



## Report to South Buckinghamshire Area Planning Committee

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<b>Application Number:</b>	PL/19/4037/HB
<b>Proposal:</b>	Listed Building Application for: Internal and external restoration to house and outbuilding to create two dwellings; replacement of modern windows and doors with traditionally designed elements. Alterations to curtilage listed outbuilding single storey rear extension, addition of dormers and internal alterations. Change of use to C3 only.
<b>Site Location:</b>	121 High Street Burnham Buckinghamshire SL1 7JZ
<b>Applicant:</b>	Ms H Dosanjh
<b>Case Officer:</b>	Vicki Burdett
<b>Ward affected:</b>	Farnham Common & Burnham Beeches
<b>Parish Council:</b>	Burnham Parish Council
<b>Valid date:</b>	21 November 2019
<b>Determination date:</b>	24 January 2020
<b>Recommendation:</b>	Conditional consent

### 1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Consent is sought for the internal and external restoration to house and outbuilding to create two dwellings; replacement of modern windows and doors with traditionally designed elements. Alterations to curtilage listed outbuilding single storey rear extension, addition of dormers and internal alterations. Change of use to C3 only.

- 1.2 The cottage is Grade II listed. The premises have been vacant for a significant period and the buildings are currently in a poor state of repair. The proposal would return the cottage to its original historic use as a dwelling and would facilitate its restoration to a viable long term use that would ensure its upkeep and maintenance in the future. The applicant has also worked closely with the Council's Historic Buildings Officer and he comments that all aspects of the development are in tune with local and national conservation and planning guidance.
- 1.3 The application has been referred to the Planning Committee following discussion between Officers and the Chairman. In the interests of the wider public it is considered the application would benefit from further scrutiny.
- 1.4 The recommendation for this application is Conditional Consent.

## **2.0 Description of Proposed Development**

- 2.1 Consent is sought for the internal and external restoration to house and outbuilding to create two dwellings; replacement of modern windows and doors with traditionally designed elements. Alterations to curtilage listed outbuilding single storey rear extension, addition of dormers and internal alterations. Change of use to C3 only.
- 2.2 The application relates to 121 High Street in Burnham; an end-of terrace Grade II Listed Cottage located on the corner of the High Street and Gore Road, within the designated Burnham Conservation Area and Local Shopping Centre. The cottage was previously used as a butcher's shop at ground floor, with accommodation above and a large butchers workshop sited within the rear yard area of the site (also known as 'The Stable'). The application site is lawfully within a mixed A1/C3 use, but is currently redundant with the front of the shop boarded up.
- 2.3 The application is accompanied by:
  - a) Heritage Statement
  - b) Design and Access Statement
  - c) Structural Engineering Report

- 2.4 Throughout the duration of the application amended plans have been received whilst in consultation with Officers to reach an outcome which satisfies concerns raised. These amendments include the reduction in the number and size of the dormer windows, reduction in the size of the proposed extension, reduction in height of the proposed retaining wall and the submission of additional information at the request of the Historic Buildings Officer.

### **3.0 Relevant Planning History**

- 3.1 PL/19/4037/HB – Pending Decision - Listed Building Application for: Internal and external restoration to house and outbuilding to create two dwellings; replacement of modern windows and doors with traditionally designed elements. Alterations to curtilage listed outbuilding single storey rear extension, addition of dormers and internal alterations. Change of use to C3 only.
- 3.2 17/01186/LBC – Refused – 3 January 2018 - Replacement shop front, alterations to fenestration, removal of rear fire escape and internal alterations. Reason for Refusal:
- ‘Insufficient information has been provided with this application to assess whether it would be appropriate to give Listed Building Consent for the proposed replacement shop front, internal alterations and changes to the fenestration details. A detailed Heritage Statement, Structural Survey and material details are required to facilitate a proper assessment of the proposals. As such, the proposal is contrary to policy C6 of the South Bucks District Local Plan (adopted March 1999) and guidance contained in the National Planning Policy Framework relating to Heritage Assets’.*
- 3.3 15/00102/LBC – Conditional Permission – 16 March 2015 - Listed Building Application for replacement shop front, alterations to fenestration, internal alterations and removal of rear fire escape. Two storey extensions, alterations and additions to fenestration, internal alterations to outbuilding to facilitate conversion into 3 bedroom residential dwelling incorporating erection of fencing.
- 3.4 15/00101/FUL – Refused – 16 March 2015 - Replacement shop front, alterations to fenestration and removal of rear fire escape. Two storey extensions, alterations and additions to fenestration and change of use of outbuilding to facilitate conversion into 3 bedroom residential dwelling incorporating

formation of vehicular access and erection of fencing. The application was refused for the following reasons:

