

Appeal Decision

Site visit made on 19 October 2022

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2022

Appeal Ref: APP/X0415/D/22/3303423

11 First Avenue, Amersham, Buckinghamshire, HP7 9BJ

- 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 and Mrs Gilks against the decision of Buckinghamshire Council (Chiltern Area).
 - The application Ref PL/22/0760/FA, dated 1 March 2022, was refused by notice dated 20 June 2022.
 - The development proposed is an upward extension with rear dormer.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development is taken from the application form. The Council's decision notice describes the development as "hip to gable roof extensions to both sides, raising of ridge height, rear dormer, 2 front rooflights and 2 side windows."

Main Issues

3. The main issues in this case are the effect of the proposed development on the character and appearance of the area; and its effect on the living conditions of the occupiers of Number 10 First Avenue with regards to outlook.

Reasons

Character and appearance

4. The appeal property is a two storey, brick and tile-built detached dwelling. It is set back from the road behind a driveway and has a longer garden to the rear.
 5. The appeal property is located in a residential area characterised by the presence of two storey detached and semi-detached dwellings set back from the road behind short gardens and/or parking areas and with longer gardens to the rear.
 6. The topography of the area is such that First Avenue slopes significantly, rising from west to east. This results in the appeal property sitting noticeably higher than its immediate neighbour to the lower side, Number 10 First Avenue and lower than its immediate neighbour to the higher side, Number 12 First Avenue.
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The local topography presents a “stepped” appearance to dwellings in the area, lending a sense of uniformity as houses step up the hill.

7. During my site visit, I observed that many houses in the area have been altered and/or extended and that such changes tend to appear in keeping with host dwellings and the surrounding area.
8. The proposed development would result in the raising of the roof’s ridge height and the creation of a large crown roof dormer. I find that the design and overall scale of the proposal would result in a development so bulky as to appear out of proportion with the host property. This would lead the house to appear top heavy and as a result, the proposed development would draw attention to itself as an unsympathetic addition.
9. Consequently, the proposal would fail to appear subservient to or respect, the appearance of the host property.
10. Further to the above, the proposal would raise the height of the roof to a similar height to that of No 12. This would erode the stepped appearance of dwellings in the area and would add to the incongruous appearance of the proposal within its immediate surroundings, where no such development exists.
11. Taking the above into account, I find that the proposed development would harm the character and appearance of the area. This would be contrary to the National Planning Policy Framework; to Local Plan¹ Policies GC1, H15 and H18; to Core Strategy² Policy CS20; and to the Council’s SPD³ which together amongst other things, seek to protect local character.

Living conditions

12. The appeal property already sits considerably higher than its neighbour, No 10. The proposed development would add significant height and bulk to the appeal property and I find that this would lead the proposal to appear to “loom” above the rear of No 10 to a dominant and overbearing degree.
13. Consequently, I find that the proposed development would harm the living conditions of the occupiers of Number 10 First Avenue with regards to outlook, contrary to the National Planning Policy Framework; to Local Plan Policies GC3 and H14; to Core Strategy Policy CS20; and to the Council’s SPD, which together amongst other things, seek to protect residential amenity.

Other Matters

14. In support of the proposal, the appellant draws attention to other developments elsewhere. However, there is nothing before me to demonstrate that any other development is so similar to that proposed as to provide for direct comparison. Notwithstanding this, I have found that the proposal would result in significant harm and this is not a matter mitigated or outweighed by the presence of other developments elsewhere.

¹ Chiltern District Local Plan (1997, altered 2001, consolidated 2007 and 2011).

² Chiltern District Core Strategy (2011).

³ Residential Extensions and Householder Development Supplementary Planning Document (2013).

Conclusion

15. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR