
Appeal Decision

Site visit made on 15 June 2020

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th June 2020

Appeal Ref: APP/X0415/W/20/3244159

Lantern Lodge, Chiltern Hill and Redlands, Ellis Avenue, Chalfont St Peter, Gerrards Cross SL9 9TZ

- 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 Embryo Properties Ltd against the decision of Buckinghamshire Council - Chiltern Area.
 - The application Ref PL/18/4711/FA, dated 13 December 2018, was refused by notice dated 14 November 2019.
 - The development proposed is described as the 'redevelopment of the site with three dwellings following demolition of the existing dwellings and using the same vehicular access'.
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Decision

1. The appeal is dismissed.

Procedural matters

2. I have taken the appeal site address from the appellant's appeal form as this most accurately identifies the appeal site. Furthermore, I have taken the description of the development from the appellant's appeal form as this succinctly and accurately describes the proposal.
3. On 1 April 2020 a number of Local Planning Authorities including the original decision-making authority, Chiltern District Council, merged into a single Unitary Authority called Buckinghamshire Council. As such, I have referred to the new authority in my Appeal Decision.

Main issue

4. The main issue is the effect of the proposal on the character and appearance of the Established Residential Area of Special Character (ERASC).

Reasons

5. The appeal site is located within a residential area designated as an ERASC. Located on the corner of Chiltern Hill and Ellis Avenue the appeal site forms part of both street scenes. It is occupied by two low-profile dwellings which include a single-storey bungalow on the corner, and further to the south along Ellis Avenue, a bungalow with accommodation within the pitched roof.
6. The appeal site has mature boundary planting which contributes to the verdant character of the area. However, there are glimpsed views on Ellis Avenue

through the trees and clear views over the planting on Chiltern Hill. The appellant states that the existing landscaping would be retained and has proposed the accesses specifically to achieve this. I afford some weight to the screening that the existing vegetation would provide as it could be conditioned for a period of time. Nonetheless, views are liable to change, and planting should not be considered as a permanent feature. As such, landscaping should not be used to justify development that would otherwise be unacceptable. Without the existing landscaping, the proposal would be highly prominent on a sensitive corner plot within a designated area.

7. The character and appearance of the area is also derived from its spaciousness and low-density of housing. This is generated by the built form being set back from the highways, generous plot sizes and the relatively modest scale of the buildings themselves. Whilst I acknowledge that these characteristics have evolved, with a number of large replacement dwellings now within the ERASC, they remain fundamental features.
8. The proposal would increase the number of dwellings from two to three, and the height of the built form to provide additional storeys. Policy H4 of the Chiltern District Local Plan Written Statement, Adopted 1 September 1997 (including alterations adopted 29 May 2001), consolidated September 2007 and November 2011 (LP) relates specifically to new dwellings within the ERASC. It seeks to ensure that proposals that significantly affect the density of buildings or damage the special character are not permitted. To help judge this it sets out a number of criteria-based considerations including matters such as plot size, plot widths and the general height and building line of development.
9. Unit 1 of the proposal would be a dual fronted property to address both road frontages. The proposed Chiltern Hill elevation would be sited slightly forward of the general building line and closer to the highway than the existing bungalow. Furthermore, it would replace the existing single-storey bungalow with an equally wide building but substantially greater in height. The proposal would be two-storeys, supplemented with accommodation within the crown roof which would include two large flat-roofed dormers on the Chiltern Hill elevation. The proposal would appear substantial with a significant mass and bulk in close proximity to the highway on a sensitive corner plot. It would be clearly visible over the existing landscape features on Chiltern Hill.
10. Along Chiltern Hill, there are a variety of house types, many having two-storeys and wide frontages. Furthermore, I note the contemporary dwelling immediately to the east which has a similar scale and form to that proposed. However, the context is not identical to the appeal site, nor do I consider it to be reflective of the general height and form of housing in the ERASC. The appellant highlights that the existing built form at the appeal site is not reflective of the general height of housing in the area either, or of any particular architectural note. Nevertheless, the existing built form's siting and low-profile is intentionally planned in order to maintain the spacious character of the ERASC, recognizing that the appeal site tapers towards the junction. Due to the proposed siting, height and bulk of Unit 1 the proposal would erode the sense of openness and distinctive local character.
11. Furthermore, I note that the proposal reduces the width of the plots providing three relatively narrow fronted dwellings along Ellis Avenue. This would be out of keeping with the rhythm of the plot widths and sizes along the eastern side

of the road near the appeal site. The appellant has suggested that the proposal provides greater spacing between the housing than is evident elsewhere within Ellis Avenue and that the footprints of the buildings would be smaller than the existing bungalows. However, this does not mitigate the effect of the proposal on plot width and size.

12. The appellant highlights that they have intentionally removed the dormer windows to the Ellis Avenue frontage to improve the scale and massing of the units. However, the proposal would be of a significantly greater height and bulk compared to the existing low-profile buildings to be replaced. Furthermore, this scale and mass would appear incongruous with the housing immediately to the south of the appeal site. Whilst this includes large replacement dwellings with crown roofs towards the far end of Ellis Avenue, these newer houses have retained the rhythm of the plot sizes along the eastern side of the road and are in less sensitive locations, some distance from the appeal site.
13. Therefore, in conclusion on the main issue the proposal would harm the character and appearance of the ERASC. As such, the proposal would conflict with Policies CS4 and CS20 of the Core Strategy for Chiltern District (Adopted November 2011), Policies GC1 and H4 of the LP and Section 12 of the National Planning Policy Framework. These seek, amongst other aims to ensure that development is sustainable through regard to a number of principles including the protection and enhancement of the area's cultural heritage. Furthermore, they reflect that good design is a key aspect of sustainable development and the need for high-quality design to reflect local distinctiveness.

Other matters

14. I can appreciate that the appellant feels frustration with the Council's decision given the alleged delays in determination, their belief that they had officer support for the scheme and the positive comments received from Chalfont Heights Road Committee's architectural advisor. However, none of this is determinative of the appeal and I afford these matters limited weight.
15. The appellant has drawn attention to a local redevelopment on Lincoln Road which increased the number of units at the site. However, I note that this is located within a different street scene and context. As such, I afford this limited weight.
16. Finally, the appellant has highlighted that the proposal would make a more efficient use of the site through the provision of an additional dwelling. I am also mindful of the benefit of providing more efficient use of land through the use of airspace above existing premises. However, I find that the benefit of additional accommodation would be modest in this case and would not outweigh the harm that I have identified.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed.

James Taylor

INSPECTOR