Membership:

A Alam, M Ayub, A Baughan, I Hussain, D Johncock, N Marshall (Chairman), C Oliver, S Raja, M Turner, P Turner (Vice-Chairman), S Wilson and K Wood

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Agenda Item	Page No
1 Apologies for Absence	
2 Declarations of Interest To receive any disclosure of disclosable pecuniary interests by Members relating to items on the agenda. If any Member is uncertain as to whether an interest should be disclosed, he or she is asked if possible to contact the Monitoring Officer prior to the meeting. Members are reminded that if they are declaring an interest they should state the nature of that interest whether or not they are required to withdraw from the meeting.	
3 Minutes of the Last Meeting To note the minutes of the meeting held on 23 November 2022.	3 - 6
Planning Applications	
4 22/06870/FUL - Fernlands, Chapel Lane, Naphill, HP14 4RB	7 - 30
5 22/07275/FUL - 4 Chequers Lane, Cadmore End, HP14 3PQ	31 - 44
6 22/07384/FUL - 16 Church Street, High Wycombe, HP11 2DE	45 - 54
7 Date and Time of Next Meeting Wednesday 25 January 2023 at 6.30pm.	
8 Availability of Members Attending Site Visits (if required) To confirm members' availability to undertake site visits on xxx if required.	

If you would like to attend a meeting, but need extra help to do so, for example because of a disability, please contact us as early as possible, so that we can try to put the right support in place.

For further information please contact: Liz Hornby on 01494 421261, email democracy@buckinghamshire.gov.uk.



West Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the West Buckinghamshire Area Planning Committee held on Wednesday 23 November 2022 in High Wycombe Council Chamber, Queen Victoria Road, High Wycombe, HP11 1BB, commencing at 6.33 pm and concluding at 7.57 pm.

Members present

A Alam, A Baughan, I Hussain, N Marshall, C Oliver, S Wilson and K Wood

Others in attendance

K Asif, T Coppock, A Dodd, M Hardy, L Hornby, R Martin and H Smith

Apologies

M Ayub, D Johncock, S Raja, M Turner and P Turner

Agenda Item

1 Declarations of Interest

Councillor C Oliver: Planning Application 22/07042/FUL – declared an interest as she was one of the Ward Members and had called the application in to Committee. Councillor Oliver declared that she had an open mind and would listen to debate before reaching a decision.

Councillor S Wilson: Planning Application 21/08191/FUL – declared an interest in the application due to one of the objectors having worked on his election campaign. He declared that he would leave the Chamber for the duration of the debate and voting on the application.

2 Minutes of the Last Meeting

The Minutes of the meeting held on 28 September 2022 were agreed as an accurate record.

The Chairman reported that in respect of application number 22/06756/FUL: Bridge Court, Desborough Road, High Wycombe he had written to the applicant expressing the Committee's concern in relation to the netting that was proposed. In response to that communication, the Chairman had received a response which stated that the

application would now not take effect as the developer had, upon further reflection, made the decision not to erect the netting.

- 3 21/08191/FUL - The Cottage, Marlow Road, Bourne End, Buckinghamshire, SL8 5PL**
Construction of 1 x 4-bed residential dwelling with associated access, parking and hard/soft landscaping. Construction of two storey detached outbuilding consisting of 2 x parking spaces, workshop and storage to first floor and associated works.

Councillor Wilson, having declared an interest vacated the room for the duration of this application. However, in doing so, the Committee was then inquorate and therefore on the advice of the Legal Officer and the Democratic Services Officer, this item was deferred to be heard at a meeting where the Committee was quorate.

The Chairman apologised to those members of the public and Ward Members who had attended.

- 4 22/07042/FUL - Benguella House, Manor Road, Hazlemere, Buckinghamshire, HP10 8JB**

Householder application for construction of single storey side extension to existing attached garage with new garage roof to allow for creation of first floor living accommodation for use as ancillary accommodation incidental to the enjoyment of the dwellinghouse with associated external alterations including patio area and retaining wall.

This application was the subject of a site visit.

Members voted unanimously in favour of the motion to defer the application to the Head of Planning and Environment for conditional approval subject to a Legal Agreement.

Speaking as Ward Member: Councillor Gemmell

Speaking as the applicant: Mr Simon Bird

It was proposed by Councillor C Oliver and seconded by Councillor S Wilson

Resolved: that the application be deferred to the Director of Planning and Environment for conditional approval subject to a Legal Agreement.

- 5 22/07161/FUL - Treadaway Court, Treadaway Hill, Loudwater, Buckinghamshire, HP10**

Construction of second floor to facilitate the creation of 5 x 1-bed and 2 x 2-bed apartments (7 in total).

This application was the subject of a site visit.

Members voted unanimously in favour of the motion to defer the application for the Planning Officer to organise for an independent parking survey and for the

application to be brought back to the committee once this survey had been completed and reported.

Speaking as Ward Councillors: Councillor N Thomas and Councillor K Wood

Speaking on behalf of Chepping Wycombe Parish Council: Mr Chris Dodds

Speaking in objection: Mr Daniel Lovegrove

It was proposed by Councillor K Wood and seconded by Councillor S Wilson

Resolved: that the application be deferred pending an independent parking survey.

6 Date and Time of Next Meeting

Wednesday 21 December 2022 at 6.30pm

7 Availability of Members Attending Site Visits (if required)

Resolved: that in the event it was necessary to arrange site visits on Tuesday 20 December 2022 in respect of the agenda for the meeting to be held on Wednesday 21 December 2022, the following Members be invited to attend:

Councillors: A Baughan, N Marshall, S Wilson and K Wood.

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Report to West Area Planning Committee

Application Number:	22/06870/FUL
Proposal:	Householder application for construction of first floor side extension
Site Location:	Fernlands Chapel Lane Naphill Buckinghamshire HP14 4RB
Applicant:	Mrs Sal Fraser
Case Officer:	Peter Nixon
Ward(s) affected:	Ridgeway East
Parish-Town Council:	Hughenden Parish Council
Date valid application received:	17th August 2022
Statutory determination date:	12th October 2022
Recommendation	Application Permitted

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application is for a first-floor extension above an existing single-story garage, to a detached dwelling house in the village of Naphill.
- 1.2 The neighbouring property is sited on a corner plot, with the rear aspect looking onto the flank of the application house.
- 1.3 The central matter for which representations have been made is the potential for overbearing and overshadowing of the neighbouring rear garden following the enlargement of the first-floor of Fernlands.
- 1.4 Previous applications for a similar extension (albeit larger and of a different design) were refused, and on two occasions dismissed at appeal in 2013.
- 1.5 The current application follows on from pre-application advice issued by the Council in July 2022 supporting the principle of the development of an extension of a reduced scale.
- 1.6 The plans to be considered are amended following a case review, in which the agent was informed that the depth of the extension would need to be reduced and aligned with the existing rear elevation at the first floor.

1.7 Cllr Clive Harris and Cllr David Carroll requested the application be called in if officers are minded to approve the proposal.

1.8 The application is recommended for approval with conditions by the Case Officer.

2.0 Description of Proposed Development

2.1 The proposal would see a first floor built above an existing garage to allow for an additional bedroom and en-suite bathroom.

2.2 The roof would take the form of a valley roof to minimise the massing at the north western flank elevation facing the neighbour at Herewood. The roof would terminate with hips to reflect the existing roof geometry.

2.3 The development would see the existing first floor flank wall extended by 3m towards the boundary with the neighbouring property.

2.4 The property is within the Chilterns AONB, and outside the Greenbelt, however the road serving the property (Chapel Lane) is within the Greenbelt.

2.5 The application is accompanied by:

- Existing and proposed plans and elevations
- Tree and ecology checklist
- Design and Access Statement

3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
12/05936/FUL	Householder application for construction of two storey side and rear extension, single storey front extension and associated external and internal alterations. Appeal Dismissed	REF	16 November 2012
13/05784/FUL	Householder application for erection of part two storey/part single storey front/side/rear extension. Appeal Dismissed.	REF	31 May 2013
13/07451/FUL	Householder application for erection of single storey front, side and rear extension	PER	23 December 2013
17/08149/FUL	Householder application for construction of first floor side extension	REF	10 January 2018

12/05936/FUL – a copy of the proposed site plan for this application is provided below.



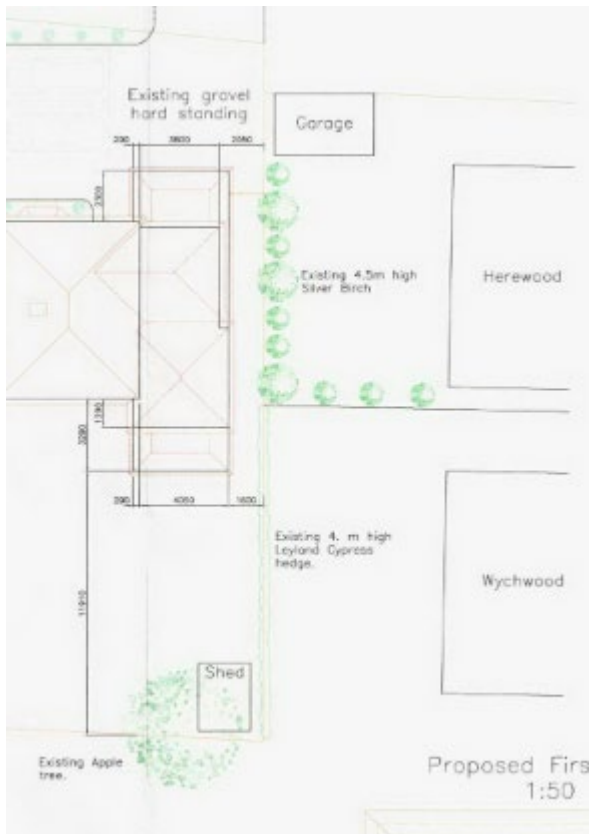
Extract from appeal decision

The proposal entailed the erection of a two-storey side extension incorporating a single garage. About half of the garage would extend forward of the existing front elevation and would have a crown roof. At first floor level the extension would be set back marginally from the existing front elevation. At the rear, the extension would project beyond the existing rear elevation by about 3m on both storeys. The proposed extension would be set in from the boundary by about 1.6m to 1.9m. At first floor level it would have a depth of about 10m.

The appeal inspector found that the distance of this proposal from Cormandel to the rear was an acceptable one given this is a built-up area and there is a degree of mutual overlooking between dwellings. She also found that the proposal would not have a detrimental impact upon the character of the area or the Chilterns AONB.

The Inspector dismissed the appeal. She concluded that, 'from the rear windows at Herewood the outlook would be largely towards the flank elevation of the proposed extension. At first floor level there would be limited articulation in this elevation, comprising a small set-in towards the front, a small top-hung window to an en-suite shower room, and a chimney stack. I consider that due to its size, location and design the extension would appear as a monolithic and overbearing presence in the view upwards from the ground floor windows and from the conservatory, and as an oppressive feature in the outlook from the dormer windows, from which the view would be direct and at close range. In addition, I am concerned that the rear part of the extension would block a certain amount of morning sunlight received at Herewood due to its position to the east, and would reduce daylight due to its size and proximity. This compounds the harm to amenity due to the effect on outlook. In respect of Herewood, therefore, I conclude on the main issue that the proposed extension would be significantly harmful to living conditions due to its impact on outlook and loss of light.' She also determined; 'There would be two bedroom windows in the rear elevation of the extension at first floor level. These would be close to the rear boundary of Wychwood. Albeit that the angle of view would be oblique and that there is vegetation along the boundary, I believe that the degree of overlooking, particularly of the rear garden, would be intrusive and unneighbourly. The proposal would therefore be unacceptably harmful to living conditions at Wychwood due to loss of privacy.

13/05784/FUL - a copy of the proposed site plan for this application is provided below.



Extract from appeal decision

The proposal would result in a combined two storey and single storey extension that fills a gap formed by the side garden of Fernlands and would mainly flank the rear of the neighbouring property at Herewood. Approximately half of the side of the first floor would be stepped back from the boundary where it flanks Herewood by reason of a stagger. Below this stagger, there would be a crown roof that wraps around from the front of the extension. The roof above the first floor would be divided into two smaller hipped roofs with a central valley where it would flank the two neighbouring properties. The first floor would be articulated further by a recessed bricked-up 'window-tax' feature and a nonopening window. There would be single storey projections behind and in front of the two-storey part of the extension.

The inspector again found that there was no detrimental impact upon the character of the area, the AONB, or the existing dwelling. He also found that the impact upon the amenity of properties to the rear was acceptable. With regard to overlooking of Herewood and Wychwood he concluded; 'A first floor window in the proposed extension would directly flank Herewood but it would be the only window above the ground floor and would be designed to be obscured and non-opening. For this reason, there would be no overlooking, including perceived of this neighbouring dwelling. This window would not directly face Wychwood and consequently there would be no harmful overlooking, including perceived, of this property. There would be further windows to the rear of the first floor in the proposed development which would face the garden of the appeal property but which would not give rise to significant overlooking primarily because of the distances to the adjacent dwellings and gardens.'

The Inspector again dismissed the appeal. He concluded in terms of overbearing impact that:

The flank of the extension's first floor would be between 2.05m to 1.6m away from the rear common boundary with Herewood, the rear wall of which would be a further 7m to 7.5m away. This provides an approximate separation distance of 8.6m increasing to 9.55m by reason of the stagger in the extension and the relationship of Herewood to the boundary. These separation distances would be insufficient to overcome the overbearing impact of the extension given its size and extent along the boundary and the layout of the neighbouring dwelling at Herewood....

The outlook from the dwelling and garden of Herewood would be towards a substantial development in terms of mass and bulk, the harmful impact of which would not be lessened by the design of the extension's flank, including its roof. In relation to Wychwood, the position and size of the chimney attached to the extension would not have a significantly overbearing impact because this development flanks only a small part of this neighbour's boundary. On this basis, the overbearing impact would be harmful to the outlook of occupiers of the neighbouring property at Herewood.

In terms of loss of light, he concluded:

The extension would be located to the east of Herewood. It is appreciated that the depth, height and design of the extension, including its roof, seeks to prevent the significant loss of daylight and early morning sunlight from the east. Nonetheless the mass and bulk of the extension, in close proximity to the neighbouring property, would be substantial and would consequently reduce the level of both sunlight and daylight. The appellant's evidence on daylight and sunlight, based on the Building Research Establishment Guidance, is noted but fails to take into account the impact of the proposed development on the conservatory and the garden of the neighbouring property. I conclude that the proposal would be materially harmful to the living conditions of the occupiers of Herewood by reason of the loss of daylight and sunlight caused by the proximity of the proposed extensions.

4.0 Policy Considerations and Evaluation

Principle and Location of Development

Wycombe District Local Plan (August 2019): DM30 (The Chilterns Area of Outstanding Natural Beauty), DM36 (extensions and alterations to existing dwellings). The Chilterns Buildings Design Guide SPD and the Householder Planning and Design Guidance SPD.

- 4.1 Extensions to dwellings within the Chilterns AONB are acceptable in principle, subject to compliance with other policies in the Development Plan.
- 4.2 The use of an existing building plate to enlarge a dwelling is also acceptable in principle, it allows extending a house without further loss of garden space and green infrastructure within the property.
- 4.3 All householder development is expected to adhere to policy DM36 and the Householder Design Guide SPD to ensure that the amenity of neighbours is preserved to a reasonable level.

Transport matters and parking

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

- 4.4 An additional bedroom would see the parking requirement for the property rise from 2 to 3 vehicles (for a 4-bedroom dwelling in residential parking zone B)
- 4.5 The integrated garage would remain available to the property, along with capacity for two further vehicles to the front curtilage. As such the optimum parking requirements for the use are fulfilled.

Raising the quality of place making and design

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM35 (Placemaking and Design Quality)

- 4.6 The extension follows the established design language of the parent dwelling, with hipped-roofs and windows matching the existing. Materials are also stated to match the existing. As such the proposal in design terms is acceptable.

- 4.7 The use of a dual pitched roof with a valley has been proposed to minimise the height of the extension. The valley roof is an acceptable form of design, and reflects the highly varied roofscape of the area.

Amenity of existing and future residents

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality), DM36 (extensions and alterations to existing dwellings), DM40 (Internal space standards). Household Design Guide SPD.

- 4.8 The application has been called into the planning committee on the grounds that the extension may result in harm to the outlook from the rear of the neighbouring dwelling known as Herewood, by way of overbearing and overshadowing.
- 4.9 This follows a planning history in which a number of similar proposals have been refused by The Council, and on two occasions in 2013 (12/05936/FUL and 13/05784/FUL) dismissed by the Planning Inspectorate on the ground of the loss of amenity to the neighbour at Herewood
- 4.10 The neighbouring property is a corner plot, and the dwelling is oriented at a right angle to Fernlands. As such the rear outlook of Herewood faces the flank to which the development is proposed.
- 4.11 The separation distance between the rear elevation of the neighbour and the development would be 11m at its minimum (9m to the existing conservatory at Herewood), a reduction of 3m over the existing standoff distance, and when compared to previous applications, an improvement to separation distance by 85cm.
- 4.12 The most recent appeal stated that '9.55m' would be an insufficient separation distance to avoid overbearing. The inspector also considered that the impact on natural light would be unacceptable on the conservatory and rear garden of Herewood, particularly during morning hours. The separation distance would now be approximately 11m to the main dwelling – less to the conservatory, but allowing for greater levels of natural light into the rear garden and conservatory than the previously refused proposals.
- 4.13 When compared to previously refused applications, the depth of the extension has also been notably reduced. The proposal now reflects an extrusion of the existing first floor of the dwelling; a reduction in depth of 3.2m when compared to the 2012 application, and 1.2m when compared to the 2013 application. The result of this is a reduction in the massing facing off with the rear of Herewood, which would reduce the overall overbearing impact of this proposal compared with the previous.
- 4.14 Further mitigation against overbearing and overshadowing is achieved by the reduced ridge height of the proposal by 40cm when compared to previous applications. This, when considered with the reduced width and depth, would result in a notably diminished scale of extension and improved relationship between the neighbours. On balance, officers are of the opinion that these reductions in the overall bulk, scale and massing of the proposal are sufficient to make the relationship an acceptable one.
- 4.15 In this instance there would be no windows in the new flank elevation, and as such the development would maintain the current level of privacy.
- 4.16 The policy landscape has also evolved following the 2012 appeal decision. While harm from overbearing and overshadowing to the amenity of a neighbour remain material considerations, a presumption in favour of sustainable development has been introduced at a national level within the NPPF.
- 4.17 The development would see the dwelling extended without any further uptake of the garden area, minimising harm to green infrastructure. As such a first floor extension over

an existing ground floor is an appropriately sustainable means of extending a dwelling in a residential area. This means there would be no additional harm to ecology and green infrastructure from the proposal.

