



Appeal Decision

Site Visit made on 28 April 2021

by Scott Britnell MSc FdA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 June 2021

Appeal Ref: APP/N0410/D/21/3268498

The Cottage, 5 Fulmer Way, Gerrards Cross SL9 8AJ

- 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 Dr Taiwo Akinseye against the decision of Buckinghamshire Council.
 - The application Ref PL/20/3405/FA, dated 12 October 2020, was refused by notice dated 23 December 2020.
 - The development proposed is alterations and extensions to ground and first floors.
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Decision

1. The appeal is dismissed.

Main Issues

2. The proposals include the reinstatement of a vehicular access and formation of a gravel driveway. The Council indicate that the proposed works would retain much of the existing boundary treatment and would not appear out of keeping with the prevailing character of the wider area. Further, the application form indicates that the property's existing uPVC double glazed windows would be replaced with white timber casement double glazed windows with opening lights to match existing. I note that the Council have not objected to this element. Having assessed these matters, I have no reason to reach different conclusions.
3. The main issues, therefore, are the effect of the proposed extensions on the character and appearance of the host dwelling, the Gerrards Cross Centenary Conservation Area and the non-designated heritage asset at 12 Fulmer Way.

Reasons

4. The Cottage, 5 Fulmer Way is a detached dwelling that sits in a spacious plot. It has an Arts and Crafts influenced design and sits in the Gerrards Cross Centenary Conservation Area (CA). The appeal dwelling through its design and appearance contributes positively to the streetscene and the character and appearance of the CA. Opposite the appeal site is No 12 Fulmer Way (No 12), which is identified by the Council as a positive unlisted building and therefore a non-designated heritage asset.
5. I appreciate that the proposed extensions would be constructed in materials to match the host dwelling. Sufficient gaps would also be retained with neighbouring dwellings so that the sense of spaciousness within the streetscene would be largely retained. However, the proposed extensions would significantly and disproportionately increase the scale and mass of the appeal dwelling. It would become subsumed with extensions so that its simple

- form and scale is no longer appreciable. As such, the proposed extensions fail to pay regard to the form and scale of the host dwelling or achieve a successful level of subservience to it. They would compete rather than complement the host dwelling, causing significant harm to its character and appearance.
6. More specifically, the proposed first floor extension with its projecting second storey bay, although smaller than the existing front gable projection, would compete visually with that element. As the existing gable projection is currently the main focal point of the building and contributes to its charm and character, this would be harmful to the character and appearance of the host dwelling. Further, the proposal would result in the loss of the two existing gable bays to the west elevation, which are a point of interest and the proposal would also significantly increase the bulk and scale of the roof, subsuming the main building. The proposed roof would also include a centrally located flat roofed section. While this element would not be visible, such a design fails to pay respect to the form of the existing roof and the dwelling's Arts and Crafts style, to the detriment of its architectural integrity.
 7. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that, in making decisions on planning applications and appeals within a Conservation Area, special attention is paid to the desirability of preserving or enhancing the character and appearance of the area. Paragraph 192 of the Framework states, among other things, that in determining applications, account should be taken of the desirability of sustaining and enhancing the significance of heritage assets.
 8. The significance of the CA derives in part from its Arts and Crafts style housing and the use of high quality materials in their construction. Significance is also derived from the influence of the Garden City and Garden Suburb movements with dwellings set within large plots with generous gaps between buildings.
 9. I appreciate that there is variety in terms of the scale of dwellings within Fulmer Way. Moreover, the proposals would not harm the sense of spaciousness that is important to the character and appearance of the CA. Further, some elements of the proposal would have less presence in the streetscene as others, such as the single storey side and rear extension. However, the elements to the front and sides of the host dwelling, especially at first floor and roof level, would be highly visible from Fulmer Way. Given the harm that the proposal would cause to the character and appearance of the appeal dwelling, the contribution that the dwelling makes to the streetscene and the CA would be noticeably diminished. This would cause harm to, and would fail to preserve or enhance, the character and appearance of the CA.
 10. The harm that would be caused to the significance of the conservation area would be localised to near the vicinity of the appeal site and would not result in a total loss of significance. Given this, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 196 of the National Planning Policy Framework (the Framework) states that this harm should be weighed against the public benefits of the proposals.
 11. The appellant has not provided examples of any public benefits that would result from the proposals, although I have been advised that the proposals have received local support. However, development proposals may be

unacceptable in planning terms notwithstanding that they may have received support. As such, this matter does not weigh in favour of the proposals.

12. The appeal site sits opposite No 12. Many of the features that contribute to the significance of this building as a non-designated heritage asset are located to the rear of the Fulmer Way elevation and so are not seen in connection with the appeal site. Although the Council consider the Fulmer Way elevation to be of interest, I consider it to be less sensitive to change occurring at nearby properties. Moreover, as the appeal site sits opposite No 12 and is separated by the highway, it has less of a direct relationship to that non-designated heritage asset as it does with the CA, of which it is part.
13. Consequently, in applying the balanced judgement required of me by paragraph 197 of the Framework, I find that the proposals would not harm the setting or significance of No 12 as a non-designated heritage asset. However, the absence of harm in this regard is a neutral factor in my overall assessment.
14. In reaching my conclusions, I note that the proposed drawings show the profile of a previous approval to the appeal property¹ that was not implemented. However, I do not have the full details of that approval before me, so I am unable to consider how it may compare to the current proposals. The appellant has also referred me to planning permissions granted for extensions and other works to several properties along Fulmer Way. While I observed these dwellings at my visit, I do not have the full details of what was approved. Moreover, each of the permissions pre-date the South Bucks Local Development Framework Core Strategy Development Plan Document Adopted February 2011 (CS), the February 2011 consolidation of the South Bucks District Local Plan and the Framework. As such they were considered under a different policy regime and, given the lack of details provided, I am unable to afford weight to these matters in support of the proposed development.
15. The appellant has also provided a copy of planning permission 12/00989/FUL² in relation to land at Douлма, 11 Fulmer Way. However, as that permission relates to a new dwelling it is not directly comparable to the appeal proposals.
16. I conclude that the proposed development would cause harm to the character and appearance of the host dwelling and the Gerrards Cross Centenary Conservation Area. There would be conflict with Policies C1, EP3 and H11 of the South Bucks District Local Plan Adopted March 1999 Consolidated September 2007 and February 2011 and Core Policy 8 of the CS. In summary, these seek to ensure high quality development, that proposals are of a scale and design that are compatible with the character of the site itself and that proposals to extend dwellings harmonise with the existing building in terms of scale and design. The policies also seek to ensure that developments in Conservation Areas preserve or enhance their character or appearance. There would also be conflict with Section 12 of the Framework which seeks to achieve well-designed places and Section 16 relating to the historic environment.

¹ 11/00650/FUL Part single storey/part two storey side/rear extension. Part single storey/part two storey side extension incorporating double garage. Construction of vehicles access. Details taken from appellant's statement.

² Detached dwellinghouse incorporating integral garage. Construction of vehicular access and hardstanding approved 9 August 2012.

Conclusion

17. For the above reasons, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

Scott Britnell

INSPECTOR