



## Report to South Area Planning Committee

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<b>Application Number:</b>	PL/19/1951/FA
<b>Proposal:</b>	Single storey front/rear extensions, two storey side extension (retrospective)
<b>Site Location:</b>	13 Wooburn Green Lane, Holtspur, Beaconsfield, Buckinghamshire, HP9 1XE
<b>Applicant:</b>	Mr Peter Trice
<b>Case Officer:</b>	Kirstie Elliot
<b>Ward(s) affected:</b>	Beaconsfield
<b>Parish-Town Council:</b>	Beaconsfield Town Council
<b>Date valid application received:</b>	6 June 2019
<b>Statutory determination date:</b>	29 January 2021
<b>Recommendation</b>	Conditional Permission

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

- 1.1 Permission is sought retrospectively for existing development comprising a two storey side extension and single storey front and rear extensions.
- 1.2 The dwelling is located within the Green Belt. The proposed extensions are of a size and scale that would not amount to a disproportionate addition and would therefore comply with Policies GB1 and GB10 and the provisions of the NPPF. The proposal would also not result in any harm to the character of the area or the amenities of any neighbouring properties.
- 1.3 The application has been referred to Planning Committee following discussion between Officers and the Chairman. In the interest of the wider public it is considered that the application would benefit from further public scrutiny.
- 1.4 It is recommended that conditional permission be granted for the development.

### 2.0 Description of Proposed Development

- 2.1 This is a retrospective application for development that has already been built comprising a two storey side extension and single storey front and rear extensions. When first submitted, the application also proposed the construction of two linked

dormers in the rear roof slope to facilitate accommodation in the roof space as extended. However, this proposed element has been removed from the application and it is now purely retrospective. The application was re-advertised to publicise the amendments made.

- 2.2 The extensions have been constructed in materials similar in appearance to the main dwelling (external red brick walls, clay tiles to two storey roof, corrugated clay tiles to single storey roofs). The two storey extension is 2.5 metres wide and 6.9 metres in depth (to match existing dwelling) and is built equal to the ridge of the main dwelling. The rear extension is 4 metres deep and 9.7 metres in width and has maximum height of 3.2 metres (falling to 2.7 metres at the western end). The front extension extends 2.2 metres beyond the front elevation and is 5.8 metres in width.
- 2.3 The application premises is a semi-detached single dwellinghouse located on the west side of Wooburn Green Lane and comprises one of six similar properties. The property was built with permission dating from the 1940s (ref: BE/124/46). The property is located in the open Green Belt. Until development was undertaken, the property also benefitted from a detached single storey garage (to its north side) which was located within 5 metres of the dwelling. It has been previously accepted that the garage was constructed prior to 1948 and therefore falls to be calculated in the existing floor area of the dwelling.

### **3.0 Relevant Planning History**

- 3.1 Relevant planning history for the site:

12/00911/FUL – Conditional permission granted 19 July 2012 - Single storey front/rear extensions, two storey side extension and conversion of loft to habitable accommodation incorporating rear dormer window (not implemented)

PL/20/1676/FA - Single storey front/rear extensions, two storey side extension and conversion of loft to habitable accommodation incorporating hip to gable extension (Retrospective) Undetermined and subject of non-determination appeal reference: APP/N0410/W/20/3257343

PL/20/1980/FA - Single storey front/rear extensions, two storey side extension and conversion of loft to habitable accommodation incorporating hip to gable extension and rear dormers in rear roof slope (Part -Retrospective) Undetermined and subject of non-determination appeal reference: APP/N0410/W/20/3258071

### **4.0 Summary of Representations**

- 4.1 14 letters of objection have been received (prior to the removal of the dormer window element), the contents of which are summarised below:

- Application is inconsistent with the Council's green belt rules, specifically the 50% rule;
- Erosion of green belt;

- Overbearing;
- Loss of light;
- Loss of privacy;
- Detrimental impact on landscape;
- Development is too big;
- Plans are different from what has been built;
- Works undertaken without planning permission in place

4.2 One letter of representation was received following the amendments to the scheme, the content of which is summarised below:

- Planning application 12/00911/FUL contained calculation errors and should not be a material consideration;
  - Query no.13 having an original double garage;
  - On site measurements should be made;
  - Query dimensions used for the garage
- (also attached calculation sheet and letter with photos)

## 5.0 Policy Considerations and Evaluation

National Planning Policy Framework (NPPF), February 2019.

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 6 (Parking standards)

South Bucks District Council Residential Design Guide Supplementary Planning Document (SPD) - Adopted October 2008

Chiltern and South Bucks Townscape Character Study 2017

Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule

### Principle and Location of Development

Local Plan Saved Policies:

GB1 (Green Belt boundaries and the control over development in the Green

GB10 (Extensions to dwellings in the Green Belt)

H11 (Alterations and Extensions to Dwellings)

5.1 The site is located in the Metropolitan Green Belt wherein extensions to dwellings will only be permitted subject to compliance with Policy GB10.

5.2 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF was published in February 2019 (after the Local Plan) and is a material consideration. The weight attributed to the Local Plan policies will be dependent on their degree of consistency with the NPPF.

