



Appeal Decision

Site visit made on 25 May 2021

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2021

Appeal Ref: APP/X0415/D/20/3261294

1 Runrig Hill, Chesham Bois, HP6 6DL

- 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 & Mrs H Jivan against the decision of Buckinghamshire Council.
 - The application Ref PL/20/2508/FA dated 4 August 2020, was refused by notice dated 29 September 2020.
 - The development proposed is first floor extension incorporating side dormer windows and single storey side extension and front porch.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the impact of the proposal upon the character and appearance of the area and street scene.

Reasons

3. The appeal site is a detached bungalow located to the South Western side of Runrig Hill. There are several elements to the appeal proposal and, in isolation, I do not find that the Council's refusal reason is based upon the single storey side extensions nor the principle of side dormer windows. The refusal reason presents as being predominantly based upon the first floor extension as a result of size, scale and massing and its subsequent impact.
4. At the time of my site visit I turned right into Runrig Hill off Hollow Way Lane. The appeal site, when making this turn and approaching Runrig Hill, stands within a prominent location due to the surrounding topography which sees the properties to the North West slope away from the appeal site to the lowest point of Runrig Hill. The properties on the opposite side of the road also sit notably lower than the appeal site as well as the road itself. The property opposite is noted as being two storeys, however, due to the substantial difference in site levels it is not visually prominent. The appeal site, by comparison, is at one of the highest points of that side of Runrig Hill which exacerbates its visual prominence within the street scene.
5. Runrig Hill is noted to rise again at the other end and, at the time of my site visit, I viewed from the North West of the road where it splits into a turning point on the right. The area is strongly characterised by bungalows and the roof designs provide a gradual progression of built form up hill, towards Hollow Way Lane, when viewed from this direction. The lack of built form at first floor

level contributes to the openness of the immediate area both spatially and visually and the roof form is notably uniform. To increase the ridge height as proposed with the first floor extension I find would present as an awkward jump in height, which would be notable, compared to the existing roofscape. From outside the appeal site itself at street scene level, taking into account the topography and surrounding built form, the proposed height would be visually prominent within immediate area. I find that this would adversely affect the character and appearance of the street scene as well as being detrimental to the spacious, green, character of the area created by the current dwelling, which is modest in scale, as well the common property type along Runrig Hill itself. The substantial additions, cumulatively, would fail to respect the size and scale of the host dwelling and be overly dominant.

6. Some of the dwellings along Runrig Hill are noted to have been extended, however, the alterations are not to the extent that I found they were visually dominant or prominent as the appeal proposal would be. The appeal proposal is exacerbated by its location as outlined. I find the proposal, essentially adding an additional storey, presents as excessive in size, scale and bulk. The substantial addition at first floor level would result in a prominent, incongruous and visually intrusive form of development when taking into account the site characteristics as outlined. The harm identified is not reduced because the appeal site is of no special interest, not in a Conservation Area, the Green Belt or similar.
7. The National Planning Policy Framework 2019 (the Framework) is noted to require Council's to approach decisions in a positive and creative way, however, the starting point for determination is the Local Plan in accordance with S38(6) of the Planning and Compulsory Purchase Act 2004. Good design is a key element of sustainable development which is the overall objective of the planning system.
8. The proposal would be contrary to Chiltern District Local Plan 1997 (including alterations adopted 2001, consolidated 2007 and 2011) (LP) Policy GC1 which requires development to be in scale with its surroundings, LP Policy H13 which requires extensions not to adversely affect the character and appearance of the street scene or locality and LP Policy H15 which requires extensions to be designed to be in keeping with the existing building and any other buildings in the adjoining area. The proposal would also be contrary to Core Strategy for Chiltern District 2011 Policy CS20 which requires development to maintain and improve local character.
9. The proposal would also be contrary to the Residential Extensions and Householder Development Supplementary Planning Document 2013 which places importance on residential extensions harmonising with a building, integrating in such a way which does not adversely affect the character and appearance of the locality and paragraph 127 of the Framework which seeks to ensure that developments are sympathetic to local character.

Other Matters

10. I note the appellant's submission of other consents which have been granted by the Council (then Chiltern District Council). The schemes at 9 Runrig Hill¹,

¹ CH/2016/0390/FA

25 Runrig Hill² and 23 Runrig Hill³ are acknowledged to have raised the roof ridge heights, however, I do not find that they represent comparable increases to that which is proposed within this appeal. The approved plans before me demonstrate relatively minor changes by comparison to the properties in question. The appeal proposal essentially adds an entire storey adding considerable built form to the host dwelling. As such I attribute limited weight to them within the determination of this appeal.

11. I do not find conflict with LP Policy H16 or LP Policy H17 which are concerned with distances between boundaries of the dwelling curtilage and, in any case, I do not have a copy of the two further LP policies referred to within these policies before me. The Council have provided no justification for the inclusion of these two policies within the refusal reason.
12. A number of objections were received in response to the original application. I have dealt with matters relating to visual impact and the character and appearance of the area within this decision. I have no evidence to suggest the proposal would make satellite reception a problem and the Council have not included ecological matters, privacy, overshadowing, loss of light nor parking, pedestrian safety or highway issues within their refusal reason. I have no evidence before me to conclude differently. A condition requiring obscure glazing would have addressed concerns regarding potential overlooking as outlined in paragraph 13 of the Council's delegated report.
13. Comments regarding safety during construction works could have been addressed, had the appeal been found acceptable in other regards, via condition for a Construction Management Plan. Matters relating to private drainage are outside the scope of this appeal. I have no evidence before me to suggest there is a shortage of bungalows in the area and fear of a precedent is not sufficient to warrant refusal, each case must be considered on its own merits against the Local Plan taking into account relevant material considerations.

Conclusion

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

Eleni Randle

INSPECTOR

² CH/2010/1329/FA

³ CH/2007/1298/FA