



West Buckinghamshire Area Planning Committee agenda

Date: Wednesday 15 February 2023

Time: 6.30 pm

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

Membership:

A Alam, M Ayub, I Hussain, D Johncock, N Marshall (Chairman), C Oliver, S Raja, N Rana, 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 25 January 2023.	3 - 4
Planning Applications	
4 21/08191/FUL - The Cottage, Marlow Road, Bourne End, Buckinghamshire, SL8 5PL	5 - 26
5 22/05263/FUL - 2 Sycamore Cottages, Church Road, Land End, Buckinghamshire, HP14 3HL	27 - 42
6 Date and Time of Next Meeting Wednesday 15 March 2023 at 6.30pm.	
7 Availability of Members Attending Site Visits (if required) To confirm members' availability to undertake site visits on Tuesday 14 March 2023 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 25 January 2023 in High Wycombe Council Chamber, Queen Victoria Road, High Wycombe, HP11 1BB, commencing at 6.30 pm and concluding at 7.05 pm.

Members present

A Alam, M Ayub, I Hussain, D Johncock, N Marshall, C Oliver, S Raja, N Rana, P Turner and S Wilson

Others in attendance

K Asif, B Dadi, L Hornby, Y Hui, C Power and J Sabatini

Apologies

M Turner and K Wood

Agenda Item

1 Declarations of Interest

There were none.

2 Minutes of the Last Meeting

The Minutes of the meeting held on 21 December 2022 were agreed as an accurate record.

3 Withdrawn. 21/07006/REM - Slate Meadow, Stratford Drive, Wooburn Green, Buckinghamshire

This application was withdrawn prior to the meeting.

4 22/06990/ADV - 37-38 High Street, High Wycombe, Buckinghamshire, HP11 2AG

Display of 1 x externally illuminated fascia sign, 1 x non-illuminated hanging sign and 1 x individually illuminated letter sign.

Members voted in favour of the motion to approve the application.

It was proposed by Councillor D Johncock and seconded by Councillor C Oliver.

Resolved: that the application be approved.

5 22/07824/FUL - 1 Bream Close, Marlow, Buckinghamshire, SL7 2BB

Householder application for demolition of a single storey conservatory, conversion of a garage to a habitable room, erection of a single storey porch structure and a single storey rear extension and alterations to the existing internal layout and roof shape.

This application was the subject of a site visit.

Members noted the Update.

Members voted unanimously in favour of the motion to approve the application.

Speaking in objection: Mr J Antrobus

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

Resolved: that the application be approved.

6 Date and Time of Next Meeting

Wednesday 15 February 2023 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 14 February 2023 in respect of the agenda for the meeting to be held on Wednesday 15 February 2023, the following members be invited to attend:

Councillors: D Johncock, N Marshall, C Oliver, P Turner and S Wilson.

8 Withdrawn. 22/07161/FUL - Treadaway Court, Treadaway Hill, Loudwater, Buckinghamshire

This application was withdrawn prior to the meeting.



Report to West Area Planning Committee

Application Number:	21/08191/FUL
Proposal:	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
Site Location:	The Cottage Marlow Road Bourne End Buckinghamshire SL8 5PL
Applicant:	Williams
Case Officer:	Ray Martin
Ward(s) affected:	Flackwell Heath, Little Marlow & SE
Parish-Town Council:	Little Marlow Parish Council
Date valid application received:	9th November 2021
Statutory determination date:	4th January 2022
Recommendation	Minded to granted, defer for planning obligation

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 This application seeks permission for a detached dwelling and ancillary outbuilding in the rear garden of The Cottage, Marlow Road. The site lies in the built-up area of Bourne End, straddles the boundary of the Well End Conservation Area and is within the Chilterns Area of Outstanding Natural Beauty.
- 1.2 The application is considered to respect the character and appearance of the area, safeguard the amenities of neighbours and would not be prejudicial to highway safety. The addition of a dwelling in this location would have an impact on the Burnham Beeches SAC which can be mitigated through a financial contribution, secured by a legal agreement.
- 1.3 Cllr Watson called in the application for consideration by committee due to local residents' concerns about access from and egress to Marlow Road.
- 1.4 The application was on the agenda for the Planning Committee meeting in November 2022, but was not considered at that meeting, because the Committee was not quorate for this item. The item has been brought back now, as the earliest opportunity wherein the case officer is available to attend Committee.

1.5 Recommendation – Minded to grant, defer for planning obligation.

2.0 Description of Proposed Development

- 2.1 The application seeks permission for a detached dwelling and outbuilding located in the rear garden of The Cottage.
- 2.2 The whole site is within the settlement boundary of Bourne End and adjoins Green Belt to the north and the west. It is also within the Chilterns Area of Outstanding Natural Beauty along with everything to the west of the access drive and north of Marlow Road.
- 2.3 The front part of the site is also within the Well End Conservation Area, with the majority of the rear part of the site within the 25 m buffer zone of that Conservation Area. The proposed dwelling itself is outside of the Conservation Area, but the detached outbuilding would be located within the Conservation Area, between the existing and proposed dwellings. This outbuilding would be over 30 metres from the existing house, with the proposed dwelling about another 30 metres beyond this.
- 2.4 The 4 bedroom dwelling would be up to 15 metres wide and 16.6 metres deep in an L-shaped form, with a pitch roof to a height of 8 metres. The outbuilding would contain a double garage and a workshop and internal stair equivalent to a third space in size, with storage space above. This building would be 9.5 metres wide and 6.5 metres deep, with a pitched roof to 6.5 metres in height.
- 2.5 The site is also within an Archaeological Notification Site and within 500 metres of an SSSI. It is in Residential Zone B for the purposes of the Countywide Parking Standards.
- 2.6 Access to the site is taken from an existing drive off Marlow Road between The Old Chapel and Red Cottages, which already serves a number of other dwellings.
- 2.7 The application is accompanied by :
- a) Planning and Heritage Statement
 - b) Design and Access Statement
 - c) Arboricultural Impact Assessment
 - d) Preliminary Ecological Appraisal
- 2.8 Amended plans were received during the course of the application to address the original comments of the Conservation Officer. These reduced the height of the building and changed the external finish from that of render to brickwork.

3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
14/06231/CLP	Certificate of lawfulness for proposed construction of single storey rear extension	GRCLP	10 July 2014
14/07472/CLP	Certificate of Lawfulness for proposed single storey extension with glazed gable ends	GRCLP	23 December 2014

4.0 Policy Considerations and Evaluation

Principle and Location of Development

WDLP: CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

DSA: DM1 (Presumption in favour of sustainable development)

- 4.1 Although it adjoins the Green Belt, the application site is within the built-up settlement of Bourne End, wherein proposals for new residential development are acceptable in principle.
- 4.2 An application for an additional dwelling can therefore be looked upon favourably, provided the details of the development comply with all other relevant policies in the adopted Local Plan and associated documents.

Affordable Housing and Housing Mix

WDLP: DM22 (Housing Mix), DM24 (Affordable Housing)

Planning Obligations SPD

- 4.3 Being an application for a single detached dwelling, the proposal is below the threshold for affordable housing. The proposal is for a substantial family dwelling, that would be appropriate to its location and as such, no objections are raised in these terms.

Transport matters and parking

WDLP: CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

DSA: DM2 (Transport Requirements of Development Sites)

Buckinghamshire Countywide Parking Guidance (2015)

- 4.4 The application site is within an existing settlement wherein it is considered sustainable for a new dwelling. The dwelling would be served by a hardstanding and garage which comfortably meet the Countywide parking standards for a dwelling of this size, in this location.
- 4.5 Vehicles reach the site via an unmade road/track, providing access onto Marlow Road between The Old Chapel and Red Cottages. The access and drive also provides access to a number of other existing dwellings.
- 4.6 Representations have been received from local residents, including through a report commissioned by them, from an independent highway engineer, expressing the concern that the driveway is not suitable for additional traffic. Their concern is that the development will result in danger and a reduction in highway safety.
- 4.7 It is accepted that the driveway is limited in width and in some instances manoeuvring may be difficult, but this holds true for existing traffic and the modest increase created by this development proposal would not change the situation to such a degree that highway dangers would be materially increased.
- 4.8 The Highway Authority is aware of the layout of the access arrangements to this site and its neighbours and concluded that it has no objections. The Authority was asked to

reconsider this proposal in the light of the representations received from residents and their appointed expert, but has maintained its position concluding that it has no objections to the proposal.

- 4.9 In view of the above it is concluded that the proposal is acceptable in highway terms and that a refusal could not be substantiated in this case.

Raising the quality of place making and design

WDLP: CP9 (Sense of Place), DM32 (Landscape Character and Settlement Patterns), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality)

Residential Design Guide SPD

Housing Intensification SPD

- 4.10 The proposed dwelling would sit comfortably within its plot, with adequate spacing to the boundaries of the site, so as not to appear cramped, or unduly prominent from the access road.
- 4.11 The character of the area in which the development is located is mixed, both in terms of layout and design. The site is approached via an access between existing dwellings fronting Marlow Road and as such can be seen as a form of backland development. However, the character of the Marlow Road frontage is not altered and this house would be set well back from that row of dwellings. Moreover, taking access from the same access road are a number of other dwellings in a similar backland siting and accordingly, the layout of the proposed development is not considered incongruous in this locality.
- 4.12 Along the Marlow Road frontage the dwellings are within the Well End Conservation Area. The application dwelling is a two storey white rendered house with a tiled hipped roof. This is not listed. To the west of this is Clarence House and two other listed buildings which have black timber framed, predominantly white painted walls beneath gable ended clay tile roofs.
- 4.13 To the west of The Cottage is a converted chapel, which is brick built, with a steeper slated, front facing gable roof. Beyond the access drive to the development is then a semi-detached pair of brick finished clay tiled roof listed cottages, with side facing gable ends. Behind these cottages, but still within the Conservation Area are a pair of newer semi-detached houses of similar size and style that have their main ridge line at ninety degrees to those on the Marlow Road frontage.
- 4.14 Further behind these, and also gaining access from the same track leading off Marlow road are two more detached properties. The first is much larger, and timber clad, with a slate pitched roof. The second is also a large dwelling, but of contemporary design and materials.
- 4.15 The proposed development would be brick finished buildings with gable ended roofs. Red bricks and clay tiles are proposed, the details of which can be conditioned to ensure they are of a good quality appropriate to this location.
- 4.16 With the diversity of built form in the locality, the design of the proposed development is considered acceptable. The height of the dwelling has been reduced from that originally planned and at 8 metres is not considered excessive in this location, given the scale of surrounding buildings.
- 4.17 As such, it is considered that the dwelling will assimilate well into its surroundings.

Historic environment

WDLP: CP9 (Sense of place), CP11 (Historic Environment), DM20 (Matters to be determined in accordance with the NPPF), DM31 (Development Affecting the Historic Environment)
Well End Conservation Area Appraisal

- 4.18 The Well End Conservation Area boundary runs through the site, with the rear part, including the siting of the dwelling itself being outside of the area and the front part, including the site of the outbuilding being within the area.
- 4.19 Whilst The Cottage itself and its immediate neighbour to the east, The Old Chapel, are not listed, the dwellings either side Clarence Cottage, Malt Cottage, Vineleigh Cottage and The Red Cottages are all Grade II listed.
- 4.20 The Council's Conservation Officer has objected to the scheme, for the reasons set out in their comments, but it is not accepted that the development would harm the heritage assets in this instance.
- 4.21 The proposed dwelling would be sited over 60 metres behind The Cottage and the other dwellings fronting Marlow Road. The proposed outbuilding would be about 34 metres distant.
- 4.22 The dwelling is substantial, but following the Conservation Officer's initial comments was reduced in height and the palette of materials being proposed altered. As now proposed it would be 8 metres high, with a red brick and clay tiles roof finish, thereby reflecting the finish of Walnut Tree Cottage and Abbotsbrook Cottage, a pair of semi-detached dwellings built to the rear of Red Cottages, in much closer proximity to these listed buildings and in the Conservation Area. These dwelling were permitted in 2006 under application reference 06/05927/FUL and are 8.1 metres in height.
- 4.23 In considering the impact of that development on the historic assets affected the officer report stated "The site is also in the Well End Conservation Area. The main public views within the Conservation Area are from the main road, and the new development would not intrude upon these. The rear garden space of the existing cottages does not make a significant contribution to the character of the Conservation Area. The houses have been designed sensitively to be in keeping with the character of Red Cottages. It is therefore considered that the development would not harm the character or appearance of the conservation area."
- 4.24 The current proposal is set further from the listed buildings and would only be glimpsed in views from Marlow Road between existing buildings in the same way that Walnut Tree Cottage and Abbotsbrook Cottage are, but at a greater distance. Consequently, it is considered that the new dwelling would not adversely affect the setting of any listed building and would preserve the character and appearance of the Conservation Area.
- 4.25 The proposed outbuilding is located in the Conservation Area and closer to the listed buildings. However it is smaller at a maximum height of 6.5 metres and is sited such that it would not be readily visible from Marlow Road. It is proportionate to the proposed dwelling and similar in siting and impact to the outbuildings serving The Cottage, The Old Chapel and Vine Leigh House, located behind Malt Cottage. As such, it is also considered that the new dwelling would not adversely affect the setting of any listed building and would preserve the character and appearance of the Conservation Area.

Landscape Issues

WDLP: DM30 (The Chilterns Area of Outstanding natural Beauty)

4.26 The application site is within the Chilterns Area of Outstanding Natural Beauty, but is also on the edge of a built-up area. The development is of a design and materials appropriate to this location and the site is well screened from the adjoining open land. As such the development would not harm the special qualities of this designated landscape.

Amenity of existing and future residents

WDLP: DM35 (Placemaking and Design Quality), DM40 (Internal Space Standards), DM41 (Optional Technical Standards for Building Regulation Approval)

Residential Design Guide SPD

Housing Intensification SPD

4.27 The closest property to the application dwelling is Walnut Tree Cottage, on the opposite side of the access track leading to these and other properties. This is at least 27 metres away. Other neighbours are considerably further away. Accordingly, the development would not adversely affect the amenities of neighbours by virtue of privacy, loss of light, or outlook.

4.28 The prospective occupiers of the development would benefit from a good standard of internal and external space, with facilities for parking, storage etc. appropriate for a new dwelling of this size.

Trees and Ecology

DSA: DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance), DM14 (Biodiversity in development)

WDLP: DM34 (Delivering Green Infrastructure and Biodiversity in Development)

Biodiversity Net Gain SPD (2022)

4.29 The application is accompanied by an Arboricultural Method Statement and indicative landscaping proposals.

4.30 A small number of trees would be lost but can be adequately compensated for within the site. The Arboricultural Officer is content with the details submitted and considers that trees can be adequately protected, subject to the imposition of conditions relating to the method of works affecting trees and achieving an acceptable landscaping scheme.

4.31 With the loss of some lawn, trees and shrubs, the development clearly has some ecological implications. The applicant has submitted a Preliminary Ecological Appraisal and this has been examined by the Council's Ecology Officer.

4.32 Biodiversity net gains are required to be provided in accordance with policy and the proposals set out in the applicant's appraisal are considered to be appropriate. These need to be secured through the imposition of a suitable condition.

4.33 There is a Site of Special Scientific Interest about 400 metres to the west of the application site, but it is not considered that the proposed development would affect this.

4.34 However, the site does fall within 5.6km of the Burnham Beeches SAC wherein contributions are necessary for development of this nature to mitigate the impact on this SAC. This matter is discussed in the Infrastructure and Developer Contributions section of the report, below

Archaeology

WDLP: CP9 (Sense of place), CP11 (Historic Environment), DM20 (Matters to be determined in accordance with the NPPF), DM31 (Development Affecting the Historic Environment)

4.35 The site is in an Archaeological Notification Site, but the Archaeology Officer has advised that the proposed works are not likely to significantly harm the archaeological significance of any assets. As such, there are no objections in these terms and it is not considered necessary to apply a condition to safeguard archaeological interest.

Environmental issues

WDLP: CP7 (Delivering the infrastructure to support growth), CP12 (Climate Change), DM20 (Matters to be determined in accordance with the NPPF), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

4.36 One electrical charging point is required to serve the proposed development which will be conditioned accordingly.

Flooding and drainage

WDLP: DM39 (Managing Flood Risk and Sustainable Drainage Systems)

4.37 The application site is not in an area identified as being susceptible to flooding.

4.38 It would appear that drainage can be adequately addressed on site and a condition is reasonable to ensure that this matter is properly addressed.

Building sustainability

WDLP: CP12 (Climate Change), DM33 (Managing Carbon Emissions, Transport and Energy Generation), DM41 (Optional Technical Standards for Building Regulation Approval)

4.39 It is considered necessary to condition water efficiency in accordance with Policy DM41.

Infrastructure and Developer Contributions

WDLP: CP7 (Delivering the infrastructure to support growth)

DSA: DM19 (Infrastructure Delivery)

Burnham Beeches Special Area of Conservation Strategic Access Management and Monitoring Strategy Supplementary Planning Document

4.40 The development is a type of development where CIL would not be chargeable as this is a self-build project.

4.41 However, the site does fall within the scope of the Burnham Beeches SAC. In order to mitigate against the impact on this, the applicant is required to make a financial contribution to safeguard this asset.

4.42 An Appropriate Assessment has been carried out for this development in accordance with the Habitats Regulations 2017. Without mitigation measures the Appropriate Assessment concludes that the development is likely to have a significant effect upon the integrity of the SAC with the result that the Council would be required to refuse this planning application. Buckinghamshire Council considers, following consultation with NE, that the above measures will prevent a likely adverse effect on the integrity of the BB SAC, pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 63(5) of the Conservation of Habitats and Species Regulations (2017), and permission may be granted subject to any other planning considerations. Provided that the applicant has entered into a Unilateral Undertaking to secure legal and SAMMS fees, the planning application will be in accordance with the SAC mitigation requirements.

4.43 The applicant has confirmed that he is willing to enter into a legal agreement.

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 relevant development plan policies.
- 5.4 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.
- 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 applicant was advised of issues following the site visit and receipt of consultation responses
 - The applicant was provided the opportunity to submit amendments to the scheme/address issues.
 - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
 - The application was determined within an agreed extension of time.

7.0 Recommendation

Minded to grant planning permission, subject to the completion of legal agreement to secure a financial contribution in respect of the Burnham Beeches SAC;

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 L01/A; LAS 296 01; P01/A; P02/B; P03/B; P04/A; P07; 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 Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of the materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority before any work to the external finish of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.
Reason: To secure a satisfactory external appearance.
- 4 Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of all surfacing materials shall be submitted to and approved in writing by the Local Planning Authority before any work to the finished surfaces of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.
Reason: To secure a satisfactory appearance.
- 5 Prior to the occupation of the development hereby permitted, one electric vehicle charging point with a minimum rating of 32amp must be installed in a location suitable to its use.
Reason: To comply with the air quality SPD and, to reduce the carbon emissions and the impact on the health of Nitrogen Dioxide emissions from the development.
- 6 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 DM41 (Optional Technical Standards for Building Regulations Approval) of the Local Plan.
- 7 The scheme for parking, garaging and manoeuvring 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, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.
- 8 The development hereby approved shall store all additional runoff within the site and either reuse it or release it into the ground through infiltration. Where the additional runoff is not to be re-used or on-site infiltration methods are not proposed, details of how the risk of flooding elsewhere will not be increased shall be submitted to and approved by the local planning authority prior to any development taking place. The approved details shall

thereafter be implemented prior to the development being brought into use and thereafter managed and maintained for the lifetime of the development.

Reason: To ensure that the development does not increase the risk of flooding elsewhere.

- 9 The development shall take place in accordance with the Arboricultural Method Statement (AMS) and Tree Protection Plan submitted as part of the planning application, and any permitted works within the Construction Exclusion Zone and other works which are specified in the AMS will take place under the supervision of a retained arboricultural specialist. This tree condition may only be discharged on completion of the development subject to evidence of monitoring and supervision of the tree protection during the development by the appointed tree specialist.

Reason: To ensure that the retained trees, shrubs and hedgerows are not damaged during the construction process and in the long term interests of local amenity value.

- 10 Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- a) a scaled plan showing vegetation to be retained and trees and plants to be planted:
- b) proposed hardstanding and boundary treatment:
- c) a schedule detailing sizes and numbers of all proposed trees/plants (including mitigation for loss of T1 & T4)
- d) Sufficient specification to ensure successful establishment and survival of new planting.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Any new tree that dies, is removed, becomes severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning Authority gives its written consent to any variation).

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio- diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality.

- 11 The development shall be implemented in accordance with the agreed mitigation and enhancements strategy presented in section 9 of the Preliminary Ecological Appraisal by Aspect Ecology, dated October 2021. Any variation to the agreed plan shall be agreed in writing with the local planning authority before such change is made.

Reason: To ensure the protection of protected species and to secure a biodiversity net gain.

INFORMATIVE(S)

- 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.

In this instance:

- the applicant was advised of issues following the site visit and receipt of consultation responses
- The applicant was provided the opportunity to submit amendments to the scheme/address issues.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
- The application was determined within an agreed extension of time.

- 2 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.
- 3 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.
- 4 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

Clr Watson

Initial comment: Local residents have expressed to me their concerns about access and egress to and from Marlow Road.

If you are minded to approve 21/08191/FUL then I would ask that this application comes to the Planning Committee unless the concerns of local residents are resolved to my satisfaction by the Highways department.

Further comment: I am writing to request that as local residents' concerns about access from and egress to Marlow Road have not been resolved that this application be referred to the planning committee for determination.

My planning reasons are summarised as follows:-

With all due respect to the Highways Department, I have to wonder how two modern sized cars can safely pass each along a track, 4.1 metres at its narrowest point, bordered by brick buildings on either side.

Local residents also remain concerned that even the small increase in traffic activity that the proposed house would generate at the access would make an already difficult situation, dangerous for the regular users of the track. The same view was expressed by the highway authority in its pre-application advice on the 1st May 2009, a point that the current highway officer does not appear to have addressed. I would add that the lack of an accident record at the access does not justify a stance that the intensification of the access will not have an unacceptable impact on highway safety.

Parish/Town Council Comments

Little Marlow Parish Council

Comments: The Parish Council objects to this application on the grounds of over development. The Council is concerned about the height and dominant aspect of the proposed development on a site which lies within the Chilterns AONB and the fact that it will overlook neighbouring properties and negatively impact their right to privacy.

Consultation Responses

Highway Authority

Initial comments: Marlow Road is an A-classified road subject to a 30mph speed restriction in this location, parking and waiting restrictions are not present within the vicinity of the site. The road benefits from pedestrian footways, as well as street lighting.

This application proposes construction of 1(no) 4-bed dwelling with associated parking and access, as well as a detached outbuilding for additional parking, and workshop and storage to the first floor.

I would expect a residential dwelling in this location to generate approximately 4-6(no) daily vehicular movements (two-way). I am satisfied that these movements can be accommodated on the local highway network. However, as the site is to be subject to intensification in use, the access

point serving the development will need to be assessed in order to determine its suitability to accommodate the additional vehicular movements.

Proposals include utilising an existing shared access onto Marlow Road. In accordance with guidance contained within "Manual for Streets", visibility splays of 2.4m x 43m are required in both directions commensurate with a speed limit of 30mph. Having reviewed the proposed plans, I am satisfied that sufficient visibility splays from the access can be achieved within the publicly maintained highway or land owned by the applicant.

I note the Highway Authority have commented on previous applications within the vicinity of the site, which also proposed use of the shared access track. Comments for application reference 05/05930/FUL dated 9th June 2005, which proposed construction of a 2(no) semi-detached dwellings, ultimately had no objections subject to a condition which ensured that the access was enlarged to 4.1m. Furthermore, in Highways comments for application reference 09/07348/FUL dated 21st January 2010, which proposed construction of 1(no) detached dwelling, it was confirmed that the access had been widened and that it was theoretically possible for it to allow for simultaneous two-way vehicular movements. Mindful of the previous comments, I would have no objections to the use of the shared access in this instance.

In regards to parking, I am satisfied that an adequate level of hardstanding has been proposed and the required parking provision can be met, in line with the "Buckinghamshire Countywide Parking Guidance" policy document. As well as this, I am satisfied vehicles utilising the parking area would be able to park, turn and egress the site in a forward gear.

Proposals for residential development generally need to be well connected to non-car modes of travel in order to meet the overarching sustainable development principles set out in the National Planning Policy Framework. The local highway network benefits from pedestrian footways on both sides of the carriageway, to allow safe travel for pedestrians. In addition, local facilities including shops and schools are located within 2km of the site, which is considered by the Institution of Highways and Transportation (IHT) Guidelines to be the maximum 'acceptable' walking distance for pedestrians without mobility impairments.

Mindful of these comments, I do not have any objections to this application with regard to highway issues subject to a condition regarding on-site parking.

Further Comments: The Highway Authority has previously commented on this application proposal. The comments ultimately recommended conditions accordingly in the event that planning permission was to be granted.

A representation has been made on the portal on behalf of residents which pertains the highway aspects of this application. It should be noted that this was a funded representation. Nonetheless, the Highway Authority have been requested to respond to this document and will be discussed below.

As mentioned in previous comments, and as also confirmed in the representation on the portal, an access width of 4.1m at its narrowest point, means that it is theoretically possible for it to allow for simultaneous two-way vehicular movements. See below an extract from *Manual for Streets* (page 79):

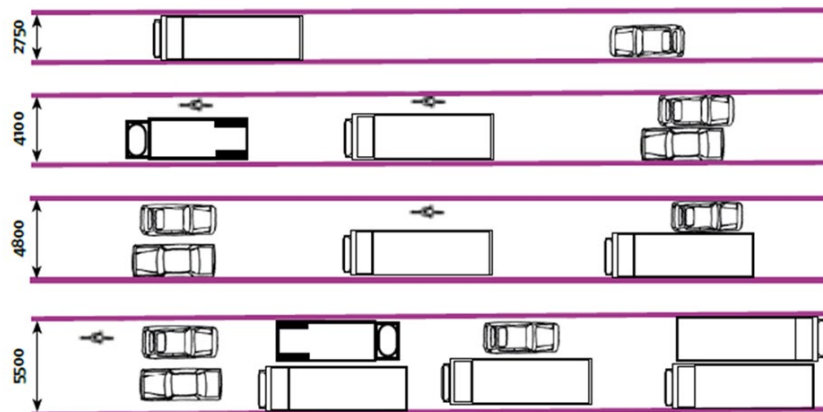


Figure 7.1 Illustrates what various carriageway widths can accommodate. They are not necessarily recommendations.

The above illustration is extracted from “Manual for Streets”, a guidance document which is utilised by the Highway Authority. Whilst not a specific recommendation for widths, the illustration does demonstrate some minimum widths that vehicles can practically pass each other. Therefore, the width of 4.1 metres at the access entrance ensures that cars would be able to pass each other upon the access with only minor manoeuvres required to do so.

I note that a swept path analysis has been provided as part of the submission, however the tracking information demonstrates a vehicle driving hard up against the carriageway edge before sharply turning. For a vehicle travelling eastbound, it would be reasonable to expect a vehicle turning to utilise the full width of their carriageway side, to allow for a reduced turning angle, compared to what is currently shown.

In regard to the surrounding highway network, having interrogated the AccsMap database (which is maintained and updated by Thames Valley Police and the council) of collisions within the vicinity of the site over the most recent five-year period, a single injury collision was recorded within the vicinity of the access. However, upon further investigation, I can confirm that this injury collision did not occur as a result of the access. I note that a five-year assessment period for injury collision records is an industry standard that the Highway Authority considers appropriate in this circumstance.

