



East Buckinghamshire Area Planning Committee agenda

Date: Tuesday 31 January 2023

Time: 2.00 pm – **PLEASE NOTE CHANGE OF TIME**

Venue: Amersham Council Chamber, King George V House, King George V Road,
Amersham HP6 5AW

Membership:

I Darby, M Fayyaz, M Flys (Vice-Chairman), G Harris, C Jones, J MacBean, J Rush, M Stannard, H Wallace, L Walsh, J Waters (Chairman) and S Wilson

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Agenda Item	Page No
1 Apologies for absence	
2 Declarations of interest	
3 Minutes of the previous meeting To agree the minutes of the meeting held on 6 December 2022 as an accurate record.	3 - 4
Applications to be determined	
4 PL/22/2882/VRC - Kerns, 11 Woodlands Drive, Knotty Green, Buckinghamshire, HP9 1JY	5 - 24
5 PL/22/4005/FA - Lynton House, 56 Watchet Lane, Holmer Green, Buckinghamshire, HP15 6UG	25 - 36
6 Date of next meeting Tuesday 28 February 2023 at 6.30pm	

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East Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the East Buckinghamshire Area Planning Committee held on Tuesday 6 December 2022 in Amersham Council Chamber, King George V House, King George V Road, Amersham HP6 5AW, commencing at 6.30 pm and concluding at 7.41 pm.

Members present

I Darby, M Fayyaz, G Harris, C Jones, J MacBean, J Rush, M Stannard, L Walsh and J Waters

Others in attendance

M Beech, L Briggs, L Hornby and M Shires

Apologies

M Flys, H Wallace and S Wilson

Agenda Item

1 Declarations of interest

There were none.

2 Minutes of the previous meeting

The minutes of the meeting held on 19 July 2022 were agreed as an accurate record.

3 WITHDRAWN. PL/22/0835/FA - The Beacon School, Amersham Road, Chesham Bois, Buckinghamshire, HP6 5PF

This application was withdrawn prior to the meeting.

4 PL/22/2702/FA - Tinto, 25 Wheelers Orchard, Chalfont St Peter, Buckinghamshire, SL9 0HL

Single and double storey side and rear extensions and porch extension.

This application was the subject of a site visit.

Members voted in favour of the motion to grant conditional permission subject to the conditions as listed in the report and subject to amended conditions to ensure permitted development rights were removed to insert Juliette balconies and

conversion of the garage.

Speaking on behalf of Chalfont St Peter Parish Council: Cllr Tony Shinner

Speaking in objection: Mr Philip King

It was proposed by Councillor J MacBean and seconded by Councillor G Harris.

Resolved: that the application be granted conditional permission subject to the conditions as listed in the main report and subject to amended conditions to ensure permitted development rights were removed to insert Juliette balconies and conversion of the garage.

5 WITHDRAWN PL/22/2881/VRC - Kerns, 11 Woodlands Drive, Knotty Green, Buckinghamshire, HP9 1JY

This application was withdrawn prior to the meeting.

6 PL/22/2882/VRC - Kerns, 11 Woodlands Drive, Knotty Green, Buckinghamshire, HP9 1JY

Variation of Condition 2 (Approved Plans) of Planning Appeal Ref: APP/X0415/W/19/3219988 (Demolition of an existing dwelling and erection of two new semi-detached family dwellings with associated amenity space and car parking) to allow for amendments to the scheme including increase in depth to ground floor level single-storey rear projections in line with Permitted Development Rights available to the completed development.

This application was the subject of a site visit.

Members voted unanimously in favour of the motion to defer the application for further investigations by the Highways team in order to review parking requirements for the development and whether removal of the garages would create unacceptable highways impacts.

Speaking on behalf of Penn Parish Council: Cllr K Dicker

Speaking in objection: Mr C Granville

It was proposed by Councillor J MacBean and seconded by Councillor C Jones.

Resolved: that the application be deferred for further investigation by Highways in order to review parking requirements for the development and whether removal of the garages would create unacceptable highways impacts.

7 Date of next meeting

Tuesday 3 January 2023 at 6.30pm.



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Report to East Area Planning Committee

DEFERRED APPLICATION

Application Number:	PL/22/2882/VRC
Proposal:	Variation of Condition 2 (Approved Plans) of Planning Appeal Ref: APP/X0415/W/19/3219988 (Demolition of an existing dwelling and erection of two new semi-detached family dwellings with associated amenity space and car parking) to allow for amendments to the scheme including increase in depth to ground floor level single-storey rear projections in line with Permitted Development Rights available to the completed development.
Site Location:	Kerns 11 Woodlands Drive Knotty Green Buckinghamshire HP9 1JY
Applicant:	4 Lee's Ltd
Case Officer:	Melanie Beech
Ward affected:	Penn Wood & Old Amersham
Parish Town Council:	Penn Parish Council
Valid date:	11 August 2022
Determination date:	2 February 2023
Recommendation:	Application PL/22/2882/VRC be delegated to the Director of Planning, Growth & Sustainability to approve, subject to conditions and the satisfactory prior completion of a Section 106 Agreement. If the Section 106 Agreement cannot be completed the application be refused for such reasons as considered appropriate.

1.0 Matters for consideration

- 1.1 Members will recall that this application was heard by the Planning Committee at the meeting on 6th December 2022. The original case officer's report is attached at Appendix A.
- 1.2 The application was deferred so that the case officer could seek clarification from the Highway Authority as to whether the site lies within Zone B or Zone C as defined in

the Buckinghamshire Countywide Parking Guidance September 2015. Furthermore, clarification was sought on whether the proposed dwellings had been assessed as 4 or 5 bedroom dwellings and whether this would affect the comments and recommendation from the Highway Authority.

2.0 Evaluation

- 2.1 The Council's mapping has been re-examined and the site itself lies in Zone C, as per the Parking Standards SPD. The surrounding area to the East and South lies within Zone B. The Highways Officer had previously argued that the Zone B standards should be applied, given the site has the same accessibility from the town centre as the adjoining areas within Zone B.
- 2.2 The following additional comments have been received from the Senior Highways Development Management Officer:
*"I have had a look at this application again and I would still argue that Zone B parking standards could be applied in this situation given it is a 10-minute walk into Beaconsfield town centre and the train station. Nevertheless, if you are correct that should Zone C be applied, each dwelling would have a shortfall in 2 spaces. Even if each dwelling had an optimum parking requirement of 4 spaces each, I would not be in a position to recommend refusal for the application as I would not consider the overspill in parking to create a 'severe' impact on the highway in line with the NPPF. This argument is supported by Inspector for the original application (CH/2018/0825/FA), who stated the following:
"Adequate parking is proposed to meet the Council and Highway Authority requirements, and in any event there is no firm evidence that any overspill parking on Woodlands Drive would be harmful to highway or pedestrian safety."
Furthermore, as you say the conversion of the garage could still be carried out without planning permission."*
- 2.3 With regard to the number of bedrooms, the Senior Highways Development Management Officer provided the following additional comment:
"I made this assessment on habitable rooms as per the BCPG and this therefore included the study, games room, tv room etc. Each dwelling has a total of 9 habitable rooms which informs the optimum parking of 4 spaces. As a guide, the BCPG states that 8+ habitable rooms can be compared to 5 bedrooms which I would therefore consider in line with the proposed dwellings."
- 2.4 The following evaluation has therefore been carried out using the standards for Zone C. Each of the new dwellings is shown to have 4 bedrooms, although as noted by Members at the previous meeting, there is another room in the roofspace which is annotated as being a games room. The parking standards give flexibility as to how such layouts should be assessed. Clearly, the games room could be used as a bedroom, giving rise to 5-bed dwellings.
- 2.5 The Parking Standards SPD states that the optimum level of parking for a dwelling in Zone C that has either 5 bedrooms or 8+ habitable rooms is 4 parking spaces per dwelling. Each proposed dwelling is shown to have room for at least two cars to park on the respective driveway area.

- 2.6 However it must be noted that the dwellings subject of the original planning application, which was approved at appeal (ref. CH/2018/0825/FA) also contained four bedrooms plus the games room. So the number of bedrooms, or potential bedrooms, however it is assessed, is identical to the appeal scheme. The size of the proposed frontage parking areas is also identical. The Appeal Inspector did not impose a condition stating that the garages should remain available for parking, so they could be converted to habitable accommodation. As such, the appeal scheme in effect allows for 5 bed dwellings served by the frontage parking areas.
- 2.7 The current application is exactly the same in that respect, in that it also proposes potential 5 bed dwellings served by the frontage parking areas. Given that the Appeal Inspector found this to be acceptable, it would be unreasonable to now come to a different conclusion.
- 2.8 It should also be noted that Paragraph 111 of the NPPF states that “development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. In order to justify a refusal, the resulting highway impact from a parking shortfall would therefore need to be severe. Based on the comments from the Highway Authority and the Inspector in determining the previous appeal on this site (quoted above), a reason for refusal based on parking could not be sustained. This is because the shortfall in spaces would not result in a severe impact on the highway and also, importantly, because the Appeal Inspector approved an identical layout for dwellings of the same number of bedrooms. For the latter reason alone, it would be unreasonable to now go against the appeal decision and introduce parking as a concern.

3.0 Conclusion

- 3.1 Members deferred the application for clarification from the Highway Authority. The Highway Authority has confirmed that even if the site was considered to be within Zone C and have 8+ habitable rooms, and thus the shortfall of parking spaces for the development would be 4 rather than 2, they would still not recommend refusal of the application. This is because the impact on the highway is not considered to be severe and therefore the development should not be refused, in accordance with paragraph 111 of the NPPF.
- 3.2 However, importantly, it must be noted that the 2018 appeal scheme was also for the same number of bedrooms in each house, plus the same frontage parking area. The Inspector did not impose a condition requiring the garages to remain for parking, so he in effect approved potential 5-bed dwellings served by their frontage parking areas. This is identical to the current proposal and it would therefore be unreasonable to refuse the scheme on parking.
- 3.3 Based on this further assessment, the recommendation remains to defer to approve the application, subject to the completion of a legal agreement to secure appropriate mitigation against the potential adverse impacts of the development on the Burnham Beeches Special Area of Conservation (SAC).

4.0 Recommendation: Application PL/22/2882/VRC be delegated to the Director of Planning, Growth & Sustainability to approve, subject to conditions and the satisfactory prior

completion of a Section 106 Agreement. If the Section 106 Agreement cannot be completed the application be refused for such reasons as considered appropriate.

Subject to the following conditions:

1. Prior to the implementation of the permission hereby granted, detailed plans, including cross section, showing the existing ground levels and the proposed slab and finished floor levels of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed datum point located outside the application site. Thereafter the development shall not be constructed other than as approved in relation to the fixed datum point.
Reason: To protect, as far as is possible, the character of the locality and the amenity of neighbouring properties.
2. The development hereby permitted shall only be constructed in the materials shown on the Schedule of External Materials Revision A, received by the Council on 21 October 2022 and which were approved under reference PL/22/2892/CONDA.
Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality.
3. The dwellings hereby permitted shall not be occupied until the first floor windows on each flank elevation have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.
Reason: To protect the amenities and privacy of the adjoining properties.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission shall be constructed on the flank elevations at first floor level.
Reason: To protect the amenities and privacy of the adjoining properties.
5. Prior to the occupation of the development the new access, parking and turning shall be constructed in accordance with the approved plans and shall be permanently maintained for those purposes.
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to enable vehicles to draw off, park and turn clear of the highway.
6. Within one month of the new access being brought into use, the existing access point shall be permanently stopped up by raising the existing dropped kerb or removing the existing bellmouth and reinstating the footway and highway boundary to the same line, level and detail as the adjoining footway and highway boundary and retained thereafter.

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

7. The development shall be undertaken in accordance with the recommended safeguards provided within the Bat Survey produced by Arbtech Consulting Ltd (August 2018) and in accordance with the ecological enhancements shown in the Ecological, Mitigation, Enhancement and Management Plan dated 10th June 2022 prepared by Arbtech (which was approved under application reference PL/22/2163/CONDA).

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

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

Reason: In order that the Local Planning Authority can properly consider whether any future proposals will constitute overdevelopment of the site or will in any other way be detrimental to the character of the locality or the amenity of neighbouring properties.

9. This permission relates to the details shown on the approved plans as listed below:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
8 May 2018	location plan
11 Aug 2022	5544-A102 D
11 Aug 2022	5544-A101 E

and in accordance with any other conditions imposed by this planning permission.

Reason: To ensure that the development is carried out in accordance with the details considered by the Local Planning Authority.

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Report to East Area Planning Committee

Application Number:	PL/22/2882/VRC
Proposal:	Variation of Condition 2 (Approved Plans) of Planning Appeal Ref: APP/X0415/W/19/3219988 (Demolition of an existing dwelling and erection of two new semi-detached family dwellings with associated amenity space and car parking) to allow for amendments to the scheme including increase in depth to ground floor level single-storey rear projections in line with Permitted Development Rights available to the completed development.
Site location:	Kerns 11 Woodlands Drive Knotty Green Buckinghamshire HP9 1JY
Applicant:	4 Lee's Ltd
Case Officer:	Melanie Beech
Ward affected:	Penn Wood & Old Amersham
Parish-Town Council:	Penn Parish Council
Valid date:	11 August 2022
Determination date:	8 December 2022
Recommendation:	Application PL/22/2882/VRC be delegated to the Director of Planning, Growth & Sustainability to approve, subject to conditions and the satisfactory prior completion of a Section 106 Agreement. If the Section 106 Agreement cannot be completed the application be refused for such reasons as considered appropriate.

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Planning permission for development on this site was previously refused by the Planning Committee but subsequently allowed on appeal for "redevelopment of site to provide a pair of semi-detached dwellings, served by new access, gates, associated amenity space and car parking (reference CH/2018/0825/FA) dated 24th September 2019. Condition 2 of that permission requires the development to be built in accordance with the approved plans.

- 1.2 This application is submitted under Section 73 of the Town and Country Planning Act 1990 which allows conditions of an existing planning permission to be varied or removed. The application seeks to vary condition 2 of the original permission to substitute the approved plans with a new set of plans showing various amendments. The proposed amendments include an increase in depth at ground floor level, alterations to the ground floor side windows, and the conversion of the garages to studies.
- 1.3 The principle of erecting two semi-detached dwellings on this site has already been established by the appeal decision and therefore the only issues to consider in determining this application are whether the effects of the proposed variations on material planning matters are acceptable.
- 1.4 Councillor Waters has called the application to Committee because he has concerns that the expansion of the properties and the proposed loss of garages means that both properties fall below the parking standards by one space (a loss of 2 spaces against the original planning permission).
- 1.5 The following report sets out the officer's assessment which determines that the proposed variations do not have an adverse impact on the character of the area, amenity of neighbouring properties or on highway matters. This assessment has been made in consultation with the Highway Authority who raise no objection to the application.
- 1.6 The site is within the Zone of Influence of the Burnham Beeches Special Area of Conservation (SAC) which means that, based on advice from Natural England, developers will need to make a financial contribution towards the Council's Strategic Access Management and Monitoring Strategy (SAMMS) which seeks to mitigate the potential adverse impact of the development on the SAC.
- 1.7 Based on the officer's assessment, it is considered that the proposal complies with the relevant Development Plan policies and therefore it is recommended that the application is deferred for approval, subject to completion of a planning agreement to secure the financial contribution to the SAMMS.
- 1.8 Essentially, this is the same as the previous application on the same Committee agenda, ref. PL/22/2881/VRC, but without the dormer structure across the rear.

2.0 Description of Proposed Development

- 2.1 The application site is located on the southern side of Woodlands Drive within the built up area of Knotty Green, surrounded by residential development. The house which previously occupied the site has been demolished and work has commenced on the development which was allowed at appeal (dated 24th September 2019) for "redevelopment of site to provide a pair of semi-detached dwellings, served by new access, gates, associated amenity space and car parking" (reference CH/2018/0825/FA).
- 2.2 Condition 2 of that permission requires the development to be carried out in accordance with the approved plans. This application is submitted under Section 73 of the Town and Country Planning Act 1990 and seeks to vary condition 2 by submitting revised plans which will substitute the approved plans. The revised plans show the following alterations to the approved scheme:
 - An increase in depth to the ground floor of 1.5m

- An increase in depth to the single storey rear projections of 3m
- The addition of two ground floor windows on the side elevations
- The proposed integral garages are now studies.

3.0 Relevant Planning History

- 3.1 CH/2018/0825/FA - Redevelopment of site to provide a pair of semi-detached dwellings, served by new access, gates, associated amenity space and car parking – refused permission but allowed on appeal, 24th September 2019.
- 3.2 PL/22/2163/CONDA - Application for approval of Condition 3 (detailed plans including cross section) and 9 (ecological enhancements) of Planning Application CH/2018/0825/FA, Appeal Approval Ref. APP/X0415/W/19/3219988 – Conditions accepted 2nd August 2022.
- 3.3 PL/22/2892/CONDA - Application for approval of condition 4 (external facing and roofing materials) of planning application Application CH/2018/0825/FA, Appeal Approval Ref. APP/X0415/W/19/3219988 – Condition accepted 3rd November 2022.
- 3.4 PL/22/2881/VRC - Variation of Condition 2 (Approved Plans) of Planning Appeal Ref: APP/X0415/W/19/3219988 (Demolition of an existing dwelling and erection of two new semi-detached family dwellings with associated amenity space and car parking) to allow for amendments to the scheme including increase in depth to ground floor level single-storey rear projections and new dormer at rear roof level in line with Permitted Development Rights available to the completed development – Pending Decision.

4.0 Summary of Representations

- 4.1 At the time of drafting this report, 15 representations have been made on the application. A summary of these comments is set out in Appendix A.
- 4.2 Penn Parish Council raise a strong objection to the application as there is an increase in scale and bulk to the rear form, and parking provision is inadequate. They consider that the changes do not fall within permitted development rights as the property is yet to be built. Changes should be the subject of a new application, otherwise the properties should be built in accordance with the approved plans and to do otherwise would be a breach of planning conditions.
- 4.3 The Highway Authority raise no objection to the proposed variation. They note that in accordance with the Buckinghamshire County Wide Parking Guidance, the standard is for three car parking spaces per dwelling. Two spaces per dwelling are provided on the hardstanding to the front of the properties which therefore results in a shortfall of one space per dwelling. However, given the location of the site within a 10-minute walk of Beaconsfield Town Centre and railway station, and the absence of parking restrictions on Woodlands Drive, the Highway Authority are not in a position to recommend refusal on this matter, as the slight shortfall would not result in a highway safety issue.
- 4.4 It is understood that a parking review is currently taking place in the area but at the present time, there is no guarantee that parking restrictions will be implemented in future, or indeed what type of restrictions they may be.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2019
- National Design Guide, October 2019

- Core Strategy for Chiltern District - Adopted November 2011
- Chiltern District Local Plan adopted 1 September 1997 (including alterations adopted 29 May 2001), consolidated September 2007 and November 2011
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- Chiltern and South Bucks Townscape Character Study, November 2017
- Buckinghamshire Countywide Parking Guidance September 2015

Principle and Location of Development

Core Strategy Policies:

CS1 (The spatial strategy),

CS2 (Amount and distribution of residential development 2006-2026)

Local Plan Saved Policies:

H3 (Provision of new dwellings in the built-up areas excluded from the Green Belt (other than in accordance with Policies H2, H4 & H7))

- 5.1 This application is submitted under Section 73 of the Town and Country Planning Act 1990 which allows conditions of an existing planning permission to be varied or removed. If the application is approved, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended. It is then up to the applicant to decide whether to implement the new permission or the one originally granted.
- 5.2 The National Planning Practice Guidance states that when assessing these types of application, Local Planning Authorities should focus their attention on national or local policies or other material considerations which may have changed significantly since the original permission. In this instance, the relevant Development Plan policies have not changed and therefore the application will be assessed within the same policy framework as the previous application.
- 5.3 In this regard, the site is within the built up area of Knotty Green where, in accordance with Policy H3 of the Local Plan, new dwellings are acceptable in principle, provided there is no conflict with any other policy in the Development Plan and provided the proposed development is compatible with the character of the area by respecting the general density, scale, siting, height and character of buildings in the locality and the presence of trees, shrubs, lawns and verges.
- 5.4 The principle of erecting two dwellings on this site has already been accepted by the appeal decision and therefore the assessment of this application should focus on the effect of the proposed variations on material planning matters.
- 5.5 It is noted that the applicant has referred to Permitted Development rights in the description of the proposed development. It is stated that the proposed variations would be of such a scale that once completed, the occupiers of the new dwellings could implement them without the need for planning permission. Although that may be the case, the dwellings are far from complete and therefore the proposed variations should be assessed on their own merits, although the potential for the changes to be subsequently built anyway, as permitted development, is a material consideration. An additional condition removing further permitted development rights to extend is proposed, given the slightly larger dwellings, which the Appeal Inspector did not include in their decision.

Raising the quality of place making and design

Core Strategy Policies:

CS4 (Ensuring that the development is sustainable)

CS20 (Design and environmental quality)

Local Plan Saved Policies:

GC1 (Design of development)

GC4 (Landscaping)

H11 (Distance between flank elevation(s) of a proposed multi-storey dwelling and boundary of dwelling's curtilage)

- 5.6 As stated above, the principle of erecting a pair of semi-detached houses on this plot has already been established and the applicant can continue to implement that permission in accordance with the approved plans. The proposed variations relate to the rear of the property and therefore the appearance of the dwellings will not alter in comparison to the approved scheme when viewed from the front of the property on Woodlands Drive.
- 5.7 The proposed variations will increase the scale and size of the dwellings but only to the rear at ground floor level. The dwellings will still be set in from the plot boundaries and will still leave large sized rear gardens. As such, it is not considered that the development will appear cramped or out of keeping with the surrounding area.

Amenity of existing and future residents

Local Plan Saved Policies:

GC3 (Protection of amenities)

H12 (Private residential garden areas)

- 5.8 Local Plan Policy GC3 refers to the protection of amenities. It states that the Council will seek to achieve good standards of amenity for the future occupiers of that development and to protect the amenities enjoyed by the occupants of existing adjoining and neighbouring properties.
- 5.9 The proposed rear extensions (including the additional side windows) are all at ground floor level and are no closer to the neighbouring properties than the dwellings which were allowed on appeal. Although the depth of the dwellings has increased at single storey level, they remain set in from the boundaries and are not considered to have an adverse impact on the amenity of the neighbouring properties. It is noted that the rear projections will now be 3 metres closer to the neighbouring property to the rear but this property is set over 50 metres away and the garden is of a sufficient length that this relationship is still considered to be acceptable.
- 5.10 Furthermore, the rear garden for the new dwellings is also still of a sufficient size (well over 15 metres) for future occupiers of the development. As such, no objections are raised to the proposed variations in terms of the impact on residential amenity.

Transport matters and parking

Core Strategy Policies:

CS25 (Dealing with the impact of new development on the transport network)

CS26 (Requirements of new development)

Local Plan Saved Policies:

TR2 (Highway aspects of planning applications)

TR3 (Access and road layout)

TR11 (Provision of off-street parking for developments)

TR15 (Design of parking areas).

Buckinghamshire Countywide Parking Guidance September 2015

- 5.11 Access to the development is from Woodlands Drive and is unaltered from the original permission. The proposed increase in depth to the rear of the new dwellings and the alterations to the ground floor windows do not have any implications for highway matters.
- 5.12 However, the conversion of the garage into a study results in the loss of one car parking space per dwelling. In accordance with the Buckinghamshire Countywide Parking Guidance, the standard is for three car parking spaces per dwelling in this location. Two spaces per dwelling are provided on the hardstanding to the front of the properties which therefore results in a shortfall of one space per dwelling (two in total for the whole development).
- 5.13 In consultation with the Highway Authority, this shortfall is considered to be acceptable in this instance given that Beaconsfield Town Centre and railway station is within a 10-minute walk, and there are no restrictions on the road which enables residents to safely park on the highway. As the Highway Authority confirms there would be no highway safety issues arising from the slight shortfall, in the event of an appeal it would be difficult to defend a reason for refusal based on parking.
- 5.14 It is understood that a parking review is currently taking place in the area but at the present time, there is no guarantee that parking restrictions will be implemented in future, or indeed what type of restrictions they may be. As such, no objections are raised with regard to the proposed variation on the impact on the highway.

Environmental issues

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS24 (Biodiversity)

Local Plan Saved Policies:

NC1 (Safeguarding of nature conservation interests)

- 5.15 The site is within the Zone of Influence of the Burnham Beeches Special Area of Conservation (SAC). Natural England have advised the Council that due to increased recreational pressure from occupiers of new houses, there could be a serious potential conflict between new housing development in this area and the conservation objectives for the protected features of the SAC.
- 5.16 In light of new evidence relating to recreation impacts, Natural England have advised that planning authorities must apply the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) to new housing within 5.6km of the SAC. Based on this advice, the Council has carried out an Appropriate Assessment for the proposed development, which concludes that the proposed development is likely to have a significant impact upon the integrity of the SAC.
- 5.17 In order to mitigate such impacts, the Council has adopted a Strategic Access Management and Monitoring Strategy (SAMMS) and the Council's approach is set out in the Burnham Beeches Special Area of Conservation Mitigation Strategy Supplementary Planning Document (SPD) which was adopted in March 2020.

- 5.18 The Council considers that the SAMMS, which is supported by Natural England, is robust and capable of mitigating the likely significant effects of the development, provided a financial contribution is made by the developer towards the SAMMS.
- 5.19 The applicant has agreed that they willing to enter into a planning obligation to secure the contribution. A planning obligation will therefore be progressed and completed to secure the financial contribution towards the SAMMS subject to the outcome of the Planning Committee.

6.0 Weighing and balancing of issues / Overall Assessment

- 6.1 The principle of erecting a pair of semi-detached dwellings on this site has already been established and therefore the only consideration to be made in assessing this application is the effect of the proposed variations on material planning matters.
- 6.2 The proposed increase in depth is at ground floor level and to the rear of the properties and therefore the appearance of the development will not alter from the front and when viewed from Woodlands Drive. The dwellings are no closer to the side boundaries of the plot and are still a significant distance to the rear boundary. As such, it is not considered that the proposed variations will make the new dwellings appear cramped or be out of keeping with the surrounding houses. An additional condition removing further permitted development rights is recommended.
- 6.3 With regard to the loss of the garages, it is acknowledged that this results in a shortfall of one car parking space per dwelling in comparison to the parking standards (a total of two for the whole development). However, in consultation with the Highway Authority, it is not considered that this could form a reason for refusal because the site is close to Beaconsfield Town Centre and railway station, and there is opportunity for residents to park safely on the road. The Highway Authority confirm it would not result in a danger to highway safety and therefore it would be difficult to defend an appeal on this issue.
- 6.4 It is noted that the site is within the Zone of Influence of the Burnham Beeches SAC and that the developer is willing to enter into a legal agreement to secure a financial contribution to mitigate the potential adverse impacts of the development.
- 6.5 Based on the above assessment, it is considered that the proposal complies with the relevant Development Plan policies and it is recommended that the application is delegated to Officers to approve, subject to the recommended conditions and the satisfactory prior completion of a Section 106 Agreement.

7.0 Working with the applicant / agent

- 7.1 In accordance with Section 4 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal. The Council works with applicants/agents in a positive and proactive manner by:
- offering a pre-application advice service
 - updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.
- 7.2 The applicant has agreed to the recommended conditions.

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

8.0 Recommendation: Application PL/22/2882/VRC be delegated to the Director of Planning, Growth & Sustainability to approve, subject to conditions and the satisfactory prior completion of a Section 106 Agreement. If the Section 106 Agreement cannot be completed the application be refused for such reasons as considered appropriate.

Subject to the following conditions:-

1. Prior to the implementation of the permission hereby granted, detailed plans, including cross section, showing the existing ground levels and the proposed slab and finished floor levels of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed datum point located outside the application site. Thereafter the development shall not be constructed other than as approved in relation to the fixed datum point.
Reason: To protect, as far as is possible, the character of the locality and the amenity of neighbouring properties.
2. The development hereby permitted shall only be constructed in the materials shown on the Schedule of External Materials Revision A, received by the Council on 21 October 2022 and which were approved under reference PL/22/2892/CONDA.
Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality.
3. The dwellings hereby permitted shall not be occupied until the first floor windows on each flank elevation have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.
Reason: To protect the amenities and privacy of the adjoining properties.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission shall be constructed on the flank elevations at first floor level.
Reason: To protect the amenities and privacy of the adjoining properties.
5. Prior to the occupation of the development the new access, parking and turning shall be constructed in accordance with the approved plans and shall be permanently maintained for those purposes.
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to enable vehicles to draw off, park and turn clear of the highway.
6. Within one month of the new access being brought into use, the existing access point shall be permanently stopped up by raising the existing dropped kerb or removing the existing bellmouth and reinstating the footway and highway boundary to the same line, level and detail as the adjoining footway and highway boundary and retained thereafter.

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

7. The development shall be undertaken in accordance with the recommended safeguards provided within the Bat Survey produced by Arbtech Consulting Ltd (August 2018) and in accordance with the ecological enhancements shown in the Ecological, Mitigation, Enhancement and Management Plan dated 10th June 2022 prepared by Arbtech (which was approved under application reference PL/22/2163/CONDA).

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

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

Reason: In order that the Local Planning Authority can properly consider whether any future proposals will constitute overdevelopment of the site or will in any other way be detrimental to the character of the locality or the amenity of neighbouring properties.

9. This permission relates to the details shown on the approved plans as listed below:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
8 May 2018	location plan
11 Aug 2022	5544-A102 D
11 Aug 2022	5544-A101 E

and in accordance with any other conditions imposed by this planning permission.

Reason: To ensure that the development is carried out in accordance with the details considered by the Local Planning Authority.

APPENDIX A: Consultation Responses and Representations

Parish Council Comments

“Strong Objection -The scale of changes do not fall within permitted development rights, as they apply to a notional property, which has yet to be built. Changes should be the subject of a new application, otherwise the semis should be built according to the plans approved by the National Planning Inspector, and to do otherwise would be a breach of planning conditions. There is an increase in scale and bulk to the rear form. Parking provision is inadequate, with garage loss, especially given the need for parking and turning.”

Consultation Responses

Highway Authority:

“Thank you for your letter dated 22nd August 2022 with regard to the above planning application. I note the Highway Authority has provided previous comments for this site, most recently for application no. CH/2018/0825/FA, which in a response dated 14th June 2018; the Highway Authority had no objection subject to conditions.

The application seeks planning consent for the variation of condition 2 to allow for a rear extension to the dwellings and the conversion of the proposed garages into habitable accommodation.

Having assessed the submitted plans, the proposed rear extension does not make a difference in highway terms and therefore I have no objection to this part of the proposal.

However, the conversion of the garage into a habitable room does result in the loss of one parking space within the site. It is noted that the site falls on the boundary between Zone B and Zone C within the Buckinghamshire Countywide Parking Guidance; however, given the location of the site which is within a 10-minute walk of Beaconsfield town centre and railway station, it is considered that parking standards for Zone B can be applied in this situation.

In accordance with this, the proposed site requires the provision of 3 parking spaces per dwelling. The external area of hardstanding fronting the dwellings appears to safely accommodate the parking of two vehicles, which therefore results in a shortfall in one parking space per dwelling. Whilst this is not ideal, given the nature of the road which does not benefit from parking restrictions and the ability to safely accommodate two vehicles on the highway if necessary, the Highway Authority is not in a position to recommend refusal on this matter.

Mindful of the above, I have no objection to the variation of condition 2.”

Representations

At the time of drafting this report, 14 representations have been made on the application, which are summarised below:

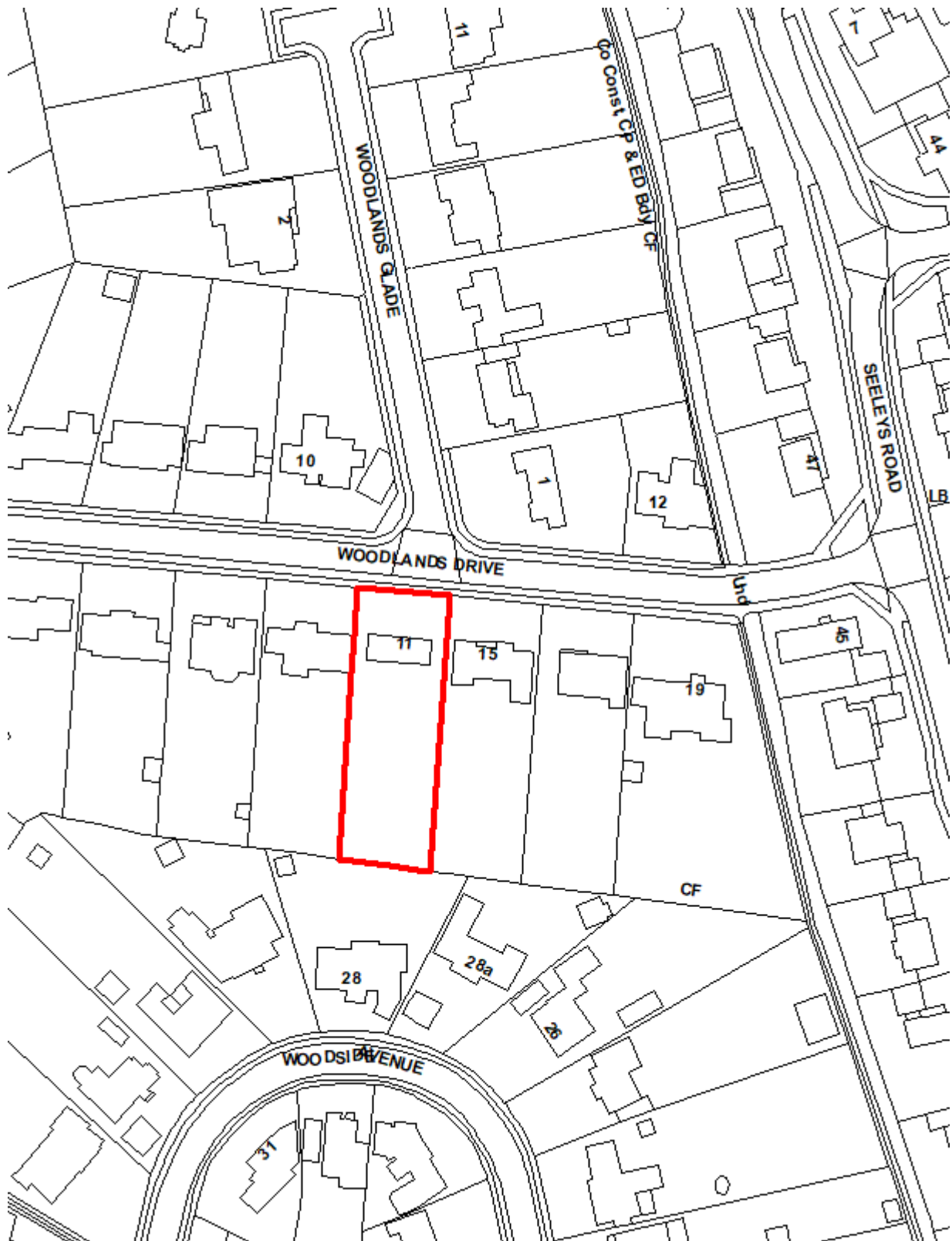
- The proposed changes should be subject to a separate planning application
- The proposals contradict condition 2 of the appeal decision which states that the development shall be built in accordance with the approved plans
- Permitted Development rights should not apply to houses which have not been built
- The increase in the depth of the building is significant
- The increase in size exacerbates the already cramped appearance and overdevelopment of the site
- The design is not compatible with the surrounding houses
- The application is contrary to Policies H3 and GC1

- Loss of garage space results in inadequate parking
- Parking on the road (opposite the junction with Woodlands Glade) will become a hazard
- Dwellings will affect the neighbours in front and back gardens.

Comments on the proposed dormer windows are not relevant to this application as they are only proposed on the other current application which is pending decision (reference PL/22/2881/VRC).

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APPENDIX B: Site Location Plan



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Buckinghamshire Council

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Report to East Area Planning Committee

Application Number:	PL/22/4005/FA
Proposal:	Erection of a single storey timber ancillary granny annexe to the rear garden
Site location:	Lynton House 56 Watchet Lane Holmer Green Buckinghamshire HP15 6UG
Applicant:	Elizabeth Keenahgan-Clark & Darren Clark
Case Officer:	Salman Azad
Ward affected:	Penn Wood & Old Amersham
Parish-Town Council:	Little Missenden Parish Council
Valid date:	18 November 2022
Determination date:	3 February 2023
Recommendation:	Conditional Permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 This application proposes the “*Erection of a single storey timber ancillary granny annexe to the rear garden*” at land at Lynton House, 56 Watchet Lane in Holmer Green.
- 1.2 The main issues for consideration are the impact of the built form on the character of the area and neighbouring amenity. An assessment of the proposal, in line with involvement of statutory consultees, concludes that, on balance, the application is acceptable, subject to the inclusion of relevant conditions and a Section 106 legal agreement.
- 1.3 The application has been called for determination by the Planning Committee by Councillor Waters.
- 1.4 The recommendation is to grant conditional permission.

2.0 Description of Proposed Development

- 2.1 The application site concerns the site known as Lynton House, 56 Watchet Lane, which is located within the built-up residential area of Holmer Green. The site is a rectangular plot located on the east side of Watchet Lane. Common

boundaries are shared with 54 Watchet Lane to the south, 58 Watchet Lane to the north, 7 Todd Close to the east and 9 Todd Close to the north-east.

- 2.2 The site lies within a 'Suburban Road' character typology, as set out in the Chiltern and South Bucks Townscape Character Study. The main characteristics of these areas are: a mix of detached and semi-detached dwellings; plots that are regular and consistent in size; regular building lines and spacing between buildings slighted staggered; and medium sized front gardens. In terms of built form, the road may have once been homogenous in style and/or material, but this has since eroded over time as new development has occurred and/or as individual homeowners altered their dwellings.
- 2.3 The application proposes the erection of a single storey timber ancillary granny annexe to the rear garden which will be used by an elderly parent. This proposed annexe will be a detached rectangular outbuilding sited 1 metre off the application site's eastern (rear) and northern boundaries and 3.4 metres off the southern boundary. The outbuilding itself will be of a mono-pitched roof design and will measure: 10.2m in length, 4.7m in width, 2.66m in eaves height and 2.95m in ridge height. It will be finished in redwood vertical shiplap cladding and aside from two top hung windows on its northern and southern flank elevations, all doors and window openings will be sited on the building's western elevation, facing onto the host dwelling's rear garden. The annexe will feature: a living room with kitchenette, one bedroom and a shower room.
- 2.4 A Planning Statement has been submitted with the application, explaining the nature of the application and that due to advancing age and poor health, requires the support and care of his family.

3.0 Relevant Planning History

- 3.1 CH/1997/0594/FA – Single storey side and rear extensions. Conditional permission.
- 3.2 CH/2009/1775/FA – Single storey front/side extension. Refused permission, due to the forward projection appearing overly prominent in the street scene.
- 3.3 CH/2010/0691/FA – Single storey front/side extension. Refused permission, due to the forward projection appearing overly prominent in the street scene.
- 3.4 CH/2017/1106/FA - Two storey side extension, insertion of roof lights to side and rear elevations, construction of cycle / bin store. Conditional permission.

4.0 Summary of Representations

- 4.1 Little Missenden Parish Council: No objection.
- 4.2 Four letters of objection have been received, from the same household.
- 4.3 A summary of representation comments is included in the Appendix section of this report.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2021.
- National Design Guide, October 2019

- Core Strategy for Chiltern District - Adopted November 2011:
- Chiltern Local Plan adopted 1 September 1997 (including alterations adopted 29 May 2001), consolidated September 2007 and November 2011.
- Buckinghamshire Parking Guidance SPD.
- Residential extension and householder development SPD.

Principle and Location of Development

Core Strategy Policies:

CS1 (The spatial strategy)

Local Plan Saved Policies:

H19 (Self-contained residential annexes (for relatives or domestic staff) in the built up areas excluded from the Green Belt and in the Policy GB4 and GB5 areas in the Green Belt)

H20 (Ancillary residential buildings (Domestic garages, workshops, etc.) in the built-up areas excluded from the Green Belt)

- 5.1 The application site is located within the built up residential area of Holmer Green wherein development, including the erection of ancillary residential buildings within the curtilage of an existing dwellinghouse and self-contained residential annexes (for relatives or domestic staff) are acceptable in principle, subject to compliance with the relevant Policies of the Development Plan.
- 5.2 Local Plan Policy H19 encourages the use of extensions to the main dwelling for annexes, although it states that planning permission may be granted for a small annexe which is detached from the existing dwelling. In such circumstances, the Council must be satisfied that there would be a reasonable means of preventing the annexe from being occupied as a separate dwelling unit. In this respect, paragraph 55 of the National Planning Policy Framework 2021 (NPPF) also stipulates that Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 5.3 In this instance, the annexe is to be located in the rear garden and cannot be readily accessed independently. It would not have its own access or garden, and would form part of the accommodation of the main house. Officers consider that the use of the annexe can be restricted in perpetuity by the use of a condition which prohibits the annexe being occupied as a separate dwelling unit. However, should Members feel that a condition is not strong enough, the Applicant has agreed to enter into a Section 106 Legal Agreement to the same effect.

Raising the quality of place making and design

Core Strategy Policies:

CS4 (Ensuring that the development is sustainable)

CS20 (Design and environmental quality)

Local Plan Saved Policies:

GC1 (Design of development)

H15 (Design and siting of extensions)

H19 (Self-contained residential annexes (for relatives or domestic staff) in the built up areas excluded from the green belt and in the Policy GB4 and GB5 areas in the Green Belt)

H20 (Ancillary residential buildings (Domestic garages, workshops, etc.) in the built-up areas excluded from the Green Belt)

5.4 The appearance of a development is a material planning consideration as underlined by Section 12 (Achieving well-designed places) of the National Planning Policy Framework which begins with the opening statement that *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”* This is reinforced locally by Chiltern District’s Core Strategy Policy CS20, Local Plan Saved Policies GC1 and the Chiltern District’s ‘Residential extension and householder development Supplementary Planning Document (SPD)’ which all state that consideration is to be given to the scale, finish and design of the existing buildings.

5.5 The proposed annexe, with a ground area of 48sqm and maximum height of 2.95m, is of a modest scale when considered against the host dwelling and the application plot, both of which have a ground area of 156sqm and 816sqm respectively. The erection of the annexe will not amount to overdevelopment or result in the application site appearing cramped as it [the site] will retain approximately 573sqm of undeveloped land. The design and finish of its built form are considered to be of a modest scale and characteristic of garden outbuildings in built-up residential environments. As such, it will not appear alien when viewed from neighbouring gardens. Given its location, it would not be prominent in the street scene.

5.6 It is also important to emphasise that the Applicant could erect an outbuilding as permitted development, of a very similar scale and appearance.

Amenity of existing and future residents

Local Plan Saved Policies:

GC3 (Protection of amenities)

H14 (Safeguarding the amenities of neighbours in relation to extensions)

5.7 Third-party representation letters have raised concerns about the impact of the annexe on neighbouring amenities, particularly those sited to the east on Todd Close. Concerns have been raised with respect to noise, intrusion, and the building appearing overbearing.

5.8 Taking these areas in turn, in terms of noise, the application site is located within a built-up residential area characterised by its tight urban grain where properties are sited relatively close to each other. Therefore, it is reasonable to

expect and hear a degree of noise from neighbouring gardens. However, in any instances where the level of noise is significant and unreasonable, thereby materially affecting the comfort of neighbouring occupants and the use of their property, this is dealt with under separate Environmental Health legislation, namely the Environmental Protection Act 1990 and other associated legislation. The use of the site would remain as a single residential dwelling, and the annexe building would in fact shield normal garden noise to the properties at the rear.

- 5.9 In regards to intrusion, no windows are proposed on the annexe's eastern (rear) elevation and those sited on northern and southern flank elevation will be facing onto common boundary treatments and away from neighbouring dwellings and their private amenity spaces. Conditions can be attached to ensure no additional windows are inserted, which would not be the case for any outbuilding built as permitted development.
- 5.10 With respect to the annexe appearing overbearing when viewed from the rear windows and amenity areas of the properties sited to the east on Todd Close, it is noted that the separation distance between the annexe's rear elevation and the rear elevation of 7 Todd Close (the closest sited dwelling to the east) is approximately 12 metres. The annexe is of a modest height and, as noted earlier, an outbuilding of a similar scale could be erected as permitted development. The mono-pitched roof shape will reduce the bulk of the development, whilst ensuring the highest part of the development is sited towards the host dwelling and away from the site's eastern (rear) boundary. Therefore, the annexe will not appear overbearing, given it would only be 2.65m in height along the rear. It is also noted that property still retains its permitted development rights for outbuildings under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015. With minimal adjustments to its exact placement in the rear garden, an outbuilding of a greater height and more overbearing design could be erected without the need for express planning permission.

Flooding and drainage

Core Strategy Policy:

CS4 (Ensuring that development is sustainable)

Local Plan Saved Policy:

GC10 (Protection from flooding)

- 5.11 Third-party representation letters have raised concerns the lack of details on drainage and disposal of rain water. Notwithstanding that the application site is not located within a high Flood Zone or in an area liable to flooding, the annexe will be sited in a rear garden featuring extensive soft landscaping which will absorb rain water. Concerns regarding drainage of water from the land and building are to be considered under the Land Drainage Act 1991 and Building Regulations respectively, both of which are beyond the remit of planning control.

Ecology, Biodiversity and Environment

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS24 (Biodiversity)

- 5.12 Core Strategy Policy CS24 states that the Council will aim to conserve and enhance biodiversity and where development proposals are permitted, provision should be made to safeguard and, where possible, enhance any ecological interest.
- 5.13 As part of the application, an ecology and trees checklist was completed which states that no trees and/or habitats would be affected by the proposed development. Third-party representation letters dispute this, stating that trees sited along the eastern boundary had been felled prior to the submission of the application which has harmed the ecology and biodiversity of the application site and neighbouring lands. Whilst the loss of the trees is unfortunate, the trees were not sited within a Conservation Area or subject to Tree Preservation Orders. As such, they could be felled without needing consent from the Local Planning Authority and there is no legal requirement to replace the felled trees.
- 5.14 Whilst there are instances where Local Planning Authorities can attach condition(s) to a permission which require trees to be planted, whether that be for ecology/biodiversity and/or for the visual amenity of the local area; such conditions are to be only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. In this instance, it is considered that a condition requiring the planting of replacement trees along the site's eastern boundary would not be required for the development to be permitted as the development itself does not propose the removal of trees.

6.0 Working with the applicant / agent

- 6.1 In accordance with Paragraph 38 of the NPPF (2021) the Council approaches decision-taking in a positive and creative way, taking a proactive approach to development proposals focused on solutions and working proactively with applicants to secure developments.
- 6.2 The Council works 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.

7.0 Recommendation: Conditional Permission

Subject to the following conditions:-

1. The development to which this permission relates must be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 (1) of the Town & Country Planning Act 1990, as amended.

2. The exterior of the development hereby permitted shall only be constructed in the materials specified on the plans hereby approved or in materials which shall previously have been approved in writing by the Local Planning Authority.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no windows other than those expressly authorised by this permission, shall be inserted or constructed at any time in the rear or side elevations of the outbuilding hereby permitted.

Reason: To protect the amenities and privacy of the adjoining properties.

