



Appeal Decision

Site visit made on 8 October 2019 by Scott Britnell MSc FdA

Decision by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th December 2019

Appeal Ref: APP/K0425/D/19/3237087

Rassler Wood House, Henley Road, Marlow, SL7 2EN

- 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 Ian Shott against the decision of Wycombe District Council.
 - The application Ref 19/06374/FUL, dated 4 June 2019, was refused by notice dated 8 August 2019.
 - The development proposed is described as 'new dormers to front, rear and side elevations of the garage'.
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Decision

1. The appeal is allowed, and planning permission is granted for the construction of 5 x dormer windows to front, side and rear elevations and insertion of 1 x roof light to side elevation to create habitable room above detached garage, staircase to south west elevation and enclosing of existing garage with walls and garage doors at Rassler Wood House, Henley Road, Marlow, SL7 2EN, in accordance with the terms of application Ref 19/06374/FUL, dated 4 June 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with approved plans, 1685/01, 1685/03.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby approved shall match those used in the existing building.
 - 4) The development hereby approved shall be used only for purposes incidental to the enjoyment of the dwelling house at Rassler Wood House, Henley Road, Marlow.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. Since the application was determined, the Council has adopted the Wycombe District Local Plan 2019 (LP) which replaces the Local Plan, Core Strategy and the Local Plan Submission Version. During the appeal process, the parties

were asked to confirm which policies they considered were relevant to the determination of the appeal, and I have taken their comments into account.

4. The Council refer to 'Residential Design Guidance (Adopted 2017)', but as I have not been provided with a copy of this document, I cannot assess the appeal against it.
5. During the course of the application, the description of development was amended. In the interests of accuracy, I have considered the appeal on the basis that it seeks planning permission for the "Construction of 5 x dormer windows to front, side and rear elevations and insertion of 1 x roof light to side elevation to create habitable room above detached garage, staircase to south west elevation and enclosing of existing garage with walls and garage doors".

Main Issue

6. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons for the Recommendation

7. The appeal site comprises a large detached dwelling set within substantial grounds. It is located on the north side of the A4155 to the west of Marlow and is accessed off a long track through a heavily wooded area, which also serves the neighbouring property. The site is within the Chilterns Area of Outstanding Natural Beauty (AONB) where the National Planning Policy Framework ('the Framework') advises that great weight should be given to conserving and enhancing the landscape and scenic beauty.
8. The appeal proposal relates to an existing detached garage located to the north of the main dwelling. It is an open fronted structure with partially enclosed side and rear elevations. Both parties advise that planning permission has been granted to enclose the structure and for it to be used as a double garage on the ground floor with hobby room above. This appears to be an extant consent and I have no evidence to suggest otherwise. The permission included a dormer and external staircase to the first floor of the garage and five roof lights. The current proposal seeks to add a further four dormer windows and retain a single roof light.
9. There would be no increase in the overall footprint of the building proposed. Cumulatively, the dormer windows would not add a significant amount of floor space over and above the hobby room consented under the previous planning permission. The appellants indicate that this would be in the region of 4 square metres. The dormer windows would incorporate design elements and materials from the main dwelling and be set in from the side of the roof planes, down from the ridge and back from the eaves. Taken as a whole, they would appear as subservient additions to the building, which would not significantly enlarge it or increase its height.
10. The Council are concerned that the proposal would result in a building that would rival the main dwelling in size and appearance and would appear prominent and out of keeping in relation to that building. However, the garage is located away from the host dwelling and would retain its current sense of scale. The addition of the dormer windows, while changing the appearance of the garage, would not result in an appearance of a separate residential dwelling. Moreover, due to the significantly larger size of the main dwelling

and the level of separation between both, the garage would retain a suitably subservient and ancillary appearance and would neither appear prominent nor out of keeping in relation to the main dwelling.

11. Although the site is relatively secluded, views of the garage are available from the neighbouring property to the east and there is a path that runs to the west of the site along its boundary from north to south. While the proposal would be visible from both of these areas, it would be read very clearly in context with the buildings on site and would not appear as isolated development. Further, views from the adjacent path would be partially screened by the trees and vegetation on the boundary. Within this context, the proposal would have no harmful impacts on the character and appearance of the AONB, the natural beauty of which would be conserved.
12. The Council are concerned that the garage could be converted to a separate dwelling, which it considers would not be acceptable in this location. However, such development would require planning permission to be obtained. Nevertheless, I am mindful that the description of development, as accepted by both parties, refers to a habitable room. Therefore, to provide certainty, I consider that a condition that limits the use of the development to purposes which are incidental to the enjoyment of the main dwelling would be both reasonable and necessary in this case. This would ensure that the Council retains control over the future use of the building and that the character and appearance of the surrounding area would be safeguarded.
13. I conclude that the proposal would not cause any material harm to the character or appearance of the surrounding area and that it would comply with LP Policies DM30, DM35 and DM36 and the Chilterns Buildings Designs Guide (2010). These seek, among other things, to conserve the natural beauty of the Chilterns AONB, protect the distinctive built character of the Chilterns AONB and require development, including extensions and alterations to existing dwellings, to achieve high quality design that respects the character and appearance of the existing property and surrounding area and be subservient in scale and ancillary in function to the existing dwelling.

Conditions and Recommendation

14. In addition to conditions relating to the use of the development and relating to the commencement of development and approved plans, a condition to ensure that the materials to be used in the construction of the external surfaces of the development match those in the existing building is necessary to ensure the development is sympathetic to the host building and its surroundings.
15. For the reasons given above, I recommend that the appeal should be allowed.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

P J Davies INSPECTOR