



Appeal Decision

Site visit made on 15 September 2020

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 October 2020

Appeal Ref: APP/NO410/W/20/3252819

9 Denham Green Close, Denham UB9 5NA

- 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 Galvin against the decision of Buckinghamshire Council - South Bucks Area.
 - The application Ref PL/19/4297/FA, dated 6 December 2019, was refused by notice dated 21 February 2020.
 - The development proposed is the demolition of a garage and an outbuilding and the erection of a 3 bedroom house.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on (a) the character and appearance of the area, (b) the living conditions of the occupiers of the dwelling, having regard to outlook and sunlight.

Reasons

Character and appearance

3. The appeal site comprises a semi-detached dwelling at 9 Denham Green Close and its side garden comprising a garage and outbuilding. The neighbouring semi-detached dwelling has a two storey side extension. The surrounding area comprises mainly semi-detached dwellings, with a smaller number of detached dwellings. Most dwellings are two storey, one exception is the semi-detached bungalow adjacent to the site. Dwellings are set back from the road, and despite some side extensions/additions, there are views of gardens and the sky down the sides of properties. This gives rise to attractive spacious and landscaped qualities.
4. The width between the dwelling on the appeal site and the neighbouring bungalow at 1 Morten Gardens is greater than others in the surrounding area. However, the plot of the dwelling marks a transition area between bungalows and two storey dwellings. Within this context, there would be a significant and dominant stretch of two storey brick flank adjacent to the neighbouring bungalow. There would be little visual relief to this elevation which would be in close proximity to the common boundary with the bungalow.

5. The dwelling would also have only a narrow gap, only wide enough for a rear pedestrian access, down its side with the common boundary of No.9. In contrast, most of the nearby pairs of semi-detached dwellings have greater space between them, with gaps between dwellings and common fenced boundaries being roughly single vehicular access in width. Indeed, some have driveways down the side of their flanks and in instances, where there are side extensions/additions, they have small garages/buildings set back and of low single height. As a result, there would be relatively cramped space about the development and views to the rear of garden and sky, especially between the new dwelling and No 9 would be restricted. Consequently, the dwelling would be an unduly dominant and prominent feature when viewed from the highway.
6. A planning permission is being implemented for a two storey side extension to No. 9. However, this would be smaller in extent, stepped back from the front of the host dwelling, lower in height and would not subdivide the plot, with new boundaries and parking areas. Therefore, there would be material differences between it and the proposal before me and this demonstrates to me that every proposal has to be considered on its particular planning merits.
7. For all these reasons, the development would harm the character and appearance of the surrounding area. Accordingly, the proposal would conflict with Policies H9 and EP3 of the South Bucks District Local Plan (LP) 1999 (with Consolidations 2007 and 2011) and Policy CP8 of the South Bucks Core Strategy (CS) 2011, which collectively and amongst other matters, state that development will only be permitted where its scale, layout and siting are compatible with the character of the site.

Living conditions

8. The dwelling's two storey flank would be alongside that of the neighbouring bungalow which has side windows. There would be a gap of approximately 2.8m between the buildings. Even if the neighbour's windows are secondary in nature, the height and expanse of the two storey elevation would result in an adverse loss of sunlight and outlook. In relation to the permitted extension, no objections were raised by the Council but this was sited further back from the flank of the bungalow and thus, it would be materially different.
9. For all these reasons, the development would harm the living conditions of the occupiers of the neighbouring dwelling, having regard to outlook and sunlight. Accordingly, the proposal would conflict with Policies EP3, EP5 and H9 of the LP, which collectively and amongst other matters, requires the provision of adequate sunlight and the neighbouring property amenity not to be adversely affected.

Conclusion

10. The proposal would boost housing supply in a location with good access to services and facilities. However, the harm to the character and appearance of the area and the living conditions of the neighbouring occupiers would be significant and permanent. The boost of one dwelling to housing land supply would be small. Accordingly, the proposal would conflict with the environmental protection and housing policies of LP and a core policy of the CS, and the development plan taken as a whole. There are no material considerations to outweigh that finding.

11. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR