



Appeal Decision

Site visit made on 5 January 2022

by Peter White BA(Hons) MA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 January 2022

Appeal Ref: APP/N0410/D/21/3283497

33 St Huberts Close, Gerrards Cross SL9 7EN

- 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 Rajeevs Saluja against the decision of Buckinghamshire Council.
 - The application Ref PL/21/0787/FA, dated 26 February 2021, was refused by notice dated 13 August 2021.
 - The development proposed is erection of part two storey, and part single storey side and rear extensions with internal alterations.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. Along with much of St Huberts Close, the appeal site contains a detached two-storey dwelling described by the Council and the appellant as 'American Colonial' style.
4. The area within which the appeal site lies is described as an Area of Special Character (ASC) of Open Plan Suburban dwellings in the Chiltern and South Bucks Townscape Character Study (2017) (CSBTCS). The CSBTCS describes the characteristics of the area as being: largely homogenous with a strong sense of openness; consistently spaced detached two storey houses; shallow pitched roofs with ridges alternating between lateral and perpendicular to the road; open roads without boundary treatments; and a mature woodland backdrop providing enclosure. A 2017 appeal decision¹ for 41 St Huberts Close identifies similar characteristics and refers to the rhythm and harmony of the street scene. While the appeal property is not within a conservation area or residential area of exceptional character, these features create a distinctive character particular to this area.
5. The appeal building is a white-painted, brick, detached dwelling with a shallow roof and first floor window shutters. There is a notable rise in land levels at this

¹ APP/N0410/D/17/3171965

- point in the road and the attached two storey garage is at a higher level. This stepped form of development is also seen at neighbouring 35 St Huberts Close.
6. A Tree Preservation Order² (TPO) covers the appeal site and the wider area. Mature trees provide a backdrop above the houses and garages and through the gaps between buildings. This contrast between the openness of the street frontages and the sense of enclosure afforded by trees is acknowledged in the CSBTCS.
 7. The proposal consists of the removal of the garage, its replacement with a two-storey side extension and a rear extension of the dwelling across its full width. Planning permission³ has been granted for a similar rear extension and a single storey side extension, and the Council's objection relates primarily to the proposed two-storey side extension. The principle of demolition of the garage and excavation of ground levels for the development has been established by that planning permission, as has the rear extension of the dwelling.
 8. The permitted single storey side extension, with its roof no higher than that of the existing garage, would retain the sense of space above its roof between the appeal site and the neighbouring property. Accordingly, it would also appear subordinate to the main dwelling and retain its essential character.
 9. The proposed side extension would be higher than the approved single storey extension and the existing garage and its scale, height and width would alter the character of the dwelling. The two-storey frontage of the dwelling would appear significantly wider and the substantial infilling of the gap between dwellings, currently afforded by views above the garage, would be much reduced. As a result, the proposal would negatively affect the consistent spacing between the houses, diminish the distinctive appearance of the property, and reduce views of the backdrop of trees. In doing so it would disrupt the rhythm and harmony of the street scene and reduce the spaciousness and openness characteristic of the area.
 10. The appellant and the Council have drawn my attention to other existing and proposed extensions to dwellings on St Huberts Close and elsewhere. 23 Fulmer Drive and 2-18 St Huberts Close are located outside the ASC in areas of different character. 57A, 80 and 81-89 St Huberts Close are hipped roofed dwellings of different styles, which neither individually nor cumulatively establish a precedent for first floor extensions across the ASC. Furthermore, 75 St Huberts Close is set much further back from the road, behind a substantial lawn and trees, and its extension is of a very different design. While there are similarities between the appeal site and 28 and 41 St Huberts Close, both are set further back from the road in a more spacious open-plan environment than the appeal site. None of the aforementioned properties alter my concerns about the effect of the proposed development.
 11. Furthermore, the extension at No 28 related to a planning permission granted in 2009, which the Council states pre-dated the CSBTCS. The role of characterisation studies in development management is set out in South Bucks Core Strategy 2011 Core Policy 8, and the CSBTCS is a technical document to which I give weight as a material consideration. The permission also predates the South Bucks Core Strategy, the National Planning Policy Framework (the

² Tree Preservation Order no.4, 1974

³ PL/20/3646/FA

Framework) and the National Design Guide. It was therefore granted in a different evidential and policy environment.

12. The Council and other parties have referred to a 2017 appeal decision⁴, which is the latest of two appeal decisions relating to No 41. The appellant considers this decision is not relevant due to the positioning of the appeal dwelling in the street scene. In my view, the appeal site is more prominent in the street scene than No 41, given the enclosure generated by the substantial evergreen hedge on the opposite side of the road, the curvature of the road, and the shorter setback from the road. The development proposed would have similar, but perhaps greater, effects on the character and appearance of the area than that dismissed by the Inspector in relation to No 41.
13. The appellant has referred me to numerous paragraphs of the Framework and the Planning Practice Guidance on sustainable development, making effective use of land, and achieving well designed places. I have had regard to these paragraphs, but they have not altered my overall findings on this appeal.
14. I find that the proposed development would not accord with the distinctive architectural style of the area, its homogenous character, and sense of openness. It would therefore be harmful to the character and appearance of the area. This would be contrary to South Bucks Core Strategy Development Plan Document (2011) Policy CP8, which relates to high standards of design, and South Bucks District Local Plan (1999) Policies EP3 and H11, which relate to the design and layout of development and alterations and extensions to dwellings, and to the Framework and the National Design Guide.

Other Matters

15. Concerns have been expressed about flood risk, parking and highway safety. As I am dismissing this appeal for other reasons, I have not dealt with these matters further.
16. The appellant refers to the presumption in favour of sustainable development as set out in paragraph 11 of the Framework. However, I have no evidence that paragraph 11 is applicable in this instance.

Conclusion

17. For the above reasons, having regard to the development plan as a whole, the approach in the Framework, and all other relevant considerations, the appeal is dismissed.

Peter White

INSPECTOR

⁴ APP/N0410/D/17/3171965