



## Report to East Area Planning Committee

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<b>Application Number:</b>	PL/22/2702/FA
<b>Proposal:</b>	Single and double storey side and rear extensions and porch extension
<b>Site location:</b>	Tinto 25 Wheelers Orchard Chalfont St Peter Buckinghamshire SL9 0HL
<b>Applicant:</b>	Mr Ramesh Singamshetti
<b>Case Officer:</b>	Alex Wilson
<b>Ward affected:</b>	Chalfont St Peter
<b>Parish-Town Council:</b>	Chalfont St Peter Parish Council
<b>Valid date:</b>	8 August 2022
<b>Determination date:</b>	9 December 2022
<b>Recommendation:</b>	Conditional permission

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

- 1.1 This application seeks permission for single and two storey side and rear extensions and porch extension. The scheme has been amended since its submission to remove reference of three balconies.
- 1.2 The application is before the Planning Committee as Councillor Darby has indicated that she would like the application heard before Committee regardless of the Officer's recommendation.
- 1.3 The recommendation for the proposal is to grant conditional permission.

### 2.0 Description of Proposed Development

- 2.1 This application seeks permission for single and two storey side and rear extensions and porch extension.
- 2.2 The part two storey rear extension would attach to the south western elevation of the dwelling (to the north western side of the proposed two storey side extension) and would incorporate a gable ended roof to match that of the main dwelling roof form. The extension would approximately measure 4.95 metres in width, 2.93 metres in depth, an eaves height of 5.2 metres and a roof ridge height of 7.03 metres.
- 2.3 The part single storey side/rear extension would attach to the north western and south western elevations of the dwelling (to the north western side of the two storey rear

extension) and would feature a pitched roof incorporating rooflights. The extension would approximately measure a maximum width of 3.45 metres, a maximum depth of 9.19 metres, an eaves height of 2.4 metres and a roof ridge height of 2.8 metres.

- 2.4 The two storey side extension would attach to the south eastern elevation of the dwelling and would incorporate a subservient gable ended roof, being 0.53 metres lower than the main roof ridge. The side extension would approximately measure 3.3 metres in width, 7.13 metres in depth, an eaves height of 5.2 metres and a roof ridge height of 6.5 metres.
- 2.5 The front porch extension would attach to the north eastern elevation of the dwelling and would feature a gable ended roof. The porch would approximately measure 2.93 metres in depth, 1.884 metres in width, an eaves height of 2.5 metres and a roof ridge height of 3.05 metres.
- 2.6 As aforementioned, the application has been amended since its submission to remove reference of three balconies. Three windows have now been added to the south western elevation of the two storey side/rear extension at first floor level, with the windows at either side being indicated to be obscurely glazed and non-opening up to 1.7 metres above the floor area in which they would be situated.

### **3.0 Relevant Planning History**

- 3.1 None.

### **4.0 Summary of Representations**

- 4.1 Five letters of objection have been received - main points summarised below:
  - Extensions are large; restriction of light and sun into neighbouring dining room/kitchen/front bedroom; overbearing impact.
  - Balconies will have negative impact on privacy.
  - Overlooking into neighbouring garden.
  - Concerns regarding construction traffic and impact on shared driveway.
  - Concerns regarding noise pollution and impact on residents.
- 4.2 A letter by 'MZA Planning' on behalf of a resident has been received - main points summarised below:
  - Proposed extension would be significant in scale and heavy in terms of its brick-built construction.
  - Out of character; out of scale with original dwelling; footprint shape alien.
  - L-shaped extension would result in an awkward roof arrangement.
  - Fails to respect pattern of development of Wheelers Orchard.
  - Building mass moved closer to No. 23; considerably taller than existing boundary treatment between the two sites; solid brick structure in very close proximity to boundary.
  - Oppressive impact; overbearing and dominance would be directly contract to policies that seek to safeguard amenities of neighbours.
  - Significant reduction to level of daylight and sunlight to habitable rooms of No. 23 due its north-facing orientation.
  - No Daylight and Sunlight Assessment submitted

### **5.0 Policy Considerations and Evaluation**

- National Planning Policy Framework (NPPF), July 2021

- National Design Guidance, 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
- Chalfont St Peter Neighbourhood Plan
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule

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

Core Strategy Policies:

CS4 (Ensuring that Development is Sustainable)

CS20 (Design and Environmental Quality)

Local Plan Saved Policies:

GC1 (Design of development)

H13 (Extensions to dwellings in the built-up areas excluded from the Green Belt and in Policy GB4 and GB5 in the Green Belt)

- 5.1 The application site is located to the south western side of Wheelers Orchard, which is a cul-de-sac in Chalfont St Peter. The applicant property is a detached two storey dwellinghouse featuring a gable ended roof, with a long catslide 'Scandinavian style' roof, and a flat roofed front garage. There is also flat roofed side and rear ground floor built form.
- 5.2 Wheelers Orchard is characterised by residential dwellings of which are all similar in terms of style and architecture, with some other examples having a long side catslide roof projection. The application site is located within an Open Plan Suburban designated area, as identified within the Chiltern & South Bucks Townscape Character Study, which are typically of late 1960s-1970s development where there is a sense of space and openness to the front of the properties with no boundary treatment between the buildings and the street.
- 5.3 The site is located in the built up area of Chalfont St Peter where extensions to existing dwellings are acceptable in principle subject to complying with the relevant Policies of the Development Plan.

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

Core Strategy Policies:

CS4 (Ensuring that the development is sustainable)

CS20 (Design and environmental quality)

Local Plan Saved Policies:

GC1 (Design of development)

GC4 (Landscaping)

H11 (Distance between flank elevation(s) of a proposed multi-storey dwelling and boundary of dwelling's curtilage)

H13 (Extensions to dwellings in the built-up areas excluded from the Green Belt and in Policy GB4 and GB5 areas in the Green Belt - general policy)

H15 (Design and siting of extensions)

H16 (Distance between multi-storey or upper floor side and/or rear extensions and boundary of dwelling curtilage)

H17 (Distance between single storey side extensions and boundary of dwelling curtilage)

- 5.4 Local Plan Policy GC1 refers to the design and appearance of the development and requires all proposals to be assessed with regard to the scale of development, height, siting and relationship with adjoining boundaries and highway, car parking, materials, form, detailing of building work in sensitive locations and design against crime.
- 5.5 Local Plan Policy H13 states that extensions to dwellings within built-up areas will be acceptable providing that the character and appearance of the street scene would not be adversely affected. Additionally, Policy H15 requires that extensions respect the scale and proportion of the existing dwelling, with external materials that should harmonise well with the existing dwelling. Additionally, Policies H11 and H16 refer to a minimum of a 1 metre distance being retained to a side boundary at first floor level.
- 5.6 The Householder Development SPD advises that an important goal for any extension should be to harmonise with a building, striking a balanced visual relationship with its existing features and integrating in such a way that it does not adversely affect the character and appearance of the locality. Methods to achieve this include ensuring that an extension respects the scale and proportions of an existing building and relates well to the characteristics of a site in terms of its size and shape. The SPD also advises that extensions should avoid appearing excessively large in width and depth, particularly when it is visible within the streetscene, and that, where an extension could add to the visual bulk and depth of a building, attempts should be made to add visual breaks to an extension.
- 5.7 Further guidance on design issues can be found in the National Design Guide, 2019 (NDG). This sets out the ten characteristics of beautiful, enduring and successful places; three of which are "Context" (enhances the surroundings), "Identity" (attractive and distinctive) and "Built form" (a coherent pattern of development). Context is defined as the location of the development and the attributes of its immediate, local and regional surroundings. The NDG states that well-designed places are based on a sound understanding of the features of the site and the surrounding context, and should be integrated into their surroundings so they relate well to them. Further, it identifies that built form defines a pattern of streets and development blocks and that it is important to consider the layout and grain of buildings and spaces, in order to integrate new development into the existing character. Paragraph 25 highlights that the form of a building or a space has a relationship with the form of the wider place where it is sited.
- 5.8 In terms of the importance of looking at the wider street characteristics in this case, Paragraph 39 of the NDG emphasises that well-designed places are based on a sound understanding of the features of the site and the surrounding context, with well-designed places integrated into their surroundings so they relate well to them in terms of identity and character. This is expanded upon in Paragraph 49, which states that the identity or character of a place comes from the way that the buildings, streets and spaces, landscape and infrastructure combine together and how people experience them.
- 5.9 The site lies within an Open Plan Suburban area, as defined in the Council's Townscape Character Assessment, 2017 (TCA). It is characterised by its sense of space and openness with no boundary treatment between buildings and the roads. The main planning and design principles for this typology area include:
- Retain existing pattern of open plan landscaped frontages. The Introduction of enclosing boundary treatments should be avoided.

- Piecemeal redevelopment of individual plots or infill proposals may dilute the uniform character. New build development should be carefully designed to reflect the character, form and materials of the existing buildings.
  - Parking should be carefully integrated into these areas to avoid the introduction of hard landscaped front gardens to accommodate cars.
  - Grass verges and soft landscaping should be retained.
  - Preserve wooded backdrops that contribute to landscape character.
- 5.10 Additionally, the Study states that development that does not relate well to the predominant architectural style of the area is a threat to the character of the area, in terms of introducing different types and scales of architecture.
- 5.11 It is acknowledged that third party correspondence has been received citing objections in respect to a detriment upon the character of both the host dwellinghouse and the wider area.
- 5.12 The two storey side/rear extension would extend modestly rearwards being part in situ of the existing single storey rear built form. Similarly, the two storey side extension is considered to have a moderate sideward projection. Gable ended roof forms are used for both extensions, which are considered to be in keeping with the host dwelling, and the matching eaves level and subservient ridge height of the two storey side extension would not be highly prominent within the street scene. The single storey side/rear extension and porch are considered to be subordinate in form and scale. Furthermore, the footprint of the extensions are considered as being proportionate to the host dwelling.
- 5.13 In terms of the distance to the boundary, Policies H11 and H16 refer to a minimum of a 1 metre distance being retained to a side boundary at first floor level. In this case, the distance between the flank elevations of the two storey rear/first floor extensions and the flanked common boundaries appears to meet this minimum requirement. It is noted, however, that the two storey side extension would be sited closed to No. 23 (south eastern neighbour). Whilst this extension would be close to the neighbouring building, the setback of the side extension from the principal elevation of approximately 2.3 metres is considered sufficient to ensure that the two buildings do not appear as one when viewed from the street. It is also noted there is a similar smaller gap between the two dwellings on the other corner of this cul-de-sac. As such, the extensions are not considered to cause visual coalescence with the neighbouring building nor appear cramped within the plot.
- 5.14 The proposed fenestration is considered to be in keeping with the dwelling, including the amended first floor rear fenestration. Matching materials will be used as part of the works.
- 5.15 Overall, the works are considered to be in keeping with the host dwelling and would not result in a discordant form of development. Accordingly, the character and appearance of the locality would not be detrimentally affected.

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

Local Plan Saved Policies:

GC3 (Protection of amenities)

H13 (Extensions to dwellings in the built-up areas excluded from the Green Belt and in Policy GB4 and GB5 areas in the Green Belt - general policy)

H14 (Safeguarding the amenities of neighbours in relation to extensions)

- 5.16 The adopted Residential Extensions and Householder Development SPD states that developments should not dominate neighbouring properties, or result in important windows serving habitable rooms being presented with a building that appears visually intrusive or overbearing. A development should also not appear overbearing or visually intrusive when from neighbouring dwellings and/or their garden.
- 5.17 Furthermore, Local Plan Policy GC3 refers to the protection of amenities. It states that where amenities are impaired to a significant degree, planning permission will be refused.
- 5.18 In association with the assessment of potential loss of light and overshadowing, guidance within the Building Research Establishment (BRE) Report "Site layout planning for daylight and sunlight: a guide to good practice" (2011) would be utilised as a standard for assessing acceptable levels of visual amenity with concern to loss of light. In accordance with BRE Report guidance, a 45 degree line drawn from the mid-point of the closest rear facing window of any adjoining property to a two storey extension should not be intersected. Furthermore, a two storey extension should not appear overbearing when viewed from any neighbouring property.
- 5.19 It should also be noted any habitable rooms, including bedrooms, should have adequate levels of amenity. For instance, a bedroom should be served by a clear openable window, not to the detriment of the privacy of any neighbour.
- 5.20 It is acknowledged that third party correspondence has been received citing objections in respect to a detriment to neighbour amenity. In summary, the objections include overbearing impact, loss of light, overlooking and a reduction of privacy.
- 5.21 The south eastern common boundary shared with No. 23 is tapered, with the gap between the boundary and built form widening towards the rear of the gardens. The two storey side/rear extension would be sited a minimum distance of approximately 3.5 metres from this common boundary. It is noted that this area of the neighbouring garden (No. 23) is to the side of the dwellinghouse and does not form the main amenity area, which is to the rear of No. 23. The proposed extension would be sited well away from the main rear amenity area serving No. 23. Furthermore, it is noted that there are no windows along the south western elevation of No. 23.
- 5.22 Similarly, the two storey rear extension would be sited approximately 3.5 metres away from the north western common boundary shared with No. 28. A single storey side/rear element will be located close to this boundary, however given its moderate height and a gap (approximately 1.5 metres) is still maintained, this element is not considered to be highly prominent or obtrusive when viewed from the north western neighbouring site.
- 5.23 Given the siting of the first floor/two storey extensions away from the common flank boundaries and their moderate size and scale, including not extending significantly into the rear garden, it is not considered that the proposed works would cause an overbearing impact upon neighbours. In respect to concerns of a possible loss of light, as aforementioned the two storey extensions are sited sufficiently away from the common boundaries and as such are not considered to detrimentally affect light levels for the neighbouring sites. Concerns have been raised regarding the impact on No. 23, but due to the orientation, with No. 23 being located to the South of the application property, overshadowing would not occur. The extensions are also set sufficiently

away from the windows serving habitable rooms of the flanking neighbouring dwellings.

- 5.24 The originally proposed Juliet balconies have been removed from the proposal, with regular windows being proposed at first floor level to the rear elevation of the two storey side/rear extension. It is acknowledged that neighbouring properties (along Gravel Hill) and their rear gardens to the rear of the site are set at a lower level than the application site. The distance between the rear elevation of the two storey extension and the rear boundary would be approximately 11 metres. Given the inclusion of two outer obscurely glazed/non-openable windows (up to 1.7 metres above floor level) and a singular central clear glazed and openable window to allow for adequate amenity for 'Bedroom 1', it is considered that there would not be a significant impact of overlooking onto the neighbouring sites to the rear compared to the existing situation. A condition shall be recommended restricting the installation of additional north western, south eastern and south western (sides and rear) first floor windows (or above) to the extensions.

### **Transport matters and parking**

Buckinghamshire Parking Guidance September 2015

- 5.25 As per the Buckinghamshire Parking Standards (September 2015), three parking spaces are required for this level of development. Given the level of hardstanding to the front of the property which can accommodate two vehicles, and the retention of the garage for parking, it is considered that there would be an adequate level of parking available, having regard to the Council's standards. A condition shall be recommended ensuring that the existing hardstanding and garage shall be retained and reserved for the parking of vehicles.
- 5.26 In respect to concerns regarding construction traffic (including noise), it is deemed appropriate to add an informative advising the applicant of the Considerate Constructors Scheme.

### **Ecology**

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS24 (Biodiversity)

- 5.27 Informatives are recommended in respect to the applicant's duty in the event for the discovery of protected species including bats and birds during construction.

## **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 most of 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 (2021) 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.
- 7.3 In this instance:
- The applicant was provided with pre-application advice;
  - The applicant/agent was updated of any issues after the initial site visit;
  - 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.

## **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. The materials to be used in the external construction of the development hereby permitted shall match the size, colour and texture of those of the existing building.  
Reason: To ensure that the external appearance of the enlarged building is not detrimental to the character of the locality.
3. 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 windows/dormer windows other than those expressly authorised by this permission, or as subsequently agreed in writing by the local planning



authority, shall be inserted or constructed at any time at first floor level or above in the north western, south eastern and south western elevations of the extensions hereby permitted.

Reason: To protect the amenities and privacy of the adjoining property.

4. Before the first occupation of the extensions hereby permitted the two outer windows at first floor level in the south western (rear) elevation shall be fitted with obscured glazing and any part of the windows that are less than 1.7 metres above the floor of the room in which they are installed shall be non-opening. The windows shall be permanently retained in that condition thereafter unless agreed in writing by the Local Planning Authority.

Reason: To protect the amenities and privacy of the adjoining property.

5. The existing hardstanding to the front of the dwelling and garage shall be reserved for the parking of vehicles in connection with the residential occupation of the dwelling and shall not be used for any other purpose or made smaller in size.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of the highway.

6. 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>
28 Jul 2022	25WO01 Rev 5
17 Oct 2022	25WO02 Rev 8
28 Jul 2022	55WO03 Rev 5
17 Oct 2022	55WO04 Rev 7
9 Aug 2022	55WO05 Rev 1
9 Aug 2022	55WO06 Rev 5
28 Jul 2022	LOCATION PLAN
28 Jul 2022	SITE PLAN

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.

## **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 475679 or [planning.cil.csb@buckinghamshire.gov.uk](mailto:planning.cil.csb@buckinghamshire.gov.uk) for more information.

2. 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, injure or kill a bat; intentionally, recklessly or deliberately disturb a

roosting or hibernating bat; intentionally or recklessly obstruct access to a roost. Planning consent for a development does not provide a defence against prosecution under these acts. Buildings, other structures and trees may support bats and their roosts. 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. If a bat or bat roost 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.

3. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Buildings, trees and other vegetation are likely to contain nesting birds between 1st March and 31st August inclusive.
4. Due to the close proximity of the site to existing residential properties, the applicants' attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicles parking at the site or making deliveries, and general disruption caused by the works.

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

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

### **Councillor Comments**

Received 6<sup>th</sup> September 2022:

'I wish to call this application in to committee if the officers recommend granting permission.

The proposals are detrimental to the neighbouring properties, in particular no 23 which is north facing and already quite dark. The proposed side extension will take away much needed light and produce a cramped appearance to the street scene.

The proposed balconies appear to produce an unacceptable degree of overlooking on this sloping site.'

Received 9<sup>th</sup> November 2022:

'My call in request still stands after reviewing the revised plans:

The proposals are detrimental to the neighbouring properties, in particular no 23 which is north facing and already quite dark. The proposed side extension will take away much needed light and produce a cramped appearance to the street scene.'

### **Chalfont St Peter Parish Council Comments**

Received 6<sup>th</sup> September 2022:

'Object

Loss of light to number 23

Overlooking'

### **Consultation Responses**

N/A

### **Representations**

#### **Other Representations**

Five letters of objection have been received - main points summarised below:

- Extensions are large; restriction of light and sun into neighbouring dining room/kitchen/front bedroom; overbearing impact.
- Balconies will have negative impact on privacy.
- Overlooking into neighbouring garden.
- Concerns regarding construction traffic and impact on shared driveway.
- Concerns regarding noise pollution and impact on residents.

A letter by 'MZA Planning' on behalf of a resident has been received - main points summarised below:

- Proposed extension would be significant in scale and heavy in terms of its brick-built construction.
- Out of character; out of scale with original dwelling; footprint shape alien.
- L-shaped extension would result in an awkward roof arrangement.
- Fails to respect pattern of development of Wheelers Orchard.

- Building mass moved closer to No. 23; considerably taller than existing boundary treatment between the two sites; solid brick structure in very close proximity to boundary.
- Oppressive impact; overbearing and dominance would be directly contrary to policies that seek to safeguard amenities of neighbours.
- Significant reduction to level of daylight and sunlight to habitable rooms of No. 23 due to its north-facing orientation.
- No Daylight and Sunlight Assessment submitted