



## Report to South Area Planning Committee

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<b>Application Number:</b>	PL/20/3520/FA
<b>Proposal:</b>	Demolition of existing side garage and store and erection of single storey front, part single and part two storey side and rear extension
<b>Site Location:</b>	9 Grenville Close, Burnham, Buckinghamshire, SL1 8HG
<b>Applicant:</b>	Mr Saqib Mughal
<b>Case Officer:</b>	Melissa Turney
<b>Ward(s) affected:</b>	Farnham Common & Burnham Beeches
<b>Parish-Town Council:</b>	Burnham Parish Council
<b>Valid date:</b>	21 October 2020
<b>Determination date:</b>	18 March 2021
<b>Recommendation:</b>	Conditional Permission

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

- 1.1 The application seeks permission to demolition the existing side garage and store and to erect a single storey front, part single and part two-storey side and rear extension. Whilst it is not included in the description of the application form, the application also proposes alteration to the hardstanding to accommodate 3 vehicles.
- 1.2 The application has been called Committee for determination by Councillor Kelly as he has concern regarding the proposed scale of the extensions, the garden area being smaller than that which is shown on the proposed plans and resulting overlooking to the neighbour at no. 8 Grenville Close
- 1.3 The recommendation for this application is Conditional Permission.

## **2.0 Description of Proposed Development**

- 2.1 The application seeks permission to demolish the existing side garage and store and to erect a single storey front, part single and part two storey side and rear extension.
- 2.2 The proposal site consists of a two storey semi-detached dwelling located within the Development Area of Burnham. The site benefits from a garden and off-street parking. Grenville Close is identified in the Townscape Character Study as a Formal Suburban Road.

## **3.0 Relevant Planning History**

- 3.1 Relevant planning history for the site:

PL/20/2566/PNE – Prior approval not required. 18 September 2020 - Notification under The Town and Country Planning (General Permitted Development) Order 2015, Part 1 of Schedule 2 Class A 4 for: single storey rear extension (depth extending from the rear wall of the original dwellinghouse 6.0 metres, maximum height 3.4 metres, eaves height 2.9 metres).

PL/20/3190/SA – Certificate granted. 18 November 2020 - Application for a Certificate of Lawfulness for proposed: Loft conversion with rear dormer and 3 no. front roof windows.

86/00566/APPLIC – Conditional permission. 18 July 1986 - Single storey front and side extension to form canopy, porch and garage.

- 3.2 The development has been screened under the Environmental Impact Assessment Regulations and the local planning authority has concluded that an environmental impact assessment will not be required in this case

## **4.0 Summary of Representations**

- 4.1 Parish Councils: “The Committee RESOLVED to OBJECT to the application for several reasons: the proposal constituted overdevelopment in relation to the size of the plot and design of other properties in the locality; the proposal was considered harmful to the privacy of the adjacent property through the positioning of ground/first floor windows; the proposed kitchen area would also have an adverse impact on the residential amenity (through smells) based on its proximity to the neighbouring property; it was felt there would be inadequate room for manoeuvring the necessary number of vehicles into the driveway”.

- 4.2 Public consultation responses

### Objecting (5 representations)

- Noise and disturbance during construction
- Overlooking from additional glazing
- Overbearing appearance
- Conversion of the front garden parking detrimental to the street scene
- Dormer window at the rear of the roof out of keeping
- Overdevelopment

## 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

- 5.1 The application site is located within the developed area of Burnham where extensions are acceptable in principle subject to being in accordance to the relevant development plans policies.

### 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)

- 5.2 The NPPF at Section 12, under the heading "Achieving well-designed places" sets out guiding 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.
- 5.3 Local Plan policy EP3 states that development will only be permitted where its scale, layout, siting, height, design, external materials and use are compatible with the character and amenities of the site itself, adjoining development and the locality in general. Poor designs which are out of scale or character with their surroundings will not be permitted.
- 5.4 Local Plan policy H11 sets out criteria for assessment of alterations to residential dwellings. Among other things, it indicates that the alteration should be in harmony with the existing building in terms of scale, height, form, and design. In addition, the alteration should not have an adverse impact on the character or amenities of the locality in general, and should conform to the guidelines set out in Appendix 8.
- 5.5 The application site is located on cul-de-sac road, this section of Grenville Close comprises of semi-detached two storey dwelling with pitched roof elements some of the dwellings have been extended and altered.
- 5.6 The proposed two storey side and rear extension would not extend beyond the front elevation of the existing dwelling. The first floor element would remain set back from the front elevation and set down from main ridge of the dwelling. It would also

incorporate a pitched roof to reflect the existing dwelling and would integrate satisfactorily. Officers also note that within the immediate area the neighbour at no. 8 Grenville has a similar existing two storey side extension. Overall, the design would reflect the architectural approach of the street scene and would not be detrimental to the character of the area.

- 5.7 As mentioned above, the neighbour at no. 8 Grenville Close has a similar existing two storey side extension and the attached neighbour (No. 10) has an altered roof form over its attached garage. This results in a variety of spacing within the immediate context. The proposed first floor side extension is located 1m from the common boundary at the closet point with neighbour at no. 8 Grenville Close this distance increases due to the splay boundary. Therefore, this element of the extension complies with Appendix 8 and would not result in terrace affect. While it is noted that reduced the spacing between the neighbouring properties when taking into account the design and position of the first floor side extension, it is not considered that the reduction in space between the neighbouring property would result in undue harm to the locality of the street scene.
- 5.8 The part single storey side element would have a similar footprint to the existing garage, which is to be demolished and would have a splayed elevation reflecting the north east boundary. The part single storey rear extension would have a flat roof, it is considered that the proposed depth, width and design would integrate satisfactorily with the existing dwelling. The proposed side and rear extension would therefore not appear excessively prominent within the street scene.
- 5.9 The proposed hard standing to the front of the dwelling would not appear out of character within the street scene as a number of dwellings within the street scene have large amounts of hardstanding to the front of the dwelling.
- 5.10 The proposed replacement of the boundary fence would be considered acceptable in appearance for a residential garden. The proposed height would also be within the limits of fall Town and Country Planning (General Permitted Development) (England) Order Part 2 Class A and could be constructed without planning permission.
- 5.11 The Parish Council have raised concerns with overdevelopment, it is noted that the dwelling would be deeper than neighbours at two storey level to either side. However, the overall footprint would not be considered excessive as to result in overdevelopment of the plot.
- 5.12 Subject to the normal condition to control use of facing materials, the scale and siting of the development is considered to be acceptable when considered in terms of policies EP3 and H11 of the South Bucks District Local Plan, and the standard of design would comply with advice in Appendix 8 of the Plan. The development would be in accordance with 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)

- 5.13 EP5 of the adopted South Bucks Local Plan stipulates that development will only be permitted where its design and layout would provide for adequate daylight, and where possible sunlight, to reach into spaces around and between buildings and other physical features, would not result in a significant loss of daylight or sunlight to adjacent buildings and would comply with all the other policies in this Plan. Appendix 8 of the adopted South Bucks Local Plan states that extension should project no further than a line drawn at 60° from the mid-point of the window of the nearest habitable room of adjacent properties. Habitable rooms include kitchens, living rooms and bedrooms but exclude bathrooms, toilets, halls, landings and store rooms.
- 5.14 The proposed extensions would not breach the 45 or 60 degree rules when being viewed from the nearest habitable rear facing windows at immediate neighbour at no. 10 Grenville Close. The single storey element is of a size that would not be detrimental to the rear ground floor windows and amenity space of this neighbour. The first floor element is also set a sufficient distance from the common boundary with this neighbour. The part two storey part single storey side extension would be screened by the existing dwelling and would not be readily visible from this neighbouring property. Consequently, it is considered that the resulting development would not have an adverse impact on the amount of sunlight or daylight that this neighbouring properties would receive. Taking into account the design and position of the proposed extension it is considered that the proposal will not adversely affect the visual outlook of this neighbour.
- 5.15 The application dwelling is located such the neighbour at no. 8 Grenville Close is located on an angle. The neighbour at no. 8 Grenville Close has raised concerns in relation to potential overlooking and loss of privacy. This neighbour has a two storey side extension with a similar neighbouring relationship to the application site to that which is proposed and which is angled such that it faces towards the application site front driveway. The proposed extension incorporates windows in its front elevation, however the extension would remain set back from the front elevation of the neighbouring dwelling and would have a similar relationship as the existing extension at no. 8, facing towards this neighbour's front driveway. Although there is an increase in glazing, when taking into account their position, distance and juxtaposition with neighbouring amenity spaces, they are not considered to afford a level of overlooking that would be unacceptable or harmful to the extent that a refusal on these grounds could be sustained.
- 5.16 This neighbour has also raised the concern of side facing ground floor windows that would result in loss of privacy. The glazing proposed in the side elevation would face towards the neighbour at no. 8. There is currently a fence on the common boundary which is low in height however, the applicant has proposed to erect a high fence along the common boundary to mitigate any unacceptable overlooking to this neighbour. It is considered a 2m high fence would be required to mitigate any overlooking that could occur. Such fencing can, in any event, be erected without planning permission as

permitted development. The height of the fence would be within the limits of the Town and Country Planning (General Permitted Development) (England) Order, Part 2, Class A. Such that the fence could be constructed without planning permission. Therefore, no objection is raised to erection of the fence. It is however considered necessary to attach a condition to any planning permission granted that the fence shall be fitted and permanently maintained thereafter to protect the privacy of this neighbour.

- 5.17 There is an additional window within the eastern elevation first floor which would face towards the neighbour no. 8 Grenville Close, it is considered appropriate to attach a condition to any consent requiring this window to be obscure glazed and top level opening only to protect the privacy of these neighbours. Also considered appropriate to attach a condition that no further windows in the flank elevation at first floor and above should be inserted without planning permission to prevent any potential loss of privacy or perceived overlooking.
- 5.18 It is therefore considered that the proposal will not adversely affect the residential amenities of adjacent properties in terms of over dominance, obtrusiveness, loss of light or overlooking and that the proposed extensions will not unduly affect the visual outlook neighbouring properties.
- 5.19 The scale and siting of the development is therefore considered to be acceptable against policies EP3, EP5 and H11 of the Council's Local Plan.

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

Core Strategy Policies:

CP7 (Accessibility and transport)

Local Plan Saved Policies:

TR5 (Access, highways work and traffic generation)

TR7 (Traffic generation)

- 5.20 The application dwelling would have four bedrooms and would require 3 off street parking spaces. It is also noted that the proposal would result in the loss of the existing garage, however the width of the garage door would not be wide enough to accommodate a car. As a part of the proposal additional handstanding would provide 3 off street parking spaces to meet the Council's standards.
- 5.21 The Council's Highways Officer has reviewed the application the proposal would likely generate a comparable level of vehicle trips compared to the existing situation and therefore would not result in intensification of the site. It is noted that two spaces proposed are tandem arrangement and would result in dwelling reversing onto the highway. However, Grenville Close is a quiet, residential road and this arrangement appears to be common within the vicinity of the site. As such not considered to cause significant issue to highway and therefore no objection is raised subject to condition. The proposal therefore complies with policy TR7 of the South Bucks Local Plan.

#### **Other Matters**

- 5.22 Concerns have also been raised over the implementation of a loft conversion with rear dormer and 3 no. front roof windows. This was subject to a certificate of lawfulness granted under reference PL/20/3190/SA which confirmed that the extension could be

constructed under Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The dormer does not form part of the current application and as such any objections relating to this cannot be taken into account under this application. Notwithstanding this, an informative shall be included advising the applicant that if planning permission is granted, they won't be able to implement both this permission and the dormer as it's considered the proposed dormer would cease to benefit from permitted development rights if built in conjunction with the two storey extension.

