
Appeal Decision

Site visit made on 24 April 2017

by J L Cheesley BA(Hons) DIPTP MRTPI

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

Decision date: 12 May 2017

Appeal Ref: APP/X0415/D/17/3169868

**Oak Tree Cottage, Tower Road, Coleshill, Amersham,
Buckinghamshire HP7 0LB**

- 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 and Mrs N Kebbell against the decision of Chiltern District Council.
- The application Ref CH/2016/2250/FA was refused by notice dated 3 February 2017.
- The development proposed is the erection of a first floor side extension and single-storey side extension.

This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 27 April 2017.

Decision

1. The appeal is allowed and planning permission granted for the erection of a first floor side extension and single-storey side extension at Oak Tree Cottage, Tower Road, Coleshill, Amersham, Buckinghamshire HP7 0LB in accordance with the terms of the application Ref CH/2016/2250/FA dated 5 December 2016 and the plans submitted with it and 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) Notwithstanding condition 2, no development of the single-storey side extension hereby permitted shall take place until details of the materials to be used in the construction of the external surfaces of the roof; rear wall and side wall of the single-storey extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) The development hereby permitted shall be carried out in accordance with the approved plans on drawings: Location Plan; Site Layout 10a; Site Layout Proposed 12A; Existing Plans 10153/01 Rev B; Existing Elevations 10153/02 Rev A; Proposed Plans 10153/03 Rev B and Proposed Elevations 10153/04 Rev B.
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Main issue

2. I consider the main issue to be the effect of the proposal on the character and appearance of the surrounding countryside in the Chilterns Area of Outstanding Natural Beauty (AONB).

Reasons

3. The appeal site lies within a group of dwellings in the Chilterns AONB, an area of high quality undulating countryside. The National Planning Policy Framework advises that great weight should be given to conserving the landscape and scenic beauty in an AONB, which has the highest status of protection in relation to landscape and scenic beauty.
4. The appeal site comprises a dwelling and associated hardstanding close to the front of the site with a large open garden to the rear. The existing dwelling, together with detached garage, hardstanding and raised patio area comprise an area of built form fronting Tower Road. There is a distinct contrast between the large verdant rear garden and the built area fronting Tower Road.
5. The appeal proposal includes a first floor side extension and a single-storey side extension. The Council has only raised concern regarding the latter. This would be a side extension on an existing area of hardstanding within an existing balustrade wall within the built up area fronting Tower Road.
6. The single-storey side extension would have glazed walls to the side and rear and a glazed roof. It would be situated to the side of an already substantial building. It would be set back from the front elevation behind a wall fronting Tower Road. The roof height would be set down from the adjacent roof on an existing single-storey projection. As such, whilst expanding the width of the property, I consider that it would appear as a modest subservient addition. This is a substantial property in substantial grounds. In this particular location, it would be contained within an existing balustrade wall and on existing hardstanding. For these reasons, I do not consider that it would result in an unacceptably sprawling dwelling.
7. There is a considerable amount of glazing in this large dwelling and if all the lights were on at the same time in the evening or at night, it would be highly visible in the surrounding countryside. In my opinion, due to the scale and position of the proposed side extension and the likely existing light levels emanating from the existing dwelling, I do not consider that the additional light likely to emanate from the proposed side extension would be materially significant in terms of light pollution to the surrounding countryside.
8. I have attributed great weight to conserving the landscape and scenic beauty in the AONB. For the reasons stated above, I do not consider that the proposal would have a materially adverse effect on the character and appearance of the surrounding countryside. As such, it would conserve the landscape and scenic beauty in the AONB.

Green Belt

9. The appeal site is situated within the Green Belt. The Council has not raised concern regarding the effect of the proposal on the openness of the Green Belt and has not suggested that the proposal would constitute inappropriate development within the Green Belt, although I note that other interested

parties have made reference to the previous dwelling on the site and subsequent development.

10. The construction of new buildings in the Green Belt is inappropriate unless in accordance with exceptions in the Framework. One exception is where the extension or alteration of a building does not result in disproportionate additions over and above the size of the original building.
11. From my observations, the proposed additions would not constitute disproportionate additions over and above the size of the original building. Whilst the proposal would have some effect on openness, bearing in mind that it is not inappropriate development, I am satisfied that significant or material harm to the Green Belt would not be caused by the proposal.

Conclusion

12. In reaching my conclusion, I have had regard to all matters raised including examples of similar developments elsewhere. I have determined the proposal before me on its individual merits.
13. I have been referred to Coleshill House, a Grade II listed building. From my observations, due to the distance between the properties and the proposed scale and design of the extensions, I do not consider that the proposal would have an adverse effect on the setting of this listed building.
14. I am satisfied that significant or material harm to the Green Belt would not be caused by the proposal. I have taken into consideration all matters raised by local people in reaching my conclusion.
15. I have found that the proposal would not have an adverse effect on the character and appearance of the surrounding countryside in the Chilterns AONB. Thus, the proposal would be in accordance with Policies GC1 and LSQ1 in the Chiltern District Local Plan 1997 (including Adopted Alterations 2001) Consolidated 2007 and 2011, and Policies CS20 and CS22 in the Core Strategy for Chiltern District (2011) where they seek to ensure that new development relates well to its setting and where they seek to conserve and enhance the special landscape character and the natural beauty of the AONB.
16. I consider that the policies referred to above are broadly in accordance with the Framework as far as they meet the Framework's core principles; particularly that planning should be recognising the intrinsic character and beauty of the countryside and contributing to conserving and enhancing the natural environment.

Conditions

17. The Council has suggested standard time, matching materials and plans conditions. As the roof of the proposed single-storey extension would be a glazed structure, this clearly would not match the existing tiled roofing on the rest of the building. In addition, the two glazed walls would not match the rendered walls of the main building. In these circumstances, I consider it reasonable and necessary to impose a condition requiring the approval of the materials for these walls and the roof, in the interest of visual amenity.
18. Planning Practice Guidance advises that conditions preventing any development from taking place until a condition has been complied with should only be used where the requirements of the condition are so fundamental to the

development that it would have been otherwise necessary to refuse the whole development. In this respect, I consider it fundamental, in the interest of visual amenity, to require materials details in condition 3 to be complied with prior to commencement of development of the single-storey side extension.

J L Cheesley

INSPECTOR