

Appeal Decision

Site visit made on 13 September 2021

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 September 2021.

Appeal Ref: APP/X0415/D/21/3272643
20 Pavilion Way, Little Chalfont HP6 6QA

- 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 C Kerr against the decision of Buckinghamshire Council.
 - The application Ref PL/20/3963/FA, dated 16 November 2020, was refused by notice dated 12 February 2021.
 - The development proposed is for the erection of a two storey extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the appeal proposal upon the character and appearance of the area; and upon the living conditions of the occupants of 18 and 22 Pavilion Way, with specific reference to outlook.

Reasons

Character and Appearance

3. The appeal site comprises a semi-detached two storey house located within a residential estate. A number of dwellings within the estate have been extended since originally built, including at 13 Boughton Way, extended over two storeys to its rear. Notwithstanding that fact that each case must be assessed on its own merits, the key difference between that extension and the one that is before me, is that the flank elevation of the extension at no13 is in line with the original gable end whereas the appeal proposal would jut out sideways over a significant portion of its existing single storey flat roof extension.
 4. All in all having regard to the width of the first floor extension, I consider that it would fail to appear subordinate in form to the host dwelling; and would be harmful to its character and appearance, and that of the wider area. Consequently I consider that the proposal conflicts with Policy CS20 of the Core Strategy for Chiltern District and Policies GC1, H13, H15 and H16 of the Chiltern District Local Plan, which together require new development to be of a high standard of design which reflects and respects the character of the surrounding area.
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Living Conditions

5. I note that no objections were received by the Council from either immediate neighbours of the appeal site, however occupation of dwellings can be relatively transitory and the planning system is in place to act in the wider public interest for the long term.
6. Notwithstanding the proximity of the extension to the boundary shared with 18 Pavilion Way, any views from the rear windows of this dwelling would be oblique by virtue of the separation which includes the width of its own driveway. The extension would clearly be visible from the rear garden of no18, but on balance I consider that the outlook therefrom would be protected.
7. However, the proposed extension would be built far closer to the boundary shared with the adjoining 22 Pavilion Way which has patio doors on its rear elevation at ground floor level. Consequently the proposed outlook from these and the immediate rear sitting out area of this neighbouring dwelling would be significantly curtailed.
8. I therefore find that by virtue of the depth and height of the extension, in addition to its proximity to no22, that the proposal would have a harmful effect upon the living conditions of the occupants of this neighbouring property, contrary to Policies GC3, H13 and H14 of the Chiltern District Local Plan which seek to protect the amenities enjoyed by the occupants of existing neighbouring properties, requiring extensions to be designed so that their size and siting in relation to them does not result in, amongst other things, an overbearing appearance for neighbours.

Conclusion

9. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR