



Appeal Decision

Site visit made on 25 July 2022

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 August 2022

Appeal Ref: APP/N0410/W/22/3290538

16 Caledon Road, Beaconsfield HP9 2BX

- 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 and Mrs Adam and Rachel Cunliffe against the decision of Buckinghamshire Council.
 - The application Ref PL/21/3210/FA, dated 10 August 2021, was refused by notice dated 29 November 2021.
 - The development proposed is demolition of the existing dwelling and erection of a new detached house with integral garages, landscaping and new vehicular access.
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Application for Costs

1. An application for costs was made by Mr Adam and Mrs Rachel Cunliffe against Buckinghamshire Council. This application is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted for demolition of the existing dwelling and erection of a new detached house with integral garages, landscaping and new vehicular access in accordance with the terms of the application Ref PL/21/3210/FA, dated 10 August 2021, subject to the conditions set out in the attached Schedule.

Main issues

3. The main issues are:
 - i) The effect of the proposal on the character and appearance of Caledon Road; and
 - ii) Whether the proposal would make efficient use of land.

Reasons

Character and appearance

4. Caledon Road is a leafy suburban street of mainly large detached houses set in large plots with frontage planting, with the street being identified in the Council's *Chiltern and South Bucks Townscape Character Study* (TCS) as a

'Green Suburban Road'. The proposal is to knock down and replace the existing 4 bedroom house with a new, slightly smaller, single bedroomed house with a forward projecting double garage. The individual accesses to Nos 16 and 18 would be replaced by a single shared access.

5. The proposed new house has been sympathetically designed using aspects of the local Arts and Crafts style so that it would fit in with the varied architectural character of the street. Its reduced size would leave more space to each side, increasing the spaciousness of the area.
6. The houses in Caledon Road are set back by varying distances so that there is no strong building line. The proposed garage would sit slightly forward of the houses to either side, but would still be set well back from the street. Detached forward projecting garages are generally discouraged by the Council's *Residential Design Guide* Supplementary Planning Document (RDG), partly on the basis that these can significantly detract from the visual quality of the house. The RDG does not, however, appear to make any specific comment about attached garages as proposed and the Council does not cite any specific policy objection about this aspect of the proposal. In this case, the proposed garage would fit in reasonably well with the house's design. It would not be out of character or incongruous in a street where there are other examples of similar forward projecting garages that do not cause any notable harm to the street scene.
7. Paragraph 2.3.2 of the RDG advises that streets should be overlooked by windows of habitable rooms, to create an active frontage that makes a place more attractive and lively. The number of front-facing windows would reduce to 3, only one of which would serve a habitable room. The use of the windows would not, however, be readily perceived from the street and the amount of glazing at the front appears to be reasonable given the scale and design of the proposed building. On balance, I find no significant harm in this respect.
8. There are also concerns about the proposed shared access and the loss of hedging and a tree. The use of the shared access instead of 2 independent accesses should help to minimise the loss of greenery, which appears to be reasonably replaceable with new planting. The lack of other nearby shared drives does not make the use of a shared drive here visually harmful. Shared drives are a normal and unremarkable feature of many residential areas.
9. Weighing these various factors together, I conclude that the proposal would complement existing development and would not harm the character or appearance of Caledon Road. It would accord with the aims of Policies EP3 and H9 of the South Bucks District Local Plan (LP), Core Policy 8 of the Core Strategy (CS), the TCS, the RDG, the National Design Guide and the National Planning Policy Framework (the Framework), to ensure that new development is of a high standard of design that contributes to the character and quality of the surrounding area.

Efficient use of land

10. The Council's concern is that the proposal would reduce the number of bedrooms on site from 4 to 1, making less efficient use of the site. The proposed new house would be a one for one replacement for the existing

house, so there would be no change in a commonly used measurement of density – dwellings per hectare.

11. Framework paragraph 125 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. The paragraph continues to say that in these circumstances, amongst other things, local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the Framework.
12. There is no indication in the appeal submissions that the Council has an existing or anticipated shortage of land for meeting identified housing needs. The efficient use of land nevertheless remains an important consideration, as set out CS Core Policy 8.
13. Nothing in the Framework sets a specific measure of housing density and CS Core Policy 8 refers to a target density measured in dwellings per hectare only. The Planning Practice Guidance¹ (PPG) does refer to bedspaces per hectare potentially being a way to measure density. The PPG is guidance rather than policy, however, and a bed spaces per hectare measurement has apparently not been included in the CS or the LP.
14. The PPG also refers to a third potential measure of density - site coverage ratio. The proposed house would cover a similar amount of the site and therefore 2 of the 3 potential density measurements in the PPG show little if any change. Furthermore, the internal arrangement of the rooms is something which can potentially change over time without the need for planning permission, so that what starts as a 1 bedroom house could in future be changed to 2 or even more bedrooms within the same shell.
15. The Council refers to the social objective set out in Framework paragraph 8(b), to provide a sufficient number and range of homes to meet the needs of present and future generations. No evidence has been submitted, however, to show that there is a greater need for 4 bedroom houses than 1 bedroom houses.
16. I conclude that, taking into account national and local policies and guidance, the proposal would not represent an inefficient use of land. It accords with the aims of CS Core Policy 8 and the Framework, to make optimal use of the potential of each site.

Other matters

17. I have taken into account the views of local residents and other interested parties, including those of Beaconsfield Town Council and the Beaconsfield Society. Buckinghamshire Council confirms that there is no objection in principle to the one for one replacement proposed, which I understand to accord with local policies even if the existing building is sound. Although there are concerns that cars would not be able to manoeuvre in and out of the

¹ Paragraph: 005 Reference ID: 66-005-20190722

proposed garage, there does seem to be sufficient allowance for this and the Highway Authority has raised no objection.

18. The extensive first floor glazing and Juliet balcony to be provided at the back of the new house would face its own rear garden. The nearest neighbouring house stretches well to the rear of the proposed position of the glazing and this would limit views of its back garden. Overlooking at the back would therefore be similar to that found in many other rows of detached houses. Overlooking from side windows could be controlled by a condition requiring obscure glazing. I am satisfied that concerns about energy inefficiency due to the large area of rear glazing could be dealt with by the stringent energy efficiency requirements in the Building Regulations.
19. The Council confirms that there would be no undue impact on the Burnham Beeches Special Area of Conservation from a one for one replacement. I consider that the decrease in the number of front windows to habitable rooms would not be so severe that it would significantly affect the natural surveillance of the street and public security. I note that there is no objection from the local police and find no conflict with the security aims of paragraph 2.3.2 of the RDG. Finally, the appeal proposal must be taken as it is, so I give no significant weight to suspicions about the potential combination of Nos 16 and 18 into a single dwelling or the possibility of industrial use.

Conditions

20. I impose a condition specifying the relevant plans to provide certainty. Conditions requiring details of site and floor levels, external building materials, hard surfacing materials, landscaping and tree protection are all needed to protect the character and appearance of the area. Levels details are also needed to protect neighbours' living conditions and hard surfacing must be permeable as proposed in the interest of sustainable drainage. None of these details need approval before demolition and site clearance works can begin.
21. The obscure glazing and non-opening of above ground floor side windows plus prevention of the use of a small flat roofed area as a roof terrace or balcony is necessary to protect neighbours' privacy. The Council suggests a further condition restricting the insertion of other side windows in the future, but this is adequately dealt with by the provisions of the Town and Country Planning (General Permitted Development)(England) Order relating to obscure glazing and non-opening of upper floor side windows.
22. Conditions regarding the site access, parking and turning space are needed in the interest of highway safety, though the access improvements are not needed before other works start on site as suggested by the Council because there is already an acceptable access to the site. Finally, minor ecological precautions and enhancements are necessary in the interest of biodiversity.
23. I have amended the Council's suggested wording for the conditions in a number of places, to clarify requirements and adjust timings. I have included a requirement for details of new planting in the landscaping condition, so that supplementary hedge and tree planting can be required at the front of the site, as discussed in the appeal submissions. I consider that none of these minor adjustments are prejudicial to the main parties.

Conclusion

24. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 20-11/10; 20-11/11H; 20-11/100A; 20-11/103C; 20-11/104A; 20-11/105A; 20-11/121C; 20-11/122 and 20-11/SK01.
- 3) No works other than demolition and site clearance shall take place as part of the development hereby permitted until details of existing site levels, finished floor levels of the replacement dwelling and finished ground levels all in relation to street level have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented and retained in accordance with these approved details.
- 4) No works other than demolition and site clearance shall take place as part of the development hereby permitted until a schedule of materials to be used in the elevations of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
- 5) No works other than demolition and site clearance shall take place as part of the development hereby permitted until a specification of all finishing materials to be used in any hard surfacing of the application site have been submitted to and approved in writing by the Local Planning Authority. The paving of the front driveway shall be in accordance with the permeable paving details shown on approved plan No 20-11/105 A. Thereafter the development shall be constructed in accordance with the approved materials and details.
- 6) Notwithstanding the details shown on the approved plans, no works other than demolition and site clearance shall take place as part of the development hereby permitted until a scheme of landscaping which shall include indications of all existing trees, shrubs and hedgerows on the site and details, including crown spreads for trees to be retained plus details of new hedge and tree planting, has been submitted to and approved in writing by the Local Planning Authority. None of the trees, shrubs or hedgerows shown for retention shall be removed or felled, lopped or topped within a period of five years from the date of this permission, without the prior written permission of the Local Planning Authority.
- 7) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any new or retained trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from the occupation or

substantial completion of the development, whichever is the later, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 8) During the demolition and construction phases of the development hereby permitted, the destruction by burning of materials within the site shall not take place within 8 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or on land adjoining the site. During those same phases no building materials, equipment, vehicles, plant, oil or other petroleum products shall be stored or allowed to stand within the branch spread of the trees to be retained on site or trees on land adjoining the site.
- 9) The above-ground floor level side windows shown on approved drawing 20-11/121C shall not be glazed or reglazed other than with obscure glass and shall be non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window or roof light is installed.
- 10) The flat roof area shown adjacent to the south facing dormer of the replacement dwelling hereby permitted shall not be used as a balcony, roof garden, sitting out area or similar amenity area.
- 11) The dwelling hereby permitted shall not be occupied until the existing means of access have been altered in accordance with approved plan No 20-11/11H and constructed in accordance with the Buckinghamshire Council guidance note *"Private Vehicular Access within the Public Highway"*. Within one month of the new access being brought into use the existing access onto Caledon Road shall be permanently closed and stopped up in accordance with the same approved plan.
- 12) Space shall be laid out within the site for car parking, loading and manoeuvring in accordance with approved plan No 20-11/11H. These areas shall be permanently maintained for this purpose.
- 13) The development hereby permitted shall be implemented in accordance with the recommendations set out at section 4.3 of the Ecological Appraisal by Cherryfield Ecology dated 8 July 2021 and shall not be occupied until biodiversity enhancements in line with the recommendations set out at Section 4.4 of the Appraisal have been implemented in accordance with details submitted to and approved in writing by the Local Planning Authority.