



Appeal Decision

Site visit made on 28 June 2021 by Ben Phillips BSc MSc MRTPI

Decision by L McKay MA MRTPI

An Inspector appointed by the Secretary of State

Decision date: 19 July 2021

Appeal Ref: APP/X0415/D/21/3272792

Highfields, Chiltern Hill, Chalfont St. Peter SL9 9TX

- 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 A Foy against the decision of Buckinghamshire Council.
 - The application Ref PL/21/0115/FA, dated 5 January 2021, was refused by notice dated 8 March 2021.
 - The development proposed is described as a detached double garage.
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Decision

1. The appeal is allowed, and planning permission is granted for a detached double garage at Highfields, Chiltern Hill, Chalfont St. Peter SL9 9TX in accordance with the terms of the application, Ref PL/21/0115/FA dated 5 January 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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: A.F.1.
 - 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 dwelling.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issue in this case is the effect of the development on the character and appearance of the surrounding area.

Reasons for Recommendation

4. Chiltern Hill is a lengthy suburban residential avenue and part of a wider private estate, made up of large detached properties of varying scale and character. Whilst there is no clear building line evident, there is a general set back of the properties from the highway. This set back and the significant boundary hedging and numerous mature trees give the street a verdant and spacious character. A number of dwellings are set behind extensive front

boundary treatment or hedgerows, and there are some visible examples of front projections extending towards the highway and detached front garages evident in the locality. However, these do not affect the spacious character of the area.

5. The appeal property is set behind extensive front hedging and gates, set back from the road with hardstanding to the front providing a parking area. The proposed detached garage would be of a modest scale, and whilst located to the front of the dwelling would only be briefly visible from the highway over the hedgerow or through the gates.
6. Whilst there is no guarantee of the front hedgerow remaining in perpetuity, the garage would be set back several metres from the highway. The design and materials would be appropriate and in keeping with the main dwelling. Its visual impact would be limited therefore, especially in the context of the mixed general building line around the appeal property. As such, it would not appear overly prominent, intrusive or incongruous and would not diminish the existing spacious character of the street when viewed from the highway or from the neighbouring property.
7. The proposal would not be significantly closer to the road than neighbouring properties and therefore would not disrupt the overall pattern of development locally, which the Council's Supplementary Planning Document 'Residential Extensions and Householder Development' (2013) seeks to avoid. Each proposal must be considered on its own merits having regard to the characteristics of that site and its context. As such, it is not considered that this garage would set an unwelcome precedent.
8. Therefore, the proposed detached garage would have no detrimental impact on the character and appearance of the surrounding area. There is no conflict with Policies GC1, H13 (ii) or H20 of the Chiltern District Local Plan (as updated and consolidated), Policy CS20 of the Core Strategy for Chiltern District (2011), or Policy H6 of the Chalfont St Peter Neighbourhood Plan (2013 – 2028), which collectively require such developments to achieve high quality design, be subservient to the original property and reinforce positive characteristics of an area. Furthermore, there is no conflict with the advice set out in the SPD.
9. Whilst the land levels drop to the west, given the limited single storey scale of the proposed garage and the extensive side boundary hedgerow, the proposal would only have a limited additional impact on light to the neighbour to the west, and only for a short period of the day. Given the existing hedging, it would not have a significant impact on the outlook from that property. As such, it would not be likely to make the garden area or nearest rooms significantly less pleasant to use. I therefore find no unacceptable impact on the living conditions of the occupiers of that property. I note that local covenants are mentioned by interested parties, however this is not a material planning consideration and is a separate matter for the appellant.

Conditions

10. The Council has suggested the imposition of a condition relating to the implementation of development, and in addition to requiring compliance with the application plans, I consider these to be appropriate in the interest of clarity. In addition, I agree that a condition requiring materials to match the

existing original property is also necessary in the interest of the character and appearance of the locality.

Conclusion

11. There are no material considerations that indicate the proposal should be determined other than in accordance with the development plan. For the reasons given above, I therefore recommend that the appeal should be allowed with the suggested conditions.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and agree with the recommendation. On that basis the appeal is allowed with the conditions set out above.

L McKay

INSPECTOR