



Appeal Decision

Site visit made on 10 January 2024

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th February 2024

Appeal Ref: APP/K0425/D/23/3324437

Quoins, The Close, Bourne End, Buckinghamshire SL8 5PE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr J Jones against the decision of Buckinghamshire Council.
 - The application Ref is 23/05286/FUL.
 - The development proposed is erection of single storey front and single storey side extensions, extension to roof with insertion of 2 x front rooflights, 2 x rear dormers and insertion of 2 x rear dormers to garage roof.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 19 December 2023, a revised National Planning Policy Framework (the Framework) was published. Those parts of the Framework most relevant to this appeal have not been significantly amended. As a result, there is no requirement for me to seek further submissions and I am satisfied that no party's interests have been prejudiced by my taking this approach. I will refer to the updated paragraph numbers where necessary in this appeal.

Main Issues

3. In this case, there is no dispute between the parties that the proposal would be inappropriate development within the Green Belt. From the evidence before me and my observations on site, I am of the same view. Thus, the proposal would conflict with Policy CP8 of the Wycombe District Local Plan (2019) (Local Plan), which seeks to protect the Green Belt against inappropriate development.
4. The main issues in this appeal are therefore:
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the host property and locality; and
 - whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to very special circumstances required to justify the development.

Reasons

Openness

5. The proposal includes a front and side extension, as well as 4 rear dormer windows. While the proposed front and side extensions are modest and the dormer windows would form part of the existing roof profile, the proposal would take up space that is currently open. It would therefore result in some harm to the spatial openness of the Green Belt.
6. The proposed front and side extensions would be single storey and would appear as subservient additions. They would also be viewed against the existing house. Given this, their effect on the visual openness of the Green Belt would be very limited.
7. The proposed dormer windows, although set just below the ridges of the existing house and garage, would be relatively large additions to the existing roof profiles. Nonetheless, they would only be apparent from the rear garden of the appeal property. They would not be readily visible from the front of the house and views from the neighbouring properties would be restricted by existing trees and hedges. The resulting harm to the visual openness of the Green Belt would therefore be localised and limited.
8. Accordingly, although limited, the proposal would result in spatial and visual harm to the openness of the Green Belt. It would therefore not preserve the openness of the Green Belt, contrary to the fundamental aim of the Framework.

Character and Appearance

9. The Close is a small cul-de-sac comprising several large, detached houses set back from the highway on generous plots.
10. The Council have no objection on design grounds to the proposed single storey extensions. From the evidence before me and my observations on site, I am of the same view.
11. The three proposed pitched dormer windows would be of a traditional form and design and would be constructed using materials to match the existing house. They have been positioned centrally on the existing roofs and therefore, despite not being aligned with the existing windows below, their positioning would not appear at odds with the host property. However, they would be big additions to the existing roof profiles and materially larger than the windows they have been designed to contain, contrary to the advice in the Council's Householder Planning and Design Guidance Supplementary Planning Document (2020). Their size, together with them being positioned very close to the existing ridgelines and upper edges of the roof means they would appear bulky and not as subservient additions to the host property.
12. While the flat-roof form of the L shaped dormer would not appear as bulky as the proposed pitched roof dormers, it would appear incongruous and is a larger addition overall. It would dominate this part of the roof and sit awkwardly between the two hipped roof sections, appearing as a contrived addition to the host property rather than a cohesive one.

13. For the reasons above, despite the bulk and overall massing of the proposal having been reduced from the previous refused scheme, it would result in some harm to the character and appearance of the host property. Accordingly, the proposal would conflict with Policies DM35 and DM36 of the Local Plan, which seek to ensure all development demonstrates attractive and high-quality design, by among other things, respecting the character and appearance of the existing property and being subservient in scale. It would also be contrary to the Framework's aim to create high quality, beautiful and sustainable buildings.
14. Given that the dormers would not be readily visible, other than from the rear garden of the appeal property, the effect of the dormers on the character and appearance of the wider area would be very limited and not to the degree that it would result in any appreciable harm to the locality.

Other Considerations

15. The appellant considers that very special circumstances exist in the form of an established fallback position. Prior approval was granted in February 2021 for an upwards extension to the existing house¹. I understand the appellant has applied to discharge pre-commencement conditions relevant to this approval and there is no evidence before me to suggest that the prior approval would not be implemented. I am therefore satisfied that there is a reasonable prospect of the permitted upwards extension being implemented in the event that this appeal is dismissed.
16. The permitted upwards extension would replicate the roof form and architectural detail of the existing house. It would therefore be a more cohesive development than the appeal proposal and more in keeping with the host property. Nonetheless, it would have a greater volume than the appeal proposal, unavoidably taking up more space, and would be more visible, particularly from the street scene. It would therefore have a greater impact on the spatial and visual openness of the Green Belt. Overall, the implementation of the appeal proposal over the fallback position would be less harmful than the proposal and weighs in favour of granting permission.
17. Nevertheless, granting planning permission for the appeal proposal would not give the Council the power to stop the implementation of the extant prior approval. Therefore, if I were to allow the appeal and grant planning permission, the permitted upwards extension could be constructed along with elements of the appeal proposal, such as the single storey extensions and proposed dormer windows to the garage. This would be more harmful than the upwards extension alone. To address this, the appellant would need to relinquish the extant prior approval. This could not be reasonably imposed through a condition. It would need to be secured through a planning obligation. Yet, there is no such obligation before me. Therefore, in this case, I can only afford the potential additional benefits of the appeal proposal limited weight.
18. Notwithstanding this, the proposal would result in modest economic and social benefits associated with its construction and the improved space within the house.

¹ Application Reference: 20/08375/PAHAS

Green Belt Balance

19. Paragraph 152 of the Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 explains that very special circumstances will not exist unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations.
20. The proposal would be an inappropriate form of development within the Green Belt and would also result in some limited harm to its openness. Paragraph 153 of the Framework affords substantial weight to any harm to the Green Belt.
21. In addition, I have found the proposal would harm the character and appearance of the host property, albeit this harm would be limited.
22. On the other hand, the considerations that I have identified are of modest weight in favour of the proposal. Thus, they would not clearly outweigh the harm identified and, on account of this, the very special circumstances necessary to justify the proposal have not been demonstrated.

Conclusion

23. For the reasons above, the proposal would conflict with the development plan, read as a whole. Having had regard to all relevant material considerations, it has not been demonstrated that there are any of sufficient weight to indicate that a decision should be taken otherwise than in accordance with it. The appeal is therefore dismissed.

Hannah Guest

INSPECTOR