



Appeal Decision

Site visit made on 19 April 2022

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd May 2022

Appeal Ref: APP/J0405/W/21/3284882

**Land adjacent to 1 Anstey Brook, Weston Turville, Buckinghamshire
HP22 5RT**

- 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 Ms Heather Blackwood against the decision of Buckinghamshire Council - North Area (Aylesbury).
 - The application Ref 21/00559/APP, dated 3 February 2021, was refused by notice dated 9 April 2021.
 - The development proposed is a detached carbon neutral dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the determination of the planning application that is the subject of this appeal, the Vale of Aylesbury Local Plan (the VALP) was adopted in September 2021 and now comprises part of the development plan such that its policies attract full weight in decision-making. The main parties have had the opportunity to comment upon any relevance of this to the outcome of the appeal.

Main Issues

3. The main issues are:
 - The effect upon the character and appearance of the area; and
 - The effect upon the Chilterns Beechwoods Special Area of Conservation (the SAC).

Reasons

Character and appearance

4. Anstey Brook comprises a residential cul-de-sac where there is a high degree of uniformity when the heights, sizes and designs of individual properties are compared. Indeed, dwellings served by the cul-de-sac are, without exception, semi-detached, red-brick, two-storey and of shallow-pitched hipped roof design. When also factoring in the generous size of individual plots and an abundance of planted features, the cul-de-sac can be observed to have a formal and green residential character and appearance.

5. As the proposed dwelling would be stepped back from Brook End and sited immediately alongside No 1 Anstey Brook (No 1), it would be experienced as a constituent part of the cul-de-sac. Moreover, Anstey Brook's inward facing nature and often-well-vegetated outskirts dictate that other local developments, including to the opposite side of Brook End relative to the site, have a limited influence upon the character and appearance of the appeal site and its immediate surroundings.
6. Despite any possible tree removal(s) carried out in recent times, an established and relatively thick belt of planting remains in place between the site and Brook End. This belt would be retained and protected during the construction phase, and thereafter supplemented by additional on-site planting. In this context, any erosion of open space brought about by the scheme would not unduly undermine the formal and green residential character and appearance that I have identified. This is broadly consistent with the November 2021 findings of a previous Inspector when considering a separate proposal for housing development at the same site.
7. I also acknowledge that efforts have been made to reflect built aspects exhibited by other properties on Anstey Brook. Indeed, a traditional design approach has been taken whilst hipped roof elements and matching facing materials are proposed. Furthermore, the intended fenestration does not raise undue concerns and a low-level brick plinth would appear as a low-key and uncontentious feature. I also do not consider that the modest single storey dwelling under consideration would appear as particularly cramped upon the plot in question, which is not especially small when compared to the typical makeup of other individual plots served by the cul-de-sac.
8. However, the fundamental issue is that a single-storey detached dwelling would be introduced to a location that has a formal character and that is defined by the presence of routinely designed two-storey semi-detached properties. As such, even when acknowledging the existences of a subservient two-storey extension and a flat-roofed garage to the western side of No 1, the new dwelling would appear squat and out of place. Furthermore, the intended hipped roof slopes would be excessively pitched so as not to assimilate with existing roof forms in the cul-de-sac. When also factoring in the proposed dwelling's proximity to the front of its plot, it would appear as a readily visible, discordant, and unexpected addition to Anstey Brook.
9. Whilst a scheme of soft landscaping is proposed, which would be anticipated to soften the visual impact of the new dwelling to some degree, it must be noted that planting cannot always be relied upon to consistently provide solid or impenetrable buffers to views. This is not least because it is ever evolving and reliant upon continual maintenance to retain a consistent form.
10. For the above reasons, the proposal would cause harm to the character and appearance of the area. The scheme conflicts with Policy BE2 of the VALP, Policy H2 of the Weston Turville Neighbourhood Plan (2018) and the New Houses in Towns and Villages Design Guide (1992) in so far as these policies and guidance require all new development proposals to respect and complement the local distinctiveness and vernacular character of the locality, in terms of ordering, form, proportions, architectural detailing and materials.

The SAC

11. The site lies within a recently prescribed Zone of Influence where likely significant effects upon the SAC from net increases in development due to recreational impacts cannot be ruled out. The Conservation of Habitats and Species Regulations 2017 (as amended) require that, where a project is likely to have a significant effect on (a) European site(s) (either alone or in combination with other plans or projects), the competent authority must, before any grant of planning permission, make an appropriate assessment of the project's implications in view of the relevant conservation objectives. However, as I have found the proposal to be unacceptable for other reasons, it is not necessary for me to undertake an appropriate assessment. For the avoidance of doubt, even if I had done so and identified no adverse effect upon the SAC's integrity, it would not have affected my overall conclusions on this appeal.

Other Matters

12. The site sits in proximity to the easternmost element of the Weston Turville Conservation Area (the CA). Its significance as a designated heritage asset is drawn, in-part, from its often loosely positioned historic buildings and its wide array of established and sometimes dense vegetation. As the adjoining belt of planting to the site's northern side is intended to be retained and protected, and when also factoring in the limited height and scale of the proposed dwelling, the scheme would preserve the CA's character and appearance and would not cause harm to its heritage significance through bringing forward development within its setting.
13. I have noted objections/concerns raised by interested parties with respect to matters including the effect upon the living conditions of neighbouring occupiers, private access arrangements, flood risk, highway safety/parking, the availability of local facilities and services, and the effect upon wildlife. However, as I have found the scheme to be unacceptable for other reasons, it is not necessary for me to explore these matters any further here.
14. The proposal would deliver an additional housing unit that would potentially suit occupation by either a young family or elderly residents. It would also incorporate various measures to promote sustainable construction and carbon neutrality, including ground/air source heat pumps, an electric vehicle charging point and a rainwater harvesting system. Indeed, the Framework reaffirms the Government's objectives of significantly boosting the supply of homes and transitioning to a low carbon future in a changing climate. However, as merely a single additional unit is under consideration, I attach limited weight to the delivery of new housing (even if ultimately constructed to be carbon neutral) as a scheme benefit.
15. The development would also create jobs during the construction phase and would, most particularly once occupied, provide support to the local economy and local community facilities. These benefits attract limited weight due to the quantum of development under consideration. Further, given the size constraints of the site, any net-gain achievable in biodiversity terms would necessarily be restricted and attractive of limited weight in the planning balance.

16. The proposal's benefits, considered cumulatively, would be modest and would not outweigh the significant harm that would be caused to the character and appearance of the area. The scheme conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

17. For the reasons given above, the appeal is dismissed.

Andrew Smith

INSPECTOR