I recognise comments from the Highway Authority for previous applications that utilise the access, and I agree that further intensification will need to be assessed for any possible future applications. However, it is my opinion that the vehicular movements associated with a single additional dwelling will not result in an unacceptable impact on the safety and convenience of the public highway.

Mindful of the above, I do not have any objections to the application, subject to the conditions included within my consultation response.

Final Comments: You have requested that the Highway Authority issue a statement in order to assist the Planning Committee’s determination of this application prior to its next scheduled meeting in January 2023.

The Highway Authority were initially consulted on application 21/08191/FUL on 12th November 2021, returning a response dated 24th November 2021. The central tenet of the response was that the Highway Authority was satisfied that the width of the Marlow Road access way was suitable to cater for the vehicular intensification generated by the proposed development, in consideration that it could achieve a 4.1m width. The response cited its acceptance of this situation by referencing historical consultation responses it had issued for two previous applications on land to the rear of Red Cottages (05/05930/FUL and 06/05927/FUL) that would also utilise the access way between No.2 Red Cottages and The Old Chapel. It then noted that the Highway Authority did not object to application 09/07348/FUL (that permitted and allowed the construction of *Vitro House*) given that the access width could adequately accommodate additional vehicular movements associated with the dwelling proposed. In addition, the response went on to say that the available visibility splays were commensurate with the speed limit in force on Marlow Road at that location (i.e. 2.4m by 43m in both directions).

In conclusion, and in addition to comments on the site's location in relation to sustainable transport options and the level of parking provision for the proposed dwelling, the Highway Authority lodged no objections to the application subject to the inclusion of a standard parking layout condition on any consent granted.

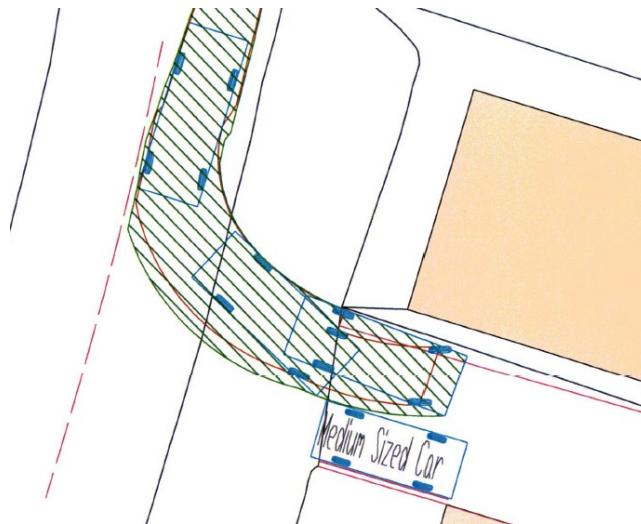
Subsequently, local residents commissioned a transport consultant to support their objections to application 21/08191/FUL, submitted within a letter dated 24th November 2021. This consequently generated a re-consultation to the Highway Authority on 7th December 2021, and a response by us contained within a letter dated 13th December 2021. The latter countered the claims within the transport consultant's submission, specifically that the access way accorded with the minimum width quoted within "Manual for Streets" guidance pertaining to simultaneous two-way car movements (i.e. 4.1m, as featured within Figure 7.1 of that guidance document).

The Highway Authority's second consultation response also referenced the submitted swept path analysis, in particular that it demonstrated a vehicle driving hard-up against the carriageway edge before sharply turning. However, we stated that, for a vehicle travelling eastbound, it would be reasonable to expect a vehicle turning to practically utilise the full width of their carriageway side, which would be contrary to what was shown in the swept path analysis provided by the transport consultant.

Probably the most relevant counter-point was the lack of any recorded Personal Injury Accidents (PIAs) related to the use of this access since it was the subject to the additional vehicle movements created by the construction and habitation of the dwellings permitted under applications 06/05924/FUL and 09/07348/FUL. This information was obtained from an interrogation of the AccsMap database by Transport for Buckinghamshire's Network Safety team. AccsMap is a PIA mapping tool maintained by the council in conjunction with Thames Valley Police. It should also be noted that the lack of road traffic collisions in this area was also the effective comfort that allowed us to support the vehicular intensification of the Marlow Road access way in contrast to the concern stated within our pre-application advice regarding land to the rear of *Skyview* (issued in 2009 by myself) that cited a concern about possible further use of this access in the future. Given the lack of any injury incidents in the last five years up to the issue of our second consultation response for application 21/08191/FUL, there was no empirical evidence to indicate that there was/is an existing highway safety issue with the use of the Marlow Road access.

A second submission was made by the transport consultant (dated 4th January 2022) and, whilst we did not receive an official consultation, we did furnish the case officer with a retort on its contents later in the year. There did not appear to be any further or clarified information within this submission that changed the Highway Authority's previously stated position. However, and whilst

reiterating the acceptance of the 4.1m width guidance, we also clarified a misunderstanding made by the transport consultant regarding our previous comments of the swept path analysis. Whereas the transport consultant believed that we were expecting a car making a left turn into the access to 'swan neck' into the opposing carriageway, we confirmed that we merely anticipated the turning manoeuvre to be contained within the car's own carriageway (consequently not resulting in the vehicle intruding into the opposing carriageway). It was then pointed out that the manoeuvre we were supporting was actually evidenced in a response from the consultant in their January 2022 response, as shown here:



Therefore, in our position as the impartial Highway Authority consultee and guardian as the county's network, we maintain our original recommendation that there are no grounds (nor are there any existing indicators) that would support a highway objection to application 21/8191/FUL. This is based upon the satisfactory visibility splays and access width, in addition to the fact that there have been no recorded Personal Injury Accidents in the vicinity of the access within a 5-year period (particularly since the habitation and consequent vehicular intensification of the access by the three dwellings permitted under applications 05/05930/FUL and 09/07348/FUL).

Conservation Officer

Initial Comments: The site is all located within the Chilterns AONB. The main part of the garden is within the Well End Conservation Area. The neighbouring cottages - Vineleigh Cottage, Malt Cottage, Clarence Cottage and 1 and 2 Red Cottages, are all Grade II listed buildings.

This proposal seeks a large detached new two storey property plus a separate detached double garage with access to accommodation within the first floor roof space.

In heritage terms this would be a backland site and a tandem form of development which I am concerned would have an unsatisfactory impact on the conservation area and the setting of the nearby listed buildings. The location, layout, volume, form and assertive design and colour of the proposed buildings would have a significant impact on the designated heritage assets. Additionally,

the fenestration and dark coloured panels between the ground and first floor windows emphasises the vertical effect of the elevation which contrasts with the modest openings and proportions of the existing vernacular cottages along Marlow Road.

The Well End Conservation Area Character Appraisal provides guidance for the design of new development, this advises that in the conservation areas higher standards of design are required, as it is the function of the planning authority to consider all applications as to whether they preserve or enhance the special character. It also advises that applications for development adjoining but beyond the conservation area boundary will be assessed for their effect upon the conservation area's character, appearance, and setting, and may be refused permission if this affect is considered adverse.

The guidance also mentions that 'Development opportunities in Well End Conservation Area are limited, unless sites come up for redevelopment. Proposals for new development within the conservation area should include a detailed analysis of the locality and townscape, and show how the proposals have been drawn up in relation to this. Proposals on backland sites should always be secondary to the more important buildings that face Marlow Road'.

Furthermore, the Well End Conservation Area Character Appraisal states that:

'Within Well End new development or proposals should respect the character of this small village and respond to the immediate environment, particularly in terms of scale, density, form, materials and detailing'...'Vernacular buildings are historically of lesser importance within the streetscape and new development should reflect this hierarchy. Generally the height of new development should match that of adjoining buildings - in Well End this is usually two storeys'.

The proposed development does not respect the scale, form, materials and detailing of the nearby vernacular buildings and is not secondary in hierarchy to the more important buildings facing Marlow Road.

Recommendation: As the NPPF states, heritage assets are an irreplaceable resource and it is important to conserve them in a manner appropriate to their significance. The proposal fails to comply with s16/66 and s72 of the P(LB&CA)A 1990, policy DM31 and DM35 of the WLP and Section 16 of the NPPF.

Further Comments: This is my second consultation response on this application and follows the submission of revised plans and a Heritage Statement.

The site is all located within the Chilterns AONB. The main part of the garden is within the Well End Conservation Area. The neighbouring cottages - Vineleigh Cottage, Malt Cottage, Clarence Cottage and 1 and 2 Red Cottages, are all Grade II listed buildings.

This proposal seeks a large detached two storey property plus a separate detached double garage with access to accommodation within the first floor roof space.

In heritage terms this would be a backland site and a tandem form of development which I am concerned would have an unsatisfactory impact on the conservation area and the setting of the nearby listed buildings. The location, layout, volume, form of the proposed buildings would have a significant impact on the designated heritage assets. Additionally, the fenestration emphasises the vertical effect of the elevation which contrasts with the modest openings and proportions of the existing vernacular cottages along Marlow Road.

The Well End Conservation Area Character Appraisal provides guidance for the design of new development, this advises that in the conservation areas higher standards of design are required, as it is the function of the planning authority to consider all applications as to whether they preserve or enhance the special character. It also advises that applications for development adjoining but

beyond the conservation area boundary will be assessed for their effect upon the conservation area's character, appearance, and setting, and may be refused permission if this affect is considered adverse.

The guidance also mentions that 'Development opportunities in Well End Conservation Area are limited, unless sites come up for redevelopment. Proposals for new development within the conservation area should include a detailed analysis of the locality and townscape, and show how the proposals have been drawn up in relation to this. Proposals on backland sites should always be secondary to the more important buildings that face Marlow Road'.

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The proposed development does not respect the scale, form, massing and detailing of the nearby vernacular buildings and no information has been submitted to demonstrate where the design cues for this proposal have been taken. In addition, the proposal is not subservient or secondary in hierarchy to the more important buildings facing Marlow Road. Hence this proposal does not comply with the requirements set out in the conservation area appraisal document and this proposal would detract from the designated heritage assets.

Recommendation: As the NPPF states, heritage assets are an irreplaceable resource and it is important to conserve them in a manner appropriate to their significance. The proposal fails to comply with s16/66 and s72 of the P(LB&CA)A 1990, policy DM31 and DM35 of the WLP and Section 16 of the NPPF.

Archaeology Officer

Thank you for consulting the Buckinghamshire Council Archaeological Service on the above proposal. We maintain the local Historic Environment Record and provide expert advice on archaeology and related matters. The proposed works are not likely to significantly harm the archaeological significance of any assets. We therefore have no objection to the proposed development and do not consider it necessary to apply a condition to safeguard archaeological interest.

Arboricultural Officer

Comments: Subject to condition, the submitted details are technically acceptable and should avoid harm to retained trees. Loss of T1, T4 and partial loss of H3 can be mitigated in a landscape scheme.

CONDITIONS OR INFORMATIVES

The development shall take place in accordance with the Arboricultural Method Statement (AMS) and Tree Protection Plan submitted as part of the planning application, and any permitted works within the Construction Exclusion Zone and other works which are specified in the AMS will take place under the supervision of a retained arboricultural specialist. This tree condition may only be discharged on completion of the development subject to evidence of monitoring and supervision of the tree protection during the development by the appointed tree specialist.

Reason: To ensure that the retained trees, shrubs and hedgerows are not damaged during the construction process and in the long term interests of local amenity value.

Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- a) a scaled plan showing vegetation to be retained and trees and plants to be planted:
- b) proposed hardstanding and boundary treatment:
- c) a schedule detailing sizes and numbers of all proposed trees/plants (including mitigation for loss of T1 & T4)
- d) Sufficient specification to ensure successful establishment and survival of new planting.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Any new tree that dies, is removed, becomes severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning Authority gives its written consent to any variation).

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio- diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality.

Natural England

Development must take account of impact on Burnham Beeches SAC. No objections provided suitable mitigation proposed.

Ecology Officer

Comments: The PEA acts as an accurate account of the ecological features present on site at the time of the assessment. The Mitigation measures and ecological enhancements of this report will need to be secured with a planning condition in any decision notice for this development, as appropriate biodiversity enhancement features (hedgehog holes, two bat boxes, two integrated bat features and three bird boxes) has been provided.

RECOMMENDATIONS:

Biodiversity net gains are required to be provided in accordance with Policy DM34 from the Wycombe District Local Plan (2019) and policy DM14 from the Delivery and Site Allocations Document (2013) in order to enhance biodiversity and provided measurable net gains. Furthermore, a Habitat Regulations Assessment is required to assess any the potential implications of the proposed development on Burnham Beeches SAC as the site falls within the 5.6 Zone of Influence, in accordance with Burnham Beeches SAC Mitigation Strategy (adopted March 2020) states "financial contributions from all net new development within a defined zone of influence (500m - 5.6km) towards a Strategic Access Management and Monitoring Strategy (SAMMS) at Burnham Beeches SAC." And section 1.5, mitigation measures will be required to rule out any potential negative effects to the SAC.

CONDITIONS/INFORMATIVES:

Informative: 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.

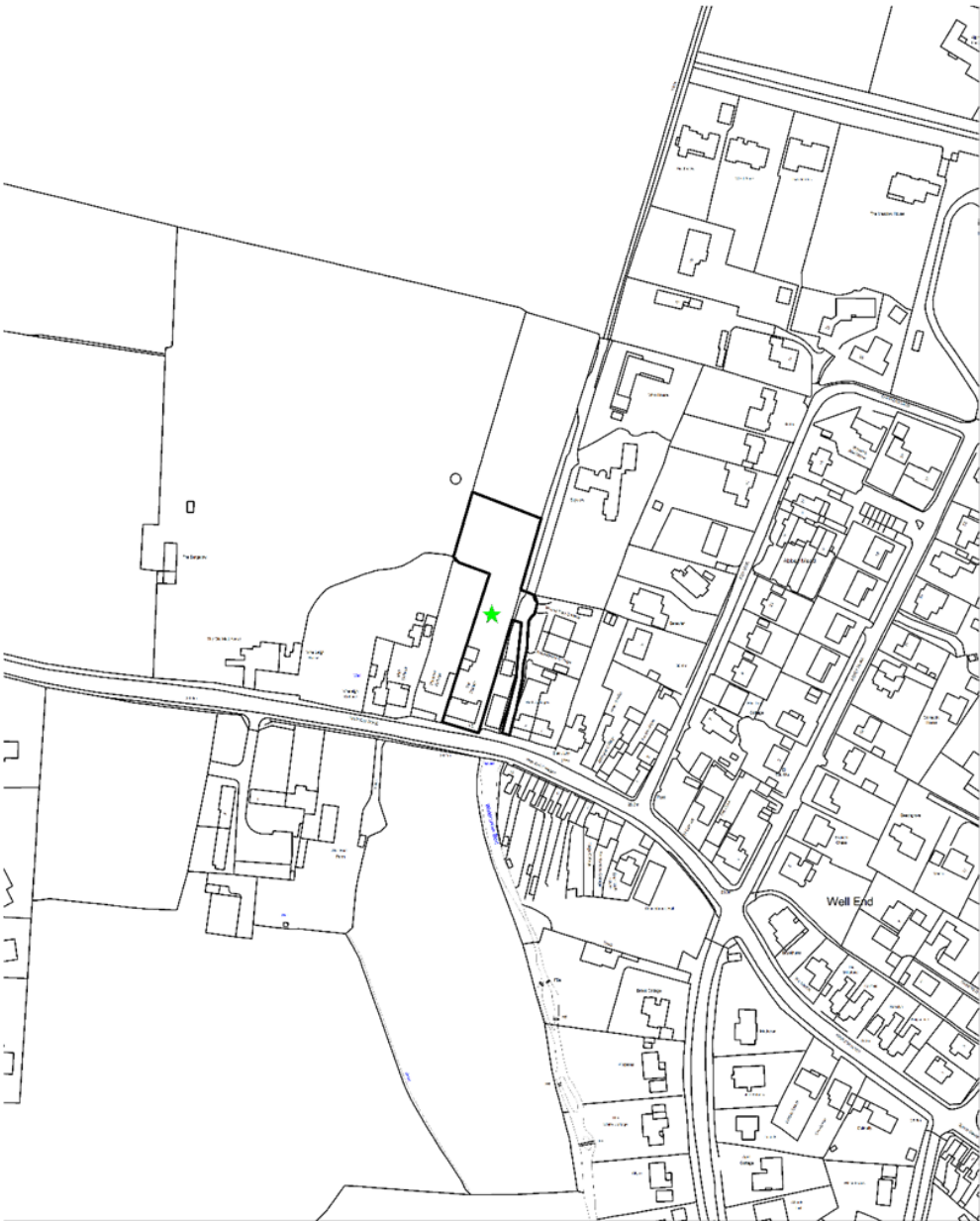
Representations

11 representations received raising the following concerns:

- The plans as submitted do not provide sufficient detail on which to make an informed decision regarding the intrusiveness, or not, of this development. Specifically there are no datum points nor ridge heights provided from which to determine the height of the building.
- The access serving the site is unsuitable for additional traffic. To further intensify the traffic on what is no more than a single lane, farm track would without doubt increase the number of times that vehicles will have to stop, suddenly on the Marlow Road or reverse onto it with very limited visibility and this represents a safety hazard which would significantly increase the risk of accident and injury to an unacceptable level.
- The access drive serves six properties already.
- Overlooking into neighbouring dwellings and loss of light
- Disturbance for increased vehicular traffic and headlights
- Proposed design materials not considered sympathetic to locality which is within Area of Outstanding Natural Beauty
- Unacceptable impact in Conservation Area, due to size and design
- The proposal would set an unwelcome precedent for further backland development
- The house is too large and out of character with existing properties on the road frontage
- Unacceptable impact on ecology and biodiversity

APPENDIX B: Site Location Plan

21/08191/FUL
Scale 1/2500



Planning Committee
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Ordnance Survey 100062456

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Report to West Area Planning Committee

Application Number:	22/05263/FUL
Proposal:	Householder application for construction of ancillary residential outbuilding, including external alterations (retrospective)
Site Location:	2 Sycamore Cottages Church Road Lane End Buckinghamshire HP14 3HL
Applicant:	Mr James Ansell
Case Officer:	Jackie Sabatini
Ward(s) affected:	Chiltern Villages
Parish-Town Council:	Lane End Parish Council
Date valid application received:	18 March 2022
Statutory determination date:	13 May 2022
Recommendation	Approval

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1. This application seeks planning permission for the construction of an ancillary residential outbuilding, including external alterations (retrospective).
- 1.2. The application site comprises No 2 Sycamore Cottages, a semi-detached two storey dwelling and a detached outbuilding situated in a large plot sat well back from the highway. The property is located off Church Road where the surrounding properties are of various sizes, design and markedly different characteristic, most of which are more visually dominant within the street scene.
- 1.3. No 2 Sycamore Cottages is part of a pair of semi-detached properties where due to its orientation from the main road it sits behind attached neighbour No 1 Sycamore Cottages when viewed from the street scene. The site is bounded by fencing and mature vegetation with views across the open countryside to the rear.
- 1.4. The site is located within the Chilterns Area of Outstanding Natural Beauty and the Lane End Conservation Area. Numbers 1 & 2 Sycamore Cottages are identified as important buildings within the Lane End Conservation Area Appraisal.

