



PLANNING STATEMENT

**Ashwood, Bucks Hill, WD4 9AP
for Pearcroft Developments 3 Limited**

21 FEBRUARY 2024



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1.0 Context

- 1.1.1 This Statement has been prepared in support of a Prior Approval Application under Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (“GPDO”) for the construction of a householder extension to provide a dwelling more appropriate for the site and context.
- 1.1.2 Ashwood has been in a residential use evidenced by the grant of certificate of lawfulness of existing residential use in 1994. On 25 January 2024 a Certificate for Lawful Development was issued confirming that the property is a building used as a dwelling which is immune from enforcement action.

2.0 Location

- 2.1.1 The property subject of this prior notification is known as Ashwood (the “Property”). The Property is within the village of Bucks Hill, south of Chipperfield and north of Sarratt, within Three Rivers District Council.
- 2.1.2 The Property comprises large residential plot with dwelling and outbuilding. Access is via a single track which serves several dwellings. The Property is abounded by established boundary planting. To the south and west of the Property is Bucks Hill Farm, to the east residential properties and a paddock to the north. Footpath Sarratt 006 (HCC74 & 75) runs along the north east boundary outside of the Property.



Figure 1: Location



3.0 Site Characteristics

- 3.1.1 The site is in Flood Zone 1 where it is at low risk of flooding. There are no topographical features that would constrain development.
- 3.1.2 There is no article 4 attached to the land nor any former planning consents which remove householder permitted development rights.
- 3.1.3 An extract of the adopted Three Rivers Local Plan proposal map is provided below. The site is not subject to any special designations, save for being in the Green Belt.

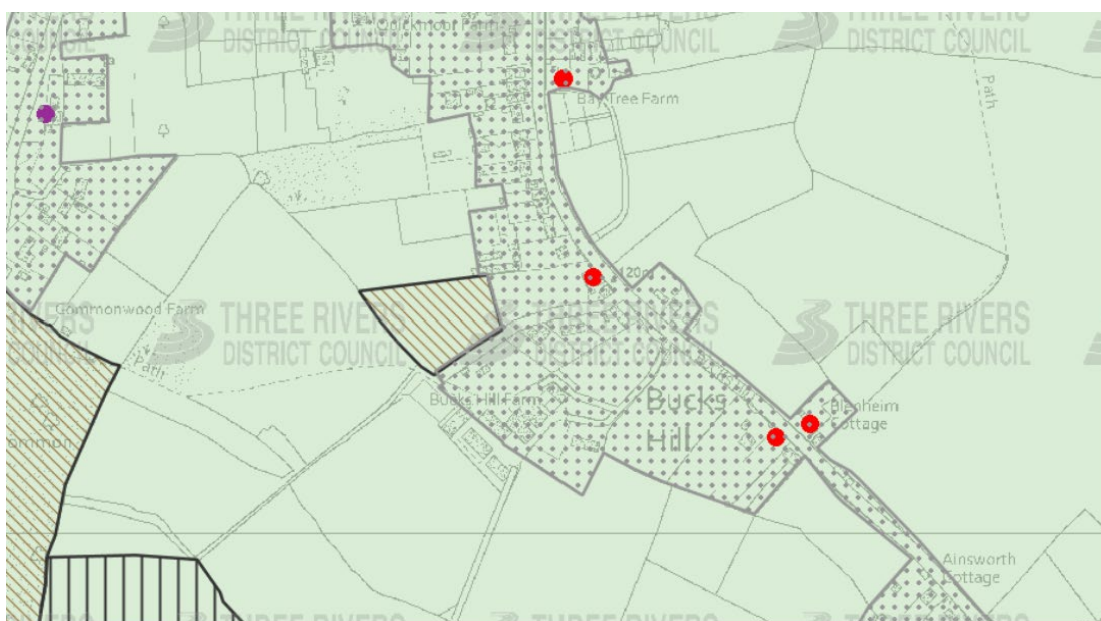


Figure 2: Extract of Planning Policy Map

4.0 Proposal

- 4.1.1 Prior Approval is sought for the construction of a rear extension to the existing dwelling.
- 4.1.2 This prior notification seeks prior approval under Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for an extension to the existing dwelling. It would be constructed of materials to match the existing property.

5.0 Planning Legislation

- 5.1.1 Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), allows for the enlargement, improvement or other alteration to a dwellinghouse, subject to the Prior Approval of the Local Planning Authority.



5.2 A.1

5.2.1 Development is not permitted by Class A if –

STATUTE	EVALUATION
(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, O, P, PA or Q of Part 3 of this Schedule (changes of use);	The dwelling was not granted by virtue of these classes and is therefore not applicable.
(b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);	The proposed extension complies with this criterion.
(c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;	The proposed extension complies with this criterion.
(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;	The proposed extension complies with this criterion.
(e) the enlarged part of the dwellinghouse would extend beyond a wall which— (i) forms the principal elevation of the original dwellinghouse; or (ii) fronts a highway and forms a side elevation of the original dwellinghouse;	The proposed extension complies with this criterion.
(f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and— (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height;	Refer to paragraph (g)
(g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and— (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or	The proposed extension complies with this criterion.



STATUTE	EVALUATION
(ii) exceed 4 metres in height;	
(h) the enlarged part of the dwellinghouse would have more than a single storey and— (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;	The proposed extension complies with this criterion.
(i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;	The proposed extension complies with this criterion
(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would— (i) exceed 4 metres in height, (ii) have more than a single storey, or (iii) have a width greater than half the width of the original dwellinghouse;	The proposed extension complies with this criterion
(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);	The proposed extension complies with this criterion
(k) it would consist of or include— (i) the construction or provision of a verandah, balcony or raised platform, (ii) the installation, alteration or replacement of a microwave antenna, (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (iv) an alteration to any part of the roof of the dwellinghouse; or	The proposal does not include any of the precluded building works specified in paragraph k
(l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).	The proposed extension complies with this criterion

Table 1

5.3 Conditions A.2

5.3.1 The dwellinghouse is not on article 2(3) land, and therefore the criterion in subparagraph A.2 are not applicable.



5.4 Conditions A.3

5.4.1 Development is permitted by Class A subject to the following conditions—

STATUTE	EVALUATION
(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;	The proposed plans detail that materials used in exterior work will be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.
(b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be— (i) obscure-glazed, and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and	There are no proposed upper-floor window. The proposal complies with this criterion.
(c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse	The proposal is for a single storey rear extension; therefore, the proposal complies.

Table 2

5.4.2 Sub paragraph 2 requires that the impact of the proposed development on the amenity of any adjoining premises Schedule 2, Part 1, Class A.4 (7) of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, states where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the Local Planning Authority is required as to the impact of the proposed development.

5.4.3 If there are no objections from an adjoining property the Local Planning Authority is not required to assess the impact of the proposed development on the amenity of adjoining neighbours and prior approval is not required.

5.4.4 In the event that objection(s) are received it is considered that the High Court Judgement of Cab Housing Limited, Beis Noeh Limited, and Rotenbe v Secretary of State for Levelling Up, Housing and Communities, Broxbourne London Borough Council, and Haringey London Borough Council [2022] EWHC 208 (Admin) (3 February 2022) should be applied. Whilst the case is in relation to applications for prior approval under Part 1, Class AA of the GPDO, it is still considered relevant.

5.4.5 The judge found that "impact on amenity" is not limited to overlooking, privacy or loss of light. The phrase "adjoining premises" in the GDPO paragraph includes neighbouring premises and is not limited to premises contiguous with the subject property. Therefore, the assessment of the



“impact on the amenity of any adjoining premises” is not limited to the impact on “overlooking, privacy and the loss of light” but could also include the impact on other aspects of amenity such as noise and activity.

5.4.6 Planning permission should not be granted where the proposed development would unreasonably harm any aspect of amenity of existing residents and achieve satisfactory amenity for future residents.

5.4.7 The property is a detached bungalow located within a relatively spacious plot extending to 3500sqm. The nearest neighbour is Trackside to the north east and Bucks Hill Farm to the south. Given the siting of the development and the separation distances involved with the neighbouring properties in terms of position of windows and orientation, it is considered that the development would not result in any detrimental impact to the amenity of neighbouring dwelling in terms of loss of light, overlooking, loss of privacy, noise or activity. Therefore, the proposal accords the National Planning Policy Framework.

6.0 Summary

6.1.1 The proposal is considered to comply with the criterion set out A.1 and the matters subject to prior approval are all considered to be acceptable. The extension would therefore be permitted development by virtue of Schedule 2, Part 1, Class A of the Town and Country (General Permitted Development) Order 2015 (as amended).

7.0 Application Documents

7.1.1 The following provides a summary of the application documents which have been submitted via Planning Portal.

REFERENCE	DOCUMENT TITLE
PP-12825497	Application Form
3069/11826/001	Planning Statement
3069/11826/003	CIL Questionnaire
3069/11826/004	Flood Risk Assessment
PCDA03-PL101	Site Location Plan
PCDA03-PL102	Proposed Site Plan
PCDA03-PL103	Existing Plans & Elevations
PCDA03-PL104	Proposed Plans & Elevations

Table 3

BRIGGS & STONE LIMITED
Incorporated in England & Wales 11328499

Registered Office: 84 High Street, Prestwood,
Great Missenden, Buckinghamshire HP16 9ES