



Appeal Decision

Site visit made on 4 July 2023

by S Crossen BA (Hons) PgCert PgDip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 August 2023

Appeal Ref: APP/J0405/W/23/3317031

12 Howard Avenue, Aylesbury, Buckinghamshire HP21 7HN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mrs Shamela Rani, of Studio E17 against Buckinghamshire Council.
 - The application Ref: 22/02574/APP, is dated 18 July 2022.
 - The development proposed is demolition of existing garage/ store structures, proposed single storey rear extension & hip to gable to original dwelling & proposed new detached 3 bedroom dwelling comprising double storey with single storey rear structure and pitch roof over.
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Decision

1. The appeal is dismissed and planning permission for demolition of existing garage/ store structures, proposed single storey rear extension & hip to gable to original dwelling & proposed new detached 3 bedroom dwelling comprising double storey with single storey rear structure and pitch roof over, is refused.

Background and Main Issues

2. The Council has confirmed that had it determined the planning application it would have been refused. The Council's concerns relate to the effects of the development on the character and appearance of the area and the integrity of the Chiltern Beechwoods Special Area of Conservation (SAC). Consequently, the main issues are the effect of the proposed development on the character and appearance of the area and the effect of the development on the SAC.

Reasons

Character and appearance

3. Howard Avenue comprises predominantly semi-detached houses with bay windows but with a mix of original hipped roofs and hip to gable roof conversions. The attached house to no. 12 has had a hip to gable conversion. Pairs of semi-detached houses are spaced wide enough for many to have shared driveways and free-standing garages in the rear gardens. There are wide grass verges to the front and side. Corner houses are positioned away from the side boundary, with the side elevation in line with the front elevations of houses which are located perpendicular at the rear. This relationship on both corners provides an uninterrupted line of undeveloped space at first floor level between the highway and two storey house which contributes to the spacious character of the area.

4. The appeal site is on one of these prominent corner plots and comprises a semi-detached house with side garage extension and a large side garden. The adjacent corner house is also set back from the footpath and has a single storey side extension.
5. The application proposes a hip to gable conversion to the main roof of the existing house which would replicate an existing similar extension at the attached house and would help to balance a pair of semi-detached houses. For these reasons the design of the extension when considered in isolation would be compatible with the attached house and other existing houses within the same row which have had similar extensions.
6. Although there would be a gap between the existing and new house it would be significantly less than other pairs of neighbouring houses, in addition both designs would have a gable roof with an eaves overhang, meaning both roofs would be closer together. This proximity combined with the roof shape would result in the houses appearing as though they might be attached when travelling along Howard Avenue, resulting in a cramped appearance that would harm the character of the area which mainly comprises of semi-detached houses.
7. Both the wide grass verges and undeveloped space between two storey houses and the highway on corner plots, contribute towards the spacious character of the area. Consequently, and notwithstanding the remaining gap, the presence of a two storey house so close to this corner, would result in a significant loss of openness which would be at odds with the character and pattern of development in the area.
8. Design details of the proposed new house would reflect elements of the existing house. However, this would not mitigate the harm I have found to the character and appearance of the area.
9. Consequently, the proposed house would have a significant adverse effect on the character and appearance of the area. It is therefore contrary to Policy BE2 of the Vale of Aylesbury Local Plan 2013 – 2033 adopted September 2021. This policy amongst other things, seeks that all new development shall respect and compliment the local distinctiveness and vernacular character of the locality, in terms of ordering, form, proportions, architectural detailing and materials. It is also contrary to the Aylesbury Vale District Council Design Guide, New Houses in Towns & Villages, which amongst other things seeks to protect quality and character through appropriate form, shape and siting of new development relative to roads, spaces and to each other.

Chiltern Beechwoods SAC

10. The appeal site is located within a 12.6km zone of influence of the Ashridge Commons and Woods Site of Special Scientific Interest (SSSI) which is within the Chiltern Beechwoods SAC, designated under the European Habitats Directive. New residential development within this zone is likely to result in an increase in recreational pressure that would affect the integrity of the SAC for cumulative impacts. I note that mitigation may overcome that effect, but it is unclear whether this could be secured in this case. As I am dismissing the appeal for other reasons, I have not had to make any assessment of the implications for a European Site as set out in regulation 63 of The Conservation

of Habitats and Species Regulations 2017, so I have not pursued this matter further.

Other Matters

11. My attention has not been drawn to any harm to the living conditions of neighbours. The quality of living accommodation, parking provision, provision for storing bicycles, refuse and recycling would be acceptable. I note there would be a lack of harm to trees. However, these are matters all new development should accommodate, so are neutral and do not mitigate for the harm I have found above.

Conclusion

12. For the reasons given above I conclude that the conflict with planning policies I have identified means that the proposal would conflict with the development plan as a whole. I have not found any material considerations that would outweigh that conflict. As such, the appeal should be dismissed.

S Crossen

INSPECTOR