- 4.18 While some harm to the neighbour's amenity would occur, such an impact would be typical of householder development in a residential area. The proposal complies with adopted design guidance for light angles and separation distances in terms of preserving privacy. The mature boundary planting in place further would mitigate against any overbearing impact from the development and in itself gives an existing feeling of enclosure and reduction in light to the neighbour at Herewood.
- 4.19 The proposal is no nearer to the rear elevations of properties to the rear than the previous scheme which was deemed acceptable by the planning inspectorate.
- 4.20 With regard to the other neighbouring properties, stand-off distances remain adequate to avoid overbearing or loss of privacy, as established in the planning history of the site, and by inspector decisions.

Green networks and infrastructure

Wycombe District Local Plan (August 2019): DM36 (Delivering green infrastructure and biodiversity in development)

- 4.21 No harm to green infrastructure would occur as a result of the development, as the extension would occur above existing built form.
- 4.22 Should the application be approved, a condition requiring an appropriate level of biodiversity net gain on the property is recommended to ensure compliance with Policy DM34.

5.0 Weighing and balancing of issues / Overall Assessment

- 5.1 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.
- 5.2 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 (such as CIL if applicable), and,
 - c. Any other material considerations
- 5.3 As set out above it is considered that the proposed development would accord with development plan policies.
- 5.4 The planning history of the site contains a number of refusals for larger extensions to the flank of the dwelling, by both the Local Planning Authority and the Planning Inspectorate. However, the current scheme benefits from pre-planning engagement with the Council, and is considered to have been reduced enough in scale and separation to be within acceptability.

6.0 Working with the applicant / agent

- 6.1 In accordance with paragraph 38 of the NPPF (2019) the Council 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.
- 6.2 The Council 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.
- 6.3 In this instance:
- The applicant was provided with pre-application advice,
 - The agent and applicant were made aware of the large number of representations made in opposition to the development
 - Two Ward Councillors requested that the application be determined at committee should Officers be minded to approve.
 - The applicant was provided the opportunity to submit amendments to the scheme to address issues raised by the objecting parties.
 - The scheme was still considered to be unacceptable by Ward Councillors, and was subsequently called in for determination by Committee.

7.0 Recommendation:

Application Permitted.

For the reasons set out above, the proposal is on balance considered to be an acceptable form of sustainable development and is in conformity with the Local Development Plan. As such it is recommended for approval.

Subject to the following conditions and reasons:-

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 0758 - 101 - B, 0758 - 103 - C, 0758 - 104 - A; 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 shall be of the same colour, type and texture as those used in the existing building, unless the Local Planning Authority otherwise first agrees in writing.
Reason: To secure a satisfactory external appearance.
4. Prior to the occupation of the development hereby permitted a bird box, or nesting brick shall be incorporated into the property, in positions suitable for their intended purpose (for example, to the first floor below the eaves) and thereafter retained for the lifetime of the development.
Reason: All development is expected to result in a net increase in biodiversity and ecological features proportionate to the development proposed to comply with the requirements of Policy DM34 of the adopted Wycombe District Local Plan (2019).

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Called in by **CLlr David Carroll**, seconded by **CLlr Clive Harris**:

Following contact from local residents regarding the proposed development and history of applications on this site, I request that should the officers be minded to permit this application it be called before committee for decision following a site inspection by the committee to consider the impact on the area and neighbouring properties.

Parish Council Comments

The parish council object to this application because of overdevelopment and negative impact on neighbouring properties.

Consultation Responses

None requested

Representations

A series of representations from the neighbour at Herewood were received in reference to the overbearing and overshadowing impact from the proposed development.

APPENDIX B: Site Location Plan



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Rev	Date	Description
01	06/09/12	Preliminary
A	17/02/12	Design changes
B	24/05/12	Amend Design
C	18/06/12	Amend Design
D	06/11/12	Amend Design
E	12/11/12	Amend design and add detail

JRM
 JRM Architects
 12/11/12

Date	Draw No.	Client	Drawings Title
12/11/12	19/3	Mr & Mrs Fraser	Front, Side and Rear Extension
Scale	Rev	Job Title	NOTES
1:20 1:100 1:50	1	Fernando, Gabriel, Laine, Nagrin, High Walscombe PPA ARB	All dimensions are approximate and are for planning purposes. Do not scale from this drawing. Copyright reserved.

Ref: 12.1.05.1936.1 PGL
AMENDED

PLANNING
 13 NOV 2012
 WYOMER SYSTEMS

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Appeal Decision

Site visit made on 5 March 2013

by Julie German BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 March 2013

Appeal Ref: APP/K0425/D/13/2191330

Fernlands, Chapel Lane, Naphill, High Wycombe, Bucks. HP14 4RB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Stuart Fraser against the decision of Wycombe District Council.
 - The application Ref 12/05936/FUL, dated 10 April 2012, was refused by notice dated 16 November 2012.
 - The development proposed is a double storey extension incorporating a garage to the north west elevation of the existing property.
-

Decision

1. The appeal is dismissed.

Main Issue

2. I consider that the main issue is the effect on living conditions at neighbouring properties, with particular reference to outlook and light.

Reasons

3. Fernlands is a detached house. The proposal entails the erection of a two storey side extension incorporating a single garage. About half of the garage would extend forward of the existing front elevation and would have a crown roof. At first floor level the extension would be set back marginally from the existing front elevation. At the rear, the extension would project beyond the existing rear elevation by about 3m on both storeys.
 4. The rear gardens of Herewood and Wychwood adjoin the side boundary of the site and the rear garden of Coromandel adjoins the rear boundary. Herewood and Wychwood are detached chalet bungalows, and Coromandel is a detached house. Both Herewood and Wychwood have short rear gardens.
 5. At Herewood there is a dormer in the rear roof plane. The dormer has two windows; one is a two-light casement window and the other is a three-light casement window. There is a conservatory below the dormer. The proposed extension would be set in from the boundary by about 1.6m to 1.9m. At first floor level it would have a depth of about 10m. I appreciate that the flank elevation of Herewood is set closer to the road than is the front elevation of
-

Fernlands. Nevertheless, from the rear windows at Herewood the outlook would be largely towards the flank elevation of the proposed extension. At first floor level there would be limited articulation in this elevation, comprising a small set-in towards the front, a small top-hung window to an en suite shower room, and a chimney stack. I consider that due to its size, location and design the extension would appear as a monolithic and overbearing presence in the view upwards from the ground floor windows and from the conservatory, and as an oppressive feature in the outlook from the dormer windows, from which the view would be direct and at close range. In addition, I am concerned that the rear part of the extension would block a certain amount of morning sunlight received at Herewood due to its position to the east, and would reduce daylight due to its size and proximity. This compounds the harm to amenity due to the effect on outlook. In respect of Herewood, therefore, I conclude on the main issue that the proposed extension would be significantly harmful to living conditions due to its impact on outlook and loss of light.

6. Whilst the Council's reason for refusal makes specific reference only to Herewood, reference is also made more generally to the effect on immediate neighbours. In this respect, representations have been received from the occupiers of Wychwood and Coromandel.
7. There would be two bedroom windows in the rear elevation of the extension at first floor level. These would be close to the rear boundary of Wychwood. Albeit that the angle of view would be oblique and that there is vegetation along the boundary, I believe that the degree of overlooking, particularly of the rear garden, would be intrusive and unneighbourly. The proposal would therefore be unacceptably harmful to living conditions at Wychwood due to loss of privacy.
8. The distance between the rear bedroom windows and the boundary with Coromandel is shown on the submitted drawings as 11.75m, and I understand that the depth of the rear garden at Coromandel is 12m. I appreciate that this would bring bedroom windows some 3m nearer to Coromandel than is currently the case. In my experience, however, a back to back distance of about 22m is commonly held to be acceptable in a built-up area, where a degree of mutual overlooking is to be expected. On this basis, I do not consider that the increased level of overlooking of Coromandel that would result would be sufficient to justify the withholding of planning permission in this case.
9. In respect of Herewood and Wychwood, therefore, the proposal would conflict with Policy H17 of the Wycombe District Local Plan to 2011 which states that house extensions will not be permitted where the proposal would have an adverse effect on the residential amenities of neighbouring properties. It would also conflict with Policy G8 which seeks to safeguard the amenity of surrounding occupants in respect of light, privacy and visual intrusion, and with Policy CS19 of the Wycombe Development Framework Core Strategy which seeks high standards of design in respect of the amenity of neighbouring uses.
10. In addition to the effect on living conditions at neighbouring properties I note that concern has been voiced in respect of the effect of the extension on the character and appearance of the area. For example, it is contended that it would diminish the gap between the existing properties. I recognise that there is a certain rhythm in the spacing of properties on Chapel Lane. However, the relationship between Herewood and Fernlands is rear to side rather than side to

side. As such I believe that the rear garden at Herewood provides a visual gap along Chapel Lane which is not dissimilar from the side to side gaps nearby. More generally, I do not consider that the proposal would diminish unacceptably the openness of the lane. Accordingly, the proposal would not result in any material harm to the landscape of the Chilterns Area of Outstanding Natural Beauty within which the site is located.

11. I have noted the calculations of the appellant in respect of light but I have assessed the proposal on its own merits according to my own judgement and following a site visit. I have also noted submissions in respect of trees which have been removed but it falls to me to assess the circumstances of the proposal as they now pertain.
12. Notwithstanding my findings in respect of Coromandel and the character and appearance of the area I conclude overall that the harm to living conditions at Herewood and Wychwood would be substantial and is overriding.
13. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Julie German

INSPECTOR

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Appeal Decision

Site visit made on 5 March 2013

by Julie German BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 March 2013

Appeal Ref: APP/K0425/D/13/2191330

Fernlands, Chapel Lane, Naphill, High Wycombe, Bucks. HP14 4RB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Stuart Fraser against the decision of Wycombe District Council.
 - The application Ref 12/05936/FUL, dated 10 April 2012, was refused by notice dated 16 November 2012.
 - The development proposed is a double storey extension incorporating a garage to the north west elevation of the existing property.
-

Decision

1. The appeal is dismissed.

Main Issue

2. I consider that the main issue is the effect on living conditions at neighbouring properties, with particular reference to outlook and light.

Reasons

3. Fernlands is a detached house. The proposal entails the erection of a two storey side extension incorporating a single garage. About half of the garage would extend forward of the existing front elevation and would have a crown roof. At first floor level the extension would be set back marginally from the existing front elevation. At the rear, the extension would project beyond the existing rear elevation by about 3m on both storeys.
 4. The rear gardens of Herewood and Wychwood adjoin the side boundary of the site and the rear garden of Coromandel adjoins the rear boundary. Herewood and Wychwood are detached chalet bungalows, and Coromandel is a detached house. Both Herewood and Wychwood have short rear gardens.
 5. At Herewood there is a dormer in the rear roof plane. The dormer has two windows; one is a two-light casement window and the other is a three-light casement window. There is a conservatory below the dormer. The proposed extension would be set in from the boundary by about 1.6m to 1.9m. At first floor level it would have a depth of about 10m. I appreciate that the flank elevation of Herewood is set closer to the road than is the front elevation of
-

Fernlands. Nevertheless, from the rear windows at Herewood the outlook would be largely towards the flank elevation of the proposed extension. At first floor level there would be limited articulation in this elevation, comprising a small set-in towards the front, a small top-hung window to an en suite shower room, and a chimney stack. I consider that due to its size, location and design the extension would appear as a monolithic and overbearing presence in the view upwards from the ground floor windows and from the conservatory, and as an oppressive feature in the outlook from the dormer windows, from which the view would be direct and at close range. In addition, I am concerned that the rear part of the extension would block a certain amount of morning sunlight received at Herewood due to its position to the east, and would reduce daylight due to its size and proximity. This compounds the harm to amenity due to the effect on outlook. In respect of Herewood, therefore, I conclude on the main issue that the proposed extension would be significantly harmful to living conditions due to its impact on outlook and loss of light.

6. Whilst the Council's reason for refusal makes specific reference only to Herewood, reference is also made more generally to the effect on immediate neighbours. In this respect, representations have been received from the occupiers of Wychwood and Coromandel.
7. There would be two bedroom windows in the rear elevation of the extension at first floor level. These would be close to the rear boundary of Wychwood. Albeit that the angle of view would be oblique and that there is vegetation along the boundary, I believe that the degree of overlooking, particularly of the rear garden, would be intrusive and unneighbourly. The proposal would therefore be unacceptably harmful to living conditions at Wychwood due to loss of privacy.
8. The distance between the rear bedroom windows and the boundary with Coromandel is shown on the submitted drawings as 11.75m, and I understand that the depth of the rear garden at Coromandel is 12m. I appreciate that this would bring bedroom windows some 3m nearer to Coromandel than is currently the case. In my experience, however, a back to back distance of about 22m is commonly held to be acceptable in a built-up area, where a degree of mutual overlooking is to be expected. On this basis, I do not consider that the increased level of overlooking of Coromandel that would result would be sufficient to justify the withholding of planning permission in this case.
9. In respect of Herewood and Wychwood, therefore, the proposal would conflict with Policy H17 of the Wycombe District Local Plan to 2011 which states that house extensions will not be permitted where the proposal would have an adverse effect on the residential amenities of neighbouring properties. It would also conflict with Policy G8 which seeks to safeguard the amenity of surrounding occupants in respect of light, privacy and visual intrusion, and with Policy CS19 of the Wycombe Development Framework Core Strategy which seeks high standards of design in respect of the amenity of neighbouring uses.
10. In addition to the effect on living conditions at neighbouring properties I note that concern has been voiced in respect of the effect of the extension on the character and appearance of the area. For example, it is contended that it would diminish the gap between the existing properties. I recognise that there is a certain rhythm in the spacing of properties on Chapel Lane. However, the relationship between Herewood and Fernlands is rear to side rather than side to

side. As such I believe that the rear garden at Herewood provides a visual gap along Chapel Lane which is not dissimilar from the side to side gaps nearby. More generally, I do not consider that the proposal would diminish unacceptably the openness of the lane. Accordingly, the proposal would not result in any material harm to the landscape of the Chilterns Area of Outstanding Natural Beauty within which the site is located.

11. I have noted the calculations of the appellant in respect of light but I have assessed the proposal on its own merits according to my own judgement and following a site visit. I have also noted submissions in respect of trees which have been removed but it falls to me to assess the circumstances of the proposal as they now pertain.
12. Notwithstanding my findings in respect of Coromandel and the character and appearance of the area I conclude overall that the harm to living conditions at Herewood and Wychwood would be substantial and is overriding.
13. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Julie German

INSPECTOR

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Report to West Area Planning Committee

Application Number:	22/07275/FUL
Proposal:	Householder application for roof alterations including increase in ridge height and extended gable to rear, construction of two storey side, single storey side and two storey front and rear extensions and external alterations
Site Location:	4 Chequers Lane Cadmore End Buckinghamshire HP14 3PQ
Applicant:	Mrs Pauline Freeman
Case Officer:	Yee Chung Hui
Ward(s) affected:	Chiltern Villages
Parish-Town Council:	Lane End Parish Council
Date valid application received:	18th August 2022
Statutory determination date:	13th October 2022
Recommendation	Application Permitted

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Planning permission is sought for the development of a two storey side extension, single storey side extension and two storey front and rear extensions and external alterations with alterations to materials, finishing and raise of ridge height from 7.3m high to 7.9m high. An inverted L-shaped balcony feature is attached to the first floor rear of the dwelling.
- 1.2 The application dwelling would be finished with a brick-base plinth with sand, cement and lime mix render and gable roof with plain tiles. The rear of the two storey side extension would consist of part timber or part tile cladding and matching rendering to the main dwelling.
- 1.3 The application was called up by a local member, Councillor Mark Turner, to consider the applicant in the next Planning Committee on the grounds of objections to the overbearing nature of the development posing adverse harm to the neighbours' amenity and the character and appearance of the proposal is visually incongruous with the locality and residential street scene.
- 1.4 A similar planning application was submitted under 21/08738/FUL and was later withdrawn.

1.5 The officer's recommendation is approval.

2.0 Description of Proposed Development

- 2.1 The application dwelling is situated at the end of a row of four residential dwellings with open green spaces to the south and beyond. The dwelling benefits from a spacious-sized plot. Dense hedgerows form the curtilage of the site to the western and northern boundary and a set of gates currently sit in front of the vehicle access.
- 2.2 There are no protected trees identified within the site curtilage, neither are any trees within proximity to the proposed development.
- 2.3 The proposed development seeks to transform the character of the dwelling with the introduction of a Tudor revival, gable end feature on the two storey front extension and a linear two storey side/rear extension to the left wing.
- 2.4 The existing single storey flat roof projection to the side and outbuilding would be demolished.
- 2.5 The development would consist of a two storey side/rear extension setback from the main dwelling, approximate 3.9m wide and lowered from the ridgeline of the property adjacent to no.3 Chequers Lane (Garden Cottage). It totals to 12m length with an inverted L-shaped balcony feature inserted to the first floor rear of the dwelling.
- 2.6 A separate, single storey side extension is attached to form the other wing, approximate 3.8m wide and no higher than 5.1m high with gable roof.
- 2.7 To the centre of the application dwelling, a two storey rear extension with gable end and double height glazing is inserted to the rear.
- 2.8 It is confirmed there are no garage outbuildings proposed within the planning application.
- 2.9 The application is accompanied by :
- a) Application form
 - b) Planning and Design Statement
 - c) Existing elevations
 - d) Proposed block plan and floor plans
 - e) Proposed elevations
- 2.10 The application site falls outside of any Green Belt, designated Conservation Area and curtilages of Listed Buildings. It is within Chilterns AONB and within Residential Parking Zone B of Chilterns Rise.
- 2.11 The site also falls within gas pipeline consultation area and within a green zone for suitable habitats for Great Crested Newts, which is the lowest category of suitability.

