



Appeal Decision

Site visit made on 21 March 2023

by H Wilkinson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 May 2023

Appeal Ref: APP/N0410/W/22/3304742

Feltrim, 99, Packhorse Road, Gerrards Cross, SL9 8HU

- 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 A Anand against the decision of Buckinghamshire Council - South Area (South Bucks).
 - The application Ref PL/21/3546/FA, dated 8 September 2021, was refused by notice dated 1 June 2022.
 - The development proposed is the demolition of existing dwelling and single garage with lean-to enclosed carport, to be replaced by new 2½ storey dwelling with retained surface parking and amendments to existing access to improve visibility.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the area and on the significance of heritage assets, with particular regard to the appeal property as a non-designated heritage asset and the Gerrards Cross Conservation Area;
 - the living conditions of the occupants of No 97 and No 101 Packhorse Road by reasons of overlooking.

Reasons

Heritage assets

3. The appeal site occupies a prominent roadside location and lies within the Garden Village character zone of the Gerrards Cross Centenary Conservation Area (CA). This area of the CA is characterised by detached, decorative dwellings, many of which have been influenced by the Arts and Craft style of architecture and are set within spacious, softly landscaped plots. The pleasing appearance of buildings, abundance of greenery and sense of spaciousness within the Garden Village character zone contributes to the overall significance of the CA.
4. The appeal property is located within a row of dwellings, which, in keeping with the area, occupy generous sized plots and feature verdant gardens both to the front and rear. Notwithstanding the mixed appearance of buildings along the row, there is a regular street pattern derived from the position of properties within their respective plots and the almost continuous line of boundary treatments to the site frontages. This regularity, together with the verdant frontages and decorative style of the buildings, provides the street scene with an aesthetic value which positively contributes to the character and appearance of the area.

5. The proposal would result in the loss of the existing dwelling, which the Council has identified as being a non-designated heritage asset. The appeal building comprises a detached, pebble dashed dwelling under a double hipped, clay pantile roof. The central archway leading to the internal porch is framed by two flat roofed canted bay windows whilst two flat roofed dormers feature on either side of the central pitched roof gable. Together with the two chimney stacks, these features create a pleasing symmetry when viewed from Packhorse Road. Except for the erection of an unassuming single storey rear extension, and the enclosure of the porch, the building is largely unaltered and retains much of the original architecture, including Crittal windows.
6. Consistent with the CA, the overall decorative appearance of the dwelling is reflective of the Arts and Craft style of architecture whilst the external finish, including the distinctive red pantile roof and pebbledash finish is in keeping with the local material palette identified within the Conservation Area Character Appraisal 2009. Moreover, the appeal building clearly pre-dates its immediate neighbours, which, although generally in keeping with the local vernacular, are less distinguishable. Thus, within this context, and irrespective of the attributed architect, I find that the building reads as a rare and interesting example of an early twentieth century building and positively contributes to the character and appearance of the CA.
7. Historic England's Advice Note 7 advises on the components of significance which, amongst other aspects, includes architectural and artistic interest. Whilst the Heritage Appraisal suggests that the building has no unusual or remarkable features, for the reasons outlined above, it is my view that the distinctive appearance and form of the building is of both architectural and artistic interest and contributes to the distinctiveness of the district, including the CA. Furthermore, in so far as the building was part of the evolution of the Garden Village and retains much of the original architecture, I also find it has a degree of historical value. Therefore, whilst it may be the case that the building has no noteworthy internal features, it has substantial significance as a non-designated heritage asset.
8. The proposed replacement dwelling would occupy a similar position within the plot to the existing dwelling and would comprise of half-timbered gables, render and red brick under a clay pantile roof. Whilst it is acknowledged that the overall scale and spacing of the proposed dwelling would not be wholly uncharacteristic of the area, the excessive building depth means that the dwelling would be of a disproportionate scale to neighbouring dwellings. This would be particularly noticeable when viewed from Packhorse Road and the visible side gaps between buildings. Moreover, the convoluted roof structure and multiple gable projections would increase the mass and visual complexity of the building and thus it would appear overly bulky within the plot, the effect of which would be compounded by the limited lateral space between the respective side boundaries.
9. In coming to this view, I recognise that the overall ridge height would be consistent with neighbouring properties and that the scheme, including the proposed elevational treatments, external materials and landscaping have been designed to reflect the appearance of dwellings along this side of Packhorse Road. Nevertheless, for the reasons outlined above, I find that the proposal would read as a visually obtrusive and discordant form of development within an otherwise spacious and aesthetically pleasing street scene.
10. My attention has been drawn to a recent development at No 87 Packhorse Road which the appellant contends is of a similar scale and design. Unlike the appeal site, No 87 occupies a corner plot and has a larger gap between the side elevation of No 87 and the southern site boundary. In addition, the area of land immediately

to the south is free from built form. As such, and unlike the appeal proposal, a degree of spaciousness is maintained. Furthermore, based on the evidence before me, I understand that the proposed dwelling is substantially deeper, which combined with the smaller side gaps means that the appeal development reads as a bulkier form of development. The evidence therefore does not persuade me that the proposed development would be justified on this basis.

11. For the reasons outlined, the proposed development would result in the loss of a building which positively contributes to the character and appearance of the area whilst the scale of the proposed replacement dwelling would undermine the spaciousness of the CA. As such, the scheme would fail to preserve or enhance the character or appearance of the heritage asset (the CA). Therefore, it would have a negative effect on the significance of the asset and would result in less than substantial harm in the terms of the National Planning Policy Framework (the Framework) given the small-scale nature of the proposal.
12. Where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, the Framework indicates that this harm should be weighed against the public benefits of the proposal. It is noted that the proposed development would support the local economy in the short term through construction jobs and expenditure and would also continue to support local services and facilities in the future. I also recognise that the proposed dwelling would be constructed to meet modern standards of insulation and energy efficiency in a manner that the refurbishment of the existing dwelling could not attain. In doing so, the proposal would contribute to the supply of new, and more sustainable housing. Nevertheless, and notwithstanding the financial contribution via the Community Infrastructure Levy Regulations, I find that the public benefits would be relatively limited given the scale of the development proposed.
13. In determining the appeal, great weight and importance is attributed to the statutory duty outlined in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In this instance, whilst I acknowledge that the proposal would provide public benefits, for the reasons outlined, they would be insufficient to outweigh the harm identified.
14. In addition to the above, in respect of the non-designated heritage asset, the Framework requires a balanced judgement having regard to the scale of harm or loss and the significance of the asset. Whilst bearing in mind the benefits of the scheme, the proposal would nevertheless result in the total loss of a non-designated heritage asset. Therefore, based upon the balanced judgement and my findings regarding the heritage significance of the appeal building, I find that the proposal would be unacceptable in this regard.
15. For these reasons, I find the proposed development would have an unacceptable adverse effect on the significance of heritage assets, with particular regard to the loss of a non-designated heritage asset and the effect on the CA. The proposed development is therefore contrary to Policy 8 of the South Bucks Local Development Framework Core Strategy Development Plan Document 2011 (Core Strategy), to Saved Policy C1 of the South Bucks District Local Plan 1999, Consolidated 2007 and 2011 (Local Plan) and to the heritage provisions of the Framework. Collectively, and amongst other aspects, these policies seek to protect and, where appropriate enhance the district's historic environment and distinctiveness by ensuring that development proposals are of a high standard of design which is sympathetic to existing buildings, the site, and the CA as a whole.
16. In reaching this view I have noted that the appellant argues that the local plan having been adopted in 1999 is extremely dated. However, having reviewed Core

Policy 8 and Policy C1, I am satisfied that the heritage principles, in particular the desire to preserve or enhance the character or appearance of the Gerrards Cross Conservation Area are consistent with the Framework.

Living conditions

17. No 97 and No 101 Packhorse Road feature well proportioned, maturely landscaped gardens to the rear. Whilst there would be views into the neighbouring gardens from the rear balcony, these would not be any greater than reciprocal views that typically occur in many suburban settings from first floor windows. Moreover, as indicated on the proposed site plan it is noted that the balcony would be located sufficiently beyond the rear elevation of the neighbouring dwellings and the more private areas immediately to the rear thereof. For these reasons, and given the oblique viewing angle, extent of the rear garden areas and established landscaping which would offer a degree of natural screening, I do not consider that there would be a material loss of privacy.
18. Accordingly, I find that the proposed development would not adversely affect the living conditions of the occupiers of No 97 and 101 Packhorse Road by reasons of overlooking. As such, the proposal would accord with Local Plan Policies EP3 and H9 which, amongst other factors seek to ensure that development proposals would not adversely affect the amenities of nearby properties by reasons including the loss of privacy. It would also comply with that part of the Framework which seeks to secure a high standard of amenity for existing occupiers.

Other Matters

19. Whilst I acknowledge that Council's decision notice and delegated report raised no concern regarding the effect of the proposal on ecology, highway safety and landscaping, these are neutral factors and thus do not outweigh the harm identified above.
20. It is noted that there is a Grade II listed building located within proximity of the appeal site. However, the Council's delegated report and decision notice do not allege harm to the setting of the listed building whilst the appellant's Heritage Appraisal also indicates that the proposal would not harm the significance of the heritage asset. For these reasons and based on the available evidence, I have no reason to conclude that the proposal would undermine the desire to preserve the building or its setting.

Conclusion

21. Having regard to the development plan as a whole and all other relevant material considerations, including the Framework, the appeal is dismissed.

H Wilkinson

INSPECTOR