



Appeal Decision

Site visit made on 26 July 2022

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th August 2022

Appeal Ref: APP/X0415/D/22/3301116

Aston House, 22B New Pond Road, Holmer Green HP15 6SU

- 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 & Mrs A Fish against the decision of Buckinghamshire Council.
 - The application Ref PL/22/0478/FA, dated 8 February 2022, was refused by notice dated 6 April 2022.
 - The development proposed is construction of detached garage and store with accommodation over.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the living conditions of the occupants of No. 22A New Pond Road with particular regard to outlook; and
 - the character and appearance of the area.

Reasons

Living conditions

3. The appeal property and No. 22 New Pond Road are located behind the properties fronting New Pond Road, on land to the rear of Nos 20 and 22A, accessed by a shared driveway situated between these properties.
4. The proposal would be positioned close to the rear boundary of No. 22A. Even if the rear garden of No. 22A is larger and deeper than some other gardens located nearby, it is shallow. It is already largely surrounded by development, with the current outlook consisting of the built form of Nos 22 and 22B New Pond Road, as well as what appeared to be a larger non-residential building, interspersed with greenery from neighbouring gardens. Despite this, adequate gaps between the neighbouring built forms and the garden, together with the greenery, means the garden does not feel hemmed in and the existing buildings are not domineering.
5. The proposal would fill part of the gap between the rear garden of No. 22A and the appeal property. Given its proximity to the garden boundary, its significant height at over 5 metres, and expansive roof profile, and despite it being positioned at an angle, it would be visually intrusive and overbearing from the rear aspect of the house, particularly the garden space. It would result in a loss

of outlook and create an increased sense of enclosure which would feel oppressive and would harm the living conditions of the occupants of No 22A. As such it would conflict with the aims of policies GC3, H13 and H14 of the Chiltern District Local Plan (1997) and the Residential Extensions and Householder Development Supplementary Planning Document (2013). These seek, amongst other things, to protect the living conditions of the occupants of existing adjoining and neighbouring properties, including against an overbearing appearance.

Character and appearance

6. The area is made up predominantly of 1 and 2 storey detached houses set back from the road on moderate to large plots with front and rear gardens. They vary in their style, form, features and materials. Together, the set back, moderate scale of development, large plots, grass verges and lawned front gardens, as well as hedges and shrubs that are commonly used as front boundary treatments, give the area a pleasant spacious and green character.
7. Despite the appeal property and No 22 being set behind the houses on New Pond Road, they share similar characteristics to those fronting it. They have generous plots with large rear gardens, as well as ample parking and lawned areas to the front, in keeping with the spacious and green character of the area. However, in contrast to most of the other houses, they have a L-shaped form, which means that a significant section of the appeal property already projects forward of the principal elevation.
8. It may be that the proposal would be relatively large in terms of an outbuilding, particularly its height and roof form, and it would be positioned to the front of the existing house, both which conflict with the detailed guidance set out in the Council's Residential Extensions and Householder Development Supplementary Planning Document (2013) (SPD). However, the appeal property is a substantial 5-bedroom house and, although the proposal would not be directly linked, its proximity to the existing house would make it appear more as an extension to the existing L-shaped building form than an outbuilding set forward of the principal elevation. For these reasons and despite the difference in roof form, the proposal would appear subservient to the host dwelling, which would accord with the overarching principle of the SPD, and would also retain the established pattern of development. Furthermore, given the position of the appeal property, behind the properties fronting New Pond Road, it is not readily visible from the road and the proposal would be even less so meaning its effect on the wider area would be limited.
9. Any harm to the openness of the plot would also be limited. Notwithstanding the proposal's proximity to the rear boundary of No. 22A, it would only take up a modest amount of space and would largely cover an area currently used for parking, which would be replaced by a garage providing the same use. Overall, the plot would remain generous with front and rear gardens, including some soft landscaping to the front of the house, which would retain the spacious and green character of the area.
10. Accordingly, the proposal would accord with the aims of policies GC1, H13 (ii), H15 and H20 of the Chiltern District Local Plan (1997), Policy CS20 of the Core Strategy for Chiltern District (2011) and the Residential Extensions and Householder Development Supplementary Planning Document (2013). These

seek, amongst other things, to deliver a high standard of design that protects the character and appearance of the existing dwelling and area.

Conclusion and Planning Balance

11. Overall, while I find the proposal would not harm the character and appearance of the area, this absence of harm does neither outweigh nor address the harm to the living conditions of occupants of No 22A New Pond Road. The proposal would therefore conflict with the development plan, read as a whole.
12. It has been put to me that the proposed development would not result in a loss of privacy to neighbouring properties and there would be no impact on existing parking arrangements. However, these matters neither outweigh the harm I have identified nor provide justification for development that conflicts with the development plan. Therefore, the appeal is dismissed.

Hannah Guest

INSPECTOR