3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
93/06250/FUL	FORMATION OF AN OUTDOOR MANEGE	PER	5 October 1993
05/05794/CLE	For occupation of dwelling without complying with	GRCLE	7 June 2005

agricultural restriction imposed
by condition 1 of W/85/6977

PI07/04206/MISC2	Installation of solar water heating system	REPLY	19 September 2006
07/07061/FUL	Installation of 1 x OPC 15 solar collector to the south east and north west roof slope (2 in total)	PER	12 October 2007
21/08738/FUL	Householder application for construction of two storey side, single storey side and two storey front extension, roof alterations including increasing ridge height, external material alterations and single storey detached garage	WDN	17 February 2022

4.0 Policy Considerations and Evaluation

Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy)

DM1 (Presumption in favour of sustainable development), DM14 (Biodiversity in development), DM33 (Managing Carbon Emissions, Transport and Energy Generation), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality), DM39 (Managing flood risk and sustainable drainage systems)

4.1 The nature of the proposed development, extensions to an existing dwelling within an established residential area is acceptable in principle, subject to the compliance with the Adopted Local Plan Policies and the other material planning considerations.

Transport matters and parking

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), CP12 (Climate change)

DM2 (Transport requirements of development sites), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

Adopted Parking Guidance SPD

4.2 Given the enlargement of the dwelling, the application dwelling would form a 9 habitable room/4 bedroom dwelling within Residential Parking Zone B. The parking threshold is three parking spaces.

4.3 The existing parking provision is provided by the driveway in front of the dwelling. There are no alterations to existing parking arrangement in the proposal.

4.4 In this instance, the existing driveway and proposal would not result in any deficient number of on-site parking spaces and the parking arrangement is considered acceptable and compliance with the Adopted Parking Guidance recommendations.

Raising the quality of place making and design

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM30 (The Chilterns Area of Outstanding Natural Beauty), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality), DM36 (Extensions and Alterations to Existing Dwellings)

DSA: DM11 (Green networks and infrastructure)

Householder Planning and Design Guidance SPD, Chilterns Building Design Guidance

- 4.5 The site is located in the Chilterns Area of Outstanding Natural Beauty (AONB). Paragraph 176 of the NPPF requires great weight to be given to conserving and enhancing landscape and scenic beauty in AONBs. Under the Council's Adopted Local Plan Policies DM30, it requires development in the AONB to deliver the highest quality of design which respects the natural beauty and built heritage of the Chilterns and enhances the sense of place and local character.
- 4.6 There is a mixture of supporting letters and objections to the proposed development with regards to its visual appearance and design.
- 4.7 The proposed development introduces a design feature that is not commonly found within the general locality. The appearance and design of the Tudor gable end feature is not unduly incongruous and would not harm the pattern of development and characteristics amongst the four residential units. It is noted the individual dwellings along this residential street are not particularly defined by a uniform design. Apart from the use of bricks and plain tiles, the neighbouring dwellings are varied in form, size and appearance.
- 4.8 With the dense hedgerow to the northern curtilage and gated access, the gable end feature to the front and height of the raised ridgeline is partially visible from street scene and public views, but they are not detrimental to the character and appearance of the local area. The proposed height of the dwelling with an increase of 0.6m is not over-prominent and of similar height to the adjacent unit, no.3 Chequers Lane (Garden Cottage). As such, the development is not overly-prominent and would not be detrimental to the character and appearance of the area.
- 4.9 With the proposal sitting alongside other buildings in Chequers Lane, the development of the two storey side and rear extensions, in terms of their size, siting and bulk are not considered to detract from the existing residential plots, street pattern and the scale and form of existing buildings. The development is comfortably situated within the site curtilage and sufficient separation is retained from the shared boundary to the adjacent dwelling, no.3 Chequers Lane. The proposal is considered to comply with Adopted Local Plan Policies DM30.
- 4.10 In terms of the size and building footprint of the extensions, whilst the length of the side extension is quite deep, it is of a scale, form and orientation to the main dwelling which remains subservient to the house.
- 4.11 To the rear of the dwelling, the two storey gable end features and balconies are introduced to integrate and relate with the front gable end feature with a modern approach. The rear design features are not directly visible from any public views, and there are no objections to the innovative design of the proposal.
- 4.12 In general, the proposed development is not detrimentally harmful to the appearance, character, and setting of the application dwelling, residential street, neighbourhood and special qualities of the Chilterns AONB.

Amenity of existing and future residents

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality), DM36 (Extensions and Alterations to Existing Dwellings)
Householder Planning and Design Guidance SPD

- 4.13 Representations have been received from neighbouring properties regarding the amenity impact of the proposal. Both supporting and objecting comments have been received.
- 4.14 In respect of no.3 Chequers Lane (Garden Cottage), although the two storey rear wing is due south to the neighbour, its positioning is clear of the 45 and 60 degree light angle guidance. In addition, there is no overshadowing to the rear of the neighbour's property due to the dense hedgerow boundary treatment along the shared boundary. There is no loss of light as such.
- 4.15 The neighbour, no.3 Chequers Lane (Garden Cottage), has no existing side openings at first floor level. The positioning of the rear openings and balconies would cause no unacceptable loss of privacy to this neighbour
- 4.16 Given the height, depth and separation of over 2m to no.3 Chequers Lane, the proposal is not considered overbearing or over-dominant to the detriment of the amenities and outlook of the habitable openings of no. 3 Chequers Lane (Garden Cottage).
- 4.17 As such, the application submitted is not detrimental to the neighbours' residential amenities and outlook.

Ecology

Wycombe District Local Plan (August 2019): DM13 (Conservation and Enhancement of Sites, Habitats and Species of Biodiversity and Geodiversity Importance), DM14 (Biodiversity in Development), CP10 (Green infrastructure and the Natural environment), DM34 (Delivering Green Infrastructure and Biodiversity in Development)
Biodiversity Net Gain SPD

- 4.18 The application site is outside of any priority habitats area and ecological sites.
- 4.19 Given the nature of the proposal has the potential impact to roof spaces, consultation comments were sought from the Ecology Officer. There is not a reasonable likelihood of protected species including bats being present and/or affected by the proposed development. Therefore, no supporting ecological information was necessary.

Green networks and infrastructure

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth), CP10 (Green infrastructure and the Natural environment), DM11 (Green Networks and Infrastructure), DM15 (Protection and enhancement of river and stream corridors), DM34 (Delivering Green Infrastructure and Biodiversity in Development)

- 4.20 In terms of green infrastructure, Policy DM34 requires all development to protect and enhance both biodiversity and green infrastructure features and networks both on and off site for the lifetime of the development. No assessment has been provided with this proposal so it falls to the Local Planning Authority to consider what would be proportionate for the development proposed.
- 4.21 In this instance, the proposed extensions are likely to result in partial loss of tall hedgerow and grassed garden areas to the northern boundary.
- 4.22 Conditions and suggestions on ecological enhancement features were recommended by the Ecology Officer to ensure a net gain in biodiversity. A condition is proposed to install

the bird box prior to the completion of works. In addition, an informative would be attached to inform the applicant about legislation protecting nesting birds and bats.

Environmental issues

Wycombe District Local Plan (August 2019): CP12 (Climate change), DM20 (Matters to be determined in accordance with the NPPF – contamination and pollution), DM33 (Managing Carbon Emissions: Transport and Energy Generation), DM35 (Placemaking and Design Quality)

4.23 There are no matters observed regarding environmental impact such as light, noise, pollution and contamination.

Flooding and drainage

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth), CP12 (Climate change), DM39 (Managing Flood Risk and Sustainable Drainage Systems)

4.24 The application site falls outside of any Flood Zones and surfacing water flooding areas.

4.25 The proposal has no harmful effects to the flooding risk of the application site.

Building sustainability

Wycombe District Local Plan (August 2019): CP12 (Climate change), DM33 (Managing Carbon Emissions: Transport and Energy Generation)

4.26 In order to address the Adopted Local Plan Policies DM33, The Planning and Design Statement has outlined the proposed development would consist of locally sourced materials and development would seek to achieve beyond the minimum standards of the thermal and energy efficiency performance of Building Regulations.

4.27 The utilisation of environmentally friendly insulation, thermal efficiency glazing, solar gain and reduction of water consumption is proposed within the design of the development.

