
Appeal Decision

Site visit made on 6 February 2017

by Rory Cridland LLB (Hons), Solicitor

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

Decision date: 21 February 2017

Appeal Ref: APP/N0410/W/16/3160317
7 Birchdale, Gerrards Cross SL9 7JA

- 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 Antony Tomson against the decision of South Bucks District Council.
 - The application Ref 16/00753/FUL, dated 18 April 2016, was refused by notice dated 15 July 2016.
 - The development proposed is demolition of existing dwelling and replace with new two storey dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - (i) the character and appearance of the surrounding area; and
 - (ii) the living conditions of occupiers of neighbouring properties with particular regard to outlook.

Reasons

3. The appeal site is located in a residential street consisting of generally large, detached dwellings of various styles with a variety of roof structures. It is currently occupied by a building which sits comfortably within the street scene, with its size, bulk and overall appearance integrating well with the neighbouring properties. All of the properties along this section of street are set back similar amounts from the road, giving the area an open and spacious feel.
4. Policy CP8 of the Council's Core Strategy¹ (CS) seeks to ensure that all new development is of a high standard of design and makes a positive contribution to the character of the surrounding area. Likewise, Policy H9 of the South Bucks District Local Plan (1999) (LP) seeks to ensure that proposals involving residential development are compatible with the character of the surrounding area in terms of, amongst other things, their height and scale. In addition, LP Policy EP3 restricts development whose height, scale and design are incompatible with the character of the locality in general.

¹ South Bucks Local Development Framework Core Strategy Development Plan Document (2011)

5. The proposal would involve the demolition of the existing building and its replacement with a new larger dwelling. Although its height would only increase by around 75cm, the introduction of a large crown roof would result in a considerable increase in bulk. The Council's Residential Design Guide recognises² that crown roofs, while not unacceptable in principle, can result in a building appearing overbearing to neighbouring properties and the surrounding area. As such, it indicates that when assessing new developments with crown roofs, the overall size of the roof and whether its design is appropriate for the context of the area will be considered.
6. The proposed roof structure would appear larger than is the norm along this section of Birchdale, contrasting sharply with the more modest roof structures of the neighbouring properties. This increase in bulk would be clearly visible both from within the immediate surroundings and when travelling eastwards along Birchdale, from where the proposed dwelling would appear prominent. While I note that there are other examples of large crown roofs nearby, none are of the size and scale of that proposed. Accordingly, I find that the proposed roof structure would be dominant within the street scene and would appear at odds with neighbouring development.
7. Furthermore, although it would involve only a marginal increase in width along the frontage, its rear projection would be considerably greater than that of the existing property. It would close the gap which currently exists between the existing property's roof and that of the neighbouring dwellings. This gap currently has a positive impact on the street scene, contributing to the general sense of spaciousness which is characteristic of the surrounding area. Its loss would be materially harmful to this section of the street.
8. Moreover, to the front, the proposed garage would project out from the main elevation. Although it would, to some extent, be screened by the hedging along the side boundaries, in view of the open frontage it would be clearly visible from the road directly outside. It would appear both prominent and out of keeping within its surroundings and at odds with the neighbouring development, exacerbating the harm identified above. While I note the example of a projecting garage at No 42, that is some distance from the site and I observed that there are no other projecting garages at this end of the street.
9. Consequently, I find that the proposal would be of a bulk, scale and overall design that would be incompatible with its surroundings and would be harmful to the character and appearance of the surrounding area. As such, it would be contrary to CS Policy CP8, and LP Policies H9 & E3.

Living conditions

10. I have found above that, in view of its bulk, size and overall design, the proposal would be harmful to the character and appearance of the surrounding area. For similar reasons, I consider it would have a negative impact on the outlook of the occupiers of neighbouring properties. The plans indicate that it would extend some distance from the main rear elevation of neighbouring No 9. While I note that this property has been extended at ground floor level, from the first floor the proposed dwelling's increased height and bulk would have a dominant and overbearing impact and would result in a significant sense of

² Para 6.5.12

enclosure. This would result in a poor outlook for the occupiers of that dwelling. While I acknowledge that there would be no material loss of light or privacy, a lack of harm in this respect does not weigh positively in favour of the proposal.

11. Consequently, I find its height, scale and overall design would be incompatible with adjoining development. Furthermore, I find that it would adversely affect the amenity of nearby properties. As such, I would be contrary to LP Policies EP3 & H9 which, amongst other things, seeks to ensure that new development does not adversely affect the amenity of neighbouring occupiers.

Other matters

12. The appellant has sought to argue that the Council has placed undue reliance on objections to the proposal from local residents. However, while these may have formed a part of the Council's overall assessment, the officer report contains a cogent assessment of the proposal and does not, in my view, place undue reliance on any third party objection.
13. I have had regard to the appellant's personal circumstances which have been advanced as part of the grounds of appeal. However, while I acknowledge the need to accommodate family members, this does not overcome the harm identified above or provide sufficient reason to grant planning permission for the development proposed.

Conclusion

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

Rory Cridland

INSPECTOR