
Appeal Decision

Site visit made on 5 June 2017

by D. M. Young BSc (Hons) MA MRTPI MIHE

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

Decision date: 4 July 2017

Appeal Ref: APP/N0410/W/17/3169455

The Coach House, 29 West Common, Gerrards Cross SL9 7QS.

- 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 & Mrs D Stanning against the decision of South Bucks District Council.
 - The application Ref 16/01824/FUL, dated 30 September 2016, was refused by notice dated 23 December 2016.
 - The development proposed is four new dwellings with basement parking.
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Decision

1. The appeal is allowed and planning permission is granted for four new dwellings with basement parking at The Coach House, 29 West Common, Gerrards Cross SL9 7QS in accordance with the terms of the application, Ref 16/01824/FUL, dated 30 September 2016, subject to the conditions set out in the schedule to this decision.

Main Issue

2. The main issue is whether the development would preserve or enhance the character and appearance of the Gerrards Cross Conservation Area (GCCA)

Reasons

3. Policy CP8 of the "*South Bucks Local Development Framework: Core Strategy Development Plan Document 2011*" (the CS) states that the protection and enhancement of the District's historic environment is of paramount importance. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that in the exercise of planning powers in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
 4. The appeal site comprises a dormer bungalow and a detached outbuilding/garage. It is located at the northern end of a row of larger Grade II listed properties, which front onto West Common and enjoy views across Latchmere pond and the surrounding area. These properties and the site's setting in relation to the pond and the common set the context for the site.
 5. Whilst not unattractive, the existing dwelling lacks the presence and grandeur of its more prominent neighbours to the south. The landscaped grounds and unlisted outbuilding make some contribution to the street scene but overall I consider the appeal site's contribution to the GCCA to be largely neutral. Consequently, I concur with the Council's Conservation Officer that there are
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no overriding qualities of design or historical interest to justify the retention of the existing buildings on the site.

6. The appeal scheme involves the erection of a single two-storey building divided into 4 dwellings. Rather than cluttering the frontage, car parking would be provided underground in a basement level. In terms of its overall scale the building would not compete with the larger listed buildings to the south. It would undoubtedly fill the majority of the width of its plot. However, that is also the case with several other dwellings to the south. In my view the overall amount of separation between the proposed building and its southern neighbour would not appear out of place or unusual in its context. Furthermore, given that most views of the development would be angled, I am not persuaded that the building's lack of separation to the plot boundaries would be overly apparent in public views. The building would be orientated towards and set back comfortably from West Common in a manner that would be consistent with the street scene.
7. It is evident from the submitted plans and the Design and Access Statement that a great deal of care and attention has been paid to the design which would incorporate elements of Victorian and Georgian architecture found in the locality. The design narrative of a 'late-Georgian plain brick frontage to a gentry house of medium size with three later additions' has evolved over time with input from the Council's professional officers. In my view, the result would be a building a considerable presence and standing which would contribute significantly to the character and appearance of the GCCA.
8. The Council argue that the number of dwellings proposed is excessive for the size of the plot and consequently it would appear overdeveloped. I accept that the scheme would be of a density that would be undoubtedly higher than those areas immediately to the north and south. However, the appearance of the building from public vantages at least would be of a single period building with later additions something which would be consistent with the established character of the area. It is also germane that the proposed density would be similar to the Victorian terraces located on the opposite side of the pond. Based on the foregoing, I do not consider that the density of the development in itself provides a compelling reason to dismiss the appeal.
9. The gardens would be smaller than others in the vicinity. However, the Council has not alleged any conflict with local standards in this regard and in any event they would be located to the rear of the property and hidden from public view. Consequently they would have little bearing on the character and appearance of the GCCA.
10. The Council also argue that the development would represent an unwelcome intrusion into views across the pond. However, the building would be well set back from West Common along the established building line. The retention of trees across the frontage of the site, which could be supplemented by a suitable landscaping scheme, would provide natural screening which would filter views of the development. In any event, I consider the development would add a distinct and vibrant element to the street scene which would complement the character and appearance of the area. To that end, the extent to which the building would be seen in local views is largely irrelevant.
11. Based on the foregoing I conclude that the development would enhance the character and appearance of the GCCA. It would thus accord with Policies EP3,

H9, and C1 of the “*South Bucks District Local Plan 1999*” and Policy CP8 of the CS. Collectively these seek high quality design that protects and enhances heritage assets and is compatible with the character of the surrounding area in terms of density, layout, design, height, scale, form and materials. Finally, there would be no conflict with the statutory duty under the Act in relation to listed buildings and conservation areas.

Other Matters

12. I have had regard to the concerns raised by interested parties, including but not limited to; insufficient parking, increased traffic, effect on neighbours living conditions, loss of trees, impact on local water levels and the effect on services and drainage infrastructure. However, the Council considered these issues in its Planning Officers Report and I have not been supplied with sufficient evidence that would lead me to a different conclusion.
13. It has been suggested that the submitted plans are inaccurate with regards to the location of the site boundaries. However, I am required to determine the appeal on the basis of the information that has been put to me. If the plans are inaccurate then this would be a private legal matter to be resolved between the parties at the appropriate time.
14. Finally, local residents are concerned that the development could set a precedent for other similar proposals. However, no other sites to which these arguments might apply have been put forward and any such proposals would be judged on their individual merits. Accordingly this is not a matter to which I have attached any great degree of weight.

Conditions

15. The Council have suggested 14 planning conditions which I have considered against the advice in the “*Planning Practice Guidance*”. In some instances I have amended the wording of the conditions suggested by the Council in the interests of brevity.
16. Conditions limiting the life of the permission and specifying the approved plans are necessary to provide certainty. Conditions relating to hard surfacing materials and landscaping are necessary to ensure the satisfactory appearance of the development.
17. The proposed materials are clearly set out on the approved drawings P2.08. There is nothing before me to suggest these are unacceptable, as such the suggested materials condition is unnecessary. To protect trees on the site, I have imposed a condition to ensure the development is constructed in accordance with measures in the Arboricultural and Planning Integration Report. The suggested parking condition is necessary to ensure vehicles do not park on West Common and obstruct the right of way. To protect the privacy of neighbouring occupiers I have imposed conditions to prevent further openings being created in the north and south elevation above ground floor level. For similar reasons a condition to ensure windows in the side (north) elevation is also necessary. However, given the location of cupola I am not persuaded the suggested glazing condition is necessary to protect the amenity of adjoining properties.
18. Finally, the Council have suggested that a condition restricting permitted development rights should be imposed. Since one of the justifications for the

scheme is its density and high quality design it would be reasonable to remove permitted development rights under Classes A, B, C and E of Part 1 of Schedule 2 to The Town and Country Planning (General Permitted Development) Order 2015, since these would all permit enlargement of the dwellings and/or provision of further buildings within their curtilages.

19. I am not persuaded that the suggested condition relating to the excavated basement material is necessary as it seems that in reality there would be little alternative but for this to be transported off-site by lorry. The site is fairly flat and the building heights are clearly shown on the approved plans. Accordingly a condition relating to finished floor levels is unnecessary.

Conclusion

20. For the reasons given above and taking account of all other matters raised, I conclude that the appeal should succeed.

D. M. Young

Inspector

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P.01A, P.02A, P2.03, P2.04, P2.05, P2.06, P2.07, P2.08, P2.10, P2.11, P2.12 and P2.13.
- 3) Prior to the commencement of the development hereby permitted samples and/or a specification of all finishing materials to be used in any hard surfacing of the application site shall be submitted to and approved by the District Planning Authority in writing. Thereafter the development shall be constructed using the approved materials.
- 4) Notwithstanding any indications illustrated on drawings already submitted, no development shall take place until there has been submitted to and approved by the District Planning Authority in writing a scheme of landscaping which shall include indications of all existing trees, shrubs and hedgerows on the site and details, including crown spreads, of those to be retained. None of the trees, shrubs or hedgerows shown for retention shall be removed or felled, lopped or topped within a period of five years from the date of this permission, without the prior written permission of the District Planning Authority.
- 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from the occupation or substantial completion of the development, whichever is the later, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.
- 6) The development shall be implemented in accordance with the GHA Trees Arboricultural and Planning Integration Report dated 6 June 2016 and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the method statement and that the correct materials and techniques are employed.
- 7) The parking, garaging and manoeuvring areas shown on the approved plans shall be provided prior to first occupation of the development hereby permitted and shall not thereafter be used for any other purpose.
- 8) No further windows shall be inserted at or above first floor level in the north or south elevations of the development hereby permitted.
- 9) Notwithstanding the provisions of Article 3 and Classes A, B & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking and/or re-enacting that Order with or without modification), no enlargement, improvement or other alteration (including the erection of a garage, stable, loosebox or coach-house within the curtilage) of or to any

dwellinghouse the subject of this permission, shall be carried out nor shall any building or enclosure required for a purpose incidental to the enjoyment of any said dwellinghouse as such be constructed or placed on any part of the land covered by this permission.