



Appeal Decision

Site visit made on 6 December 2022

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 January 2023

Appeal Ref: APP/N0410/D/22/3305993

Hambleton, Lincoln Road, Chalfont St Peter, Buckinghamshire, SL9 9TQ

- 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 Dafydd and Tessa Jones against the decision of Buckinghamshire Council.
 - The application Ref PL/22/0337/FA, dated 1 February 2022, was refused by notice dated 28 June 2022.
 - The development proposed is demolition of conservatory and garage and erection of two storey extension connected to house by single storey side/rear extension with changes to doors, windows, roof over single storey side projection, front wall and gate to courtyard, and rear landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of conservatory and garage and erection of two storey extension connected to house by single storey side/rear extension with changes to doors, windows, roof over single storey side projection, front wall and gate to courtyard, and rear landscaping at Hambleton, Lincoln Road, Chalfont St Peter, Buckinghamshire, SL9 9TQ, in accordance with the terms of the application, Ref PL/22/0337/FA, dated 1 February 2022, subject to the conditions in the attached Schedule.

Procedural Matter

2. In the interests of clarity, in the banner heading above I have referred to the description of the proposal given by the appellant on the appeal form as this gives a clear description of the type of development proposed which reflects that used by the Council in their decision notice.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the surrounding area.

Reasons

4. Lincoln Road comprises detached properties of varying designs set behind substantial front gardens with driveways. The houses, and gaps between them, are larger on the appeal site side of the road where mature trees and landscaping accentuate the spacious, verdant appearance of the area.
5. The appeal site comprises a large 2 storey detached house set back from the road behind a front drive which surrounds a central landscaped area. The front garden slopes up towards the house which is set above the road level. A single

storey double garage stands to the side of the house. Although it is detached, a wall runs between it and the house with double gates allowing access to the side and rear of the property.

6. The wall and garage are screened from the road by the central landscaped area, and mature trees along the front boundary close to the road and the side boundary with the neighbouring property, The White House. The White House has a single storey detached double garage adjacent to the appeal site garage. These single storey structures leave a significant gap above ground floor level between the appeal property and The White House. The Council is concerned that the proposed 2 storey building that would replace the garage would be prominent and intrusive interrupting the existing space between the properties.
7. The proposed building would be higher than the existing garage, but its ridge and eaves would be lower than that of the main house and it would be clearly subservient to it. The frontage would be similar in width to that of the existing double garage and the new wall between it and the house would be the same height as the existing wall. The proposed single storey link to the 2 storey building would be set back behind the new wall and a courtyard so that it would not be visible from the road. Even if the trees that currently screen the garage and would screen the proposed development were removed, a visual gap between the house and garage above the wall would be maintained.
8. I note that other garages at properties within the street had first floor accommodation so a 2 storey structure would not look out of place. Although it would be more obtrusive than the existing garage, the neighbouring single storey garage adjacent to it would maintain a visual break between the 2 properties above ground floor level. Overall, I do not consider that the proposed building would unduly interrupt the gap between the houses that contributes to the street scene. I am therefore satisfied that, although the proposed extensions would create significant additional floorspace, there would be no adverse effect on the character and appearance of the area. The proposal therefore complies with Policies GC1, H13, H15 and H16 of the Chiltern Local Plan 1997 (including the alterations adopted 29 May 2001) (Consolidated September 2007 & November 2011); Policy CS20 of the Core Strategy for Chiltern District (2011); Policies H6 and H7 of The Chalfont St Peter Neighbourhood Plan 2013 - 2028; the Council's Residential Extensions and Householder Development SPD (2013); and Section 12 of the National Planning Policy Framework (2021) which require development to be of a high quality design that is in keeping with the character of the area.

Other Matters

9. Representations raised concerns over the proposed materials, in particular the use of zinc cladding, and the potential impact on trees. I find the use of zinc cladding on the side of the building to be acceptable and the colour chosen would complement that of the existing house. The planning application form confirmed that only ground cover and shrubs would be removed to accommodate the development.

Conditions

10. In addition to the standard condition which limits the lifespan of the planning permission I have specified the approved plans to provide certainty. The Council's suggested condition preventing windows being inserted into the

southeast elevation of the proposed building is necessary to protect the privacy of neighbouring occupiers. I also accept the Council's concerns that the proposal contains facilities that could enable it to be used as a separate unit of accommodation. If that were to be the case, the lack of privacy from shared use of the garden and use of the side access would harm the living conditions of occupants of both the main house and the proposal. It is therefore necessary to impose a condition requiring the annex to be used only as accommodation ancillary to the main house. The suggested condition for external materials to match those of the existing house is not necessary as I have found the proposed materials to be acceptable.

Conclusion

11. For the reasons given above I conclude that the appeal should be allowed.

P D Sedgwick

INSPECTOR

Schedule of 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: Dwg Nos: PL-01, PL-31, PL-32, PL-33, PL-34, PL-35, PL-36, PL-37.
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no windows/dormer windows/rooflights shall be inserted or constructed at any time in the southeast elevation or roof slope of the extension hereby permitted.
- 4) The extension hereby permitted shall only be occupied as part of the existing dwelling on the site and shall at no time be occupied as an independent dwelling unit.

*****End of Conditions*****