



Report to Buckinghamshire Council – Central Area Planning Committee

Application Number:	20/04435/APP
Proposal:	Alterations and replacement of garage with single storey side extension
Site location:	6 Witchell, Wendover, Buckinghamshire, HP22 6EG,
Applicant:	MR & MRS PETER STRACHAN
Case Officer:	Mr Naim Poptani
Ward affected:	WENDOVER, HALTON & STOKE MANDEVILLE
Parish-Town Council:	WENDOVER
Valid date:	5 January 2021
Determination date:	11 March 2021
Recommendation:	Approve subject to conditions

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application seeks Householder Planning Permission for alterations and replacement of garage with single storey side extension. In summary, the proposed development would represent a subordinate and subservient form of development which would satisfactorily integrate with the character and appearance of the host dwelling, the street scene and surrounding area. It would not adversely impact the residential amenities of the neighbouring properties and proposes an appropriate level of car parking. The scheme does not alter the existing access arrangements.
- 1.2 The application is being reported to the Central Buckinghamshire Area Planning Committee because the agent for the application is Councillor Steve Bowles and the Applicant is a Serving Ward Councillor and a Council Portfolio Holder.
- 1.3 It is recommended that the application be approved subject to conditions set out in part 7 of this Report.

2.0 Description of Proposed Development

- 2.1 The application site relates to a two storey detached dwelling located on the east side of Witchell, Wendover. The property is constructed from brick, includes vertical hanging tiles and is characterised by an asymmetrical gabled roof with a steep pitch and a front garage extension comprising a lean-to roof. The property faces south with a triangular shaped

frontage laid in block paving and grass. Parallel with the adjacent highway to the west is a 1.8 m high close boarded fence which encloses a second driveway and rear garden.

- 2.2 The site is located within a residential area and adjacent to but not within the Wendover Conservation Area. Neighbouring properties are two storey in height and of a similar design, size and appearance.
- 2.3 Householder planning permission is sought for alterations and replacement of the existing garage with a single storey side extension. The proposal would be constructed largely on the footprint of the existing garage and would measure 6 m in length at its widest point, 9.5 m in width and would have a lean-to roof with a maximum ridge height of 3.6 m. The proposed development comprises an open plan bedroom and living area and would be finished in materials to match the appearance of the existing dwelling.
- 2.4 The application is accompanied by:
- a) *Location Plan 1:1250 [Unnumbered] received on 30th December 2020*
 - b) *Existing Plans & Elevations [PD 01] received on 30th December 2020*
 - c) *Block Plan [PD 03] received on 18th February 2021*
 - d) *Proposed Plans & Elevations [PD 02] received on 28th July 2021*
 - e) *Tree Plan [PD 04] received on 28th July 2021*

3.0 Relevant Planning History

3.1 Insert relevant planning history for the site:

Reference: 80/00319/AV

Development: EXTENSION TO DWELLING AND VEHICULAR ACCESS

Decision: APPROVED Decision Date: 31 March 1980

Reference: 87/01207/APP

Development: ERECTION OF PORCH

Decision: APPROVED Decision Date: 31 July 1987

4.0 Representations

No representations received at the time this report was written.

5.0 Policy Considerations and Evaluation

Made Wendover Neighbourhood Plan 2019-2033

SD1: Design for Sustainable Developments within the Neighbourhood Plan Area

SD2: Design for Sustainable Developments - Parking

G3: Biodiversity

Aylesbury Vale District Local Plan (AVDLP 2004): The report will identify where policies are not consistent with the NPPF and the weight to be afforded if not full weight.

Emerging Vale of Aylesbury District Local Plan (VALP): This is now at an advanced stage and weight can be given to the relevant policies in the plan in accordance with the NPPF.

5.1 The overall approach is:

- **Limited weight:** if there is a new and untested policy introduced by a main modification and subject to consultation.
- **Moderate weight** :where there are objections and the Inspector has requested main modifications and therefore objections can be regarded as being “resolved”. The context being that the Inspector has considered the proposed modifications and in agreeing them for consultation, has confirmed that he is reasonably satisfied that they remedy the points of unsoundness identified in the examination process so far (as set out in Inspector’s note ED185).
- **Considerable weight** : where there are objections but the Inspector has not requested main modifications (and as such the policy will not be changed in a material way) and the objections can therefore be regarded as being “resolved”.
- **Significant weight** :where there are no objections and no modifications. These policies are not going to be changed and the next step will be adoption and very significant weight.

5.2 The report will identify the weight to be given to the relevant emerging policies.

Supplementary Planning Document (SPD): Residential Extensions Design Guide

The National Planning Policy Framework

Planning Policy Guidance

Principle of Development

The application site lies within the built up settlement of Wendover, where there would be no objection to the intensification of the residential use of the site, subject to all other material planning considerations being acceptable and in accordance with the Policies of the Aylesbury District Local Plan (AVDLP 2004), the emerging Vale of Aylesbury Local Plan (VALP) and the National Planning policy Framework.

Transport matters and parking

5.3 Policy SD2 of the WNP states proposals will be supported provided that parking required for development in the neighbourhood area will be supported provided that: Provision for off-street car parking spaces is made in accordance with the standards set out in the Local Plan, and having regard to guidance published by both the District and County Councils, unless a clear case can be made for why the proposed nature of the occupation of the dwellings will result in fewer spaces being required.

5.4 AVDLP GP24 (Car parking guidelines),

5.5 SPG1: Parking Guidelines.

5.6 Emerging VALP policies T6 (Vehicle parking) & Appendix B (Parking Standards) attract *moderate weight*

- 5.7 Policy GP24 of the AVDLP refers to the Council Car Parking Standards, which indicates that 4-bedroom dwellings should provide for 3 parking spaces, and Policy T6 and Appendix B of the VALP, indicate the same level of provision.
- 5.8 The proposal would introduce a 4th bedroom to the application site, whilst simultaneously resulting in the loss of the attached single garage space. Nevertheless as illustrated on the accompanying block plan drawing No. PD 03, the proposal would continue to provide parking provision for up to 5 cars within its curtilage and the proposal therefore fully accords with policy SD2 of the WNP, the Councils Parking SPG, Policy GP24 of the AVDLP and emerging policy T6 of the VALP.

Raising the quality of place making and design

- 5.9 Policy SD1 of the Wendover Neighbourhood Plan states proposals that will accord with other plan policies will be supported provided that their scale, density, height, massing, landscape design, layout and materials, including alterations to existing buildings, reflect the character and scale of the surrounding buildings and of distinctive local landscape features.
- 5.10 AVDLP Policies GP.35 (Design of new development proposals)
- 5.11 Emerging VALP policy BE2 (Design of new development) carries moderate weight.
- 5.12 Design Guide: Supplementary Planning Document (SPD): Residential Extensions Design Guide
- 5.13 In requiring good design, the NPPF states that development should add to the overall quality of the area, respond to local character and history and to reflect the identity of local surroundings. This aim is reflected in policy GP35 of the AVDLP which requires development to respect and complement the physical characteristics of the site and the surroundings, the building tradition, ordering, form and materials of the locality, the historic scale and context of the setting, the natural qualities and features of the area and the effect on important public views and skylines. Emerging policy BE2 is also closely aligned with saved policy GP35.
- 5.14 The Councils Residential Extensions Design Guide states 'An extension which recognises the shape of the existing building is more likely to be successful than one which ignores the design of the original. Similarly, extensions which distort the shape of the existing house are less acceptable than those which respect the roof pitch and span depth of the original. This does not, however, rule out a contemporary approach which contrasts with, yet enhances, the original building by being distinct.'
- 5.15 The proposed replacement extension would comprise a similar design as the existing garage following its removal and although would measure approximately 2.5 m greater in length at its deepest point, it would not exceed the depth of the original dwelling, would be constructed parallel with the existing dwelling comprising a lean-to roof which would reflect the form and pitch of the existing roof. In addition it would comprise a single storey composition with a relatively low height, would maintain a set back from the front boundary of the site and would include openings which reflect the size and appearance of

the host dwelling. The proposed development by virtue of its size, scale, design and materials would represent a subservient addition which would satisfactorily integrate with the character and appearance of the host dwelling.

- 5.16 The proposed extension would reflect the front building line of neighbouring properties to the north, it would comprise an appropriate size and design comparable to other side extensions within the street scene. It is the officers conclusion that the proposal would not harm the visual amenities of the street scene.
- 5.17 The proposal includes a granny annex. This would be internally linked to the host dwelling via an access from the family living area and office and would ensure it remains ancillary. The proposed annex accommodation does benefit from an independent access to/from the rear garden to provide a form of independence for the occupier, however as it would be internally linked and conditioned to remain ancillary to the host dwelling it is considered acceptable.
- 5.18 The proposed development is therefore considered to accord with SD1 of the WNP, Policy GP35 of the AVDLP, emerging policy BE2 of the VALP, The Councils Residential Extensions Design Guide and the NPPF.

Diversion of a public right of way

- 5.19 AVDLP – GP84 (Public rights of way)
- 5.20 VALP T7 (Footpaths and cycle routes)
- 5.21 Policy GP84 states “where it is proposed to stop up or divert a public right of way to enable development to take place, permission will only be granted where there is an existing suitable alternative route, or provision is so made”. This is also reflected in emerging policy T7.
- 5.22 The proposal would not affect a public right of way and the proposal is therefore considered to accord with policy GP84 of the AVDLP and the NPPF and this absence of harm is to be attributed neutral weight in the planning balance.

Amenity of existing and future residents

- 5.23 Policy SD1 of the WNP States proposals will be supported provided that It does not unacceptably affect neighbouring properties by way of loss of privacy, daylight, generation of noise or fumes, visual intrusion or loss of amenity.
- 5.24 AVDLP: GP.8 (Protection of the amenity of residents).
- 5.25 Emerging VALP policy BE3 (Protection of the amenity of residents) carries *considerable weight*.
- 5.26 The application site has a single adjoining neighbour to the north at 8 Witchell. The proposed side extension would be set in approximately 7.5 m from the mutual boundary with this neighbouring property and given it would not protrude beyond its front building line it is unlikely to impact upon the habitable room windows within the front elevation of this property. This property does benefit from flank windows facing the application site,

however given the proposal would comprise a single storey composition with a relatively low height, combined with its set in from the mutual boundary it would not adversely impact upon the amenities of the occupiers of this property in terms of loss of light, overshadowing and over-dominance.

- 5.27 The proposal would include openings within the front, side and rear elevation. The windows in the front and side elevation would face toward the adjacent highway, and although the sliding doors within the rear elevation would face toward No. 8, given their siting at ground level combined with the boundary treatment which is marked by way of a 1.8 m high close boarded fence, it would not result in a loss of privacy.
- 5.28 As such, the proposal is considered to be acceptable and complies with policy SD1 of the WNP, GP8 of the AVDLP, emerging policy BE3 of the VALP and also accords with the NPPF. This absence of harm is to be attributed neutral weight in the planning balance.

Flooding and drainage

- 5.29 Emerging VALP policy I4 (Flooding) (*moderate weight*)
- 5.30 The application site is not situated within an area at risk of flooding as defined by the EA maps.

Landscape and visual Impact

- 5.31 Trees and hedgerows
- 5.32 AVDLP GP39 (Existing trees and hedgerows) and GP40 (Retention of existing trees and hedgerows)
- 5.33 Emerging VALP policy NE8 (Trees, hedgerows and woodlands) (*moderate weight*)
- 5.34 The proposal involves the removal of a Conifer and Laburnum tree which are located adjacent to the front boundary of the site. The Councils Tree Officer was consulted and commented that the trees are relatively small and average specimens and should not be a constraint to development. Nevertheless they do contribute to the character of the street scene and soften the built environment and therefore replacement planning of commensurate value is appropriate. This will be secured via condition.
- 5.35 Therefore having regard to Trees on the whole, it is considered that, subject to suitable planning conditions, the proposal would not have a significantly detrimental impact and such impacts can be mitigated and compensated for and as such, this is a matter to be attributed neutral weight in the planning balance.

Ecology

- 5.36 Policy G3 of the WNP states new development shall protect and/or enhance biodiversity and wildlife in the area including through contributing to green infrastructure, connecting with other green spaces and open countryside.: All development shall result in a biodiversity net gain to biodiversity in line with National policy expectations
- 5.37 Emerging VALP NE1 (Biodiversity and geodiversity) (*moderate weight*)

- 5.38 The Ecology Officer was consulted and commented that there were no objections to the proposed development subject to securing biodiversity features within the proposed development. In this instance it is appropriate for a bee brick to be integrated into the rear elevation of the proposed extension. This would be secured via condition. In addition, an informative advised if Great Crested Newts are encountered during works.
- 5.39 Therefore having regard to ecology on the whole, it is considered that, subject to suitable planning conditions, the proposal would not have a significantly detrimental impact and such impacts can be mitigated and compensated for and as such, this is a matter to be attributed neutral weight in the planning balance.

Historic environment (or Conservation Area or Listed Building Issues)

- 5.40 Policy H2 of the WNP states development proposals will be supported where it; preserves or enhances the character and appearance of the area including its setting.
- 5.41 AVDLP policy GP53 (New development in and adjacent to Conservation Areas)
- 5.42 Emerging VALP policies BE1 (Heritage Assets) (*moderate weight*)
- 5.43 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local authorities to pay special regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas. This is generally reflective of policy GP53 of the AVDLP and policy BE1 which make more specific references to individual characteristics which should be preserved and include, for example, views into or out of conservation areas. However, saved policy GP53 of the AVDLP is not entirely consistent with the 'language' of the NPPF set out in paragraphs 193 and 196 as they apply in this instance, because it doesn't go on to comment on a heritage assets 'significance', how this harm should be quantified, and the balancing of harm against public benefits . It is therefore considered that policy GP53 can only be given limited weight.
- 5.44 The application is located adjacent to the Wendover Conservation Area. It is considered the proposed extension and alterations by virtue of their size, scale and design would be in keeping with the appearance of the existing dwelling and as such would not unduly detract from the appearance of the Conservation Area. The proposal would cause no harm to the significance of the heritage asset.
- 5.45 Special attention has been paid to the statutory test of preserving or enhancing the character or appearance of the conservation area under section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which is accepted is a higher duty. It has been concluded that the development would preserve the character and appearance of the conservation area, and so the proposal accords with section 72 of the Act. In addition, no harm would be caused to the significance of the heritage asset, and as such the proposal accords with guidance contained within the NPPF, policy GP.53 of the AVDLP and emerging policy BE1 of the VALP.

6.0 Working with the applicant / agent

- 6.1 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.
- 6.2 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.
- 6.3 In this instance
- The applicant was provided the opportunity to submit amendments to the scheme/address issues.
 - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

7.0 Recommendation

- 7.1 The officer recommendation is that the application be APPROVED.

Subject to the following conditions and reasons:-

Condition(s):

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the details contained in the planning application hereby approved and plan numbers; Location Plan 1:1250 [Unnumbered] & Existing Plans & Elevations [PD 01] received by the local planning authority on 30th December 2020, Block Plan [PD 03] received on 18th February 2021 & Proposed Plans & Elevations [PD 02] & Tree Plan [PD 04] received on 28th July 2021 and in accordance with any other conditions imposed by this planning permission.

Reason: To ensure that the development is carried out in accordance with the details considered by the Local Planning Authority.

3. The materials to be used for the external surfaces, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing building.

Reason: To ensure a satisfactory appearance to the development and to comply with policy SD1 & H2 of the Wendover Neighbourhood Plan, policies GP9 and GP35 of the Aylesbury Vale District Local Plan, emerging policy BE2 of the Vale of Aylesbury Local Plan and the National Planning Policy Framework.

4. In the first planting season post occupation 2 native specie trees of commensurate value to those removed as part of this proposal shall be planted within the grounds of the application site.

Reason: In the interests of the visual amenities of the locality and to comply with policy GP38 of the Aylesbury Vale District Local Plan, emerging policy NE8 of the Vale of Aylesbury Local Plan and the National Planning Policy Framework. Details must be approved prior to the commencement of the development to ensure the development.

5. The development hereby permitted shall not be occupied until the biodiversity feature comprising 1 bee brick as shown on approved drawing number PD 02 has been installed in accordance with their manufacturers guidelines. The feature shall be retained as such thereafter.

Reason: In the interests of improving the biodiversity of the area in accordance with Policy G3 of the Wendover Neighbourhood Plan & emerging policy NE1 of Vale of Aylesbury Local Plan and the National Planning Policy Framework.

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

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and to accord with policy SD2 of the Wendover Neighbourhood Plan, policy GP24 of the Aylesbury Vale District Local Plan, emerging policy T6 of the Vale of Aylesbury Local Plan and the National Planning Policy Framework.

7. The annex hereby permitted shall not be used or occupied for any purposes other than as ancillary to the residential use of the property on the site, currently known as 6 Witchell, Wendover, Buckinghamshire, HP22 6EG.

Reason: To preserve and maintain the residential character of the area in accordance with policy SD1 of the Wendover Neighbourhood Plan, policies GP9 & and GP35 of the Aylesbury Vale District Local Plan, emerging policy BE2 of the Vale of Aylesbury Local Plan and the National Planning Policy Framework.

Informative(s):

1. No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

2. Protection of great crested newts and their breeding/resting places

Informative: The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to: deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstructing access to a resting or sheltering place. Planning consent for a development does not provide a defence against prosecution under these acts. Ponds, other water bodies and vegetation, such as grassland, scrub and woodland, and also brownfield sites, may support great crested newts. Where proposed activities might result in one or more of the above offences, it is possible to apply for a derogation licence from Natural England

or opt into Buckinghamshire Councils District Licence. If a great crested newt is encountered during works , all works must cease until advice has been sought from Natural England, as failure to do so could result in prosecutable offences being committed.

List of approved plans:

Received	Plan Reference
30.12.2020	Location Plan 1:1250 [Unnumbered]
30.12.2020	Existing Plans & Elevations [PD 01]
18.02.2021	Block Plan [PD 03]
28.07.2021	Proposed Plans & Elevations [PD 02]
28.07.2021	Tree Plan [PD 04]

Appendix A: Consultation Responses and Representations

Appendix B: Site Location plan

APPENDIX A: Consultation Responses and Representations

Councillor Comments

No comments received.

Parish/Town Council Comments

Wendover Parish Council: No objection

Consultation Responses (Summarise)

Rights of Way Officer: No comments from a rights of way perspective.

Highways Officer 12th January 2021: The property will gain one bedroom to become a four bedroom dwelling. The garage conversion will result in a reduction of two parking spaces on the site to bring the site down to having one parking space. The parking standards state a four bedroom dwelling must be served by at least three parking spaces. Therefore three parking spaces are required to be provided on a site plan.

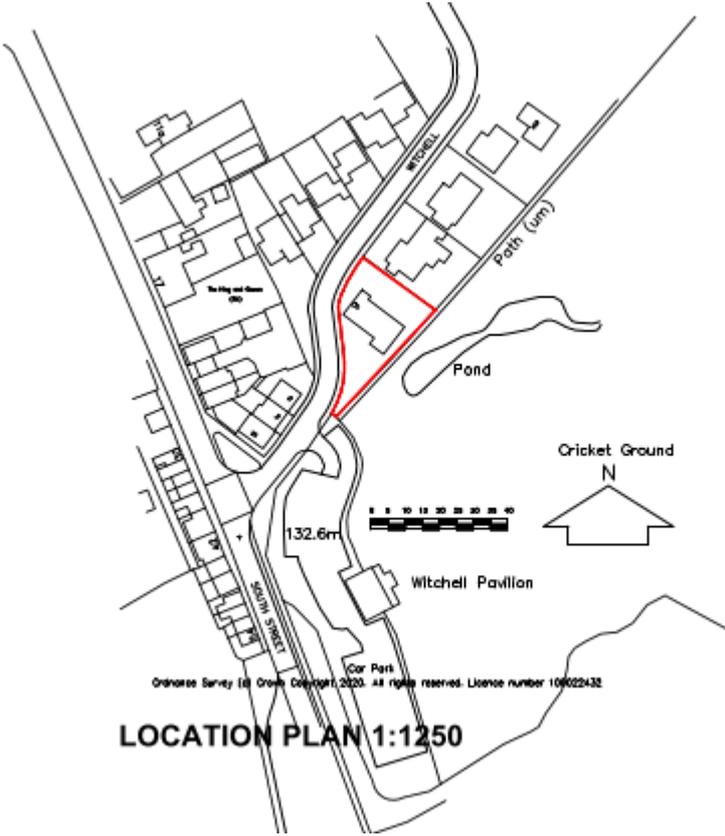
Highways Officer 10th March 2021: Amended plans show that the site contained three parking spaces. Since then, an amended plan showing that the site contains five parking spaces has been provided. Therefore, the site's parking arrangement is satisfactory.

Protected Species Officer: No Objection subject to conditions: Integrated feature/s for biodiversity required. Informative for great crested newts provided due to the proximity of the site to a nearby pond.

Representations

None received at the time this report was written.

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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