*“Due to the proximity of the resulting development to the southern boundary of the application site and the number of first floor windows that would be inserted into the southern elevation of the proposed dwelling - four in total compared to none at present - the proposal would introduce an unacceptable level of overlooking towards the private amenity areas of the neighbouring properties to the south of the site, which could not be sufficiently mitigated through the use of planning conditions. As such, the proposal would reduce privacy and cause harm to the residential amenities currently enjoyed by the occupants of these neighbouring properties. As such, the application is contrary to policies EP3 and H9 of the South Bucks District Local Plan (adopted March 1999) and paragraph 17, bullet 4 of the NPPF”.*

*“Due to its height, bulk and close proximity to number 121A High Street, the proposal would appear obtrusive and unduly prominent from the sole window serving the proposed bedroom of this neighbouring property and would adversely affect the outlook and visual amenities currently enjoyed by its occupants. As such, the application is contrary to policies EP3 and H9 of the South Bucks District Local Plan (adopted March 1999) and paragraph 17, bullet 4 of the NPPF”.*

*“The proposed amenity space would have a width of 6.5 metres and depths of 3.3 metres and 4.4 metres respectively at its western and eastern boundaries. No other residential properties in the immediate locality have such a small garden when compared to the size of dwelling. The proposed amenity space would not be commensurate to the size of dwelling proposed and as such would be detrimental to the residential amenities of the occupiers of the proposed property. Therefore, the proposal is contrary to policy H9 of the South Bucks District Local Plan (adopted March 1999) and paragraph 17, bullet 4 of the NPPF”.*

*“The proposed access is at a point where visibility is substandard and would lead to danger and inconvenience to people using it and to highway users in general. As such, the development is contrary to policy TR5 of the South Bucks District Local Plan (adopted March 1999), the National Planning Policy Framework and the aims of Buckinghamshire's Local Transport Plan 3”.*

#### **4.0 Summary of Representations**

- 4.1 Two letters of objection and one letter of support have been received. A summary of consultation responses and representations made on the application can be viewed in Appendix A.

## **5.0 Policy Considerations and Evaluation**

- National Planning Policy Framework (NPPF), February 2019.
- Planning (Listed Buildings and Conservation Areas) Act 1990.
- Planning Practice Guidance
- National Design Guidance, October 2019
- South Bucks Core Strategy Development Plan Document - Adopted February 2011
- South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011;
- South Bucks District Local Plan Appendix 5 (Conservation Areas)
- Draft Chiltern and South Bucks Local Plan 2036.
- South Bucks District Council Residential Design Guide Supplementary Planning Document (SPD) - Adopted October 2008
- Chiltern and South Bucks Townscape Character Study 2017

### **Impact on Designated Heritage Asset**

Core Strategy Policies:

CP8 (Built and Historic Environment)

CP11 (Healthy and viable town and village centres)

Local Plan Saved Policies:

C6 (Alterations and extensions to Listed Buildings)

5.1 Listed building consent is required for the external and internal alterations proposed to enable to the restoration and conversion of the existing cottage and outbuilding to facilitate the creation of 2 residential units. This report deals only with the assessment of the proposals in terms of impact on the heritage significance of the listed building. The report relating to the planning application, submitted in parallel to this application, gives consideration to the impact of the proposals on the significance of the Burnham Conservation Area.

5.2 The NPPF (2019) at section 16 "Conserving and enhancing the historic environment" at paragraph 185 endorses a positive strategy for the conservation and enjoyment of the historic environment. Local planning

authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the benefits that conservation of the historic environment can bring, and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 193 advises that, when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 5.3 Paragraph 195 states that proposals that would lead to substantial harm to (or total loss of significance of) a designated heritage asset should normally be refused, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 196 advises that less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 5.4 Core Strategy policy 8 states that the protection and, where appropriate, enhancement of the District's historic environment is of paramount importance. In particular, nationally designated historic assets and their settings, for example Scheduled Ancient Monuments and Grade I, II\* and II listed buildings, will have the highest level of protection.
- 5.5 Local Plan Policy C6 states that approval will not be given to proposals for alterations or extensions which would harm the character or appearance of a listed building, its features of special architectural or historic interest, or its setting.
- 5.6 The Grade II Listed building has been vacant for an extended period where the use ceased to trade in 2014. The building is in need of restoration as it is in a poor state of repair whereby consent is sought to change the use and improve the building in order to restore the heritage asset, re-enhance the vitality of the centre and provide additional housing. As the building is listed and has been uninhabitable for a period of time, the Council attach great weight to the restoration of this building to enable a viable use and sustaining the future of the heritage asset. It is also noted, that a proposed change of use would return the building to its original historic form and therefore no objections are raised.

- 5.7 The proposed works seek to restore and conserve the cottage at No. 121 High Street and the outbuilding, and the proposal to convert the buildings to create residential units give rise to no objection. It is acknowledged that many of the individual proposals put forward give rise to no harm, or could be beneficial, in terms of maintaining the significance of the cottage as a heritage asset, subject as appropriate to control through conditions.
- 5.8 Internal works to the existing first floor (No.121A) has already commenced of which the Historic Buildings Officer is aware. The scheme has been amended whilst in consultation with the Historic Buildings Officer whereby no objections have been raised, subject to conditions.
- 5.9 In this case, a sensitive design approach has been taken in the conversion by using traditional details and materials in the refurbishment. The public benefits of the development include the refurbishment of a disused stable, the repair of an empty property and the creation of two new units of accommodation in a sustainable location. The proposed development therefore accords with Local Plan Policy C6, Core Policy 8, Section 16 of the NPPF and Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **6.0 Weighing and balancing of issues / Overall Assessment**

- 6.1 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.
- 6.2 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

6.3 As set out above it is considered that the proposed development would accord all relevant National and Local Plan Policies.

6.4 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.

6.5 It is considered that a fair and reasonable balance would be struck between the interests of the community and the human rights of the individuals concerned in the event of planning permission being granted in this instance.

## **7.0 Working with the applicant / agent**

7.1 In accordance with Paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

7.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

7.3 As aforementioned above, amended plans and additional information was put forward following concerns raised by Officers. In this instance, the applicant/agent was updated of any issues after the initial site visit and was provided the opportunity to submit amendments to the scheme/address issues.

**Recommendation:** Conditional consent

Subject to the following conditions:-

1. The works to which this consent relates must be begun not later than the expiration of three years beginning with the date of this decision notice. (SS05)



Reason: To comply with the requirements of Section 18(1) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or any statutory amendment or re-enactment thereof).

2. The works to which this consent relates shall be undertaken solely in accordance with the drawings referred to in the list at the foot of this decision notice. (SMS14a)

Reason: To safeguard the character, appearance and interest of this listed building and to accord with the terms of the submitted application. (Policy C6 of the South Bucks District Local Plan (adopted March 1999) refers.)

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building. (SM03)

Reason: To protect and maintain important historic features of the listed building (Policies C6 of the South Bucks District Local Plan (adopted March 1999) and CP8 of the South Bucks Core Strategy (adopted February 2011) refer.)

4. The mix for external lime render shall include mineral aggregate to create a textured finish similar to that pertaining to the rear of the other properties in the terrace. The colour shall match the existing building with a finish in off-white.

Reason: To protect and maintain important historic features of the listed building (Policies C6 of the South Bucks District Local Plan (adopted March 1999) and CP8 of the South Bucks Core Strategy (adopted February 2011) refer.)

5. Prior to the occupation of development all sharp angle beads applied previously are to be removed and replaced with rounded timber plaster beads.

Reason: To protect and maintain important historic features of the listed building (Policies C6 of the South Bucks District Local Plan (adopted March 1999) and CP8 of the South Bucks Core Strategy (adopted February 2011) refer.)

6. All window openings are to include linings in natural timber, with a bullnose finish internally without architrave.

Reason: To protect and maintain important historic features of the listed building (Policies C6 of the South Bucks District Local Plan (adopted March 1999) and CP8 of the South Bucks Core Strategy (adopted February 2011) refer.)

7. All door frames are to be surrounded by an architrave based upon the surviving C18 architrave to the upstairs cupboard at No. 119 High St adjacent.

Reason: To protect and maintain important historic features of the listed building (Policies C6 of the South Bucks District Local Plan (adopted March 1999) and CP8 of the South Bucks Core Strategy (adopted February 2011) refer.)

8. All new windows and doors are to be fabricated from solid natural timber, and painted an off-white.

Reason: To protect and maintain important historic features of the listed building (Policies C6 of the South Bucks District Local Plan (adopted March 1999) and CP8 of the South Bucks Core Strategy (adopted February 2011) refer.)

