



Appeal Decision

Site visit made on 7 January 2020

by S Thomas BSc (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 February 2020

Appeal Ref: APP/X0415/W/19/3238722

20 Hivings Park, Chesham HP5 2LF

- 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 Ann Goldstein against the decision of Chiltern District Council.
 - The application Ref PL/19/2428/FA, dated 11 July 2019, was refused by notice dated 13 September 2019.
 - The development proposed is a new single storey one bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The proposed dwelling would be located within the private garden area of the appeal property (No 20) which is situated in an irregular corner plot on Hivings Park within a residential area. The predominant character of Hivings Park is an estate with a common pattern of development of typically semi-detached bungalows. These are located in a staggered arrangement set back from the street behind front gardens with the front elevations facing the highway.
4. The proposed detached bungalow would be located to the south east of No 20 and set deep into the plot. The siting of the proposed bungalow would be out of character with the established pattern of bungalows within the street where bungalows are positioned much further forward in their respective plots. This arrangement results in only part of the front elevation of the proposed dwelling being visible from the street scene and thus the full front elevation would not have a relationship with the highway contrary to the predominant character of bungalows in the street.
5. It would result in the dwelling appearing crammed into the existing plot and being partly hidden behind No 20 would give the appearance of protruding uncomfortably from the side of No 20 when viewed from the street scene. It would thus fail to respect the siting of buildings in the street scene and would appear out of character with the pattern of development along Hivings Park. This would cause harm to the character and appearance of the area.

6. I recognise the appeal property is situated in a corner plot angled toward the neighbouring property (No 19). However, the front elevation has a direct relationship with the highway and is visible from the street scene. Further, whilst there exists a modest double garage to the neighbouring property the presence of outbuildings is a feature of the estate and thus are viewed in a different context as associated with the individual bungalows on the estate. Similarly, it is acknowledged the presence of a garage and outbuildings at the appeal site which would be removed to facilitate construction of the proposed development. Whilst these exist, they are ancillary buildings to the existing property and are viewed as such.
7. Whilst it may be the case that the appellant could construct outbuildings within their garden on the footprint of the proposed dwelling there is nothing before me to indicate this would be undertaken nor what it would look like. Notwithstanding this, the presence of outbuildings within the garden area of existing properties would not be uncommon and would not depart from the predominant pattern of development for properties in the estate.
8. It is acknowledged that at the entrance to Hivings Park there is a terrace of two storey dwellings fronting the road and a further terrace of dwellings situated in a backland location which contrasts with the pattern of development within the street. However, this element of housing is viewed in a different context to the established pattern of development associated with the bungalows on Hivings Park.
9. Finally, it is noted that No's 9 and 10 Hivings Park occupy a corner plot. In the case of No 9, whilst not having a front elevation facing the highway this is adjoined to No 10, and whilst unusual with the access running to the front of No 10 does not appear out of character when viewed from the street scene, rather part of the planned layout of the estate.
10. For the reasons outlined above, and notwithstanding that the location of the development, its access/parking arrangements and effect on neighbouring occupiers would all be acceptable, I conclude that the proposal would harm the character and appearance of the area. Thus, it would conflict with Policies GC1 and H3 of the Chiltern District Local Plan 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011 and Policy CS20 of the Core Strategy for Chiltern District (2011). Together these policies amongst other matters seek that development reflects and respects the character of the surrounding area and the siting of new buildings should be in accordance with the siting of any existing or adjoining buildings. These policies are consistent with the National Planning Policy Framework in seeking to ensure that proposals are sympathetic to local character, including the surrounding built environment.

Other Matters

11. I have considered the personal circumstances outlined by the appellant in the supporting letter accompanying the planning application. However, I am mindful of the guidance contained in Planning Practice Guidance that in general, planning is concerned with the use of land in the public interest. The proposed development is permanent and would remain after the current personal circumstances cease to be relevant. In any event, I do not consider the appellant's personal circumstances outweigh the harm identified.

12. I note the appellants comments regarding the emerging plan proposal SP BP2. However, the harm I have found with this proposal would not be outweighed by the contribution of 1 additional unit on a brownfield site that may reduce the need for an additional unit on a potential greenfield site.

Conclusion

13. For the above reasons the appeal is dismissed.

Stephen Thomas

INSPECTOR