- 5.3 Most development in the Green Belt is inappropriate save for a closed list of exceptions as provided at paragraphs 145 and 146 of the NPPF. The exception at paragraph 145(c) is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Policy GB1 is broadly consistent with the NPPF in this respect and at subsection (e) provides that limited extensions should accord with Policy GB10.
- 5.4 The guidance for Policy GB10 states that '(e)xtensions, which together with all previous extensions, are not of a small scale in relation to the original dwelling will be considered unacceptable in the Green Belt. In this connection, extensions or alterations which would result in the original dwelling having increased its floor space by more than half will not be regarded as small scale.
- 5.5 The original dwelling is considered to have had an original total floor space of approximately 124 square metres. This measurement is scaled from the plans submitted with the application and also a garage measuring some 25 sq metres in area which it has been accepted as existing prior to 1948 and being within 5 metres of the dwelling (see planning ref: 12/00911/FUL). The garage was demolished to accommodate the side extension.
- 5.6 The total floor space of the dwelling as extended is approximately 186.5 sq metres. This calculation was made from measurements taken on site. This means an increase of 62.5 sq metres which represents an increase of approximately 50% over the original dwelling. In consideration of this, the built form and scale of the resultant dwelling relative to the curtilage, the development is not considered to amount to a disproportionate addition and would therefore comply with Policies GB1 and GB10 and the provisions of the NPPF.

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

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development)

H11 (Alterations and extensions to dwellings)

- 5.7 The NPPF sets out Core Planning principles for the operation of the planning system. One of the principles set out is that authorities should always seek to secure high quality design.
- 5.8 Policy EP3 requires that the scale, layout, siting, height, design and external materials should be compatible with the character and appearance of the host dwelling and the locality in general.

- 5.9 Policy H11 seeks to ensure that the impact of development does not adversely affect the character of the locality, with guidelines provided at Appendix 8, including materials to be in keeping with the existing dwelling.
- 5.10 The extensions have been constructed in external materials in keeping with the main dwelling. The extensions do not dominate the main dwelling or the street scene of which it forms a part. As such, the development is acceptable relative to Core Strategy Policy CP8, and Local Plan Policies EP3 and H11 and provisions of the NPPF.

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

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

H11 (Alterations and extensions to dwellings)

- 5.11 Policy H11 requires that residential extensions should not have an adverse impact on the amenities of neighbouring residential properties, for example, due to loss of outlook, loss of privacy or obtrusiveness. The guidance at Appendix 8 provides that single storey extensions should not obstruct a 60-degree line taken from the mid-point of a window serving the nearest habitable room.
- 5.12 The neighbouring property to the south has various rear extensions. However, a 60-degree line taken from the ground floor dining room rear window in the absence of any such extensions is not impeded by virtue of the 4-metre deep rear extension. A means of enclosure comprising solid fencing and mature planting exists between the properties such that views of the extension are limited. Even in the event this did not exist, boundary fencing up to 2 metres in height could be erected as permitted development resulting in just the top metre of the extension being readily visible at the point closest to the dwelling. Given the orientation of the properties, the extensions would not detrimentally impact the direct morning or evening sunlight to the property to the south. The extensions are distanced from the property to the north and would have no impact on provision of morning sunlight and limited impact on evening sunlight. As such, the development is acceptable relative to Local Plan Policies EP3, EP5 and H11.

#### **Transport matters and parking**

Core Strategy Policies:

CP7 (Accessibility and Transport

Local Plan Saved Policies:

TR7 (Traffic generation)

5.13 Three off-street car parking spaces would be provided within the site curtilage and, therefore, it is considered that the application would meet the Council's current parking standards as outlined by policy TR7.

#### **Other matters**

5.14 Due to the size of the extensions (less than 100 sq metres) the development is not CIL liable.

### **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 development accords with the development plan policies.

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

7.1 Communication was had with the applicant which advised that the original submission including the proposed dormer window extension would result in the total development exceeding the 50% tolerance under Policy GB10

7.2 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.

7.3 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.

7.4 In this instance the applicant amended the plans to remove the proposed roof dormer extensions, thereby bringing the development as built within the 50% tolerance of Policy GB10.

## 8.0 Recommendation

Conditional Permission

Subject to the following conditions:-

- 1 No windows shall be inserted at or above first floor level in the north flank elevation of the development hereby approved unless those windows are obscurely glazed and fixed shut below a height of 1.7 metres above finished floor level of the room in which they are installed. Any window inserted in accordance with this requirement shall be permanently retained as obscurely glazed and non-opening below a height of 1.7 metres above finished floor level of the room in which they are installed.

Reason: To protect the amenities and privacy of the adjoining property, in accordance with Policy EP3 of the Adopted South Bucks District Local Plan.

- 2 Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking or re-enacting that Order, no development falling within Classes A, B and E 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 constitute overdevelopment of the site or will in any other way be detrimental to the character of the locality, in accordance with Policies GB1 and GB10 of the Adopted South Bucks District Local Plan.

- 3 This permission relates to the details shown on the approved plans as listed below:

**List of approved plans:**

<b><u>Received</u></b>	<b><u>Plan Reference</u></b>
15 Jul 2019	Plan- Location Plan
15 Jul 2019	Plan - Floor Plan
22 Dec 2020	Plan - Elevation