4.28 In this instance, there are no objections to the proposal.

Infrastructure and Developer Contributions

Wycombe District Local Plan (August 2019): DM19 (Infrastructure and delivery), CP7 (Delivering the Infrastructure to Support Growth)

4.1 The development is a type of development where CIL would be not be chargeable.

5.0 Weighing and balancing of issues / Overall Assessment

5.1 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.

5.2 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 (such as CIL if applicable), and,
- c. Any other material considerations

- 5.3 As set out above it is considered that the proposed development would accord with most of the development plan policies and officer's decision is approval recommendation.
- 5.4 In line with the Public Sector Equality Duty the LPA must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation). The application provides for a residential development comprising roof alterations including increase in ridge height and extended gable to rear, construction of two storey side, single storey side and two storey front and rear extensions and external alterations. The development is to the applicant's home and no discrimination or inequality would arise from the proposal.
- 5.5 The Human Rights Act 1998 Article 1 the protection of property and the peaceful enjoyment of possessions and Article 8 the right to respect for private and family life, have been taken into account in considering any impact of the development on residential amenity and the measures to avoid and mitigate impacts. It is not considered that the development would infringe these rights.

6.0 Working with the applicant / agent

- 6.1 In accordance with paragraph 38 of the NPPF the Council 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. The Council 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.
- 6.2 In this instance, the application has been called up to planning committee for consideration by local member, Cllr Mark Turner. The agent/applicant has been notified of this and following discussion and further considerations, the applications submitted is considered to be in compliance with the Adopted Local Plan Policies and the officer's recommendation is approval.

7.0 Recommendation

Application Permitted, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 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 1888/01; 1888/P05; 1888/P06; 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 of the development hereby permitted shall be of the same colour, type and texture as those specified under the schedule of materials, Design and Access Statement and or matching to those used in the existing building, unless the Local Planning Authority otherwise first agrees in writing.

Reason: To secure a satisfactory external appearance.

4. The development will result in the partial loss of grassed garden area and partial loss of tall hedges to the side of the application site.

All development is expected to result in a net increase in biodiversity and ecological features proportionate to the development proposed. In order to compensate for the loss and increase biodiversity opportunities, within one month of the completion of the proposed conversion works, a plan and photographs demonstrating the location of at least one integrated bird box installed beneath the eaves on the northerly elevation of the main dwelling ideally above 5m high, must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the bird box(es) shall be retained for the lifetime of the development unless first agrees with the local planning authority.

Reason: To comply with the requirements of policy DM34.

Informative

Protection of bats and their roosts

1. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to: deliberately capture, injure or kill a bat; intentionally, recklessly or deliberately disturb a roosting or hibernating bat; intentionally or recklessly obstruct access to a roost. Planning consent for a development does not provide a defence against prosecution under these acts. Buildings, other structures and trees may support bats and their roosts. Where proposed activities might result in one or more of the above offences, it is possible to apply for a derogation licence from Natural England. If a bat or bat roost is encountered during works, all works must cease until advice has been sought from Natural England, as failure to do so could result in prosecutable offences being committed.

Protection of breeding birds during construction

2. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Buildings, trees and other vegetation are likely to contain nesting birds between 1st March and 31st August inclusive.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Local member, **Cllr Mark Turner** has called application on the 31st Jan 2022 to planning committee for consideration:

I am concerned that this development will have an overbearing effect on the neighbouring property's amenity. It will be built very close to the neighbour's boundary and the plan sees the roof height being increased. It may result in some loss of light to the South West side of the neighbour's property. I understand this was previously an agricultural worker's house built with an Ag Tag under W/85/6977 and this is reflected in the street scene. Permitted use for the current resident was obtained to release them from this restriction. The large extension changes the character of the street scene of 4 small cottages may be considered incongruous. For these reasons, if planners are minded to approve I would like to ask that this application is referred to the planning committee.

Parish/Town Council Comments

Lane End Parish Council:

Objection - The previous application, despite no objections from the PC only "a neighbour's concerns over potential loss of light/privacy noted" were rejected by the planning authority: "the application is recommended for refusal on the grounds of impact to street scene, locality and out of keeping with the application dwelling. The new plans do little to answer this refusal & as suggested would be better sighting the extension on the other side of the existing dwelling.

Updated comments - The previous application, despite no objections from the PC only a Neighbour's concerns over potential loss of light/privacy noted were commented on by the planning authority with the following:- the application is recommended for refusal on the grounds of impact to street scene, locality and out of keeping with the application dwelling. The original plans were withdrawn following this comment. The new plans do little to answer this original recommendation for refusal & as suggested would be better sighting the extension on the other side of the existing dwelling.

Consultation Responses

Ecology Officer:

No Objection, subject to a planning condition securing a biodiversity feature on site. Informatives for bats and nesting birds are provided.

DISCUSSION

Documents submitted to inform the application including Proposed Block Plan, Site Plan and Proposed Floor Plans (Highway Associates Architects, September 2022), aerial and street photography and site and species records held by the Buckinghamshire & Milton Keynes Environmental Records Centre (BMERC) have been reviewed. Additional photographs provided upon request were also reviewed.

The proposals directly impact the existing roof space. Upon review of the photographs of the existing dwelling on site, It is considered that there is not a reasonable likelihood of protected species including bats being present and/or affected by the proposed development. Therefore, no supporting ecological information is required.

The applicant should be reminded of the legislation that protects bats and nesting birds. Informatives have been provided below.

Opportunities to improve biodiversity in and around developments should be integrated as part of their design in line with recognised good practice and national policy on biodiversity and sustainability (National Planning Policy Framework 2021). Should this application be granted, a planning condition should be applied to secure the provision of biodiversity enhancement within the proposed development.

One swift box should be integrated into the main dwelling on a northerly aspect/orientation (north, north-east and north-west). Example specification includes the Manthrope 'GSWB' Swift Brick (<https://www.nhbs.com/manthorpe-swift-brick>) or the Vivara Pro Cambridge Brick Faced Swift Nest Box (<https://www.nhbs.com/vivara-pro-cambridge-swift-nest-box>). The box should be located high within the gable wall, ideally above 5m high, below the overhang of the verge and barge board.

CONDITIONS

Securing specific biodiversity outcomes on site

Within one month of the completion of the proposed conversion works, a plan and photographs demonstrating the location of at least one integrated bird box installed beneath the eaves on the northerly elevation of the main dwelling ideally above 5m high, must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development provides gains in biodiversity through ecological enhancements are achieved in line with policy DM34.

INFORMATIVES

Protection of bats and their roosts

The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to: deliberately capture, injure or kill a bat; intentionally, recklessly or deliberately disturb a roosting or hibernating bat; intentionally or recklessly obstruct access to a roost. Planning consent for a development does not provide a defence against prosecution under these acts. Buildings, other structures and trees may support bats and their roosts. Where proposed activities might result in one or more of the above offences, it is possible to apply for a derogation licence from Natural England. If a bat or bat roost is encountered during works, all works must cease until advice has been sought from Natural England, as failure to do so could result in prosecutable offences being committed.

Protection of breeding birds during construction

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Buildings, trees and other vegetation are likely to contain nesting birds between 1st March and 31st August inclusive.

LEGISLATION, POLICY AND GUIDANCE

Opportunities to improve biodiversity

The NPPF (2021) Paragraph 180d states "When determining planning applications, local planning authorities should apply the following principles.... development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity

in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."

