



## Report to Buckinghamshire Council – (Central Team) Planning Committee

---

<b>Application Number:</b>	22/01925/APP
<b>Proposal:</b>	Demolition of existing single garage and sheds. Construction of a double garage with ancillary home office
<b>Site location:</b>	Weston Lodge, 39 Brook End, Weston Turville, Buckinghamshire, HP22 5RJ
<b>Applicant:</b>	Mrs Morwenna Breen-Haynes
<b>Case Officer:</b>	Mr Naim Poptani
<b>Ward affected:</b>	WENDOVER, HALTON & STOKE MANDEVILLE
<b>Parish-Town Council:</b>	HALTON
<b>Valid date:</b>	16 June 2022
<b>Determination date:</b>	11 August 2022
<b>Recommendation:</b>	Approval

---

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

- 1.0 This application seeks householder planning permission for demolition of existing single garage and sheds and construction of a double garage with ancillary home office at first floor, access internally within the building.
- 1.1 The application site lies within the open countryside and outside of the built-up settlement and within the designated Weston Turville Conservation Area.
- 1.2 This application has been considered with regards to the adopted Development Plan and it is concluded that the development is acceptable in terms of its impact on the wider area, the historic environment, residential amenity and parking and would comply with Policies BE1, BE2, BE3 and T6 of the Vale of Aylesbury Local Plan and the National Planning Policy Framework 2021.
- 1.3 The application is referred to the Planning Committee because the applicant is a member of staff within the Planning, Growth and Strategy Department of Buckinghamshire Council. In accordance with the adopted Scheme of Delegation, such planning applications must be determined at the relevant Area Planning Committee so as to ensure openness and transparency.
- 1.4 Overall, having regard to the Development Plan and the NPPF, the application is

recommended for conditional approval.

## 2.0 Description of Proposed Development

- 2.0 The application site is located outside of the built-up settlement of Weston Turville and comprises a two-storey semi-detached dwelling.
- 2.1 To the south-west of the application site is the built up settlement of Weston Turville and to the north-east is the Aylesbury Rugby Football Club and open space. The Halton Airfield is situated to the south-east.
- 2.2 The site lies within the designated Weston Turville Conservation Area.
- 2.3 The application seeks the demolition of an existing single garage and 2 sheds and construction of a detached double garage with home office above.
- 2.4 The detached building would have a gross floor area measuring approximately 61 square metres and would include an open plan double garage/ storage with partitioned workshop. At first floor would be a home office and shower room. The building would have a maximum height of 5.8 m.
- 2.5 It would be constructed from a brick plinth with black horizontal timber weatherboarding above. Within the north-east roof slope would be two catslide dormers.
- 2.6 The application is accompanied by a Design and Access Statement and a Trees and Ecology checklist.
- 2.7 Amended plans have been received setting the building in from the east/north site boundary by 0.8 m. Further amendments were received replacing hipped dormer windows with cat slide dormer windows together with a new pitch roof above the workshop element replacing a proposed gable roof.

## 3.0 Relevant Planning History

Reference: 88/01471/APP

Development: Construction of vehicular access

Decision: Approved

Decision Date: 12 July 1988

## 4.0 Representations (*summarised below*)

Representations were received objecting to the proposed development from the occupier of No. 40 Brook End, this property forms the other half of the semi-detached pair.

Comments are summarised as follows:

- The three windows at ground level would invade privacy
- The original party wall boundary has been breached and is not set in 1 m from the boundary
- Materials not in keeping with the host dwelling
- Restricted access resulting in maintenance issues

- The enlargement of the grass area would conflict with the conditions on the original permission and would reduce the drive width further causing potential danger to users of the highway
- Would impact on 3 of the 4 elevations of Halton Lodge, given it is wider than the application dwelling
- Would block views of the Rothschild property when entering the village
- Would be bigger than the existing garage to the rear of Halton Lodge
- Represents overdevelopment of the plot and resembles a chalet bungalow rather than a garage
- The reason for refusal for a new dwelling under application ref: AV/84/76 would result in an undesirable outward expansion of the present built up limits of the village and its new access would cause danger and inconvenience to users of the highway
- No formal notification provided apart from a site notice attached to the front gate of Weston Lodge.

