
Appeal Decision

Site visit made on 9 February 2021

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 February 2021

Appeal Ref: APP/J0405/D/20/3263634

3 Goose Acre, Cheddington, LU7 0SR

- 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 Glenn Currie against the decision of Buckinghamshire Council
 - The application Ref 20/02878/APP, dated 27 August 2020, was refused by notice dated 22 October 2020.
 - The development proposed is the erection of two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

- the effect of the proposal on the character and appearance of the area and;
- the effect of the proposal on the living conditions of the occupants of 9 Brownlow Lane.

Reasons

Character and appearance

3. The appeal site is within an extensive residential area characterised by houses from the 1960/70s. There are some variations in the house types, but the style, original form and detailing is largely unchanged. This coherency gives the area a notable character.
4. The buildings are purposely arranged into various groups, set out amongst open spaces, linked by pedestrian routes; to the east side of the appeal site is a tarmac footpath which connects with open spaces to the front and rear. The footpath is narrow and enclosed between the appeal site dwelling and the neighbour.
5. The appeal site is very prominent from the front, side and back. The existing dwelling is very characteristic of the style of architecture of its era. A low-pitched roof is accentuated by barge boards and it has a simple form, orientated towards the open spaces to the front and rear.
6. The proposed extension would be a side offshoot, involving in part a pitched roof. Although matching materials are proposed, the extension would break the

- existing roofline and would appear bulky due to the length of roof. The main focus of the existing house is the gabled roof and its impetus would be lost in a more complex form and bulk. The simplicity of the building would be spoilt as well as its consistency with the wider area.
7. The extension would be very close to the neighbouring dwelling, undermining the gap between them. This would create a cramped building line which would detract from the spaciousness of the surroundings including the open spaces to the front and back.
 8. I have considered the appellants comments that the site and surroundings are unremarkable. However, I find that the area does have a definable character, which should be maintained.
 9. I therefore conclude that the proposal would harm the character and appearance of the area.
 10. Policies GP.9 and GP.35 of the Aylesbury Vale District Local Plan (LP), and Policy BE2 of the Proposed Vale of Aylesbury Local Plan as Proposed to be Modified (ELP) require that extensions respect the existing dwelling, the surroundings and setting, views and that attention is given to proportions, detailing, materials and the surrounding vernacular. The Council's Residential Extensions Design Guide provides more detailed guidance of the above. Policy 4 of the Cheddington Neighbourhood Plan expects the scale, density, massing, height, materials to reflect and enhance the character of the surrounding buildings. Paragraph 127 of The National Planning Policy Framework requires design to be sympathetic to the local character and paragraph 130 requires design to improve the quality of the area. The National Design Guide provides more detailed criteria on appropriate design. The proposal would be in conflict with the above policies and guidance.
 11. Whilst the appellant's statement questions the date of the Council's design guidance above, this reflects sound principles which remain valid. The note at the end also indicates it was amended in 2013.

Effect on living conditions of the occupants of 9 Brownlow Lane

12. The proposed extension would be immediately adjacent to No. 9 Brownlow Lane, its living room and window.
13. There is an intervening hedge which creates some shadowing and enclosure, although as I observed on my site visit this appeared well managed and kept to an appropriate height. The side elevation of 3 Goose Acre also currently creates a degree of shadowing and enclosure due to its proximity.
14. However due to the height and proximity of the proposed extension, greater shadowing and sense of enclosure would result.
15. I therefore conclude that the proposal would undermine the living conditions of the occupants of 9 Brownlow Lane.
16. Policies GP8 of the LP, and Policy BE3 of the ELP seek to protect residential amenity. The proposal would be in conflict.

Other matters

17. One of the reasons for refusal refers in part to the undue enclosure and narrowing to the adjacent footpath. It is disputed whether the footpath is a right of way, although it is tarmacked and appeared to be maintained. Whether its use can continue in the future is not clear to me. Nonetheless the amenity of this pedestrian route does not lead me to a different conclusion to the above
18. I have been made aware of the particular needs of the appellants and the importance of improved facilities for their health and wellbeing as well as managing daily necessities. Whilst I have given this careful consideration, I do not conclude that this overrides the harm that I have found.

Conclusion

19. I therefore conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR