
Appeal Decision

Site visit made on 22 October 2019

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th October 2019

Appeal Ref: APP/X0415/D/19/3238037

Newholme, 214 Stanley Hill, Amersham HP7 9ES

- 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 Reghbinder Deol against the decision of Chiltern District Council.
 - The application Ref: PL/19/1997/FA, dated 11 June 2019, was refused by notice dated 12 August 2019.
 - The development proposed was originally described as "amending the roof to a mansard roof to make the loft space more useable."
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the building and the area, in particular the proposed roof.

Reasons

3. The appeal property comprises a detached dwelling which, for the most part, has a hipped roof arrangement. The site lies in a residential area and the nearest properties to the east side are also predominantly hipped roof in form, including where they contain dormer roof extensions. This pleasingly contributes towards the character and appearance of the area. On the opposite side of the site, there is more of a variety of roof types and these are generally inobtrusive in their appearance. An electricity sub-station is located to the rear of the site.
4. The proposed roof would take the form of a mansard arrangement and incorporate a large dormer. It would not be in keeping, compared to the hipped roof, with its steeper roof lines and as the associated long horizontal lines would be well above those found at the eaves level on the existing house. As a consequence, there would be a lack of cohesion with the design of the existing dwelling.
5. When seen from the rear garden, as well as the nearest neighbouring properties, this would noticeably add to the bulk and mass of the proposed roof so as to appear dominant. The overall resultant scale would be visually intrusive and, in these surroundings, it would be overly large. In addition, its

mansard form and size would be in stark contrast to either the hipped or the other more discrete roof types found in its vicinity.

6. As the substation is found in a secluded location beyond the rear garden and amidst vegetation, it does not alter the prevailing character of the area to the extent that it would justify the detrimental effect of the proposal. Nor would the lack of visibility from the streetscene because the proposal would appear out of place on the rear of the appeal property. The roofs on the existing extensions to the rear that are visible from the appeal site are more in keeping with their host properties and the area, compared to what is before me to consider.
7. I conclude that the proposal would have an unacceptable effect on the character and appearance of the building and the area, in particular the proposed roof. As such, it would not comply with Saved Policies GC1, H13 (ii) and H15 (i) (iii) of the Chiltern District Local Plan (1997, as altered and consolidated), and with Policy CS20 of the Core Strategy for the Chiltern District (2011), which are concerned with a high standard of design that reflects the existing dwelling and respects the character of the area, including with regard to scale and form, amongst other considerations.

Other Matters

8. The appeal property benefits from a recent planning permission¹ for an extension, including to the roof. This represents a clear fallback position. The approved form of the roof is, however, hipped in form to match the existing dwelling. It does not include the bulk and form of the proposed mansard arrangement that, for the reasons that I have set out, would appear awkward on this dwelling.
9. The unsympathetic alteration that would arise to the approved design and scale of the roof would be marked from the rear of these properties as an elevated part of the proposed extension, even though the height of the roof pitch and the footprint size would be unaltered, and that the volume increase would not be especially significant.
10. The fallback position does not, therefore, warrant permitting the proposal before me. In coming to this view, I have had regard to the Mansell judgment² that I have been referred to.
11. Interested parties to the planning application have raised a number of other concerns. However, as I am dismissing the appeal on other grounds, such matters do not alter my overall conclusion and have, therefore, not had a significant bearing on my decision.

Conclusion

12. For the reasons set out above and having regard to all matters that have been raised, the appeal should be dismissed.

Darren Hendley

INSPECTOR

¹ Council ref: PL/19/0252/FA.

² Michael Mansell v Tonbridge and Malling Borough Council v Croudace Portland, the East Malling Trust [2017] EWCA Civ 1314