

Appeal Decision

Site visit made on 26 September 2016

by D M Young BSc (Hons) MA MRTPI MIHE

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 October 2016

Appeal Ref: APP/K0425/W/16/3152726

Walnut Trees, Risborough Road, Little Kimble, Buckinghamshire HP17 0UE.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs T Dixon against the decision of Wycombe District Council.
 - The application Ref 16/05454/FUL, dated 18 February 2016, was refused by notice dated 19 April 2016.
 - The development proposed is a garage extension to provide home office.
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Decision

1. The appeal is allowed and planning permission is granted for a garage extension to provide home office at Walnut Trees, Risborough Road, Little Kimble, Buckinghamshire HP17 0UE in accordance with the terms of the application, Ref 16/05454/FUL, dated 18 February 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2014/WT/1D and 2014/WT/3B.
 - 3) No development shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
 - 4) The development hereby permitted shall only be occupied in connection with and ancillary to the occupation of the existing dwelling and shall at no time be severed and occupied as a separate independent unit.

Main Issue

2. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

3. There is no dispute that the appeal site is located within the countryside as defined in the "*Wycombe District Local Plan to 2011*" (the LP). Within such areas Policy C15 seeks to resist development that would constitute an intrusion into the open character or rural amenities of the area.
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4. Walnut Trees like its immediate neighbours is a large detached property standing on a substantial plot. Therefore whilst I accept the extension would be a sizeable addition to the existing garage, bearing in mind the size of the host property and the wider plot which the appellant puts at 2,500m², it would be a relatively modest single-storey structure. The extension would be set down below the level of the main dwelling and would not challenge it in terms of footprint, scale or height. It would be used as a home office and treatment room for the appellants' business and is not therefore analogous with the creation of a new dwelling.
5. It is also not clear to me how the Council arrived at the view that the extension would be prominent. Both the garage and the dwelling are set back some distance from Risborough Road behind a boundary fence and a band of landscaping across the site frontage. Due to its elevated position and orientation relative to the road, the extension would only be seen in angled glimpses through the driveway when approaching from the south-west. The Council has not drawn my attention to any other locations from where the development would be visible. That being the case, I consider that the development would be anything but prominent. It would be largely concealed from both public and private spaces and in these circumstances the rural amenity of the area would be safeguarded.
6. There is no substantive evidence before me to demonstrate how the occasional comings and goings associated with the development would have an unacceptable effect on the character and appearance of the countryside. Accordingly, I find that such concerns are overplayed and do not form a reasonable basis for dismissing the appeal.
7. The Council's refusal reasoning cites conflict with Policy CS20 of the "*Wycombe Development Framework Core Strategy 2008*" (the CS). However that policy relates to transport and seeks, amongst other things, safe access. There is nothing before me to suggest that the Council or the Highway Authority have concerns in this regard.
8. The Council have not objected to the design of the extension and I see no reason to take a contrary view. I therefore conclude that the development would not have an unacceptable effect on the character and appearance of the area. Accordingly there would be no conflict with Policies C10, C14, C15, G3, G8, and H17 of the LP and Policies CS19 and CS20 of the CS. Collectively these seek high quality design that protects the character of the rural environment, promotes of local distinctiveness and takes account of existing site characteristics.

Conditions

9. The Council has suggested 4 conditions which I have considered against the advice in the *Planning Practice Guidance* (PPG). In some instances I have amended the conditions provided by the Council in the interests of brevity and to ensure compliance with the PPG.
10. In the interests of proper planning and to provide certainty, I have imposed conditions limiting the life of the permission and specifying the approved plans.

However, I have amended the plans condition suggested by the Council¹ with one that reflects the correct plans.

11. A condition relating to external materials is necessary to ensure the appearance of the development is satisfactory. Finally, I have imposed a condition tying the use of the development to the occupiers of Walnut Trees to ensure it is not used in a more intensive manner by another user which could intensify traffic movements to and from the site.

Conclusion

12. For the reasons given above and taking account of all other matters raised, I conclude that the appeal should succeed.

D. M. Young

Inspector

¹ Refers to plans 2011/837/6, 2011/837/9 rev D and 2011/837/1 rev L.