



Report to South Area Planning Committee

Application Number:	PL/20/3208/FA
Proposal:	Construction of part single/part two storey rear extension. Demolition of existing conservatory and detached outbuilding. Replacement of garage door with 2 windows
Site Location:	Gable Cottage, Elm Road, Penn, High Wycombe, Buckinghamshire, HP10 8LB
Applicant:	Mr and Mrs Bahia
Case Officer:	Charenjit Braich
Ward(s) affected:	Penn Wood & Old Amersham
Parish-Town Council:	Penn Parish Council
Date valid application received:	25 September 2020
Statutory determination date:	7 April 2021
Recommendation	Conditional Permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Permission is sought for the construction of a part single/part two storey rear extension, as well as the demolition of an existing conservatory and detached outbuilding.
- 1.2 The application is before Committee as the Local Member Councillor Waters has called the application in, if the officer recommendation is for approval.
- 1.3 The recommendation for the proposal is to grant conditional permission.

2.0 Description of Proposed Development

- 2.1 This application proposes a single storey extension from the rear of the existing property, which will involve the demolition of the 1988 conservatory and small detached outbuilding. It is noted that consent was provided within the 1988 consent for the removal of this outbuilding.
- 2.2 At first floor an extension is proposed to the existing rear gable to provide an increased floor area and allow the existing walk through Toy Room to be used as a bedroom, whilst allowing the bedroom above the garage to be accessed independently of this existing space. The bedroom over the garage will then be repurposed as a home office.
- 2.3 To the frontage of the building the existing garage doors, which are no longer functional due to the previous conversion of the garage area, are to be removed and

replaced with brickwork and two steel frames windows. These will be of a similar style and proportions to the existing windows on the front elevation of the property.

- 2.4 The application is accompanied by:
- a) Design and access Statement
 - b) Built heritage statement
 - c) Tree report

3.0 Relevant Planning History

- 3.1 CH/1988/2050/FA - Rear conservatory. Conditional permission. Implemented.
- 3.2 CH/2009/0985/FA - Detached single storey outbuilding. Withdrawn
- 3.3 CH/2009/1247/FA - Detached single storey outbuilding. Conditional permission. Implemented.
- 3.4 PL/18/3581/HB - Listed building application for replacement of door. Conditional permission
- 3.5 PL/20/3209/HB - Listed Building Consent for construction of part single/part two storey rear extension. Demolition of existing conservatory and detached outbuilding. Replacement of garage door with 2 windows. Sister application, to be determined alongside the subject application.

4.0 Summary of Representations

- 4.1 Consultation response from Conservation Officer: No objection.
- 4.2 Consultation response from Archaeology Officer: No objection.
- 4.3 Parish Council: Object.
- 4.4 13 letters of objection have been received from 8 neighbouring properties.
- 4.5 12 letters of support have been received from 10 neighbouring properties.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2019.
- National Design Guide, 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.
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule

Principle and Location of Development

Core Strategy Policies:

CS1 (The spatial strategy)

CS2 (Amount and distribution of residential development 2006-2026)

Local Plan Saved Policies:

GC1, LB1, LB2, LB3, CA1, CA2, H11, H13, H14, H15, TR11, TR16, AS1

- 5.1 The site is located within the Penn and Tylers Green Conservation Area and an Established Residential Area of Special Character, where development should maintain the special character of that area. Gable Cottage is also a Grade II Listed Building where

development must preserve its character and appearance as a building of Special Architectural or Historic Interest. The rear garden borders the Green Belt.

- 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 In 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 With the above in mind, it is noted that whilst the principle of development is acceptable, the proposal must demonstrate tangible public benefits that override any harm that the increase in the size of the structure will provoke. (Paras 186-202 of the NPPF, BS 7913 ss. 16 & 66 of the Planning (LBCA) Act 1990.)

Raising the quality of place making and design/Historic environment (or Conservation Area or Listed Building Issues)

Core Strategy Policies:

CS4 (Ensuring that the development is sustainable)

CS20 (Design and environmental quality)

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)

LB1 (Protection of special architectural or historic interest of Listed Buildings throughout the district)

LB2 (Protection of setting of Listed Buildings throughout the district)

CA1 (Works to buildings in Conservation Areas as defined on the Proposals Map)

CA2 (Views Within, out of, or into the Conservation Areas as defined on the Proposals Map)

CA4 (Demolition of unlisted buildings in Conservation Areas as defined on the Proposals Map)

- 5.6 Gable Cottage is located on Elm Road in Penn, which falls within a designated Conservation Area. The cottage takes an end position in a row of similar aged cottages. Gable Cottage was constructed in around 1752 and was listed on 17th March 1982, along with the adjoining cottage Stratfords. These cottages have 18th century brick frontages facing Elm Road with timber framing. Gable Cottage is small in scale, with the upper storey mostly in the roof structure, with low ridge heights.
- 5.7 This part of the conservation area consists of a number of quality buildings, both listed and unlisted. Gable Cottage is attached to Stratfords Cottage, and is an attractive period cottage originating from the early 18th century. The cottage is a fairly well preserved two storey building, traditionally timber-framed, with a brick façade facing the street and tile hanging to the upper floors to the rear. The property has been extended in the C20, and comprises a C18 historic core, with a rear kitchen and bathroom extension, a part-converted garage to the North and a late C20 conservatory extending out from the rear façade on the ground floor. The mid-C20 extensions are gabled in form, echoing the gables to the front and are steeply pitched; these extensions blend in well, and the windows are leaded lights in steel frames with mullions and transoms. However, this phase of work has removed most of the original rear wall of the cottage, and it is not always easy to reconstruct the building's original form. The conservatory is rather a poor quality construction in timber, and could benefit from a redesign.
- 5.8 Alterations to the principal elevation of the property are limited to, the removal of the 1950's wooden garage doors and its replacement with matching brickwork and steel framed windows of a complementary scale and style to those employed within the historic façade of the original building. The Conservation Officer has stated that 'the garage wing to the north is not of any great significance, although the way in which it steps down from the main building should remain, this is appropriate.' Accordingly, it is considered that the proposed changes to the front facade integrate satisfactorily with the host dwelling and would have minimal impact on this part of the Conservation Area, with the significance of the Penn and Tylers Green Conservation Area as a whole being preserved.
- 5.9 A single storey extension is proposed to be added to the rear of the existing property. The extension is designed to be low in form using traditional materials, of brick walling, lead rolled roof and steel framed windows and doors. Light will be drawn into the extension via low profiled steel, flat glass roof lanterns. The extension will be attached to a modern extension to the rear of the existing structure and would project a further 4.7m. In regards to the projection of the extension, it should be noted that the scheme was revised and the amended proposal has responded to heritage concerns and revised the scale to reflect those concerns. The projection of the extension is now similar to that of the neighbouring property, Stratford's. It is considered that this element of the scheme has been designed to be contextual and reference the architectural qualities and materiality of the host building. The material palette references the host building and the local context, with this in mind, no objections are raised in this regard.
- 5.10 A first-floor extension projecting 4m from an existing gable to the north of the property is also proposed it would be clad in weathered vertical timber boarding which would define it as a distinct extension, in contrast to the tile hanging of the existing first floor rear structure. Neighbours have raised concern that this element of the proposal is overly large. Whilst it is noted that this element of the proposal is reasonable in scale

and bulk it is considered that the addition will maintain the character of an articulated rear elevation characterised by gables. The proposal will also maintain the varied roofscape which typifies the existing property and the properties in the near vicinity. Accordingly, it is considered that the proposals would preserve the architectural and historic interest of the listed building and therefore complies with sections 16 of the Act.

- 5.11 The demolition of the single storey structures in the rear garden, which was formerly used as a WC, was previously approved for demolition under application CH/1988/2050/FA. Given the rundown nature of the unused building and the previous permission to demolish it, there are no strong objections to its demolition.
- 5.12 The Historic Buildings Officer has concluded that the proposal, as amended, is generally considered to be acceptable from the listed building aspect and would not result in substantial harm to the significance of the listed building or to the character and appearance of the conservation area. As such the proposal is considered to preserve and enhance the character and appearance of the application Listed building, adjacent listed buildings and the Conservation Area and be in accordance with Paragraph 196 of the NPPF and policy LB1 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011.

Amenity of existing and future residents

Local Plan Saved Policies:

GC3 (Protection of amenities throughout the district)

H14 (Safeguarding the amenities of neighbours)

H12 (Private residential garden areas throughout the district)

- 5.13 Policy GC3 of the Local Plan seeks to achieve good standards of amenity for the future occupiers of development and to protect the amenities enjoyed by the occupants of adjoining and neighbouring properties. Local Plan Policies GC2, GC3 and H14 relate to the protection of residential amenities throughout the District. In terms of the design of the resultant dwelling, in comparison to the existing dwelling, the rearwards spread is significantly increased. That said, the design has been carefully considered to minimise its impacts upon neighbouring dwellings.
- 5.14 The adjoining listed dwelling known as Stratfords lies on the southern boundary, and the single storey rear element of the proposal would be nearest to this property. Given the modest height of this element of the proposal, it is not considered that this current level of amenity enjoyed by the occupiers of Stratfords would be reduced as a result of the scheme.
- 5.15 The property to the north is no.17 Elm Road; the separation distance between the flank wall of this property and the flank wall of the first floor extension would be over 16m. Whilst it might be possible for the extensions to cast some shadow over the outbuildings and courtyard area, it would not be considered to be significant to the point which could warrant refusal of this application. Furthermore, the siting of the proposed extensions would not breach the splay line drawn by a line at 45 degrees at first floor or 60 degrees at ground floor from the nearest habitable windows. With the exception of one roof light there are no flank windows proposed.
- 5.16 It is considered that sufficient spacing between the first floor extension and either neighbouring property is provided which reduces the potential for the proposed

extension to be overbearing when viewed from neighbouring amenity space. For these reasons, it is considered that the resultant dwelling will have little alteration to existing amenity levels serving adjoining properties. Given the siting and design of the replacement dwelling, it is not considered that the proposal would have an adverse impact regarding the privacy or amenity of adjoining properties and is therefore acceptable having regard to Policies GC2, GC3 and H14.

Transport matters and parking

Local Plan Saved Policies:

TR2 (Highway aspects of planning applications throughout the district)

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

TR12 (Relaxation of parking standards throughout the district)

TR15 (Design of parking areas throughout the district)

TR16 (Parking and manoeuvring standards throughout the district)

5.17 Policy TR16 of the Local Plan states that where dwellings have a gross floor area of 120 sqm or more, 3 car parking spaces should be provided. The property currently has a floor area of more than 120 sqm, and has one parking space. So there is already a shortfall of two spaces, but this is an existing situation. The proposed extensions do not alter the existing parking arrangement and do not generate a requirement for any additional parking. As the shortfall is an existing situation and would not be exacerbated, no objections can be raised having regard to Policies TR11 and TR16.

Environmental issues

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS20 (Design and environmental quality)

Local Plan Saved Policies:

GC4 (Landscaping)

5.18 There is a hedgerow that currently acts as a boundary between it and Stratfords. The proposal does not include the removal of this hedge, and the submitted tree report states that any significant incursion into its calculated root protection area is unlikely. Concerns from neighbours regarding damage to trees off site have been raised. The submitted tree report addresses these trees. The Council's Tree Officer has been consulted, and these comments will be verbally reported at the Planning Committee meeting.

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 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.

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 works 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 In this instance, the Officers consider the application to be acceptable as submitted and no assistance was required.

8.0 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, named types or details of the facing materials and roofing materials to be used for the external construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved materials.

Reason: To safeguard the special architectural or historic interest of the listed building and conservation area in accordance with policies LB1, CA1 and CA2 of The Chiltern District Local Plan Adopted 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011, policy CS4 of the Core Strategy for Chiltern District, Adopted November 2011, the provisions of the National Planning Policy Framework 2019 and the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 3. Prior to installation of the rooflight, sectional drawings through the rooflight, eaves and roof, together with details of the glazing bars for the small panned windows shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and no alterations shall take place thereafter.

Reason: To safeguard the special architectural or historic interest of the listed building in accordance with policy LB1 of The Chiltern District Local Plan Adopted 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011, policy CS4 of the Core Strategy for Chiltern District, Adopted November 2011, the provisions of the National Planning Policy Framework 2019 and the Planning (Listed Buildings and Conservation Areas) Act 1990.

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 additional windows shall be inserted or constructed at any time at first floor level or above in either of the flank elevations of the extensions permitted.

Reason: In order that the Local Planning Authority can properly consider whether any future proposals would be detrimental to the amenities of the adjoining neighbouring properties, in accordance with policies GC1 and GC3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policies CS20 of the Core Strategy for Chiltern District (Adopted November 2011).

5. 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>
25.09.2020	4263 PLA 1.01 A3
25.09.2020	4263 PLA 1.05 A3
25.09.2020	4263 PLA 1.06 A3
26.01.2021	4263 PLA 3.02 A
26.01.2021	4263 PLA 3.04 A
26.01.2021	4263 PLA 3.05 A
25.09.2020	4263 PLA 1.03
25.09.2020	4263 PLA 1.04
09.03.2021	ARBORICULTURAL IMPLICATIONS ASSESSMENT
26.01.2021	MATERIAL DETAILS
25.09.2020	BUILT HERITAGE STATEMENT
25.09.2020	PLANNING AND D AND A STATEMENT
26.01.2021	4263 PLA 3.06 A3
26.01.2021	4263 PLA 3.10
26.01.2021	4263 PLA 3.03 A
26.01.2021	4263 PLA 3.07
26.01.2021	4263 PLA 3.08
26.01.2021	4263 PLA 3.09
26.01.2021	4263 PLA 1.02

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. 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.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Councillor Waters, neither objecting to or supporting the Planning Application, stated the following 'I would like to call in the application for decision by the Planning Committee if the Officer Recommendation is for approval. I have concerns on the potential impact on listed buildings, of the scale and change of appearance. It is a sensitive area within the Conservation area and needs careful consideration'.

Parish/Town Council Comments

Objection – 'we remain concerned about the change in character and impact on a Grade II listed cottage, notably the scale of the rear extension and gable and the change in appearance. We request the Historic Building's Officer's report to be published. Because of the slope, the plans are inaccurate and do not adequately reflect the impact on neighbouring properties. We request the Tree Officer look at the proposals, as building this close to the tree screen will negatively impact Conservation Area trees'.

Consultation Responses

Historic Buildings officer:

You have been successful in moderating the extent and the impact of the proposals, and I am therefore happy to recommend approval for the development. The only items that we lack are sections through the rooflight, eaves and roof, plus details of the glazing bars for the small panned windows. Stick on glazing bars are not going to be acceptable I'm afraid and so double casements are the only energy efficient alternative. A materials schedule would be helpful as not all materials appear to be on the plans.

Representations

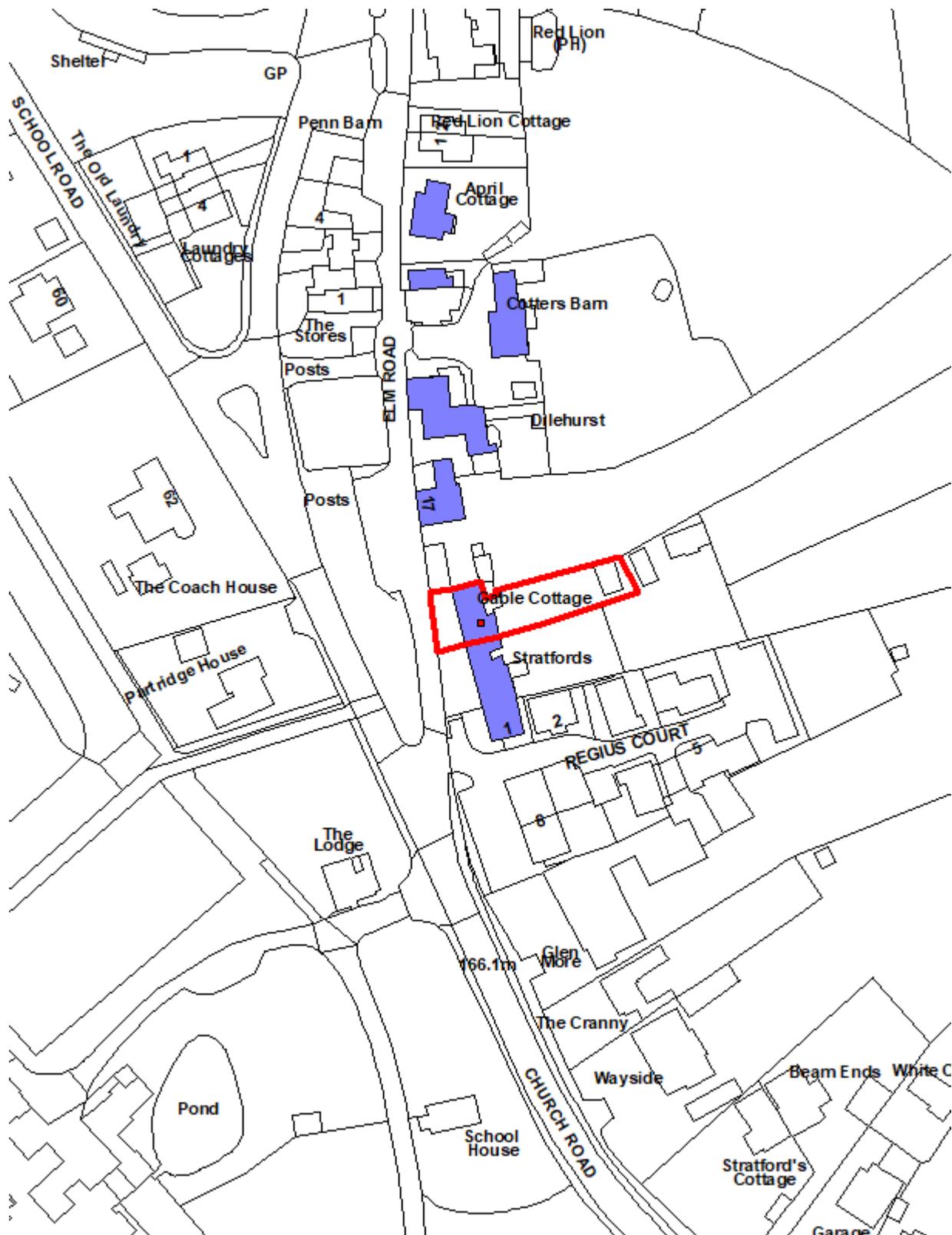
13 letters of objection have been received from 8 Neighbours which have been summarised below:

- Detriment to Conservation Area
- Detriment to Listed Building
- Loss of Privacy
- Loss of View
- Loss/Damage to Trees
- Overshadowing/bearing
- Poor Design
- Residential Amenity
- Traffic/Parking

12 letters of support have been received from 10 Neighbours which have been summarised below:

- No impact to Listed Building
- No impact to conservation area
- Extension is for elderly parent, to facilitate multi generation living.
- Design would improve and enhance

APPENDIX B: Site Location Plan



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