Representations

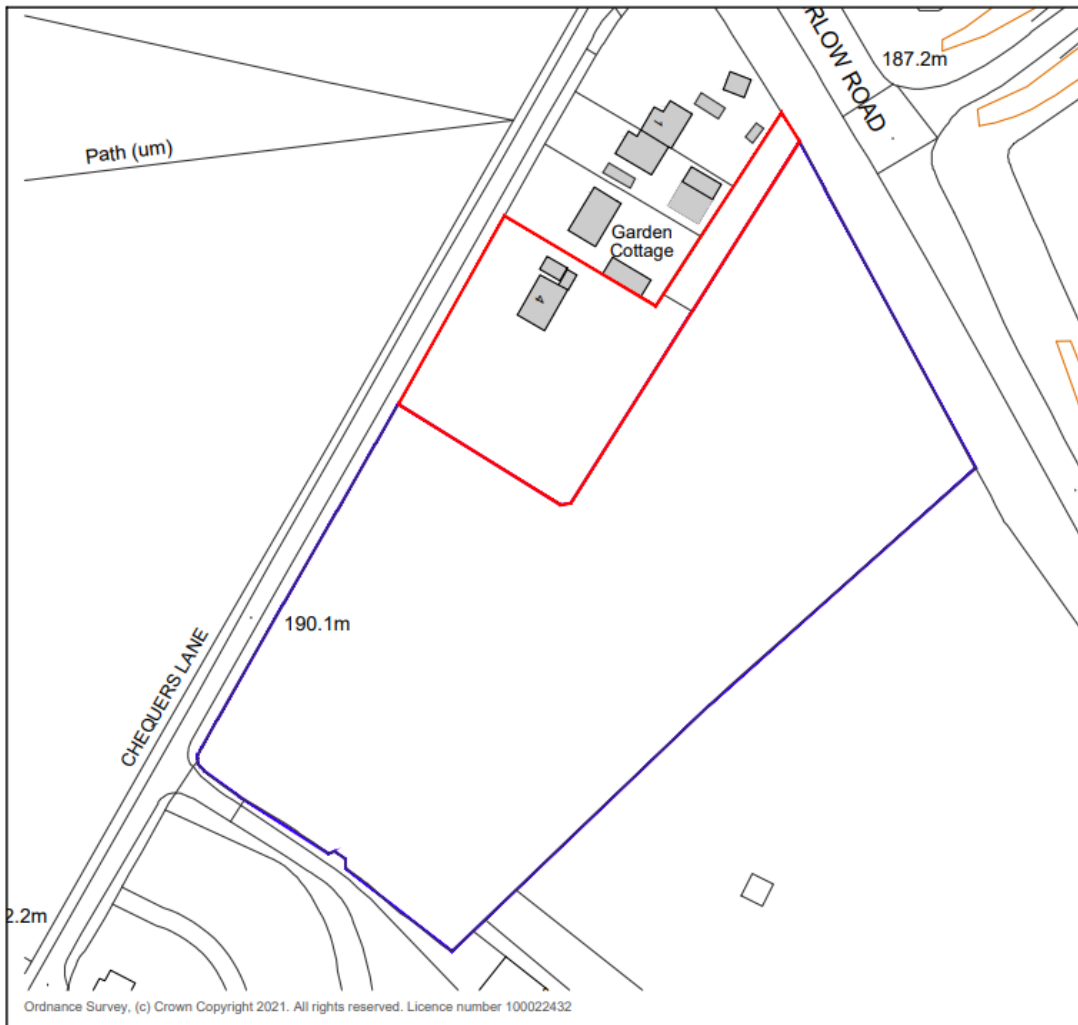
Two letters of objection received raising the following concerns:

- Double height of extension would have overbearing impact and detrimental impact to neighbour's property
- Adverse impact to the enjoyment of the neighbour's property
- Loss of light
- Recommend resubmission of scheme and the proposed extension to be re-configured to the south-west side of the property to avoid any impact to the neighbours

Eight letters of supporting comments received from neighbours and general public:

- Proposed development is in line with the local development, not adversely affecting the visual appearance of the local area with sympathetic design features and improvement to the dwelling's energy efficiency
- Proposal is not adversely harmful to the neighbour's amenity with no loss of light and privacy from the proposed design (due to both the design and the applicant's hedgerows);
- It is neither overbearing and over-dominant in terms of the height and location of development set back from the boundary to neighbour

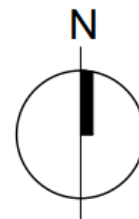
APPENDIX B: Site Location Plan



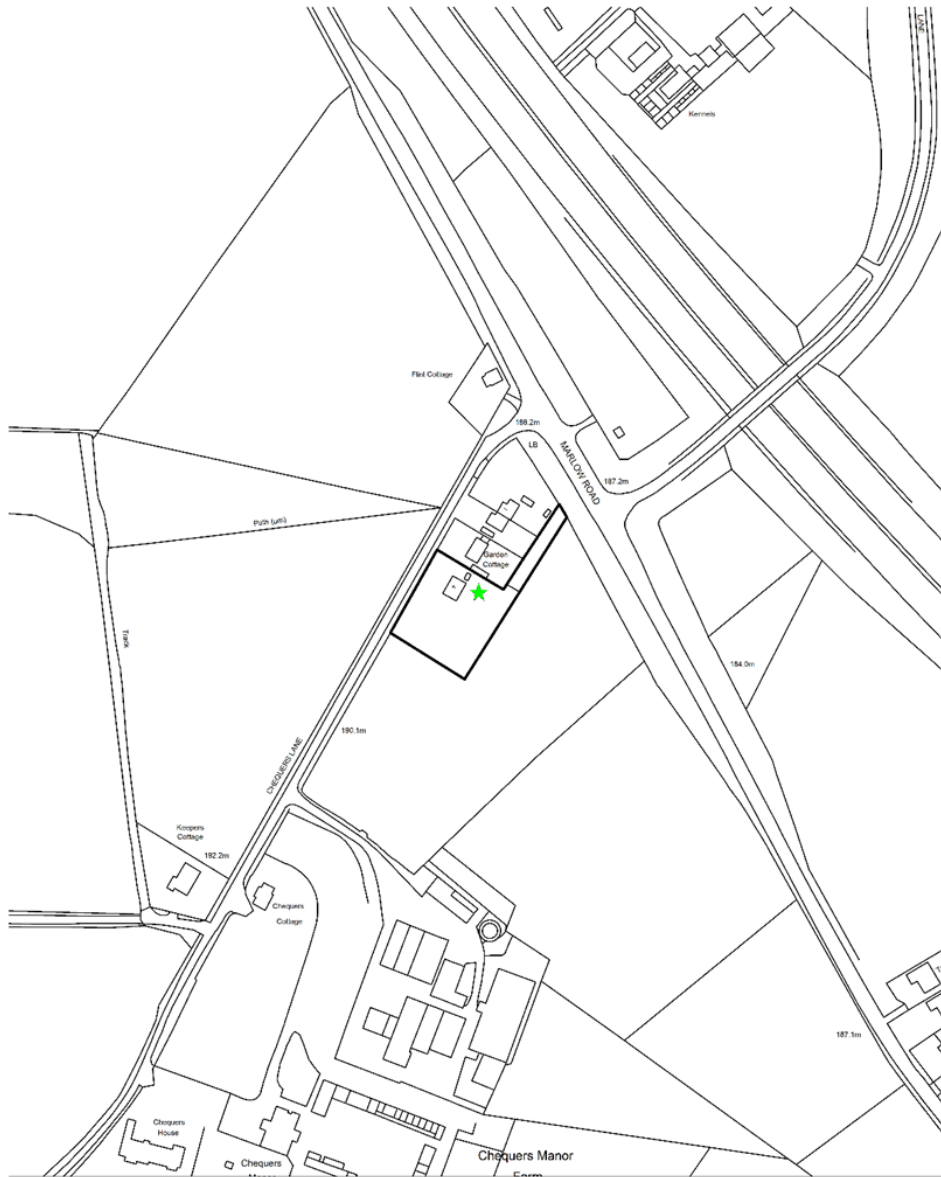
Location Plan 1:1250

0m 25m 50m

Scale
1:1250



22/07275/FUL
Scale 1/2500



Planning Committee
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Report to West Area Planning Committee

Application Number:	22/07384/FUL
Proposal:	Replacement windows to front elevation at shop front, first and second floor levels
Site Location:	16 Church Street High Wycombe Buckinghamshire HP11 2DE
Applicant:	Mr Charles Brocklehurst
Case Officer:	Jackie Sabatini
Ward(s) affected:	Abbey
Parish-Town Council:	High Wycombe Town Unparished
Date valid application received:	31 August 2022
Statutory determination date:	25 November 2022
Recommendation	Application Permitted

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1. This proposal seeks planning permission for replacement windows to front elevation at shop front, first and second floor levels.
- 1.2. The ground floor shop frontage already has planning permission granted under reference (22/06428/FUL).
- 1.3. The proposal is considered to comply with the relevant Development Plan policies and is therefore recommended for approval subject to conditions.
- 1.4. The reason the application has been called to committee is that the applicant works for Buckinghamshire Council.

2.0 Description of Proposed Development

- 1.5. This proposal seeks planning permission for replacement windows to front elevation at shop front, first and second floor levels
- 1.6. The property is a vacant commercial building, last used as a brokerage for money lending purposes, located within the primary shopping area in the Town Centre Boundary in the High Wycombe Town Centre Conservation Area.
- 1.7. The property is situated within a sustainable location and will have no adverse effect upon highway safety.

1.8. The application is accompanied by:

- a) Plans
- b) Design and Access Statement
- c) Ecology Wildlife Checklist

3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
90/06155/ADV	DISPLAY OF ILLUMINATED FASCIA AND PROJECTING SIGNS	PER	31 July 1990
90/06156/FUL	MINOR SHOPFITTING WORKS TO FORM NEW SALES AREA AND NEW SHOPFRONT	PER	31 July 1990
99/06663/ADV	Display of internally illuminated individual characters on fascia sign.	PER	21 September 1999
99/06726/FUL	Installation of new shop front and construction of fire escape	PER	29 September 1999
04/07083/ADV	Display of 1 x internally illuminated fascia sign and 1 x non - illuminated hanging sign	PER	28 September 2004
10/06669/LDO	Local Development Order as adopted on 28th July 2010 following resolution of Full Council on 5th July 2010 for extension to permitted development rights for changes of use of ground floor premises to the following uses: A1 Shops (includes shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, dry cleaners, pet shops, sandwich bars, showrooms, domestic hire shops, funeral directors); A2 Financial and Professional services (includes banks, building societies, estate and employment agencies, betting shops); A3 Restaurants and cafes (includes snack bars); A4 Drinking establishments (includes public houses, wine bars- but not night clubs) ; A5 Hot food takeaways; C1 Hotels;D1 Non- residential institutions (includes art galleries, museums);D2	EXP	29 July 2013

Assembly and leisure (includes
cinemas, bingo halls but not
night clubs)

PLEASE NOTE: THE LDO HAS
NOW EXPIRED FROM 29/07/13 -
ANY QUERIES DAVID DEWAR
01494 421570

12/07611/ADV	Display of externally illuminated fascia sign and two non-illuminated hanging signs (Retrospective)	PER	10 January 2013
22/06428/FUL	Installation of shop front and lantern style roof light to flat rear roof with internal and external alterations including bin store	PER	29 September 2022

4.0 Policy Considerations and Evaluation

Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), DM33 (Managing Carbon Emissions, Transport and Energy Generation) DM34 (Delivering Green Infrastructure and Biodiversity in Development)

DSA: DM1 (Presumption in favour of sustainable development), DM6 (Mixed-use development)

4.1 The replacement windows to front elevation at shop front, first and second floor levels is acceptable in principle, subject to compliance with the Local Plan and other material considerations being taken into account.

