



Appeal Decision

Site visit made on 17 May 2022 by C Glaister BSc (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2022

Appeal Ref: APP/X0415/D/21/3288670

Rumah Kita, Long Walk, Little Chalfont HP8 4AW

- 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 Florin Stoica against the decision of Buckinghamshire Council.
 - The application Ref PL/21/3138/FA, dated 4 August 2021, was refused by notice dated 30 September 2021.
 - The development proposed is described as "Addition of attached garage following consent for PL/20/3052/FA".
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Decision

1. The appeal is allowed and planning permission is granted for an attached garage at Rumah Kita, Long Walk, Little Chalfont HP8 4AW in accordance with the terms of application Ref PL/21/3138/FA, dated 4 August 2021 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 20004-000 Rev P1 (Location and Block Plan), 20004-101 Rev P1 (Ground Floor Plan), 20004-103 Rev P1 (Roof Plan), 20004-300 Rev P1 (Front Elevation), 20004-301 Rev P1 (Rear Elevation), 20004-302 Rev P1 (Side Elevation), 20004-303 Rev P1 (Side Elevation).
 - 3) The development hereby approved shall be implemented in accordance with the tree and hedge protection measures described in the Arboricultural Impact Assessment, Method Statement & Tree Protection Plan report dated 25th August 2020 Ref: TH 2471 and those shown on the Tree Protection Plan dated 25/08/2020 Drawing No TH/A3/2471/TPP by Trevor Heaps Arboricultural Consultancy Ltd. This shall include the use of tree protection fencing, ground protection measures and no-dig construction in accordance with these documents.

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. It is necessary to assess the appeal with respect to national policy, and in particular, the tests relevant to proposals affecting the Green Belt. The

information provided by the Council is limited in this regard, and no formal conclusion is reached with concern to the proposal's effect on the Green Belt. The appeal will nonetheless apply the relevant national policy tests.

4. Therefore, the main issues are:

- whether the proposal would be inappropriate in the Green Belt for the purposes of the development plan and the National Planning Policy Framework (2021) (the Framework);
- the effect of the proposal on the character and appearance of the site, and the surrounding area; and
- if the proposal would be inappropriate development, whether the proposal would effect openness, and whether harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons for the Recommendation

Inappropriate development

5. Paragraph 147 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 states that the construction of new buildings should be regarded as inappropriate in the Green Belt, with the exception of, among other things, the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The Framework defines 'original building' as the building as it existed on 1 July 1948 or, if constructed after this date, as it was built originally. The Residential Extensions and Householder Development Supplementary Planning Document (SPD) is consistent with the policy provided by the Framework, and Policy GB12 of the Chiltern District Local Plan (the Local Plan) adds that any extension to a dwelling which is sited on the edge of a settlement and which significantly extends built-form into the adjoining open land will not be permitted.
6. The site is located along a residential road. Dwellings are generally large and detached within spacious plots, though the appeal property is smaller than most others on the street. Extant planning permission exists for the site that would, among other things, add an additional storey to the property. The appeal proposal would add an attached garage to the front of the dwelling. The Council have not suggested that the proposal would be a disproportionate addition over and above the size of the original building. The street is established as a residential area, and the property would be consistent in size to the majority of others on the street. The garage would be a relatively minor extension, and together with the development included in the extant permission, would not represent a disproportionate addition to the original building given its limited size, and the context of the site.
7. Accordingly, the proposal would not be inappropriate in the Green Belt, and would accord with the Framework, Policy GB12 of the Local Plan, and the SPD. Policy GB15 states that ancillary buildings will generally be permitted where they are separate from the main dwelling and provided they are small and subordinate in scale to the original dwelling. This Policy does not specifically

restrict or refer to development that is attached to the main dwelling, although the garage would in any case accord with the Policy and its aim of ensuring ancillary non-habitable buildings are small and subordinate to the original dwelling.

8. As the proposal does not amount to inappropriate development, the proposal would not by definition have an adverse impact on the openness of the Green Belt, and there is no requirement to assess if there are other considerations that amount to very special circumstances.

Character and Appearance

9. Properties on the street are set back within their plot, and between the road and the curtilage of each property there is a wide grass verge lined with large trees. Whilst there are no dwellings opposite the appeal site, there are generally houses on both sides of Long Walk. Houses vary in their size, form, and design, and there are examples of properties with development that projects forward from the main dwelling, including two doors west at Four Winds. The garage at Four Winds is further forward than the front elevation of its neighbour immediately to the east.
10. The garage would be attached on the eastern corner at the front of the property. It would be narrow in comparison to the rest of the dwelling, and a significant distance would remain between the frontmost portion of the garage and the road. The garage would be consistent with the pattern of development along Long Walk, and the other instances of forward projecting extensions. The property as a whole would remain sympathetic to the open character of the street, and would not appear as an unusual addition to the area.
11. The SPD suggests that the siting of a garage forward of a dwelling is unlikely to be acceptable in areas characterised by open frontages which are clear of built form as this could disrupt the existing pattern of development. Given that there are other instances of forward projecting garages on the street, and the proposal would not therefore disrupt the existing pattern of development, the garage would be acceptable. Given that the garage would be acceptable, there is no reason to believe it would lead to harmful development at other sites in the area. Each proposal is in any case considered with respect to its individual merits.
12. For these reasons, the proposal would not harm the character and appearance of the site, or the surrounding area. It would therefore accord with Policies GC1, H13, and GB15 of the Local Plan, and Policy CS20 of the Local Development Framework Core Strategy for Chiltern District (November 2011) which together seek to ensure extensions are designed to respect the scale and proportion of the existing building, the character and appearance of the street scene or locality is not adversely affected, and that development is of a high standard of design.

Other Matters

13. The Council have not indicated that they believe any harm would arise to the living conditions of neighbouring residents. The gable window would not face Tara, Long Walk, and would be a considerable distance from the closest neighbour to the east. The garage would be limited in height and overall scale, and with consideration to the height of the existing boundary treatment that

separates the site from its neighbours, and the distance between them, it would not create unacceptable conditions for any adjacent resident. Comments that relate to the permission previously granted are not directly relevant to this appeal.

Conditions

14. Conditions relating to the commencement of the development, and that the development adheres to the plans submitted, are recommended in order to provide certainty. A condition to ensure certain trees are protected is necessary in order to achieve consistency with the application previously approved and prevent damage to the trees included in the Tree Preservation Order. A condition ensuring the materials used match the information provided in the plans is unnecessary in light of the condition requiring the development be carried out in accordance with the approved plans.

Conclusion and Recommendation

15. The proposal is therefore seen to conform with the development plan as a whole. Based on the above, and having regard to all matters raised, I recommend that the appeal should be allowed.

C Glaister

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

K Taylor

INSPECTOR