- 1.5. The development is considered to comply with the relevant Development Plan policies and is therefore recommended for approval subject to conditions.
- 1.6. The application is before Committee because the local Member, Councillor Cllr Zahir Mohammed has requested it.

2.0 Description of Proposed Development

- 2.1 This application seeks retrospective planning permission for the construction of an ancillary residential outbuilding, including external alterations. Amended plans have been received correcting anomalies in the plans which were originally submitted.
- 2.2 The application is accompanied by:
- a) Plans as amended
 - b) Ecology Wildlife Checklist
 - c) Heritage Statement

3.0 Relevant Planning History

Ref	Development	Decision	Decision Date
11/07621/CTREE	Fell 1 x Sycamore Tree (T1	NMKO	22 December 2011
11/07623/HEDGE	Removal of hedgerow	APPRET	
11/07807/FUL	Householder application for Construction of part two storey, part single storey side extension and rear conservatory to No.1 Sycamore Cottages and construction of single storey front extension and rear conservatory to No.2 Sycamore Cottages and re-positioning of entrance	PER	3 February 2012
12/05068/CTREE	Repollarding of 3 x existing sycamore trees along boundary with no 1	NMKO	9 February 2012
13/06957/FUL	Householder application for removal of existing garage and outbuildings and erection of timber clad barn for use of garage, garden store and garden room	PER	11 October 2013
15/08152/FUL	Householder application for removal of existing garage and outbuildings, erection of replacement single storey timber clad garage/store/garden room building. Appeal:APP/K0425/D/16/3144956	REF Appeal allowed	4 January 2016 13 June 2016

17/08032/CTREE	2-3 Metre reduction to 1 x Ash (Tree A), crown lift to achieve 5m clearance over the road/drive and 2.5m over the footpath to 3 x Hornbeam (Tree B, C & D), re-pollard 6 x Sycamore ((Tree E, F, G, I, J & K) and 1m reduction in height and up to 2m reduction of the lateral branches overhanging the garden (to a suitable branch union) to 1 x Oak (Tree H)	NMKO	18 December 2017
20/07054/CTREE	S1 to S6 (Sycamore) Repollard to knuckles/previous pruning points. O1 (oak) Reduce to previous pruning points. O2-3 (3 oak in total) Initiate pollarding regime through staged reduction to approximately 2m O4 (oak) Crown reduction by approximately 2m to contain the tree within its setting and maintain as a smaller specimen	NMKO	29 September 2020

4.0 Policy Considerations and Evaluation

Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

DSA: DM1 (Presumption in favour of sustainable development).

4.1 The construction of an ancillary outbuilding in the garden of 2 Sycamore Cottages is acceptable in principle, subject to all other planning considerations being taken account of.

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)

4.2 Church Road is a C-class road subject to a speed restriction of 30mph with no parking or waiting restrictions in place. The road benefits from a pedestrian footway.

4.3 This retrospective application proposes the retention of an ancillary residential outbuilding. It is noted that the development will be ancillary to the existing main dwelling; thus it is not expect this development will lead to a significant increase in vehicular movements. Therefore, the Highway Authority is satisfied the proposal will not have a material impact upon the safety and operation of the public highway.

4.4 Nonetheless, having assessed parking area within the site curtilage, the Highway Authority is satisfied this area is sufficient to accommodate the optimum level of parking required when assessed using the 'Buckinghamshire Countywide Parking Guidance' policy document.

- 4.5 Mindful of the above, the Highway Authority raises no objections and in this instance no conditions to include on planning consent granted.

Raising the quality of place making and design

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

- 4.6 Comments specific to Heritage assets are contain below see para 5.31. At this point, it is useful to provide a summary on the planning issues relevant to this application. A similar building was previously granted planning permission at appeal on under planning reference 15/08152/FUL, ref Appeal 15/0APP/K0425/D/16/3144956. The building as permitted was for the erection of a detached single storey L-shaped timber clad garage/store/garden room building following removal of an existing garage and outbuildings. The garage and outbuildings to be removed were individual units scattered over a larger footprint than the proposed with a slightly lower ridge height.

However, the outbuilding in situ, has not been built in accordance with the approved plans under planning reference 15/08152/FUL, ref Appeal 15/0APP/K0425/D/16/3144956.

- 4.7 The building built has a larger overall footprint and larger front gable end, addition of 1st floor fenestration and roof lights, bathroom/WC & kitchen facilities, solar panels, and a chimney.
- 4.8 The outbuilding used as a separate unit has since been the subject of an Enforcement Notice, which the applicant later appealed. The appeal was dismissed the enforcement notice upheld with a variation.
- 4.9 The breach of planning control, as alleged in the notice, was without permission, the erection of a detached building used as a self-contained independent dwelling. The following three paragraphs summarise the Inspector's decision.
- 4.10 The building occupies a similar siting to the building in the approved scheme, using similar external materials comprising dark coloured timber clad walls above a brick plinth, with a slate roof. In terms of the deviations in size from the approved scheme, it was not disputed that the dwelling is around 2 m greater in depth, the depth of the garden elevation gable end having also increased by around 1.5 m. In addition, there was no dispute that the dwelling is around 0.5 m wider, with an increase in the overall height varying from around 0.6 m at the front to approaching 1.5 m at the rear.
- 4.11 In terms of overall scale, the dwelling has a relationship to the cottages and the surroundings not dissimilar to that of the building in the approved scheme. The dwelling retains the stepped profile reducing as the ground falls away towards the rear of the site and it utilises a pitched roof form with traditional external materials appropriate to the surroundings. From Church Road, the dwelling is seen as a single storey structure, the roofline of which does not exceed the eaves level of No 2. From other viewpoints, the dwelling appears taller than a single storey structure but as the overall height does not exceed the eaves level of No 2, it is seen as an appreciably lower built feature. The apparent increase in height at the rear has been offset in part by digging further into the sloping ground. In addition, the increase in size has been accommodated without appreciably eroding the sense of spaciousness in the grounds of No 2 over and above the approved scheme. As a result, the increased size notwithstanding, the dwelling is not viewed as a disproportionately large built feature in relation to the cottages or its surroundings when

compared to what was previously approved.

4.12 It is important to note that the inspector has stated that as the notice does not allege erection of a building used as ancillary accommodation, such a use is not part of the matters stated in the notice as constituting a breach of planning control; it is a different form of development, involving materially different planning considerations and would be assessed against other Development Plan policies. Consequently, whether planning permission should be granted for the building for use as ancillary accommodation is not a matter before me.

4.13 This application does not attempt to argue the Inspector's decision, but now proposes an alternative scheme to address the issues raised by the Inspector. The proposal is for an ancillary residential outbuilding and not a separate dwelling as considered by the inspector in the appeal.

4.14 The current application proposes the following changes to the existing structure on site: The changes are to remove all fenestration at first floor level and above to include all roof-lights but with the exception of the gable end window in the south side elevation, removal of 2 x full height ground floor windows in the east side elevation and removal of all solar panels, the roof chimney and all bathroom facilities. A condition will be attached to any permission granted requiring all unauthorised works to be removed by a specified period of time in order to provide certainty of the removal of unauthorised works.

