



Appeal Decision

Site visit made on 5 March 2025

by Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th March 2025

Appeal Ref: APP/X0415/D/25/3358983

3 Green Close, Burnham, Buckinghamshire, SL6 0LL

- 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 Mrs Sharon Edwards against the decision of Buckinghamshire Council.
 - The application reference is PL/24/3040/FA.
 - The development proposed is two storey side extension and single storey front porch extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the determination of this application a revised National Planning Policy Framework 2024 was published on 12 December 2024. Given the refusal reasons and the nature of the changes to the Framework I am satisfied that the changes do not materially impact upon the determination of the appeal in this case, and, in any case, the appeal was submitted after the publication of the revised Framework.

Main Issues

3. The main issues are the impact of the proposal upon i) residential amenity and ii) public and highway safety.

Reasons

Residential Amenity

4. The appeal site is a semi-detached dwelling located off Green Close within a residential area. The proposal seeks to extend the host dwelling in the form of a two-storey side extension and single storey front porch extension. The appeal site itself is irregular in shape which would result in the two-storey extension appearing wedge shaped to extend parallel with the southern boundary. The proposal would reconfigure the first floor to provide an additional bedroom with two bathrooms/ensuites with a downstairs WC, study and store area as shown on the submitted plans.
5. South Bucks District Local Plan (adopted March 1999, consolidated September 2007 and February 2011) (LP) Policy H11 is clear that proposals to alter and extend existing residential dwellings should not adversely affect the amenities of any adjacent properties and, where the proposal is for an extension of more than one storey or for an extension at or above first floor level, the extension is stated to be required to be at least 1 metre from either flank boundary of the site. The proposal, at first floor level, would extend to within the region of 0.4 metres of the

existing boundary with the property to the southeast known as Cherry Tree Cottage. At the time of my site visit I entered the garden of Cherry Tree Cottage and noted the existing relationship between the side elevation of the host dwelling, which is the subject of this appeal, and the amenity/garden area of Cherry Tree Cottage. I found that the existing side elevation of the host property is already of note within the garden but that the set in, at first floor level, allows some views through the appeal site preventing an overbearing or enclosing impact.

6. I note that within the garden of Cherry Tree Cottage there is an outbuilding and, furthermore, I note that the garden area is at a higher level than Cherry Tree Cottage itself. The proposal would extend, at two storeys, to within 0.5 metres of the shared boundary and I find that from within the garden space of Cherry Tree Cottage, this would diminish the spaciousness around the appeal site resulting in an appearance which would be over dominant and obtrusive when viewed from the neighbouring property. Given that Cherry Tree Cottage is to the south of the appeal site, I do not find that it is likely that the proposal would affect light levels onto neighbouring land to a degree which would warrant refusal.
7. I acknowledge that the occupiers/owners of Cherry Tree Cottage did not object to the proposal, however, a lack of objection is a neutral consideration, and the development would last beyond the lifetime of the occupants and must be considered in the context of existing and future occupiers of the dwelling in question. I acknowledge that the proposal may well be in the region of/over 10 metres from Cherry Tree Cottage itself, however, despite this given the difference between the levels of appeal site and Cherry Tree Cottage as well as the close proximity to the boundary of the garden area I find that the proposal is unacceptable with regard to residential amenity for the reasons set out. I find that the proposal would result in an over dominant and obtrusive form of development in close proximity to the shared boundary adjacent to what I find to be a well-used area of amenity space within the neighbouring property.
8. The proposal would result in an unacceptable impact on outlook from the dwelling and within the garden itself as a result of two storey-built form in very close proximity to the shared boundary. The proposal would be contrary to LP Policy EP3 which outlines that development will only be permitted where its scale, siting and height are compatible with the amenities of the site itself and adjoining development and LP Policy EP5 which requires compliance with LP Policy EP3. The proposal would also be contrary LP Policy H11 which seeks to ensure that extensions would not have an adverse impact on the amenities of the locality in general, would not adversely affect the amenities of any adjacent properties (for example through over dominance and obtrusiveness) and, where the proposal is for an extension at or above first floor level, the extension should be at least a metre from either flank boundary of the site.

Public and highway safety

9. The Council's delegated report confirms that in accordance with LP Policy TR7, development will only be permitted where it complies with the parking standards set out in Appendix 6. It is stated, by the Council, that following the implementation of the proposal the number of parking spaces required would be three which would ultimately require the provision of an additional space over the existing arrangement. The plans before me show three bedrooms at first floor level. The existing property is understood to be three bedrooms, however, as a result of the

proposal one of the existing (smaller) bedrooms would be converted into a bathroom/ensuite. Based upon the information that is before me the proposal would not add any additional bedrooms.

10. Parking spaces within appendix 6 of the LP are determined on the number of bedrooms and, in accordance with this, a 2- or 3-bedroom dwelling is required, in terms of car parking, to provide two spaces. I would assume, based upon the Council's delegated report, that the Council have assessed the proposal as a 4-bedroom dwelling which would have a requirement for three spaces, however, as outlined and as based upon the plans that are before me the proposal shows reconfiguration and extension which would result in a 3-bedroom dwelling.
11. I note the Buckinghamshire Council Countywide Parking Guidance Policy (2015) (SPG) in relation to residential car parking standards however, the Council's assessment of the required parking spaces within their delegated report against this guidance is limited insofar as, for example, I have no indication as to which zone the appeal site stands in or similar to understand the Council's approach to the stated calculation which lead them to conclude a requirement for three parking spaces. Notwithstanding this, due to reconfiguration there is ultimately only one additional habitable room (a study) as a result of the proposals that are before me.
12. I have no evidence before me to support that the proposal would be likely to lead to additional on street parking in an already busy area to the detriment of public and highway safety. The proposal would be consistent with LP Policy TR7 which requires proposals to comply with the parking standards set out in appendix 6 as well as the overarching objectives of the Framework, Buckinghamshire Council Local Transport Plan 4 (2016), The Buckinghamshire Council Countywide Parking Guidance Policy (2015) and the Buckinghamshire Council Highways Development Management Guidance Document (2018) which seek to ensure appropriate parking provision as result of proposals.

Other Matters

13. I note that the appellant has made reference to other extensions including that at 35 Hag Hill Lane/Green Close and further extensions built to Cherry Tree Cottage itself which are stated to have been built just prior to the appeal proposal. Whilst consistency is key in maintaining confidence in the planning system the examples provided, whilst acknowledged to be in close proximity to the appeal site, do not result in the same issues which I have identified in relation to impact to neighbouring residential amenity. In this case, considering the proposal upon its own merits, the proposed two storey side extension would be constructed in very close proximity to the adjoining garden area of Cherry Tree Cottage which would not be a comparable impact to the other examples of development which the appellant has highlighted.

Conclusion

14. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Marshall

INSPECTOR