



Appeal Decision

Site visit made on 5 June 2017

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26th June 2017

Appeal Ref: APP/X0415/D/17/3172946

Breyll Path, 18 Green Lane, Amersham, Buckinghamshire, HP6 6AR.

- 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 Gareth Lloyd Esq. against the decision of Chiltern District Council.
 - The application Ref CH/2017/0061/FA, dated 12 January 2017, was refused by notice dated 10 March 2017.
 - The development proposed is for a part two storey, part single storey rear extension and installation of front dormer.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be:
 - a) the effect of the proposed development on the architectural integrity of the host property and the Established Residential Area of Special Character and thereby whether it would serve to preserve or enhance the character or appearance of the Weller Estate Conservation Area; and,
 - b) the effect of the proposal on the living conditions of the occupiers of numbers 17 and 19 Green Lane in terms of the potential to appear overbearing and result in a loss of direct sunlight to number 19 Green Lane.

Reasons

First main issue

3. The property the subject of this appeal, 18 Green Lane, is a two-storey semi-detached house. It is located in the Weller Estate Conservation Area and an Established Residential Area of Special Character. Along with its neighbour, number 17, it is one of a development of similar semi-detached houses, generally built in pairs and interspersed with contrasting two-storey detached houses.
4. These inter-war years' semi-detached pairs of houses are characterised by linked two-storey bays, rendered walls and central hipped roofs facing the street with lower gable wing projections to either side. As I saw the properties have been the subject of some extension and alteration over time but nevertheless have an overriding cohesive appearance when viewed from the street.

5. The appellant proposes a hipped roof two-storey rear extension together with a single storey extension with a lean-to roof. Both extensions would project some 4.0 metres or so from the rear elevation of the property. A hipped roof dormer is also proposed set into the front roof plane of the projecting wing facing the street.
6. The Council raises no objection in design terms to either the proposed single storey rear extension or the insertion of the dormer into the front roof slope. From what I have seen and read, and based on their limited scale and design, I agree that they would not cause harm to the architectural integrity of the host building or to the character and appearance of the conservation area.
7. The proposed two-storey extension would be built up to and align with the existing flank wall of the house and not set in from it. Although the roof would respect the pitch of the existing roof, the ridge of the new roof would line through with the existing and not be set below the existing ridgeline. For these reasons the extension as designed would not appear as a subservient addition to the host property.
8. Furthermore, the eaves of the proposed extension would not line through with that of the main roof. This would result in an uncomfortable junction between the two roofs that would further detract from the character and appearance of what is currently a well-mannered and relatively unaltered property.
9. On balance, due to its overall height, relationship to the main house and detailed design, I consider the proposed two-storey extension would seriously detract from the architectural integrity of the host property and the semi-detached pair. It would thereby cause harm to the character and appearance of both the conservation area and the Established Residential Area of Special Character in which it is located.
10. I therefore conclude in respect of the first main issue that the proposed single storey rear addition and the dormer facing the street would be acceptable. However, the two-storey extension would be detrimental to the host property and thereby would fail to preserve or enhance the character or appearance of the conservation area.
11. The National Planning Policy Framework (the Framework) requires great weight to be given to the conservation of designated heritage assets, which include conservation areas. It draws a distinction between substantial harm and less than substantial harm to such an asset. For the latter, which applies here, the test is that the harm should be weighed against public benefits, including securing the optimum viable use.
12. The proposed development would provide some limited economic benefit. However, given the harm that has been identified I conclude that the public benefits would not outweigh this harm, or the conflict that it would have with the objectives of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Framework and Policy CS20 of the Core Strategy for Chiltern District (Adopted November 2011), and saved Policies GC1, H15, CA1 and CA2 of the Chiltern Local Plan (Adopted 1 September 1997) (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011 (LP) as they relate to the quality of development and the preservation or enhancement of the character or appearance of conservation areas.

Living conditions

13. The proposed single storey extension would be built approximately 0.15 metres from the common boundary to number 17 Green Lane. Despite its low eaves height, the proposed roof would rise quite steeply to the point at which it would abut the rear wall of the existing house. Accordingly, given the relationship of the extension to the boundary, the rear facing windows serving habitable accommodation at number 17 and its rear amenity space, I consider that the proposed single storey extension due to its height, which would be significantly higher than even a typical close boarded fence, and overall depth, would have an overbearing impact, albeit limited, on neighbouring occupiers.
14. Given the overall depth and position of the two-storey extension in relation to both the common boundary and number 19 itself and the lack of any modelling in what would be a long high unbroken and therefore bland side wall, I consider that the house as extended would appear overbearing to the residents of number 19.
15. Based on the limited evidence before me and from my observations on site it is clear that dependant on the time of year, and then only for a limited part of the day, the proposed two-storey extension may well result in a loss of some direct sunlight to number 19. However, given the orientation of the dwellings, boundary treatment planting etc., I am not persuaded that this would be so significant as to cause harm to the living conditions of the occupiers of number 19 and those in the houses further to the north east of the appeal site.
16. In respect of the second main issue, I consider that the proposed two-storey extension would not cause harm to the occupiers of number 19 Green Lane in terms of loss of direct sunlight. However, harm to the residential living conditions of the occupiers of numbers 17 and 19, in terms of the proposed development appearing overbearing, would ensue if the rear additions were to be built as designed. In consequence the proposal is contrary to saved LP Policies GC3, H13 and H14, the Residential Extensions and Householder Development Supplementary Planning Document (Adopted September 2013) and the Framework as they seek to protect residential living conditions.

Other matters

17. The appellant has drawn to my attention similar developments at 23 Green Lane and 4 and 32 Highfield Close. Whatever the background to those cases, given the harm that I have identified in this case, the existence of similar extensions on nearby sites is not an appropriate justification for permitting another here.

Conclusions

18. For the reasons given above and having regard to all other matters raised, I conclude that the proposal is not in accordance with the development plan, when read as a whole, and that the appeal should be dismissed.

Philip Willmer

INSPECTOR