



Report to West Area Planning Committee

Application Number:	22/05263/FUL
Proposal:	Householder application for construction of ancillary residential outbuilding, including external alterations (retrospective)
Site Location:	2 Sycamore Cottages Church Road Lane End Buckinghamshire HP14 3HL
Applicant:	Mr James Ansell
Case Officer:	Jackie Sabatini
Ward(s) affected:	Chiltern Villages
Parish-Town Council:	Lane End Parish Council
Date valid application received:	18 March 2022
Statutory determination date:	13 May 2022
Recommendation	Approval

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1. This application seeks planning permission for the construction of an ancillary residential outbuilding, including external alterations (retrospective).
- 1.2. The application site comprises No 2 Sycamore Cottages, a semi-detached two storey dwelling and a detached outbuilding situated in a large plot sat well back from the highway. The property is located off Church Road where the surrounding properties are of various sizes, design and markedly different characteristic, most of which are more visually dominant within the street scene.
- 1.3. No 2 Sycamore Cottages is part of a pair of semi-detached properties where due to its orientation from the main road it sits behind attached neighbour No 1 Sycamore Cottages when viewed from the street scene. The site is bounded by fencing and mature vegetation with views across the open countryside to the rear.
- 1.4. The site is located within the Chilterns Area of Outstanding Natural Beauty and the Lane End Conservation Area. Numbers 1 & 2 Sycamore Cottages are identified as important buildings within the Lane End Conservation Area Appraisal.

- 1.5. The development is considered to comply with the relevant Development Plan policies and is therefore recommended for approval subject to conditions.
- 1.6. The application is before Committee because the local Member, Councillor Cllr Zahir Mohammed has requested it.

2.0 Description of Proposed Development

- 2.1 This application seeks retrospective planning permission for the construction of an ancillary residential outbuilding, including external alterations. Amended plans have been received correcting anomalies in the plans which were originally submitted.
- 2.2 The application is accompanied by:
- a) Plans as amended
 - b) Ecology Wildlife Checklist
 - c) Heritage Statement

3.0 Relevant Planning History

Ref	Development	Decision	Decision Date
11/07621/CTREE	Fell 1 x Sycamore Tree (T1	NMKO	22 December 2011
11/07623/HEDGE	Removal of hedgerow	APPRET	
11/07807/FUL	Householder application for Construction of part two storey, part single storey side extension and rear conservatory to No.1 Sycamore Cottages and construction of single storey front extension and rear conservatory to No.2 Sycamore Cottages and re-positioning of entrance	PER	3 February 2012
12/05068/CTREE	Repollarding of 3 x existing sycamore trees along boundary with no 1	NMKO	9 February 2012
13/06957/FUL	Householder application for removal of existing garage and outbuildings and erection of timber clad barn for use of garage, garden store and garden room	PER	11 October 2013
15/08152/FUL	Householder application for removal of existing garage and outbuildings, erection of replacement single storey timber clad garage/store/garden room building. Appeal:APP/K0425/D/16/3144956	REF Appeal allowed	4 January 2016 13 June 2016

17/08032/CTREE	2-3 Metre reduction to 1 x Ash (Tree A), crown lift to achieve 5m clearance over the road/drive and 2.5m over the footpath to 3 x Hornbeam (Tree B, C & D), re-pollard 6 x Sycamore ((Tree E, F, G, I, J & K) and 1m reduction in height and up to 2m reduction of the lateral branches overhanging the garden (to a suitable branch union) to 1 x Oak (Tree H)	NMKO	18 December 2017
20/07054/CTREE	S1 to S6 (Sycamore) Repollard to knuckles/previous pruning points. O1 (oak) Reduce to previous pruning points. O2-3 (3 oak in total) Initiate pollarding regime through staged reduction to approximately 2m O4 (oak) Crown reduction by approximately 2m to contain the tree within its setting and maintain as a smaller specimen	NMKO	29 September 2020

4.0 Policy Considerations and Evaluation

Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

DSA: DM1 (Presumption in favour of sustainable development).

4.1 The construction of an ancillary outbuilding in the garden of 2 Sycamore Cottages is acceptable in principle, subject to all other planning considerations being taken account of.

Transport matters and parking

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

4.2 Church Road is a C-class road subject to a speed restriction of 30mph with no parking or waiting restrictions in place. The road benefits from a pedestrian footway.

4.3 This retrospective application proposes the retention of an ancillary residential outbuilding. It is noted that the development will be ancillary to the existing main dwelling; thus it is not expect this development will lead to a significant increase in vehicular movements. Therefore, the Highway Authority is satisfied the proposal will not have a material impact upon the safety and operation of the public highway.

4.4 Nonetheless, having assessed parking area within the site curtilage, the Highway Authority is satisfied this area is sufficient to accommodate the optimum level of parking required when assessed using the 'Buckinghamshire Countywide Parking Guidance' policy document.

- 4.5 Mindful of the above, the Highway Authority raises no objections and in this instance no conditions to include on planning consent granted.

Raising the quality of place making and design

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

- 4.6 Comments specific to Heritage assets are contain below see para 5.31. At this point, it is useful to provide a summary on the planning issues relevant to this application. A similar building was previously granted planning permission at appeal on under planning reference 15/08152/FUL, ref Appeal 15/OAPP/K0425/D/16/3144956. The building as permitted was for the erection of a detached single storey L-shaped timber clad garage/store/garden room building following removal of an existing garage and outbuildings. The garage and outbuildings to be removed were individual units scattered over a larger footprint than the proposed with a slightly lower ridge height.

However, the outbuilding in situ, has not been built in accordance with the approved plans under planning reference 15/08152/FUL, ref Appeal 15/OAPP/K0425/D/16/3144956.

- 4.7 The building built has a larger overall footprint and larger front gable end, addition of 1st floor fenestration and roof lights, bathroom/WC & kitchen facilities, solar panels, and a chimney.
- 4.8 The outbuilding used as a separate unit has since been the subject of an Enforcement Notice, which the applicant later appealed. The appeal was dismissed the enforcement notice upheld with a variation.
- 4.9 The breach of planning control, as alleged in the notice, was without permission, the erection of a detached building used as a self-contained independent dwelling. The following three paragraphs summarise the Inspector's decision.
- 4.10 The building occupies a similar siting to the building in the approved scheme, using similar external materials comprising dark coloured timber clad walls above a brick plinth, with a slate roof. In terms of the deviations in size from the approved scheme, it was not disputed that the dwelling is around 2 m greater in depth, the depth of the garden elevation gable end having also increased by around 1.5 m. In addition, there was no dispute that the dwelling is around 0.5 m wider, with an increase in the overall height varying from around 0.6 m at the front to approaching 1.5 m at the rear.
- 4.11 In terms of overall scale, the dwelling has a relationship to the cottages and the surroundings not dissimilar to that of the building in the approved scheme. The dwelling retains the stepped profile reducing as the ground falls away towards the rear of the site and it utilises a pitched roof form with traditional external materials appropriate to the surroundings. From Church Road, the dwelling is seen as a single storey structure, the roofline of which does not exceed the eaves level of No 2. From other viewpoints, the dwelling appears taller than a single storey structure but as the overall height does not exceed the eaves level of No 2, it is seen as an appreciably lower built feature. The apparent increase in height at the rear has been offset in part by digging further into the sloping ground. In addition, the increase in size has been accommodated without appreciably eroding the sense of spaciousness in the grounds of No 2 over and above the approved scheme. As a result, the increased size notwithstanding, the dwelling is not viewed as a disproportionately large built feature in relation to the cottages or its surroundings when

compared to what was previously approved.

4.12 It is important to note that the inspector has stated that as the notice does not allege erection of a building used as ancillary accommodation, such a use is not part of the matters stated in the notice as constituting a breach of planning control; it is a different form of development, involving materially different planning considerations and would be assessed against other Development Plan policies. Consequently, whether planning permission should be granted for the building for use as ancillary accommodation is not a matter before me.

4.13 This application does not attempt to argue the Inspector's decision, but now proposes an alternative scheme to address the issues raised by the Inspector. The proposal is for an ancillary residential outbuilding and not a separate dwelling as considered by the inspector in the appeal.

4.14 The current application proposes the following changes to the existing structure on site: The changes are to remove all fenestration at first floor level and above to include all roof-lights but with the exception of the gable end window in the south side elevation, removal of 2 x full height ground floor windows in the east side elevation and removal of all solar panels, the roof chimney and all bathroom facilities. A condition will be attached to any permission granted requiring all unauthorised works to be removed by a specified period of time in order to provide certainty of the removal of unauthorised works.

4.15 To provide some context of the difference in size between the approved structure and the structure that has been built see below table and floor plan:

Reference	Approved Plan Measurements in metres PP 15/08152/FUL	On Site Measurements in metres of built structure	Increase
1 width of garage	3.5	3.9	0.4
2 depth of garage	6.4	6.89	0.49
Overall depth of building	11.9	14.29	2.39
3 & 5 depth of south gable end	4.5	4.6	0.1
4 Width of south gable end	4.75	6.4	1.65
6 width of east elevation projection	3.5	4	0.5
Roof			

Eaves of east gable	3	3.6	0.6
Ridge	4.4	6	1.6
Eaves of south gable	3	4	1
Ridge	4.6	6	1.4
Eaves of west gable	2.3	2.4	0.1
Ridge	3.8	4.45	0.65

- 4.16 To simplify, in terms of the deviation in size from the approved scheme, it is not disputed that the building is around 2m greater in depth, the depth of the garden elevation gable end having also increased by around 1.5m. In addition, there is no dispute that the building is around 0.5m wider, with an increase in the overall height varying from approximately 0.6m at the front to approaching 1.5m at the rear. It is noted that the footprint of the outbuilding as previously permitted was reduced when compared to the original garage and outbuildings removed and the apparent increase in height at the rear has been offset in part by digging further into the sloping ground due to the sloping nature of the garden and this does result in a building with a ridge not significantly higher than that already approved or a larger footprint that that already removed.
- 4.17 The building proposed for retention occupies a similar siting to that previously permitted by way of an appeal under reference 15/08152/FUL, using similar external materials comprising dark coloured timber clad and flint wall, brick base above a brick plinth, with a slate roof to match the existing main dwelling and
- 4.18 The outbuilding retains a stepped profile, reducing as the ground falls away towards the rear of the site. It utilises a pitched roof form with traditional external materials appropriate to the surroundings.
- 4.19 From Church Road, the outbuilding is seen as a single storey structure with a roofline which does not exceed the eaves level of No 2 Sycamore Cottages. It is noted that the outbuilding does appear taller than a single storey structure to the rear. However, as previously mentioned, there has been some tiered garden excavation and the overall height does not exceed the eaves level of No 2 and it is still seen as an appreciably lower built feature.
- 4.20 The slight difference in footprint between the previously permitted building and the building proposed for retention does not materially change its relationship with the cottages when compared with the previously permitted building and it is not viewed as a disproportionately large built feature in relation to the cottages or its surroundings when compared to the previously permitted building.
- 4.21 When taking the above into consideration although the ancillary residential outbuilding has a slightly larger form than that permitted under planning reference 15/08152/FUL, ref Appeal 15/0APP/K0425/D/16/3144956, it is important to note that this proposal is for an ancillary residential outbuilding and not a separate dwelling and it would be difficult to argue that any significant impact to the application site, the main dwelling, the Conservation Area, the AONB location or the area in general from that already approved by the Planning Inspector under reference 15/08152/FUL has occurred in this case that

would justify refusing planning permission subject to condition.

Amenity of existing and future residents

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality), DM40 (Internal space standards)

Housing intensification SPD

- 4.22 The application site has three immediate neighbours; attached neighbour No 1 Sycamore Cottages to the west, Withurst to the north and Oak Cottage to the south.
- 4.23 The application site is located on a hillside that slopes significantly downwards from northwest to the southeast and as such semi-detached properties Nos 1 & 2 Sycamore Cottages sit on an elevated position when compared to the outbuilding as does Oak Cottage.
- 4.24 Due to location and topography, attached neighbour 1 Sycamore Cottage has limited viewing of the outbuilding and both neighbouring properties Withurst and Oak Cottage are some distance away;
- 4.25 It is acknowledged that issues with regard to some mutual overlooking have been raised by nearby property Oak Cottage to the south due to the increase in glazing. However, Oak Cottage is set at a different orientation to the outbuilding where the outbuilding faces towards the rear garden of Oak Cottage and any potential overlooking is done over the intervening garden of No 2. Sycamore Cottage. When compared with the approved scheme, although the increase in size and corresponding increase in the extent of the glazing in the gable end does mean that the outbuilding is seen as a slightly more obvious built feature from Oak Cottage, there is already glazing here and it would be difficult to argue that any increased sense of being overlooked due to the increase in glazing is likely when given the significant distance between the outbuilding and Oak Cottage, or any other property nearby for that matter.
- 4.26 Maturing planting on the boundary with No 2 also helps to frame views of the dwelling from Oak Cottage and breaks up the apparent extent of the glazing. Such planting is likely to be most effective during the summer months, i.e., at a time when residential occupiers are likely to be spending more time in their gardens. Also, as the gable end is at an oblique angle to Oak Cottage there is limited opportunity for direct views of that property from the outbuilding.
- 4.27 Due to the distance between neighbours the outbuilding does not impinge on the Council's light angle guidelines when measured from the nearest habitable room window of any neighbouring property.
- 4.28 When taking account of the above the outbuilding has not resulted in the occupiers of any neighbouring property experiencing an appreciably greater sense of being overlooked, loss of light or overbearing issues compared to that of the approved scheme that would justify refusing planning permission.

Landscape Impact and Heritage Assessment

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM31 (Development Affecting the Historic Environment), DM30 (Chilterns Area of Outstanding Natural Beauty) DM32 (Landscape character and Settlement Patterns,) DM34 (Delivering Green Infrastructure and Biodiversity in Development)

- 4.29 Outbuildings of this size and scale are not uncommon in rural locations such as this and it is important to note that the application site already has planning permission granted for

a very similar building previously permitted by way of an Appeal to the Secretary State for planning reference 15/08152/FUL under APP/K0425/D/16/3144956.

- 4.30 The proposed scheme has been reviewed in detail by planning and conservation officers. The Heritage Officer has been invited to comment on this application.
- 4.31 In heritage terms, the key issue here is the effect of the dwelling on the character and appearance of the area, including the Chilterns Area of Outstanding Natural Beauty (AONB) and whether the character or appearance of the Lane End Conservation Area (CA) is preserved or enhanced.
- 4.32 The application site contains a semi-detached cottage (No 2 Sycamore Cottages) set back from and orientated at a right angle to Church Road, in spacious grounds. No 2 and the attached cottage (No 1) are of traditional character and external materials. The cottages are identified in the Lane End Conservation Area Appraisal as an important building in the conservation area.
- 4.33 The building occupies a similar position to that approved building (under Ref: 15/08152/FUL) and uses similar external materials (timber cladding with a brick plinth, with a slate roof).
- 4.34 However, the approved scheme was considered acceptable since it was for a simple ancillary structure with a solid, functional and unassuming appearance, reflecting the qualities of a traditional rural outbuilding. In comparing the approved scheme with that constructed, the building has significantly larger opening in the garden elevation due to the increased depth and height of the gable end. There are also extra openings in the rear elevation and a number of roof-lights. This has increased size and number of openings, the amount of glazing in the elevations and creates a residential character with the building having a greater assertive appearance, unlike a traditional vernacular outbuilding.
- 4.35 In heritage terms, the outbuilding as constructed therefore causes unacceptable harm to the character and appearance of the conservation area and also fails to conserve the landscape of the AONB.
- 4.36 The application would only be considered acceptable in Heritage terms if the first floor fenestration was removed including the roof-lights and rear gable, 2 x full length ground floor windows in the rear elevation removed and the chimney and PV panels.
- 4.37 Amendments to the scheme now show the first floor fenestration including the roof-lights and rear gable, 2 x full length ground floor windows in the rear elevation removed, chimney and PV panels removed.
- 4.38 No harmful impact to the application site, the Conservation Area or the character and appearance of the wider AONB location would occur as a result of this application that would justify refusing planning permission.
- 4.39 In order to protect the existing character of this sensitive location, it is considered that the outbuilding should not be severed from the main residential use of the site. Therefore a planning condition should be imposed which prevents the severance of the outbuilding from the existing planning unit if given planning permission.

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 (in this case, CIL)
 - c. Any other material considerations
- 5.3 As set out above it is considered that the proposed development would accord with the development plan policies.

6.0 Working with the applicant / agent

- 6.1 In accordance with paragraph 38 of the NPPF Buckinghamshire Council (BC) 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. BC 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 The original plans show external and internal facilities that result in a building that is tantamount to the creation a separate dwelling. The agent and applicant were informed that the Council could not support the construction of a separate independent dwelling within the application site and the outbuilding would need to remain ancillary to the main dwelling; having some reliance on the main dwelling and not used as a separate unit that has potential to be used independently or rented out.
- 6.3 In this instance amended plans have been sought and received. Amendments to the scheme show the removal of internal and external facilities as requested. Amendments include: removal of all fenestration at first floor level and above to include roof lights and windows, removal of 2 x full height ground floor windows in the east side elevation and removal of all solar panels, the roof chimney and all bathroom facilities. A condition will be attached to any permission granted requiring all unauthorised works, to be removed by a specified date in order to provide some certainty of the removal of these unauthorised works.
- 6.4 The amended plans were considered acceptable.

7.0 Recommendation

Application Permitted

Subject to the following conditions and reasons:

- 1 The development hereby permitted shall be completed and retained in accordance with the details contained in the planning application hereby approved and plan number BC1, BC2, (P21 received 26.01.2023) 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.

2 The building hereby permitted shall be demolished in its entirety and all materials removed from site within 60 days of the date of failure to meet any of the requirements set out in i) to iii) below:

i. Within two months of the date of the permission a scheme, to include plans and timetable, for the removal of:

- all fenestration at first floor level and above to include roof-lights and windows, with the exception of the gable end window in the south side elevation.
- 2 x full height ground floor windows in the east side elevation
- all solar panels,
- the roof chimney
- all bathroom facilities

shall have been submitted for the written approval of the local planning authority.

ii. If within eight months of the date of this decision the local planning authority refuse to approve the scheme, or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as valid by the Secretary of State.

iii. The approved scheme shall have been carried out and completed in accordance with the approved timetable.

iv. Upon implementation of the approved scheme, specified in this condition, that scheme shall thereafter be maintained for the life of the development.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

Reason: To ensure a satisfactory standard of development within the Conservation Area and Area of Outstanding Natural Beauty.

3 All development is expected to result in a net increase in biodiversity proportionate to the development permitted. In order to compensate for the loss and increase biodiversity opportunities, within three months of this permission a bird nesting box shall either be incorporated into or be attached to the outbuilding. This shall thereafter retained for the lifetime of the development.

Reason: To comply with the requirements of policy DM34.

4 The development hereby permitted shall only be occupied in connection with and ancillary to the occupation of the existing main dwelling (No2 Sycamore Cottages) and shall at no time be severed and occupied as a separate independent unit.

