



Appeal Decision

Site visit made on 7 December 2021

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th January 2022

Appeal Ref: APP/J0405/D/21/3285917
26 Hilton Avenue, Aylesbury HP20 2EZ

- 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 L Khan against the decision of Aylesbury Vale District Council.
 - The application Ref 21/02617/APP, dated 24 June 2021, was refused by notice dated 2nd September 2021.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The name of the applicant and appellant differ slightly between the application and appeal forms. The applicant and appellant have been confirmed to be the same person and the name indicated on the application form has been used here. The Vale of Aylesbury Vale Local Plan (VALP) was adopted in September 2021 and replaces the previous Aylesbury Vale District Local Plan 2004.

Main Issue

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

Reasons

Character and appearance

4. The appeal site comprises a two storey semi-detached house which is set back from the road, with a frontage laid out entirely in hardstanding. It has been previously extended in the form of a two storey side and single storey rear extension. The surrounding residential area consists of mainly two storey semi-detached and terraced dwellings, and taller blocks of flats.
5. The proposed two storey extension is narrow in width and would be constructed of matching materials. However, it would be attached to the existing two storey extension, with no set back from it, with considerable depth and its roof ridge line would be at the same height. This would result in a significant increase in the size of the existing extension and despite the combined extensions' slightly lower roof ridge, the cumulative effect would be of an overwhelmingly dominant extension expanse. By reason of extent, the extensions would not be subordinate to the original dwelling. The additional front entrance of the new extension would also result in two front entrances to

the dwelling and a rather disjointed and visually incoherent front elevation. With the addition of the extension and the front entrance, the balance of the pair of semi-detached dwellings would be further adversely affected.

6. In 2020, an appeal was dismissed for a two storey side extension and first floor rear extension. The appeal proposal before me differs in its extent and design. There would be no rear first floor extension. The side extension would also not be stepped back from the frontage, would not have a lower roof ridge line, and it would not extend along the angled part of the common boundary. Nonetheless, the current appeal has been considered on its particular planning merits and would be detrimental to the character and appearance of the area due to its cumulative size effect and poor design.
7. There are blocks of flats opposite the appeal site. Nevertheless, they are distinctly different, set in spacious surroundings, and separated from the appeal site by road and amenity space. As such, they do not relate to the appeal site and do not act as a precedent for the extension proposed here.
8. For all these reasons, the development would harm the character and appearance of the area. Accordingly, the proposal would be contrary to Policy BE2 of the VALP, which collectively and amongst other matters, requires development to respect and complement the physical characteristics of the site, its surroundings, including the scale and context of the site, and the local distinctiveness and vernacular character of the locality, in terms of ordering, form, proportions and architectural detailing.

Other matters

9. The extension would provide extra space for a large family living at the dwelling. However, personal circumstances will seldom outweigh the more general planning considerations as works of a permanent nature will remain long after they have ceased to be material. The development would have a significant adverse impact on the character and appearance of the area for the reasons indicated. Accordingly, the personal circumstances in this case are not sufficient to outweigh the conflict with policy and harm that would arise if the appeal were to be allowed.

Conclusion

10. The proposal would harm the character and appearance of the area in conflict with the policy of the VALP and the development plan taken as a whole. There are no material considerations to outweigh that finding and planning permission should be refused. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR