



Appeal Decision

Site visit made on 17 November 2020

by K E Down MA(Oxon) MSC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2020.

Appeal Ref: APP/P0430/W/20/3254775

80 Rivets Close, Aylesbury, Bucks, HP21 8JR

- 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 Enzo Dragone against the decision of Buckinghamshire Council.
 - The application Ref 20/01251/APP, dated 14 April 2020, was refused by notice dated 8 June 2020.
 - The development proposed is a part single part two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a part single part two storey side extension at 80 Rivets Close, Aylesbury, Bucks, HP21 8JR in accordance with the terms of the application, Ref 20/01251/APP, dated 14 April 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; Block/Site plan; amended drawings dated 24/03/2020 Nos ED4, ED5, ED6, ED7.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Prior to the first occupation of the extensions hereby permitted a plan showing a parking layout within the site for three cars shall be submitted to and approved in writing by the local planning authority. Following its written approval the parking area shall be laid out as necessary in accordance with a timetable to be agreed with the local planning authority and thereafter kept available at all times for the purpose of vehicle parking.

Procedural matter

2. The planning application was submitted to the former Aylesbury Vale District Council. However, on 1 April 2020 Buckinghamshire Council was formed through the amalgamation of the four former Buckinghamshire District Councils, including Aylesbury Vale, and the County Council. The application was therefore
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determined by the new Buckinghamshire Council. Nevertheless, all of the former Aylesbury Vale District Council planning policy and guidance documents referred to in the decision notice remain extant and relevant to this appeal.

Main Issue

3. There is one main issue which is the effect of the proposed extension on the character and appearance of the host dwelling and the street scene of Rivets Close.

Reasons

4. The appeal dwelling is a two storey modern semi-detached house located on a corner plot where Rivets Close gives access to a private drive. The plot to the front and side of the dwelling is noticeably wider than the building. The area is mainly paved with a grassed area to the side of the single, attached garage. The garage is set back from the main façade which itself has a single storey forward projection under the canopy porch.
5. The existing garage would be demolished to make way for the extensions. At ground floor the extension would project forward of the existing single storey front projection by about 1m and would extend to some 5.6m in width. At first floor the extension would be a similar width to the original garage, would be set back from the main façade and its ridge would be lower than the main ridge. It would finish in a gable end, in keeping with the existing dwelling. The single storey part of the extension would have a hipped roof which, whilst not matching the host dwelling, would be in keeping with a similar wide single storey garage nearby. The Council does not object to the first floor element of the extension. Moreover, it does not object, in principle, either to the forward projection or the hipped roof of the single storey extension. I agree that in the context of the host dwelling they would be acceptable.
6. The Council comments that the width of the garage would be excessive at 5.6m. However, some 3.2m represents replacement build for the demolished garage. The overall increase in the width of the dwelling as a result of both the two storey and single storey extensions would therefore be some 2.5m. In the context of the dwelling as a whole and the street scene this would not be excessive.
7. The Council's main concern is that the proposed single storey garage would reduce the gap to the side of the dwelling and that this, combined with the forward projection, would reduce openness and bring the built development uncharacteristically close to the road. However, a gap of over 2m would remain between the garage and the side boundary and over 4m to the front. In the context of the surrounding layout in Rivets Close this would not be unduly close. Indeed both the dwelling on the opposite side of the entrance to the private drive and the dwelling opposite the appeal property appear to be closer to the highway. In addition to the space within the plot, the width of the private drive would remain. Overall, the development would not appear cramped or overly prominent and there would be no material loss of openness or visual intrusion.
8. It is concluded on the main issue that the proposed extensions would have no materially harmful effect on the character or appearance of the host dwelling or the street scene of Rivets Close. In consequence, the proposed extensions

would comply with Policies GP9 and GP35 of the Aylesbury Vale District Local Plan, 2004, Policy BE2 of the emerging Vale of Aylesbury Local Plan, the Council's Design Guide for residential extensions and the National Planning Policy Framework. Taken together, these expect residential extensions to be visually attractive as a result of good architecture and design and respect and complement the characteristics and appearance of the host dwelling and its surroundings, including building tradition, form, scale and materials, so as to establish or maintain a strong sense of place.

9. Turning to other matters, the Council states that because the proposed garage would not be wide enough to meet the standard for a parking space, a plan demonstrating a parking layout at the property for three vehicles should be required by condition in order to comply with Policy GP.24 of the AVDLP, emerging Policy T6 of the VALP and with the Council's Supplementary Planning Guidance relating to parking standards. It appears that three spaces could be provided and I agree that in this location where limited street parking is available this is necessary. I shall therefore impose such a condition.
10. In addition to the statutory commencement condition, the Council suggests two other conditions. I agree that for the avoidance of doubt the development should be carried out in accordance with the approved plans and also that in order to protect the character and appearance of the host building and the surrounding area external materials should match those used in the existing building. I shall impose conditions to control these matters.
11. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be allowed.

KE Down
INSPECTOR