



Appeal Decision

Site Visit made on 15 June 2021

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th June 2021

Appeal Ref: APP/X0415/W/20/3265996

3 Oakington Avenue, Little Chalfont, Amersham, Buckinghamshire HP6 6SY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Simco Homes Limited against the decision of Buckinghamshire Council - East Area (Chiltern).
 - The application Ref PL/20/2780/OA, dated 21 August 2020, was refused by notice dated 9 November 2020.
 - The development proposed is erection of a single dwellinghouse to rear of existing dwellinghouse with associated access, car parking and amenity space.
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Decision

1. The appeal is dismissed.

Applications for Costs

2. Applications for costs were made by Simco Homes Limited against Buckinghamshire Council - East Area (Chiltern) and by Buckinghamshire Council - East Area (Chiltern) against Simco Homes Limited. These applications are the subject of separate Decisions.

Procedural Matter

3. The application is made in outline with all matters reserved. I have had regard to the plans submitted as part of the application which consider how the site might be developed, including a proposed site plan. However, both main parties have treated the details shown as indicative, and I have considered the appeal on the same basis.

Main Issue

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

Reasons

5. Oakington Avenue includes a mix of mostly detached bungalows or semi-detached dwellings. Despite variation in the appearance of individual buildings and plot depths, the dwellings are generally positioned at reasonably regular intervals on consistent building lines fronting the street, with relatively generous gardens to their rear. This provides for a distinctive rhythm to the street scene which is a common element of nearby residential streets also within the same 'suburban road' typology area as identified by the Council's Townscape Character Study 2017 (TCS), and contributes a strong sense of coherence to the area overall.

6. The appeal relates to part of the site of 3 Oakington Avenue, a detached bungalow which fronts Oakington Avenue close to its junction with Amersham Road. As part of the proposal, a single-storey garage to the side of No 3 would be demolished allowing for a vehicular access to serve a detached dwelling on the rear part of the site.
7. The siting of the dwelling behind No 3 and facing its rear elevation would be markedly at odds with the usual pattern of development nearby, and together with the length of the access necessary would deprive it of a street frontage.
8. Planning permission has been granted for a dwelling to the rear of 1 Oakington Avenue adjacent to the appeal site, and the appellant has drawn my attention to a comment within the Council's assessment of the proposal that the locality does not have a strong sense of character. However, the information before me indicates that the approved dwelling would be orientated towards Amersham Road where I saw more diversity in the spacing and pattern of nearby buildings than is present along Oakington Avenue. I recognise that it would not take vehicular access from Amersham Road and that vegetation provides screening along much of the boundary to its front. Even so, boundaries to its sides would be perpendicular to this street, and I agree with the Inspector who considered a previous proposal on the appeal site¹ that where seen, it would have the appearance of extending the row of properties along Amersham Road.
9. Moreover, parking for the adjacent development would be provided to the front of No 1, with only a pedestrian access through to the dwelling at the rear. Given the modest proportions of this access and its position in relation to No 1 and screening that I observed around the boundaries of the site, it would not be readily apparent from Oakington Avenue. Opportunities for views of the dwelling to the rear would be even more limited, and in my judgement it would be unlikely to be appreciated from the Oakington Avenue street scene. While introducing a 'backland' dwelling to the rear of No 1, I find for these reasons that the context and the character of the adjacent site's surroundings are distinct from the appeal site. The neighbouring scheme would not relate directly to Oakington Avenue, and does not in my view notably alter or disrupt the characteristic layout of the area around the appeal site overall.
10. In contrast, the proposal before me indicates an access alongside No 3 to the rear part of the appeal site where there would be parking for the dwelling. I acknowledge that details of the development are indicative and that the degree of visibility from the surrounding area may vary to some extent according to the reserved matters. However, the outline nature of the proposal does not prevent any consideration for its visual effects, and no firm details have been provided to substantiate the appellant's suggestion that effective screening comparable to that of the neighbouring development could be satisfactorily achieved, including through use of gates or boundary treatment. Based on my observations of the circumstances of the appeal site including the sloping land levels and relationship with neighbouring buildings, it seems to me that the access as well as the presence of the dwelling itself would in this case be evident from Oakington Avenue, regardless of the details of the reserved matters.
11. From the evidence before me, I am therefore unable to agree with the appellant that the development would have little if any bearing on the

¹ Appeal ref APP/X0415/W/20/3250241

character of the area and how it is experienced. Instead, and with regard to the lack of visibility of the neighbouring development to the rear of No 1 from Oakington Avenue, the dwelling would be perceived from the street scene as an isolated and incongruous feature at odds with the distinctive layout and building line. It would accordingly undermine characteristics which the TCS notes as important within the area, and in my view would be a visually intrusive and discordant addition that would relate poorly to its surroundings.

12. The National Design Guide (NDG) notes that well-designed places do not need to copy their surroundings in every way and that it is appropriate to introduce elements that reflect how we live today, to include innovation or change such as increased densities. The National Planning Policy Framework (the Framework) also outlines that decisions should not prevent or discourage appropriate innovation or change such as increased densities. However, this encouragement is balanced and qualified alongside requirements seeking to ensure high quality design and development that respects and is sympathetic to local character. For the reasons set out above, I do not consider that the proposal achieves those aims and I do not find that the support for increased densities within the Framework and NDG offers sufficient justification for the harm that would be caused to the character and appearance of the area.
13. For these reasons, I conclude that the proposal would cause unacceptable harm to the character and appearance of the area contrary to Policies GC1 and H3 of the Chiltern District Local Plan 1997 (including alterations 2001 and consolidated 2007 and 2011) and Policy CS20 of the Core Strategy 2011. Collectively, these policies broadly seek development that relates well to its surroundings including with regard to siting, and that reflects and respects features which contribute to local distinctiveness.

Other Matters

14. The appellant advises that the case officer for the planning application intended to recommend approval, but I must come to my own view on the basis of the evidence before me, and this is not a factor which leads me to alter my findings on the main issue.

Planning Balance

15. The Council is unable to demonstrate a 5 year housing land supply, and I have no firm evidence to depart from the assessment within the Chiltern and South Bucks Interim Five-Year Housing Land Supply Calculation (September 2020) which indicates a supply position of 4.18 years. The presumption in favour of sustainable development test set out in paragraph 11(d) of the Framework is therefore engaged. This provides that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
16. In light of clear objectives within the Framework to significantly boost the supply of housing and the housing undersupply position, the provision of an additional dwelling making effective use of the site within an existing residential area is an important benefit, and I afford it great weight. However, while the Framework notes that small and medium sized sites such as this can make an important contribution to meeting housing requirements, the extent of the benefit and the contribution made to the supply of housing overall would be

limited by the modest scale of the proposal. Occupiers of the development would have access to local services and facilities, and there would additionally be some economic and social benefits associated with construction and occupation of the development including through short-term employment opportunities and spending in the local area. These benefits would similarly be restricted by the small scale of the development though, and I afford them limited weight.

17. Conversely, I consider that the proposal would result in significant harm to the character and appearance of the area, contrary to the requirements of the Framework for high quality design and development that is sympathetic to local character and adds to the overall quality of the area. This matter attracts significant weight.
18. In the context of paragraph 11(d) of the Framework, I find that the adverse impacts of the development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. It would not therefore benefit from the presumption in favour of sustainable development set out within the Framework. The proposal would conflict with the development plan when it is read as a whole, and material considerations including the Framework do not indicate that a decision contrary to the development plan should be reached.

Conclusion

19. For the reasons given above, I conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR