



Appeal Decision

Site visit made on 18 July 2017

by Robert Fallon B.Sc. (Hons) PGDipTP MRTPI

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

Decision date: 4 August 2017

Appeal Ref: APP/J0405/D/17/3170893

Detached garage adjacent to No. 50, The Poplars, Wendover HP22 6NP

- 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 Nick Shute against the decision of Aylesbury Vale District Council.
 - The application Ref 16/04333/APP, dated 4 December 2016, was refused by notice dated 25 January 2017.
 - The development proposed is demolition of existing garage and erection of replacement garage including residential accommodation at first floor ancillary to 5 Coldharbour.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing garage and erection of replacement garage including residential accommodation at first floor ancillary to 5 Coldharbour at the detached garage adjacent to No. 50, The Poplars, Wendover HP22 6NP in accordance with the terms of the application, Ref 16/04333/APP, dated 4 December 2016, subject to the conditions set out in the attached Schedule.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The proposed new detached building would be considerably larger in scale and mass than the existing garage on the site. Although the Council is of the view that the increase in height and introduction of dormer windows would introduce features more characteristic of a separate dwelling, I consider that the development would appear more akin to a subservient extension to No. 50 The Poplars (even if it is not actually functionally related to this dwelling). This is because it proposes the use of dormer windows comparable to those on No. 50 and would be constructed of similar materials. It would also be in very close proximity to it, set below its main ridgeline and back from its front elevation. For these reasons, I conclude that the development would not appear unduly prominent in the streetscene or out of character with the area and would not therefore conflict with Policy GP35 of the Aylesbury Vale District Local Plan (January 2004) which requires new development to respect the characteristics of the surrounding area and development form in the locality.

Other matters

4. Although the Council and local highway authority has not raised any technical objections in respect of highway safety, inadequate parking and loss of privacy & light to No. 50 The Poplars, I note that the Parish Council and nearby residents have. Having assessed the matter following my site inspection, I am satisfied that the proposal would allow sufficient visibility for cars exiting the adjacent access point and that the additional accommodation would not result in a material increase in parking congestion (given that the existing garage, which appears rather small and in poor condition, would be replaced by a more usable structure for the parking of cars). I am also satisfied that because the proposal would not project beyond the front or rear elevation of No. 50 The Poplars, that it would not result in any material loss of light or privacy to this dwelling.

Conditions

5. The Council has suggested conditions which I have considered in the light of Planning Practice Guidance. On the appeal questionnaire form, the Council has not sought the imposition of a condition limiting the permission to 3 years. However, I consider this to be necessary, along with conditions to ensure that the materials match those on the neighbouring building at No. 50 The Poplars. A condition requiring development to be in accordance with the plans is needed to reflect Planning Practice Guidance. The Council has also requested the imposition of a condition restricting the use of the dwelling. Given that the building could be accessed separately from the host dwelling at No. 5 Coldharbour, I consider this to be reasonable and necessary.

Conclusion

6. I have found that the proposal would not cause harm to the character and appearance of the area. In view of this and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Robert Fallon

INSPECTOR

Schedule of 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:- Drawing nos. CG01, CG02, CG03, CG04, CG05, CG06, CG07, CG08, CG09, CG10, CG11 and CG12.
- 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on drawing nos. CG08, CG09, CG10 and CG11.
- 4) The garage building with first floor residential accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 5 Coldharbour, Tring Road, Wendover.