

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: 6th July 2017

Appeal Ref: APP/X0415/D/17/3173117

Acorns, 27 Parkfield Avenue, Amersham, Buckinghamshire HP6 6BE

- 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 Elizabeth Adey against the decision of Chiltern District Council.
 - The application, Ref. CH/2017/0041/FA, dated 4 January 2017, was refused by notice dated 3 March 2017.
 - The development proposed is described as 'a double storey side extension'.
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Decision

1. The appeal is allowed and planning permission is granted for a part two storey / part single storey side / rear extension at 27 Parkfield Avenue, Amersham in accordance with the terms of the application, Ref. CH/2017/0041/FA, dated 4 January 2017, 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 development shall be carried out in accordance with the following approved plans: OS Based Location Plan; Existing Block Plan & Proposed Block Plan; Drawing Nos. 1002/R/01 & 1002/R/02;
 - 3) 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.

Preliminary Matter

2. Although not referred to on the application form, the proposal as a whole includes the rebuilding of an existing single storey rear extension and an internal link with the proposed two-storey extension. As it more accurately reflects the form of development, I have used the Council's amended description of the proposal in my Decision.

Main Issue

3. The main issue is the effect of the proposed extension on the character and appearance of the host dwelling and the street scene of Chestnut Lane.

Reasons

4. I saw on my visit that the appeal dwelling, 27 Parkfield Avenue, is a corner property with its principal elevation to Chestnut Lane. Immediately to the east
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of No. 27 is a semi-detached house, No. 116 Chestnut Lane, but wrongly referred to in the Council's Decision Notice as No. 16.

5. The Council's view of the proposed two storey extension is that because of its close proximity to the eastern boundary the proposed two storey extension would be '*a cramped, contrived, obtrusive and discordant form of development*'. This is a particularly strident criticism and I am minded to agree with the comment in the grounds of appeal that it comprises an unjustifiably harsh critique of the proposal rather than the more considered appraisal that it merits.
6. The fact of the matter is that it would clearly be preferable if at least a metre gap (and preferably more) were to remain between the extension and the boundary with No. 116. This would contribute to the maintenance of the already spacious character of the area and be in line with the guidance in the Council's Residential Extensions and Householder Development Supplementary Planning Document 2013.
7. However, in order to assess the extent of any actual harm that would be caused by the smaller gap, it is necessary to both consider the specific merits of the proposal as well as the particular context of the development. Firstly in respect of the merits, the extension's design detail closely reflects that of the existing front elevation, including its gabled form and the fenestration. With its much lower ridge and substantial set back of 1.75m from the front elevation (a figure much greater than the fairly nominal set backs often accepted by Local Planning Authorities as helping to achieve subordination) the proposed extension is demonstrably subservient to the host dwelling. In addition to the more nominal 0.25m gap to the boundary with No. 116 (although itself more acceptable than an extension actually on the boundary as is sometimes proposed) I consider that this siting and design would be a mitigating factor against any perception of a cramped development.
8. Secondly, the context is one of the main elevation of No. 116 being separated from the appeal dwelling by its single storey garage, which with its mainly flat roof results in a further 2m separation at first floor and roof levels between the flanks of the two buildings. A further helpful point is that No. 116 is slightly set back on its plot compared with the appeal dwelling.
9. I also give weight to the argument in the grounds of appeal that the absence of a uniform development pattern and the variety of house designs would further diminish the likelihood of visual coalescence as a result of the development. Furthermore, in terms of the 'visual intrusion' referred to by the Council, the presence of the mature oak tree in the front garden of the appeal dwelling precludes it from being easily read with No. 116, and this screening is likely to continue well into the foreseeable future.
10. In summary, the decision in this appeal is finely balanced rather than the development being significantly harmful as the Council alleges. However, I consider that the merits of the proposal outweigh the drawbacks, especially when the substantial improvement in the living accommodation of the appeal dwelling is also taken into account. The National Planning Policy Framework 2012 ('the Framework') requires a positive approach towards development proposals and in this instance I do not find there would be (i) an unacceptably

adverse effect on the character and appearance of the host dwelling and the street scene of Chestnut Lane and (ii) a harmful conflict with Policies GC1, H13, H15 & H16 of the Chiltern District Local Plan 1997; Policy CS20 of the Chiltern District Core Strategy 2011 or the requirements of the Framework.

11. I shall therefore allow the appeal. A condition requiring the development to be carried out in accordance with the approved plans is needed for the avoidance of doubt, whilst a matching external materials condition will ensure that the extension harmonises with the host dwelling in the interests of maintaining visual amenity.

Martin Andrews

INSPECTOR