



Appeal Decision

Site visit made on 15 December 2022

by A Hickey MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2023

Appeal Ref: APP/K0425/W/21/3286498

Sunnings Lodge, Ibstone Road, Ibstone HP14 3XY

- 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 Stuart Bird against the decision of Buckinghamshire Council - West Area (Wycombe).
 - The application Ref 21/05409/FUL, dated 11 February 2021, was refused by notice dated 11 May 2021.
 - The development proposed is demolition of existing dwelling and construction of two new dwellings, including landscaping, access and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. From the submissions, it has been indicated that the appeal site is located on both Ibstone Road and Oxford Road. Both roads form the central road through the settlement. I have referred to the road on which the appeal site is located as Ibstone Road as that reflects the address given on the application form and set out in the banner heading above.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the area, including the Chilterns Area of Outstanding Natural Beauty (AONB);
 - whether the appeal site is a suitable location for the proposed development having regard to local and national planning policy for the delivery of housing; and
 - whether the proposed development would provide satisfactory living conditions for future occupiers.

Reasons

Character and appearance

4. Ibstone is a small rural settlement, characterised by distinct clusters of linear development running along both Ibstone Road and Oxford Road, separated from each other by areas of open countryside. Notwithstanding this sporadic pattern of development which is a characteristic feature of the settlement,

existing dwellings in Ibstone are predominantly laid out with their frontage onto the road at a comparable distance. As a result, plots have a typical rhythm and pattern with separate access directly adjoining the road which provides a strong, albeit spacious, linear character. This pattern of development contributes to the rural character of the settlement.

5. The appeal site is an existing single-storey bungalow located off Ibstone Road. Despite the existing dwelling occupying a sizeable footprint, its single-storey appearance, and central position within the plot surrounded by well-established hedges and trees results in a dwelling of modest scale and massing contributing to the surrounding linear open pattern and grain of this cluster of dwellings.
6. The proposed plans show two taller high pitched, detached dwellings of one and a half storeys, each with a driveway to the front separated by post and rail fencing. House A and B would be positioned on a staggered build line that would closely match the prevailing building pattern found elsewhere in this cluster of dwellings.
7. However, as both houses are indicated to be taller than the existing bungalow and less spacious within their plots located closer to the site edges, they would appear as a denser form of development. This would be at odds with the prevailing layout and would undermine the more spacious and linear pattern of development characteristic of this section of Ibstone Road. This overdevelopment of the plot would have an urbanising effect which would be harmful to the rural character along Ibstone Road.
8. Furthermore, whilst materials would generally be in keeping with those found in the surrounding area the resulting principal elevation of House A would become an imposing feature, and the vertical orientation of the windows would be incompatible in architectural terms when viewed in the context of the front façades of other nearby dwellings. Consequently, having regard to the original design of the bungalow and the shared characteristics of the surrounding row, the large glazed upper window would appear harmful and incongruous.
9. I turn now to consider the effect of the proposal on the AONB. Having regard to Paragraph 176 of the National Planning Policy Framework (2021) (the Framework), I give great weight to the requirement for development to conserve and enhance, wildlife, cultural heritage, landscape and scenic beauty in AONB's.
10. The accompanying text to LP Policy DM30 identifies the Chilterns AONB as a living landscape encompassing a variety of character areas and a range of settlement types. Both the main parties are in agreement that the proposal would not have a significant visual or landscape impact upon the wider Chilterns AONB beyond the settlement. Given, the medium to long-range views of the site from the surrounding landscape to the east is restricted by woodland. I find no reason to disagree with the main parties.
11. Nonetheless, the existing form of the settlement on this section of Ibstone Road, with gaps in development, contributes to the quality of the area, making the built form less visually intrusive within the rural landscape in which it lies. The existing property has a rather pleasant and quaint appearance, stemming from its diminutive scale, central plot location and use of materials. It therefore positively contributes to the AONB. In contrast, the introduction of the two

dwelling in the proposed location would result in a more continuous form of development which would be visually prominent in views along Ibstone Road. This would erode the rural and open character of the area and would not conserve the AONB where it would be visually prominent, with limited boundary vegetation screening it from short-range public viewpoints including from the surrounding landscape.

12. Consequently, the proposed development would have a detrimental effect on the character and appearance of the surrounding area including the Chilterns AONB. It would therefore conflict with Policies CP9, DM30, DM32 and DM35 of the Wycombe District Local Plan 2019 (the LP) and associated guidance in the Chilterns Building Design Guide. The policies together seek, amongst other things, to create a sense of place, protect and reinforce landscape and settlement patterns, require development to take the opportunities for improving the character of the area. It would also not accord with the Framework which seeks development sympathetic to local character and the protection and enhancement of valued landscapes and for great weight to be given to conserving and enhancing AONBs'.
13. I have found no direct conflict with Policy DM44 of the LP, under this main issue, as it primarily concerns the location of new development in the countryside and not its character or appearance.

