



Appeal Decision

Site visit made on 24 September 2020

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 September 2020

Appeal Ref: APP/X0415/D/20/3250913

7 Canterbury Close, Amersham, Buckinghamshire, HP7 9HA

- 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 Professor David Croisdale-Appleby against the decision of Chiltern District Council (now Buckinghamshire Council).
 - The application Ref PL/19/4075/FA, dated 22 November 2019, was refused by notice dated 29 January 2020.
 - The development proposed is two storey front single storey side extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have utilised the description of the development as found on the Council's decision notice as it more concisely describes the development than that on the appellant's original application form.
3. Since the determination of the application it is noted that Chiltern District Council, as per the decision notice, is now Buckinghamshire Council.

Main Issues

4. The main issues are i) the impact of the proposal on the existing property and ii) impact of the proposed extensions on the character and appearance of the surrounding area.

Reasons

Impact upon the existing property

5. The appeal site is a two-storey detached dwelling with a centrally pitched gable end roof and a flat roof garage, forward of the principle elevation, which is attached to the same style garage for No. 9 Canterbury Close.
6. Other properties, within Canterbury Close, are stated within the appellant's submissions to have already been extended. The submitted plans do indicate the location and footprint of these existing extensions. The extensions to other properties, based upon the evidence before me, are materially different in that none are an extension of the same, or similar, scale which is the subject of this appeal. None the less other sites and/or previous application decisions do not set a precedent. It falls to consider each case, on its own merits, against the Local Plan policies in force at the time, taking into account any material considerations.

7. In this case there are no material considerations which justify a departure from the Local Plan. An assessment of acceptable width, depth, mass and bulking is not necessarily a straight comparison with other properties in the vicinity. The Local Plan policies, relevant to this proposal are clear that extensions should respect the scale and proportion of the existing dwelling which is to be extended.
8. I note that the proposed front elevation has sought to replicate the appearance of the existing dwelling in terms of design. Despite this the proposed two storey extension alone would effectively double the size of the existing dwelling occupying virtually the full width of the existing plot. This, combined with the side extension, would result in significant extensions which would entirely dominate the original property. As a result of this I find that the proposals do not respect the scale, or proportions, of the existing dwelling with it presenting particularly as a disproportionate addition to the front of the dwelling.
9. Overall I find that the proposal would conflict with Chiltern District Local Plan 1997¹ (LP) Policy H15 which requires an extension to be in keeping with the existing dwelling and be designed to respect the scale and proportions of the existing dwelling.
10. I do not find that LP Policy H16 is directly applicable to this proposal in that this policy is concerned with side and/or rear extensions of two storeys or more or above first floor level. The side extension, as part of this appeal, is single storey.
11. It is acknowledged that the Residential Extensions and Householder Development SPD 2013 (SPD) cannot be applicable to the proposal in its entirety, however, the SPD (General Principles, Residential Extensions) is clear that extensions should respect the scale and proportions of an existing building. I do not find that the proposed extension, to the front of the property, is consistent with this.

Character and Appearance

12. When approaching the appeal site it is notable that it is set back from the adjacent dwellings created by numbers 1, 3 and 5. The dwellings along Canterbury Close are well spaced with open front gardens which I find creates a notable open, well-spaced, character to the area compared to Lincoln Park along which I drove to visit the appeal site. The appellant contends that Canterbury Close does not form part of any local estate. I too find that Canterbury Close does have its own spacious sense of identity for the reasons described.
13. The set-back of the appeal site, and No. 9, was evidently purposeful in the original development pattern and contributes to the open space around the end of the road and the turning space available for vehicles. It is acknowledged that places will evolve over time but this is most commonly in the form of modest extensions, which are subservient to the original dwellings, and not in the form of a front and side extension which double, or more, the size of the existing dwelling.

¹ Adopted 1 September 1997 (including alterations adopted 29 May 2011) Consolidated September 2007 and November 2011)

14. The size of the extensions, as discussed above, would result in a dwelling significantly in excess of its original sizing which in turn fails to respect, or take into account, the scale and proportions of dwellings within the area of the application site. This would result in the dwelling, as proposed, being out of character with the surrounding environment and of significantly larger scale and massing than even those which are stated to have been previously extended.
15. The proposal, to extend the appeal site forward of No. 9 would mean that the front elevation would be level with the building line created by numbers 1, 3 and 5 and thus encroach significantly, over two-storeys, into the notable set back created by the existing open front gardens of both No. 7 and No. 9. This would leave No. 9 seemingly left behind in the building line, detract from the spacious characteristics and general appearance of Canterbury Close and would form an obtrusive and awkward addition within the street scene. I find that this then would adversely affect the existing character and local distinctiveness which separates Canterbury Close from areas such as Lincoln Park.
16. I find the proposal would be contrary to LP Policy GC1 which requires development to be in scale with its surroundings and that extensions to existing buildings should be designed to respect the scale and proportions of surrounding buildings. It would also be contrary to LP Policy H13 which allows extensions to dwellings provided that the character and appearance of the street scene or locality in the vicinity of the extension would not be adversely affected and LP Policy H15 which requires an extension to be in keeping with any other buildings in the adjoining area and relate well to the adjoining street scene.
17. I also find that the proposal would conflict with Core Strategy for Chiltern District 2011 Policy CS20 which requires development to respect the character of the surrounding area and those features which contribute to local distinctiveness.
18. The proposal also conflicts with the SPD which advises that an important goal for any extension is to harmonise with a building in such a way it does not adversely affect the character and appearance of the locality. It also requires that extensions respect the existing patterns of development with this being noted as especially important in areas which are spacious in character.
19. The SPD is acknowledged not to directly deal with two-storey front extensions. It does, however, outline that if an extension projects from the front of a building then it should not be a disproportionate addition nor should it be so deep that it disrupts the general set-back of buildings from the street.

Other Matters

20. Residential amenity is not raised within the reason for refusal. The wording of the refusal reason, which resulted in two main issues to be considered, relates to impact upon the existing dwelling and character appearance of the area. These are separate matters from residential amenity.
21. No impact upon residential amenity for future or existing occupiers, a lack of comment (though it is noted there was one objection) from neighbours and no objection from the Town Council does not unfortunately make a proposal

automatically acceptable in other respects. The proposal falls to be considered against all relevant Local Plan policies in accordance with s38(6) of the Planning and Compulsory Purchase Act 2004.

22. I note that the appellant has engaged in pre-application advice as well as two (withdrawn) applications on the appeal site. Concerns over the Council's engagement with the appellant during the application process are noted but are outside the scope of this appeal. I have considered the scheme before me on its own merits against the Local Plan policies.

Conclusion

23. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR