



Report to East Area Planning Committee

Application Number:	PL/23/0568/FA
Proposal:	First floor front/side/rear extension with accommodation in roof, alterations to front and rear dormers and changes to doors and windows
Site location:	Austenwood Nursing Home, 29 North Park, Chalfont St Peter, Buckinghamshire, SL9 8JL
Applicant:	Salveo Care
Case Officer:	David Wood
Ward affected:	Chalfont St Peter
Parish-Town Council:	Chalfont St Peter Parish Council
Valid date:	1 March 2023
Determination date:	3 June 2023
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application proposes a first floor extension to the side, and projecting towards the rear, of the existing nursing home, above an existing single storey flat roofed section. The extension is fairly large, but it is very similar to a previous extension permitted in 2011, which was not built. This 2011 permission included a similar first floor extension, plus single storey extensions. Whilst the first floor extension was not built, the single storey extensions were constructed. This means the 2011 permission was implemented and the first floor extension remains extant and could be completed at any time, which is an important material consideration. Officers consider the currently proposed first floor extension to be of a better design and appearance than that previously permitted, and it is largely of a very similar size and scale.
- 1.2 Chalfont St Peter Parish Council requested that this application was referred to the Planning Committee in the event of the Officers recommending approval. After discussion with the Chair, it was agreed to bring it to the Planning Committee.
- 1.3 Recommendation – conditional permission.

2.0 Description of Proposed Development

- 2.1 The application proposes a first floor front/side/rear extension to the nursing home, with accommodation in roof, alterations to the front and rear dormers and changes to doors and windows. It would be largely on top of the existing single storey flat roofed projection to the side of the main part of the building. It would not extend the footprint of the building and would remain set off the side boundary. The existing large front dormer would be replaced, by a total of three smaller dormers on the extended front roofslope.
- 2.2 The application is accompanied by:
 - a) A Design and Access Statement.

3.0 Relevant Planning History

- 3.1 CH/2011/0406/FA - First floor extension above existing flat roofed section, single storey side/rear extensions and creation of lower ground floor/basement extension to provide additional accommodation. Conditional permission. The single storey extensions were built, but the first floor extension was not built. However, as the permission has been implemented (i.e. started), the first floor extension remains extant in perpetuity and could be completed at any time.

4.0 Summary of Representations

- 4.1 10 letters of objection have been received, detailed in Appendix A.
- 4.2 The Parish Council object, also detailed at Appendix A.

5.0 Policy Considerations and Evaluation

- Core Strategy for Chiltern District - Adopted November 2011
- Chiltern Local Plan adopted 1 September 1997 (including alterations adopted 29 May 2001), consolidated September 2007 and November 2011.
- Chalfont St Peter Neighbourhood Plan 2013-2028.
- National Planning Policy Framework (NPPF), 2021.
- National Design Guide, revised 2021
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- Burnham Beeches Special Area of Conservation (SAC) Mitigation Strategy, March 2020
- Sustainable Construction and Renewable Energy SPD - Adopted 25 February 2015.
- Buckinghamshire Parking Standards SPD, 2015 (Adopted 2021).
- Biodiversity Net Gain SPD, 2022.

Principle and Location of Development

Core Strategy Policies:

CS1 (The spatial strategy)

CS29 (Community)

Local Plan Saved Policies:

CSF1 (Provision of Community Services And Facilities In The Built-up Areas Excluded From The Green Belt)

Neighbourhood Plan Policy: LC2: Retention of, improvements to, replacement and expansion of existing healthcare facilities will be supported.

- 5.1 Local Plan Policy CSF1 relates to the provision of community services and facilities in the built up areas. It states that development for such uses will be acceptable provided the development complies with the criteria set out in the Policy. Criterion (i) states that the proposed development should not involve the loss of residential land or an existing dwelling. As the development is to extend the existing residential care home there is no conflict with this criterion. Criteria (ii) and (iii) state that the proposal should not be detrimental to the character and appearance and amenities of the area in which it would be located by reason of its appearance, layout, noise, traffic generation, vehicle parking, loss of landscaping or general disturbance and must comply with other relevant and related Local Plan Policies. It therefore falls to be assessed whether the proposal complies with criterion (ii) and (iii) of Policy CSF1.
- 5.2 Policy CS29 mainly relates to new community services rather than their expansion, but it does state that the Council will ensure inclusiveness within its local communities by encouraging the provision of community facilities.

Raising the quality of place making and design, including impact on heritage assets

Core Strategy Policies:

CS4 (Ensuring that the development is sustainable)

CS20 (Design and environmental quality)

CS29 (Community)

Local Plan Saved Policies:

GC1 (Design of development)

GC4 (Landscaping)

CA1 (Works to buildings in Conservation Areas as defined on the Proposals Map)

CA2 (Views Within, out of, or into the Conservation Areas as defined on the Proposals Map)

- 5.3 The site lies within the North Park and Kingsway Conservation Area, wherein development must preserve or enhance the character and appearance of the Conservation Area. The Conservation Area (CA) appraisal for the North Park and Kingsway CA states that the area consists predominantly of “substantial, good quality detached houses dating from 1901 to 1930”. It is further stated that “most of the original houses are so little, or so subtly, altered that the area retains much of its original character as an early twentieth century low density villa estate for commuters”. Many properties have been substantially extended since this guidance was published, however the extensions permitted retain the character and appearance of the Conservation Area. The elements that make up the character of the Conservation Area are cited as including the trees and hedges, between which substantial houses are seen. The appraisal highlights a line of trees on the boundary with No. 25 as an important group of

trees and the two large trees on the front boundary of the site as important individual trees.

- 5.4 The Neighbourhood Plan Appendices set out an analysis of each character area within the village. In the North Park Area, it notes the Arts and Crafts architecture, highlighting the key features including tiled roofs, often steeply pitched and sometimes multi-gabled, chimney stacks with numerous chimney pots, walls painted white on pebble dash render, smooth render or plain brick, exposed beams, decorative tile or brick features, and windows with leaded lights or small rectangular panes.
- 5.5 The existing building at the site already has a different character to others in this predominantly residential Conservation Area due to its size, use as a residential care home and the presence of signage associated with the use. It acts as more of a landmark building within the conservation area, especially as it truncates the view looking down the spur of North Park, looking NE. The existing large flat roofed side/rear extension is an uncharacteristic addition in the Conservation Area and is clearly visible in the street scene. It is unsympathetic to the character of the existing building as well as the wider conservation area. The front part of this would be removed as the proposed first floor extension would be above the frontmost portion of the existing flat roofed extension, serving to screen wider views of the remainder of this large expanse of flat roof towards the rear.
- 5.6 The proposed first floor extension, largely to the side of the main part of the existing building, would be built to the same eaves and ridge heights as the existing two storey building and would reflect its design and appearance, incorporating similar detailing such as stone quoins to the corners of the building and window detailing. Although the resulting building would be relatively wide, reducing the views of the vegetation on the boundary with No. 25, this vegetation is substantial in height and would still form a backdrop for the building. The trees themselves would not be affected by the works, as they are further to the rear. Furthermore, this limited loss of views of vegetation would be balanced by the improvement in the appearance of the building, arising from the removal of the prominent and somewhat unattractive flat roofed section to the front.
- 5.7 Importantly, the 2011 permission, which included a very similar first floor extension, of the same width and depth, remains extant and could be built out. In comparison to this extant permission, officers consider the current scheme to be better, in terms of design. The 2011 extension included a fairly large area of flat crown roof, whereas the current scheme removes this entirely, and proposes a traditional hipped roof to match the existing building. It would be built to the same height as the existing two storey ridge, whereas the previous scheme was set down slightly, but the design still reflects the appearance of the existing building. The front façade is largely the same as previously approved. The overall design, with the removal of the bulkier flat crown roof, is considered to be notably better than the original scheme. In addition, there is an existing wide front dormer on the building which is also not particularly sympathetic to its character. Under the 2011 scheme, this was to be retained,

with a new dormer constructed adjacent to it. However, with the current scheme, a much better arrangement of three smaller dormers is proposed across the front roofslope, resulting in a more symmetrical appearance and being less dominant than the existing wide dormer and the extant scheme.

