
Appeal Decision

Site visit made on 16 October 2023

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 October 2023

Appeal Ref: APP/K0425/D/23/3326558

29 Station Road, Marlow, Buckinghamshire SL7 1NL

- 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 Miss Georgina McLean against the decision of Wycombe District Council.
 - The application Ref 23/05848/FUL, dated 29 March 2023, was refused by notice dated 31 May 2023.
 - The development proposed is the erection of a single storey detached garden room.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey detached garden room at 29 Station Road, Marlow, Buckinghamshire SL7 1NL in accordance with the terms of the application, Ref 23/05848/FUL, dated 31 May 2023, subject to the following 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 plans: 'Proposed Home Office' Sheet 1 of 1; OS based location plan; OS based block plan.
 - 3) No development shall commence until details/samples of the materials to be used in the construction of the external surfaces including walls, roofs, doors and windows of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details/samples and thereafter retained in that form.
 - 4) Prior to the first occupation of the building hereby permitted, details of biodiversity enhancements shall have been submitted to and approved in writing by the Local Planning Authority and shall be installed on site in accordance with the approved details and thereafter retained in the approved form.

Main Issues

2. The main issues in this appeal are the effects of the proposal on the character and appearance of the Marlow Conservation Area, its effects on the provision of amenity space and parking.

Reasons

3. The proposal relates to this dwelling which is located adjacent to the junction of Station Road and Mill Road. The property sits within the Marlow Conservation Area and is referred to
4. by the parties as a 'significant building' within the Conservation Area Character Survey.
5. The building has a series of gables, brick elevations and a tiled roof. The building as a whole (including the attached No 27) is set back a short distance from the Station Road frontage but is built to the back edge of the pavement on Mill Road, with its full height. Between the rear of the building and the adjacent No 2 Mill Road is a small open area belonging to the appeal site. It is set behind tall gates and is apparently used as an open amenity area and it is said could be used for parking, noting the presence of a dropped kerb.
6. The proposal would be to erect a building measuring 2.9m by 4m with a height of 2.5m. It would be sited within the rear of this open area and the appellant indicates that this would be 3m from the Mill Road boundary. The submitted documents indicate that the Council considers that, taken in isolation, the scale and materials proposed are acceptable.
7. The building is attractive and is consistent with the design and appearance of a number of other older buildings within this part of the Conservation Area. The area is characterised by buildings being sited closely with each other, sometimes in terraces or groups and often with modest gaps between the rear of corner properties and the next building in the adjacent road. In many instances these gaps contain views of other buildings.
8. I acknowledge that the close and intimate nature of the relationship between buildings in positions such as this adds to the interest and character of this Conservation Area. However, taking account of the fact that the proposed building would be very modest in size, would be set back from the boundary with Mill Road and would be behind gates, I consider that it would have no detrimental effect on the character or appearance of the Conservation Area and would not affect its significance. Although not referred to in the Council's reason for refusal, the appeal site is close to Nos 4-14 Mill Road which are Grade II Listed. Taking account of the distance and physical separation from the appeal site, I am satisfied that the proposal would have no effect on the setting of these listed buildings.
9. In relation to amenity space, the proposal would occupy much of the existing open area, although some would still remain open. The area is closely confined by the existing buildings and, in my view, would offer only a limited value as amenity space and the proposal would represent a reversible operation which would have only a very limited effect in this sense.
10. In relation to car parking, it is notable that, having taken account of the planning history of the site, the County Council as highways authority raised no objection to the proposal. Furthermore, the submitted Officer's report seems to conclude in the same manner. Taking account of these matters, I find no objections in this respect.

11. As a result of the above, I consider that the proposal would preserve the character and appearance of the conservation area and the setting of nearby listed buildings and its effects on the amenity space and parking are acceptable. As a consequence, I find no conflict with Policies DM31, DM35 and DM36 of the Wycombe District Local Plan – Adopted August 2019.
12. In relation to conditions, I have given consideration to those suggested by the Council. It is a requirement that a time limit for commencement is imposed and I have included such a condition. For the sake of clarity, I have included a condition which requires the development to be implemented in accordance with the approved drawings and I shall impose a condition in relation to the external materials so that the visual effects of the proposal are acceptable. In relation to biodiversity, the Council has indicated that an enhancement should be required, albeit a modest one, taking account of the nature and scale of the development. Taking account of Policy DM34 of the Wycombe District Local Plan, I shall impose such a condition, although I shall not specify the precise requirement.

Conclusion

13. For the reasons set out above, the appeal is allowed.

T Wood

INSPECTOR