<b><u>Received</u></b>	<b><u>Plan Reference</u></b>
21 Nov 2019	H1206-2
21 Nov 2019	H1206-4
21 Nov 2019	18112/001A
21 Nov 2019	H1206-1
29 Nov 2019	D-CRPM-01 REV G
29 Nov 2019	D-CRPM-02 REV G
29 Nov 2019	D-CRPM-03 REV G
29 Nov 2019	D-CRPM-04 REV G
13 Feb 2020	1811/2012 REV A
13 Feb 2020	18112/003 REV A
13 Feb 2020	18112/006 REV B
13 Feb 2020	18112/007 REV B
13 Feb 2020	18112/011 REV A
13 Feb 2020	18112/005 REV B
13 Feb 2020	18112/004 REV B
13 Feb 2020	18112/012 REV A
13 Feb 2020	18112/015 REV A
13 Feb 2020	18112/016 REV A
13 Feb 2020	18112/010 REV A
13 Feb 2020	18112/013 REV A
13 Feb 2020	18112/014 REV A
13 Feb 2020	18112/002A REV B

## **APPENDIX A: Consultation Responses and Representations**

### **Parish/Town Council Comments**

'The Committee resolved to object to the application, as it was felt the proposal would result in superfluous development to a listed building. Moreover, the design was not sympathetic to the Conservation Area, notably the dormer windows and revised frontage. Additionally, it would lead to greater vehicle movements from the site onto a busy road; there was no scheme for parking and manoeuvring; there was no clear scheme for the collection of refuse; the extension at the rear would have an adverse impact on the residential amenity of the neighbouring property, due to mutual overlooking and increased noise due to closer proximity. The Committee added that the proposal would result in the loss of important commercial space, and the applicant had not done enough to demonstrate there was insufficient demand for it to remain a mixed A1/C3 use. The Committee noted that if the District Council were minded to grant permission for work at the site, it would be considered least expansive if it was for a lone dwelling at the most, as opposed to the formation of two'.

### **Following amended plans:**

'The Committee RESOLVED to OBJECT to the application, as it was felt the proposal would result in superfluous development to a listed building. Moreover, the design was not sympathetic to the Conservation Area, notably the dormer windows and revised frontage. Additionally, it would lead to greater vehicle movements from the site onto a busy road; there was no scheme for parking and manoeuvring; there was no clear scheme for the collection of refuse; the extension at the rear would have an adverse impact on the residential amenity of the neighbouring property, due to mutual overlooking and increased noise due to closer proximity.

The Committee added that the proposal would result in the loss of important commercial space, and the applicant had not done enough to demonstrate there was insufficient demand for it to remain a mixed A1/C3 use.

The Committee noted that if the District Council were minded to grant permission for work at the site, it would be considered least expansive if it was for a lone dwelling at the most, as opposed to the formation of two'.

### **Consultation Responses**

#### **Heritage**

'...I am satisfied that the recent revised specification and drawings for No. 121 satisfy the planning guidance relating to the refurbishment and conversion of urban listed buildings within the District. No. 121 is at the northern end of a terrace of early C18 cottages, and at some point was turned into a shop, latterly a butchers shop. The land to the rear includes a building that was reportedly a stables and later butchers workshop for the processing and cold storage of meats.

The present proposal is attempting to address some outstanding enforcement issues as works to effect a conversion were commenced without the requisite consents being in

place. The standard of the previous works was poor, and compliance with official guidance needs to be assured.

In principle, there is no impediment to converting the cottage into two separate flats. The use of two separate front doors is a little incongruous, although these are to the rear and the impact is modest. By negotiating with the planning agent over the past couple of months, it has been possible to resolve the majority of the outstanding design and detail issues. We now have a viable detail for the replacement windows, and it should be possible to show on a plan which windows are to be replaced. The ground floor window facing Gore Road should be retained and conserved for the future as it is recoverable and contains handmade plain glazing.

As regard the conversion of the outbuilding to habitable accommodation, the building in question – though curtilage listed – is only of modest historic significance and the arrangement of rooms and spaces is logical. The size of the dormers has been decreased and the overall character of the building survives. The extension is modest in size and necessary in order to create bin and bicycle storage. The use of lime plaster for the internal of the outbuilding is acceptable. The external finish of the outbuilding should remain as whitewashed brick, and all the other conditions relating to windows etc. above should remain as per the cottage.

