
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: 19 December 2022

Appeal Ref: APP/J0405/D/22/3307361

29 Lewis Close, Aylesbury, Buckinghamshire, HP19 9AW

- 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 Zhilling against the decision of Buckinghamshire Council.
 - The application Ref 22/01475/APP, dated 22 April 2022, was refused by notice dated 9 August 2022.
 - The development proposed is loft conversion including front pitched dormer and roof light windows.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr and Mrs Zhilling against Buckinghamshire Council. This application is the subject of a separate Decision.

Main issue

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

Reasons

4. 29 Lewis Close is a two storey detached house located in a modern residential development. The surrounding area has a mix of modern detached and semi-detached houses of two and three storeys, constructed mainly of red brick with some examples of pale grey brick and some render. Approval of reserved matters in 2006 for this phase of the development removed permitted development rights for alterations to the houses in order to allow the Council to retain control over extensions having regard for the particular layout and design of the development.
5. 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.
6. The Council's Residential Extensions Design Guide provides advice on alterations to roofs. Dormer windows should be physically small and set into the roof slope so that they are not a strident feature in the roof as a whole.

Roof lights should be small and preferably on less prominent slopes. The National Planning Policy Framework 2021 (the Framework) and the National Design Guide promote good design such that development is visually attractive as a result of good architecture and adds to the overall quality of the area throughout its lifetime, and takes account of scale, details and materials.

7. I consider that the proposed dormer window together with the roof light at the front would appear out of keeping with the scale and context of the existing building and the surroundings. The house is relatively narrow, and the plans submitted with the application indicate that the opening lights of the dormer would be larger than those of the first floor window below. The structure itself would also appear large in proportion to the modest scale of the roof. This, combined with the close juxtaposition of the proposed roof light, which itself is relatively large and out of proportion with the windows below, would result in a top-heavy and discordant feature readily visible from street level.
8. I note that this is a revised scheme following a previously refused application which proposed a larger dormer and a second roof light. I consider that this proposed dormer is still too large and, together with the roof light, would result in a form of development which is out of keeping with the character and appearance of the house and the surroundings.
9. This part of the estate has a variety of house styles and roof forms. There are instances along Lewis Close where there are different forms of dormer which break through the eaves and are clearly part of the original design concept. There are a small number of individual hipped dormers set within the roof slope in Lewis Close, Pluto Way and Cliveden Way, nearby. I have no information as to whether these individual dormers were granted separate planning permission after the original planning permission, or whether they were part of the original design concept and construction of this part of the estate.
10. Dormers are more common in other parts of the estate. The appellants have drawn my attention to front dormers permitted at Nos. 7 and 9 Cranley Crescent. Cranley Crescent appears to be part of a different phase of the overall development where dormers are more prevalent and generally appear to be an integral part of the original design, of a fairly uniform design and in proportion to the host building. There are other instances in that part of the estate, for example, in Prince Rupert Drive where there are several dormers of a uniform pattern. Throughout the estate I saw very few examples where roof lights were visible at the front and no examples where there was both a dormer and a roof light at the front.
11. The proposal would be at odds with the aims of policy BE2 and the Residential Design Guide in that it fails to take account of scale and detailing of the house itself and the overall design quality of this part of the estate.
12. I conclude that the proposal would harm the character and appearance of the area, contrary to local plan policy BE2 and the advice in the Residential Design Guide.
13. For the reasons given above, the appeal is dismissed.

PAG Metcalfe

INSPECTOR