Transport matters and parking

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

DSA: DM2 (Transport requirements of development sites)

4.2 The proposed development would not have a material impact on the safety and operation of the adjoining public highway.

4.3 Mindful of the above, the Highway Authority has not been consulted on this application.

Raising the quality of place making and design

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality)

DSA: DM11 (Green networks and infrastructure)

4.4 The site comprises a building/unit located within the Town Centre Boundary, in the High Wycombe Town Centre Conservation Area. The proposal will restore the façade of the building and help to maintain the vitality and viability of the surrounding area; protecting and promoting town centre vitality and viability, with active street frontages.

4.5 The High Street is used, predominantly, for retail purposes and has a diverse array of shop frontages to include traditional and more contemporary design. The proposed changes are not untypical to the area and would not be harmful to the overall character and appearance of the building or the surrounding area.

- 4.6 DM34 requires all development to protect and enhance both biodiversity and green infrastructure features and networks both on and off site for the lifetime of the development.
- 4.7 No assessment has been provided with this proposal so it falls to the Local Planning Authority to consider what would be proportionate for the development proposed.
- 4.8 In this case, given the location and scope of the proposal, enhancement is not considered proportionate.

Historic environment (or Conservation Area or Listed Building Issues)

Wycombe District Local Plan (August 2019): CP9 (Sense of place), CP11 (Historic Environment), DM20 (Matters to be determined in accordance with the NPPF), DM31 (Development Affecting the Historic Environment)

- 4.9 The application site comprises of an unlisted building located within High Wycombe Conservation Area (CA). The application building is a vacant retail unit located to the ground floor of a 3-storey building. It is understood to have been constructed in the 19th century, formed of brick which is now painted. The property was extensively altered and extended in the 1960s and much of the historic fabric was lost.
- 4.10 The proposal intends the replacement front elevation windows at the ground, first and second floor.
- 4.11 The proposal is to replace the current curtain walling/glazing with new full height glazing system. The windows are to be replaced with anthracite grey RAL 7016 aluminium windows. The applicant wishes to renew the first and second floor windows to improve the thermal performance of the building and the appearance of the building, and to go some way to return it to its 'as built'
- 4.12 In terms of significance, the proposal enhances the original external character, particularly to the frontage of the property and its contribution to the group value along the Church Street and the wider Conservation Area.
- 4.13 Any new development needs to be sympathetic and in form with the Conservation Area as a whole. In addition, in Conservation Areas higher standards of design are required and it is this function of the Local Planning Authority in considering all applications to assess whether they preserve or enhance the special character and significance of the heritage assets. On this occasion the proposal enhances the special character of the Conservation Area and the setting of the Listed Building. The application is acceptable in heritage terms.

5.0 Weighing and balancing of issues / Overall Assessment

- 5.1 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.
- 5.2 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 (such as CIL if applicable), and,
- c. Any other material considerations

5.3 As set out above it is considered that the proposed development would accord with the development plan policies.

6.0 Working with the applicant / agent

6.1 In accordance with paragraph 38 of the NPPF the Council 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.

6.2 The Council 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 application was acceptable as submitted and no further assistance was required. The application has been called to committee as the applicant works for Buckinghamshire Council.

7.0 Recommendation

Application Permitted

- 1 The works to which this application relates shall be begun before the expiration of three years from the date of this consent.
Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) 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 3874-10D, 3874-11C, 3874-12F, BC1; 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 No work permitted by this consent shall be carried out until a detailed specification including sample sections of joinery work (glazing bars, sills etc.) or working drawings (scale 1:20, 1:10, 1:5, half or full size etc.) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved specification and retained thereafter.
Reason: To secure a satisfactory external appearance in conservation heritage terms.

INFORMATIVE(S)

- 1 In accordance with paragraph 38 of the NPPF2 Buckinghamshire Council 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. Buckinghamshire Council 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 application was acceptable as submitted and no further assistance was required. The application has been called to committee as the applicant is a member of staff at Buckinghamshire Council.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

No comments received

Parish/Town Council Comments

High Wycombe Town Unparished

Consultation Responses

Conservation and Listed Buildings Officer

Comments:

Recommendation: The application is acceptable in heritage terms.

Information Considered: Drawing No. Proposed plans, proposed floor plans, existing and proposed elevations, Location plan, Heritage Statement Design and Access Statement.

Comment:

The property is an unlisted building located within High Wycombe Conservation Area (CA). The heritage assessment is the impact on the character and appearance of the conservation area and on the setting of nearby listed buildings (LB).

The site is comprised of a vacant retail unit located to the ground floor of a 3-storey building. It is understood to have been constructed in the 19th century, formed of brick which is now painted. The property was extensively altered and extended in the 1960s and much of the historic fabric was lost. The application property is located in Church Street, within the developed area of High Wycombe Conservation Area, and is close to number of Grade II listed buildings in Church Street and Queens Square. Whilst nearby is the All Saints Church which is Grade I, the church dates back to the 13th century and restored and altered in the 19th century. Shops are an important part of the Old Town's heritage. Historically there was a wide variety providing for everyday needs of residents and visitors. The retention of a shopfront helps to retain the buildings historic character; shopfronts form an important element in setting the special character of the conservation area.

Proposal: The proposal is the replacement front elevation windows at the ground, first and second floor.

Discussion: The property is a vacant unit and has been vacant for some time. Heritage would welcome its refurbishment as the current frontage has a detrimental impact of the special character

of the CA and nearby LBs.

The ground floor shop frontage was part of the application to renewal of the ground floor shop frontage (22/06428/FUL). This application was permitted and the ground floor design remains the same.

First and second floor elevations

The proposal is to replace the current curtain walling/glazing with new full height glazing system. The windows are to be replaced with anthracite grey RAL 7016 aluminium windows. The applicant wishes to renew the first and second floor windows to improve the thermal performance of the building and the appearance of the building, and to go some way to return it to its 'as built' appearance.

It is proposed that the existing window sets and outer frames will be removed and replaced, to reflect the two-rows of 7 pane arrangement. The frames will be aluminium, coloured anthracite grey (RAL 7016). Limited details have been provided on how the frames will sit within the existing structure, the type of glazing and the materials used for the remaining transom. This would need to be conditioned.

Photographs illustrated in the DAS show the fenestration history in c1900. It shows the wooden windows divided into seven fixed panes, nearly floor to ceiling height, with the first and second floor windows separated by a narrow transom. However, by the 1970s a new 'curtain wall' type window set had been installed. The current windows are single glazed steel 'critall' framed. The integral latches are for most broken and sashes screwed shut. The boarding between the panes are of asbestos cement material. Preferences would be given to traditional timber windows, similar to that approved on the ground floor. However, it was noted that the justification for heavier aluminium window frames are to carry the heavier glazing and openable windows. In terms of significance, the proposal enhances the original external character, particularly to the frontage of the property and its contribution to the group value along the Church.

Any new development needs to be sympathetic in form with the conservation area as a whole. In addition, in conservation areas higher standards of design are required in planning applications and it is the function of the LPA in considering all applications to assess whether they preserve or enhance the special character and significance of the heritage assets.

On this occasion the proposal enhances the special character of the CA and setting of the listed buildings.

Heritage Policy Assessment: The Planning (Listed Building and Conservation Areas) Act 1990: The proposals would preserve the architectural and historic interest of the listed building and therefore complies with sections 66 of the Act.

The proposals would preserve the character and appearance of the conservation area and therefore complies with section 72 of the Act.

NPPF The proposal would cause no harm to the significance of the heritage asset.

Conclusion:

For the reasons given above it is felt that in heritage terms: The application should be approved, subject to the following condition:

- No work permitted by this consent shall be carried out until a detailed specification including sample sections of joinery work (glazing bars, sills etc.) or working drawings (scale 1:20, 1:10, 1:5, half or full size etc.) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved specification and retained thereafter.

Representations

None received

APPENDIX B: Site Location Plan

22/07384/FUL
Scale 1/1250



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