

Appeal Decision

Site visit made on 12 June 2017

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

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

Decision date: 4th July 2017

Appeal Ref: APP/X0415/D/17/3172474

7 Denham Lane, Chalfont St Peter, Gerrards Cross SL9 0EU

- 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 K Singh against the decision of Chiltern District Council.
 - The application, Ref. CH/2016/2336/FA, dated 16 December 2016, was refused by notice dated 21 February 2017.
 - The development is described as '*proposed extensions – new frontage and first floor; proposed rear and side extension with rear part 2 storey and new roof and loft conversion with dormers – existing structure / floor slabs etc to be retained*'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the dwelling's proposed alterations and extensions on the character and appearance of the area, in particular the Denham Lane street scene.

Reasons

3. The Council's concern is essentially that the appeal scheme would fail to integrate with the scale and form of the existing dwelling and other dwellings in the locality. This in turn would make the development appear prominent and visually intrusive in the street scene and as a result would be harmful to the character and appearance of the area.
 4. Firstly as regards the relationship with the existing dwelling, the Council's criticisms are based on the requirement in the Council's Residential Development and Householder Development Supplementary Planning Document (SPD) 2013 that any extension should harmonise with the host dwelling and respect its scale and proportions. In most cases this is clearly appropriate and similar objectives can be found in the design guidance of all Local Planning Authorities.
 5. However there are occasions when a proposal to extend a building to such an extent that it entirely changes the appearance of the dwelling, such that if carried out the result is one of an entirely new design and thereby perceived as being originally built in that form. In these cases, and the appeal proposal is an example, the SPD is not particularly relevant unless the existing dwelling has an intrinsic merit that should not be lost. I do not regard No. 7 Denham Lane with
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its asymmetric form comprising a catslide roof extending over an integral garage, as having that merit.

6. On the basis that the scheme creates a completely new design I do not consider that the officer's report and the Notice of Refusal, both of which assess the proposal on the basis of the effect on the existing building, are an appropriate method of appraising of the application. However, even with the freedom from the constraints of the SPD that alternative approach allows, any proposal should still be in keeping with both the site itself and its context. This is in order to comply with development plan policies and Government policy in Section 7: 'Requiring Good Design' of the National Planning Policy Framework 2012 ('the Framework'), with their shared objective of safeguarding the character and appearance of the area within which development takes place.
7. Applying this rationale, I consider that in itself the new design is not without merit insofar as the symmetry of the front elevation is more interesting and aesthetically pleasing than the somewhat nondescript appearance of the existing dwelling. However, that said, the extended dwelling would appear as somewhat grandiose for its setting, which is one of a more restrained architectural vernacular that is characteristic of this suburban area.
8. Bearing in mind paragraph 60 of the Framework, which says that '*planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles*', my reservation that the building could appear as ostentatious does in itself not warrant a refusal. This is especially as any building on the site for the most part reads only with the much further set back and well screened No. 5 to the north.
9. However, the determining factor in the appeal is that the combination of the design with the large scale of the altered building would, as the Council alleges, result in a discordant form of development at odds with the character of the locality. The building would have a considerable depth and as a result of its forward siting the substantial length of the flank walls would be prominent in the street scene, particularly if at some time in the future the trees and hedges on the site and at No. 5 were removed or reduced.
10. The gaps from the extended building to the site's flank boundaries would also be insufficient for its large size and the site's context, and the dwelling's relative proximity to Denham Lane when combined with the assertive design of the front elevation's twin gables would be visually intrusive, with a perception of overdevelopment and incongruity. The large bulk of the building would be further emphasised by the large crown roof, a feature that is not characteristic of the locality.
11. On balance, I conclude that the appeal proposal would have an unacceptably harmful effect on the character and appearance of the area, in particular the Denham Lane street scene. This would conflict with the Council's development plan, including Policies GC1, H13 & H15 of the Chiltern District Local Plan 1997 (as subsequently amended); Policy CS20 of the Chiltern District Core Strategy 2011, and the overall thrust of Section 7 of the Planning Framework, notwithstanding my aforementioned reference to paragraph 60.

12. I note that the grounds of appeal refer to an approval of extensive alterations to a property at 7b North Park, Iver, but although I have not visited that site its relevance is limited. This is because, as will be clear from my Decision, it is the context of Denham Lane and the appeal site's constraints that are the important factors in my concluding that both the design and scale would be inappropriate.
13. For the reasons set out above I dismiss the appeal.

Martin Andrews

INSPECTOR