



Appeal Decision

Site visit made on 11 February 2025

by A O'Neill BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2025

Appeal Ref: APP/J0405/D/24/3356235

150 Tring Road, Aylesbury, Buckinghamshire HP20 1JL

- 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 P Balrajh against the decision of Buckinghamshire Council.
 - The application Ref is 24/02539/APP.
 - The development proposed is described as: First floor front extension with flat roof overhang.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the host dwelling and the surrounding area; and
 - the living conditions of neighbouring occupants of 1 Janetta Close, with particular regard to outlook.

Reasons

Character and Appearance

3. The appeal property is a detached dwelling which has a more contemporary appearance than most other nearby properties. The wider street scene that can be viewed from Tring Road is characterised by pairs of traditional semi-detached dwellings.
4. To the left of the appeal property is 1 Janetta Close, also a detached dwelling. Although built more recently, the front elevation of 1 Janetta Close appears more consistent with the neighbouring semi-detached houses. To the right of the appeal site, is a row of mature trees and hedging, behind which are houses fronting Buttermere. Views of the houses on Buttermere from Tring Road are largely obscured by the trees and hedging.
5. Although the appeal property has a different appearance to other dwellings in the vicinity, its current scale and proportions do not appear significantly at odds with surrounding development. Currently, the front elevation of the first floor is set back from the ground floor front elevation. The proposed front extension would infill this gap, adding significant bulk to the front elevation and altering the proportions of the dwelling. Along with the proposed flat roof overhang, these would appear as incongruous additions to the front of the appeal property.

6. The proposal would therefore harm the character and appearance of the host dwelling and the surrounding area. As such, it would conflict with Policy BE2 of the Vale of Aylesbury Local Plan 2021 (VALP) which requires that development respects local character including, amongst other things, proportions.

Living Conditions

7. The appellant refers to the proposed first floor extension being within a 45 degree line taken from the window of 1 Janetta Close. Be this as it may, such a test does not form part of the development plan policies referred to by the Council. Moreover, the effect of the proposed extension on the outlook of neighbouring occupiers is a planning judgment.
8. There is a gap between the appeal dwelling and 1 Janetta Close. However, because of the height and projection of the proposed extension, it would unacceptably dominate the outlook from the nearest first floor window of 1 Janetta Close. The proposal would therefore harm neighbouring occupant's living conditions. As such, it would conflict with Policy BE3 of the VALP which protects the amenity of existing residents.

Other Matters

9. I understand the proposed extension has been sought to increase the size of the appellant's family property. However, this point has not been further substantiated. In any event, the extension would be permanent, as would the harm identified, which would not be the case for the needs of the current occupants.

Conclusion

10. For the reasons given above, the proposal would conflict with the development plan and there are no material considerations that outweigh that conflict. Therefore, the appeal is dismissed.

A O'Neill

INSPECTOR