



Appeal Decisions

Site visit made on 28 September 2020

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 9 November 2020

Appeal A: APP/N0410/W/20/3251858

Plot 1 Byways, Gregories Farm Lane, Beaconsfield, Bucks HP9 1HJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Tim Clark against the decision of South Bucks District Council.
 - The application Ref PL/19/4167/VRC, dated 8 November 2019, was refused by notice dated 17 April 2020.
 - The application sought planning permission for the construction of one dwelling and new access and hardsurfacing without complying with a condition attached to planning permission Ref PL/19/2940/FA, dated 28 October 2019.
 - The condition in dispute is No 13 which states that: "*The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings:...*" (there then follows a list of the approved drawings, which I do not repeat here).
 - The reasons given for the condition is: "*To ensure that the development is carried out in accordance with the details considered by the Local Planning Authority*".
-

Appeal B: APP/N0410/W/20/3251861

Plot 2 Byways, Gregories Farm Lane, Beaconsfield, Bucks HP9 1HJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Tim Clark against the decision of South Bucks District Council.
 - The application Ref PL/19/4168/VRC, dated 8 November 2019, was refused by notice dated 17 April 2020.
 - The application sought planning permission for the construction of one dwelling and new access and hardsurfacing without complying with a condition attached to planning permission Ref PL/19/2941/FA, dated 28 October 2019.
 - The condition in dispute is No 13 which states that: "*The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings:...*" (there then follows a list of the approved drawings, which I do not repeat here).
 - The reasons given for the condition is: "*To ensure that the development is carried out in accordance with the details considered by the Local Planning Authority*".
-

Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The appeals arise from decisions on 2 separate planning applications. The appeal sites are adjacent to each other, having formed one larger site previously. The proposals are for identical structures and the reasons for refusal and accompanying statements by both main parties raise identical matters. Therefore, I have decided to address both decisions within one decision letter, although the decisions will be made separately.

Main Issue

4. The main issue in these appeals is the effects of the proposal on the character and appearance of the area.

Reasons

5. The appeals relate to these adjacent plots of land, which both have recent planning permission for a single detached house on each plot. The plots previously formed a single property. The sites sit on the eastern side of Gregories Farm Lane, which is a single width road serving a number of residential properties.
6. Within the 'Chiltern and South Bucks Townscape Character Study 2017' the appeal site is identified as falling within a wider area of 'Woodland Roads'. The Study indicates that such areas are characterised by their landscape quality, large plots and mature wooded vegetation. It adds that the townscape qualities include large houses in large plots, buildings set well back in their plots, generous spacing allowing for vegetation, informal arrangement of buildings with no consistent alignment. The Study indicates that the typical built form is subservient to the landscaping.
7. The appellant indicates that he does not consider that the appeal sites fall within an area which is typical of the Woodland Roads. Having considered the contents of the study and the character of the area within which the appeal sites sit, I acknowledge that there will inevitably be some variation on individual streets within a typology. However, overall, I consider that the appeal site and its surroundings do display qualities consistent with the Woodland Roads.
8. The proposals would each place a double garage within the frontage of the new houses. They would be sited close to the front boundaries and even with landscaping in place, I consider that they would appear as obvious features within the street-scene. They would each occupy a considerable proportion of the frontage of each house. The appeal submissions indicate that a car port has been approved in the same location within Plot 1 and I have considered this against the appeal. In my view the visual effects of a solid brick structure as is proposed, would be considerably greater than an open-sided car port. In

my judgement the garages would each appear significantly at odds with the prevailing character of the Lane and with the wider Woodland Roads typology. They would erode the spaciousness at the front of the plots, which themselves are quite narrow when consider to many others which are within the area.

9. The appellant has drawn my attention to the siting of the adjacent house to Plot 1 at Orchard Dale, whereby this sits forward within its plot. Although I could clearly observe this to be the case, I see this as part of the identified variation in the pattern of the dwellings referred to in the Study and does not justify a separate detached garage within the frontage of either of the appeal sites. I also observed the detached garage within the frontage of the property adjacent to plot 2 at Frogsmead. Whilst this is set within a wider and more spacious plot, I consider that it has an unfortunate effect on the street-scene and is not consistent with the identified character of the Woodland Roads. I have also taken account of the other properties within the Lane and at Chartwell Gate but find nothing which justifies the appeal schemes.
10. For the reasons set out above, I consider that both of the appeal schemes would have a negative and unacceptable effect on the character of the area. Consequently, the proposals are both contrary to Policies EP3 and H9 of the South Bucks District Local Plan, which was adopted in March 1999, and Policy CP8 of the South Bucks District Core Strategy, which was adopted in February 2011 and I find nothing sufficient to outweigh that harm. Therefore, the appeals are both dismissed.

ST Wood

INSPECTOR