



Appeal Decision

Site visit made on 26 September 2016

by Peter D. Biggers BSc(Hons) MRTPI

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

Decision date: 12 October 2016

Appeal Ref: APP/N0410/W/16/3151834

**High Lanes, Collinswood Road, Farnham Common, Buckinghamshire
SL2 3LH**

- 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 Vincent James Homes Ltd (Mr Jim Messina) against the decision of South Bucks District Council.
 - The application Ref 15/02359/FUL dated 8 December 2015 was refused by notice dated 11 February 2016.
 - The development proposed is erection of 2 five bedroom houses with garages and associated access following demolition of existing dwelling.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect of the proposed development on the character and appearance of the lane and on the living conditions of present and future occupants of Dorney Cottage and Brackenwood in terms of light and outlook.

Reasons

3. The appeal site stands on the south side of a private unsurfaced lane which provides access from the A355 Collinswood Road to a small group of large detached dwellings. High Lanes, which currently occupies the site, is one of these large 2 storey dwellings and would be redeveloped for 2 detached dwellings.
4. To protect the Green Belt in South Bucks the spatial strategy set out in the South Bucks Core Strategy (SBCS) is to concentrate development in the principal settlements. However limited development within secondary centres where there are services and infill and redevelopment opportunities, of which Farnham Common is one, is generally supported by policy CP1 of the SBCS. The wider principle of development in Farnham Common is therefore acceptable and is not a matter of dispute between the parties.

Character and Appearance

5. The lane is closely bounded by trees and boundary fencing in the first section west of Collinswood Road before opening out to a turning area around which most of the properties are grouped. The dwellings including High Lanes, which are individual in their style, all stand in large plots in a loose grouping along the lane. The properties are not built to any particular building line and are individually set in their plots some with free-standing garages set in the plot frontage. The low density of development and loose spacing of buildings within a mature landscape
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setting contributes positively to local distinctiveness. This is recognised in the non-statutory *South Bucks Townscape Character Study Part 2* (TCS) which designates the lane as a 'woodland road'. I acknowledge that the lane is not identified as a 'residential area of exceptional quality' identified and protected by policy H10 of the *South Bucks District Local Plan* (SBDLP) or an 'area of special character' in the TCS. Nevertheless the area has an attractive sylvan character which is not disputed by the appellant.

6. Section 3.3 of the TCS sets out the characteristics of 'woodland roads' which the existing development on the lane for the most part reflects although the properties around the turning area in the lane, including High Lanes, are viewed as a group and are not well hidden amongst woodland. This is somewhat at odds with the stated characteristics of 'woodland roads' but makes any variance in the pattern of development in the lane more evident.
7. The principal matter in which the development would be at variance is in respect of the plot size, plot ratio and the spacings of the dwellings both in terms of the space between them and proximity to the boundaries. The plot at High Lanes is not noticeably different in width to its neighbours and the splitting of the plot into two, particularly given the scale of the houses proposed, would result in a noticeably different plot ratio and an intensified form of development at odds with the character of the lane. I acknowledge that some of the existing dwellings including High Lanes itself are sited close to one of their plot boundaries. However in the case of the appeal proposal the scale and extent of the houses is such that both the spacing between them is restricted and the space to the side plot boundaries is restricted.
8. I acknowledge that the proposed design would avoid some of the '*Threats to Character*' and would reflect some of the design principles set out in section 3.3 of the TCS for 'woodland roads'. Notably the development of the 2 dwellings would be set further back in the plot than the existing house and would adopt a staggered building line with the dwelling on plot 1 set slightly forward of that on plot 2 with free standing garages in front of each dwelling. The design of the properties would reflect each other and the styles elsewhere in the lane but would be different in appearance, plot 1 adopting a twin timbered gable design whilst plot 2 would be fully tile hung with a central timbered gable. However I am not persuaded that overall the harm from the intensification of development is outweighed.
9. I have been referred to the two properties developed in Clare Drive in a similar redevelopment to that now proposed which have been recently constructed (Ref 12/01666) and which the appellant considers justifies his proposal. I took the opportunity to visit the new dwellings on the site visit. I do not have information before me as to the character of Clare Drive before the development but these dwellings are not necessarily examples of good design, appearing cramped and overlarge in the context of Clare Drive. They do not provide examples which should necessarily be followed in the appeal case. Although the appellant refers to a second proposal in Clare Drive of a similar nature which was recommended for approval (Ref 13/00199/FUL) this was subsequently refused by the Council. I am not satisfied that the circumstances regarding redevelopment in Clare Drive are a material consideration in this case and I have therefore determined this appeal on its own merits.
10. The *National Planning Policy Framework* (the Framework) and policies EP3 and H9 of the SBDLP seek to promote quality in design and promote development that complements and improves the character of the area. The Framework at Paragraph 58 states that developments should "...respond to local character and

history and reflect the identity of local surroundings...". Although the appellant refers to the statement at paragraph 60 that decisions should not impose architectural styles, it is not the style of the dwellings that is the issue here. The paragraph goes on to say that it is proper to reinforce local distinctiveness which is what the guidance in the TCS seeks to do in encouraging design that maintains the character of 'woodland roads'. Whilst I am satisfied that many aspects of the design principles in the TCS are met by the proposal the intensification of development as a result of the subdivision and particularly the scale of the houses proposed would have an adverse impact on the character and appearance of this 'woodland road'. As such the proposal would be contrary to national and local policies.

Living conditions

11. Partly as a result of designing the development to try and meet the design principles set out in the TCS, in particular the need to set the buildings back from the road and create space between them, the two storey elements of the dwellings are now much closer to the boundary than is the case with High Lanes. In addition, from a situation where Brackenwood, High Lanes and Dorney Cottage are broadly in alignment, the height and mass of the new dwellings would be positioned further back dominating the rear gardens of Brackenwood and Dorney Cottage. I accept that the appellant has redesigned the houses to be significantly lower than the earlier refused proposal but the houses remain higher at the ridge at around 8.5 metres than both Brackenwood and Dorney Cottage as well as extending deeper into the plot.
12. In respect of Brackenwood, even though the 2 storey element steps away from the boundary at the rear, the impact of the height, depth and mass of the Plot 1 dwelling viewed from the garden and the sitting room would be overbearing. It has been put to me that, given the boundary landscaping, the house would be seen in the context of a green screen however the mass of the house would be clearly visible above the shrub/hedgeline. Moreover as the new dwelling is located on the west side of Brackenwood there would be significant overshadowing of part of the garden when the sun is in the west and south west particularly in those months of the year where the sun is lower in the sky.
13. For the same reasons the dwelling on Plot 2 would have similar impacts on Dorney Cottage although impacts of overshadowing would be felt in the morning. I have been referred to the fact that whereas the large east facing first floor window in Dorney Cottage currently looks out on High Lanes, in the new scheme it would look out on to front garden and there would be no additional impact of the new house. However the closest section of High Lanes which the window currently looks towards is single storey and whilst in the new scheme the window would in part look over the front garden an equal part of the outlook would be taken up by the 2 storey mass of the dwelling on plot 2.
14. It has been put to me that all development involving an increase in housing, particularly in an area where houses are individually orientated, has the potential to affect outlook and the issue is whether it would be unduly prominent and obtrusive. Compared to the existing relationships and for the reasons above, the living conditions for neighbouring properties in respect of light and outlook, given the overbearing proximity, would be materially worse.
15. The Framework in its core planning principles at paragraph 17 seeks to secure a good standard of amenity for all existing and future occupants of land and buildings. Policy EP3 of the SBDLP is consistent with the Framework in seeking to

ensure the scale, layout, siting and height of development does not adversely affect the amenities of neighbouring properties. SBDLP policy EP5 seeks to ensure development does not adversely affect levels of daylight and sunlight to adjacent buildings and land. Moreover SBDLP policy H9 on residential layout and design also seeks to ensure proposals would not adversely affect the amenities of nearby properties as a result of over-dominance, obtrusiveness and loss of light amongst other things. For the reasons above, the proposal would fail to meet both national and local planning policy in the Framework and SBDLP policies EP3, EP5 and H9.

Other Matters

16. Third parties have expressed concern about the access onto Collinswood Road and the effect on highway safety. I took the opportunity to view the junction at the site visit and noted the nature of the junction and traffic on the A355. Given that the appellant proposes to improve the width of the entrance into the lane so that vehicles would be able to wait in the bell-mouth without obstructing the entrance for vehicles leaving the main road, I am satisfied that the situation would actually improve current arrangements. Moreover the net increase in traffic movements from the development would relate to that generated by only one dwelling. I am satisfied that there would be no adverse impact on highway safety and note that the Highway Authority would be content subject to the imposition of conditions.
17. Regarding concerns about the impact of the appeal proposal on *Burnham Beeches Special Area of Conservation*, (SAC) the impact of development across South Bucks was assessed as part of the preparation of the SBSCS and appropriate mitigation put in place. The net increase in development involved in the proposal is only one dwelling and Natural England as the Government's advisor on nature conservation has concluded that there would be no adverse impact on the SAC. I have no evidence before me that would bring me to a different conclusion. In terms of more local ecological impacts, subject to appropriate conditions regarding landscaping, ecology and tree protection, there is no evidence to suggest that the local ecology of the area would be adversely affected.

Conclusions

18. I have been invited to conclude that the redevelopment of a vacant residential property in a sustainable location for two well-designed houses to meet housing need would be a good use of land with social and economic benefits for the local community and would take some pressure of Green Belt sites. However, even if such benefits would be secured, the Framework adopts a wide definition of sustainability. Indeed, it makes clear at paragraph 6 that regard must be had to the document as a whole in determining what the concept means in practice. Paragraph 8 of the Framework states that all economic, social and environmental gains should be sought jointly. In terms of paragraph 9 of the Framework, and for the reasons given above in respect of character and appearance and living conditions, the development would not constitute a positive improvement in either the quality of the built environment or in people's quality of life. In this case, the proposal would not be sustainable development in the terms of the Framework and the presumption in favour of housing development should not apply.
19. I have carefully considered all matters before me but for the reasons given above the appeal should be dismissed.

P. D. Biggers

INSPECTOR