



Appeal Decision

Site Visit made on 23 August 2021

by James Blackwell LLB (Hons)

an Inspector appointed by the Secretary of State

Decision date: 27 August 2021

Appeal Ref: APP/X0415/D/21/3276677

Dovetail Cottage, 22 High Street, Prestwood HP16 9ED

- 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 Mark Beeks against the decision of Buckinghamshire Council.
 - The application Ref PL/21/0172/FA, dated 17 January 2021, was refused by notice dated 26 April 2021.
 - The development proposed is described as an oak timber storage building with tiled roof, close featheredge boarded on three sides, open at the front, sited at the front of the front of the property behind existing hedging.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since determination of the planning application, the 2019 iteration of the National Planning Policy Framework (Framework) has been superseded. I am satisfied that the updates to the Framework do not materially affect its content insofar as it is relevant to the main issue of this appeal. I have therefore determined this appeal with regard to the current version, published in July 2021.
3. The appeal property is located within the Chilterns Area of Outstanding Natural Beauty (AONB). Areas of Outstanding Natural Beauty are designated for the purposes of conserving and enhancing natural beauty, and section 85(1) of the Countryside and Rights of Way Act 2000 places a duty upon me to have regard to these purposes in this decision.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal property is located along the High Street in the built-up area of Prestwood. The dwelling is set back from the road, and benefits from a large sweeping driveway to the front. Much of its frontage is screened from the road by a tall hedgerow and two Beech trees, which contribute positively to the verdant quality of the wider street scene. Property types in the vicinity of the appeal site are mixed, and in terms of siting, some are set back from the road and others sit flush with the pavement. As such, there is no particular uniformity in layout nor pattern of built development within this part of the village.

6. The proposed development would introduce a timber storage building to the front of the driveway, just behind the hedgerow. The Council has highlighted that the development would be within the root protection zone of the trees fronting the property, which was also apparent on my site visit. Whilst I acknowledge the appellant's assertion that these trees can be retained as part of the development, no information has been provided to demonstrate how this would be achieved. Without any substantive evidence to this effect, I cannot properly assess the extent of any potential adverse impact, nor consider whether any measures may be employed to mitigate against such impact. Given that the trees make such a positive contribution to the verdant quality of the street scene, any loss or damage to them would harm the character of the area. Such harm is particularly acute, given the location of the appeal property within the AONB.
7. Notwithstanding the above, there are several buildings near to the appeal site which sit flush, or very close to the pavement which runs along the High Street. These include the terraced dwellings which sit next to the car park adjacent to the driveway of the appeal property. Whilst the new outbuilding would be located close to the front boundary of the property, on the basis that it would closely align with other buildings along the road, I do not consider that it would appear overly prominent or disruptive in the context of the wider street scene. Moreover, whilst the roof of the outbuilding would be visible, the main body of the development would largely be screened by the boundary hedge, lessening its visual impact. In terms of size, the building would be modest and could comfortably be accommodated on the driveway without appearing cramped nor dominant. Its design and materials would also be in-keeping with the general character of development of the area. Nonetheless, these are neutral factors, and does not outweigh the harm that would arise to the wider street scene as identified above, were the trees to be lost or damaged as part of the development.
8. Without any substantive evidence before me to indicate otherwise, the development risks harm to, or the total loss of trees running along the front boundary of the appeal property, which would harm the character and appearance of the area. The development would therefore conflict with Policies GC1, GC4 and H13 of the Chiltern District Local Plan (adopted 1997 and consolidated in 2011) (CDLP) and Policy CS20 of the Core Strategy for Chiltern District (2011). Together, these policies seek to ensure new development protects and conserves the character and appearance of the area, and specifically include a requirement to protect and retain existing trees and hedgerow which contribute positively to the character of an area. The development would conflict with guidance set out in the Residential Extensions and Householder Development SPD (2013), which is explicit that existing trees which are important to the character of an area should be adequately protected as part of new development. The development would also conflict with the overarching objectives of the Framework (2021), which places a great emphasis on the conservation of existing green infrastructure.
9. Notwithstanding the above, I find no conflict with Policies H15 nor H20 of the CDLP, which require outbuildings to be modest in size, subordinate to their host dwelling, and sited in a way which relates well to the existing dwelling and wider street scene.

Conclusion

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

James Blackwell

INSPECTOR