



## Report to West Area Planning Committee

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<b>Application Number:</b>	22/07275/FUL
<b>Proposal:</b>	Householder application for roof alterations including increase in ridge height and extended gable to rear, construction of two storey side, single storey side and two storey front and rear extensions and external alterations
<b>Site Location:</b>	4 Chequers Lane Cadmore End Buckinghamshire HP14 3PQ
<b>Applicant:</b>	Mrs Pauline Freeman
<b>Case Officer:</b>	Yee Chung Hui
<b>Ward(s) affected:</b>	Chiltern Villages
<b>Parish-Town Council:</b>	Lane End Parish Council
<b>Date valid application received:</b>	18th August 2022
<b>Statutory determination date:</b>	13th October 2022
<b>Recommendation</b>	Application Permitted

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

- 1.1 Planning permission is sought for the development of a two storey side extension, single storey side extension and two storey front and rear extensions and external alterations with alterations to materials, finishing and raise of ridge height from 7.3m high to 7.9m high. An inverted L-shaped balcony feature is attached to the first floor rear of the dwelling.
- 1.2 The application dwelling would be finished with a brick-base plinth with sand, cement and lime mix render and gable roof with plain tiles. The rear of the two storey side extension would consist of part timber or part tile cladding and matching rendering to the main dwelling.
- 1.3 The application was called up by a local member, Councillor Mark Turner, to consider the applicant in the next Planning Committee on the grounds of objections to the overbearing nature of the development posing adverse harm to the neighbours' amenity and the character and appearance of the proposal is visually incongruous with the locality and residential street scene.
- 1.4 A similar planning application was submitted under 21/08738/FUL and was later withdrawn.

1.5 The officer's recommendation is approval.

## 2.0 Description of Proposed Development

- 2.1 The application dwelling is situated at the end of a row of four residential dwellings with open green spaces to the south and beyond. The dwelling benefits from a spacious-sized plot. Dense hedgerows form the curtilage of the site to the western and northern boundary and a set of gates currently sit in front of the vehicle access.
- 2.2 There are no protected trees identified within the site curtilage, neither are any trees within proximity to the proposed development.
- 2.3 The proposed development seeks to transform the character of the dwelling with the introduction of a Tudor revival, gable end feature on the two storey front extension and a linear two storey side/rear extension to the left wing.
- 2.4 The existing single storey flat roof projection to the side and outbuilding would be demolished.
- 2.5 The development would consist of a two storey side/rear extension setback from the main dwelling, approximate 3.9m wide and lowered from the ridgeline of the property adjacent to no.3 Chequers Lane (Garden Cottage). It totals to 12m length with an inverted L-shaped balcony feature inserted to the first floor rear of the dwelling.
- 2.6 A separate, single storey side extension is attached to form the other wing, approximate 3.8m wide and no higher than 5.1m high with gable roof.
- 2.7 To the centre of the application dwelling, a two storey rear extension with gable end and double height glazing is inserted to the rear.
- 2.8 It is confirmed there are no garage outbuildings proposed within the planning application.
- 2.9 The application is accompanied by :
- a) Application form
  - b) Planning and Design Statement
  - c) Existing elevations
  - d) Proposed block plan and floor plans
  - e) Proposed elevations
- 2.10 The application site falls outside of any Green Belt, designated Conservation Area and curtilages of Listed Buildings. It is within Chilterns AONB and within Residential Parking Zone B of Chilterns Rise.
- 2.11 The site also falls within gas pipeline consultation area and within a green zone for suitable habitats for Great Crested Newts, which is the lowest category of suitability.

## 3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
93/06250/FUL	FORMATION OF AN OUTDOOR MANEGE	PER	5 October 1993
05/05794/CLE	For occupation of dwelling without complying with	GRCLE	7 June 2005

agricultural restriction imposed  
by condition 1 of W/85/6977

PI07/04206/MISC2	Installation of solar water heating system	REPLY	19 September 2006
07/07061/FUL	Installation of 1 x OPC 15 solar collector to the south east and north west roof slope ( 2 in total)	PER	12 October 2007
21/08738/FUL	Householder application for construction of two storey side, single storey side and two storey front extension, roof alterations including increasing ridge height, external material alterations and single storey detached garage	WDN	17 February 2022

#### 4.0 Policy Considerations and Evaluation

##### Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy)

DM1 (Presumption in favour of sustainable development), DM14 (Biodiversity in development), DM33 (Managing Carbon Emissions, Transport and Energy Generation), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality), DM39 (Managing flood risk and sustainable drainage systems)

4.1 The nature of the proposed development, extensions to an existing dwelling within an established residential area is acceptable in principle, subject to the compliance with the Adopted Local Plan Policies and the other material planning considerations.