Reason: To prevent the undesirable establishment of a separate independent unit not in accordance with the policies for the area.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order), no development falling within Classes A, B, C and E of Part 1 of Schedule 2 shall be carried out without the prior, express planning permission of the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider the effect of any future proposals on the character and amenity of the locality.

INFORMATIVE(S)

- 1 In accordance with paragraph 38 of the NPPF Buckinghamshire Council (BC) 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. BC 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.
- 2 In this instance amended plans have been sought showing the removal of solar panels, a chimney and fenestration alterations. The original plans show external and internal facilitates that are tantamount to the creation a separate dwelling. The agent/applicant were informed that the Council would not support the construction of a separate independent dwelling within the application site and any outbuilding would need to remain ancillary to the main dwelling and not an independent unit that has potential to be used independently or rented out.
- 3 New plans were submitted showing a building that is reliant on the main dwelling by removing the bathroom/WC, solar panels, a chimney and fenestration alterations the building. These plans were considered acceptable.

APPENDIX A – 22/05263/FUL

Consultations and Notification Responses

Ward Councillor Preliminary Comments

Councillor Zahir Mohammed

Comment: As previously raised, I raise objections to this due to the reasons explained before and the much large footprint than the original buildings and request a call in.

Parish/Town Council Comments/Internal and External Consultees

Lane End Parish Council

Comments: 2 Sycamore Cottages - Objection

(Agreement on the findings of the appeal decision august 2021) June 2016 permission for "replacement single storey timber clad garage/store/garden room granted. Erected building deviates significantly from approved scheme (windows, chimney, mez floor, kitchen, bathroom, dwelling space). The building effects the character & appearance of the area (AONB, conservation area). Effects on adjoining properties (privacy, noise, disturbance, parking). Appeal decision august 2021 states the dwelling has caused unacceptable harm to the character & appearance of the area. Detrimental effect of occupiers of 1 Sycamore cottages, Oak cottage & Withurst. Pedestrian & vehicle access in front of existing cottages causing unacceptable levels of noise & disturbance. The dwelling has no outdoor amenity space. The dwelling harms the character & appearance of the area. The appeal decision was for demolition within 9 months of the appeal date (by May 2022). Summary - a complete disregard for planning rules, the environment & the effect of this development on neighbouring properties.

Highways Authority

Comments: Church Road is a C-class road subject to a speed restriction of 30mph with no parking or waiting restrictions in place. The road benefits from a pedestrian footway.

This application proposes construction of an ancillary residential outbuilding.

I note that the development will be ancillary to the existing main dwelling; thus I do not expect this development will lead to a significant increase in vehicular movements. Therefore, I am satisfied the proposal will not have a material impact upon the safety and operation of the public highway.

Nonetheless, having assessed parking area within the site curtilage, I am satisfied this area is sufficient to accommodate the optimum level of parking required when assessed using the *Buckinghamshire Countywide Parking Guidance* policy document.

Mindful of the above, the Highway Authority raises no objections and in this instance no conditions to include on any planning consent that you may grant.

Conservation and Listed Buildings Officer

1ST Comments: Recommendation: As the NPPF states, heritage assets are an irreplaceable resource and it is important to conserve them in a manner appropriate to their significance. From a heritage perspective, the proposal fails to comply with s.72 of the P (LB&CA) A 1990, policy DM31 and DM35 of the WLP and heritage advice in the NPPF.

Information Considered: Location Plan Block Plan Plans and Elevations as Built Approved Plans Existing Plans and Elevations Timber Louvre Precedents Heritage Statement

Comments: This proposal is for the construction of an ancillary residential outbuilding including external alterations (retrospective). In heritage terms the key issue is the effect of the dwelling on the character and appearance of the area, including the Chilterns Area of Outstanding Natural Beauty (AONB) and whether the character or appearance of the Lane End Conservation Area (CA) is preserved or enhanced.