## 5.0 Policy Considerations and Evaluation

### 5.1 The Development Plan

Vale of Aylesbury Local Plan (VALP), adopted 15<sup>th</sup> September 2021

- Policy BE1 Heritage Assets
- Policy BE2 Design of New Development
- Policy BE3 Protection of Amenity of Residents
- Policy T6 Vehicle Parking

### Neighbourhood Plan

Weston Turville Neighbourhood Plan 2013-2033

- Policy H2 Development Design in the Neighbourhood Area
- Policy H3 Development within the Conservation Area

### Design Advice Leaflets & Guidance Notes

Residential Extensions

Conservation Area Appraisal

### National Policy

National Planning Policy Framework 2021

### 5.2 **Principle and Location of Development**

- 6.1 The application site lies outside of the built-up settlement of Weston Turville. There is generally restraint applied to proposals outside this area. However, in this instance the proposal relates to an ancillary residential building, replacing several existing ancillary buildings; there would be no significant intensification of residential use of the site. No new residential dwelling would be created. Given these facts it is not considered that an objection would be sustainable at appeal relating to matters of principle. No objections are therefore raised.

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

7.1 Policy T6 emphasises the need to ensure all development provide an appropriate level of car parking, in accordance with the standards set out in the VALP.

7.2 The detached double garage and driveway alterations would provide car parking spaces for up to 4 cars to serve the existing dwelling. The building itself would not increase parking requirements on site. The development would accord with the VALP.

7.3 The Council's Highways Officer was consulted and commented that the proposal would provide ample on plot parking and manoeuvring. Vehicles would be able to exit the driveway in forward gear. The development would not have a detrimental impact on the safety and operation of the adjacent highway.

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

5.3 Policy BE2 of the VALP indicates that development proposals shall respond appropriately to the site and surrounding, as well as the character, architecture, and natural qualities of the area. It also highlights that development should allow for visual interest.

5.4 Policy H2 of the Weston Turville Neighbourhood Plan states proposals for development in the neighbourhood plan area 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.

5.5 The proposed detached garage would be constructed in the same location as an existing single garage. Although the proposed building would be larger in terms of footprint it would be commensurate to that of the host dwelling and the size of the plot within which it located. The limited overall height, appropriate roof form and material choice would ensure that the building would be subordinate to the host dwelling.

5.6 The building is set back approximately 21 m from the highway and would be viewed in relation to the detached double garage belonging to 40 Brooke End. It is not therefore the view of officers that the building would appear at odds with the surroundings and would not intrude into the open space immediately to the north.

5.7 To ensure the detached building remains ancillary to the host property an appropriate condition is to be imposed. The proposal is considered to accord with the Policy BE2 of the Vale of Aylesbury Local Plan, H2 of the Weston Turville Neighbourhood Plan and the NPPF 2021.

#### 9.0 **Impact on Heritage Assets and Archaeology**

9.1 Policy BE1 of the VALP highlights that development should contribute to heritage values and impact must be assessed in proportion to the significance of the heritage asset.

9.2 Policy H3 of the Weston Turville Neighbourhood Plan seeks to conserve and enhance the Conservation Area. Development within or affecting a Conservation Area's setting must conserve or enhance the architectural and historic interest and must not harm the Conservation Area and should maintain the integrity of the street scene and sense of place.

- 9.3 The application dwelling lies within the designated Weston Turville Conservation Area and is identified as a Non Designated Heritage Asset (NHDA). The building is a Rothschilds Lodge building, now subdivided into two dwellings, both of which are Local Note Buildings in the Conservation Area (CA) appraisal document.
- 9.4 The Councils Heritage Officer was consulted. It was accepted that the existing structures are of no historical significance and therefore the principle of demolition and replacement with a new outbuilding is acceptable as it was considered that the proposal would 'tidy up' the garden and thus enhance the setting of the NDHA.
- 9.5 Heritage colleagues considered that the proposed building would be located on the corner of the plot set back from the dwelling and would not interrupt views of the NDHA when entering the village. The plot of the neighbouring property wraps around the application site to the rear and immediately behind the new garage and on the neighbouring plot is located a similar structure, this was noted and weight attributed.
- 9.6 There are no concerns or heritage objections over the proposed scale of the new building, windows, doors and materials are appropriate and in keeping with the character of the main dwelling.
- 9.7 The proposal is considered to accord with the Policy BE1 of the Vale of Aylesbury Local Plan, H3 of the Weston Turville Neighbourhood Plan and the NPPF 2021.

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

- 10.1 Policy BE3 of the VALP seeks to ensure that development proposals do not cause an adverse impact on residential amenity.
- 10.2 The proposal includes several openings at ground and first floor level. The south-west elevation of the structure faces toward the rear elevation of the host dwelling and No.40 and contains 3 windows at ground floor level. Coupled with the mutual 1.8m high fenced boundary and tall hedgerow no overlooking from these windows would take place. The ground and first-floor window situated within the front elevation of the garage and the dormer windows would face the applicant's own driveway and the open countryside immediately to the north, thus no overlooking to the detriment of neighbouring amenities would result.
- 10.3 The proposal would maintain a separation gap of approximately 13m between the 1.5 storey element and the rear wall of the host and neighbouring dwelling, this gap would be reduced to 9.4 m between the workshop projection and rear of adjacent properties. This separation represents a similar relationship than that which exists between the existing 2 sheds and adjacent dwellings. Amended plans have been received incorporating a hipped roof above the workshop (compared to the previously proposed gable) this further reduces visible bulk. Together with its subordinate ridge ensures that the building would not adversely impact the amenity of the neighbouring property in terms of loss of light and over-dominance. While neighbouring comments are noted, an objection on amenity grounds would not be sustainable at appeal.

#### 11.0 **Flooding and drainage**

- 11.1 The application site does not lie in a designated flood zone or critical drainage area.
- 11.2 The proposal is not considered to exacerbate the risk of fluvial and surface water flooding and would accord with Policy I4 of the AVDLP.
- 12.0 **Ecology**
- 12.1 The Council's Ecology officer was consulted and raised no objections subject to incorporation of 2 bird boxes within the proposed development. The site also lies in a Red Impact Zone for Great Crested Newts. Therefore, an informative is added advising the applicant of the procedure that should be followed if a Great Crested Newt is encountered during the works.
- 13.0 **Weighing and balancing of issues / Overall Assessment**
- 13.1 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.
- 13.2 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.
- 13.3 As set out above it is considered that the proposed development would accord with development plan policies BE1, BE2, BE3 and T6 of the Vale of Aylesbury Local Plan.
- 13.4 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].
- 6.0 **Working with the applicant / agent**
- 6.0 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.
- 6.1 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.
- 6.2 In this instance the applicant/ agent submitted amended plans, which were found to be acceptable and permission was granted.

## 7.0 Recommendation

7.1 Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that planning permission be GRANTED subject to appropriate conditions, to include the following:

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

Reason: To prevent the accumulation of 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 section 91 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 [1322-L1] received by the local planning authority on 25<sup>th</sup> May 2022 & Existing & Proposed Block Plans [1322-L2B] & Proposed Plans & Elevations [1322-G1C] received on 16<sup>th</sup> August 2022 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 Planning Authority.

3. The materials to be used in the development shall be as indicated on the approved plan 1322-G1C.

Reason: To ensure a satisfactory appearance to the development and to comply with policy BE1 & BE2 of the Vale of Aylesbury Local Plan, policy H2 & H3 of the Weston Turville Neighbourhood Plan and the National Planning Policy Framework 2021.

4. The detached building 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 Weston Lodge, 39 Brook End, Weston Turville, Buckinghamshire, HP22 5RJ. The building shall at no time be used as overnight accommodation on a rental basis or let out to a third-party business.

Reason: To preserve and maintain the residential character of the area in accordance with policy BE2 of the Vale of Aylesbury Local Plan and the National Planning Policy Framework 2021.

5. The scheme for parking, garaging, 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 in accordance with policy T6 of the Vale of Aylesbury Local Plan.

6. The development hereby permitted shall not be occupied until biodiversity features comprising 2 Bird box has been installed into the building on the north, north-east or north-west elevations. The feature shall have been installed as per its manufacturing guidelines and retained thereafter.

Reason: In the interests of improving the biodiversity of the area in accordance with policy NE1 of Vale of Aylesbury Local Plan and the National Planning Policy Framework 2021.

### **INFORMATIVE(S):**

#### **Great Crested Newts (European Protected Species)**

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 EPS mitigation licence from Natural England or the district licence distributed by Buckinghamshire Council. If a great crested newt is encountered during development, works must cease and advice should be sought from a suitably qualified ecologist.

#### **List of approved plans:**

<b>Received</b>	<b>Plan Reference</b>
25 May 2022	Location Plan [1322-L1]
17 August 2022	Existing and Proposed Block Plans [1322-L2B]
17 August 2022	Proposed Plans and Elevations [1322-G1C]

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

#### **Appendix B: Site Location plan**



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

## Councillor Comments

*No comments received at the time this report was written.*

## Parish/Town Council Comments (verbatim)

Weston Turville Parish Council: The proposed one and half story garage block is overdevelopment of the site and overbearing to the neighbouring property. It would result in loss of privacy enjoyed by that property. The proposed materials are out of keeping with the existing property.

Halton Parish Council: On reviewing the application Halton Parish Council is unclear of the purpose of the building. Is it a garage or a separate building and will it comply with the local plan? Is the size and structure appropriate with it's location? Note: Halton Parish Council did not receive the consultation documents from Bucks Council.

## Consultation Responses (Summarise)

### **Heritage Officer**

Comments: The principle of a replacement building is acceptable as it would replace 3 outbuilding including a garage and 2 sheds, and would tidy up the garden and thus enhance the setting of the NDHA.

The proposed new structure will not interrupt views of the NDHA on entering the village and behind the proposed new garage (on the neighbouring plot) is located a similar structure to that proposed which serves the neighbouring property.

There are no concerns and heritage objections over the proposed scale of the new building, windows, doors and materials are considered to be appropriate and in keeping with the character of the main dwelling.

### **Highways Officer**

Comments: The proposal would provide amply on plot parking and vehicles would be able to exit the driveway in a forward gear and therefore satisfied the proposal would not have a material impact on the safety and operation of the highway. No objection subject to condition.

### **Ecology**

Comments: No objection subject to incorporation of 2 bird boxes into the proposed development.

## Representations

### **Other Representations**

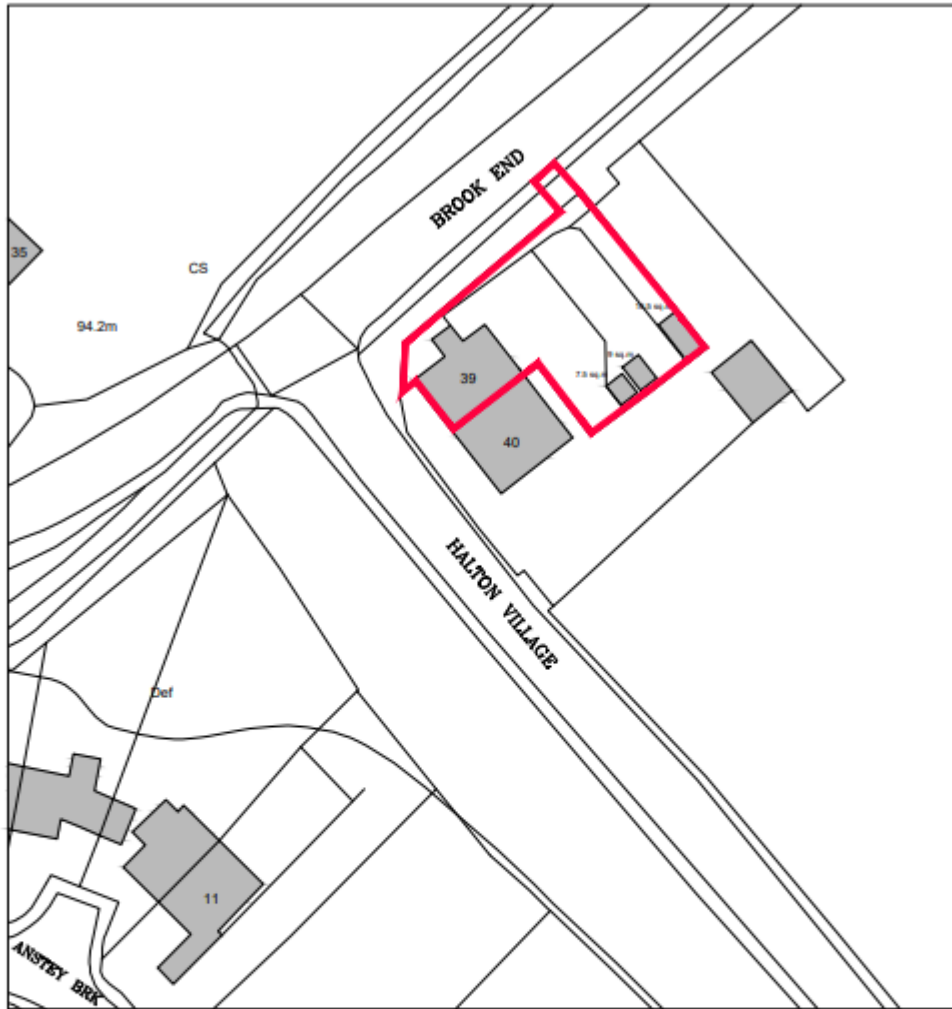
Comments have been received from the occupier of Halton Lodge, 40 Brook End objecting to the proposal:

#### *Summarise comments*

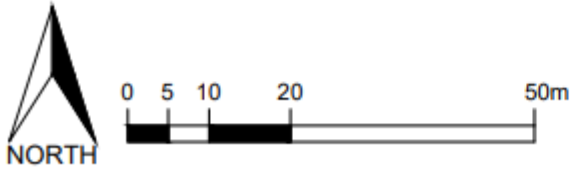
- The three windows at ground level would invade privacy

- The original party wall boundary has been breached and is not set in 1 m from the boundary
- Materials not in keeping with the host dwelling
- Restricted access resulting in maintenance issues
- The enlargement of the grass area would conflict with the conditions on the original permission and would reduce the drive width further causing potential danger to users of the highway
- Would impact on 3 of the 4 elevations of Halton Lodge, given it is wider than the application dwelling
- Would block views of the Rothschild property when entering the village
- Would be bigger than the existing garage to the rear of Halton Lodge
- Represents overdevelopment of the plot and resembles a chalet bungalow rather than a garage
- The reason for refusal for a new dwelling under application ref: AV/84/76 would result in an undesirable outward expansion of the present built up limits of the village and its new access would cause danger and inconvenience to users of the highway
- No formal notification provided apart from a site notice attached to the front gate of Weston Lodge.

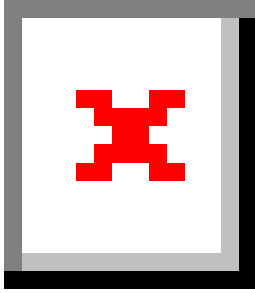
**APPENDIX B: Site Location Plan**



Ordnance Survey, (c) Crown Copyright 2022. All rights reserved. Licence number 100022432



**KEY**  
Site Boundary █



## **Do not scale – this map is indicative only**

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationary Office © Crown Copyright 2020. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Buckinghamshire Council, PSMA Licence Number 0100062456