- 5.8 As such, it is considered that the proposed extensions and alterations to the building would preserve the character and appearance of the Conservation Area and would represent an improvement over the extant scheme from 2011.

Amenity of existing and future residents

Local Plan Saved Policies:

GC3 (Protection of amenities)

- 5.9 Given that the proposed first floor extension would be sited towards the front of the site, the considerable distance from the dwellings to the rear on Russett Hill would prevent a loss of privacy or amenity to these dwellings. The proposed first floor extension would be sited to the side of the large outbuilding adjacent to No. 25 North Park. This neighbouring dwelling is substantially off-set from the boundary within its own plot. In addition, there is an outbuilding and parking area within the neighbouring curtilage between that property and the proposed extension, and taking into account the relationship between the two properties, although the proposed two storey extension would be visible from this neighbouring site, it would not result in an overbearing or visually intrusive appearance when viewed from the neighbouring property, nor would it result in a loss of light. There are no first or second floor side windows in this flank, and a condition would ensure none are inserted in the future, to maintain the privacy of the this neighbouring property.
- 5.10 The proposed first floor extension would project beyond the rear of the existing two storey section of the host building, but would be set well away from the boundary with the footpath separating the application site from No. 31 North Park, by over 15 metres. Therefore, the extension would not appear overbearing or visually intrusive to occupiers of this other neighbouring dwelling. Two side facing windows are proposed that would face towards the boundary with No. 31 at first and second floor levels. However, given that these windows would be off-set from the boundary by over 15 metres, it would not result in a loss of privacy to the neighbouring occupiers.
- 5.11 Third party objections have been received stating the proposed front windows would overlook the properties opposite the street. However, this relationship is little different to the existing situation and is no different to other properties all along the street. The frontage areas of dwellings are not the private amenity areas and there is good separation, in excess of 25 metres, between the properties on either side of the street. It would not be possible to object to this relationship. It is also noted that the glazing at second floor level now proposed in the frontage is actually less than permitted in 2011, and it is arranged in a better and more symmetrical layout. So it now has less impact on the properties opposite. It should also be noted that windows facing the

street is a good urban design principle, to encourage active streets and to ensure the public realm has good natural surveillance.

- 5.12 Again, it is important to note that the large first floor extension permitted in 2011 remains extant and could be built at any time. It has an almost identical relationship with the neighbouring properties, including those to the sides and those opposite.
- 5.13 As such, it is considered that the proposed extensions and alterations to the building would not result in harm to the privacy or amenity of neighbouring properties.
- 5.14 In terms of the amenities for future residents, the Agent has clarified that the new rooms are all above the minimum size required, and indeed some of the existing smaller rooms would be rearranged and made slightly larger as part of the overall scheme, thus improving the amenity of residents of the nursing home. The rear garden area remains unchanged, which provides a pleasant outdoor amenity area for residents. It is noted that the latest report on the nursing home by the Care Quality Commission, classified it as good and outstanding in various categories, highlighting that the general amenity provided for residents is satisfactory.

Transport matters and parking

Core Strategy Policies:

CS25 (Dealing with the impact of new development on the transport network)

CS26 (Requirements of new development)

Local Plan Saved Policies:

TR2 (Highway aspects of planning applications)

TR11 (Provision of off-street parking for developments)

TR15 (Design of parking areas)

Buckinghamshire Parking Standards SPD, 2015

- 5.15 The site lies in Zone 2, in relation to uses that are not independent dwellings, including care homes. The parking standard for the existing care home (32 beds) is 8 spaces. These are provided in the rear parking area, along with a further 4 spaces to the front.
- 5.16 The proposed additional 8 bedrooms result in the overall parking standard for the extended care home being 13 spaces (for 40 beds). As noted above, 12 spaces are marked on the site plan and are currently provided. These would be unaffected by the proposed works. The resulting situation would therefore be a shortfall of one space, in accordance with the Parking Standards.
- 5.17 It is again important to note that the 2011 extension could be built at any time, which would result in an identical parking situation. Therefore it would not be possible to object now on the grounds of a shortfall of one space, given the 2011 scheme remains extant. It is also noted that, at the time of the previous application, in 2011, the parking standards were different, and the extensions then resulted in a shortfall of 3 parking spaces, which was considered acceptable.

Ecology, trees and Burnham Beeches Special Area of Conservation

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS24 (Biodiversity)

CS32 (Green Infrastructure)

Local Plan Saved Policies:

GC4 (Landscaping)

NC1 (Safeguarding of nature conservation interests)

- 5.18 The proposed works involve works to the roof of the building. It is however noted that the existing roof already contains rooms and accommodation. It is not considered that a full ecology survey is required for this scheme, and an Informative is recommended, to ensure that the Applicant is aware of their legal responsibilities if any bats are encountered during construction.
- 5.19 A condition can also be attached to any permission granted, to ensure that a biodiversity net gain is achieved, proportionate to the proposed works. This could include bird and bat boxes or tiles within the new roofslopes or at eaves level, as well as potential wildlife planting in the rear garden area.
- 5.20 Trees on site are protected by their location within a Conservation Area. It is noted that the trees on the boundary of the site with Nos. 23 and 25 are identified in the Conservation Area Appraisal as an important group. The construction of the proposal is likely to involve delivery of building materials and the movement of other construction vehicles to the rear of the site to facilitate the building works. In order to prevent large and/or high construction vehicles conflicting with the overhanging branches of the trees within the neighbouring plots, a plan detailing protection methods, including construction management such as the use of smaller vehicles to transport materials and equipment to the rear of the site, should be required by condition. This was also a requirement of the 2011 permission.
- 5.21 The site lies within the Zone of Influence of the Burnham Beeches Special Area of Conservation (SAC). Section 15 of the NPPF relates to 'Conserving and enhancing the natural environment' and highlights the importance of ensuring habitat sites are preserved. Natural England states that when there is sufficient scientific uncertainty about the likely effects of the planning application under consideration, the precautionary principle is applied to fully protect the qualifying features of the European Site designated under the Habitats Directive.
- 5.22 Due to evidence on the impacts of recreational and urban growth at Burnham Beeches SAC carried out by Footprint Ecology, Natural England recognises that new housing within 5.6km of the Burnham Beeches SAC can be expected to result in an increase in recreation pressure. The 5.6km zone represents the core area around the SAC from where most visitors originate. Any increase in the number of residential properties will require a Habitats Regulations Assessment. Mitigation measures may then be necessary to rule out adverse

effects on the integrity of the SAC from the cumulative impacts of development.

- 5.23 Natural England confirms that, in light of the new evidence relating to the recreation impact zone of influence, planning authorities must apply the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended), to housing development within 5.6km of the SAC boundary. The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SAC.
- 5.24 In this instance however, the proposed scheme involves an increase of 8 bedrooms at an existing care home. Based on the level of care provided, it is unlikely that the proposed development will have significant adverse impacts on the SAC, through increased levels of recreation. This is based on the fact that the elderly residents will need substantial levels of care and are unlikely to be leaving the premises unescorted, or be frequent visitors to Burnham Beeches. In that scenario, additional harm caused by increased visitor pressure is unlikely to occur, and as such mitigation in the form of a financial contribution would not be considered necessary. This is Officers' interim view, and Natural England has been formally consulted. If they do not concur with this view, additional comments will be reported verbally at the Planning Committee meeting.

Infrastructure and Developer Contributions

Core Strategy Policies:
CS31 (Infrastructure)

- 5.25 The development is a type of development where CIL would be chargeable.

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 the relevant development plan policies and other guidance.

- 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.
- 6.5 The recommendation has been made having regard to the above and also to the content of the Human Rights Act 1998.

7.0 Working with the applicant / agent

- 7.1 The agent was updated regarding the likely recommendation and progress of the application and offered the opportunity to speak at the Planning Committee meeting.
- 7.2 In accordance with paragraph 38 of the NPPF (2021) the Council approaches 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.
- 7.3 The Council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and, as appropriate, updating applicants/agents of any issues that may arise in the processing of their 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. Before any construction work commences, named types or details of all of the facing materials and roofing materials to be used in the external construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the conservation area or the wider locality.

