

Report to East Buckinghamshire Area Planning Committee

DEFERRED APPLICATION

Application Number:	PL/20/1954/FA
Proposal:	Reserved matters following outline planning permission PL/18/2502/OA (Outline planning permission for conversion of two barns to provide two dwellings (all matters reserved))
Site Location:	Chalk Hill Farm, Chalk Lane, Hyde Heath, Buckinghamshire, HP6 5SA
Applicant:	Julie Duffy
Case Officer:	Emma Showan
Ward affected:	Chiltern Ridges
Parish Council:	Little Missenden
Valid date:	22 June 2020
Determination date:	12 February 2021
Recommendation:	Conditional Permission

1.0 Matters for consideration

- 1.1 Members will recall that this application was heard by Planning Committee at the meeting held on the 17th November 2020. It was resolved to defer the application to allow for further negotiations with the agent to seek a reduction in the amount of glazing in the proposed elevations. The decision was delegated to officers for approval subject to consultation with the Chairman and local ward members, to consider if the amendments overcome the concerns or whether the application be referred back to the Committee for determination. The original case officer's report is attached at Appendix A.
- 1.2 Amended plans have been submitted (dated 10th December 2020) and these have been circulated with Members, however agreement has not been reached as to whether the plans are acceptable in overcoming the concerns raised at the meeting of 17th November. For this reason, the application is being referred back to the Committee for determination.
- 1.3 The recommendation remains to grant conditional permission.
- 1.4 No additional comments have been received from the Parish Council, consultees or third party representations. Comments have been received from two councillors in respect of the amended plans. Councillor Gladwin considers that further reduction in the

amount of glazing is required, whilst Councillor Peter Jones is satisfied, subject to an integrated blinds condition.

2.0 Evaluation

Raising the quality of place making and design

- 2.1 Amended plans have been submitted in an attempt to overcome the concerns raised with respect to the appearance and design of the proposed development. The siting of the buildings, access arrangements and garden/landscaping provision will remain as initially proposed.
- 2.2 The proposed amendments have been summarised as follows:
 - Changes to the external cladding; cladding to be grey/silver colour in keeping with the colour of the cladding of the existing North barn
 - Removal of rendered panels on external walls
 - Retention of metal sheeting on roofs (plain clay tiles are not viable for the structure of the existing barns)
 - Reduction in glazing by 50 square metres
 - Changes to the appearance and arrangement of windows and garage doors
 - Introduction of Brise Soleil screening to the upper half of the atrium glazing to reduce visibility and light transmission
 - Insertion of automatic integrated blinds to shut at night to prevent light spillage
- 2.3 The amended plans have been assessed and it is considered that they would have an acceptable impact on the Green Belt and Area of Outstanding Natural Beauty (AONB) setting.
- 2.4 The amendments to the proposed materials would now see the two buildings retaining metal sheeting on their roofs (as existing) and the external cladding has been amended so that it would be grey/silver in colour. The existing external cladding is grey/silver in colour and so it is considered that the proposed changes to the materials would be in keeping with the existing character of the buildings and the local landscape character. It is further considered that the use of this colour cladding would reduce the prominence of the buildings in local views, when compared with the use of a darker or brighter material. As part of the alterations to the materials, it is also proposed to remove the rendered panels that had been proposed. These panels had been considered to be overly urban given the character of the original buildings, and their removal has resulted in a more agricultural appearance being retained across the two buildings to be converted.
- 2.5 With regard to glazing, there have been two main changes. Firstly, changes are proposed to the appearance of the windows and their arrangement across the buildings. The design and arrangement of the windows has been simplified, so that the resultant openings are more characteristic of those found across agricultural buildings as opposed to those of residential dwellings in urban settings. No objections are raised with regard to the amended appearance of the openings across the two buildings.
- 2.6 Secondly, the amended plans show a reduction in the amount of glazing by 50 square metres. This is a substantial reduction given the amount originally proposed across the

two dwellings. Further, the architect has confirmed that the buildings are now beneath the recommended glazing for buildings of this size to provide ample natural light inside the home without the need for electrical lighting and this is a very important point to note. Members are also reminded that the larger areas of glazing, to the atrium area, is set back from the main frontages, in an indented area of the building. Whilst there are still large openings within the buildings, it is considered that the requirement for additional electric lighting in order to illuminate the buildings would result in greater light spillage and would therefore destroy the point of reducing the glazing further. As such it is considered that an acceptable balance between the amount of openings and resultant need for electric lighting has been struck. It is also noted that the ground floor windows would be partly obscured from public views by way of the erection of the fencing and additional planting that will surround the amenity area. This will reduce views into the proposed dwellings at ground floor level. At first floor level, it is proposed to introduce Brise Soleil screening to the upper half of the atrium glazing to further reduce visibility into the buildings at first floor level and reduce the amount of light transmission. This is a very effective method of reducing light pollution and will significantly reduce both the light transmission and views into the dwellings from public areas, and further reduce the impact of the two buildings on views from the locality, to a notable degree.

- 2.7 Given the above, it is considered that the changes to the appearance of the two barns would be acceptable, subject to compliance with conditions, and would result in a development that better integrates with the rural setting in the Green Belt and AONB.

3.0 Weighing and balancing of issues / Overall Assessment

- 3.1 It is considered that the amended plans satisfy the concerns raised by the Planning Committee and therefore the recommendation remains to grant conditional permission, subject to the conditions as previously proposed, plus an additional one relating to the screening.

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. Notwithstanding the appearance of the

garage doors shown on the drawings, these doors shall only have vertical divisions and not horizontal bands.

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

3. Prior to occupation of the development hereby approved, the proposed boundary treatments shown on plan reference 20 CHHH SP02 A PROPOSED shall be erected. The approved boundary treatments shall be retained in situ, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the residential curtilage is properly demarcated and to ensure that the boundary fencing is not replaced with a more solid means of enclosure, in order to maintain the openness of the Green Belt.

4. 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 openings, other than those expressly authorised by this permission, shall be inserted or constructed at any time in the building, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To retain the character and appearance of the agricultural buildings, to conserve the rural character of the locality and the landscape value of the AONB.

5. 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 - H of Part 1 of Schedule 2 to the said Order shall be erected, constructed, or placed 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 maintain the openness of the Green Belt and the scenic rural character of the Chilterns AONB and general character of the locality.

6. 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 2 of Schedule 2 to the said Order shall be erected, constructed, or placed 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 maintain the openness of the Green Belt and the scenic rural character of the Chilterns AONB and general character of the locality.

7. Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990, no additional external lighting shall be installed on the site or be affixed to any structure hereby permitted without first receiving approval in writing by the Local Planning Authority.

Reason: To ensure that there is no detrimental impact upon the openness and rural character of the Green Belt or on ecology.

8. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

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

9. The development shall be undertaken in accordance with the measures recommended within the Preliminary Ecological Appraisal undertaken by Smart Ecology, April 2018 and the scheme for ecological enhancements shown on approved plan reference 20 CHHH SP02 A PROPOSED.

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

10. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- i) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.
- iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

11. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. The above must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'

12. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 10, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 10 which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

13. Prior to occupation of the development hereby approved, Brise Soleil screening shall be fitted to the upper half of the atrium glazing on both buildings, as shown on the drawings received on 10 December 2020.

Reason: To minimise light pollution and the consequent impact on the surrounding countryside and AONB landscape.

14. 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>
22 Jun 2020	20 CHHH SL01
10 Dec 2020	20 CHHH NB100 Revision B PROPOSED NORTH BARN
10 Dec 2020	20 CHHH SB100 Revision B PROPOSED SOUTH BARN
22 Jun 2020	20 CHHH SB101 A SOUTH BARN OUTBUILDING

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.