The application site contains a semi-detached cottage (No 2 Sycamore Cottages) set back from and orientated at a right angle to Church Road, in spacious grounds. No 2 and the attached cottage (No 1) are of traditional character and external materials. The cottages are identified in the Lane End Conservation Area Appraisal as an important building in the conservation area.

The existing residential outbuilding is at a right angle from the front elevation of the No.2 Sycamore Cottages. The building has garaging to the front with one-bedroom accommodation arranged over two floor levels at the rear.

The building occupies a similar position to that approved building (under Ref: 15/08152/FUL) and uses similar external materials (timber cladding with a brick plinth, with a slate roof). In terms of its size the building is around 2m greater in depth, 1.5m greater in depth with the garden gable elevation, is 0.5m wider and has increased in height varying from 0.6 m at the front to 1.5m at the rear. The increase in height at the rear has been partly offset by digging further into the sloping ground.

However, the approved scheme was considered acceptable since it was for a simple ancillary structure with a solid, functional and unassuming appearance, reflecting the qualities of a traditional rural outbuilding.

In comparing the approved scheme with that as building and proposed, the building has significantly larger opening in the garden elevation due to the increased depth and height of the gable end. There are also extra openings in the rear elevation and a number of roof lights. This has increased size and number of openings, the amount of glazing in the elevations and creates a residential character with the building having a greater assertive appearance, unlike a traditional vernacular outbuilding. The dwelling also does not respect the largely linear pattern of residential development in the area and is at odds with the open, spacious and green visual qualities. This also in my view erodes the setting of the cottages and diminishes their contribution to the conservation area as important buildings.

In heritage terms the dwelling therefore causes unacceptable harm to the character and appearance of the conservation area and also fails to conserve the landscape of the AONB. Para 199 of the NPPF confirms that great weight should be given to the asset's conservation and Para 200 requires that any harm to the significance of a designated heritage asset (from its alteration or development within its setting) should require clear and convincing justification.

The development is considered to cause less than substantial harm to the designated heritage asset. In such circumstances, Para 201 of the NPPF states that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. There are no public benefits that outweigh the harm caused to the designated heritage asset and as such is not sufficiently justified and is therefore contrary to policy DM31 and DM35 of the WLP and the requirements of the NPPF.

2ND Comments: Recommendation: As the NPPF states, heritage assets are an irreplaceable resource and it is important to conserve them in a manner appropriate to their significance. From a heritage perspective, the proposal current proposal fails to comply with s.72 of the P (LB&CA) A 1990, policy DM31 and DM35 of the WLP and heritage advice in the NPPF.

Design amendments are therefore requested. If these amendments are not carried out, this proposal should be refused on heritage grounds.

Additional Information Considered: Amended Plans and Elevations Comments: This proposal is for the construction of an ancillary residential outbuilding including external alterations (retrospective). In heritage terms the key issue is the effect of the dwelling on the character and appearance of the area, including the Chilterns Area of Outstanding Natural Beauty (AONB) and whether the character or appearance of the Lane End Conservation Area (CA) is preserved or enhanced.

The application site contains a semi-detached cottage (No 2 Sycamore Cottages) set back from and orientated at a right angle to Church Road, in spacious grounds. No 2 and the attached cottage (No 1) are of traditional character and external materials. The cottages are identified in the Lane End Conservation Area Appraisal as an important building in the conservation area.

The existing residential outbuilding is at a right angle from the front elevation of the No.2 Sycamore Cottages. The building has garaging to the front with one-bedroom accommodation arranged over two floor levels at the rear. The building occupies a similar position to that approved building (under Ref: 5/08152/FUL) and uses similar external materials (timber cladding with a brick plinth, with a slate roof).

However, the approved scheme was considered acceptable since it was for a simple ancillary structure with a solid, functional and unassuming appearance, reflecting the qualities of a traditional rural outbuilding.