##### Transport matters and parking

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), CP12 (Climate change)

DM2 (Transport requirements of development sites), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

Adopted Parking Guidance SPD

4.2 Given the enlargement of the dwelling, the application dwelling would form a 9 habitable room/4 bedroom dwelling within Residential Parking Zone B. The parking threshold is three parking spaces.

4.3 The existing parking provision is provided by the driveway in front of the dwelling. There are no alterations to existing parking arrangement in the proposal.

4.4 In this instance, the existing driveway and proposal would not result in any deficient number of on-site parking spaces and the parking arrangement is considered acceptable and compliance with the Adopted Parking Guidance recommendations.

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

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM30 (The Chilterns Area of Outstanding Natural Beauty), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality), DM36 (Extensions and Alterations to Existing Dwellings)

DSA: DM11 (Green networks and infrastructure)

Householder Planning and Design Guidance SPD, Chilterns Building Design Guidance

- 4.5 The site is located in the Chilterns Area of Outstanding Natural Beauty (AONB). Paragraph 176 of the NPPF requires great weight to be given to conserving and enhancing landscape and scenic beauty in AONBs. Under the Council's Adopted Local Plan Policies DM30, it requires development in the AONB to deliver the highest quality of design which respects the natural beauty and built heritage of the Chilterns and enhances the sense of place and local character.
- 4.6 There is a mixture of supporting letters and objections to the proposed development with regards to its visual appearance and design.
- 4.7 The proposed development introduces a design feature that is not commonly found within the general locality. The appearance and design of the Tudor gable end feature is not unduly incongruous and would not harm the pattern of development and characteristics amongst the four residential units. It is noted the individual dwellings along this residential street are not particularly defined by a uniform design. Apart from the use of bricks and plain tiles, the neighbouring dwellings are varied in form, size and appearance.
- 4.8 With the dense hedgerow to the northern curtilage and gated access, the gable end feature to the front and height of the raised ridgeline is partially visible from street scene and public views, but they are not detrimental to the character and appearance of the local area. The proposed height of the dwelling with an increase of 0.6m is not over-prominent and of similar height to the adjacent unit, no.3 Chequers Lane (Garden Cottage). As such, the development is not overly-prominent and would not be detrimental to the character and appearance of the area.
- 4.9 With the proposal sitting alongside other buildings in Chequers Lane, the development of the two storey side and rear extensions, in terms of their size, siting and bulk are not considered to detract from the existing residential plots, street pattern and the scale and form of existing buildings. The development is comfortably situated within the site curtilage and sufficient separation is retained from the shared boundary to the adjacent dwelling, no.3 Chequers Lane. The proposal is considered to comply with Adopted Local Plan Policies DM30.
- 4.10 In terms of the size and building footprint of the extensions, whilst the length of the side extension is quite deep, it is of a scale, form and orientation to the main dwelling which remains subservient to the house.
- 4.11 To the rear of the dwelling, the two storey gable end features and balconies are introduced to integrate and relate with the front gable end feature with a modern approach. The rear design features are not directly visible from any public views, and there are no objections to the innovative design of the proposal.
- 4.12 In general, the proposed development is not detrimentally harmful to the appearance, character, and setting of the application dwelling, residential street, neighbourhood and special qualities of the Chilterns AONB.

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

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality), DM36 (Extensions and Alterations to Existing Dwellings)  
Householder Planning and Design Guidance SPD

- 4.13 Representations have been received from neighbouring properties regarding the amenity impact of the proposal. Both supporting and objecting comments have been received.
- 4.14 In respect of no.3 Chequers Lane (Garden Cottage), although the two storey rear wing is due south to the neighbour, its positioning is clear of the 45 and 60 degree light angle guidance. In addition, there is no overshadowing to the rear of the neighbour's property due to the dense hedgerow boundary treatment along the shared boundary. There is no loss of light as such.
- 4.15 The neighbour, no.3 Chequers Lane (Garden Cottage), has no existing side openings at first floor level. The positioning of the rear openings and balconies would cause no unacceptable loss of privacy to this neighbour
- 4.16 Given the height, depth and separation of over 2m to no.3 Chequers Lane, the proposal is not considered overbearing or over-dominant to the detriment of the amenities and outlook of the habitable openings of no. 3 Chequers Lane (Garden Cottage).
- 4.17 As such, the application submitted is not detrimental to the neighbours' residential amenities and outlook.

### **Ecology**

Wycombe District Local Plan (August 2019): DM13 (Conservation and Enhancement of Sites, Habitats and Species of Biodiversity and Geodiversity Importance), DM14 (Biodiversity in Development), CP10 (Green infrastructure and the Natural environment), DM34 (Delivering Green Infrastructure and Biodiversity in Development)  
Biodiversity Net Gain SPD

- 4.18 The application site is outside of any priority habitats area and ecological sites.
- 4.19 Given the nature of the proposal has the potential impact to roof spaces, consultation comments were sought from the Ecology Officer. There is not a reasonable likelihood of protected species including bats being present and/or affected by the proposed development. Therefore, no supporting ecological information was necessary.

### **Green networks and infrastructure**

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth), CP10 (Green infrastructure and the Natural environment), DM11 (Green Networks and Infrastructure), DM15 (Protection and enhancement of river and stream corridors), DM34 (Delivering Green Infrastructure and Biodiversity in Development)

- 4.20 In terms of green infrastructure, Policy DM34 requires all development to protect and enhance both biodiversity and green infrastructure features and networks both on and off site for the lifetime of the development. No assessment has been provided with this proposal so it falls to the Local Planning Authority to consider what would be proportionate for the development proposed.
- 4.21 In this instance, the proposed extensions are likely to result in partial loss of tall hedgerow and grassed garden areas to the northern boundary.
- 4.22 Conditions and suggestions on ecological enhancement features were recommended by the Ecology Officer to ensure a net gain in biodiversity. A condition is proposed to install

the bird box prior to the completion of works. In addition, an informative would be attached to inform the applicant about legislation protecting nesting birds and bats.

### **Environmental issues**

Wycombe District Local Plan (August 2019): CP12 (Climate change), DM20 (Matters to be determined in accordance with the NPPF – contamination and pollution), DM33 (Managing Carbon Emissions: Transport and Energy Generation), DM35 (Placemaking and Design Quality)

4.23 There are no matters observed regarding environmental impact such as light, noise, pollution and contamination.

### **Flooding and drainage**

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth), CP12 (Climate change), DM39 (Managing Flood Risk and Sustainable Drainage Systems)

4.24 The application site falls outside of any Flood Zones and surfacing water flooding areas.

4.25 The proposal has no harmful effects to the flooding risk of the application site.

### **Building sustainability**

Wycombe District Local Plan (August 2019): CP12 (Climate change), DM33 (Managing Carbon Emissions: Transport and Energy Generation)

4.26 In order to address the Adopted Local Plan Policies DM33, The Planning and Design Statement has outlined the proposed development would consist of locally sourced materials and development would seek to achieve beyond the minimum standards of the thermal and energy efficiency performance of Building Regulations.

4.27 The utilisation of environmentally friendly insulation, thermal efficiency glazing, solar gain and reduction of water consumption is proposed within the design of the development.

4.28 In this instance, there are no objections to the proposal.

### **Infrastructure and Developer Contributions**

Wycombe District Local Plan (August 2019): DM19 (Infrastructure and delivery), CP7 (Delivering the Infrastructure to Support Growth)

4.1 The development is a type of development where CIL would be not be chargeable.

## **5.0 Weighing and balancing of issues / Overall Assessment**

5.1 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.

5.2 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

- 5.3 As set out above it is considered that the proposed development would accord with most of the development plan policies and officer's decision is approval recommendation.
- 5.4 In line with the Public Sector Equality Duty the LPA must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation). The application provides for a residential development comprising roof alterations including increase in ridge height and extended gable to rear, construction of two storey side, single storey side and two storey front and rear extensions and external alterations. The development is to the applicant's home and no discrimination or inequality would arise from the proposal.
- 5.5 The Human Rights Act 1998 Article 1 the protection of property and the peaceful enjoyment of possessions and Article 8 the right to respect for private and family life, have been taken into account in considering any impact of the development on residential amenity and the measures to avoid and mitigate impacts. It is not considered that the development would infringe these rights.

## **6.0 Working with the applicant / agent**

- 6.1 In accordance with paragraph 38 of the NPPF 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. 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 application has been called up to planning committee for consideration by local member, Cllr Mark Turner. The agent/applicant has been notified of this and following discussion and further considerations, the applications submitted is considered to be in compliance with the Adopted Local Plan Policies and the officer's recommendation is approval.

## **7.0 Recommendation**

Application Permitted, subject to the following conditions:

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 of the Town and Country Planning Act 1990 (As amended).
2. The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers 1888/01; 1888/P05; 1888/P06; unless the Local Planning Authority otherwise first agrees in writing.  
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.

3. The materials to be used for the external surfaces, including walls, roofs, doors and windows of the development hereby permitted shall be of the same colour, type and texture as those specified under the schedule of materials, Design and Access Statement and or matching to those used in the existing building, unless the Local Planning Authority otherwise first agrees in writing.

Reason: To secure a satisfactory external appearance.

4. The development will result in the partial loss of grassed garden area and partial loss of tall hedges to the side of the application site.

All development is expected to result in a net increase in biodiversity and ecological features proportionate to the development proposed. In order to compensate for the loss and increase biodiversity opportunities, within one month of the completion of the proposed conversion works, a plan and photographs demonstrating the location of at least one integrated bird box installed beneath the eaves on the northerly elevation of the main dwelling ideally above 5m high, must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the bird box(es) shall be retained for the lifetime of the development unless first agrees with the local planning authority.

Reason: To comply with the requirements of policy DM34.

## Informative

### Protection of bats and their roosts

1. 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.

### Protection of breeding birds during construction

2. 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.



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

### Councillor Comments

Local member, **Cllr Mark Turner** has called application on the 31<sup>st</sup> Jan 2022 to planning committee for consideration:

I am concerned that this development will have an overbearing effect on the neighbouring property's amenity. It will be built very close to the neighbour's boundary and the plan sees the roof height being increased. It may result in some loss of light to the South West side of the neighbour's property. I understand this was previously an agricultural worker's house built with an Ag Tag under W/85/6977 and this is reflected in the street scene. Permitted use for the current resident was obtained to release them from this restriction. The large extension changes the character of the street scene of 4 small cottages may be considered incongruous. For these reasons, if planners are minded to approve I would like to ask that this application is referred to the planning committee.

### Parish/Town Council Comments

#### **Lane End Parish Council:**

Objection - The previous application, despite no objections from the PC only "a neighbour's concerns over potential loss of light/privacy noted" were rejected by the planning authority: "the application is recommended for refusal on the grounds of impact to street scene, locality and out of keeping with the application dwelling. The new plans do little to answer this refusal & as suggested would be better sighting the extension on the other side of the existing dwelling.

Updated comments - The previous application, despite no objections from the PC only a Neighbour's concerns over potential loss of light/privacy noted were commented on by the planning authority with the following:- the application is recommended for refusal on the grounds of impact to street scene, locality and out of keeping with the application dwelling. The original plans were withdrawn following this comment. The new plans do little to answer this original recommendation for refusal & as suggested would be better sighting the extension on the other side of the existing dwelling.

### Consultation Responses

#### **Ecology Officer:**

No Objection, subject to a planning condition securing a biodiversity feature on site. Informatives for bats and nesting birds are provided.

#### **DISCUSSION**

Documents submitted to inform the application including Proposed Block Plan, Site Plan and Proposed Floor Plans (Highway Associates Architects, September 2022), aerial and street photography and site and species records held by the Buckinghamshire & Milton Keynes Environmental Records Centre (BMERC) have been reviewed. Additional photographs provided upon request were also reviewed.

The proposals directly impact the existing roof space. Upon review of the photographs of the existing dwelling on site, It is considered that there is not a reasonable likelihood of protected species including bats being present and/or affected by the proposed development. Therefore, no supporting ecological information is required.

The applicant should be reminded of the legislation that protects bats and nesting birds. Informatives have been provided below.

Opportunities to improve biodiversity in and around developments should be integrated as part of their design in line with recognised good practice and national policy on biodiversity and sustainability (National Planning Policy Framework 2021). Should this application be granted, a planning condition should be applied to secure the provision of biodiversity enhancement within the proposed development.

One swift box should be integrated into the main dwelling on a northerly aspect/orientation (north, north-east and north-west). Example specification includes the Manthrope 'GSWB' Swift Brick (<https://www.nhbs.com/manthorpe-swift-brick>) or the Vivara Pro Cambridge Brick Faced Swift Nest Box (<https://www.nhbs.com/vivara-pro-cambridge-swift-nest-box>). The box should be located high within the gable wall, ideally above 5m high, below the overhang of the verge and barge board.