Suitable location

14. The Council's overall strategy for the delivery of housing is set out under Policy CP2 of the LP. This is based around a settlement hierarchy, whilst protecting areas where development should be restricted, including amongst other things attaching great weight to conserving the landscape and scenic beauty of the AONB. The appeal site is located within the settlement of Ibstone which falls under the definition of a Tier 6 settlement, a hamlet and one of the smallest settlements. Ibstone benefits from a public house, primary school, church, local bus service and easy access to the M40.
15. LP Policy CP3 sets out the settlement strategy and explains that within Tier 6 settlements, housing will be delivered through rural exception affordable housing schemes where the settlement has some local services. The supporting text to the policy goes on to detail that in the smaller villages and hamlets, significant development would not be sustainable due to the limited facilities and reliance on the private car for transport.
16. Policy DM44 sets out the types of development that will be permitted within the countryside outside of the Green Belt. In respect of housing development, it supports development, amongst other things, that accords with a made neighbourhood plan, the construction of development within settlement boundaries, as rural exceptions housing, housing for rural workers, the conversion of existing buildings and the redevelopment of previously developed land provided this respects the rural character of the surroundings.
17. The Tier 6 settlement of Ibstone does not have a settlement boundary and there is no neighbourhood plan in place. The scheme proposes two market houses that consist of redevelopment of previously developed land. However, as I have found harm to the character and appearance of the area the scheme would not be compliant with the related criteria of Policy 44. As such, none of the circumstances set out under Policy DM44 would apply to the appeal

proposal. The scheme would therefore be contrary to LP policies with regard to the location of development and the Framework.

18. The Appellant has referred me to a scheme for housing development at Cholsey Grange, also in Ibstone, which they place considerable reliance upon to justify the location of the proposed development in the AONB. The site was the subject of an appeal¹ that whilst dismissed on flooding grounds was found acceptable even though the Inspector found conflict with Policy DM44 of the LP. Whilst I acknowledge the findings of the inspector, I have not been provided with full details to understand how their conclusion was reached, details of the character and appearance of the site and how the dwellings could be accommodated on site. In any event, that scheme was for five dwellings to fill an existing gap and is materially different to the appeal proposal therefore I cannot draw any direct comparison that weighs in favour of the proposal or justifies the harm that I have identified.
19. I have also considered the Appellant's comments in relation to sustainable development and Policies CP1 and CP3 of the LP. The accompanying text for CP1 identifies that achieving sustainable development is best understood at a local level with the strategic objectives together with the policies of the LP. The assessment of the appeal scheme against relevant policies of the LP has been undertaken and the basket of policies identified within the Officer Report and decision notice. Furthermore, I acknowledge the Appellant's argument that Policy CP3 does not expressly preclude development however, as identified above there are restrictions on when new residential development will be supported, which has not been demonstrated for the reasons set out above.
20. Having regard to all of the above, I conclude that the site is not a suitable location for the proposed development having regard to local and national planning policy for the delivery of housing. It would, therefore, conflict with Policies CP1, CP3 and DM44 of the LP and the Framework.

Living conditions

21. The proposed location of the dwellings on a staggered building line at a relatively short distance from each other would result in a close relationship. However, many windows that allow for views between the proposed dwellings are secondary windows or do not serve habitable rooms. The proposed dwellings would be a sufficient distance from each other, with House B being set back from House A to allow natural light and direct outward views from habitable rooms and would not be imposing or overbearing. Furthermore, given the design of the dwellings many windows in these properties are large and offer a wide outlook.
22. The Council has also raised specific concerns about outlook and privacy between bedroom 4 of house A and bedroom 3 of house B. As I have found above, there would be a sufficient distance between the houses to avoid any overbearing effect. In regard to privacy, from the plans before me and the positioning of the dwellings, there would be limited opportunity for views from the first-floor windows between the proposed dwellings. This relationship would provide a sufficient level of privacy.

¹ APP/K0425/W/19/3226658

23. It follows that, the proposed development would not unacceptably harm the living conditions of future occupiers with regard to outlook and privacy. In this particular regard, it would accord with Policies CP9 and DM35 of the LP which requires new development to optimise the development of previously developed land and provide a level of privacy and amenity for future occupants. In addition, it would also accord with the provisions of the Wycombe District Council Residential Design document where it requires good private amenity and outlook.

Other Matters

24. The development would offer potential benefits in terms of providing one new dwelling to the Council's housing stock. It would also have economic and social benefits through employment opportunities during the construction phase of the development, and future residents accessing and supporting local services. I have also taken into account that conditions could secure the environmental performance of the proposed dwellings. I have attached some positive weight to these factors. However, given the modest scale of the development, the weight attributable to these matters is limited and is not sufficient to outweigh the harm that I have identified and the conflict with the policies I have referred to.

25. The Appellant has referred me to applications granted at 1-3 Old Dairy Cottages, however as these are related to extensions and alterations, they materially differ from the appeal proposal which is seeking the erection of two new dwellings.

26. Concerns have been raised by third parties that the proposal would adversely affect nearby residents. However, whilst the proposed dwellings would be clearly visible from the neighbouring properties and at relatively short distances, the proposed dwellings would not be imposing or overbearing from them. Additionally, there is no evidence before me that the proposal would result in harm to the highway through the provision of a wider driveway or that there would be any disruption to utility services. However, the absence of harm in those respects it is a neutral factor.

Conclusion

27. The proposal conflicts with the development plan when taken as a whole and there are no material considerations, either individually or in combination, sufficient to outweigh the identified harm and associated development plan conflict. The appeal should therefore be dismissed.

A Hickey

INSPECTOR