



Appeal Decision

Site visit made on 11 October 2023

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

an Inspector appointed by the Secretary of State

Decision date: 25TH October 2023

Appeal Ref: APP/X0415/D/23/3327634

Westley, 31 Bois Avenue, Chesham Bois, Buckinghamshire, HP6 5NU

- 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 Dave Rutter against the decision of Buckinghamshire Council.
 - The application Ref PL/23/1727/FA, dated 31 January 2023, was refused by notice dated 20 July 2023.
 - The development proposed is timber frame carport in driveway.
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Decision

1. The appeal is allowed and planning permission is granted for erection of timber frame carport in driveway at Westley, 31 Bois Avenue, Chesham Bois, Buckinghamshire, HP6 5NU, in accordance with the terms of the application Ref PL/23/1727/FA, dated 31 January 2023 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: DR-01, DR-02 rev A, DR-03 rev A and DR-04.
 - 3) The development hereby approved shall be retained as a wholly open sided structure and shall not be altered or enlarged or provided with any enclosing built fabric.

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. Westley is a two storey detached house set in a large plot located in an established residential area which is designated a 'Woodland Road' character area. The surrounding area is characterised by large detached houses set back from the road along a more or less regular building line. Front gardens are typically of a good size and generally laid to some form of gravel or hardstanding providing access and parking. Most are well screened by substantial evergreen, mainly laurel hedging and mature trees. There are numerous examples of detached garages along the street, most of which are in line with the front building line or set slightly forward.

4. I consider that the policies relevant in this case include GC1 and H20 of the Adopted Chiltern District Local Plan 1997, including Adopted Alterations 2001, Consolidated September 2007 and November 2011 (the local plan), which require a high standard of design according to criteria including scale and siting and that ancillary residential buildings should be modest in size and subordinate to the scale of the existing dwelling. The Council's Supplementary Planning Document *Residential Extensions and Householder Development* 2013 (the SPD) offers further advice regarding garages sited in front of dwellings which would not be acceptable where the existing pattern of development would be disrupted.
5. Westley has two vehicular entrances along its frontage to the road. Otherwise the front boundary is defined by a deep dense evergreen hedge approximately 2 metres high. The proposed timber double carport would be located in the southwest corner of the front gravelled parking area adjacent to one of the entrances. It would be constructed of a timber framework, open on all four sides, with a flat roof. Although it would be forward of the main house, it would be set well back from the front boundary such that the existing hedging could be retained and still screen it from public views from the street. I consider that it would be modest in size in the context of the scale of the main house and the plot, with a low profile and would therefore be subordinate to the main house. It would not be prominent in the street scene or out of keeping with the general pattern of development in the area.
6. I conclude that the proposed carport would not harm the character and appearance of the area and that it would not be in conflict with local plan policies GC1 and H20 or the advice in the SPD.
7. For the reasons given above, the appeal is allowed.

Conditions

8. 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 requiring the structure to remain open sided and not extended, altered or enclosed is necessary in order to ensure the satisfactory appearance of the development.

PAG Metcalfe

INSPECTOR