



# Buckinghamshire Council

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## Report to East Area Planning Committee

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| <b>Application Number:</b>  | PL/23/1361/FA   |
| <b>Proposal:</b>            | Loft conversion with the addition of front and rear dormers and roof lights |
| <b>Site location:</b>       | 156 Elizabeth Avenue, Little Chalfont,<br>Buckinghamshire, HP6 6RG          |
| <b>Applicant:</b>           | Mrs V Martin  |
| <b>Case Officer:</b>        | Wafaa Salim   |
| <b>Ward affected:</b>       | Chess Valley  |
| <b>Parish-Town Council:</b> | Little Chalfont Parish Council  |
| <b>Valid date:</b>          | 9 May 2023  |
| <b>Determination date:</b>  | 4 July 2023   |
| <b>Recommendation:</b>      | Conditional permission  |

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

- 1.1 The application proposes two front dormers, one rear dormer and two rooflights. The development is considered to respect the character and appearance of the street scene and would not harm the amenities of neighbouring properties. As such it is recommended for approval.
- 1.2 This planning application has not been called-in by a Councillor, but the applicant is a relation of an existing Buckinghamshire Councillor. In accordance with the Constitution, the application therefore needs to be referred to the Planning Committee for determination.
- 1.3 Recommendation – conditional permission.

### 2.0 Description of Proposed Development

- 2.1 The application proposes two dormer windows and a rooflight in the front roofslope, and a dormer and rooflight in the rear roofslope. The front dormers would each have a pitched roof, measuring 2 metres in width by 1.9 metres in height. The rear dormer would be flat roofed, with a width of 3.8 metres and a height of 1.8 metres.

### **3.0 Relevant Planning History**

3.1 None.

### **4.0 Summary of Representations**

4.1 Little Chalfont Parish state “no objections”.

4.2 No third party representations received.

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

- National Planning Policy Framework (NPPF), 2021.
- National Design Guide, October 2019
- 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.
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule.
- Residential extension and householder development Supplementary Planning Document (SPD), September 2013

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

Core Strategy Policies:

CS4 (Ensuring that the development is sustainable)

CS20 (Design and environmental quality)

Local Plan Saved Policies:

GC1 (Design of development)

GC4 (Landscaping)

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

H15 (Design and siting of extensions)

H18 (Dormer windows on dwellings)

- 5.1 Policy H18 of the Local Plan states that dormer windows should respect the scale, proportions, existing windows and other features of the external appearance of the roof and elevation in which the dormer window would be constructed, and should feature external materials to match those of the existing roof and existing windows in the same elevation as the dormer window.
- 5.2 The two front dormers are small and have pitched roofs to reflect the form of the host dwelling. The materials would match those in the existing property. The rear dormer would be wider and flat roofed, but it would be sited to the rear and would not be prominent. It is important to note that the rear dormer could be built as permitted development, without needing a planning application. No objections are therefore raised in relation to the impact of the development on the character of the existing dwelling.

- 5.3 In terms of the impact on the street scene, the property is in a row of bungalows of a similar scale. Nonetheless, there is an array of different types of front dormers along this row, including pitched roof dormers which are very similar to those currently proposed, and also flat roofed front dormers. Some properties also have front rooflights. Given the character of the street, and the fact that the proposed front dormers are small and well proportioned, they would not harm the character and appearance of the area. The rear dormer would not be prominent from the public realm.
- 5.4 No objections are therefore raised to the impact of the proposals on the character and appearance of the existing property or the wider area.

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

Local Plan Saved Policies:

GC3 (Protection of amenities)

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

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

- 5.5 The dormers would face towards the street or down the rear garden and would not afford significant views of any neighbouring private rear amenity areas. No flank windows are proposed in the loft conversion, and a condition is recommended to ensure no such windows are inserted in the future. Given their modest scale and projection from the roofslopes, they would also not appear intrusive. Given the above, no objections are raised in relation to the impact on the amenities of any neighbouring properties.

### **Transport matters and parking**

Core Strategy Policies:

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

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 Guidance September 2015

- 5.6 The application site is located within Zone C, where the existing 2-bed dwelling has a parking standard of 2 spaces. These are provided on the front driveway.
- 5.7 The loft conversion would add a further two bedrooms, making it a 4-bed dwelling, for which the parking standard is 3 spaces. Whilst no further spaces are proposed, there is space to the side of the property, where the original driveway leads to a car port and garage. The driveway is fairly narrow, at 2.5 metres, but it is still wide enough to drive along and access the car port, which is wider. If this is counted as a further space, which is feasible, the site benefits from 3 parking spaces, in accordance with the standards.
- 5.8 However, even if the side driveway was not regarded as adequate for wider vehicles, the shortfall would be one space and the NPPF states that applications must only be refused on highway grounds if the impact on the

highway is severe. The street is fairly lightly trafficked and for the majority of the day, there are no parking restrictions on the street (aside from 11am-12pm on weekdays). Any harm resulting from a shortfall of one parking space could not be justified as severe, so there would be no grounds for refusal in any event.

5.9 No objections are therefore raised regarding parking provision.

### **Ecology**

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS24 (Biodiversity)

Local Plan Saved Policies:

NC1 (Safeguarding of nature conservation interests)

5.10 The proposal involves works to the roof of the dwelling, however the site is in a built-up area and the roof and eaves are in good condition. It is not considered that a full bat survey is required and an Informative is recommended, drawing the attention of the Applicant to their legal responsibilities, should bats be encountered.

## **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 development plan policies.

6.4 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

## 7.0 Working with the applicant / agent

- 7.1 In accordance with paragraph 38 of the NPPF (2021) the Council approaches decision-taking in a positive and creative way, taking a proactive approach to development proposals focused on solutions and working proactively with applicants to secure sustainable developments.
- 7.2 The Council works with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 7.3 In this instance the applicant was kept up to date with progress and offered the opportunity to speak at the Planning Committee meeting.

## 8.0 Recommendation: Conditional Permission. Subject to the following conditions:-

1. The development to which this permission relates must be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 (1) of the Town & Country Planning Act 1990, as amended.

2. The materials to be used for the in the external construction of the development hereby permitted shall match the size, colour and texture of those of the existing building.

Reason: To ensure that the external appearance of the enlarged building is not detrimental to the character of the locality.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no windows shall be inserted or constructed at any time at first floor level or above in the flank elevations of the existing dwelling.

Reason: To protect the amenities and privacy of the adjoining properties, as a result of the loft conversion.

4. 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> |
|-----------------|-----------------------|
| 24 Apr 2023     | Plan - Location Plan  |
| 10 May 2023     | A1/4049/10 PROPOSED   |

and in accordance with any other conditions imposed by this planning permission.

Reason: To ensure that the development is carried out in accordance with the details considered by the Local Planning Authority.

### **INFORMATIVE(S)**

1. The Council is the Charging Authority for the Community Infrastructure Levy (CIL). CIL is a charge on development; it is tariff-based and enables local authorities to raise funds to pay for infrastructure.

If you have received a CIL Liability Notice, this Notice will set out the further requirements that need to be complied with.

If you have not received a CIL Liability Notice, the development may still be liable for CIL. Before development is commenced, for further information please refer to the following website <https://www.chiltern.gov.uk/CIL-implementation> or contact 01494 475679 or [planning.cil.csb@buckinghamshire.gov.uk](mailto:planning.cil.csb@buckinghamshire.gov.uk) for more information.

2. The applicant is 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

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

### Parish/Town Council Comments

Little Chalfont Parish Council – no objections.

### Representations

None received.