4.15 To provide some context of the difference in size between the approved structure and the structure that has been built see below table and floor plan:

Reference	Approved Plan Measurements in metres PP 15/08152/FUL	On Site Measurements in metres of built structure	Increase
1 width of garage	3.5	3.9	0.4
2 depth of garage	6.4	6.89	0.49
Overall depth of building	11.9	14.29	2.39
3 & 5 depth of south gable end	4.5	4.6	0.1
4 Width of south gable end	4.75	6.4	1.65
6 width of east elevation projection	3.5	4	0.5
Roof			

Eaves of east gable	3	3.6	0.6
Ridge	4.4	6	1.6
Eaves of south gable	3	4	1
Ridge	4.6	6	1.4
Eaves of west gable	2.3	2.4	0.1
Ridge	3.8	4.45	0.65

- 4.16 To simplify, in terms of the deviation in size from the approved scheme, it is not disputed that the building is around 2m greater in depth, the depth of the garden elevation gable end having also increased by around 1.5m. In addition, there is no dispute that the building is around 0.5m wider, with an increase in the overall height varying from approximately 0.6m at the front to approaching 1.5m at the rear. It is noted that the footprint of the outbuilding as previously permitted was reduced when compared to the original garage and outbuildings removed and the apparent increase in height at the rear has been offset in part by digging further into the sloping ground due to the sloping nature of the garden and this does result in a building with a ridge not significantly higher than that already approved or a larger footprint that that already removed.
- 4.17 The building proposed for retention occupies a similar siting to that previously permitted by way of an appeal under reference 15/08152/FUL, using similar external materials comprising dark coloured timber clad and flint wall, brick base above a brick plinth, with a slate roof to match the existing main dwelling and
- 4.18 The outbuilding retains a stepped profile, reducing as the ground falls away towards the rear of the site. It utilises a pitched roof form with traditional external materials appropriate to the surroundings.
- 4.19 From Church Road, the outbuilding is seen as a single storey structure with a roofline which does not exceed the eaves level of No 2 Sycamore Cottages. It is noted that the outbuilding does appear taller than a single storey structure to the rear. However, as previously mentioned, there has been some tiered garden excavation and the overall height does not exceed the eaves level of No 2 and it is still seen as an appreciably lower built feature.
- 4.20 The slight difference in footprint between the previously permitted building and the building proposed for retention does not materially change its relationship with the cottages when compared with the previously permitted building and it is not viewed as a disproportionately large built feature in relation to the cottages or its surroundings when compared to the previously permitted building.
- 4.21 When taking the above into consideration although the ancillary residential outbuilding has a slightly larger form than that permitted under planning reference 15/08152/FUL, ref Appeal 15/0APP/K0425/D/16/3144956, it is important to note that this proposal is for an ancillary residential outbuilding and not a separate dwelling and it would be difficult to argue that any significant impact to the application site, the main dwelling, the Conservation Area, the AONB location or the area in general from that already approved by the Planning Inspector under reference 15/08152/FUL has occurred in this case that

would justify refusing planning permission subject to condition.

Amenity of existing and future residents

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality), DM40 (Internal space standards)

Housing intensification SPD

- 4.22 The application site has three immediate neighbours; attached neighbour No 1 Sycamore Cottages to the west, Withurst to the north and Oak Cottage to the south.
- 4.23 The application site is located on a hillside that slopes significantly downwards from northwest to the southeast and as such semi-detached properties Nos 1 & 2 Sycamore Cottages sit on an elevated position when compared to the outbuilding as does Oak Cottage.
- 4.24 Due to location and topography, attached neighbour 1 Sycamore Cottage has limited viewing of the outbuilding and both neighbouring properties Withurst and Oak Cottage are some distance away;
- 4.25 It is acknowledged that issues with regard to some mutual overlooking have been raised by nearby property Oak Cottage to the south due to the increase in glazing. However, Oak Cottage is set at a different orientation to the outbuilding where the outbuilding faces towards the rear garden of Oak Cottage and any potential overlooking is done over the intervening garden of No 2. Sycamore Cottage. When compared with the approved scheme, although the increase in size and corresponding increase in the extent of the glazing in the gable end does mean that the outbuilding is seen as a slightly more obvious built feature from Oak Cottage, there is already glazing here and it would be difficult to argue that any increased sense of being overlooked due to the increase in glazing is likely when given the significant distance between the outbuilding and Oak Cottage, or any other property nearby for that matter.
- 4.26 Maturing planting on the boundary with No 2 also helps to frame views of the dwelling from Oak Cottage and breaks up the apparent extent of the glazing. Such planting is likely to be most effective during the summer months, i.e., at a time when residential occupiers are likely to be spending more time in their gardens. Also, as the gable end is at an oblique angle to Oak Cottage there is limited opportunity for direct views of that property from the outbuilding.
- 4.27 Due to the distance between neighbours the outbuilding does not impinge on the Council's light angle guidelines when measured from the nearest habitable room window of any neighbouring property.
- 4.28 When taking account of the above the outbuilding has not resulted in the occupiers of any neighbouring property experiencing an appreciably greater sense of being overlooked, loss of light or overbearing issues compared to that of the approved scheme that would justify refusing planning permission.

Landscape Impact and Heritage Assessment

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM31 (Development Affecting the Historic Environment), DM30 (Chilterns Area of Outstanding Natural Beauty) DM32 (Landscape character and Settlement Patterns,) DM34 (Delivering Green Infrastructure and Biodiversity in Development)

- 4.29 Outbuildings of this size and scale are not uncommon in rural locations such as this and it is important to note that the application site already has planning permission granted for

a very similar building previously permitted by way of an Appeal to the Secretary State for planning reference 15/08152/FUL under APP/K0425/D/16/3144956.

- 4.30 The proposed scheme has been reviewed in detail by planning and conservation officers. The Heritage Officer has been invited to comment on this application.
- 4.31 In heritage terms, the key issue here is the effect of the dwelling on the character and appearance of the area, including the Chilterns Area of Outstanding Natural Beauty (AONB) and whether the character or appearance of the Lane End Conservation Area (CA) is preserved or enhanced.
- 4.32 The application site contains a semi-detached cottage (No 2 Sycamore Cottages) set back from and orientated at a right angle to Church Road, in spacious grounds. No 2 and the attached cottage (No 1) are of traditional character and external materials. The cottages are identified in the Lane End Conservation Area Appraisal as an important building in the conservation area.
- 4.33 The building occupies a similar position to that approved building (under Ref: 15/08152/FUL) and uses similar external materials (timber cladding with a brick plinth, with a slate roof).
- 4.34 However, the approved scheme was considered acceptable since it was for a simple ancillary structure with a solid, functional and unassuming appearance, reflecting the qualities of a traditional rural outbuilding. In comparing the approved scheme with that constructed, the building has significantly larger opening in the garden elevation due to the increased depth and height of the gable end. There are also extra openings in the rear elevation and a number of roof-lights. This has increased size and number of openings, the amount of glazing in the elevations and creates a residential character with the building having a greater assertive appearance, unlike a traditional vernacular outbuilding.
- 4.35 In heritage terms, the outbuilding as constructed therefore causes unacceptable harm to the character and appearance of the conservation area and also fails to conserve the landscape of the AONB.
- 4.36 The application would only be considered acceptable in Heritage terms if the first floor fenestration was removed including the roof-lights and rear gable, 2 x full length ground floor windows in the rear elevation removed and the chimney and PV panels.
- 4.37 Amendments to the scheme now show the first floor fenestration including the roof-lights and rear gable, 2 x full length ground floor windows in the rear elevation removed, chimney and PV panels removed.
- 4.38 No harmful impact to the application site, the Conservation Area or the character and appearance of the wider AONB location would occur as a result of this application that would justify refusing planning permission.
- 4.39 In order to protect the existing character of this sensitive location, it is considered that the outbuilding should not be severed from the main residential use of the site. Therefore a planning condition should be imposed which prevents the severance of the outbuilding from the existing planning unit if given planning permission.

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 (in this case, CIL)
 - 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 Buckinghamshire Council (BC) 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. BC 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 The original plans show external and internal facilities that result in a building that is tantamount to the creation a separate dwelling. The agent and applicant were informed that the Council could not support the construction of a separate independent dwelling within the application site and the outbuilding would need to remain ancillary to the main dwelling; having some reliance on the main dwelling and not used as a separate unit that has potential to be used independently or rented out.
- 6.3 In this instance amended plans have been sought and received. Amendments to the scheme show the removal of internal and external facilities as requested. Amendments include: removal of all fenestration at first floor level and above to include roof lights and windows, removal of 2 x full height ground floor windows in the east side elevation and removal of all solar panels, the roof chimney and all bathroom facilities. A condition will be attached to any permission granted requiring all unauthorised works, to be removed by a specified date in order to provide some certainty of the removal of these unauthorised works.
- 6.4 The amended plans were considered acceptable.

7.0 Recommendation

Application Permitted

Subject to the following conditions and reasons:

- 1 The development hereby permitted shall be completed and retained in accordance with the details contained in the planning application hereby approved and plan number BC1, BC2, (P21 received 26.01.2023) 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.

2 The building hereby permitted shall be demolished in its entirety and all materials removed from site within 60 days of the date of failure to meet any of the requirements set out in i) to iii) below:

i. Within two months of the date of the permission a scheme, to include plans and timetable, for the removal of:

- all fenestration at first floor level and above to include roof-lights and windows, with the exception of the gable end window in the south side elevation.
- 2 x full height ground floor windows in the east side elevation
- all solar panels,
- the roof chimney
- all bathroom facilities

shall have been submitted for the written approval of the local planning authority.

ii. If within eight months of the date of this decision the local planning authority refuse to approve the scheme, or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as valid by the Secretary of State.

iii. The approved scheme shall have been carried out and completed in accordance with the approved timetable.

iv. Upon implementation of the approved scheme, specified in this condition, that scheme shall thereafter be maintained for the life of the development.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

Reason: To ensure a satisfactory standard of development within the Conservation Area and Area of Outstanding Natural Beauty.

3 All development is expected to result in a net increase in biodiversity proportionate to the development permitted. In order to compensate for the loss and increase biodiversity opportunities, within three months of this permission a bird nesting box shall either be incorporated into or be attached to the outbuilding. This shall thereafter retained for the lifetime of the development.

Reason: To comply with the requirements of policy DM34.

4 The development hereby permitted shall only be occupied in connection with and ancillary to the occupation of the existing main dwelling (No2 Sycamore Cottages) and shall at no time be severed and occupied as a separate independent unit.

Reason: To prevent the undesirable establishment of a separate independent unit not in accordance with the policies for the area.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order), no development falling within Classes A, B, C and E of Part 1 of Schedule 2 shall be carried out without the prior, express planning permission of the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider the effect of any future proposals on the character and amenity of the locality.

INFORMATIVE(S)

- 1 In accordance with paragraph 38 of the NPPF Buckinghamshire Council (BC) 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. BC 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.
- 2 In this instance amended plans have been sought showing the removal of solar panels, a chimney and fenestration alterations. The original plans show external and internal facilitates that are tantamount to the creation a separate dwelling. The agent/applicant were informed that the Council would not support the construction of a separate independent dwelling within the application site and any outbuilding would need to remain ancillary to the main dwelling and not an independent unit that has potential to be used independently or rented out.
- 3 New plans were submitted showing a building that is reliant on the main dwelling by removing the bathroom/WC, solar panels, a chimney and fenestration alterations the building. These plans were considered acceptable.

APPENDIX A – 22/05263/FUL

Consultations and Notification Responses

Ward Councillor Preliminary Comments

Councillor Zahir Mohammed

Comment: As previously raised, I raise objections to this due to the reasons explained before and the much large footprint than the original buildings and request a call in.

Parish/Town Council Comments/Internal and External Consultees

Lane End Parish Council

Comments: 2 Sycamore Cottages - Objection

(Agreement on the findings of the appeal decision august 2021) June 2016 permission for "replacement single storey timber clad garage/store/garden room granted. Erected building deviates significantly from approved scheme (windows, chimney, mez floor, kitchen, bathroom, dwelling space). The building effects the character & appearance of the area (AONB, conservation area). Effects on adjoining properties (privacy, noise, disturbance, parking). Appeal decision august 2021 states the dwelling has caused unacceptable harm to the character & appearance of the area. Detrimental effect of occupiers of 1 Sycamore cottages, Oak cottage & Withurst. Pedestrian & vehicle access in front of existing cottages causing unacceptable levels of noise & disturbance. The dwelling has no outdoor amenity space. The dwelling harms the character & appearance of the area. The appeal decision was for demolition within 9 months of the appeal date (by May 2022). Summary - a complete disregard for planning rules, the environment & the effect of this development on neighbouring properties.

Highways Authority

Comments: Church Road is a C-class road subject to a speed restriction of 30mph with no parking or waiting restrictions in place. The road benefits from a pedestrian footway.

This application proposes construction of an ancillary residential outbuilding.

I note that the development will be ancillary to the existing main dwelling; thus I do not expect this development will lead to a significant increase in vehicular movements. Therefore, I am satisfied the proposal will not have a material impact upon the safety and operation of the public highway.

Nonetheless, having assessed parking area within the site curtilage, I am satisfied this area is sufficient to accommodate the optimum level of parking required when assessed using the *Buckinghamshire Countywide Parking Guidance* policy document.

Mindful of the above, the Highway Authority raises no objections and in this instance no conditions to include on any planning consent that you may grant.

Conservation and Listed Buildings Officer

1ST Comments: Recommendation: As the NPPF states, heritage assets are an irreplaceable resource and it is important to conserve them in a manner appropriate to their significance. From a heritage perspective, the proposal fails to comply with s.72 of the P (LB&CA) A 1990, policy DM31 and DM35 of the WLP and heritage advice in the NPPF.

Information Considered: Location Plan Block Plan Plans and Elevations as Built Approved Plans Existing Plans and Elevations Timber Louvre Precedents Heritage Statement

Comments: This proposal is for the construction of an ancillary residential outbuilding including external alterations (retrospective). In heritage terms the key issue is the effect of the dwelling on the character and appearance of the area, including the Chilterns Area of Outstanding Natural Beauty (AONB) and whether the character or appearance of the Lane End Conservation Area (CA) is preserved or enhanced.

The application site contains a semi-detached cottage (No 2 Sycamore Cottages) set back from and orientated at a right angle to Church Road, in spacious grounds. No 2 and the attached cottage (No 1) are of traditional character and external materials. The cottages are identified in the Lane End Conservation Area Appraisal as an important building in the conservation area.

The existing residential outbuilding is at a right angle from the front elevation of the No.2 Sycamore Cottages. The building has garaging to the front with one-bedroom accommodation arranged over two floor levels at the rear.

The building occupies a similar position to that approved building (under Ref: 15/08152/FUL) and uses similar external materials (timber cladding with a brick plinth, with a slate roof). In terms of its size the building is around 2m greater in depth, 1.5m greater in depth with the garden gable elevation, is 0.5m wider and has increased in height varying from 0.6 m at the front to 1.5m at the rear. The increase in height at the rear has been partly offset by digging further into the sloping ground.

However, the approved scheme was considered acceptable since it was for a simple ancillary structure with a solid, functional and unassuming appearance, reflecting the qualities of a traditional rural outbuilding.

In comparing the approved scheme with that as building and proposed, the building has significantly larger opening in the garden elevation due to the increased depth and height of the gable end. There are also extra openings in the rear elevation and a number of roof lights. This has increased size and number of openings, the amount of glazing in the elevations and creates a residential character with the building having a greater assertive appearance, unlike a traditional vernacular outbuilding. The dwelling also does not respect the largely linear pattern of residential development in the area and is at odds with the open, spacious and green visual qualities. This also in my view erodes the setting of the cottages and diminishes their contribution to the conservation area as important buildings.

In heritage terms the dwelling therefore causes unacceptable harm to the character and appearance of the conservation area and also fails to conserve the landscape of the AONB. Para 199 of the NPPF confirms that great weight should be given to the asset's conservation and Para 200 requires that any harm to the significance of a designated heritage asset (from its alteration or development within its setting) should require clear and convincing justification.

The development is considered to cause less than substantial harm to the designated heritage asset. In such circumstances, Para 201 of the NPPF states that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. There are no public benefits that outweigh the harm caused to the designated heritage asset and as such is not sufficiently justified and is therefore contrary to policy DM31 and DM35 of the WLP and the requirements of the NPPF.

2ND Comments: Recommendation: As the NPPF states, heritage assets are an irreplaceable resource and it is important to conserve them in a manner appropriate to their significance. From a heritage perspective, the proposal current proposal fails to comply with s.72 of the P (LB&CA) A 1990, policy DM31 and DM35 of the WLP and heritage advice in the NPPF.

Design amendments are therefore requested. If these amendments are not carried out, this proposal should be refused on heritage grounds.

Additional Information Considered: Amended Plans and Elevations Comments: This proposal is for the construction of an ancillary residential outbuilding including external alterations (retrospective). In heritage terms the key issue is the effect of the dwelling on the character and appearance of the area, including the Chilterns Area of Outstanding Natural Beauty (AONB) and whether the character or appearance of the Lane End Conservation Area (CA) is preserved or enhanced.

The application site contains a semi-detached cottage (No 2 Sycamore Cottages) set back from and orientated at a right angle to Church Road, in spacious grounds. No 2 and the attached cottage (No 1) are of traditional character and external materials. The cottages are identified in the Lane End Conservation Area Appraisal as an important building in the conservation area.

The existing residential outbuilding is at a right angle from the front elevation of the No.2 Sycamore Cottages. The building has garaging to the front with one-bedroom accommodation arranged over two floor levels at the rear. The building occupies a similar position to that approved building (under Ref: 5/08152/FUL) and uses similar external materials (timber cladding with a brick plinth, with a slate roof).

However, the approved scheme was considered acceptable since it was for a simple ancillary structure with a solid, functional and unassuming appearance, reflecting the qualities of a traditional rural outbuilding.

In comparing the approved scheme with that as building and proposed, the building has significantly larger opening in the garden elevation due to the increased depth and height of the gable end. There are also extra openings in the rear elevation and a number of roof-lights. This has increased size and number of openings, the amount of glazing in the elevations and creates a residential character with the building having a greater assertive appearance, unlike a traditional vernacular outbuilding. In heritage terms the dwelling as proposed therefore causes unacceptable harm to the character and appearance of the conservation area and also fails to conserve the landscape of the AONB.

The application would only be considered acceptable if all the below changes are carried out as amendments:

- o Remove all first floor fenestration including the roof lights and rear gable end window**
- o Remove the 2 full length ground floor windows in the rear elevation**
- o Remove the chimney and PV panels**

Para 199 of the NPPF confirms that great weight should be given to the asset's conservation and Para 200 requires that any harm to the significance of a designated heritage asset (from its alteration ... or development within its setting) should require clear and convincing justification. The development is considered to cause less than substantial harm to the designated heritage asset. In such circumstances, Para 201 of the NPPF states that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. There are no public benefits that outweigh the harm caused to the designated heritage asset and as such is not sufficiently justified and is therefore contrary to policy DM31 and DM35 of the WLP and the requirements of the NPPF.

Representations

The concerns and comments of the general public are summarised below:

40 x Objections received to include duplication:

- Overlooking
- Out of keeping
- Potential as independent unit
- Should be demolished as per planning inspector's decision.

11 x supporting the application:

- In keeping with area
- Well designed
- Improvement of previous sheds
- Not noticeable from footpath

APPENDIX B: Site Location Plan

22/05263/FUL
Scale 1/2500



Planning Committee
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