



Appeal Decision

Site visit made on 6 October 2020 by Alex O'Doherty LLB(Hons) MSc MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 November 2020

Appeal Ref: APP/X0415/W/20/3250824

Croft House, Denham Lane, Chalfont St Peter SL9 0QJ

- 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 Elizabeth Fitch against the decision of Chiltern District Council.
 - The application Ref PL/20/0164/FA, dated 15 January 2020, was refused by notice dated 17 March 2020.
 - The development proposed is described as, "First floor side extension and garage conversion to create a separate house served by new vehicular access."
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Decision

1. The appeal is dismissed.

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.

Main Issue

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

Reasons for the Recommendation

4. The appeal site is located near the eastern edge of Chalfont St Peter, where development along Denham Lane becomes more sporadic, as Denham Lane stretches towards the open countryside. The host property is a two-storey detached dwelling which incorporates an attached double garage, set back from the road within a large plot. Whilst neighbouring properties are mixed in terms of their design, they are also predominantly detached, and are mostly situated in large curtilages.
5. The host property benefits from a grant of planning permission¹ for a first floor side extension and the creation of an in / out driveway. The appeal proposal is to create a new dwelling by way of a first floor side extension, which would be identical to that approved by the previous permission, and by way of a garage conversion and a new vehicular access. However, there would be visual differences between what is proposed and the planning permission given, in that the proposal would incorporate a front door and a window to the lounge, instead of a garage. Moreover, it would result in a separate planning unit.

¹ Local Planning Authority reference: PL/19/3982/FA

6. The existing building is partially screened from the street by soft landscaping. Whilst the proposal does not seek to completely open up the whole of the front boundary, and landscaping conditions could be imposed to ensure that screening remains to the sides of the plot, it is the case that a substantial portion of the soft landscaping would be removed to facilitate the new vehicular access. This would open up the appeal site to nearby views, making its use as two separate dwellings evident. The proposed picket fence would separate the two front driveways, which would provide a clear delineation between the two dwellings. As such, in my view the proposal would be clearly identifiable as a separate dwelling.
7. In this regard, I observed that when viewed from near the junction with Joiners Lane, the proposal would be seen in conjunction with Corner Cottage, which presents as a detached property. It is accepted that views of the new dwelling would likely be somewhat oblique from either direction along Denham Lane, but considering the presence of Corner Cottage, and the preponderance of large detached dwellings in the locality, the creation of a new semi-detached property would appear wholly out-of-place in the local area.
8. Moreover, the narrow plots that would result for both dwellings would be significantly at odds with the otherwise spacious development pattern within the locality. It is recognised that semi-detached houses, bungalows, and terraced properties are present in Chalfont St Peter, but they are situated in areas where the character of the area is materially different to that at the appeal site.
9. The use of the property would also be materially different to that approved, in that there would be 3 bedrooms as opposed to the 1 master bedroom for the approved extension. Accordingly, there would inevitably be greater comings and goings, and possibly the placement of extra paraphernalia associated with a separate household. I note that it is the intention that each dwelling would be occupied by one person, but as the proposal would result in permanent alterations, this cannot be relied on for planning purposes. Therefore, whilst not certain, it is likely that the two dwellings would also result in a greater demand for off-street parking than one extended house. These additional cars would be evident from the street and would further serve to denote the property as a semi-detached dwelling, which would be out-of-character with the established pattern of development in the locality.
10. I therefore conclude that the proposal would have an unacceptable and harmful effect on the character and appearance of the area. The proposal would conflict with Policies GC1 and H7 of the Chiltern District Local Plan (adopted 1997) (including alterations adopted 2001) (consolidated 2007 and 2011), and with Policy CS20 of the Core Strategy (adopted 2011), which collectively require that new development is of a high standard of design which reflects and respects the character of the surrounding area and those features which contribute to local distinctiveness.

Other Matters

11. An interested party has raised the issue of the potential effect of the proposal on protected species. However, as I am recommending that the appeal is dismissed in relation to other matters, discussed above, it is not necessary for me to consider this matter further.

12. It is not in dispute that the proposal is acceptable with respect to the living conditions of neighbouring residents, and in relation to the amount of amenity space provided for future occupants of both the existing and the new dwelling, and with respect to the provision of parking and turning spaces for both dwellings. Also, no objections have been made by the Parish Council or Buckinghamshire County Council Highway Authority. Nevertheless, these are neutral matters, which do not weigh in favour of the proposal.
13. The proposal would improve the living accommodation available to the appellant and their family. However, as this would mainly be a private benefit, this has been given limited weight.
14. The appellant has mentioned that the Council cannot demonstrate a five year supply of deliverable housing sites. However, in this case, the harm caused by the proposal to the character and appearance of the area would be significant, whereas the proposal would only make a minimal contribution to the Government's objective to significantly boost the supply of homes. Overall, taking full account of all the matters advanced in support of the proposal, I conclude that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

Conclusion and Recommendation

15. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

Alex O'Doherty

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 dismissed.

RC Kirby

INSPECTOR