



Report to South Area Planning Committee

Application Number:	PL/21/2567/FA
Proposal:	Single storey infill rear extension, insertion of side windows and rear rooflight and demolition of detached outbuilding
Site location:	4 Slough Road Iver Heath Buckinghamshire SLO ODR
Applicant:	Mr & Mrs Sullivan
Case Officer:	Alex Armour
Ward affected:	Iver
Parish-Town Council:	Iver Parish Council
Valid date:	28 June 2021
Determination date:	2 September 2021
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Permission is sought for a single storey rear extension and a rooflight to the ground floor of the original dwelling. The application also proposed to demolish an existing outbuilding to the rear of the dwelling.
- 1.2 The dwelling is located within the Green Belt. The proposed development would result in a cumulative increase in floor space, which would be over half that of the original dwelling. This would be in excess of that allowed under Local Plan Policy GB10. The dwelling presently benefits from a granted but not implemented permitted development extension under PL/19/3523/PNE, the proposal seeks to offset the additional harm to the Green Belt through the removal of an existing outbuilding.
- 1.3 The applicant is a Buckinghamshire Councillor, and as such the application is to be determined by the South Bucks Area Planning Committee in accordance with the Buckinghamshire Council Constitution.
- 1.4 The recommendation is for conditional permission to be granted.

2.0 Description of Proposed Development

- 2.1 The application site is located within a row of semi-detached cottages to the south side of Slough Road. The site is located within the Green Belt.
- 2.2 The application is similar to application PL/20/2033/FA which was refused permission. However, in this instance the application is differentiated from the previous application by the demolition of an existing outbuilding.
- 2.3 The application seeks permission for a single storey flat roofed rear extension which would benefit from a roof lantern. A new rooflight is also proposed to the rear of the existing dwelling.
- 2.4 The proposed extension would be constructed of matching materials to the original dwelling, other than the roof which would be constructed of a single ply membrane.
- 2.5 The proposal follows a Prior Approval for a single storey rear extension measuring 1.9m in width, 6m in depth with a maximum height of 3m. The proposed development would be differentiated from the Prior Approval by an increase in scale, particularly in regards to width, and would be differently orientated to reflect the layout of the site boundaries.
- 2.6 The application is accompanied by:
 - a) Site Plan – Reference: 6008 / 04D
 - b) Proposed Plans and Elevations – Reference 6008 - 03C
 - c) Existing Plans and Elevations – Reference 6008 - 02A
 - d) Site Location Plan – Reference 60053 OS 01B

3.0 Relevant Planning History

- 3.1 96/00067/FUL – Conditional Permission - 11 June 1996 - Two storey side/rear extension and single storey rear extension.
- 3.2 PL/19/2891/PNE – Prior Approval Refused - 1 October 2019 - 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 from rear wall 6.0m, maximum height 3.0m, eaves height 2.9m).
- 3.3 PL/19/3523/PNE – Prior Approval Granted - 27 November 2019 - 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 from rear wall 6.0m, maximum height 3.0m, eaves height 2.9m)
- 3.4 PL/20/2033/FA - Single storey rear extension. – Refused Permission.

4.0 Summary of Representations

- 4.1 Two letters of objection received from neighbouring residents raising the following concerns:
 - The dwelling has previously been extended beyond that permissible under GB10;
 - Length of the extension exceeds that permissible under permitted development;
 - Potential conflict of interests as architect alleged to have worked for the planning team of the previous Chiltern and South Bucks District Councils;
 - Proposed extension could be unneighbourly as a result of its height;
 - Issues regarding water supply;
 - The eaves and ridge height are unmarked

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
- Burnham Beeches Special Area of Conservation (SAC) Mitigation Strategy, March 2020

Principle and Location of Development

Local Plan Saved Policies:

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

GB10 (Extensions to dwellings in the Green Belt)

- 5.1 The site is located within the Metropolitan Green Belt where extensions to dwellings will only be permitted provided that they comply with policy GB10.
- 5.2 The NPPF was revised in July 2021 and whilst this replaced the previous Planning Policy Statements and Guidance Notes, it does not replace existing local policies that form part of the development plan. It does state however, that the weight that should be given to these existing local policies and plans will be dependent on their degree of consistency with the NPPF. Therefore, the closer the policies in the development plan to the policies in the Framework, the greater the weight that may be given to them.
- 5.3 Paragraph 137 of the National Planning Policy Framework (NPPF) states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 149 of the NPPF sets out that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include 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. Furthermore, guidance for Policy GB10 of the Council's Local Plan (adopted March 1999) states that "Extensions, 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".
- 5.4 The original dwelling is considered to have had a floor space of approximately 76sqm. The dwelling currently benefits from a two storey/side rear extension which bring the floor space of the existing dwelling to 111.8sqm, representing an increase in floor space of approximately 47.1% over the original dwelling. The proposed extension would result in an increase in floor space of approx. 25.7sqm, resulting in a floor space of 137.5sqm, an increase in floor space of approx. 80.9%.

- 5.5 Therefore, the proposed development would exceed the 50% increase typically permitted under GB10, and as such is considered to cumulatively represent a disproportionate addition over the original dwelling. Accordingly, it is considered that the proposal would constitute inappropriate development, which is by definition harmful to the Green Belt.
- 5.6 The NPPF makes it clear that inappropriate development should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 5.7 The application site benefits from prior approval for an extension which would have a total floor space of approx. 11.4sqm. As part of the previous application (reference: PL/20/2033/FA) this was put forward as a fall-back position in support of the extension that was proposed. However, the permitted extension had a significantly smaller floorspace (11.4sqm) than the proposed extension (25.7sqm). As such it was considered that the proposed extension would have been more harmful to the openness of the Green Belt than the permitted development fall-back position and was not considered to amount to a case of very special circumstances sufficient to outweigh the harm to the Green Belt.
- 5.8 As noted, as part of the current application, it is now proposed to remove an existing outbuilding within the rear garden of the property. The outbuilding to be removed has a floor space of 14.8sqm. The proposed extension of 25.7sqm would have a smaller floorspace than would be the case for the rear extension allowed under permitted development and the outbuilding to be removed (total 26.2sqm). Furthermore, the removal of the outbuilding would result in a more concentrated, less sprawling form of development. Consequently, the proposal would result in an overall improvement in terms of the impact on the openness of the Green Belt than would be the case if the extension allowed under permitted were constructed and the existing outbuilding remained. Overall, in this instance, it is considered that this amounts to a case of very special circumstances sufficient to outweigh the harm to the Green Belt by reason of inappropriateness. This is subject to a condition to secure the removal of the existing outbuilding. Furthermore, given that the proposed development would result in additional built form, in excess of that typically permitted under Local Plan policy GB10 and is dependent on the removal of an outbuilding it is considered reasonable to condition the removal of permitted development rights for new extensions and outbuildings under Classes A, B and E of Part 1 of the GPDO.

Transport matters and parking

Core Strategy Policies:

CP7 (Accessibility and transport)

Local Plan Saved Policies:

TR7 (Traffic generation)

- 5.9 The proposed development would result in no additional bedrooms and there would be no loss of parking bays. As such, there would be no adverse parking implications resulting from the development.

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)

EP4 (Landscaping)

H11 (Alterations and extensions to dwellings)

- 5.10 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.
- 5.11 Local Plan policy EP3 states that development will only be permitted where its scale, layout, siting, height, design, external materials and uses 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 the surroundings will not be permitted.
- 5.12 Local Plan policy H11 sets out criteria for assessment of extensions to residential dwellings. Among other things, it indicates that the extension should be integral to the dwelling, and in harmony with the existing building in terms of scale, height, form and design. In addition, the extension would not have an adverse impact on the character or amenities of the locality in general, and should conform to the guidelines set out at Appendix 8 of the Local Plan.
- 5.13 The advice set out within Appendix 8 states that extensions should normally be indistinguishable from the main dwelling and integrated with it, be in keeping with the local area, and be constructed of materials matching the original dwellinghouse.
- 5.14 The Council previously raised no objections in respect of the design of the proposal and no additional objections are raised in this respect.

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)

- 5.15 Policy H11 of the Local Plan requires that extensions will only be permitted where extensions would not adversely affect the amenities of any adjacent properties in relation to overlooking, over dominance, obtrusiveness and loss of daylight, paying particular attention to the primary windows of habitable rooms and kitchens. The guidance in Appendix 8 of the Local Plan requires that single storey extensions should project no further than a line drawn at 60 degrees from the mid-point of the window of the nearest habitable room of adjacent properties.
- 5.16 The Council previously raised no objections with regard to the impact on neighbouring properties. The proposed extension would comply with the 60 degree test when taken from the rear openings of the adjacent neighbours. It is noted that objection was raised by the neighbouring resident in regards to potential loss of light caused by the proposed extension. The western neighbours benefit from a side opening serving a corridor. The proposed extension would measure 2.8m to the ridge height, with the highest point of the lantern measuring 3.2m, and would be set approx. 2.3m from the western neighbour. When considering the above, it is not considered that the proposed extension would appear as overbearing nor, would it result in unacceptable loss of light.
- 5.17 The proposed extension and rooflight would introduce no new openings above ground floor level, and as such are not considered to give rise to any unacceptable overlooking

of neighbouring dwellings. The scale and siting of the proposed development is therefore considered acceptable against Local Plan policies EP3, EP5 and H11.

Other Matters

- 5.18 In regards to comments made in regards to Permitted Development allowance, the application seeks planning permission and as such it is not relevant that the proposed development would exceed the Permitted Development requirements.
- 5.19 In regards to comments made regarding the submitted plans. The proposed plans were submitted to scale and as such it was not essential to mark the proposed eaves and ridge height. As the proposed development would be ground floor only, it was not required for the proposed plans to show the floor plans showing the first floor.
- 5.20 In regards to the comments made relating to the agent associations with the Council. This was also raised on the previous application and the agent wrote to confirm that he neither worked at the Council nor is related to a member of Council staff.

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 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 planning permission being granted in this instance.

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 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.

8.0 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. The roof area of the single storey rear extension hereby permitted shall not be used as a balcony, roof garden, sitting out area or similar amenity area without the grant of further specific permission from the Local Planning Authority. (SD11)
Reason: To preserve the privacy and amenities of the adjacent property occupiers. (Policies EP3 and H11 of the South Bucks District Local Plan (adopted March 1999) refer.)
4. No development shall take place above slab level until the existing building shown to be removed as indicated on submitted plan numbered 6008 / 04D received 28/06/21 has been removed from the site or demolished in its entirety. All materials resulting from the removal/demolition from the existing outbuildings shall be removed from the site by the substantial completion or occupation of the development hereby permitted, whichever is the sooner.
Reason: The site is located within the Metropolitan Green Belt wherein strict control over development is necessary to maintain the openness of the Green Belt and to ensure a satisfactory development in accordance with the terms of the application (Policies GB1, GB10 and EP3 of the South Bucks District Local Plan (adopted March 1999) refer.)
5. Notwithstanding the provisions of Article 3 and Classes A, B and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration (including the erection of a garage, stable, loosebox or coach-house within the curtilage) of or to the dwellinghouse the subject of this permission, shall be carried out nor shall any building or enclosure required for a purpose incidental to the enjoyment of any said dwellinghouse as such be constructed or placed on any part of the land covered by this permission. (SD14A)
Reason: The site is located within the Metropolitan Green Belt where strict control over development is necessary in order to maintain the openness of the Green Belt. (Policy GB1 of the South Bucks District Local Plan (adopted March 1999) refers.)
6. No development shall take place until any extensions, buildings and/or enclosures constructed under Article 3 and Classes A, B & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (as amended or any Order revoking and re-enacting that Order with or without modification) following the granting of this permission and prior to the commencement of works the subject of this permission, have been removed or demolished in their entirety. All materials resulting from such removal/demolition shall be removed from the site by the substantial completion or occupation of the development hereby permitted, whichever is the sooner.
Reason: The site is located within the Metropolitan Green Belt wherein strict control over development is necessary to maintain the openness of the Green Belt and to ensure a satisfactory development in accordance with the terms of the application (Policies GB1 and EP3 of the South Bucks District Local Plan (adopted March 1999) refer).
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>
28 Jun 2021	6008 - 03C
28 Jun 2021	60053 OS 01B
28 Jun 2021	6008 / 04D

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. (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. 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.southbucks.gov.uk/CIL-implementation> or contact 01494 732792 for more information.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

None received.

Parish Council Comments

No objection subject to Green Belt policy.

Consultee Responses

None sought.

Other Representations

Character and appearance

- Poor design

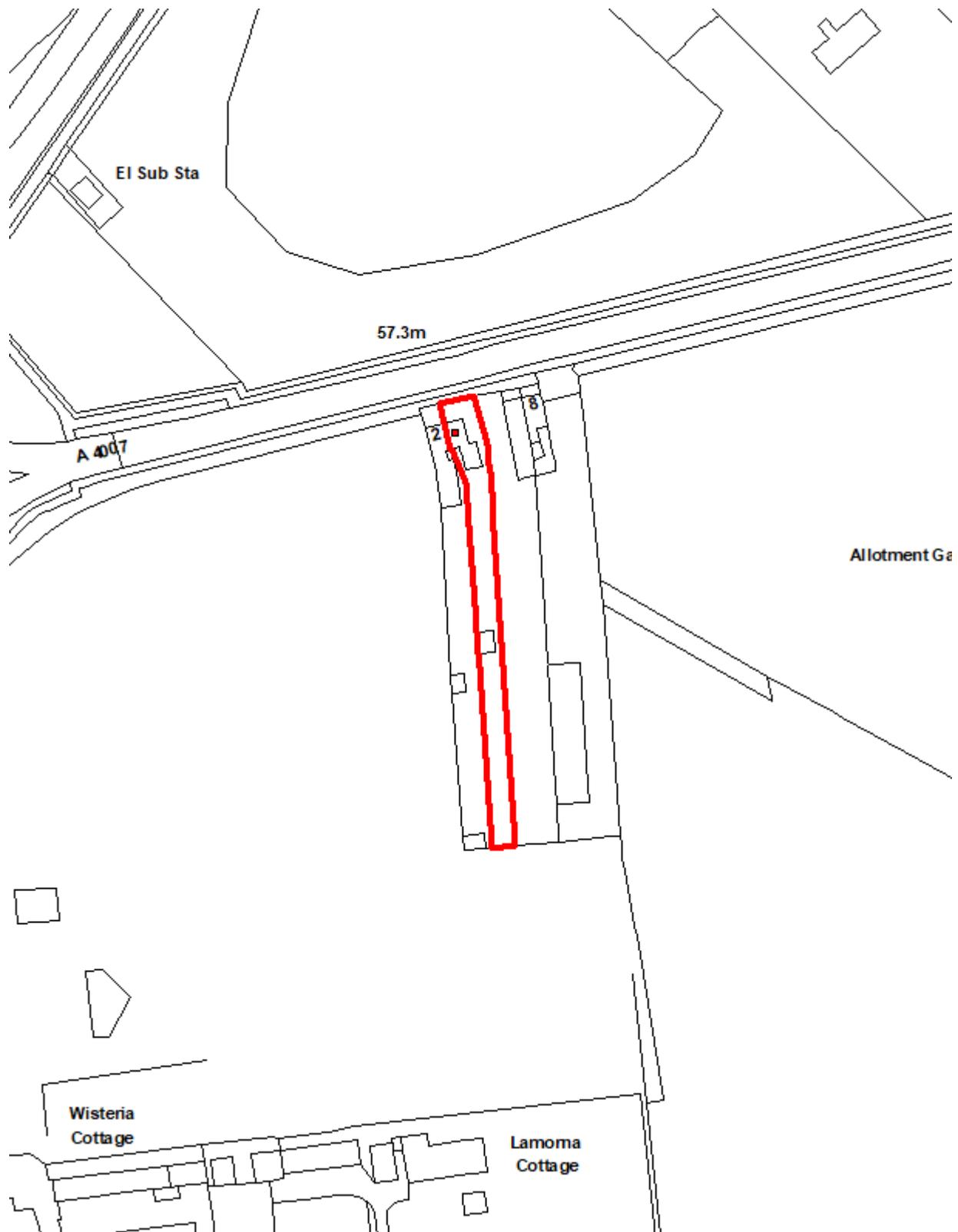
Residential amenity

- Loss of privacy;
- Overshadowing/overbearing

Other matters

- Allegations that the architect is related to a member of staff;
- Impact upon the Green Belt through cumulative extensions;
- Would exceed permitted development allowance;
- Plans indicating scale of first floor have not been submitted;
- Lack of documentation regarding the scale of the original dwelling;
- The eaves and ridge height have not been marked;
- Impact upon drainage and access

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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