
Appeal Decision

Site visit made on 15 February 2017

by David Walker MA MRTPI

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

Decision date: 10th March 2017

Appeal Ref: APP/X0415/D/16/3163686

Cordons, Windsor Lane, Little Kingshill, Great Missenden, Buckinghamshire HP16 0DZ

- 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 M Hughes against the decision of Chiltern District Council.
 - The application Ref CH/2016/1187/FA, dated 24 June 2016, was refused by notice dated 26 August 2016.
 - The development proposed is part single, part two story side/rear extension incorporating double garage, store, pool and leisure area.
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Decision

1. The appeal is allowed and planning permission is granted for part single, part two story side/rear extension incorporating double garage, store, pool and leisure area at Cordons, Windsor Lane, Little Kingshill, Great Missenden, Buckinghamshire HP16 0DZ in accordance with the terms of the application, Ref CH/2016/1187/FA, dated 24 June 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3994/2.02/B and 3994/2.03/A.
 - 3) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained hedge between Cordons and Cloisters (the hedge protection plan) and the appropriate working methods (the method statement) have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained hedge shall be carried out as approved.
 - 4) If any part of the retained hedge is cut down, uprooted or destroyed or dies another hedge shall be planted at the same place and that hedge shall be of such size and species and shall be planted, in accordance with condition 4, at such time as may be specified in writing by the local planning authority.
 - 5) The external surfaces of the development hereby permitted shall be constructed in the materials described in the application form.
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Preliminary Matters

2. The Council revised the address and description of the proposal. As these have been used by the appellant at sections D and E of the appeal form, and better reflect the location and nature of the development, I have used the revised wordings.
3. Amended plans were submitted with the appeal that have not previously been seen by the Council and interested parties. They increase the height of the first floor element of the proposal and bring it closer to the boundary. I am not satisfied that my consideration of these plans at this time would not prejudice the interests of other parties, and have determined the appeal on the basis of the plans considered by the Council.

Main Issues

4. The appeal property falls within the Green Belt where the fundamental aim is to prevent urban sprawl by keeping land permanently open. However, the Council acknowledges that it also falls within a row of dwellings identified at saved Policy GB4 of the Chiltern District Local Plan 1997 (the Local Plan) where extensions to dwellings in the Green Belt are acceptable in principle. Having regard to paragraphs 88 and 89 of the National Planning Policy Framework (the Framework) I am satisfied that the proposal would not amount to being inappropriate development in the Green Belt.
5. I therefore consider the main issues to be the effect of the proposal on:
 - i) the character and appearance of the area, and
 - ii) the living conditions of the occupants of the neighbouring property 'Cloisters' in relation to scale and proximity having regard to the availability of light and outlook

Reasons

6. The appeal property a large detached dwelling in a generous plot. It is situated in a built up area with adjacent dwellings and a school opposite. The proposal would be a mostly low height addition situated to the rear in a large garden surrounded by tall hedges. As the development would be located in a back land position where it is accessed only over a private lane it would not be visible from public vantage points.
7. Although falling within the Chilterns Area of Outstanding Natural Beauty the extension would be a minor development in an urbanised setting. Having only a neutral impact on the visual qualities of the area I am satisfied the natural beauty of the designated area would be conserved. Therefore, while the proposal would be a large extension to the host property it would not have a harmful effect of the character and appearance of the area.
8. In relation to living conditions, the proposal would project a significant length adjacent to Cloisters. However, it would be positioned with a gap to the common boundary and with the roof sloping away from the direction of the neighbour. An existing tall conifer hedge would provide extensive screening that would reduce overbearing effects to acceptable levels.
9. I have nothing before me to indicate that with the hedge in situ the proposal would result in any significant loss of light. Therefore, with the retention of the

boundary hedge as could be secured by conditions I am satisfied that harmful effects on the living conditions of the neighbour would not arise.

10. I conclude that the proposal would have a satisfactory effect on the character and appearance of the area and on living conditions. It would accord with the requirements for a high standard of design set out at Policies GC1, H13 and H15 of the Local Plan and Policy CS20 of the Core Strategy for Chiltern District 2011, and the need to protect the amenities of neighbouring properties set out at Policies GC1, GC3, H13 and H14 of the Local Plan, as well as the guidance within Residential Extensions and Householder Development 2013.
11. Conditions are necessary to secure the of the boundary hedge. To this end a protection scheme is required to be submitted for approval before any development commences as it goes to the heart of the development. Other conditions are required to identify the implementation period, approved plans, and external materials in the interests of certainty.

Conclusion

12. For the reasons given above I conclude that the appeal should be allowed.

David Walker

INSPECTOR