3. The development hereby permitted shall not be occupied until a scheme of ecological enhancements, and a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority to show that an overall net gain in biodiversity will be achieved. The scheme shall include details of landscape planting of known benefit to wildlife and the provision of artificial roost features, including bird and bat boxes/tiles. Any new fencing shall include holes to allow safe passage of hedgehogs. The scheme shall be implemented in full and as per

the timetable approved by the Local Planning Authority. The measures shall be maintained in accordance with the approved details thereafter.

Reason: In the interests of enhancing biodiversity in accordance with Section 15 of the NPPF and Core Strategy Policy 24: Biodiversity.

4. Prior to the commencement of the development hereby permitted, an arboricultural survey and method statement, including a plan identifying and accurately plotting the crown spread of all trees within the site and those which overhang the site, and measures to ensure the protection of all retained trees on and adjacent to the site during construction including, but not limited to, the erection of tree protective fencing, details of a no-dig method of construction where necessary and a construction management plan, shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details.

Reason: To maintain, as far as possible, the character of the locality by the retention of important trees on site.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (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, shall be inserted or constructed at any time at first floor level or above in the north western side elevation of the extension hereby permitted.

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

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>
20 Feb 2023	8238-AL-001
20 Feb 2023	8238-PL-001
20 Feb 2023	8238-PL-002
20 Feb 2023	8238-PL-003
20 Feb 2023	8238-PL-004
20 Feb 2023	8238-PL-005A
20 Feb 2023	8238-PL-006
20 Feb 2023	8238-PL-007A
1 Mar 2023	8238-PL-008A

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 applicant is advised that, if any bats or bat roosts are found during the works, all work must stop until advice has been obtained from a specialist ecologist. 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.

2. 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 for more information.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

None.

Parish Council Comments

This extension does not conform to the North Park Conservation Area or to the special character area of our Neighbourhood Plan. Insufficient parking already an issue with double parking of staff and visitors and school, particularly on the North Park junction, creating dangerous blind spots for cars when approaching the junction and turning. Double in size from current size. Overdevelopment and higher than other buildings in the area, bulk is out of keeping with street scene (please see Neighbourhood Plan photos on North Park Character Area). Overlooking and overbearing to neighbours' properties.

Consultation Responses

None.

Representations

Other Representations

10 comments have been received objecting to the proposal – main relevant points summarised:

- The development would be oversized for the size of the plot and not in keeping with the rest of the road.
- The front elevation is too massive and is out of character with the conservation area. The side/rear extension is not subordinate to the main house. There is a new dormer window that overlooks our property.
- The much enlarged roof will visibly worsen the skyline when turning onto North Park at the T junction. The front line of original building is very close to the road, the side extension even closer, so the large mass of the building will be very overbearing.
- The frontage delivers an ugly Edwardian pastiche, looking like large, commercial premises.
- Austenwood Nursing Home is critical to the street scene on North Park since it faces up North Park. An unsympathetic extension on this key building will disproportionately affect the Conservation Area compared to other buildings on less visible plots.
- No plans for screening or greenery.
- Massing of the proposed design and impact on character of Conservation Area. The North Park & Kingsway Conservation Area was designated in 1992. The site of the proposed

development sits in the middle of this Area. The prevailing pattern of development along North Park is of spacious development, with a rhythm and variety of buildings and spaces.

By building 2 storeys onto the existing single storey, flat-roofed structure, the proposal would change this balance, leading to a mass of building quite unlike anything else in the Conservation Area. The building would be very close to the road, at a significant height, and dominate the street scene.

- There could be access problems, especially for emergency vehicles.
- Insufficient parking provision.

The additional traffic and parking could cause access issues, particularly around the T junction opposite the nursing home and additional danger to pedestrians, including school children.

- Pressure on local services, especially doctors' surgeries, with the increased number of residents.
- Pressure on existing infrastructure i.e. drainage.
- A recent planning application at Clavering, 40 North Park, was refused by Buckinghamshire Council in February 2021 as "the scale and bulky appearance of the block would appear as a cramped development that is not typical of the prevailing pattern of spacious development along North Park.
- Another development at Daracca, 66 North Park was refused permission by the council in October 2014 as the "disproportionate and cramped form of development on its plot would have a detrimental impact on the designated Heritage Asset of the Conservation Area".
- New windows on frontage would overlook properties opposite.