



## Report to East Buckinghamshire Area Planning Committee

---

<b>Application Number:</b>	PL/20/1251/FA
<b>Proposal:</b>	Demolition of existing property and erection of two detached dwellings with formation of vehicular access
<b>Site Location:</b>	Laburnham Villa, 131 High Street, Prestwood, Buckinghamshire, HP16 9EX
<b>Applicant:</b>	Mr N Brooker
<b>Case Officer:</b>	Emma Showan
<b>Ward affected:</b>	Great Missenden
<b>Parish Council:</b>	Great Missenden
<b>Valid date:</b>	17 April 2020
<b>Determination date:</b>	23 October 2020
<b>Recommendation:</b>	Conditional Permission

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

- 1.1 This application proposes the demolition of an existing two-storey detached residential dwelling and its associated outbuildings and its replacement with two, two-storey detached dwellings with integral garages. The main issues for consideration are the impact of the proposal on the character of the area, neighbouring amenities and the parking provision on site.
- 1.2 Councillor Gladwin has requested that this application be determined by the Planning Committee in the event the Officer recommendation is for approval. The reason for this relates to concerns with parking on site; amenity space compared with other properties; impact on neighbours and loss of on-street parking.
- 1.3 The application is recommended for conditional permission.

## **2.0 Description of Proposed Development**

- 2.1 This application relates to a site located on the southern side of High Street, in the built-up area of Prestwood. It comprises a two storey detached residential dwelling that is located within a larger row of semi-detached dwellings that are Victorian in character. The application site accommodates the residential dwelling, a detached, single garage located adjacent to the east flank boundary and a number of outbuildings within the curtilage.
- 2.2 Whilst the majority of dwellings in the immediate vicinity of the site are semi-detached Victorian properties which are characterised by long, narrow plots and dwellings with side returns, there are detached dwellings in the vicinity, including on the application site and elsewhere on the High Street.
- 2.3 The area has an urban character but is located within the Chilterns Area of Outstanding Natural Beauty (AONB).
- 2.4 The application proposes the demolition of existing property and erection of two detached dwellings with formation of a new vehicular access onto the High Street.
- 2.5 Dwelling One would have a maximum width of 7.9 metres, depth of 8.5 metres and pitched roof height of 7.8 metres, with an eaves height of 4.7 metres. It would accommodate four bedrooms and an integral garage.
- 2.6 Dwelling Two would be identical in size, form and appearance to Dwelling One.
- 2.7 Both dwelling would be served by a driveway onto High Street. Dwelling One would utilise the existing access to the site whilst Dwelling Two would utilise a new access.

## **3.0 Relevant Planning History**

- 3.1 None relevant.

## **4.0 Summary of Representations**

- 4.1 Objection from the Parish Council.
- 4.2 In addition to three letters of objection which can be summarised as follows:
  - Loss of light to 129 High Street
  - Loss of view from bedroom at 129 High Street
  - Concern regarding property values of adjacent properties
  - No reason to demolish a sound family home
  - Proposed dwellings would be shoe horned into inadequate space
  - Proposal would do nothing to enhance the aesthetics of the street
  - Potential loss of on-street parking spaces used by users of local shops
  - Dwelling is part of Prestwood history

## **5.0 Policy Considerations and Evaluation**

- National Planning Policy Framework (NPPF), February 2019.
- National Design Guidance, 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.
- Draft Chiltern and South Bucks Local Plan 2036.
- Affordable Housing Supplementary Planning Document (SPD) - Adopted 21 February 2012
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule

### **Principle and Location of Development**

Core Strategy Policies:

CS1 (The spatial strategy),

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 The application site is located within the built-up area of Prestwood where proposals for new dwellings will be acceptable in principle subject to there being no conflict with any other policy in the Local Plan. Proposals should be 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.
- 5.2 The site is located within the Chilterns Area of Outstanding Natural Beauty (AONB) where development should conserve, and where considered appropriate and practicable, enhance the special landscape character and high scenic quality of the AONB.
- 5.3 All other relevant Development Plan policies should also be complied with.

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

Core Strategy Policies:

CS4 (Ensuring that the development is sustainable)

CS20 (Design and environmental quality)

CS22 (Chilterns Area of Outstanding Natural Beauty)

Local Plan Saved Policies:

GC1 (Design of development throughout the district)

GC4 (Landscaping throughout the district)

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

- 5.4 The application site is located off the High Street in Prestwood and concerns a detached, two-storey residential dwelling which is flanked on both sides by pairs of semi-detached Victorian era dwellings with long, narrow plots. The application plot is considerably wider than that of the immediate neighbours but is also shorter in depth. Whilst the prevailing character along this part of the highway is semi-detached turn of the century dwellings, there are detached dwellings also along the highway also, of mixed characters including sixties-built brick faced dwellings and dwellings of a more traditional appearance, incorporating gable roofs, and render and flint panels in their elevations.
- 5.5 It is proposed to demolish the existing dwelling on site and to replace it with a pair of detached, two-storey dwellings. The dwellings would be characterised by gable roofs with projecting gable ends to the front, integral garages and brick and flint faced elevations. It is noted that a number of representation letters have objected to the loss of the dwelling on site given its turn-of-the century architecture. However, the dwelling is not listed, it is not located within a Conservation Area or within an Established Residential Area of Special Character. There is therefore no objection in policy to the loss of the existing building on site.
- 5.6 The principle of replacing the existing detached dwelling on site with two detached dwellings is therefore acceptable. It is noted that detached dwellings are located along the High Street, interspersed between semi-detached dwellings, and therefore the erection of this type of dwelling is not considered to be unacceptable in this location.
- 5.7 In terms of the appearance of the proposed dwellings, they would incorporate traditional design features, including those referred to in the Chilterns Buildings Design Guide. Principally, these include pitched gable roofs and flint faced elevations. It is noted that other buildings along the High Street have gable roofs and flint elevations and so the buildings are not considered to be out of character in terms of their appearance for the locality. A condition requiring the submission of details of materials can be included should planning permission be granted to ensure that the colour palette of materials is appropriate to the setting.
- 5.8 With regard to the siting, the two dwellings would have a front elevation in line with the two dwellings either side, at No. 129 and No. 133 High Street. The rear elevation of the two dwellings would not be in line with the rear elevations of the adjacent properties, but the proposed properties would be shallower in depth in comparison to the neighbours. This is considered to be an acceptable arrangement. Whilst the existing dwelling to be demolished is sited centrally within its plot with sizeable gaps between its flank elevations and the side boundaries, the proposed dwellings would be sited closer to their respective side boundaries. Approximately 0.8 metres would separate each of the dwellings

from their flank boundary with the adjacent neighbours, whilst 2.4 metres would separate Dwelling 1 from the flank wall of No. 129 and 4 metres would separate Dwelling 2 from the flank wall of No. 133. Given that this part of the High Street is characterised by narrow plots with small gaps between properties, it is considered that the relationship of the proposed dwellings with their adjacent neighbours would not be out of character with the locality and sufficient distance would be retained to prevent visual coalescence between buildings. Furthermore, whilst the properties along this part of the High Street have an average plot width of 5.5 metres, the proposed dwellings would each have a plot width of 9.8 metres. This exceeds that of the adjacent neighbours and further ensures that the proposed development does not appear cramped or overbearing in the street scene.

- 5.9 Based on the above assessment, it is considered that the proposed development would be appropriately sited and designed so that the resultant dwellings would be in keeping with the street scene.

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

Local Plan Saved Policies:

GC3 (Protection of amenities throughout the district)

H12 (Private residential garden areas throughout the district)

- 5.10 Local Plan Policy H12 relates to private residential garden areas throughout the District. It states that throughout the District, the Council will expect private garden areas to be included which conform to the following criteria as appropriate for the type of dwelling proposed. If the criteria are not met, planning permission will be refused. Each new house should have a private garden area adequate for and appropriate to the size, design and amount of living accommodation proposed. The general standard expected will be a minimum rear garden depth of about 15 metres, except in the following situations: a) where average garden lengths in the vicinity of the development site are significantly more than 15 metres, the garden lengths of the proposed houses should be similar to those in the surrounding area; b) where average garden lengths in the vicinity of the development site are significantly less than 15 metres, the garden lengths of the proposed houses should be similar to those in the surrounding area; and c) in cases where adequate private amenity space exists within the application site or where the rear site boundary abuts a public bridleway or footpath, an open field, open countryside, a recreation ground or a play field, a reduced garden depth may be acceptable.

- 5.11 The proposed development would have the biggest impact on the two adjacent neighbouring properties. In terms of the impact on No. 129, it is accepted that there would now be an increase in built form closer to this property. However,

the front elevations of the two dwellings would be level, whilst the rear elevation of the proposed dwelling would be approximately 10 metres shorter in depth than that at No. 129 and the rear elevation would only project by an additional 0.5 metres in depth beyond the existing rear elevation of the dwelling to be demolished. Whilst it is noted that there is a first floor flank window in No. 129 that would face towards proposed Dwelling 1, its siting is such that it would not face fully onto the two storey flank wall of proposed Dwelling 1, given the shorter depth of Dwelling 1. It is therefore considered that the proposal would not appear overbearing when viewed from No. 129. With respect of intrusion, no first floor flank windows are proposed in the elevation closest to No. 129. This relationship can be maintained by way of a condition preventing the future insertion of windows in this flank elevation.

- 5.12 To the other side, Dwelling 2 would have a front elevation in line with the original front elevation of No. 133 High Street although it has been noted that No. 133 has been extended to the common boundary and has a set-back element at the front elevation. Again, there would be an increase in built form closer to the flank elevation of No. 133 but given that adequate separation will be retained between the two flank walls and the fact that the proposed dwelling would not extend to the boundary and would be considerably shorter in depth compared with the neighbour, it is considered that the proposal would not appear overbearing to the occupiers of No. 133. It is noted that No. 133 has a number of windows in their flank elevation facing Dwelling 2, but no windows are proposed at first floor level in the flank elevation facing No. 133 so it is considered that the proposal would not appear intrusive to the neighbouring property. Again this relationship can be maintained by way of a condition preventing the future insertion of windows in this flank elevation.
- 5.13 In terms of amenities for future occupiers of the development, the proposed dwellings would allow for adequate light and outlook. Both properties too would have a rear garden area. It has already been set out above that Local Plan Policy H12 requires the provision of a private garden area adequate for and appropriate to the size, design and amount of living accommodation proposed. The policy also states that proposed garden sizes should reflect the sizes of gardens at neighbouring properties. The existing dwelling has a shorter garden depth than that at adjacent properties and the two proposed dwellings would have rear garden depths of 21.4 metres (Plot 1) and 12.7 metres (Plot 2). Although the garden depths would be shorter than at neighbouring properties, the gardens would be wider, almost double in width in comparison to some of the other properties within this row. Furthermore, taking into account the amount of living accommodation proposed, it is considered that adequate amenity space would be provided for future occupiers of the two dwellings.

5.14 It is also noted that the development site is accessed off the High Street which benefits from existing waste collection routes. The proposed dwellings will provide adequate space for the storage of waste and recycling receptacles within their respective curtilages.

### **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 throughout the district)

TR3 (Access and road layout throughout the district)

TR11 (Provision of off-street parking for developments throughout the district)

TR16 (Parking and manoeuvring standards throughout the district)

5.15 Both proposed dwellings would have a floor area of 98.25 square metres requiring the provision of two parking spaces in order to comply with the recommendations of Local Plan Policy TR16. As each property would have a parking space within an integral garage as well as on an area of hardstanding to the front, the proposal would comply with the parking standards adopted by the Local Planning Authority. A condition can be included, should planning be granted, requiring that the garages are not converted and are used for the parking of vehicles in perpetuity, to ensure that adequate space for parking is maintained on site. Concerns regarding loss of on-street parking are also noted, however it is considered that the proposal would not result in loss of on-street parking to the detriment of the highway and it is noted that the majority of properties along this part of the High Street have private driveways and accesses.

5.16 The Highway Authority has reviewed the access arrangements, including the provision of a new access to serve Plot 2. They have confirmed that adequate visibility splays can be achieved and have raised no objection to the proposal.

### **Affordable Housing and Housing Mix**

Core Strategy Policies:

CS8 (Affordable housing policy)

5.17 For proposals under 5 dwellings, Policy CS8 of the Core Strategy requires a financial contribution towards off-site affordable housing to be made. However, there are now specific circumstances set out in the NPPG (National Planning Practice Guidance) where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought

from small scale development, including proposals of this scale and, so, in this instance, no affordable housing contribution is required.

## **Ecology**

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS24 (Biodiversity)

Local Plan Saved Policies:

NC1 (Safeguarding of nature conservation interests throughout the district)

5.18 Core Strategy Policy CS24 states that the Council will aim to conserve and enhance biodiversity within the District and where development proposals are permitted, provision will be made to safeguard and where possible enhance any ecological interest.

5.19 The Applicant has submitted an Ecological Walkover Survey followed by a Nocturnal Bat Survey. The surveys confirm that there was no evidence to suggest that the buildings on site are used as a roosting location by bats and therefore no objection is raised to the buildings' demolition. Conditions requiring the implementation of bird/bat boxes as part of the development will also ensure that there is a net gain in biodiversity on site.

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

6.1 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

6.2 As set out above it is considered that the proposed development would accord with the development plan policies and the provisions of the NPPF and as a result the application is recommended for conditional permission.

## **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.

**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. Before any construction work commences above ground level, a schedule of materials to be used for the external construction of the development hereby permitted shall be made available to and 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. Prior to the commencement of any works on site, detailed plans, including cross section as appropriate, showing the existing ground levels and the proposed slab and finished floor levels of the dwelling 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 normally 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 amenities of neighbouring properties.
4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development. The approved landscaping plan shall be implemented prior to occupation of the development.  
Reason: In order to conserve and enhance the character of the locality.
5. Before any construction work above ground level commences, full details of the means of enclosure, including the hedging, to be retained or erected as part of the development including those between the individual gardens of the approved

dwellings and on the boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. The means of enclosure shall then be erected and maintained in accordance with the plans approved by the Local Planning Authority.

Reason: To safeguard, as far as possible, the visual amenities of the locality and the amenities of the adjoining properties and approved dwellings.

6. Prior to occupation of the dwellings, the access, driveways and garaging to serve each dwelling shall be laid out in accordance with the approved plans. These areas shall be permanently maintained for this purpose and the garages shall at no time be converted into habitable accommodation.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no windows/dormer windows other than those expressly authorised by this permission, shall be inserted or constructed at any time at first floor level or above in the flank elevations of the dwellings hereby approved.

Reason: To safeguard the amenities of the adjoining properties and the approved dwellings.

8. The proposed first floor level window in the west flank elevation of Plot 1 and the proposed first floor level window in the east flank elevation of Plot 2 shall be obscurely glazed and non-opening.

Reason: To safeguard the amenities of the adjoining property.

9. No other part of the development shall begin until the new means of access have been sited and laid out in accordance with the approved drawing and constructed in accordance with the Buckinghamshire Council guide note "Private Vehicular Access within the Public Highway".

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

10. Prior to the occupation of the development minimum vehicular visibility splays of 43 meters from 2.4 metres back from the edge of the carriageway from both sides of the new access onto High Street shall be provided in accordance with the approved plans and the visibility splays shall be kept clear from any obstruction between 0.6m and 2.0m above ground level.

Reason: To provide adequate visibility between the access and existing public highway for the safety and convenience of users of the highway and of the access.

11. The development shall be undertaken in accordance with the measures recommended within the Ecological Walkover Survey produced by FPCR Environment and Design Ltd (July 2020).

Reason: To comply with the requirements of The Conservation of Habitats and Species Regulations 2017 and to protect species of conservation concern.

12. Prior to occupation of the development hereby approved, a scheme of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme will include details of landscape planting of known benefit to wildlife and provision of artificial roost features, including bird and bat boxes. Any new fencing will include holes to allow safe passage of hedgehogs. The scheme shall be implemented as approved by the Local Planning Authority.

Reason: In the interests of improving biodiversity in accordance with NPPF and Core Strategy Policy 24: Biodiversity 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.

13. 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>
17 Apr 2020	SBP4671--PD-03A PLOT 1 HOUSETYPE
17 Apr 2020	SBP4671--PD-04A PLOT 2 HOUSETYPE
22 Jul 2020	PD-06 WASTE MANAGEMENT PLAN
22 Jul 2020	PD-02 PROPOSED

**INFORMATIVE(S)**

1. The Council is the Charging Authority for the Community Infrastructure Levy (CIL). CIL is a charge on development; it is tariff-based and enables local authorities to raise funds to pay for infrastructure.

If you have received a CIL Liability Notice, this Notice will set out the further requirements that need to be complied with.

If you have not received a CIL Liability Notice, the development may still be liable for CIL. Before development is commenced, for further information please refer to the following website <https://www.chiltern.gov.uk/CIL-implementation> or contact 01494 732792 for more information.

2. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A period of 28 days must be allowed for the issuing of the licence, please contact Transport for Buckinghamshire at the following address for information.

Transport for Buckinghamshire (Streetworks)

10th Floor,

Walton Street Offices

Walton Street, Aylesbury,

Buckinghamshire

HP20 1UY

01296 382416

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

### **Councillor Comments**

'I would like the above application brought to the Planning Committee if the Officer's recommendation is for approval. I have concerns with regard to: parking on site; amenity space when compared to other local properties; impact on neighbours; loss of on street parking.'

### **Parish Council Comments**

'The Parish Council oppose this application and notes and endorses the observations of those residents in several neighbouring properties. In addition and in particular the Parish Council observes:-

- a) The layout and density of the proposed development is inappropriate for the size of the site.
- b) The design and appearance of the proposed development is out of keeping with the neighbouring properties and is out of keeping with the street scene.
- c) If approved the impact of this development would be to provide significantly reduced amenity space for each of the proposed dwellings.
- d) Consultation with the Highways Authority suggests that it should be a condition that any vehicles leaving the site are able to do so by turning within the curtilage of the property in order to be able to exit facing forwards. The plans do not appear to make any provision for this which on the face of it indicate that there are issues as to access and highways safety.
- e) It would appear that the proposed development would require an access on to the High Street which would result in the loss of on street car parking spaces which are at a premium for local residents and those using the facilities within the village of Prestwood.'

### **Consultation Responses**

**Building Control Officer:** 'Access to both dwellings will need to be in accordance with requirement M of the Building Regulations. This will require a level access threshold to both front doors with firm ramped surfaces to the thresholds from the public footpath along the High Street. The internal door width and ground floor WCs will need to be domestic Part M compliant.'

**Highway Officer:** High Street is classified as the A4128 and is subject to a 30mph speed restriction.

In terms of trip generation, having interrogated the TRICS (Trip Rate Information Computer System) database, I would expect a residential dwelling in this location to generate in the region of 4-6 vehicular movements (two-way) per day. As the proposals would result in the net gain of one dwelling, the site as a whole would be subject to an increase of 4-6 vehicular movements (two-way) per day. I can confirm that this number of movements can be accommodated on the local highway network.

Four parking spaces are proposed within the site. The parking standards specify that each parking space should be a minimum of 2.4m x 4.8m. I can confirm that the dimensions proposed hardstanding area are sufficient and would allow vehicles to park clear of the highway.

The proposal involves the creation of a new vehicular access from High Street. In accordance with guidance contained within Manual for Streets, visibility splays of 2.4m x 43m are required in both directions commensurate with a speed limit of 30mph. Having reviewed the submitted plans, I am satisfied that sufficient splays can be achieved within highway land or land owned by the applicant.

I have no objections to the proposed development.'

