



Appeal Decision

Site visit made on 12 September 2023

by Robert Naylor BSc (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2023

Appeal Ref: APP/N0410/W/22/3313304

6 Penn Meadow, Stoke Poges, Buckinghamshire SL2 4EB

- 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 Mrs Ramandeep Kaur against the decision of Buckinghamshire Council.
- The application Ref PL/22/2280/FA, dated 22 July 2022, was refused by notice dated 17 October 2022.
- The development proposed is for a detached 2 bedroom house with single storey rear extension.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address in the banner heading above has been taken from the application form, albeit that the reference to Buckinghamshire has been made after Stoke Poges rather than preceding as shown on the application form.
3. The description of development cited in the planning application form differs to that contained within the decision notice and appeal form. There is no evidence that this change was formally agreed. In the interests of clarity, I rely upon the description as included in the application form for the purposes of the heading above.

Main Issues

4. The main issues are the effect of the proposal on i) the character and appearance of the area; and ii) the integrity of the Burnham Beeches Special Area of Conservation (SAC).

Reasons

Character and appearance

5. The area around the appeal site is characterised as formal suburban in the Chiltern and South Bucks Townscape Character Study (CS), adopted November 2017. The appeal site is located on the west side of Penn Meadow, which forms part of a ribbon of residential dwellings consisting of 1-6 Penn Meadow and Hastings Meadow. The line of development can be viewed along Bells Hill (B416), however only the properties in Hastings Meadow front this street, as the properties at 1-6 Penn Meadow are turned 180 degrees, thus it is their rear elevations and garden that front the Bells Hill street scene, albeit set back.
6. The properties at 1-6 Penn Meadow have a consistent appearance and rhythm, consisting of three pairs of two storey semi-detached dwellings, with single

storey side additions in a traditional brick and tiled finish. The single storey side additions provide important gaps between these properties, assisting in the established regularity, providing breathing room between these properties and a degree of permeability, which is an important factor of the spaciouly sized plots. However, the character changes after the appeal site, with the rear of the more tightly arranged dwellings at Nos 9 - 14a Hastings Meadow which are visible from Penn Meadow. The appeal site therefore occupies a transitional location between these areas.

7. The appeal site would provide a new dwelling within the plot. Despite its detached and set back nature there would only be a modest gap between the proposal and the adjoining properties either side. As a result, there would be no meaningful separation between the buildings, reducing visual permeability and appearing cramped. Given this tight relationship, the bulk and mass of the scheme limits any views through to the rear of the site. Furthermore, the juxtaposition between the buildings would appear awkward, providing an almost solid built form due to the lack of space between them, and the combined bulk and mass, would therefore appear out of keeping with the more spacious character and appearance of Penn Meadow.
8. The appellant draws my attention to the close boundary relationship of No 14a adjoining the site, and I acknowledge this tight relationship. However, it is the combination of the bulk and mass of the proposal, coupled with the existing close proximity to No 14a which would provide a more cramped feel, to the detriment of the character and appearance of the area and to this part of the street scene. In coming to this view, I have taken into account the proposals set back position to create a staggered effect in an attempt to break up the built form.
9. For the above reasons, I find that the proposal would have a harmful effect on the character and appearance of the area. Accordingly, it would be contrary to Policy CP8 of the South Bucks Local Development Framework Core Strategy Development Plan Document, adopted February 2011; Saved Policies H9 and EP3 of the South Bucks District Local Plan, adopted March 1999 and the aims and objectives of the South Bucks District Council Residential Design Guide Supplementary Planning Document adopted October 2008 and the CS, which collectively require new development to be of a high standard of design and make a positive contribution to the character of the surrounding area. Neither would the proposal accord with the provisions of the National Design Guide and the National Planning Policy Framework (the Framework) which amongst other things, also seeks to secure high quality design which protects local character.

Integrity of the Burnham Beeches SAC

10. The appeal site falls within the 5.6km catchment zone of the Burnham Beeches SAC. This is a European Designated Site afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended ('the Habitats Regulations'). The Habitats Regulations impose a duty on me, as the competent authority, to consider whether the proposal would be likely to have a significant effect on the integrity of the SAC, either alone or in combination with other plans and projects.
11. The Council has advised that the proposed development may adversely impact the SAC due to the net increase in residential units on the site. To avoid or mitigate adverse impacts from developments on the natural habitats in the

SAC, such as that proposed in the appeal, the Council highlights mitigation can be achieved through financial contributions towards the range of Strategic Access Management and Monitoring Strategy (SAMMS) Projects. These are listed in the Burnham Beeches SAC SAMMS Supplementary Planning Document.

12. I have no substantive evidence to suggest that any contribution has been made nor is there a planning obligation before me. Without an appropriate mechanism I am not satisfied that appropriate mitigation can be secured. Nevertheless, as I'm dismissing the appeal due to the harm of the character and appearance of the area, I do not need to consider this matter further, as no significant likely effects on the SAC site would arise from my decision.

Other Matters

13. I have had regard to the benefits of the appeal scheme, in that the proposal would provide an additional unit with appropriate living conditions for future occupiers in a relatively sustainable location. Furthermore, I have no reason to disagree with the Council that the proposal would not cause harm to the living conditions of the occupiers of surrounding properties in respect of outlook, privacy and light. I am in no doubt as to the positive value of these matters and I recognise that the appeal proposal may well accord with various other development plan policies. However, these benefits do not provide clear and convincing justification to outweigh the harm identified above.
14. The appellant also draws my attention to the development being acceptable and optimising the potential of the site providing an effective and efficient use. However, the optimal use of the site is not in dispute, and in any case would be neutral in the planning balance, and thus would not outweigh the identified harm to the character and appearance of the area, and lack of mitigation to the Burnham Beeches SAC I have identified above.
15. I also note that the appellant highlights no objections were received by neighbours, the highways or waste authorities to this scheme, however that does not in itself indicate that the proposed development would be acceptable.

Conclusion

16. Taking all of the above into account, the proposal would therefore conflict with the development plan taken as a whole and there are no other material considerations to indicate that my decision should be made other than in accordance with the development plan.
17. For the reasons given above, I conclude that the appeal should be dismissed.

Robert Naylor

INSPECTOR