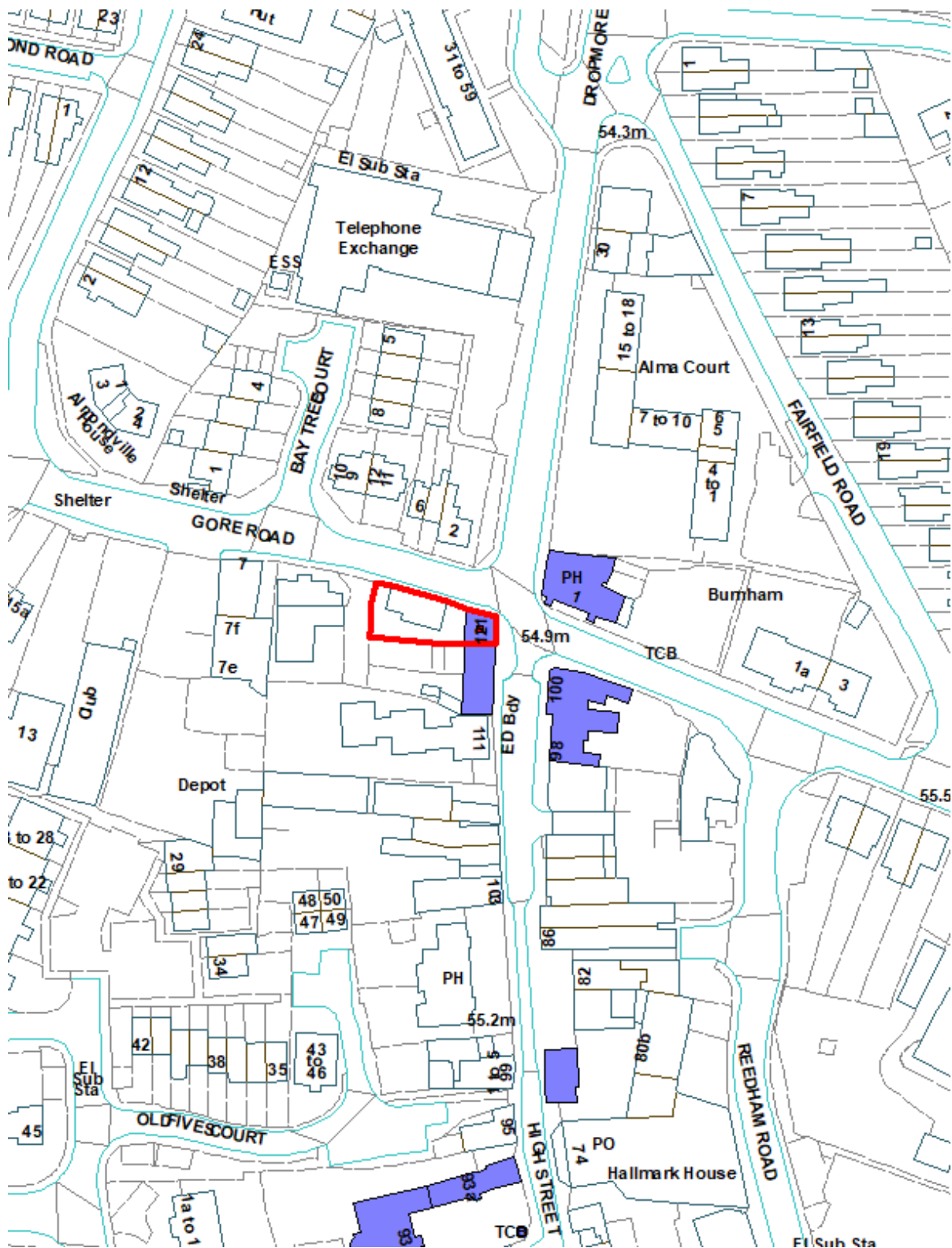
Otherwise, all the aspects of the development are in tune with local and national conservation and planning guidance. The conversion project will help to sustain this valuable listed building within the Burnham Conservation Area, and will help to ensure its upkeep and maintenance in the future. I am therefore happy to recommend a conditional approval for the proposals’.

## **Representations**

Two letters of objection and one letter of support have been received, and are summarised as follows:

- Loss of retail shop
- Loss of shop reduces the attraction and variety of shops available
- No on-site parking
- Dormers are out of character with the surrounding area
- Owner is a property professional
- Removal of lath and plaster
- Overlooking and loss of privacy
- Impact on Conservation Area
- Development has become an eyesore for the village
- Property and outbuilding need to be bought back into life as a usable premises
- High Street has many empty commercial premises
- Conversion will blend in nicely with the neighbouring residential development

## APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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