4. The annexe hereby permitted shall only be used for purposes in connection with and incidental to the occupation of the main dwelling on the site, as a private dwelling. It shall at no time be occupied as an independent dwelling unit and shall not be used for any business, commercial or industrial purposes at any time.

Reason: The establishment of an independent dwelling unit or a business, commercial or industrial use within the curtilage of the main dwelling would lead to an intensification in the use of the site which would be out of keeping with and detrimental to the character of its surroundings and detrimental to the amenities of nearby properties.

5. This permission relates to the details shown on the approved plans as listed below:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
18 Nov 2022	TQRQM22278144352928
18 Nov 2022	211100528TAS1
18 Nov 2022	TQRQM22278144634898

APPENDIX A: Consultation Responses and Representations

Planning Statement submitted with application. Main points include:

- This proposal is for an ancillary granny annexe that will be located within an existing residential curtilage and will be heavily dependent on the host dwelling.
- The proposal does not represent a separate dwelling and could not operate as such given the undesirable site constraints and reliance on the host dwelling.
- There will be no separate address, post box, utility meters, services such as internet, phone line and television, parking, garden area or curtilage, or access.
- The plot is bound by neighbouring gardens to the north, east and south. The curtilage is well defined with the use of domestic fencing and mature vegetation, this provides an effective screen and ensures that any potential impact to neighbouring amenity and the street scene is negligible.
- The family will be on hand to take care of day-to-day needs, whether that be cooking together, socialising, laundry, errands to the shops and appointments and just being on hand to provide support rather than relying on state care. Multigenerational living is being supported and championed by central government, it releases the stress on state funded care and provides a form of sustainable development that must be supported at local level.
- The applicant would be happy to agree to an appropriate condition restricting the use of the annexe to only ancillary (citing the model condition from Annexe A to Circular 11/95).
- If the LPA consider the use of a condition not to be a strong mechanism to control the use, the applicant would be happy to agree to a Section 106 to ensure the annexe is never separated off.
- We believe that the proposal would have no greater impact on the surrounding area than an outbuilding which would be permitted under Class E of the GPDO. It is a strong material consideration that if the height was reduced the applicant could build the physical structure itself under Class E Permitted Development Rights.
- The only access into the annexe will be through the existing arrangement, no independent access will be provided. There would be no separate highway access or need to make any alterations to the existing access point.
- Various appeal decisions are also referenced and a statement of personal need has also been included.

Councillor Comments

Councillor Waters - I would like to call in the application for the Planning Committee to make the decision.

Little Missenden Parish Council Comments

“Little Missenden Parish Council have no objection to make”.

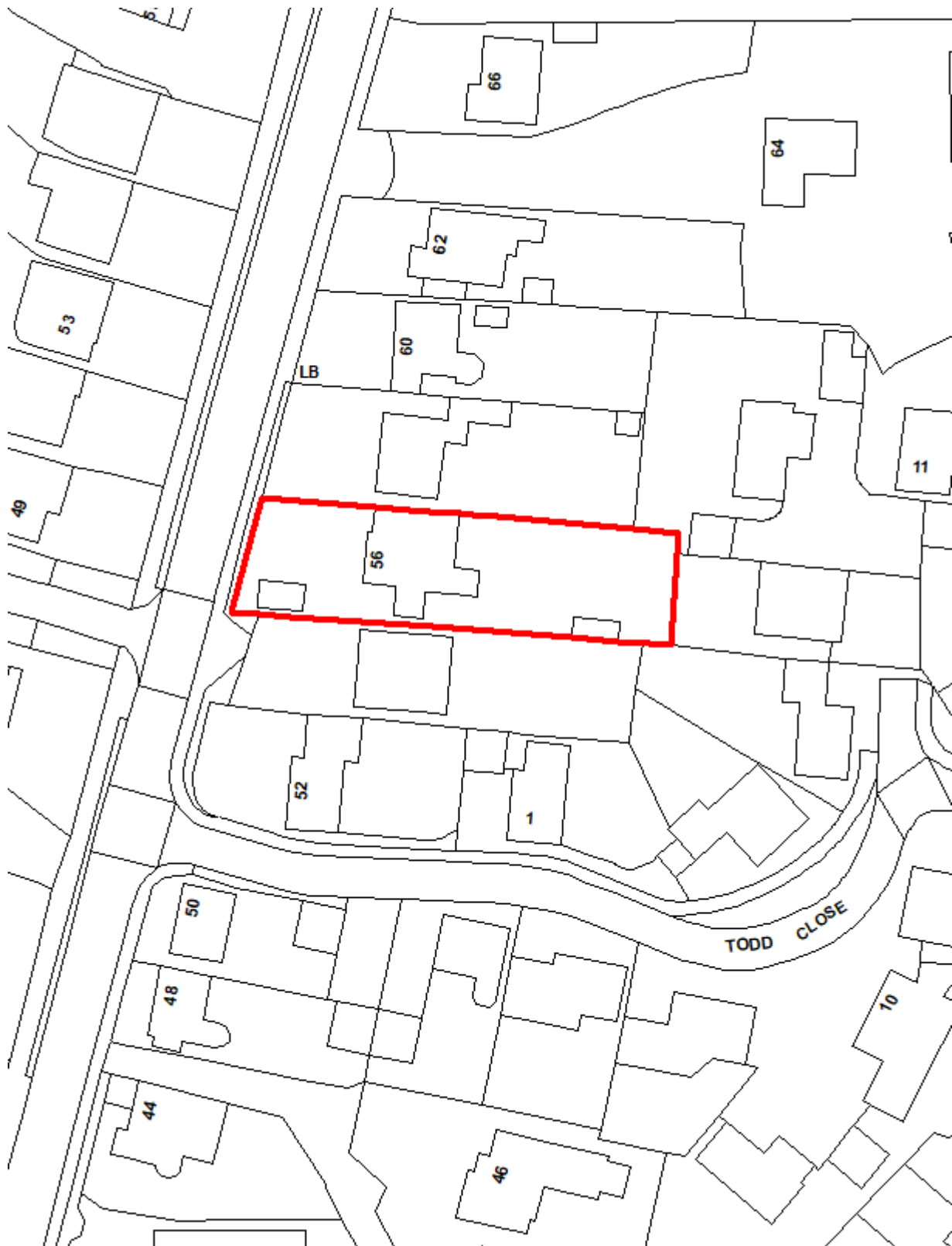
Representations

Four letters of objection have been received from the same neighbouring household. The main points are as follows:

- Applicant has cut down trees sited along the site's eastern (rear) boundary harming ecology
- Siting of building will harm ecology in neighbouring gardens
- Structure will appear overbearing when viewed from 7 Todd Close
- Will establish a precedent for self-contained properties and "back garden development"
- Over development of land
- Potential use of annexe as a private let/ separate unit of accommodation
- Proposal non-compliant with Part M of the Building Regulations
- No details on drainage and disposal of rain water

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APPENDIX B: Site Location Plan



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