



Appeal Decision

Site visit made on 13 July 2021

by S Edwards BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 September 2021

Appeal Ref: APP/K0425/W/21/3268411

Regal House, 4-6 Station Road, Marlow SL7 1NB

- 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 David Howells (Sorbon Estates Limited) against the decision of Buckinghamshire Council - Wycombe Area.
 - The application Ref 20/07101/FUL, dated 13 August 2020, was refused by notice dated 13 October 2020.
 - The development proposed is construction of cantilever balconies on the eastern elevation of Block A.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) published on 20 July 2021 sets out the Government's planning policies for England. Policies within the Framework are material considerations which should be taken into account for the purposes of decision-making from the date of its publication. The parties were given the opportunity to comment on this matter, and I have had regard to the updated Framework in determining this appeal.
3. On 1 April 2020, Wycombe District Council ceased to exist and became part of a new Unitary Authority known as Buckinghamshire Council. I have determined the appeal on this basis.
4. The description of development as detailed on the application form has been amended in subsequent documents. I have adopted the description included on the appeal form, which reflects the extent of the proposal accurately.

Main Issue

5. The main issue is whether the proposal would preserve or enhance the character or appearance of the Marlow Conservation Area, and the special interest of the Grade I listed building known as Marlow Place, as derived from its setting.

Reasons

6. The appeal site comprises two three-storey buildings with hipped roofs, which are connected by a two-storey element with flat roof. They were constructed as purpose-built office blocks during the 1980s, but have recently been granted prior approval to be converted to residential accommodation. Work appeared to be underway when I visited the site.

7. The appeal building lies within the historic core of Marlow, which is designated as a Conservation Area. The Council's Conservation Area Character Survey for Marlow suggests that this market town owes much of its attractive character to its setting and rich collection of historic buildings, which follow a basic grid layout that overlies the older medieval street pattern. Whilst it constitutes a relatively recent addition to the Conservation Area, the appeal building makes, by virtue of its sensitive and restrained design approach, a positive contribution to the character and appearance of this designated heritage asset.
8. The site lies within the setting of Marlow Place, an imposing Grade I listed building of pure Baroque style. This is notably illustrated by the symmetry which characterises the building's four similarly and richly detailed elevations, but also the use of Piano Nobile, Mannerist Doric Giant Order detailing and pediments on each façade. Marlow Place was historically set within spacious grounds, a large part of which have been developed during the 19th and 20th centuries. Although these interventions have harmfully eroded the setting of the listed building, there is no doubt that Marlow Place nonetheless holds significant architectural and historic significance, which is reflected in its grading as a building of exceptional interest. As such, it contributes substantially to the character and appearance of the Marlow Conservation Area.
9. The appeal scheme would alter the simplicity of the eastern elevation of Block A considerably. In particular, the position of the French windows and balconies would appear at odds with the existing pattern of fenestration, and harmfully disrupt the pleasant rhythm which presently characterises the building's eastern elevation. Moreover, the proposed windows and associated balconies would encroach onto the stringcourse which forms the junction between the render and ashlar stone finishes of the building, and disrupt the overall coherence of the elevation.
10. The balconies would add bulk to this elevation and exacerbate the identified harm, by drawing further attention to the incongruous nature of the proposal. It would render the development highly visible in the street scene, particularly by virtue of the degree of separation between the appeal site and Marlow Place. As a result, the proposal would cause unacceptable harm to the character and appearance of the Marlow Conservation Area which, subsequently, would not be preserved or enhanced. Given the magnitude of the harm, the matter could not be satisfactorily resolved by the imposition of a condition requiring details of the balconies to be approved by the Local Planning Authority.
11. As detailed above, the once extensive setting of Marlow Place has been to a large extent compromised by office and residential development, and consideration should therefore be given to whether additional change would further detract from or enhance the significance of this Grade I listed building. Although the proposed development would bring the built form of the appeal block slightly closer to Marlow Place, the physical separation between the two neighbouring buildings is such that the balconies would not harmfully intrude into the setting of the Grade I listed building.
12. Accordingly, the appeal scheme would have a neutral impact on the ability to appreciate and understand the significance of Marlow Place, but would nevertheless cause less than substantial harm to the special interest of the Marlow Conservation Area, to which I afford considerable importance and

weight. In such circumstances, paragraph 202 of the Framework advises that the harm should be weighed against the public benefits of the proposal. As noted above, the appeal building is presently being converted to residential accommodation, and there is no suggestion that the proposed development is required to enable the change of use. The appeal scheme would provide outdoor amenity space for the future occupiers of the development, but the identified harm would not be outweighed by the presented public benefits.

13. It is of note that the Council has recently granted planning permission¹ for the construction of balconies to the rear elevation of Block B. This elevation and the rear aspect of Marlow Place are however far less prominent within the public realm, being significantly set back from Institute Road. Views of this elevation in conjunction with the listed building are largely restricted, especially because they are to a large extent obstructed by existing developments fronting Institute Road. For these reasons, I am of the view that the circumstances of this particular scheme do not constitute a direct parallel to the proposal before me, in terms of its effect on the setting of the Grade I listed building and the Marlow Conservation Area.
14. Although the special interest of Marlow Place, as derived from its setting, would be preserved, the proposal would fail to preserve the character and appearance of the Marlow Conservation Area. It would therefore conflict with Policies DM31 and DM35 of the Wycombe District Local Plan (adopted August 2019), which notably require development proposals to conserve and, where possible, enhance the Historic Environment, whilst improving the character of the area and the way it functions.

Other Matters

15. No harm to the front garden walls and gate piers at Marlow Place, which are separately listed at Grade II, has been identified by the Council, and there are no reasons for me to reach an alternative view. I confirm that the proposal development would preserve the front garden walls and gate piers, as derived from their setting.
16. Concerns have been raised by interested parties in respect of the effect of the development on the living conditions of neighbouring residents, with particular regard to privacy. However, as the appeal is being dismissed for other reasons, this matter does not need to be considered further here.

Conclusion

17. There are no material considerations, which indicate that the proposal should be determined other than in accordance with the development plan. For the reasons detailed above, and having regard to all other matters raised, I conclude that the appeal is dismissed.

S Edwards

INSPECTOR

¹ Local Planning Authority Reference 20/05982/FUL.