



Appeal Decision

Site Visit made on 14 June 2021

by Mr Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 July 2021

Appeal Ref: APP/N0410/W/21/3266255

26 Wellesley Avenue, IVER SL0 9BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mrs Baljinder Dhillon against Buckinghamshire Council - South Area (South Bucks).
 - The application, Reference PL/20/3233/FA, is dated 28 September 2020.
 - The development proposed is Extension of the front driveway to match neighbouring property.
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Decision

1. The appeal is dismissed, and planning permission is refused.

Background and Main Issue

2. The application was not determined by the Council within the statutorily prescribed 8-week timeframe. As such, following the submission of an appeal it falls to me to determine whether planning permission should be given. In consideration of the Council's Statement of case, and the evidence before me, the main issue in dispute between main parties is the effect of the proposal on the character and appearance of the area.

Reasons

3. Wellesley Avenue consists of predominantly large detached houses of various styles and scales, the carriageway itself is also relatively wide. Most houses are set back a common distance from the highway. Front gardens are landscaped with front boundaries mostly defined by low hedging or dwarf walls. A consistency of character is formed by the shared front building lines, the extent of landscaping and a general sense of spaciousness. Furthermore, a middle section of the Avenue includes wide grass verges. The front boundaries of plots here are set back further from the highway. This increase of public space forms a broad highway that enhances the sense of spaciousness. This creates a sense of arrival and adds further interest to this section of the street. The appeal site includes a similarly recessed front boundary and therefore contributes positively to the locally enhanced sense of wide and open public realm.
4. The proposed development would remove the footway ahead of the front boundary and enclose the existing grass verge with an extended front boundary. The effect of this would be to enclose the frontage and erode the identified open character of the existing frontage. This would therefore have a harmful impact on a significant characteristic of the street to the detriment of the character and appearance of the area.

5. I have also noted that 25 Somerset Way appears to have enclosed a former area of wide grass verge. However, whilst having enclosed the grass verge, the effect on the spaciousness of the street is lessened due to the narrower width of the carriageway and verges than are evident around the appeal site. This therefore would have had a proportionately lessened sense of spaciousness. Somerset Way therefore presents a different context to that seen around the appeal site.
6. Furthermore, although a similar proposal for 57 Wellesley Avenue gained an officer's recommendation of approval, I understand this was ultimately refused by the Council. The Council's deliberations with respect to that case, prior to reaching a decision, are of limited weight in consideration of the merits of this case. Furthermore, there is no evidence before me that the decision was subject to an appeal and therefore that decision does not support the proposal. Also, funding to enhance the area, offered by the appellant, has not been defined or offered within a formal mechanism. In any event, enhancements to existing infrastructure would not outweigh the harm caused by the proposal to the streetscene.
7. The proposal would therefore conflict with saved policies EP3 and H11 of the South Bucks District Local Plan (1999, Consolidated 2007 and 2011). These seek, among other matters, for development to be compatible with the character of the locality. These policies are generally consistent with the National Planning Policy Framework that seeks development to be sympathetic to the local character.
8. In conclusion, there are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal is dismissed, and planning permission is refused.

Mr Ben Plenty

INSPECTOR