## CONDITIONS

### Securing specific biodiversity outcomes on site

Within one month of the completion of the proposed conversion works, a plan and photographs demonstrating the location of at least one integrated bird box installed beneath the eaves on the northerly elevation of the main dwelling ideally above 5m high, must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development provides gains in biodiversity through ecological enhancements are achieved in line with policy DM34.

## INFORMATIVES

### Protection of bats and their roosts

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.

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## LEGISLATION, POLICY AND GUIDANCE

### Opportunities to improve biodiversity

The NPPF (2021) Paragraph 180d states "When determining planning applications, local planning authorities should apply the following principles.... development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity

in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."

### Representations

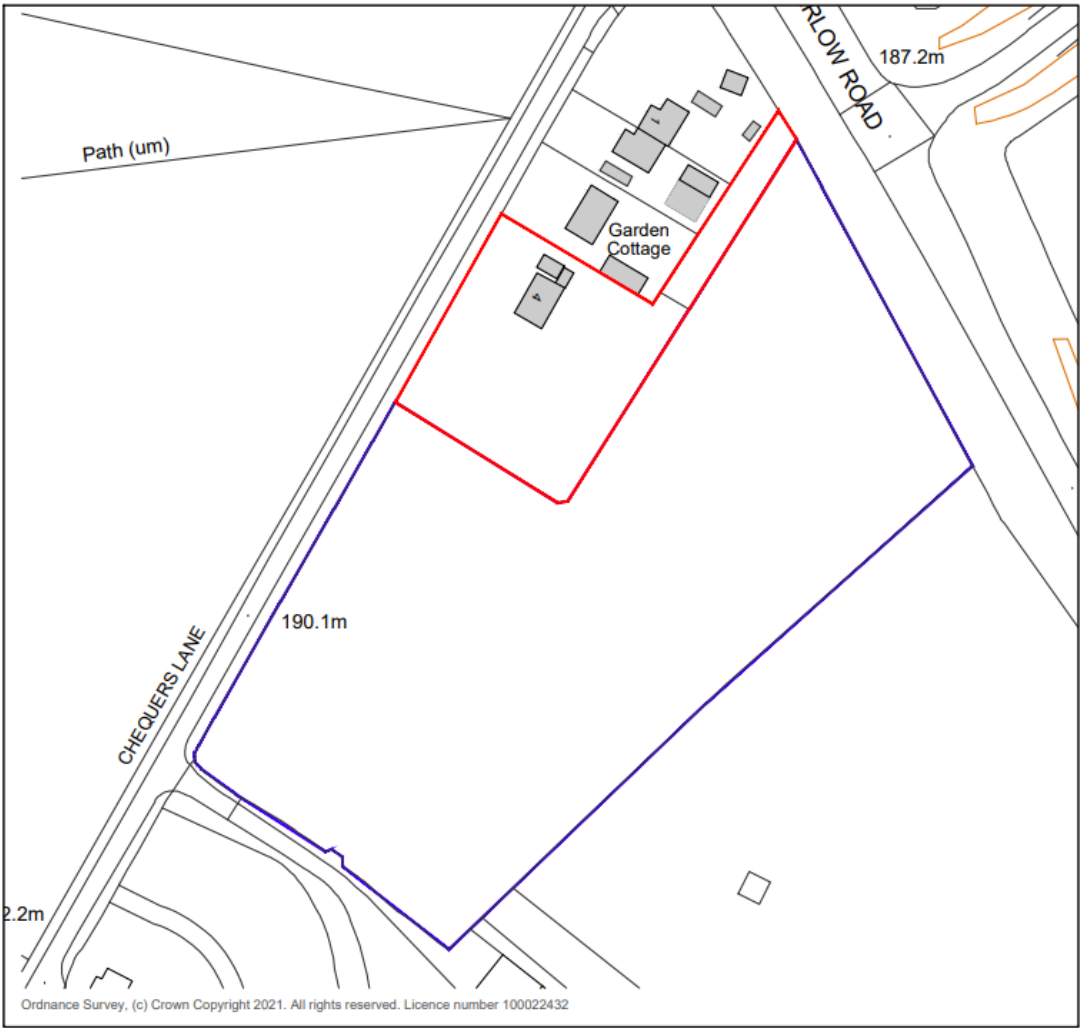
Two letters of objection received raising the following concerns:

- Double height of extension would have overbearing impact and detrimental impact to neighbour's property
- Adverse impact to the enjoyment of the neighbour's property
- Loss of light
- Recommend resubmission of scheme and the proposed extension to be re-configured to the south-west side of the property to avoid any impact to the neighbours

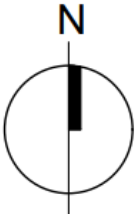
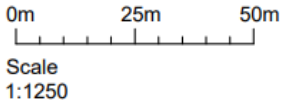
Eight letters of supporting comments received from neighbours and general public:

- Proposed development is in line with the local development, not adversely affecting the visual appearance of the local area with sympathetic design features and improvement to the dwelling's energy efficiency
- Proposal is not adversely harmful to the neighbour's amenity with no loss of light and privacy from the proposed design (due to both the design and the applicant's hedgerows);
- It is neither overbearing and over-dominant in terms of the height and location of development set back from the boundary to neighbour

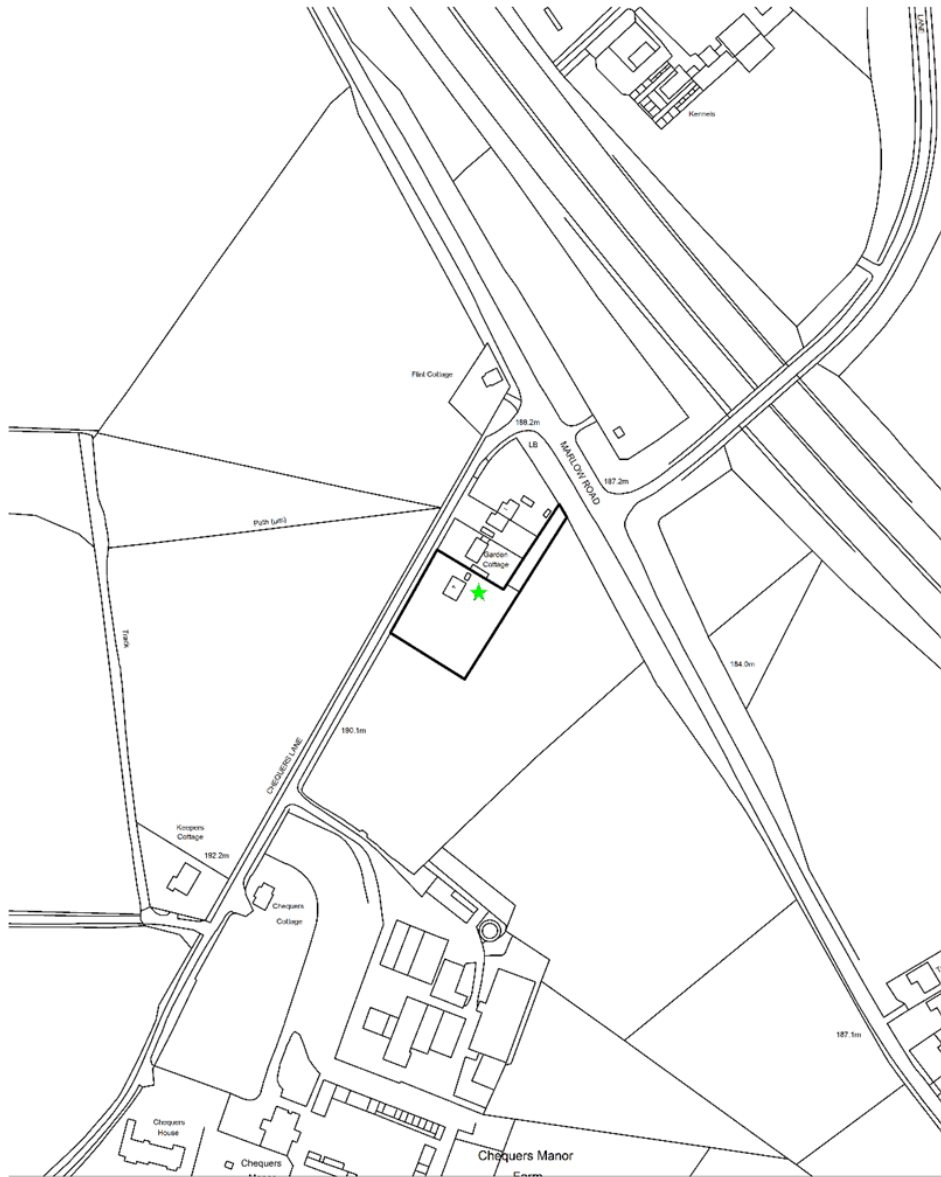
# APPENDIX B: Site Location Plan



## Location Plan 1:1250



22/07275/FUL  
Scale 1/2500



Planning Committee  
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