



Appeal Decision

Site visit made on 10 July 2019

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd July 2019

Appeal Ref: APP/X0415/D/19/3228350

11 Hawthorn Lodge, Rickmansworth Lane, Chalfont St Peter, SL9 0JY

- 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 Simpson against the decision of Chiltern District Council.
 - The application Ref PL/18/4825/FA, dated 21 December 2018, was refused by notice dated 15 February 2019.
 - The development proposed is a detached garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal property is a detached two storey dwelling situated along Rickmansworth Lane, close to its junction with Fernsleigh Close. It has gardens to the front, side and rear and its front garden is separated from the pavement by a tall hedgerow.
 4. The appeal property is located in a residential area largely characterised by the presence of detached two storey dwellings sat in relatively large garden plots.
 5. Whilst they have larger gardens to the rear, houses across Rickmansworth Lane from the appeal property are set close to the road such that there are only very small garden areas between their front elevations and the pavement. By way of contrast, the appeal property and other dwellings on the same side of the road, are sat well back from the pavement behind gardens. This provides for a significant sense of spaciousness.
 6. During my site visit I observed that the presence of hedgerows, mature trees and gardens provides the area with an attractive green character. Further, these green and spacious attributes are significantly enhanced by the presence of attractive green and open public spaces adjacent to junctions along Rickmansworth Lane. During the time of my site visit, these significant open spaces were adjoined by the presence of luxuriant foliage.
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7. One such open space lies close to the appeal property, at the junction of Rickmansworth Lane and Fernsleigh Close. There is a very tall evergreen hedgerow adjacent to the space and this continues to comprise the hedgerow to the front of the appeal property. As one travels towards and past the appeal property towards Fernsleigh Close, there are green, open and spacious views along and over the property's hedgerow.
8. Consequently, the garden area to the front of the appeal property makes a significant contribution to the green, open and spacious qualities of the area.
9. The proposed development would comprise a very large garage – which would be tall, long and wide. It is proposed to locate the garage in the area of garden between the front elevation of 11 Hawthorn Lodge and Rickmansworth Lane. It would replace an open area of garden that currently contributes to the green and spacious qualities of the area and it would be clearly visible above the hedgerow, as well as through a new entrance to be constructed as part of the implementation of another planning permission¹.
10. The harm arising from the above would be exacerbated as a result of the proposed garage, due to its size and siting, drawing the eye as a dominant built feature within a part of Rickmansworth Lane currently notable for its green and spacious qualities. I also find that the garage, which would be located much closer to the pavement than the host property, would combine with the presence of dwellings built close to the opposite side of Rickmansworth Lane to severely reduce the sense of greenery and spaciousness that currently exists.
11. Taking all of the above into account, I consider that the proposed development would harm the character and appearance of the area. This would be contrary to the National Planning Policy Framework; to Local Plan² Policies GC1, H13, H15 and H20; to Chiltern District Core Strategy (2011) Policy CS20; and to the Council's Supplementary Planning Document: Residential Development and Householder Development (2013), which together amongst other things, protect local character.

Other Matters

12. In support of their case, the appellants refer to other developments elsewhere. However, there is no substantive evidence before me to demonstrate that the circumstances relating to these developments are so similar to those before me as to provide for direct comparison. For example, none appear to be adjacent to the nearby space, or to a public space with the same qualities, as the one referred to in this decision.
13. Notwithstanding this, I have, in any case, found that the proposal would result in significant harm and this is not something that is reduced or mitigated by the presence of other developments elsewhere.

¹ Reference: CH/2018/0644/FA.

² Chiltern District Local Plan² 1997 (including Adopted Alterations 2001 and 2004) Consolidated 2007 and 2011.

Conclusion

14. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR