
Appeal Decision

Site visit made on 6 December 2016

by Rory Cridland LLB (Hons), Solicitor

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

Decision date: 30 December 2016

Appeal Ref: APP/X0415/W/16/3156870

Land Adjacent to 79A Leachcroft, Chalfont St Peter SL9 9LD

- 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 Mrs A Baines, Premier Homes Limited against the decision of Chiltern District Council.
 - The application Ref CH/2016/0615/FA, dated 30 March 2016, was refused by notice dated 9 June 2016.
 - The development proposed is demolition of existing garage and construction of new dwelling house with shared driveway.
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Decision

1. The appeal is dismissed.

Preliminary Matter

1. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application

Main Issue

2. The effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is located at the western edge of the Leachcroft Estate and consists of a triangular parcel of land to the side and rear of No 79A. It would have originally formed part of the garden area of No 79, a property which benefitted from a larger than average plot size. The surrounding area is characterised by rows of mostly red brick terraced and semi-detached houses. Although there are some variations in appearance, the dwellings along this part of the cul-de-sac have retained a general sense of uniformity and make a positive contribution to the character of this section of the estate.
4. Policy CS20 of the Chiltern District Core Strategy¹ requires new development to be of a high standard of design which reflects and respects the character of the surrounding area and those features that contribute to local distinctiveness.

¹ Core Strategy for Chiltern District (2011)

Similarly, Policies GC1 & H3 of the Chiltern District Local Plan² seek to ensure, amongst other things, that new development is in proportion to the size and shape of the site, is compatible with the character of the surrounding area and respects the siting of neighbouring buildings.

5. The proposal would introduce a detached dwelling immediately to the west of No 79A which would be set back considerably from the existing building line of the neighbouring terrace. This would contrast sharply with the surrounding buildings and appear out of keeping with the existing pattern of development. Furthermore, its siting in close proximity to the boundary with neighbouring No. 79A would result in a cramped and overdeveloped appearance which would be harmful to the character of this section of the estate. While I note that the existing blocks of residential development along this part of the estate have a staggered set back, none of them are as prominent in depth as that proposed.
6. Moreover, although the proposal includes a sufficient number of parking spaces to accord with the requirements of Policy TR16, the introduction of a considerable area of hardstanding to the front of the site would introduce a discordant feature to this part of the cul-de-sac. With all 7 spaces being located to the front of the property, it would increase the overall appearance of a cramped and overdeveloped site exacerbating its impact and harming the character of the immediate surroundings.
7. Consequently, I find that the proposal would fail to respect the siting of the neighbouring buildings and would result in a cramped and overdeveloped site which would fail to contribute to local distinctiveness. This would be harmful to the character of the surrounding area. As such, it would be contrary to CS Policy CS20 and LP Policies GC1 & H3. However, while I note the Council's references in the decision notice to LP Policies TR11& TR15, as no significant concerns have been raised regarding highway safety, I do not consider these policies to be determinative for the purposes of this appeal.

Other Matters

8. The appellant has referred me to nearby No 31 which, it is argued, is sufficiently similar to act a precedent for the development proposed. However, although I do not have the full details of those developments, I observed that, unlike the proposed scheme, this development appeared neither cramped nor overdeveloped. As such, I do not consider it sufficiently similar to act as a justifiable precedent for the development proposed. In any event, each application must be considered on its own merit and that is the approach I have adopted in determining this appeal.

Conclusion

9. For the reasons set out above I conclude that the appeal should be dismissed.

Rory Cridland

INSPECTOR

² Adopted 1 September 1992 (including alterations adopted 29 May 2001); Consolidated September 2007 and November 2011.