- 5.23 The neighbour has raised concerns in relation to the noise impact on surrounding dwellings, if planning permission is granted an informative would be attached to the permission to draw the attention of the applicants to the Considerate Constructors Scheme to adopt a considerate and respectful approach to construction works.
- 5.24 The Parish has concern regarding potential smell generated through use of the kitchen, as the ground floor windows are located nearer to a neighbouring dwelling. This is a common relationship in a residential area and is not considered to give rise to an unacceptable impact.

## **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 with the relevant development 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 Human Rights. 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 The applicant has facilitated an officer site visit and offered to amend the plans during the course of the application.

- 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 agent in a positive and proactive manner by as appropriate updating agent of any issues that may arise in the processing of their application. A new plan was submitted to clarify the relationship with the neighbouring property particularly in relation to the neighbour at no. 8 Grenville Close.
- 7.4 In this instance
- The application was determined without delay.

**Recommendation:** Conditional Permission. Subject to the following conditions:-

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice. (SS01)  
Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).
2. 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 safeguard the visual amenities of the area. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
3. Before the first occupation of the extension hereby permitted the first floor window in the eastern elevation shall be fitted with obscured glazing and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter unless agreed in writing by the Local Planning Authority.  
Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
4. No further windows shall be inserted at or above first floor level in the eastern and western elevation(s) of the extension hereby permitted. (SD17)  
Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
5. Space shall be laid out within the site for parking for cars, loading and manoeuvring, in accordance with the approved plans. This area shall be permanently maintained for this 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. (Policy TR5 and TR7 of the South Bucks District Local Plan (adopted March 1999) refers.)
6. Before the first occupation of the extension hereby permitted the boundary fence along the north eastern boundary (between application site and neighbour at no.8 Grenville Close)

shall be erected to a height of 2 meters. The fence shall be permanently retained thereafter unless agreed in writing by the Local Planning Authority.

Reason: Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

7. The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings:

**List of approved plans:**

<u>Received</u>	<u>Plan Reference</u>
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02 Mar 2021	PL-01 P2
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**INFORMATIVE(S)**

1. Due to the close proximity of the site to existing residential properties, the applicants' attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicles parking at the site or making deliveries, and general disruption caused by the works.

By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and complaints from local residents and further information on how to participate can be found at [www.ccscheme.org.uk](http://www.ccscheme.org.uk). (SIN35)

2. You are advised that consent under the Building Regulations may be required for the proposed development and the Building Control Unit at the Council should be contacted in this regard. (SIN41)
3. A certificate of lawfulness granted under reference PL/20/3190/SA on 11.11.2020 for a loft conversion with rear dormer and 3 no. front roof windows these plans have been reviewed as part of this application. It is considered that the two permission could not both be implemented as they wouldn't be in accordance with the approved plans of either of these permissions. Further the proposed dormer would cease to benefit from permitted development rights if built in conjunction with the two storey extension.

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

### Parish Council (07/12/2021):

The Committee RESOLVED to OBJECT to the application for several reasons: the proposal constituted overdevelopment in relation to the size of the plot and design of other properties in the locality; the proposal was considered harmful to the privacy of the adjacent property through the positioning of ground/first floor windows; the proposed kitchen area would also have an adverse impact on the residential amenity (through smells) based on its proximity to the neighbouring property; it was felt there would be inadequate room for manoeuvring the necessary number of vehicles into the driveway. Additionally, a construction management plan was needed to outline how the transportation of materials and traffic management would be dealt with; the site in question had a small frontage and the route to the site was unfit for large vehicles. The Committee also stated that the application should be considered alongside PL/20/2566/PNE and PL/20/3190/SA to properly gauge the overall intensification of the site.

### Public consultation responses

#### Objecting (5 representations)

Noise and disturbance during construction

Overlooking from additional glazing

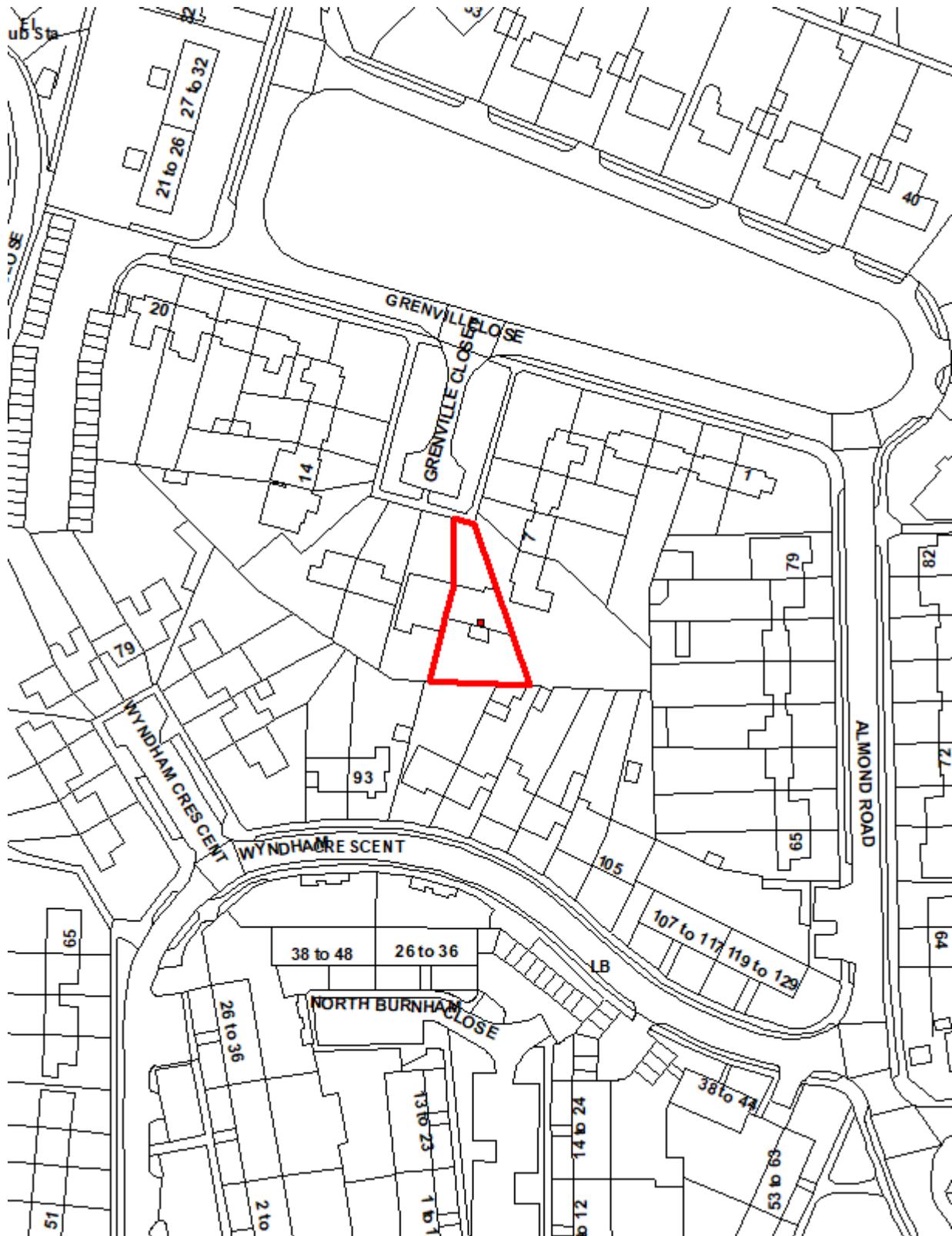
Overbearing appearance

Conversion of the front garden parking detrimental to the street scene

Dormer window at the rear of the roof out of keeping

Overdevelopment

## APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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