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# Appeal Decision

Site visit made on 28 February 2022

**by Robin Buchanan BA (Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 15<sup>th</sup> March 2022**

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**Appeal Ref: APP/X0415/D/21/3287332**

**Bonheur, Nags Head Lane, Great Missenden HP16 0HG**

- 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 Ms and Mr S and R Burgess and Wegner against the decision of Buckinghamshire Council.
  - The application Ref PL/21/3526/FA, dated 6 September 2021, was refused by notice dated 10 November 2021.
  - The development proposed is a two-storey side, part first floor/part single storey rear infill extension, new porch canopy, changes to doors and windows.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues in this case are:
  - the effect of the proposed two-storey side and part first floor rear extension on the character and appearance of the appeal property and the area; and
  - its effect on the living conditions of the existing occupier of the adjoining house at Chenies, having particular regard to outlook.

## Reasons

### *Character and appearance*

3. The appeal property is a modest sized semi-detached, two-storey house (the house). It is in a row of mainly houses of different age, size and design along the north side of Nags Head Lane, which backs onto the countryside and on this side has a rural feel. The building line is staggered in places with the house set much closer to the lane than the house next to it to the west (Rose Cottage). In contrast, the opposing larger, mainly more modern houses on the south side of the lane are set back much further on elevated land and have a more discrete, suburban feel.
4. The house has been enlarged to the rear at ground floor level by flat roofed extensions. Nevertheless, the original parts of the building retain a simple rectilinear narrow, deep main floorplan and straightforward legible external appearance including a shallow pitched fully hipped main roof with a single storey hipped rear wing. These features match the other half of this semi-detached pair of houses (Chenies) and are locally distinctive, with the house readily assimilated into the street scene on the north side of the lane.

5. The development includes a side and rear extension at two-storey height (the extension). The Council did not object to the other parts of the development, including external materials, and nor do I. In isolation, the front elevation of the extension would be relatively narrow (about 1.9m wide) in proportion to the width of the house and as extended. In this context this part of the extension would appear as a modest addition and leave the original form and appearance of the house largely intact. It would also retain a satisfactory gap to the boundary of the site with Rose Cottage and to this house.
6. However, the extension would be set back a long way behind the front elevation of the house. Combined with the extent of rearward projection, it would virtually replicate the full depth of the existing hipped side (end) elevation. In addition, the visible upper floor of the rear elevation would be significantly wider than the house. This would result in an almost square shaped footprint in the rear corner part of the building, at odds with the proportions of the narrower, deeper rectangular floorplan of the house.
7. The relatively limited degree of overlap (and resulting impression of detachment, especially at roof level) between the existing and this extended part of the house would result in significant additional built form and a pronounced increase in the scale and massing of visible vertical elevation, particularly in depth on the plot. It would also result in, effectively, a pyramid style roof over the extension and a significantly more extensive roof form overall. This would include an overly complicated sequence of hipped roof planes and ridgelines connecting the, visually, almost two separate parts of the house. It would be at odds with the basic arrangement of the existing roof.
8. The siting and design of the extension would, therefore, give an overall impression of a facsimile of the house, as if the extended part were a separate house in its own right, particularly from the side. It would not appear subservient in any meaningful sense or retain the primacy of the house, including at the rear by virtue of any appreciable step-down in scale and massing, eaves or ridge height or roof form. It would unduly detract from important intrinsic features of the house and appear incongruous.
9. It would also give a substantially greater built-up feel to the plot and at the rear would significantly close the gap to Rose Cottage and reduce angled views between these houses towards the open countryside beyond on higher ground. The extension would be overly conspicuous in public views from the lane to the west of the house, across the front garden of Rose Cottage. The absence of greater public visibility does not diminish actual planning harm.
10. Other dwellings along the north side of the lane appear to have been extended and some incorporate similar individual elements of the extension. However, I consider that these works or designs have mostly been executed in a coherent and integrated fashion. This maintains important features or the overriding appearance and integrity of these dwellings such that their individuality cements a collective harmony. This reinforces the prevailing pattern of development and adds to local character in a positive way.
11. Taking all of the above into account, I find that the proposed two-storey side and part first floor rear extension would cause harm to the character and appearance of the appeal property and the area. Consequently, it would not

comply with Policies GC1, H13, H15 and H16 of the Council's Local Plan<sup>1</sup> (the LP) or with Policy CS20 of its Core Strategy<sup>2</sup>. These policies include that development should be designed to a high standard having regard to scale/proportion, details, form, height, siting and as these contribute to distinctiveness. It should also have regard to the site, existing and adjoining buildings and townscape and should not adversely affect the character and appearance of the street scene. The roof of a two-storey extension should be integrated into the existing roof and extensions should relate well to the existing dwelling and not be obtrusive.

12. In these regards, it would not accord with requisite guidance in the Council's 'residential extensions' supplementary planning document<sup>3</sup> (the SPD), including 'Section 2 – General Principles' and 'Section 3 – Specific Design Guidance' for two-storey and first floor extensions. These provisions amplify the objectives of the Council's development plan policies.
13. The proposal would also conflict with objectives of the Framework<sup>4</sup> to achieve well-designed places with development that adds to the overall quality of the area and is visually attractive as a result of good architecture and layout. It should also be sympathetic to local character, including the surrounding built environment and maintain a strong sense of place and distinctive places to live.

#### *Living conditions*

14. From the elevated rear garden of the house, I was able to see the garden and first floor windows of Chenies. I also saw its side garden from the lane and have had regard to the appellant's photographs submitted as part of the appeal taken from their first floor rear bedroom window. The extension would run along the common property boundary with Chenies, ending approximately 1m beyond the end of its rear wing. It would be about 3.7m long with eaves about 4.75m above ground level. It would vary in height above the sloping roof of this rear wing by between about 1m and 2.5m.
15. The low pitch, receding, hipped plane of the extension roof would have no appreciable effect on views from internal or external living space at Chenies. The visible vertical side elevation would face towards a small rear and side courtyard area. It would be separated by the width of the rear wing and has an open aspect to the north and east. The closest part of the rear garden of Chenies would be separated from the extension by a large, flat roofed single storey extension or outbuilding at the rear of the house and this lower part of the garden has an open aspect in all directions. In both cases, the extension would not, therefore, appear dominant, visually intrusive or overbearing when viewed from these areas or result in any unacceptable sense of enclosure.
16. The side elevation of the extension would be about 1.25m from the edge of the closest first floor window of Chenies. I saw that it is not a bathroom and in the absence of any evidence to the contrary, I have treated it as a principal (only) window to a habitable room. Perpendicular views out of this window, and

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<sup>1</sup> Chiltern District Local Plan, adopted September 1997 (alterations May 2001, consolidated September 2007 and November 2011)

<sup>2</sup> Core Strategy for Chiltern District, adopted November 2011

<sup>3</sup> Residential Extensions and Householder Development supplementary planning document, adopted September 2013

<sup>4</sup> The National Planning Policy Framework

angled views in one direction, including towards the countryside and a treed skyline, would not be directly affected by the extension.

17. However, the depth, height and close proximity of this part of the extension would substantially restrict the degree and extent of views in the other direction. Moreover, the apparent bulk and massing of the extension would be overly dominant, visually intrusive and unduly overbearing. It would also create a tangible sense of enclosure. The proposal would, therefore, be unneighbourly and significantly adversely affect normal expectations for satisfactory residential amenity in this regard.
18. Considering the above, I find that the proposed two-storey side and part first floor rear extension would cause harm to the living conditions of the existing occupier of the adjoining house at Chenies, having particular regard to outlook from a first floor rear window. Consequently, it would not comply with LP Policies GC3, H13 and H14. These policies include that development should protect the amenities of the occupants of existing adjoining properties and avoid significant impairment or detriment. In these regards, it would not accord with requisite guidance in the SPD, including the parts that I have already referred to above. The extension would also conflict with objectives of the Framework to achieve well-designed places with development that results in a high standard of amenity for existing users.

### **Other Matters**

19. Depending on the time of the year, natural light received by the window at Chenies from the west would be reduced during late afternoon or early evening. It is, though, a reasonably large window positioned high up and immediately below eaves level with an open aspect to the north and east and including upwards towards the sky.
20. I acknowledge that the proposed development, including the extension, would enhance the appellant's living conditions. There is no barrier to this objective in principle but it does not overcome the adverse impacts that I have outlined above. I have considered the particular proposal before me and the appeal on its individual planning merits.

### **Conclusion**

21. The extension would cause significant harm to the character and appearance of the appeal property and the area, and to living conditions. As a result, it would not accord with the development plan overall. There are no other material considerations, including the provisions of the Framework, which outweigh this finding.
22. Therefore, for the reasons given above I conclude that the appeal should not succeed.

*Robin Buchanan*

INSPECTOR