
Appeal Decision

Site visit made on 30 November 2022

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 16th December 2022

Appeal Ref: APP/J0405 /D/22/3307663

70 Oxford Road, Stone, Buckinghamshire, HP17 8PL

- 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 M Youngson against the decision of Buckinghamshire Council.
 - The application Ref 22/01401/APP, dated 14 April 2022, was refused by notice dated 20 July 2022.
 - The development proposed is two storey side extension and detached garage.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of two storey side extension and detached garage at 70 Oxford Road, Stone, Buckinghamshire, HP17 8PL, in accordance with the terms of the application Ref 22/01401/APP, dated 14 April 2022, and the plans submitted with it, 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: EDL2037-01 and EDL2037-02.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.
 - 4) The window at first floor level in the southeast elevation of the extension hereby permitted shall not be glazed or reglazed other than with obscured glass to a minimum of level 3 and non opening unless the parts of the window that can be opened are more than 1.7m above internal floor level.
 - 5) The detached garage hereby permitted shall not be used or occupied for any purposes other than as ancillary to the residential use of the property on the site, currently known as 70 Oxford Road, Stone, Buckinghamshire, HP17 8PL. The building shall not be used in connection with any business or commercial enterprise.

Main issue

2. I consider that the main issue in this case is its effect on the character and appearance of the area.

Reasons

3. 70 Oxford Road is a two storey house with an attached garage with dormer window above, constructed of brick and flint. It is one of a group of four houses with a short access rising off Oxford Road. It is set back relative to the immediate neighbour, No. 68, which is of similar form and layout.
4. I consider that the relevant policy in this case is BE2 of the Vale of Aylesbury Local Plan 2013-2033, adopted 2021 (the local plan), which requires, among other things, new development to respect the scale and context of the site and its setting.
5. The Council's Residential Extensions Design Guide provides advice on two storey side extensions, mainly in terms of maintaining space between houses in the interests of avoiding harm to the street scene. It also advises that they should be set back from the main building line. Front extensions should normally be small and roofs should be pitched to suit the pitch on the main building.
6. The Council raises no objection to the proposed garage which would be sited to the front in the northwest corner of the site, subject to the imposition of a condition restricting its use. I see no reason to disagree with this.
7. The proposed two story side extension would run the full depth of the house from front to back incorporating the existing attached garage and projecting forward approximately 3.15m from the main front gabled elevation. It would be narrower, with a gable end at the front, and it would be lower than the main gable, with a similar roof pitch.
8. I consider that, although the proposed extension would project forward of the main gable, it would remain subservient to it by reason of its lower height. Its narrower width would introduce something of an asymmetrical appearance to the front elevation, but this would not necessarily be unacceptable, since it would mark a clear distinction between the new extension and the original house. The eaves height and line of the new windows would be aligned with those of the original house.
9. Despite its raised elevation relative to Oxford Road, it would not appear unduly prominent because of its set back from the front building line of No. 68. The built form in the immediate locality is mixed. Although Nos. 70 and 68 are similar, there are differences in their roof form and materials, and they differ again from Nos. 66 and 64, and from the large building to the north, which I understand is a block of flats.
10. I conclude that the proposed extension would not harm the character and appearance of the area and that it is consistent with local plan policy BE2.
11. For the reasons given above, the appeal is allowed.

Conditions

12. I have considered the conditions put forward by the Council, having regard to the tests set out in the Framework. A condition detailing the plans is necessary to ensure the development is carried out in accordance with the approved plans and for the avoidance of doubt. A condition relating to the materials is necessary in order to ensure the satisfactory appearance of the development.

13. A condition requiring obscure glazing to the window is necessary to preserve the amenities of the occupants of the neighbouring property. The Council have specified the first floor window on the northwest elevation of the extension, but the first floor window to the new bathroom is on the southeast side and I have amended the condition accordingly.
14. The condition restricting the use of the garage is necessary to maintain the residential character of the area.

PAG Metcalfe

INSPECTOR