



Appeal Decision

Site visit made on 19 October 2022

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 October 2022

Appeal Ref: APP/X0415/W/22/3297752

Tara, Frith Hill, South Heath, Great Missenden, Buckinghamshire, HP16 9QF

- 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 David Prendergast against the decision of Buckinghamshire Council - East Area (Chiltern).
 - The application Ref PL/21/4474/FA, dated 20 December 2021, was refused by notice dated 11 February 2022.
 - The development proposed is a single storey front extension of existing garage with front balcony, insertion of 2 side dormers in existing roof and solar panels.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect on the openness of the Green Belt; and
 - The effect on the special landscape character of the Chilterns Area of Outstanding Natural Beauty (AONB).

Reasons

Background

3. The appeal site includes a detached house of 1.5 storey form with the upper floor set in the roofspace with both gable and dormer windows. To the side is a single garage with a high pitched roof with rooflights and a window in the gable. Photographs submitted by the appellant show that there was a timber car port in front of the garage at the time of the application, and a gravelled parking area leading off Frith Hill. The surrounding garden is well landscaped with trees, shrubs and hedges. It is proposed to add to the garage by creating a pitched roof and flat room dormers on the sides of the existing roof and extending the structure to replace the car port by creating an upper floor with dormer window and balcony in the gable above an open parking area.

Effect on the openness of the Green Belt

4. Saved Policy GB2 of the Chiltern District Local Plan, in summary, advises that the limited extension of existing dwellings in the Green Belt may not be 'inappropriate development' subject to meeting other policies where Policy GB 15 is relevant. This generally permits ancillary non-habitable buildings

provided they are small and subordinate in scale to the original dwelling, and subject to local design factors. I have also had regard to the guidance in the National Planning Policy Framework (the Framework) where paragraph 149 makes clear that while the construction of new buildings in the Green Belt would normally be inappropriate development, an exception to this (amongst others) is part (c) where the extension or alteration of a building does not result in a disproportionate addition over and above the size of the original building. I have also had regard to the recent case of *Warwickshire DC v SSLUHC, Mr Storer & Mrs Lowe* [2022] EWHC 2145 (Admin).

5. The parties do not say when the garage was built but it appears to me from its design, materials and patina that it is long standing and can be considered as consistent with the 'original' dwelling. An extension to the garage may therefore be acceptable in principle provided that it remains subordinate in design, scale and form and does not intrude on the openness of the Green Belt.
6. I am satisfied that the length of garage addition proposed with open 'car port' space underneath still respects the form and scale of the original garage and would have an ancillary and subordinate relationship with the main dwelling, however, I am concerned about the addition of large dormer windows in the existing and extended roof. The form of these gabled and flat roof dormers materially increases the bulk and scale of the outbuilding to the extent that it would not appear as a small and subordinate addition to the original property as per Policy GB 15, and would be a disproportionate addition in the context of the Framework.
7. I have taken account of the existing screening around the garden of the appeal site and acknowledge that the visual impact of the proposed additions would at present be limited in extent when viewed from the east and west along Frith Hill. Nevertheless, there would be clear views of the proposed structure around the actual frontage of the property. The proposal would also be a harmful effect in spatial terms where the general openness of the Green Belt would be materially eroded by the increase in building bulk.
8. Given these factors I find that the proposal overall conflicts with the provisions of saved Policies GB2 and GB15 and would constitute 'inappropriate development' in the Green Belt as set out in paragraphs 147-149 of the Framework.

Effect on the AONB

9. Similarly with the Green Belt issue above, the proposed extension to the length of the garage would not be inappropriate to the setting and character of the AONB but the further embellishments to the elongated structure would materially change its form and appearance. Even though the gabled dormers to the west facing roof slope would each have a pitched roof, similar to the dwellinghouse, their size and combination would have an imposing and dominating effect of the design of the outbuilding. Likewise to the east, the large flat roof dormer on the east facing roof slope would be harmful to the overall design and form of the outbuilding.
10. I find that the design, bulk and appearance of the overall building proposed would not help conserve and enhance the character, distinctiveness and scenic value of the Chilterns AONB and so would be contrary to Policies CS20 and

CS22 of the Core Strategy, saved policy LSQ1, and the guidance in section 15 of the Framework.

Planning and Green Belt balance

11. On the main issues I have found that the proposed additions would constitute 'inappropriate development' in the Green Belt as, in particular, the additions to the existing and proposed roof would result in a much increased building bulk which would not be a small and subordinate addition to the property. It would also harm the openness of the Green Belt and the character and distinctiveness of the Chilterns AONB. The proposal would conflict with the policies in the development plan and national guidance as set out above. The Framework makes clear that great weight has to be given to the conservation and enhancement of the landscape and distinctiveness of the AONB. Substantial weight must also be given to any harm to the Green Belt and 'inappropriate development' should not be approved except in very special circumstances.
12. To be balanced with these factors are other considerations. I note the appellants wish for the family to have better accommodation from which to work from home which has been made necessary because of the effects of Covid. However, such personal requirements need not result in the scale or form of increase in building work as put forward. I have also taken account of what is said to be the local disruption caused by the construction of HS2 nearby.
13. Nevertheless, these factors do not clearly outweigh the identified harm to the Green Belt and AONB and as such very special circumstances do not arise in this case.

Conclusion

14. For the reasons given above I conclude that the appeal should not be allowed.

David Murray

INSPECTOR