



Appeal Decision

Site visit made on 15 August 2023.

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th September 2023

Appeal Ref: APP/K0425/W/23/3318208

3 Fox Field, Hazlemere, Buckinghamshire, HP15 7AQ

- 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 Mr Dom Lowe against Buckinghamshire Council.
 - The application Ref 22/07264/FUL, is dated 16 August 2022.
 - The development proposed is single storey extension to front/side/rear.
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Decision

1. The appeal is dismissed and planning permission is refused.

Preliminary Matters

2. The appeal follows the Council's failure to determine the application within the prescribed period. However, the Council has indicated in its statement, that had it been in a position to determine the application, it would have refused planning permission. The substance of the Council's statement has informed the main issue of the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and surrounding area.

Reasons

4. 3 Fox Field (No 3) is a semi-detached property located within a predominantly residential area. While there is some slight variation, houses in the area are similar sized, semi-detached and have a similar design and appearance to No 3. There are wide grass verges and houses tend to have front gardens or driveways which results in the area having an open character and appearance.
5. No 3 is located on a prominent corner plot on the junction between Fox Field and Cedar Avenue. No 3 faces onto Fox Field whereas the other half of the building fronts Cedar Avenue. The proposal would wrap around No 3 and have a significant depth which due to the prominent corner position would result in a highly visible feature that is dominant in the street scene. The depth would also result in a large section of the front garden being taken up by built form and therefore erode the open character and appearance of the area.
6. The proposal also includes a hipped roof which is not consistent with the host property or wider street scene which tends to consist of gabled and pitched roofs. This, combined with the overall depth and scale of the proposal as well as the prominent position of the appeal site would result in the host property appearing dominant within the plot and in the street scene. Furthermore, the

proposal only extends across part of the front elevation which would result in the host property appearing unbalanced.

7. I am not convinced that the hedge that has been planted, even if combined with further landscaping would be able to sufficiently screen the proposal.
8. The Council's Householder Planning and Design Supplementary Planning Document Adopted January 2020 (SPD) provides guidance that amongst other things, notes that the original design of the building should be the main influence in design and proposals should not dominate or detract from the original building or character of the area. For the reasons outlined, the proposal would be contrary to this guidance contained within the SPD.
9. I therefore conclude that the proposal would unacceptably harm the character and appearance of the host property and surrounding area. It would be contrary to Policies CP9, DM35 and DM36 of the Wycombe District Local Plan Adopted August 2019. Amongst other things, these seek to ensure development respects the distinctive character of the area, create positive and attractive buildings and respect the character and appearance of the existing property.
10. The proposal would also be contrary to Paragraph 130 of the National Planning Policy Framework which seeks to ensure developments establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Other Matters

11. The appellant has referred to several examples of developments in the area in order to justify the proposal in particular due to their use of hipped roofs. I do not have full details in respect of such examples so I cannot be sure of the circumstances of these. In any case, I have determined the appeal on its own merits, based on the evidence before me.
12. However, from site observations while the extension at 1 Fox Field is a similar depth to the proposal the overall scale is much less and due to the L-shaped nature of the house it fills a gap and does not protrude onto the open frontages. 14 The Warren is not in a corner position and houses on this road differ in that they are mostly detached and set higher than the road. This results in the development not appearing as prominent particularly as views from Cedar Avenue are screened by vegetation.
13. Regarding 54, 56 and 72 Cedar Avenue and 50 Copes Grove, these all relate to small porch extensions which differ in scale from the proposal. 118 Cedar Avenue concerns two-storey extensions which differ from the proposal and while the site is located on a corner plot, the boundaries, particularly from Cedar Avenue are well screened with vegetation.
14. 121 Cedar Avenue relates to a garage which differs from the proposal and the development is also well set back from the road and screened by extensive vegetation. 129 Cedar Avenue is a similar development however has a significant set-back distance from the road which is also well screened by extensive vegetation.

15. I have no reason to disagree with the Council's assessment that the proposal would not harm the living conditions of neighbouring occupiers, would not result in flood risk or harm biodiversity. I also note that landscaping could be improved by conditions and the proposal would improve the available living space and amenity for future occupiers.
16. The appeal site is not within a flood plain, conservation area, area of outstanding natural beauty, green belt and is not a listed building or located within the setting of one. However, these matters do not outweigh the harm I have identified.
17. I note the appellant's frustration with council during the course of the applications consideration, including the delays. However, I am only in a position to consider the planning merits of the appeal.
18. The appellant has requested that an extension of time is allowed to try and find an acceptable scheme. I have determined the appeal on the basis of the evidence submitted. The appeal is not a platform to try and progress an acceptable scheme and other parties could be prejudiced were any such amended plans to be taken into consideration due to not having been consulted. This is therefore a matter for the appellant and the Council should a further application wish to be pursued.

Conclusion

19. For the reasons set out above, having had regard to the development plan read as a whole, and all other material considerations, I conclude that the appeal should be dismissed and planning permission refused.

D Wilson

INSPECTOR