



Appeal Decision

Site visit made on 2 May 2024

by P J Staddon BSc, Dip, MBA (Distinction), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th May 2024

Appeal Ref: APP/J0405/D/24/3340263

345 Tring Road, Aylesbury, Buckinghamshire HP20 1PJ

- 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 McGrath against the decision of Buckinghamshire Council.
 - The application Ref 23/06969/FUL, dated 21 November 2023, was refused by notice dated 16 January 2024.
 - The development proposed is 'change flat roof to pitched and incorporate into loft conversion, with rear dormer, front rooflights, and front solar PV panels. Render external walls. Single storey front and rear extensions. Single storey rear detached outbuilding.'
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The development description that appears in the decision notice differs slightly from that which appears on the application form. However, both descriptions adequately capture all of the key components of the operational development proposed and, for consistency, I have used the description that appears in the application form.
3. The 'single storey rear detached outbuilding' component of the appeal proposal, sited at the northern end of the rear garden, has subsequently been permitted under a separate planning application¹. I therefore do not need to assess its merits in this appeal.
4. For clarity, Buckinghamshire Council (the Council) was created as a Unitary Authority in April 2020, and subsumed the Vale of Aylesbury District Council and its planning functions. A number of the planning policy documents and guidance referred to in this case were produced by the predecessor district council.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area.

¹ Buckinghamshire Council reference 24/00294/APP – planning permission granted on 22 March 2024

Reasons

6. The appeal property is located on the north side of Tring Road. This stretch of the road is residential in land use and character, and runs parallel to the A41, the roads being separated by a strip containing a hedgerow and some trees.
7. The appeal property is a traditional style semi-detached house, which sits within a row of similar properties, although there is a variety of designs and different materials along the row. No 345 itself is constructed in red brickwork, with a tiled hipped and pitched roof. It has a 2-storey side extension, built in brickwork and with a flat roof, which includes a garage. There is a similar, but not identical, addition on the west side on No 343 Tring Road, giving the pair of semi-detached houses a relatively balanced composition when viewed from the street. Further to the west, the next pair of semis are of a similar appearance, and include a 2-storey flat roof addition to the side of No 339, and a single storey garage to the side of No 341.
8. The appeal proposal would extend and alter the main roof, such that it would become a gable roof form near to its boundary with No 347. The front roof plane would contain 2 rooflights and an array of solar photovoltaic panels, and it is also proposed to add a gable pitched roof above the existing flat roof side extension. The rear roof plane would include a large box dormer, spanning much of the width of the extended roof form. The scheme also includes a single storey rear extension, the merits of which are not contested by the main parties, and the rendering of the external walls of the existing and extended house.
9. The proposed extended and altered roof form, and associated large dormer, would be excessively bulky and out of scale with the proportions and character of the host dwelling, and its neighbours. One of the defining character features in the site's context is that of the main roof forms of the dwellings incorporate hips, which create notable spaces between the houses, and contribute to the attractive suburban character of the area. I recognise that certain properties, including the appeal dwelling, have been extended and altered over the years, but I did not observe any additions along this stretch of Tring Road that were comparable to the scale, bulk, design and visual over-dominance of the appeal proposal.
10. The effect of the proposal would be particularly jarring when viewed from Tring Road itself, where the large roof form would appear discordant and out of character with its context. I have noted the Council's concerns about impacts from other locations, including Richmond Road (to the east) and Broughton Avenue to the rear (north). Whilst these public views would be quite distant and confined to glimpses between houses and bungalows, the uncharacteristic profile and bulk of the roof form and dormer would be discernible and incongruent.
11. I have considered the appellants' submissions and claims that a similar development outcome might be achieved by a combination of 'permitted developments' under the Order² and a subsequent planning application. However, the appeal proposal is outside the scope of 'permitted development' provisions, requires planning permission, and falls to be assessed against national and local planning policies and guidance, with which I find conflict. I

² The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

have also taken into account the appellants' wish to extend and upgrade the property and improve its energy efficiency, and the view that the appearance of the existing 2-story flat roofed extension would be improved. However, these are not matters that outweigh the harm I have identified, and there is no compelling evidence to suggest that those objectives could not be met by other means.

12. On this main issue, I conclude that the development would be harmful to the character and appearance of the area. This conflicts with policy BE2 of the Vale of Aylesbury Local Plan (adopted September 2021) which, amongst other matters, requires new developments to respect and complement the physical characteristics of the site and its surroundings and the local distinctiveness and vernacular character of the area. It would also conflict with principles DES58, DES59 and DES63 of the Vale of Aylesbury Design Supplementary Planning Document (adopted 2023) which, respectively, require extensions to be subservient to the original dwelling, responsive to the design of the original house, and, for roof extensions, to generally not significantly alter the roof profile of the building, and to avoid over-dominant box-like roof extensions. For similar reasons, there are associated conflicts with chapter 12 of the National Planning Policy Framework, and National Design Guide 2021, which seek high quality design that responds well to its context and local character.

Conclusion

13. For the above reasons, the appeal is dismissed.

P. Staddon

INSPECTOR