In comparing the approved scheme with that as building and proposed, the building has significantly larger opening in the garden elevation due to the increased depth and height of the gable end. There are also extra openings in the rear elevation and a number of roof-lights. This has increased size and number of openings, the amount of glazing in the elevations and creates a residential character with the building having a greater assertive appearance, unlike a traditional vernacular outbuilding. In heritage terms the dwelling as proposed therefore causes unacceptable harm to the character and appearance of the conservation area and also fails to conserve the landscape of the AONB.

The application would only be considered acceptable if all the below changes are carried out as amendments:

- o Remove all first floor fenestration including the roof lights and rear gable end window**
- o Remove the 2 full length ground floor windows in the rear elevation**
- o Remove the chimney and PV panels**

Para 199 of the NPPF confirms that great weight should be given to the asset's conservation and Para 200 requires that any harm to the significance of a designated heritage asset (from its alteration ... or development within its setting) should require clear and convincing justification. The development is considered to cause less than substantial harm to the designated heritage asset. In such circumstances, Para 201 of the NPPF states that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. There are no public benefits that outweigh the harm caused to the designated heritage asset and as such is not sufficiently justified and is therefore contrary to policy DM31 and DM35 of the WLP and the requirements of the NPPF.

Representations

The concerns and comments of the general public are summarised below:

40 x Objections received to include duplication:

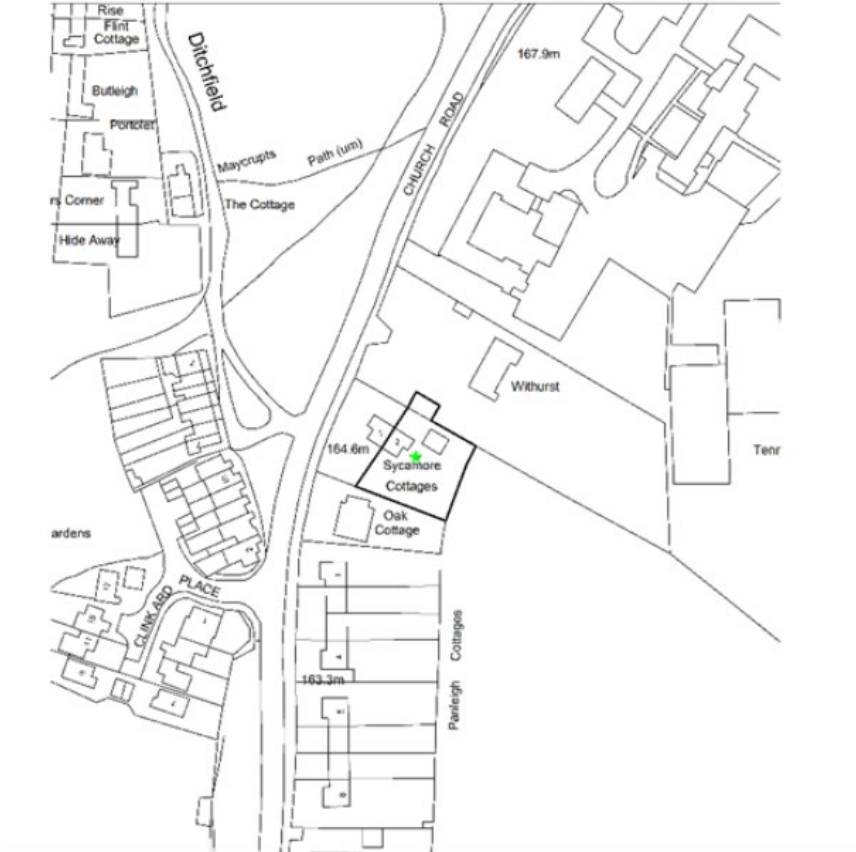
- Overlooking
- Out of keeping
- Potential as independent unit
- Should be demolished as per planning inspector's decision.

11 x supporting the application:

- In keeping with area
- Well designed
- Improvement of previous sheds
- Not noticeable from footpath

APPENDIX B: Site Location Plan

22/05263/FUL
Scale 1/2500



Planning Committee
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