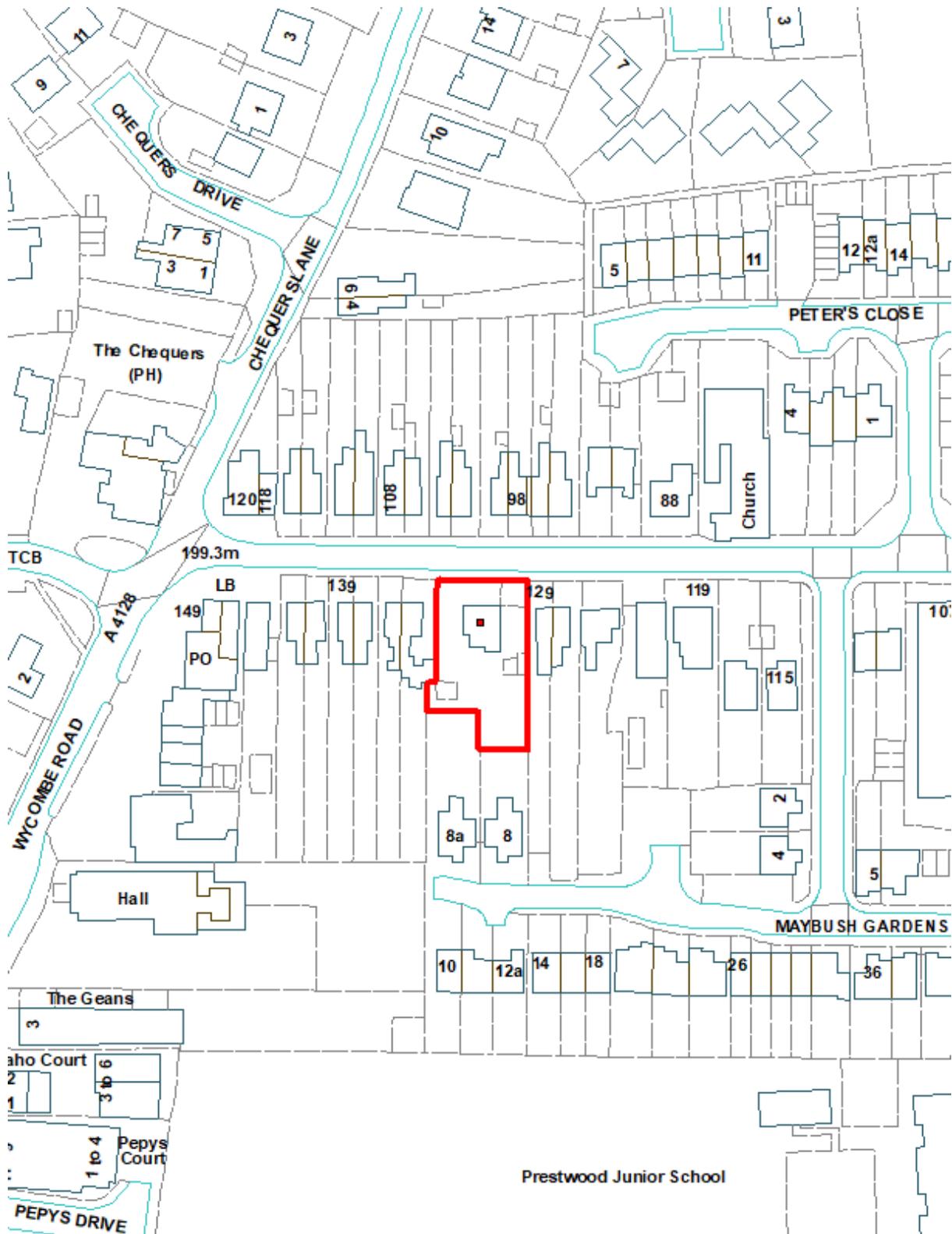
**Waste Management Officer:** 'Waste Services note the proposal for two dwellings at 131 High Street, Prestwood. Waste Services is satisfied with the proposal with no objections. Residents to present their containers at the property boundary on collection day only, all collections to take place in accordance with Council policies.'

### **Representations**

Three letters of objection received which can be summarised as follows:

- Loss of light to 129 High Street
- Loss of view from bedroom at 129 High Street
- Concern regarding property values of adjacent properties
- No reason to demolish a sound family home
- Proposed dwellings would be shoe horned into inadequate space
- Proposal would do nothing to enhance the aesthetics of the street
- Potential loss of on-street parking spaces used by users of local shops
- Dwelling is part of Prestwood history

## APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationary Office © Crown Copyright 2012. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Buckinghamshire Council, PSMA Licence Number 100023578