



Appeal Decision

Site visit made on 6 September 2023

by Nichola Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 September 2023

Appeal Ref: APP/X0415/W/22/3309472

**Boundary Meadow, Collum Green Road, Stoke Poges, Buckinghamshire
SL2 4BB**

- 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 Rajput against the decision of Buckinghamshire Council.
 - The application Ref PL/22/2537/FA, dated 15 July 2022, was refused by notice dated 12 September 2022.
 - The development proposed is described as “replacement dwelling following demolition of existing house and outbuildings”.
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Decision

1. The appeal is allowed and planning permission is granted for replacement dwelling following demolition of existing house and outbuildings at Boundary Meadow, Collum Green Road, Stoke Poges, Buckinghamshire SL2 4BB in accordance with the terms of the application, Ref PL/22/2537/FA, dated 15 July 2022, subject to the conditions in the attached schedule.

Preliminary Matters

2. At my site visit I observed that the appeal property had been demolished and that works had commenced for the erection of a dwelling. Nonetheless, I have determined the proposal in accordance with the submitted plans.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site comprises a spacious plot which fronts onto Collum Green Road which was previously occupied by a large, detached dwelling. The appeal site is located within a small cluster of dwellings in an area which is semi-rural in character. Dwellings to the southeast of the site fronting Windsor Road are traditional in character and typically comprise small dwellings. The appeal site is located to the northwest of this cluster, in an area which comprises a small group of individually-designed, large, detached dwellings which are set within spacious plots. These properties are set back from the highway with mature vegetation to the property frontages and within front gardens. The area therefore has a spacious semi-rural character and lively architectural variety.
5. The appeal site has a wide entrance, low boundary treatment and limited vegetation to the site frontage, and consequently appears more prominent than the surrounding dwellings in views from the street scene. Nonetheless, by

virtue of its size and location within this small group of dwellings, the site makes a positive contribution to the character of the area.

6. The appeal proposal comprises a substantial 2 storey detached dwelling. The proposed dwelling would be set back within the plot and set in from the site boundaries. The dwelling would be of a classical design incorporating a parapet roof form to the front elevation, a portico front projection with balcony and stonework ball finials, and would be constructed using yellow facing brickwork, bath stone and fibre cement roof tiles consistent with the materials used on dwellings in the surrounding area.
7. By virtue of its scale and the incorporation of ornate decorative features, the proposed dwelling would have a grand and formal appearance and would be larger than the dwelling which previously stood on the site. This scale and design would fail to relate to the traditional form and scale of dwellings to the east of the site. Additionally, given the limited planting to the site frontage, the proposed dwelling would be clearly visible in views from the street scene.
8. Nonetheless, the proposed dwelling would be set in from the site boundaries. It would have a symmetrical appearance which would be balanced by decorative features including the parapet wall, decorative finials and a projecting portico which would break up the scale and massing of the dwelling. In views from the surrounding area the proposal would appear as a dwelling of an appropriate scale for the plot.
9. Furthermore, the immediate surrounding area includes dwellings of varied scales and designs and the proposed scale would be consistent with other substantial properties in the immediate area. The ornate formal appearance would be consistent with the formal classical design of nearby Helm House and would not appear as an obtrusive feature in the varied surrounding area. I therefore find that, notwithstanding the limited planting to the site front frontage, the design of the dwelling would integrate successfully into the surrounding area.
10. This appeal follows the grant of planning permission for the erection of a dwelling of a differing design¹. Whilst the volume, floorspace and footprint of the house would be the same, the Council considers that the current proposal is of an inferior design to the previous permission. As reasoned above, the design before me would not have a harmful effect on the character and appearance of the surrounding area. Therefore, the proposed development would accord with the relevant provisions of Policies EP3 and H9 of the South Bucks District Local Plan (1999) (LP) and Core Policy 8 of the South Bucks Local Development Framework Core Strategy Development Plan Document (2011), which amongst other things seek to ensure that all new development is of a high standard of design and that scale, layout, siting, height, design, external materials and use are compatible with the character and amenities of the site itself, adjoining development and the locality in general.
11. I find no conflict with Section 12 of the National Planning Policy Framework (the Framework), which provides guidance on achieving well-designed places, or with Policy C1 of the National Design Guide which requires that development responds positively to the features of the site including consideration of, amongst other matters, layout, form, scale, appearance, details and materials.

¹ Application reference PL/22/1042/FA

Other Matters

12. The appeal site is in the Green Belt. The Framework confirms that the Government attaches great importance to Green Belts. The identified fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. The Council state that the proposal would be inappropriate development in the Green Belt and found that the proposed loss of outbuildings amounted to the very special circumstances necessary to approve such development in the Green Belt. Based on the plans before me and my observations on site I see no reason to take a different view. Accordingly, the proposal does not conflict with the guidance set down in the Framework on this matter, or those aims of LP Policy GB1 which allow for the limited extension, alteration or replacement of existing dwellings.
13. The Preliminary Ecological Appraisal and Bat Emergence Survey states that the roof of the original dwelling was confirmed as a bat roost. That survey makes recommendations for during the construction. The original dwelling has now been demolished and works on the erection of a replacement dwelling have commenced. I have been provided with evidence that a license for these works has been obtained from Natural England. In light of this I am satisfied that the proposal makes adequate provision for protected species and their habitats.
14. It is noted that Stoke Poges Parish Council (PC) have made reference to the content of the Chiltern and South Bucks Townscape Character Study (2017). The Council have confirmed that the appeal site is not located within a Townscape Typology area and as such the principles of the character study are not relevant in this instance. I see no reason to take a different view.
15. The PC have commented that they are in the process of compiling a Neighbourhood Plan and that the dwelling that previously stood on the appeal site is on the list of potential Non-Designated Heritage Assets (NDHA). However, I note that planning permission has already been granted for the erection of a replacement dwelling and this dwelling has now been demolished.

Conditions

16. I have had regard to the conditions suggested by the Council in their statement of case, on which the appellant has had the opportunity to comment. Where necessary I have made revisions to some of the conditions put to me to ensure that they meet the tests in the Framework and PPG, without altering their fundamental aims.
17. Planning permission is granted subject to the standard 3-year time limit condition for implementation. In addition, it is necessary to specify the approved plans in the interest of certainty. In the interest of the character and appearance of the street scene, a condition is necessary to control the external materials of the development (which need not delay any development). A condition relating to the construction of the parking and turning areas is necessary in the interests of highway safety. In the interests of character and appearance and biodiversity, conditions are necessary for landscaping, biodiversity enhancement and tree protection.
18. Given the increase in the size of the dwelling, it is necessary to restrict permitted development rights under Classes A, B and E to ensure that future

alterations and extensions to the dwelling do not compromise the openness of the Green Belt.

19. I have amended the trigger points of conditions put to me in relation to the approval of the biodiversity enhancement scheme. I see no reason why such details cannot be submitted prior to occupation.
20. I have amended a condition put to me which relates to the approval of a tree constraints plan and method statement. I have been supplied with evidence that this detail has already been approved pursuant to application reference PL/22/1042/FA. As construction of the dwelling has been substantially completed and as this appeal relates primarily to alterations to the design of the building and the roof, I see no reason why the proposal cannot be carried out in accordance with these approved details.
21. I have not included a suggested condition relation to the demolition of the existing buildings, as this has already taken place.
22. I have not included a suggested condition which requires that development must not commence until a license has been issued by Natural England as this detail has already been approved pursuant to application reference PL/23/2004/CONDA.

Conclusion

23. For the above reasons, having considered the development plan as a whole along with all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions below.

Nichola Robinson

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: 43-20-02, 43-20-03, 43-20-04, 43-20-05, 43-20-10D, 43-20-11D, 43-20-12F, 43-20-13E, 43-20-15E, 43-20-16D.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as shown on drawing no. 43-20-15E.
- 4) The new dwelling shall not be occupied until the parking and turning areas have been constructed in accordance with the approved plans. These areas shall be retained thereafter for the life of the development.
- 5) The development shall be implemented in accordance with the approved tree protection measures submitted in compliance with the application to discharge condition 4 (reference PL/22/2324/CONDA) in relation to planning permission PL/22/1042/FA. The approved protective fencing shall be erected to protect existing trees and other vegetation during construction and shall conform to British Standard 5837:2012 'Trees in Relation to Construction' or any replacement thereof or EU equivalent. The approved fencing shall be erected prior to the

commencement of any works or development on the site including any works of demolition. The approved fencing shall be retained and maintained until all building, engineering or other operations have been completed. No work shall be carried out or materials stored within the fenced area without prior written agreement from the Local Planning Authority.

6) The development shall be implemented in accordance with the agreed mitigation measures for bats, nesting birds, amphibians and reptiles (Preliminary Ecological Appraisal and Bat Emergence Survey report, 4 Acre Ecology, 24th May 2022). Any variation to the agreed plan shall be agreed in writing with the Local Planning Authority before such change is made. The condition will be considered discharged following a written statement from the ecologist acting for the developer testifying to the plan having been implemented correctly.

7) Prior to the first occupation of the development hereby approved, a scheme of biodiversity enhancements shall be submitted to and approved by the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme must include details of artificial roost features, including bird and bat boxes. Any new fencing must include holes to allow for the safe passage of hedgehogs. The scheme shall be implemented in accordance with the agreed timetable.

8) Notwithstanding the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to the dwellinghouse the subject of this permission shall be carried out, nor shall any building or enclosure required for a purpose incidental to the enjoyment of the dwellinghouse be constructed or placed on any part of the land covered by this permission.